

John Freemont Smith and Indian Administration in the Kamloops Agency, 1912–1923

Trefor Smith

John Freemont Smith, a prominent Black citizen of Kamloops, B.C., was appointed in 1912 as the Indian Agent for the Kamloops Indian Agency. Senior officials in the Department of Indian Affairs expected Smith to restore administrative order in the agency, and reassure Secwepemc leaders that the federal government had only the best interests of Indian people at heart. For eleven years, using ingenuity and the discretion his office afforded, Smith worked to accommodate the contradictory principles and directives of distant central planners with local conditions. Despite his efforts, however, the authoritarian nature of the agent's position, combined with severe economy measures, brought about Secwepemc resistance, rather than acquiescence, to departmental intervention.

John Freemont Smith, citoyen noir et personnage important de Kamloops, C.-B., fut nommé en 1912 comme Agent des Indiens pour le Kamloops Indian Agency. Les cadres supérieurs de la fonction publique dans le ministère des Affaires indiennes s'attendaient à ce que Smith réétablit l'ordonnance administrative dans l'agence et à ce qu'il rassure les chefs secwepemc que le gouvernement fédéral ne tenait que les meilleurs intérêts des peuples autochtones à coeur. Pendant onze ans, utilisant l'ingéniosité et la discrétion que lui fournissait son poste, Smith travaillait à faire adapter les principes contradictoires et les directives des planificateurs centraux et distants aux conditions locales. Malgré ses efforts cependant, la nature partisane de son poste jointe aux mesures économiques sévères, ont provoqué la résistance des Secwepemc plutôt que leur consentement à l'intervention départementale.

With a scholarly groundwork relating to Canadian Indian administration now firmly established, historians of British Columbia Native-White relations can now begin to look beyond the mere intentions of the Department of

Indian Affairs, toward its actual practices in the field. The intentions and contradictions of the *Indian Act* and the Department of Affairs (DIA) have been well documented, while the department's ethnocentric, authoritarian theories and self-serving rhetoric have been soundly criticized.¹ DIA has been described as an under-staffed, under-funded bureaucracy dominated by central decision-makers who paid more attention to economy than to the actual ideals of the department.² Moreover, DIA's apparently "technical" humanitarian capacity (i.e., "improving" Indians) has been unmasked to reveal its direct role in the provincial and federal governments' manoeuvres against First Nations political efforts in the early decades of the 20th-century.³ In short, a plethora of studies point toward an early 20th-century Indian administration riddled with tensions between its stated policy ideals and the economic and political priorities of federal politicians who controlled the department's purse-strings. In many quarters of the country, however, the question remains to be asked: what at this time was the nature, extent and purpose of DIA administration *in the field*?⁴

For the purpose of further understanding the administrative and political dimensions of early Indian administration in the BC Interior, I will be taking a closer look at the role of government field officers. Of all DIA employees, Indian agents most directly confronted the contradictions of Canadian Indian administration.⁵ As the local instruments of a bureaucracy, they were responsible for the day-to-day administration of unworkable economic development schemes, authoritarian financial and land management, an off-reserve legal authority, abusive industrial schooling and a divisive election system. This paper discusses the appointment of one exceptional Indian agent, John Fremont Smith, along with his efforts to manage the contradictions and failures of Indian administration during his superintendency of the Kamloops Agency from 1912 until 1923.⁶

Background Context

In a broad sense, the context of Smith's administration had been established by the previous fifty years of settlement. As has been discussed extensively in other literature, the colonial and provincial governments of British Columbia that followed Governor James Douglas's departure in 1864 staunchly refused to recognize the existence of Aboriginal title in the lands of the province.⁷ In the early 1860s, the BC colonial government allotted Indian reserves in the Interior as a means to accommodate Aboriginal interests during the process of settlement. Particular to BC policy, however, was the fact that these allotments were made without any formal treaty or agreement being first established between Aboriginal leaders and representatives of the Crown. A few years later, these initial allotments,

known as the "Douglas" reserves, were severely reduced under the authority of Chief Commissioner of Lands and Works Joseph Trutch.⁸ The passing of the colony's Land Ordinance of 1870, which provided for "*bona fide* Pre-emptors or Purchasers of Land" to lease vast tracts of land for pastoral purposes, drastically curbed Interior First Nations' hunting-, gathering- and ranching-use of lands situated outside of the reserves.⁹ A few years after BC entered confederation, Secwepemc (Shuswap) and Okanagan protest over their land losses had moved to the brink of violence.¹⁰

In 1874, the federal government responded by pressuring the provincial government to negotiate on the question of reserve acreage. In 1874, the federal government disallowed the province's newly consolidated *Land Act* on the basis that it made no provision for Indian reservations.¹¹ Further, when BC Indian Superintendent I.W. Powell recognized that the province was negotiating insincerely, and could find no way to secure even 20 acres per family as a principle of reserve size, he arrested all surveys in the province.¹² The federal government pointed to more "generous" precedents in Ontario and the prairies, and established 80 acres per family as the principle to guide the allotment of reserves in BC. The province, in turn, insisted that Indians be granted no more than 10 acres per family.

In 1876 a commission made up of federal and provincial representatives—A.C. Anderson, Archibald MacKinley and Gilbert Sproat—was appointed to tackle, in theory, the federal government's objections to the size of reserves allotted by the province.¹³ The Indian reserve commission's less stated design was to defuse and contain the simmering discontent of Aboriginal leaders and their people in the Interior.¹⁴ Indeed, the commission's ability to improve the condition of reserves was hindered from the start by the province, leading initially to the resignation of every commissioner except Sproat. He, too, eventually resigned, frustrated by the province's unwillingness to hand him the authority necessary to properly carry out his directives.¹⁵

In 1872, federal administration began to be administered from Victoria under a single superintendent, I.W. Powell. In 1874, he was joined by the appointment of a second superintendent, James Lenihan, who worked out of New Westminster. In 1881, with the matter of reserve size far from resolution, and the question of Aboriginal title still in abeyance, the federal Indian agency system was applied to First Nations peoples in British Columbia. Six administrative districts called Indian agencies—superimposed on a continuing Aboriginal system of territorial ownership and tribal organization—were created, each being administered at the local level by a DIA Indian agent.¹⁶ The long-term effects of the agency system on the Secwepemc would ultimately be divisive. Their people and territory were

administratively quartered, with the northern communities placed in the Williams Lake Agency, many southern communities placed in the Kamloops Agency (Figure 1), one in the Okanagan agency, and another in the Kootenay Agency.¹⁷ The imposition of the agency system, which represented the post-colonial "rule" of Native communities, suggests that by 1881 or earlier, the federal government had abandoned any idea of negotiating the question of Aboriginal title with First Nations leaders. Rather, the reserve question was to be resolved by the reserve commissioners, and the Indians to be pacified with the "benefits" of DIA administration.¹⁸

With these events in the background, three developments specific to DIA's relation to BC First Nations set the stage for Smith's appointment as head of the Kamloops Agency. First, between 1909 and 1910, First Nations leaders united to form large inter-tribal organizations mandated to pursue the legal recognition of their title to the lands of British Columbia. In the first decade of the century, prominent Secwepemc leaders Chief Louis of Kamloops and Chief Basile of Bonaparte, together with Okanagan Chief Johnny Chillihitza, had taken their complaints and grievances all the way to Ottawa and London. In the summer of 1909, chiefs and band delegates from throughout the BC Interior met to form the Interior Tribes of British Columbia, an organization which would send delegates to London and Ottawa to lobby for a treaty resolution to the land question.¹⁹ In 1910, the Indian Rights Association of British Columbia was formed, incorporating Coastal and Interior Native organizations into a single political organization representing 22,000 Native people across British Columbia.²⁰

Secondly, in response to this development, senior officials of the Department of Indian Affairs began to counter the independent activities of Indian political organizations. The federal government at this time was not overtly opposed to the idea of a treaty, as it did become in later years.²¹ Rather, it was DIA bureaucrats who were particularly disturbed by Native leaders' efforts at defining and articulating, in their own terms, the rights and special provisions that First Nations sought in a treaty with Canadian governments.

Senior DIA officials who, at that time, understood a treaty as little more than an Indian band's formal acquiescence to the "benefits" of the *Indian Act*, were not prepared to negotiate on the terms of First Nations' leaders.²² The reaction of DIA officials, then, was an attempt to block Native organizations from entering into the process of land negotiation. Indian agents in BC were told to inform their involuntary clients that "every effort will be made to secure for them the fullest measure of justice" by the department, and, "They should also be informed that no necessity exists for independent action on their part, and that to take the law into their own hands

KAMLOOPS AGENCY

SCALE

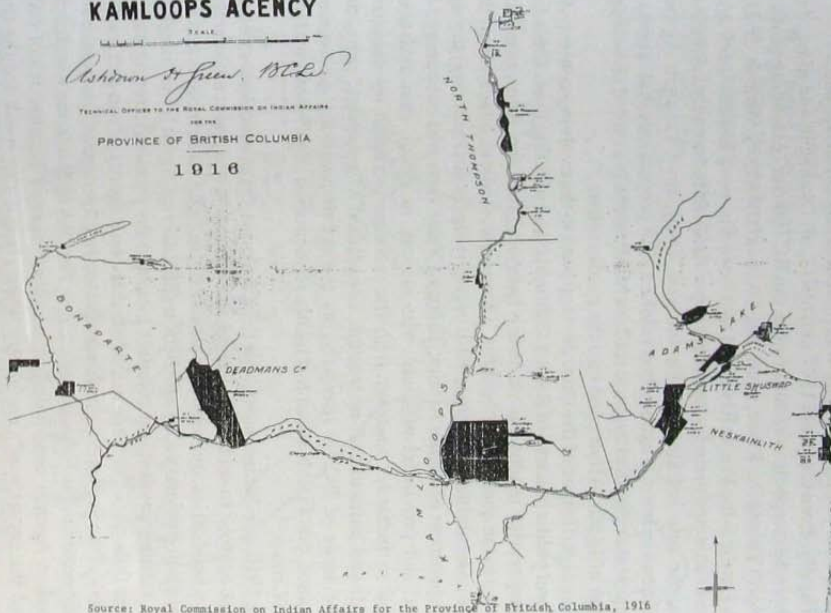
Ashdown & Green, B.C.L.

TECHNICAL OFFICE TO THE ROYAL COMMISSION ON INDIAN AFFAIRS

FOR THE

PROVINCE OF BRITISH COLUMBIA

1916



Source: Royal Commission on Indian Affairs for the Province of British Columbia, 1916

Figure 1: Kamloops Agency

can only tend to prejudice their case."²³ Agents were also told that Indian political organizations were the product of "white agitators" who were spreading the "impression" among Indians "that their rights to the lands of the province were being encroached upon."²⁴ Clearly, the word from Ottawa was that such political activity was to be actively discouraged.²⁵

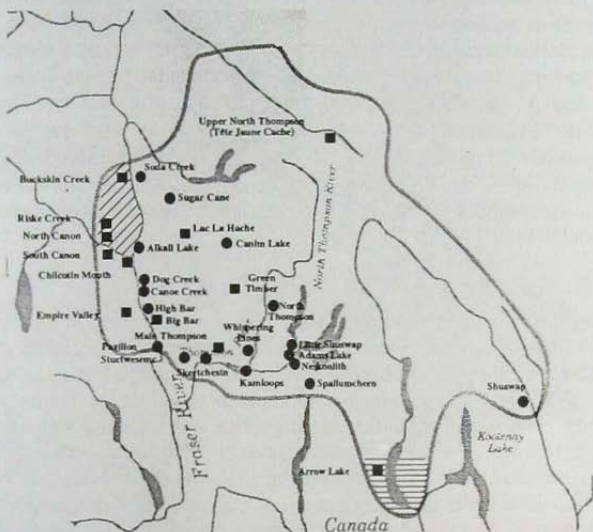
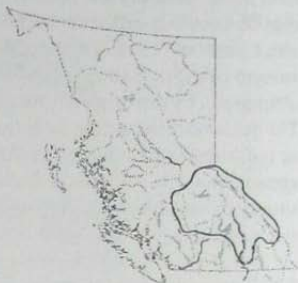
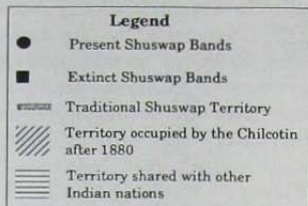
Thirdly, from the years 1897 until 1911, all Okanagan and most of the southern Secwepemc communities in the BC Interior (extending north up the North Thompson River, south into Okanagan territory towards the U.S. border, west to the Fraser River and east to the Shuswap Lakes—see Figure 2) were subjected to the incompetent supervision of Indian agent Archibald Irwin, the sole Indian agent for the vast Kamloops-Okanagan Agency. Conditions in Irwin's agency had reached such proportions that reports of government neglect had begun to spill out of the carefully guarded knowledge-domain of Indian Affairs and into the public sphere.²⁶

The significance of the latter development to the evolving contest over legal and political status of British Columbia land was that Euro-Canadian contemporaries tended (as do many today) to link the Aboriginal title question to the question of "benefits" (economic, medical, educational) that Native communities were reported to be receiving (or not receiving) through the Department of Indian Affairs. This particular view was encouraged by federal and provincial officials, who argued, in effect, that assistance offered to Indians,²⁷ together with the tutelage provided by industrial schools and horticultural instructors, constituted a "generous" substitute for the lands of BC; or inversely, by the act of receiving government assistance, that First Nations had tacitly relinquished their Aboriginal title to the Crown.²⁸

In 1910, conditions throughout the Kamloops-Okanagan Agency stood in stark contrast to such claims: band chiefs complained about undefended reserve boundaries, questionable land deals, missing lease monies and late compensation payments. Sympathetic settlers decried Agent Irwin's neglect, while visiting government officials mourned the economic retrogression evident throughout the region.²⁹ More than most agents, Irwin had made a mockery of the government's claims of extending "generous" assistance and earnest protection to Indian communities. For DIA officials, the Kamloops-Okanagan Agency constituted a "problem" agency because it not only eroded the department's credibility when claiming to speak for the true interests of BC Indians (i.e., assimilation), it undercut the view evolving in official circles that such tutelage and assistance rendered attempts to settle the Aboriginal title question unnecessary.

After identifying the "problem," DIA officials sought an immediate solution. In departmental correspondence, Irwin was clearly identified as

Shuswap Nation Traditional Territory



Source: *Shuswap History: The First 100 Years of Contact* (Kamloops: Secwepemc Cultural Education Society, 1990)

Figure 2: Shuswap Nation Traditional Territory

the source of administrative disorder,³⁰ yet the public solution was to divide the agency into more manageable administrative districts.³¹ Further, DIA inspectors recommended increasing the levels of supervision and management over band members and reserve lands. DIA inspectors expressed the hope that DIA could re-enlist the "confidence" of Secwepemc leaders by imposing strict scrutiny over individual location assignments, by introducing a system of filing and record keeping, by selling off "excess" lands and, ultimately, by restoring a form of order amenable to Ottawa bureaucrats.³² The decision reflected the department's preference to view Indian grievances as individual cases that had sprung from the combination of an oversized agency and a lackadaisical Indian agent: problems that could be solved simply by an administrative "re-organization."³³ For this, DIA would need a new Indian agent who was "earnest" enough to implement this reordering.

For DIA, a "good" appointment in the Kamloops Agency would help fulfill its institutional purpose of re-enlisting Secwepemc leaders and their people into a set of relations designed to prepare Indians for assimilation into the class structure of Canadian society.³⁴ For that, Ottawa administrators sought a meticulous administrator who could ensure the smooth operation of the agency's infrastructure: that is, the local industrial school, modes of economic assistance, medical care and sanitation, and the proper administration of reserve lands and water. They also needed someone who was said to "know" Indians and who had a high standing in the public eye—if not to successfully regain band members' trust, then at least to present a respectable front.

The New Agent

The department's first replacement was a very brief one. The new hope was William Nield, who was recommended for appointment on 26 July 1911 for \$1200 per year, the same salary paid to the Kamloops Indian agent in 1884.³⁵ Nield lost his position, however, in less than five months due to a patronage turnover. The Indian agent's office was not quite a plum, but nevertheless was an office used with regularity to reward significant local party supporters.³⁶ With the Conservative victory in the 4 November 1911 federal election, the Indian agent's office opened up for a candidate who was a Conservative party member, who apparently "knew" Indians, who was an effective administrator, who could cajole the bands back into trusting Ottawa and who would do this for the paltry annual salary of \$1200.³⁷

John Fremont Smith was such a person.³⁸ "Competent," "clean" and "Conservative," Smith knew the chiefs of the Kamloops and North Thompson bands from his own experiences as a rancher in the Louis Creek area and as a prospecting agent for the Kamloops Coal Company.³⁹ Being a Catholic,

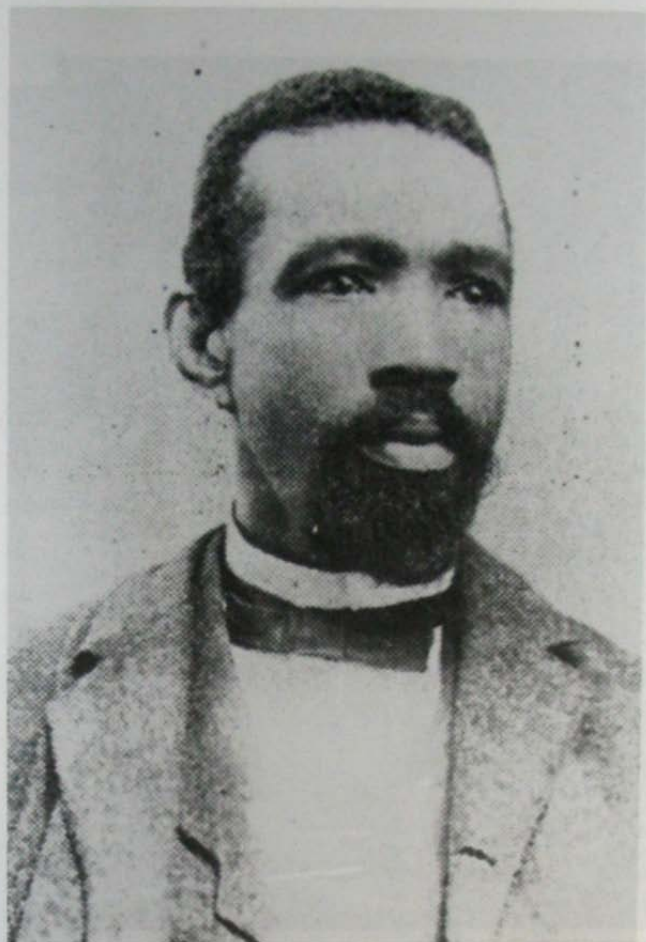


Photo courtesy of Kamloops Museum & Archives

John Freemont Smith



John Fremont Smith and Family

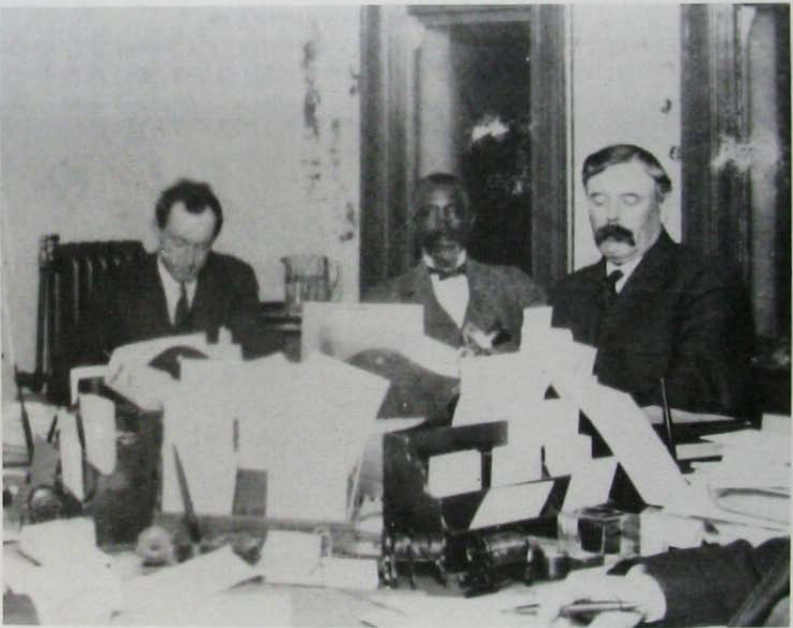


Photo courtesy of Royal British Columbia Museum

Mayor C.S. Stevens, Ald. J.F. Smith and Ald. J. Milton



City Council of 1905. Left to Right, back row: R.M. McKay, J.M. Harper, A.E. McLean. Front row: J.F. Smith, D.C. McLaren, C.S. Stevens (Mayor), J. Milton. Taken at corner of Victoria Street and Third Avenue.

as were most Secwepemc themselves, Smith no doubt received the favour of the Secwepemc's influential, long-term Oblate missionary, Father Le Jeune. In general, Smith enjoyed a reputation for competence in the region. Moreover, his experience as a traveller; his skills as a cobbler, prospector, teacher and writer; his command of language, legal theory and administrative practice; and a respect for appearances, hard work and progress endowed Smith with a combination of organizational skills, cultural propriety and political savvy likely unmatched in the Kamloops district.⁴⁰

Smith's one shortcoming, within the context of an Anglo-Saxon-dominated world, was that he was black. For most of his life, Smith had attempted to overcome racial discrimination by assimilating, and excelling in, European colonial values. Born in 1850 into a former slave plantation colony in the Danish West Indies, John Freemont⁴¹ Smith attended a missionary school where he won a scholarship to study in Copenhagen. From there he travelled to Liverpool to learn the cobbler's trade at a Jesuit college. By the time he was twenty-two, Smith had travelled the world from Russia to Paris to South America.

Smith first came to the Kamloops area in 1884 when he took a homestead up the North Thompson valley near Louis Creek. Later moving to Kamloops, his hard work and flair won him enough support to win an alderman's seat in 1902, and to hold onto it for five years.⁴² His promotion of the North Thompson as "the backbone of the future of Kamloops," his connections with the Conservative Party and his business acumen made him the ideal candidate for board of trade secretary, a position he gained in the same year.⁴³ In 1909, he claimed the moral high ground and struck up the Citizen's League for Social and Moral Reform, a society dedicated to creating "a healthy moral tone in civic affairs" and to discouraging "abuses in any form in the enjoyment of privileges granted by the city."⁴⁴ On this record of respectable service alone, Smith was an ideal administrator for the Indian agent's office.

Yet, in spite of his strong links to the Kamloops elite, throughout his life in Kamloops, Smith was identified by local Whites in terms that defined him as an outsider. Whites and Natives alike referred to him colloquially as "nigger Smith." Some White officials refused to meet with Smith on the basis of his race, a basis of objection that Smith's DIA superiors, at times, apparently understood and respected.⁴⁵ Indeed, in the racial discourse of the British Empire, all peoples of colour were considered prone to weakness of "character," a failing linked to other social "problems" such as pauperism, sexual deviance, idleness and intemperance.⁴⁶ Smith's political opponents also tried to capitalize, in similar ways, on his Catholicism. Moreover, Smith's repeated stands against local corruption and thinly cloaked

opportunism won him few friends in a *laissez-faire* frontier community.⁴⁷ Thus, while Smith successfully performed the role of a meticulous and respectable public figure, his credibility and competence were constantly subject to doubt due to the discriminatory racial and religious beliefs that pervaded early Canadian society.⁴⁸

This factor of discrimination may explain why Smith, likely the only person of his competence and public import prepared to do so, accepted the tarnished, underpaid office of Indian agent. The agent's salary had not increased in thirty years,⁴⁹ and after Irwin's dismissal, the agency was left in disarray. In 1911, the Canadian National Pacific Railway right-of-way agent, D.J. MacDonald, observed, "It seems as though it is very hard to get an Indian Agent appointed here [Kamloops] on account of not being able to get any person to accept it at the salary offered by the Department."⁵⁰ In the end, Smith likely accepted the agent's position for status reasons. The evidence for this interpretation is circumstantial. By 1911, Smith was already a wealthy man, and at an age of sixty-two years was perhaps willing to accept a lower income in exchange for the security offered by the agent's position. Yet, more than the regular salary, Smith likely valued the status the agent's office offered. The agent's seat in Kamloops had been somewhat tarnished by Irwin, but it remained an "official billet" that many Whites believed only "White men should fill." His appointment, in terms of contemporary racial discourse, thus affirmed Smith's status as an exemplary "respectable" man, a symbolic "White" in the Kamloops community.

Secwepemc Expectations

From documents alone, Secwepemc expectations of a new Indian agent can only be inferred. It is not difficult to see, however, that in the wake of Irwin's reign Secwepemc leaders would have desired a break from the past—in a way that perhaps only the appointment of an "outsider" could accomplish. Irwin was a local man who was deeply enmeshed within a network of settler interests.⁵¹ One small piece of evidence suggests that Secwepemc leaders had identified the appointment of local men to the agent's office as a key source of their trouble with DIA. In 1910, Chief Basile of the Bonaparte band clearly asked that the department appoint a new Indian agent "from the East. We do not want a British Columbia white man as our Agent. All our Indians say the same thing."⁵²

It should be noted that the confidence of Secwepemc leaders could not simply be bought with a local departmental dismissal and appointment. The expectations of the Secwepemc were undoubtedly constricted, from the start, by their exclusion from the agent's selection. The chiefs could not appoint their choice of agent; and they could expect the new agent to follow

the standard policy line of the department. That being said, most Secwepemc could not have viewed a change from the supervision of Irwin, who had been a remarkably incompetent agent, as anything but an improvement. Irwin had rarely consulted with bands. He had promoted illegal land sales and cut-offs, failed to provide economic assistance for farming, pocketed lease and compensation monies destined for bands, and had failed to support chiefs in protecting their bands' land and water rights. A band like Kamloops, with land to lease, was able to purchase some of the equipment necessary to clear and irrigate a portion of its land for farming. Others, like Bonaparte, which had no land to lease, no readily accessible water and no capital for irrigation, slipped into desperate poverty during these years. All Secwepemc suffered economically under Irwin for the fact that the *Indian Act* invested control of band capital and the authority to enforce land and water rights in an Indian agent who, in this case, was unwilling or unable to serve Indian interests.

Thus, Secwepemc leaders could hope for a new Indian agent to tackle the many "technical" problems related to irrigation, land ownership, reserve boundaries and lease monies that had been left unaddressed; in short, to deliver whatever paltry assistance DIA would choose to provide. Thus, when John F. Smith was appointed head of the Kamloops Agency on the first day of January 1912, Secwepemc leaders did not expect radical changes.

Role of the Agent

A 1910 circular, "Instructions to Indian Agents," sent to all Indian agents in British Columbia paraphrases what DIA expected of its field officers:

- to strongly oppose the introduction and manufacture of liquor among the Indians, or the use of the same by them.
- to endeavour to prevail upon them to abandon the foolish, wasteful and demoralizing custom of Potlatching.
- to confer with and advise them (Indians) in the important matter of subdividing the lands on the reserves among themselves.
- to discourage and as far as possible prevent the promiscuous intercourse of the sexes, and the organized prostitution of Indian girls.
- particular attention should be given to the sanitary condition of the Indian villages and camps in the Agency and where it is noticed that filth or garbage of any kind is permitted to remain in the vicinity of the houses, the Indians should be told how to dispense of the same so that it will not be a menace to their health.

- to exercise the strictest economy in the granting of relief supplies to the Indians, food should be given in extreme cases of destitution, only as before stated sugar, soap, tea, etc. should not be supplied except in case of sickness, which must be fully stated in body of voucher.
- Where schools are established you should do your utmost to have Indian children of school age attend for instruction.⁵³

The broad and diverse responsibilities reflect the extensive influence the agent was intended to have over the bands he supervised. To each band, he was an "advisor"; a justice of the peace; the financial, land and water agent; the manager for educational and medical services; the truancy officer; the official voice to Ottawa; and the electoral officer. He was expected to enforce prohibition among Indians in his agency, discourage "immoral" customs and practices, manage the system of land allotments and promote productive farming, regulate sexual relations, promote Euro-Canadian morality in relation to sanitation and send Secwepemc children to schools for "improvement"; in brief, to deliver a codified set of cultural and material imperatives from the dominant society.

While the concentration of many responsibilities into one position reflected the centralized character of DIA administration, the general recipe for intervention was far from unique for its time. In fact, the DIA's efforts to "improve" and assimilate Aboriginal peoples paralleled the activities of Canadian moral and social reformers—who were working in similar avenues in the dominant society—to socially construct a culturally homogeneous nation-state.⁵⁴ Purity and temperance activists—moral reformers—who purported to possess the organizational principles for social "improvement" sought to incorporate cultural outsiders into the practices and beliefs of Euro-Canadian "civilization." They understood the work of social reconstruction to be the rescue of "Others" from the vice that was purported to exist within them, instead replacing it with "civilized" virtue. The Department of Indian Affairs—the one state institution to impose a program of social deconstruction/reconstruction on a distinct population—resembled reformers who tended to understand social problems in terms divorced from economic and political contingencies.⁵⁵

Where the department sharply differed from reformers was its possession of a formidable array of legal and administrative instruments designed to re-engineer the lives of Native peoples. Under the *Indian Act*, "Indians" were legislated into wards of the federal government. This measure left Indians, by and large, disenfranchised—without a provincial or federal vote. Along with many of the restrictions the *Indian Act* placed on Indians, disenfranchisement clearly instituted a subordinate status for Indians in

settler society. Moreover, because the *Indian Act* blocked Indians from participation in the surrounding non-Native economy by making legal transactions with Indians, such as leases, purchases or loans, subject to the approval of itinerant and often absent Indian agents, even Native communities with the means to support themselves were nonetheless forced into dependence on DIA's restrictive patronage.

The theory and imagery of evolution and civilization, combined with the strategies of social and moral reform, informed Indian Affairs' intervention during the early 20th century. Theories of unilinear evolution described Native societies as primitive and backward; as obstacles to Euro-Canadian "progress."⁵⁶ DIA offered assistance and education to Native peoples, believing that their culture was in need of improvement. An imagery of "civilization"—visions of frame houses, prosperous farms, modern equipment, tidy attire, magazine subscriptions and regular church attendance—provided a list of markers with which agents assessed the progress of Native communities.

As Indian agent, Smith was not an advocate *for* the Secwepemc, but an agent *of* Euro-Canadian society. His annual reports—intended for a public as well as an official audience⁵⁷—promoted DIA's "civilization project." The reports provided cultural categories—"characteristics and progress," "health and sanitation" and "morality and temperance"—by which the improvement of each reserve was measured. One of Smith's assessments of "The Indians of this Agency" illustrates the cultural framework of his mission.

The Indians of this Agency taken as a whole, are industrious and have made commendable progress toward civilization. The majority are neat in their appearance and dress at all times. Some of them own good horses and cattle, carriages and turn-outs as the average White settler in the district. They are in evidence at all agricultural exhibitions and sports of all kinds.⁵⁸

Indeed, however well intentioned its officials, the very structure of DIA and its premises of operation set it squarely against the political will of First Nations' leaders. The logic of DIA was to strategically use the legal and administrative machinery of "assistance" and "protection" as instruments for the "improvement"—i.e., the cultural and political extinguishment—of First Nations' peoples. In accordance with this policy, DIA agents were instructed to defend and promote the "best interests of the Indians"—until there were no Indians left. Significantly, left unquestioned by departmental officials was the initial cause of First Nations' dependency on government assistance. Self-sufficient, self-governing Aboriginal communities had no

need for DIA's assistance or tutelage. However, instead of recognizing the political and economic factors that forced First Nations to depend on the government, DIA officials tended to view Native peoples as a social "problem" that (piecemeal assistance programs aside) ultimately called for a social and cultural "solution." The Indian agent, and the assistance and protection he delivered, were the administrative instruments for "helping" Indian persons rid themselves of their "stigmatized status and inappropriate customs and beliefs."⁵⁹

In theory, this process involved three stages. First, as elsewhere in Canada, all members of tribal nations who had been incorporated within the boundaries of British Columbia were assigned an "Indian" status, as defined under the federal *Indian Act*. Second, as "Indians" then, First Nations people like the Secwepemc (together with the residual lands that had been set aside by the province as their "reserves") came to be subject to administrative programming and tutelage aimed at preparing Indians for their eventual assimilation into Anglo-Canadian society.⁶⁰ Third, when Indians were considered sufficiently "advanced," either entire bands were to be placed under the provisions of the *Indian Advancement Act*, or individuals were to be recommended for enfranchisement under provisions of the *Indian Act*.⁶¹ This third "stage" in DIA's administration of Secwepemc people was never reached. Definitions of Indian "advancement" were as slippery as official notions of when the Indian "problem" would finally be "solved."⁶² For successive generations of tutelage agents, the goal of assimilation always seemed to be at least one generation away.⁶³ By the time of Smith's appointment in 1912, DIA's administrative structure was becoming a predominant and seemingly perpetual dimension of Native-White relations in the BC Interior.

Limitations to Control

According to departmental directives, the agent carried much of the burden of protecting Indians from "dangers" perceived to stand in the way of DIA's assimilation effort: the use of alcohol; "foolish, wasteful, and demoralizing customs"; sexual impropriety; and disease.⁶⁴ Yet, because Smith's attention was divided between fourteen bands scattered throughout a large region, not to mention the call of his office duties, practice did not live up to this ideal. Some communities Smith managed to visit once or twice a month; the more distant, less accessible communities such as Bonaparte or North Thompson, he visited no more than four times year. In short, his other responsibilities prevented a rigorous form of supervision over band affairs.

This was not a shortcoming on Smith's part. In comparison to Indian agent Irwin, Smith's attendance to communities qualified him "in many

ways [as] a good agent." When he did visit bands he would stay sometimes for days at a time, consulting with band leaders in meetings that ran on for days.⁶⁵ In such meetings, Smith heard such things as requests for purchases with bands, appeals for material assistance and medical attention, and complaints about non-Native trespassers and encroachment. Meetings could also involve negotiating the terms of a lease or land sale, the adjudication of internal disputes or, on regular occasions, the election of new leaders to the band council. In general, Smith spent far more time and energy on such "consultations" than did the agent who preceded him.

Nevertheless, without the help of a subsidiary staff, Smith's presence on each reserve was necessarily infrequent and fragmented. The limited time he spent in each community was devoted to delegating to the chief, council and constables responsibilities for ensuring the "proper conduct of the band."⁶⁶ In a context where some band leaders neither supported the assimilationist regulations of DIA, nor favoured the regulations' formal, coercive character, such an arrangement of delegated authority may have undermined DIA's reformist objectives, leaving open spaces for potential resistance.

On each reserve at the turn of the century, judicial authority operated through elected chiefs, the village court, the jail and the watchmen (Indian constables). Under Irwin's neglectful administration, the authority of the chiefs declined and the formal appointment of constables passed into disuse. Aside from Secwepemc chiefs' testimony,⁶⁷ the best evidence of this decline was the spate of constables appointed by Smith in the early months of his administration.⁶⁸ To some bands Smith appointed a treasurer, the person "to whom all fines are to be paid, and he to pay constables making arrest, and account to the agent for the difference."⁶⁹ Also, each village had a court house over which, at different times, alternatively would preside the chief, the Oblate missionary, the DIA inspector or the Indian agent. Close to the court and meeting halls some communities also built small jails.⁷⁰ Within this structure, Smith followed the precedent set by itinerant Oblate missionaries who also adjudicated disputes, addressed offences and assigned penalties through the court system. In short, he became an authority responsible for adjudicating or "adjusting matters" on reserves. Since Smith's presence was intermittent—a bimonthly visit at most—the enforcement of the *Indian Act* and the criminal code was left, for the most part, in the hands of band members. Perhaps it was in this respect that DIA officially expressed hope that obedience to the law would come from "the good sense and self-control of the Indians themselves."⁷¹

In recognition of these limitations, early in his tenure Smith wrote to the regional inspector requesting the appointment of a Dominion constable to

police the Kamloops Agency.⁷² Almost two years later, William C. Dallin was sworn in as the constable hired to regulate, among other things, the traffic of liquor on reserves. It is questionable whether Dallin was much help as he was later fired for drunkenness.⁷³ Nevertheless, Smith continued to fight what he viewed to be sources of "intemperance" and "profligacy"—and succeeded in gaining an order-in-council that activated a host of regulations specific to the Kamloops Agency.⁷⁴ The chief inspector for Indian agencies, W. E. Ditchburn, considered Smith's order-in-council a ground-breaking achievement, one that would pave the way for "the extension of these regulations to other Agencies." Yet, it is clear that such regulations were only effective when band members enforced the regulations themselves within their own communities. If no one reported an infraction of the law, or gave evidence, then an itinerant Indian agent had little means of ensuring that transgressions would not escape unpunished.

Despite its apparent limitations, this system of indirect rule at times proved effective. It should be recalled that the breadth of the Indian agent's role—which, aside from the authority of a justice of the peace, included control over each band's funds, land allotments, medical assistance, school enrolment, band membership, and appointment of chiefs, councillors and constables—placed at Smith's disposal a formidable array of informal perks and penalties. Perhaps it was, in part, recognition of the power invested in Smith's office that compelled band members to bring infractions of the law to his attention, asking him to adjudicate over a variety of matters, from disputes over ownership to charges of "immorality."

The matters Smith oversaw ranged from arbitrating internal community disputes to condemning cultural practices the department considered to be "inappropriate." On one occasion, Smith heard charges at a Neskahinith meeting against a mother and daughter for prostitution and a charge of desertion. At Kamloops a year later, Smith "discussed objections to dancing" on the Kamloops reserve. In February 1915, Smith adjusted several matters of dispute among the band, including a charge against a chief for drunkenness and the "desertion" of a woman from her husband. A month later, Smith was at the Kamloops reserve to "settle domestic troubles." Later in the year, Smith travelled to an Okanagan community in the Nicola valley, where he discovered "there has been considerable gambling among the band. The chief, all his men, and even women gamble." On another occasion, Smith instructed a woman of the Kamloops band "to enter her husband's house, notwithstanding notice" of the husband "forbidding any one entering the same."⁷⁶ These lesser illegalities made up the bulk of offences, and Smith issued reprimands and warnings to offenders, along

with advice to band members on how to "better get along."

Yet, the distance of Smith's rule also, in cases, lent room for certain chiefs to reinstate and enforce their own versions of "traditional law." In the community of Sahhalkum (Adam's Lake band), Chief Antoine Tawhalst's struggle to run his band's affairs on his own terms exemplifies this potential. Tawhalst, who frequently attended land claims meetings at Spences' Bridge,⁷⁷ was purportedly "fighting the white man's laws." The Indian agent who immediately followed Smith reported that Tawhalst had claimed, "He was Chief on his reserve, and would himself deal with any offence committed on his reserve and that the white man's Court was making money out of the Indians."⁷⁸ Tawhalst's strong, and perhaps arbitrary, use of the chief's office generated opposition within the band to his leadership. Charges of "immorality" that Smith periodically heard against Tawhalst were undoubtedly politically motivated.⁷⁹ Tawhalst, was further accused by his opponents of "favoritism in the distribution of the land on the Reserve, in the privilege of cutting cordwood during the winter, using money belonging to the band, drunkenness, and gambling." Yet, Tawhalst was not removed by Smith, who claimed to find no evidence to depose him. When the chief eventually was deposed in 1923, it was not because of complaints from band members, but because of DIA's view that Tawhalst's stance of "fighting the white man's laws" was subversive.⁸⁰

Even though Tawhalst was eventually deposed, the fact that for eleven years as chief he actively resisted provincial law and the *Indian Act* indicates that Smith was not always able to regulate what DIA would have considered "proper conduct" on reserves. At the same time, it should be stressed that Smith represented not the only government agency to impinge upon the lives of Secwepemc people. Smith's distant and infrequent supervision, which may have allowed for spaces of resistance, also left Secwepemc bands open to further regulation by provincial authorities. In terms of legal intervention, Smith may have been far more involved than his predecessor in band affairs, yet his ability to fulfill DIA's ideals of "protection" and "improvement" remained, at best, limited.

Managing Indians

Throughout most of his tenure as Indian agent, Smith remained an advocate of the administratively determined "rights" of the Secwepemc bands under his jurisdiction. Smith definitely never promoted the recognition of Aboriginal title, or the return of self-government for the peoples under his authority. He did, however, exert his energies at length to advocate and defend the rights and interests of his charges as defined under the *Indian Act*. For example, Smith repeatedly opposed members of the Kamloops board of

trade in their efforts to relocate the Kamloops Indian Band. Against the board's 12 November 1907 resolution asking for the removal of the Kamloops Indian Band, Smith—not yet an Indian agent—"pointed out that the Indians were here first and their rights must be considered first."⁸¹ By 1913, when the Board met the Royal Commission on Indian Affairs with a resolution asking again for the Kamloops Indian Band's removal, Smith had been Indian agent for nearly two years. Again he opposed the motion and "decried that the Board could not show that the use of the land as a reserve was not in the best interests of the Indians or of the city. . . ."⁸² The spectre of relocating the Kamloops Indian Band was raised a third time, one year after the war, this time for the ostensible purpose of building a soldier settlement colony on the banks of the South Thompson River. In a letter to a local member of Parliament, the project's main advocate tried to discredit Smith by expressing contempt for Smith's race, religion, authority and opposition to the project:

I would like to draw attention to . . . the fact that the negro Indian Agent here is a Roman Catholic, and has been openly opposed to the colony project. I understand that he is keenly objected to by the Indians, who not only resent having a negro placed over them, but have other grievances. Recently this Agent has been urging the Indian Chief to lease 150 acres for \$1000 a year for five years to a Chinaman. . . . It would be a shame if this Negro Agent is allowed to have Chinamen mixing with these Indians.⁸³

Smith's stand against these proposals, taken at personal cost to his own reputation, were the actions of an agent who believed he was advancing the interests of his charges.

Working within the contours and definitions of the Indian agency system, Smith was probably the most diligent and able Indian agent to manage the Kamloops agency in the period prior to the Second World War.⁸⁴ In later years, Secwepemc leaders from the Adam's Lake, Little Shuswap Lake and Neskonlith Lake bands rhetorically contrasted the regime of neglect under which they were living against the "fair" treatment they recalled receiving under Smith. One petition, sent by two councillors from the Adam's Lake Band, stated that "No agents since J.F. Smith have [given] us satisfaction. . . ."⁸⁵ A second petition sent to Prime Minister R.B. Bennett jointly by leaders of the three bands reiterated that main point:

In the past we have been badly treated by the Agents placed over us, men that have not been selected for their integrity, education, or qualification, but by and for their political connections and we have accordingly suffered. Our water rights taken away, much of

our lands rented and leased from which none but a certain few have benefitted. . . . *We have never received fair treatment from the City of Kamloops since the days of J. F. Smith who was in most ways a good Agent.*⁸⁶

It is clear, however, that in many cases Smith possessed little leverage either in confronting his administrative superiors or in standing up against the resource-grabbing mentality of his own community and society.⁸⁷ In any case, such retrospective assessments should not obscure the fact that Smith was not popular with everyone. This was partly the fallout generated by the personal, discretionary nature of authority the agency system demanded an Indian agent wield over Indian communities. Smith's "adjusting" (according to a mixture of personal and government criteria) of political, cultural and economic matters on the reserves invariably affected the distribution of power and resources within a community, and resulted, not only in alienating dissenting band members from his own office, but in cultivating internal community cleavages that, in turn, were accentuated during the event of band council elections. Further, Smith undoubtedly was resented simply for what his job entailed: the intervention of Canadian government officials into the lives of Secwepemc (and other First Nations) people.

Two cases indicate the resistance that Smith was beginning to face in the latter years of his duties. In 1921, Smith's credibility was challenged by Chief Peter Tomma of Little Shuswap Lake Band in a letter to Ottawa in which he claimed that Smith had allowed White settlers to begin building a ditch across the Scotch Creek reserve without the consent of the band.

I asked those white fellows from whom did they get their permit to put their ditch through the reserve. Well, they told said [sic] they had a permit from John F. Smith the Indian Agent at Kamloops. These white fellows told me they had paid the money to John F. Smith already. I asked Mr. Smith about this ditch, well, Mr. Smith told me this matter about this ditch was permitted from Ottawa Dept. But there is one thing he would not tell me how much money was paid for the ditch that run through the Indian Reserve at Scotch Creek. That's why I ask you if you know anything about this. . . . He [Smith] made a lot of mistakes on this reserve we have to tell yet. If you answer our letter then we will tell you all about the mistakes he had made for us here at Squilax.⁸⁸

DIA gave little weight to Tomma's letter, and in fact granted Smith the administrative leverage to force the chief's resignation the next year.⁸⁹ Smith's position as Indian agent was not threatened by the incident, but his position in relationship to this band moved one step closer to depending

solely on authoritarian tactics.

The second incident involved a letter from five band members from the Neskonlith Band alleging that Smith rigged an election in the favour of an unpopular chief. The band members asked Duncan C. Scott, the Deputy-Superintendent of Indian Affairs, to annul the election and to appoint a new Indian agent: "This man [Smith] has never been satisfactory, a man that knows Indians."⁹⁰ No doubt Scott lent as much credence to this letter as he did to any Indian grievance; that is, it was subject to the agent's assessment. Yet, the perception of the letter's authors should be accepted, at least in part for what it suggests about the nature of Smith's relationship with elements of Secwepemc communities shortly before his retirement as Indian Agent.

As an Indian agent whose authority was, by its very making, characterized by a personal, face-to-face form of administration (i.e. the craftsman-like bookkeeper/notable), Smith tended to develop a body of categorical assessments relating to the different Secwepemc bands, families and individuals with whom he dealt with on a day-to-day basis. Over time, this informal typology of his charges gradually hardened, while his relationships with Secwepemc leaders and band members fell into more or less "fixed" patterns of patronage or disfavour. For example, Smith defined Chief Peter Tomma of Little Shuswap Lake, a leader who consistently resisted the agent's authority, in no equivocal terms:

To say the least, this man and his three brothers and their sons are the most unreliable, untruthful and dishonest Indians in my Agency to my knowledge. . . . I wish to make it clear to the Department that Peter Tomma is totally unfit to be a Chief of any Indian Band. He is a notorious liar, and unreliable to a degree.⁹¹

In contrast, the candidate who Smith favoured to replace Tomma was characterized as "industrious," "steady," "honest," "clear of trouble" and a "good farmer." The new chief reflected all the virtues which DIA believed a chief needed to "advance" his people toward civilization.⁹² Secwepemc families and individuals who resisted DIA policy or Smith's personal rule, or who failed to meet Smith's expectations, risked formal and informal disciplinary sanctions, which over time may have translated into a chronic deprivation of rights and assistance.

Exercise of Discretion

Many of the problems associated with Smith's administration originated in the upper echelons of DIA. Smith was a middleman between Secwepemc representatives and DIA bureaucrats; his trade was not so much in goods and services, but in information. He was not the source of material

assistance, nor was he the final authority concerning the distribution of assistance or the use of reserve lands. His office was a sorting station for requests, reports, complaints and directives. As much as band leaders relied on Smith to act in their people's interests, Smith's ability to meet their expectations was, in turn, dependent on the priorities of his superiors.

Yet, within the constrictive contours of DIA administration, Smith's own aptitude, competence and discretion did affect the extent of protection and assistance that was delivered to each community. Smith was distinguished from his predecessors and his successors by the extent to which he consulted with band representatives, and thus gave attention to their requests and concerns. Smith, as a meticulous and conscientious administrator, in part compensated for the failings of the administrative system in which he worked.

Moreover, Smith's exercise of discretion was what made an unworkable system (i.e., DIA) at least appear workable. The agency system operated with long communication lines and scattered, understaffed field offices. Moreover, the gulf between immediate local needs and the lumbering mechanics, unrealistic thinking and inadequate financing of the central bureaucracy was often vast.⁹³ Through his discretionary capacity the agent could provide the immediateness of a local sovereign authority that local administrative conditions demanded. Of course, it also created fertile soil for tyrannical rule.

A good example of this aspect of the Indian agent's role is to be found in Smith's relationship with band elections and the removal of chiefs. As has been noted above, Smith's appointment coincided with both the organization of BC Native land rights organizations and the simultaneous push from DIA's upper ranks to tighten up supervision over such "troublesome" leaders. This attempt to bring resisting chiefs into line with official government policy was entrenched in the later years of Smith's superintendency with the introduction of declarations for newly elected chiefs and councillors. A new leader had to promise to:

strictly obey all the laws and regulations of our Sovereign Lord the King; that I will to the best of my ability endeavor to prevent all contraventions of the said laws, and regulations by any member of my band; that I will report all infractions of the laws and regulations at the earliest opportunity to *the Indian Agent over me*.⁹⁴

No evidence yet shows that Smith held these specific declarations over the head of any chief or councillor. However, the declaration clearly spelled out DIA's intention to fashion band chiefs into sub-agents serving DIA's system of indirect rule. This document symbolized DIA's desire to deal with

a single chief who would administer the *Indian Act* "above" and "over" the rest of the band. The chief's behaviour would then be kept in check by the intermittent supervision of the agent. Further, the declaration—on file, ready to be retrieved when needed—thus reserved for DIA officials a rhetorical instrument for removing chiefs who opposed the will of the Indian agent and the department.

When a chief was removed or deposed, the mechanism of removal was section 96 of the *Indian Act*. This section outlined the criteria and procedure for removing or deposing chiefs:

Any elected or life Chief and any councillor or headman, or any Chief or councillor or headman chosen according to the custom of any band, may, on the ground of dishonesty, intemperance, immorality, or incompetency, be deposed by the Governor in Council and declared ineligible to hold the office of Chief or councillor or headman for a period not exceeding three years.⁹⁵

While this law was rarely used to literally "depose" a chief, it was regularly used as a threat to force either a chief's resignation or his compliance to the department's will.⁹⁶

On the other hand, the authority to remove chiefs rested solely with the Governor-in-Council (i.e., in practice DIA officials), which posed a problem to band members who sought their chief's deposal, but who were unable to bring the department onto their side. According to DIA policy, once elected, chiefs in British Columbia were appointed for life until either their death, their resignation or their removal by the department. Smith once told band members from the Adam's Lake Band who had elected a new chief on their own initiative:

that they could not elect a new Chief unless the present one was deposed or resigned. In the latter case, his resignation would have to be sent to the Indian Department at Ottawa, from which authority could come to elect a new man in his place. In the former he would have to be found guilty of an offence against the provisions of the Indian Act which would be reported to the Department, and for which he might be deposed by the Department, after which authority would be given to elect another man in his place. Any election of a Chief held without such authority would be invalid.⁹⁷

It is one of the characteristics of Smith's administration that in his early years he initially allowed bands to hold their own elections without his presence—believing that Ottawa or Victoria, too far away to be informed

about local conditions independently of local reports, lacked the knowledge to assess the best response to local conditions. After being repeatedly reprimanded for allowing bands to elect leaders on their own, Smith decided to challenge the department's directive. He informed DIA Secretary J.D. McLean that Ottawa's election policy effectively left bands without a "recognized head" for "three or four months," contributing to "chaos and disorder." Instead, he argued, the Indian agent should hold elections at the initiative of the band. "As a matter of fact, the custom of the Indians of the Interior of this Province, is, at the death of a chief his successor is almost immediately named. The recent appointment of Francois Pierrish is the seventh such which have taken place in the past two years."⁹⁸ Smith argued for a more flexible interpretation of the *Indian Act*, one that took local conditions into consideration. Here Smith hoped for a rational accommodation, and emphasized that he was questioning the department's policy, not its authority.

My action in the premises however, were in my judgement in the best interest of good Government among the Indians in my charge.

With reserves and Indian Villages many miles away from the official seat of the Agency it would be a some what dangerous experiment to apply the rules governing *Eastern agencies in that regard, to this Province. However, I am prepared to carry out the wishes of the Department in all matters.*⁹⁹

Smith's earnestness was not rewarded. McLean responded to Smith's letter, stating that he must have "misunderstood" the department. "It was simply desired that you should understand that the Department does not want Indian agents to take any action of themselves towards filling vacancies: there might be reasons for delay."¹⁰⁰ Smith had been made to understand that DIA had simple and rigid expectations of its agents: he was to follow orders and policy directives regardless of how inappropriate and ill-adapted they were to local, real-life conditions. This rigidity on the part of DIA encouraged its agents, in part, to abandon constructive dialogue with the central planners in Ottawa; to maintain appearances by producing predictable reports, while in fact managing the agency's affairs along discretionary lines. However, it also forced agents like Smith to adopt a more authoritarian stance in relation to Secwepemc people. By the end of his superintendency, Smith's administrative style, which in its early years had been characterized by a degree of flexibility and willingness in accommodating (within limits) to Secwepemc concerns, gradually hardened into a more authoritarian mould.

Restoring Order?

In the first days after Smith's appointment, many chiefs had come to settle accounts left outstanding from the days of Irwin's mismanagement.¹⁰¹ For most bands, Smith's visits represented the first direct consultation with the DIA that they had had in years. Irwin's prolonged absence had permitted the fixed character of the allotment system to slip, for disputes to arise and linger without resolution. For some chiefs, Smith's arrival was seen as a renewed opportunity to raise questions about reserve lands and cut-offs, unfulfilled leases and the encroachment of provincial authority. However, it was not long before these chiefs recognized that the new Indian agent had been hired to restore, not challenge, the order that Irwin had allowed to slip into disarray.¹⁰²

This was an order that would help fortify the Dominion's claim that the government was indeed dedicated to "helping" the Indians of British Columbia. Yet tensions continued to grow between government and Native leaders who resented having the terms of the *Indian Act* unilaterally imposed on their people. Moreover, Smith's experience as an agent showed that despite a "tightening up" of administration, DIA policy objectives continued to be undermined by inflexible administrative rules and economy measures. Under such conditions, the authoritarian structure of DIA did not extinguish but rather fanned the flames of Secwepemc resistance to Canadian rule.

Notes

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- 1 See, for example, John L. Tobias, "Protection, Civilization, Assimilation: An Outline History of Canada's Indian Policy." In *As Long as the Sun Shines and Water Flows: A Reader in Canadian Native Studies*, ed. Ian A.L. Getty and Antoine Lussier, pp. 13–30 (Vancouver: University of British Columbia Press, 1983); Sarah Carter, *Lost Harvests: Prairie Indian Reserve Farmers and Government Policy* (Montréal & Kingston: McGill-Queen's University Press, 1990); Noel Dyck, *What is the Indian "Problem": Tutelage and Resistance in Canadian Indian Administration* (St. John's: The Institute of Social and Economic Research, 1991).
- 2 See, for example, Douglas Leighton, "A Victorian Civil Servant at Work," In *As Long as the Sun Shines and the River Flows: A Reader in Canadian Native Studies*, ed. by Ian A.L. Getty and Antoine S. Lussier (Vancouver: University of British Columbia Press, 1983), pp. 288–98; Brian Titley, *A Narrow Vision: Duncan Campbell Scott and the Administration of Indian Affairs in Canada* (Vancouver: University of British Columbia Press, 1986); F. Laurie Barron, "Indian Agents and the Northwest Rebellion," in *Out of the Background: Readings on Canadian Native*

History, ed. Robin Fisher and Kenneth Coates (Toronto: Copp Clark Pitman, 1988), p. 145; Dyck, *What is the Indian "Problem,"* p. 84.

- 3 Paul Tennant, *Aboriginal Peoples and Politics: The Indian Land Question in British Columbia, 1849–1989* (Vancouver: University of British Columbia Press, 1990), esp. chps. 7 and 8.
- 4 For examples of work that have examined policy implementation, see Carter, *Lost Harvests*; Douglas Cole and Ira Chaikin, *An Iron Hand upon the People: The Law Against the Poitlatch on the Northwest Coast* (Vancouver: Douglas and MacIntyre, 1990); Kenneth Coates, "Best Left as Indians," in *Out of the Background: Readings in Canadian Native History* (Toronto: Copp Clark, 1989), pp. 236–55; A.J. Looy, *The Indian Agent and his Role in the Administration of the North West Superintendency, 1876–1893* (Ph.D. thesis, Queen's University, 1977).
- 5 Here I am not considering the band council Chief—who perhaps had to reckon more contradictions in his duties than even the agent.
- 6 This study is generally limited to Smith's supervision of seven southern Secwepemc (Shuswap) communities: Stuctwesemc (Bonaparte), Skeetchestn, Kamloops, North Thompson, Neskonlith, Little Shuswap Lake and Adam's Lake.
- 7 See, for example, Robert E. Cail, *Land, Man, and the Law: The Disposal of Crown Lands in British Columbia, 1871–1913* (Vancouver: UBC Press, 1974); Robin Fisher, *Contact and Conflict: Indian-European Relations in British Columbia, 1774–1890* (Vancouver: University of British Columbia Press, 1977), pp. 157–58; Tennant, *Aboriginal Peoples and Politics*.
- 8 See Robin Fisher, "Joseph Trutch and Indian Land Policy," *BC Studies* 12 (Winter 1971–82), pp. 3–33.
- 9 See Cail, *Land, Man, and the Law*, p. 257.
- 10 C.J. Grandidier to James Lenihan, 12 June 1875, NAC, RG10, v. 1001; Fisher, *Contact and Conflict*, pp. 191–92.
- 11 Cail, *Land, Man, and the Law*, p. 27.
- 12 Fisher, *Contact and Conflict*, pp. 182–83.
- 13 Fisher, *Contact and Conflict*, pp. 188–89.
- 14 Peter Carstens, *The Queen's People: A Study of Hegemony, Coercion, and Accommodation among the Okanagan of Canada* (Toronto: University of Toronto Press, 1991), pp. 92–93; Fisher, *Contact and Conflict*, p. 193.
- 15 See Fisher, *Contact and Conflict*, pp. 198–99.
- 16 See, Donald Kerr and D.W. Holdsworth, eds., *Historical Atlas of Canada*, vol. III (Toronto: University of Toronto Press, 1990), plate 2, p. 6.
- 17 Between 1881 and 1911, five Indian agents presided over the Kamloops Agency. Henry P. Cornwall was the first and last Indian agent to administer the Kamloops Agency as it stood in its original form. Agent J.W. MacKay was appointed agent when the Kamloops and Okanagan Agencies were combined as a single agency in 1884. See Canada, Department of Indian Affairs, "Annual Report . . . 1884," *Sessional Papers*, Canada, 5th Parl., 3rd Sess., 1885, no. 3, p. lxxv. This extension of responsibility for two agencies to one single agent continued through the tenures of Wentworth F. Wood (1893–1896), James Leighton (1896) and Archibald Irwin (1897–1911).

- 18 Fisher, *Contact and Conflict*, p. 188.
- 19 Tennant, *Aboriginal Peoples and Politics*, p. 87. Many of their grievances and demands are articulated in "Memorial to Sir Wilfred Laurier, Premier of the Dominion of Canada from the Chiefs of the Shuswap, Okanagan and Couteau Tribes of British Columbia Presented at Kamloops, B.C., August 25, 1910," in *The Shuswap: "One People With One Mind, One Heart and One Spirit"* (Kamloops: Shuswap Nation Tribal Council, 1989).
- 20 Early in 1910, the Interior Tribes agreed to work with the Indian Rights Association. See R.M. Galois, "The Indian Rights Association: Native Protest Activity and the 'Land Question' in British Columbia, 1903-1916," *Native Studies Review* 8, no. 2 (1992), pp. 9-13; "Indians Come From all Over B.C.—Indians Want Prompt Action Taken in Regard to Lands," *Inland Sentinel*, 15 March 1912.
- 21 See Brian Titley, *A Narrow Vision*, p. 140. For a more thorough discussion, see Cail, *Land, Man, and the Law*, pp. 232-33; also Galois, "The Indian Rights Association," p. 5.
- 22 Stan Dragland, *Floating Voice: Duncan Campbell Scott and the Literature of Treaty 9* (Concord: House of Anansi Press, 1994), pp. 39-40; George Manuel and Michael Posluns, *The Fourth World: An Indian Reality* (Don Mills: Collier-Macmillan Canada, 1974), pp. 89-91.
- 23 W.E. Ditchburn, DIA Inspector for Southwestern BC, to all Indian Agents, 18 July 1910, NAC, RG10, v. 1312.
- 24 Inspector Ramsden to McLean, 22 November 1909, NAC, RG10, v. 1311; W.E. Ditchburn to J.A. Teit, 6 August 1910, NAC, RG10, v. 1312; Ditchburn asked Teit—the Secretary of the Indian Rights Association—to have the Indians understand that "although it may appear as though . . . neglected in the past, that under a reorganization of the Indian Department in BC in the future their interests would be fully protected . . . complaints . . . attended to in a much more expeditious manner . . ."
- 25 Such efforts at controlling definitions and representations of Indian interests, while to an extent at odds with the overt position of appeasement adopted by the Laurier government, were in keeping with DIA's role as guardian and tutor to Indian peoples.
- 26 See, for example, the General Report of Reverend John McDougall on Indian Reserves in the British Columbia Railway Belt, c. 1909, NAC, RG10, v. 4020, f. 280,470-2, p. 12. This report was leaked to the Victoria-based Friends of the Indians.
- 27 The term "Indian" hereafter refers to the abstract socio-legal category found in the discourse of Euro-Canadian administrators. Terms such as "First Nations," "Aboriginal peoples," "Native peoples" and "Secwepemc" are used when referring to the people themselves.
- 28 Versions of this argument, refined by senior DIA officials such as Duncan C. Scott, prevailed in government debate over the land question between 1906 and 1927. See Titley, *A Narrow Vision*, pp. 153-55.
- 29 P. Oppenheimer to Drummond, 15 March 1911, NAC, RG10, v. 1311; Inspector Ramsden to McLean, 22 November 1909; Report of Inspector K.C. MacDonald, 23 September 1910.
- 30 See Inspector Ramsden to McLean, 22 November 1909; Report of Inspector K.C. MacDonald, 23 September 1910.

- 31 Later, Irwin was quietly dismissed. See note on letter from J.D. McLean to A. Irwin, 10 February 1911, NAC RG10, v. 3944, f. 121,698-54.
- 32 Inspector Ramsden to McLean, 22 November 1909. Ramsden recommended that the new agent should reorganize Indians into "proper" bands by scrutinizing the rights of Indians to membership and land allotments.
- 33 See McLean's comments on Report of Rev. McDougall to Frank Oliver, Minister of Interior, 22 October 1910, NAC, RG10, vol. 4020, f. 280,470-2; W.E. Ditchburn to J.A. Teit, 6 August 1910, NAC, RG10, vol. 1312; Ramsden to McLean, 22 November 1909.
- 34 Ramsden to McLean, 22 November 1909. For a discussion on the complexity and contradictions of DIA policy, see Tobias, "Protection, Civilization, Assimilation."
- 35 Canada, Department of Indian Affairs, "Annual Report . . . 1912," *Sessional Papers*, "Officers and Employees," no. 27, 1913; Canada, Department of Indian Affairs, "Annual Report . . . 1884," *Sessional Papers*, 5th Parl., 3rd Sess., no. 27, 1885.
- 36 This case mirrors an appointment controversy that erupted in 1897 over the Kamloops Indian agent position. Indian agent James Leighton, appointed just before the 1897 election, was quickly dispatched by the newly elected Liberal M.P., Hewitt Bostock, and replaced with Archibald Irwin. See Trefor Smith, "A Very Respectable Man": *John Freemont Smith and the Kamloops Agency, 1912-1923*, (Master's thesis, Simon Fraser University, 1993).
- 37 The local M.P., M. Burnell, a Conservative who had been in office since winning a by-election in 1908, only gained the influence to make new appointments after the Conservative majority was won three years later.
- 38 R. Rogers, Superintendent General of Indian Affairs to Governor General in Council, 16 December 1911, NAC, RG10, v. 1129.
- 39 Mary Balf, *Kamloops: A History of District up to 1914* (Kamloops: Kamloops Museum Association, 1989), pp. 84, 122.
- 40 Ibid.; Kamloops Coal Company, "21 Year Lease on North Thompson Indian Reserve," 4 November 1893, NAC, RG10, v. 1326; J. F. Smith to McLean, 21 February 1914, NAC, RG10, v. 7941, f. 32-154; Canada, Department of Indian Affairs, "Annual Report . . . 1896," *Sessional Papers*, no. 14, 1897, p. 382; "Flowers and Address for John F. Smith: 'Grand Old Man' of Kamloops Receives Congratulations from Public Bodies," *The Kamloops Sentinel*, 29 October 1925.
- 41 "Freemont" has been interpreted as a patois form of "free man." Slavery on St. Croix was only abolished two years prior to Smith's birthdate. I thank Ken Favrholt for this information.
- 42 Mary Balf, *Kamloops*, p. 112.
- 43 John F. Smith, "A Rich District: Development of the Vast Resources of the North Thompson Valley," *Inland Sentinel*, 13 September 1907; Howard Forsell, "Law Enforcement of Pioneer Days in South Central B.C." (Kamloops Museum and Archives, n.d.).
- 44 "Moral Reform League," *The Inland Sentinel*, 8 June 1909. Smith was reported to hold the position of secretary-treasurer.
- 45 Charles Flick, Lieutenant-Colonel Commanding 31st Regiment, to T.J. Cummiskey, Inspector of Indian Agencies, 31 March 1913, NAC, RG10, v. 4048, f. 357,520; Cummiskey to MacLean, 27 March 1913; MacLean to Secretary, Department of

- Militia and Defence, 19 July 1913. For example of BC superintendents view of Smith see Canada, Senate, *Journals*, 16th Parl., 1st sess., 1926-27; Appendix to the Journals of the Senate . . . Special Joint Commission of the Senate and House of Commons Appointed to Inquire into the Claims of the Allied Indians Tribes of British Columbia . . . , *Report and Evidence*, Appendix to the Journals of the Senate of Canada, (Ottawa: F.A. Acland, King's Printer, 1927), p. 181.
- 46 Mariana Valverde, *The Age of Light, Soap, and Water: Moral Reform in English Canada, 1885-1925* (Toronto: McClelland and Stewart Inc., 1991), pp. 110-12.
- 47 See below in this paper.
- 48 See, for example, Henry Denison to H.H. Stevens, M.P., 17 April 1919, NAC, RG10, v. 7535, f. 26,154-1.
- 49 Canada, Department of Indian Affairs, "Return C. 4, Indians of British Columbia," "Annual Report . . . 1884," *Sessional Papers*, Canada, 5th Parl., 3rd Sess., 1885, no. 3; *The Confidential Report of the Royal Commission on Indian Affairs in British Columbia* (Victoria: Acme Printers, 1916).
- 50 D.J. MacDonald to K.C. MacDonald, 7 July 1911, NAC, RG10, v. 1311.
- 51 General Report of Reverend John McDougall, c. 1909, NAC, RG10, v. 4020, f. 280,470-2, p. 12. McDougall reported that "one chief charged the agent with being 'a regular gambler' and laughed at the idea of such a man working for the Indians' good."
- 52 Minutes of meeting held with Indians at Bonaparte, Pavillion and Fountain reserves on the 11th, 12th, 12th and 15th August, 1910, NAC, RG10, v. 3750, f. 29858-11, p. 7
- 53 "Instructions to Indian Agents," 1910, NAC, RG10, v. 4048, f. 360,377.
- 54 Mariana Valverde, *The Age of Light, Soap, and Water*, p. 115.
- 55 *Ibid.*, pp. 19-33.
- 56 Noel Dyck, *What is the Indian "Problem,"* p. 85.
- 57 Sarah Carter, *Lost Harvests*, p. 224.
- 58 Canada, Department of Indian Affairs, "Annual Report . . . 1912," *Sessional Papers*, 12th Parl., 2nd Sess., 1913, no. 27, p. 218.
- 59 Noel Dyck, *What is the Indian "Problem,"* pp. 26-27.
- 60 This policy has been described by John L. Tobias as "paradoxical" on the basis that the cultural and educational standard set for an Indian to be considered sufficiently "advanced" for enfranchisement was met by only a slim percentage of Canadian citizens at the time. See Tobias, "Protection, Civilization, Assimilation."
- 61 In a 1906 revision, the *Advancement Act* constituted Part II of the *Indian Act*. Canada, *An Act respecting Indians*, R.S., v. II, c. 43, s. 1, Ottawa, 1906.
- 62 John L. Tobias, "Protection, Civilization, Assimilation." For example, see I.W. Powell to Superintendent General of Indian Affairs, 5 March 1887, NAC, RG10, v. 7748, f. 24154-12; cf. A.F. MacKenzie to Agent W.J. Ferguson, 23 August 1932, NAC, RG10, v. 7941, f. 32-154.
- 63 The phenomenon of "perpetual" tutelage is a central to Noel Dyck's study, *What is the Indian "Problem,"* pp. 24-25, 31. See also Inspector Cummiskey's submission to the Royal Commission on Indians Affairs, 1914, NAC, RG10, v. 11019, f. 507.

- 64 "Instructions to Indian Agents," 1910, NAC, RG10, v. 4048, f. 360,377.
- 65 See, for example, reports of Smith's meetings at Deadman's Creek, Neskainlith, Adam's Lake, Little Shuswap Lake, Kamloops, Ashcroft and North Thompson bands between 12 February and 7 March 1912, NAC, RG10, v. 1326. Also see Daily Journal, meeting with North Thompson band, 22-24 May 1912, NAC, RG10, v. 1325.
- 66 See, for example, J.D. McLean to Smith, 22 May 1920, NAC, RG10, v. 7941, f. 32-154.
- 67 Royal Commission on Indian Affairs for the Province of British Columbia, Evidence from the Kamloops Agency (Victoria: Acme Printers, 1916), pp. 19, 44, 46-47. *Memorial to Sir Wilfred Laurier, Premier of the Dominion of Canada from the Chiefs of the Shuswap, Okanagan and Couteau Tribes of British Columbia*. Presented at Kamloops, BC, 25 August 1910.
- 68 Daily Journal, 21 September 1912, NAC, RG10, v. 1325. Smith gave each constable a police badge, a pair of handcuffs and keys.
- 69 Daily Journal, 29 December 1913, NAC, RG10, v. 1325.
- 70 Ibid., 27 June 1913 and 17 December 1913.
- 71 Canada, Department of Indian Affairs, "Annual Report . . . 1906," Canada, *Sessional Papers*, 10th Parl., 3rd Sess., 1906-7, No. 27, p. xxxi.
- 72 Daily Journal, 28 July 1913, NAC, RG10, v. 1325.
- 73 Daily Journal, 12 April 1915, NAC, RG10, v. 1325. Dallin succeeded Smith as agent in 1923. See George S. Pragnell to A.S. Williams, 26 August 1932, NAC, RG10, v. 7941, f. 32-154.
- 74 H.E. Ditchburn to J.F. Smith, 15 November 1917 and 29 December 1917, NAC, RG10, v. 1319. Smith arranged for an order-in-council that "were merely to form part of the laws for the guidance of Indian councils which adopted them . . ."
- 75 Daily Journal, 14 January 1914, 24 January 1915, 3 February 1915, 15 March 1915, 13 December 1915, NAC, RG10, v. 1325.
- 76 Daily Journal, 9 September 1913, NAC, RG10, v. 1325.
- 77 Smith to DIA Assistant Deputy and Secretary, 14 May 1919, NAC, RG10, v. 7941, f. 32-154.
- 78 Acting Indian Agent William C. Dallin to DIA Assistant Deputy and Secretary, 20 January 1923, NAC, RG10, v. 7941, f. 32-154.
- 79 Daily Journal, 27 March 1913, NAC, RG10, v. 1325.
- 80 Acting Indian Agent William C. Dallin to DIA Assistant Deputy and Secretary, 20 January 1923, NAC, RG10, v. 7941, f. 32-154.
- 81 "Board of Trade Meet—Want Government to Throw Open Indian Reserve for Settlement and C.P.R. Local Train Service," *Inland Sentinel* 15 November 1907; "Indian Reserve Question," *Inland Sentinel* 24 December 1907.
- 82 "Alienation of Indian Reserve Proposed by Board of Trade—Recommendation Carried Against Strong Opposition," *Inland Sentinel* 24 October 1913.
- 83 Henry Denison to H.H. Stevens, M.P., 17 April 1919, NAC, RG10, v. 7535, f. 26,154-1. Attached to this letter is a note stating, "Denison wished to become Indian Agent at Kamloops."

- 84 A strand of advocacy is evident, especially in the early years of Smith's administration. For example, see Smith's testimony during the royal commission hearings, October and November 1913, in the Kamloops agency: Royal Commission on Indian Affairs for the Province of British Columbia, *Evidence from the Kamloops Agency* (Victoria: Acme Printers, 1916). Also see Smith, "A Very Respectable Man," pp. 57-65.
- 85 Michel Antony and Alec Joseph to the Superintendent of Indian Affairs, 5 April 1932, NAC, RG10, v. 7941, f. 32-154.
- 86 Chief Francois Silpahan, Peter Tomma, William Pierrish, Michel Anthony, Alex Joseph and August James to R.B. Bennett, 5 July 1932, NAC, RG10, v. 7941, f. 32-154; emphasis added.
- 87 See, for example, "Close Proximity of Indian Reserve To Kamloops is Detrimental," *Kamloops Standard* 21 October 1913. In 1911, Parliament amended the *Expropriation Act* (section 49A) to the *Indian Act* to allow for the forced removal of Indians living within an incorporated town or city with a population of 8,000 or greater. John Leslie and Ron Macguire, eds., *The Historical Development of the Indian Act* (Ottawa: Treaties and Historical Research Centre, Indian and Northern Affairs Canada, 1978), pp. 108-10.
- 88 Chief Peter Tomma to A.F. MacKenzie, 21 November 1921, NAC, RG10, v. 7941, f. 32-154.
- 89 McLean to Smith, 14 January 1922, *ibid.*
- 90 Joe Wayee, Joe Marten, Jules Williams, Gabriel August and William Marten to Duncan C. Scott, 31 March 1922, *ibid.*
- 91 Smith to DIA, Ottawa, 7 December 1921, *ibid.*
- 92 Smith to McLean, 29 December 1922, *ibid.*; Smith, "A Very Respectable Man," p. 95.
- 93 A.J. Looy, *The Indian Agent and his Role in the Administration of the North West Superintendency, 1876-1893* (Ph.D. thesis, Queen's University, 1977), p. 329.
- 94 "Declaration of Chief or Councillor," re: Phillip Tomma, Kamloops, 7 June 1920, NAC, RG10, v. 7941, f. 32-154; emphasis added.
- 95 Revised Statutes, 1906, Ch. 81, part 1, 61 V., c. 34, s. 9, p. 27.
- 96 Between 1913 and 1923 there were at least nine documented instances of Smith using section 96 of the *Indian Act* to threaten chiefs or to force their resignations. By 1923, the agent for the Kamloops Agency was directed by his superiors to explicitly warn newly elected chiefs and councillors the grounds on which they might be deposed. See, NAC, RG10, v. 7941, f. 32-154.
- 97 Smith to McLean, 14 May 1919, NAC, RG10, v. 7941, f. 32-154.
- 98 Smith to McLean, 21 February 1914.
- 99 *Ibid.*; emphasis added.
- 100 McLean to Smith, 2 March 1914.
- 101 See for example Daily Journal, 1912, NAC, RG10, v. 1325.
- 102 See, for example, Smith's report on visit to the Salmon Arm reserve, 7 March 1912, NAC, RG10, v. 1326; or Smith's report on visit to North Thompson, 1 March 1912, *ibid.*