

**'A VERY RESPECTABLE MAN':
JOHN FREEMONT SMITH AND THE KAMLOOPS AGENCY, 1912-1923**

by

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'A Very Respectable Man': John Freemont Smith and the
Kamloops Agency, 1912 - 1923

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Abstract

This thesis explores the nature and extent of the Indian Agent's role through a study of the administrative relations that developed between the Kamloops Indian Agent, John Freemont Smith, and seven Secwepemc communities under his supervision, in the years between 1912 and 1923. A rhetorical description of Smith as a "good Agent," taken from a petition signed by Secwepemc Chiefs in the 1930s, is used as a departure point for discussing the exceptional nature of Smith's administration.

Smith's administration was unusual on a few counts. First, Smith was appointed by the Department of Indian Affairs in the wake of the dismissal of an exceptionally neglectful and incompetent Agent. Second, Smith was himself an extraordinary Indian Affairs appointment: a black citizen of Kamloops who possessed both high qualifications and high status in local public affairs. Further, Smith's own experience of assimilating into Anglo-Saxon culture gave him a unique appreciation of the Department of Indian Affairs' explicit "improvement" program. In short, Smith was more than the usual hack political appointee.

In practice, Smith's extraordinary individual abilities were off-set by the contradictory situations which the structures and priorities of Department of Indian Affairs administration forced him to assume. Daily, he had to negotiate the conflicts of his role. On one hand, Secwepemc leaders expected the Agent to provide the protection, representation, and assistance needed for the preservation of their autonomy. In contrast, government policy which shaped and directed the Agent's role, aimed at assimilating Indians into the working classes of Canadian society. Lastly, undermining both sets of expectations, was the Department of Indian Affairs' subordination of Indian interests to those of administrative efficiency and central control.

The department's failure to provide adequate assistance in any form, prevailed against both the Secwepemc objective of autonomy and the Department of Indian Affairs' plan of assimilation. In practice, Smith employed his own discretion in attempt to salvage, at the ground level, the department's ideals of assistance, protection and representation. Nonetheless, Smith was routinely forced to compromise both the interests of Secwepemc people, and the reformist ideals of DIA, in the name of efficiency and bureaucratic order. A combination of primary sources such as ethnographic materials, recorded oral histories, DIA records, Royal Commission evidence and a selection of relevant books and articles provided the basis of this study.

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Table of Contents

Approval.....	ii
Abstract.....	iii
Acknowledgments.....	v
List of Figures.....	vii
I. Introduction.....	1
II. "Bad" and "Good" Indian Agents.....	16
III. Indian Agents and the Politics of Improvement.....	30
IV. Law and Sanitation.....	42
V. Assistance and Representation.....	54
VI. Education in the Kamloops Agency.....	66
VII. Band Elections.....	75
VIII. Conclusion.....	97
Bibliography.....	104

List of Figures

Map 1. Southern Secwepemc Communities in the Kamloops Agency	2
Map 2. Salmon Arm Indian Reserves	3
Plate 1. John Freemont Smith as a young man.....	28
Plate 2. Portrait of John Freemont Smith and his family.....	28
Plate 3. The Kamloops City Council, 1905.....	29
Plate 4. Smith being interviewed by the Royal Commission on Indian Affairs	29
Map 3. Cold Creek and Paul Creek on the Kamloops Indian Reserve.....	62

Chapter I

Introduction

Two petitions written by Secwepemc leaders in the early 1930s suggested that John Freemont Smith, Indian Agent for the Kamloops agency in British Columbia between 1912 to 1923, had been an exceptional Agent. The first petition, sent by two councillors from the Adam's Lake band, stated that "No agents since J. F. Smith have [given] us satisfaction..."¹ A second petition sent to Prime Minister R. B. Bennett by the leaders of three bands near the Shuswap Lakes, represented Smith as the last Agent from whom the Secwepemc (Shuswap people) had received "fair treatment":

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*²

This thesis attempts to decipher these rhetorical fragments through an examination of John F. Smith's role as the Indian Agent over seven southern Secwepemc communities in the Kamloops agency. The thesis will examine, first, the specific context of Smith's appointment: the agency's condition prior to 1912 and Smith's qualifications for the post. A discussion of general context will follow, with a comparative analysis of the ideals which informed the Agent's role and the reformist thought which shaped Smith's own cultural perspective. Then, in a series

¹Michel Antony and Alec Joseph to the Superintendent of Indian Affairs, April 5, 1932. Canada, Department of Indian Affairs, Record Group 10, v. 7941, f. 32-154.

²Chief Francois Silpahan, Peter Tomma, William Pierrish, Michel Anthony, Alex Joseph, and August James to R. B. Bennett, July 5, 1932, *ibid*, emphasis added.

Southern Secwepemc communities within the Kamloops Agency, 1916.

KAMLOOPS AGENCY

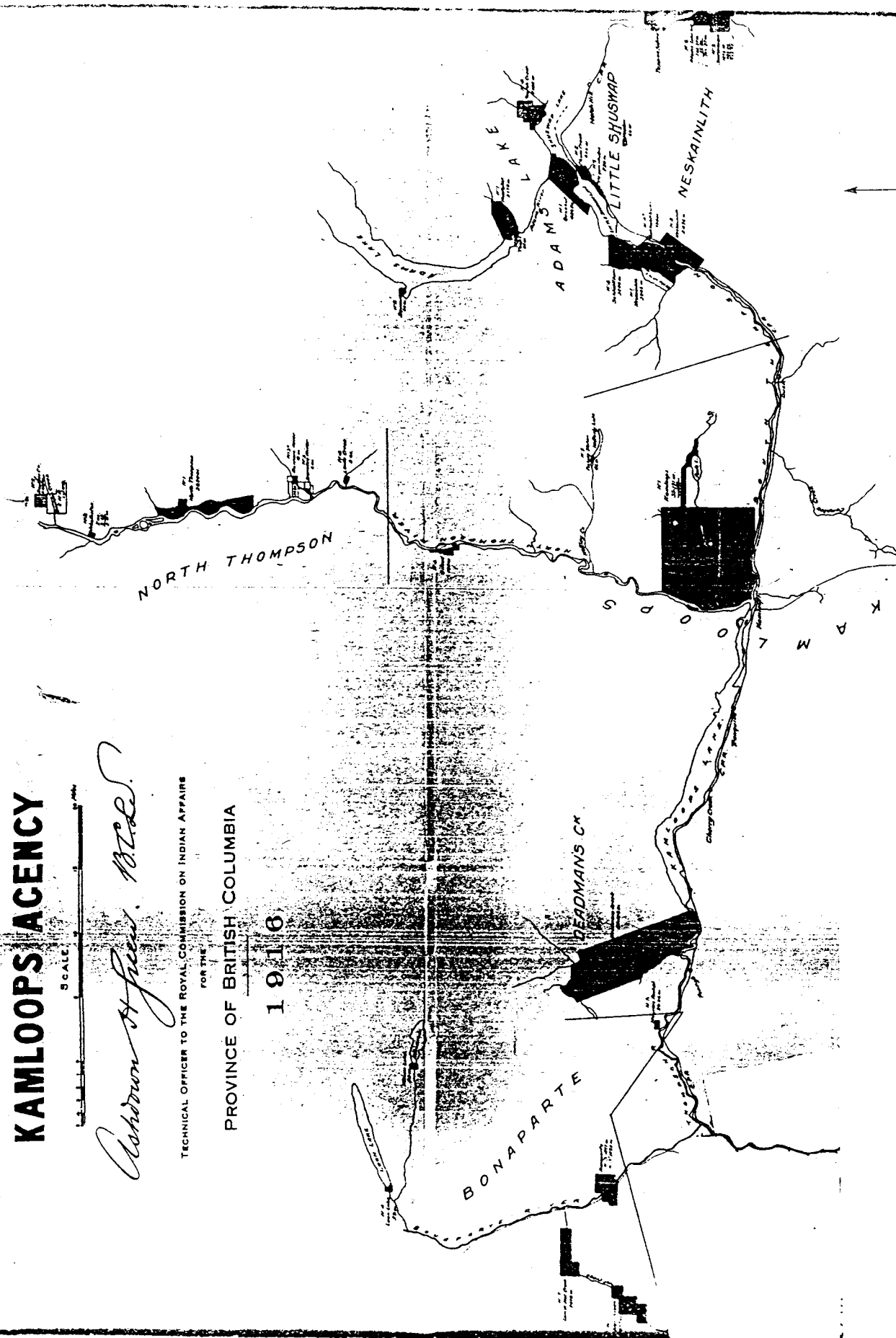


Arthur H. Green. M.C.L.

TECHNICAL OFFICER TO THE ROYAL COMMISSION ON INDIAN AFFAIRS
FOR THE

PROVINCE OF BRITISH COLUMBIA

1916



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

of case studies, the analysis will shift to the standard of Smith's administration in practice. In short, the thesis will detail what passed for "good" Indian administration in the early decades of the twentieth century.

As few historians have studied the role of Indian Agents in British Columbia, this thesis treads on relatively fresh ground. Cole and Chaikin have looked at Agents on the north west coast, but only in relation to the Agent's enforcement of the potlatch law.³ Carstens has noted that Indian Agents for the Okanagan agency "were key people" in an administrative system that impinged on almost every aspect of Native peoples' lives, but fails to expand upon their role.⁴ Thomson's discussion of Indian Agents in the Okanagan is equally brief.⁵ In short, the role of Agents in British Columbia has been left largely undocumented.

Discussion of Indian Agents in other areas of Canada is slightly more extensive. A. J. Looy's work on Indian administration in the North-West remains the only intensive examination of Indian Agents themselves.⁶ In his study, Looy maintains "It was the Indian Agent, more than anyone else, who translated governmental policy and regulations which daily affected the lives of thousands of Indians." Looy emphasizes that Indian agencies were understaffed and Agents overworked. He also observes that Agents were confronted with an insensitive, centralized bureaucracy. "Because of sheer physical distance from the local scene,

³Douglas Cole and Ira Chaikin, *An Iron Hand Upon the People: The Law Against the Potlatch on the Northwest Coast* (Vancouver: Douglas and MacIntyre, 1990).

⁴Peter Carstens, *The Queen's People: A Study of Hegemony, Coercion, and Accommodation among the Okanagan of Canada* (Toronto: University of Toronto Press, 1991), pp. 88-89.

⁵D. Duane Thomson, *A History of the Okanagan: Indians and Whites in the Settlement Era: 1860-1920* (PH D Thesis, University of British Columbia, 1985), pp. 71-76.

⁶A. J. Looy, *The Indian Agent and his Role in the Administration of the North West Superintendency, 1876-1893* (PH D, Queen's University, 1977), p. ii.

the bureaucrats' decisions were sometimes characterized by a certain insensitivity to the practical day-to-day Indian needs as well as by a relative ignorance of the nuances of Indian-White relationships."⁷ Hence, a tension existed between Ottawa's directives and what the Agent's own judgement dictated.

Other writers have observed that the Indian Agent's position was beleaguered with contradiction and conflict. Dyck notes that "tutelage agents" faced a contradiction between the ideological underpinnings and the practical aspects of their role. "Unless they accepted the proposition that native people could not lead a decent life without the direction they provided, tutelage agents were cast in a role in which they would arbitrarily and self-consciously exercise power over other human beings for no good reason."⁸ Dyck also notes that the department's own philanthropic ideal of helping and "improving" Indians was at times compromised by its emphasis on economy.

Several other writers have noted that the Department of Indian Affairs' (DIA's) objective of "improving" and assimilating Indians was often subordinated to the department's less publicized principles of central control and economy. In his discussion of Lawrence Vankoughnet, the deputy superintendent of Indian Affairs from 1874 to 1893, Douglas Leighton stresses that the DIA was an extremely centralized operation.⁹ F. Laurie Barron also concludes that agency operations, understaffed and underworked, were dominated by central decision-makers in

⁷Ibid., p. 329.

⁸Noel Dyck, *What is the Indian 'Problem': Tutelage and Resistance in Canadian Indian Administration* (St. John's: The Institute of Social and Economic Research, 1991), p. 77.

⁹Douglas Leighton, "A Victorian Civil Servant at Work," *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.

Ottawa. The result was that agencies experienced a high turnover rate "...at the very moment when continuity was needed most."¹⁰

Carter has shown that economic stringency actually shaped Indian policy on the Prairies. She shows that the department's farming policies between 1889 and 1897, which prohibited Indian farmers in the North-West from both purchasing farm machinery and selling produce without the written permission of the department, undermined Indian farming.¹¹ Faced with policies that undermined the Department's own professed goal of making Indians "self-sufficient," many Agents expressed their dissatisfaction.¹² Yet, the individual Agent carried little influence with the department. Agents who were openly critical of government policies were dismissed and replaced with more compliant individuals.¹³

Of course, the conflicts of ideals and economy were not always left to an Agent's reckoning. In the Yukon, Coates shows that DIA's concern for reducing administrative costs led to an official policy of non-interference. The absence of significant pressures for either settlement or development permitted a "flexible" government policy, where Agents "in the field and in Ottawa" could "adapt national policy directives to local conditions."¹⁴ According to Cole and Chaikin, this

¹⁰F. Laurie Barron, "Indian Agents and the Northwest Rebellion" in *Out of the Background: Readings on Canadian Native History*, ed. by Robin Fisher and Kenneth Coates (Toronto: Copp Clark Pitman, 1988), p. 145.

¹¹Sarah Carter, *Lost Harvests: Prairie Indian Reserve Farmers and Government Policy* (Montréal & Kingston: McGill-Queen's University Press, 1990), pp. 229-236.

¹²Sarah Carter, "Two Acres and a Cow: 'Peasant' Farming for the Indians of the Northwest, 1889-97," in *The Canadian Historical Review*, LXX, 1, (1989), p. 41.

¹³*Ibid.*, 46.

¹⁴Kenneth Coates, "Best Left as Indians," *Out of the Background: Readings in Canadian Native History* (Toronto: Copp Clark, 1989), pp. 236-255.

flexibility in department policy was also extended to certain regions in British Columbia. They maintain that government officials were relatively tolerant of Indian practices, rarely enforcing suppressive legislation against the potlatch. These writers show the dangers of generalizing about the nature and extent of DIA intervention in any given region in Canada.

In line with such reasoning, this thesis provides a limited case study of one Agent's attempts to reconcile policy and practice in his day-to-day duties. Of course, the more limited the focus, the more limited the availability of documents. The availability and nature of sources have placed some limitations upon the form of analysis and the conclusiveness of findings in this thesis. First, this thesis is not specifically concerned with the *impact* of DIA policy upon Secwepemc communities. This thesis does not specifically seek to measure or analyze the impact of Smith's administration upon economic, kinship, gender, or race relations within Secwepemc communities; it examines and interprets the kind of administrative relations of which Smith became a part. Secondly, this thesis does not attempt to present Smith's biography. Extensive discussion of Smith's early life, as well as of his personal and business affairs in the Kamloops district is not found in this work. Yet, as far as contributing a background for analyzing Smith's role as an Indian Agent, limited biographical details have been used.

The main sources for this thesis are fragmentary DIA files which depict episodes, rather than a continuous flow of day-to-day life. Most of these documents are not so much a record of relations between Indian Agents and Secwepemc individuals, but of DIA officials' supervision and surveillance of, and over, the Agent; and in turn, over, Secwepemc people. In this respect, they are an "archive of repression," akin to the records of a prison warden, or a factory manager. They exist

because coercive relations subjected people to the scrutiny of power, and turned people into objects of knowledge to later serve the purposes of power.

Thus, it is important to recognize that DIA archives do not represent "slices of reality." From an immediate standpoint, the documents suggest how one Agent processed and manipulated information in order to reconcile the expectations of central policy makers with local conditions. For example, instances of such "processing" were brought to light through cross-referencing some of Smith's reports with entries made in his daily journals. In this case, cross-referencing provided critical evidence pointing to the Agent as an arbiter of reality: his crucial role in recording, and thus shaping his readers' (usually his superiors') notions of "truth" and history.

Yet, these documents reveal more than deception and bias. By comparing Smith's reports to the ideals which infused DIA policy, we also gain a sense of the discrepancy between central policy and practice in the field. Thus, we extend the analysis of DIA administration beyond the field of public policy to the level of implementation. By emphasizing Smith's own reportage, we also learn something about the man and his relationship to DIA. From Smith's reports over a period of time, one can discern recurring patterns in his "official" thought: his representations of the Secwepemc, of certain Secwepemc individuals, and of his own role as an Agent.

The study's major limitation is the sparse representation of Secwepemc voices. Part of the problem is intrinsic to academic historical method itself which suffers from an over-reliance upon, and a bias toward, written sources. Some oral sources are available, specifically hundreds of taped interviews housed at the Secwepemc Archive on the Kamloops Indian Reserve. Unfortunately, in these tapes I was unable to find any mention of Smith which went beyond brief, anecdotal accounts.

Further, time constraints imposed upon the writing of this thesis, made it impossible to spend the years establishing the trust which is necessary, I feel, for an outside researcher to carry out effective and extensive oral interviews with Secwepemc (or any other community's) elders. The decision to use oral sources only as interpretive guides, rather than as direct sources, was a result of these limiting factors.

Nevertheless, I did use some texts written by Secwepemc people themselves, especially letters of graduates of the Kamloops Industrial School. These provided glimpses of individuals engaging and criticizing Indian Affairs' officials and the policy they implemented. Minutes of band meetings recorded in the 1930s recounted the memories band members then had of John F. Smith. The minutes of the 1913 Royal Commission hearings recorded the words of Secwepemc leaders at the time, and clearly demonstrated the contested understandings of what was, and would come to be, the past, present, and future relationship between government officials and Secwepemc leaders. These written records, while limited, allowed for the administrative relations between Secwepemc leaders and Agent Smith to be considered.

As the departure point for this thesis, it is assumed that Smith was neither a "good" nor a "bad" Agent in any objective sense. Rather, he came to be defined as a "good" Agent within an "administrative" dialogue through which Secwepemc leaders "negotiated" the nature of their relationship with DIA. The terms of this dialogue should be distinguished from those which predominated debate in the political sphere, where Secwepemc leaders, along with other First Nations leaders, demanded the recognition of their aboriginal title and tribal authority.

This latter political discourse entailed a broad historical critique of Secwepemc/Euro-Canadian relations. The Secwepemc had long felt that they were equal to Europeans, an idea affirmed through five decades of fur trade experience.¹⁵ From the arrival of settlement, the Secwepemc had sought a relationship with Euro-Canadian settlers which emphasized a similar sense of equality and reciprocity.

With us, when a person enters our house he becomes our guest, and we must treat him hospitably as long as he shows no hostile intentions. At the same time we expect him to return to us equal treatment for what he receives. Some of our Chiefs said, "These people wish to be partners with us in our country. We must, therefore, be the same as brothers to them, and live as one family. We will share equally in everything - half and half - in land, water, and timber, etc, *What is ours will be theirs, and what is theirs will be ours. We will help each other to be great and good.*"¹⁶

In this regard, interior First Nations' expected representatives of DIA to assist them in defending their autonomy within the new context of settlement. Reserves were to be the first of a series of land allotments which would subsequently satisfy bands' needs and settle the land question.¹⁷ Likewise, the Agent was expected to be a Crown representative hired to "help and defend" Indian people. What interior First Nations had long expected to be the role of Indian Agents was recalled by Chief

¹⁵Robin Fisher, *Contact and Conflict: Indian-European Relations in British Columbia, 1774-1890* (Vancouver: University of British Columbia Press, 1977), chapter two.

¹⁶"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), pp. 32-26, emphasis added.

¹⁷Ibid.

Johnny Chillihitza,¹⁸ who represented the Shuswap and Okanagan peoples at the Senate and House of Commons Commission Inquiry in 1927:

Long ago, the man who was called Dr. Powell came over and saw his chief's father, Chillihitza. Dr. Powell said: "I am going to tell you that the Queen said that all the Indian reserves are going to have agents." So the Indians asked him what the agents were going to do. He said that the agents were going to look after them, and if anything is going to happen to the Indians, the agent is there to defend the Indians. So the Indians said they accepted the agent as he was to look after their welfare and help them in everything.¹⁹

As Chillihitza explained, the interior peoples trusted that the Agent's assistance was for the purpose of helping them "to be great and good."²⁰ Their expectations of the Agent were part of a larger expression of hope for a relationship which would respect the equality and autonomy of the Secwepemc people.

In contrast, few late-nineteenth century Euro-Canadians believed that Native societies should be allowed to re-establish themselves as equal partners in the British Columbian settler society.²¹ Indeed, the main ideological thrust for "Indian administration" policy, and that which shaped the role of the Agent and the Reserve, came from Euro-Canadian moral reformers who sought to "improve" cultural Others by assimilating them into a culturally homogeneous Anglo-Saxon nation. As a result, Euro-Canadian efforts to "help" Indian peoples translated into projects aimed at "correcting" or transforming Native practices, beliefs, and social

¹⁸Canada, 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. 142.

¹⁹*Ibid.*, p. 144.

²⁰"Memorial to Sir Wilfred Laurier", *ibid.*

²¹Robin Fisher, *Contact and Conflict*, pp. 73-94.

relationships.²² The Indian Agents and reserve lands, which the Secwepemc had viewed as transitory elements en route to their re-affirmed autonomy, were viewed by DIA as instruments for "improving" or extinguishing the cultural existence of Secwepemc people. 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. The Agent, and the assistance and protection which he delivered, were instruments designed to 'help' Indian persons rid themselves of their "stigmatized status and inappropriate customs and beliefs."²³ As Dyck observes, "The assistance and instruction extended to Indians came wrapped in the expectation that individual recipients would not only become, for instance, farmers, but that they would also shed their Indian status and identity."²⁴ In other words, the very agency to which the Secwepemc looked for protection and assistance - DIA - was administering their assimilation.

Understandably, Secwepemc leaders, like other First Nations' people, resisted the assimilationist policy. Yet, when Secwepemc Chiefs petitioned Victoria and Ottawa, sent delegates to Ottawa and London, and helped form inter-tribal organizations to lobby for the recognition of their land and water rights, DIA officially branded their efforts the work of "white agitators." In practice, DIA officials refused to accept First Nations' grievances when they strayed outside the department's set boundaries of "acceptable" discussion.²⁵ From this experience, Secwepemc leaders knew that DIA officials were unprepared to accept any criticism

²²Noel Dyck, *What is the Indian 'Problem,'* p. 25.

²³*Ibid.*, pp. 26-27.

²⁴*Ibid.*, p. 28

²⁵*Ibid.*, pp. 81, 85-86, 93.

of the agency system as a whole. When Secwepemc petitioners penned their criticisms of the Department, specifically contrasting the performance of their "bad" Agents to a period of J. F. Smith's "good" administration, they were juxtaposing previous instances of local corruption against the department's rhetorical ideals of protection and assistance. In this sense, Secwepemc leaders were speaking, more or less, within the acceptable terms of the "administrative" discourse.

Against this administrative rhetoric, there are two main constraints that would seemingly have worked against Smith's being able to fulfill the *ideal* expectations of Secwepemc leaders. First, DIA's program "to get rid of the Indian problem" intensified throughout the period of Smith's administration. The objective was clearly stated by Duncan Campbell Scott, the DIA Deputy Superintendent General who stepped into office in 1913:

I want to get rid of the Indian problem. I do not think as a matter of fact, that this country should have to continuously protect a class of people who are able to stand alone... Our objective is to continue until there is not a single Indian in Canada that has not been absorbed into the body politic...²⁶

The vast majority of Native people resisted this policy.

Secondly, DIA's "improvement" project was complicated by its treatment of "assistance" expenditures as "gifts" or "presents." DIA's view that the dispensation of relief was "demoralizing" (i.e., anathema to the tenets of the work ethic) provided the rationale for extreme economy measures. In British Columbia, where the government was without the constraints of a treaty, DIA officials reduced assistance in a uniform and broad-reaching manner, treating the economic needs of

²⁶cited in Brian E. Titley, *A Narrow Vision: Duncan Campbell Scott and the Administration of Indian Affairs in Canada* (Vancouver: University of British Columbia Press, 1986), p. 90.

bands with equivalent doses of parsimony. In 1910, DIA instructed all Indian Agents in British Columbia that:

The Department desires to do away with the system of giving presents to Indians, its tendency is demoralizing, and it is not productive of beneficial results. Nothing should be given to any able-bodied Indian unless an equivalent in the shape of work or some other value is received from him or her for the article given.

Of course in the case of the very poor, aged or sick Indians, the Department will, as heretofore, give such relief as necessary for the alleviation of their wants.

It may also be advisable where Indians are desirous of cultivating land, and raising root crops or grain and have not the means themselves of procuring the necessary implements wherewith to work the soil, to lend them such implements, *but it must be clearly understood that they are only loaned to them, and are to be accounted for to the Agent, and to be kept in his charge or in the charge of someone for him, such as the chief of the Band, as the property of the government.*²⁷

Not surprisingly, this extraordinary concern for assistance monies being directed only toward “useful” purposes, and that Indians not be “pauperized” with assistance, often translated into persistent, chronic underfunding of development projects. In most cases, what Ottawa accountants determined were “appropriate” amounts of assistance, proved in the field to be sadly inadequate. Indian Agents were, thus, inextricably entangled within a net of administrative practices, which, on one hand, ran inherently counter to the Secwepemc’ interest of autonomy, and on the other hand, undermined the ideal of extending bona fide assistance to Indian peoples.

The nature and purpose of the Agent’s role came to vary greatly from the Secwepemc’s original expectations. Yet, in practice, Smith’s administration also

²⁷ “Instructions to Newly Appointed Indian Agents,” 1910, RG10, v. 4048, f. 360,377, emphasis added.

varied from the official representations of Agents found in the department's Annual Reports. The next few chapters will explore how Smith faced the tensions between the ideals, obligations, and reality of his job. In the next chapter, the context of Smith's appointment, including the dismissal of a previous Agent and Smith's social role in the City of Kamloops, will be examined to establish Smith's "position" within the contemporary discussion of Indian administration. Second, the "culture of moral reform" will be briefly discussed to situate DIA's strategies and ideals within their historical context, and then to parallel these with Smith's own cultural environment. Thirdly, the systemic pressures and conditions of DIA administration which compromised Smith's efforts to fulfill these ideals are discussed in four chapters relating to i) law and sanitation on reserves, ii) school matters, iii) irrigation at the Bonaparte reserve and water records at the Kamloops reserve, and iv) elections at Little Shuswap Lake band. These cases illustrate that the evolving Secwepemc rhetorical measure of a "good" Agent fell far below the ideals that DIA set for itself, and came to bear almost no relation to the early hopes, held by Secwepemc in the Nineteenth century, of what role the Agent would assume. The analysis concludes that Smith, "who was in most ways a good Agent," routinely subordinated the interests of the Secwepemc people, in part to the cultural, but mostly to the economic agenda of Indian Affairs.²⁸

²⁸Michel Antony and Alec Joseph to the Superintendent of Indian Affairs, April 5, 1932. Canada, Department of Indian Affairs, Record Group 10, v. 7941, f. 32-154.

Chapter II

"Bad" and "Good" Indian Agents

Between 1881 and 1911, four Indian Agents presided over the Kamloops agency. Henry P. Cornwall was the first and last Agent to administer the Kamloops agency as it stood in its original form. In 1884, in an effort to save funds, the Department of Indian Affairs combined the Kamloops and Okanagan agencies under one Agent, J. W. Mackay.¹ This extension of responsibility for two agencies to one single Agent continued through the tenures of Wentworth F. Wood (1893-1897) and Archibald Irwin (1897-1911). By 1910, however, officials of the Department of Indian Affairs came to view the double agency arrangement as a failure. This was in part due to internal departmental criticism of Agent Irwin, who was eventually dismissed for improper conduct amid allegations of misappropriated funds.

Under Irwin, the Kamloops-Okanagan agency had become a "problem" agency. Local bands complained about undefended reserve boundaries, questionable land deals, missing lease monies, and late compensation payments. Sympathetic settlers decried the Agent's acts of neglect, while visiting government officials mourned the economic retrogression evident on all the reserves in the agency. In response, DIA inspectors prescribed an administrative solution: Irwin was fired; the over-sized agency was divided in two; filing cabinets were ordered; and the search began for a "fearless, earnest, upright" man who could "regain the confidence of the Indians in the good intentions of Ottawa."² The decision reflected

¹Canada, Department of Indian Affairs, "Annual Report... 1884," *Sessional Papers*, Canada, 5th Parl., 3rd Sess., 1885, No. 3, p. lxxv.

²General Report of Reverend John McDougall on Indian Reserves in the British Columbia Railway Belt, c. 1909, RG10, v. 4020, f. 280,470-2, pp. 12-13.

the department's view that the agency's problems had originated with a lackadaisical Agent, and could be solved simply by his replacement.

Yet, the confidence of Secwepemc leaders could not simply be bought with a local departmental dismissal and appointment. They knew that a new Agent would not change government land policy or likely bring respect for their tribal leadership. That being said, most Secwepemc could not have viewed a change from the supervision of Irwin, who had been a remarkably incompetent Agent, being anything but an improvement. From a practical perspective, a "new man" could be expected to tackle the many "technical" problems related to irrigation, land ownership, reserve boundaries, and lease monies which had been left unaddressed. When John F. Smith was appointed head of the Kamloops agency on the first day in January 1912, Secwepemc leaders did not expect radical changes. What they hoped for was an Agent who, within the limited language of Indian administration, would replace the "bad" with the "good."

Irwin was not dubbed a "bad" Agent without reason. Band Chiefs mistrusted him, no doubt because he often failed to deliver promised monies and material assistance. Among local whites, Irwin had less than a flattering reputation even before he became Agent. Doubts regarding Irwin's competence had been voiced from the day of his appointment in 1897. A letter to the Kamloops *Standard*, the region's Conservative newspaper, used Irwin's appointment to criticize the Liberal appointees as "men of no ability, no qualification, and no standing in the community."

...we are not exaggerating when we state that the conscience, intelligence and self-respect of the country have been grossly affronted by the appointment of Archibald Irwin, of Nicola, to the position of Indian Agent for this district. A more unpopular and disreputable appointment could not be made. It is well known that Mr. Irwin has

no qualifications for the position. He has never made a success at anything he ever went at and had never been able to hold a position any length of time.³

The Liberal newspaper, the *Inland Sentinel*, printed a brief retort to these accusations. A Gilbert Blair from the Nicola Valley who claimed to have known Irwin for over twenty years, argued that Irwin was "honorable, truthful and honest to a degree," and that "The Department and Mr. Bostock (M. P.) should be congratulated in having secured the services of Mr. Irwin to look after the interests and welfare of our Indians."⁴

This public debate over Irwin's appointment was quickly forgotten, however, and there was no further questioning of his competence in the press. All subsequent criticisms of Irwin came in the form of petitions from bands, the report of Reverend John McDougall in 1909,⁵ and the reports of two DIA inspectors sent to investigate Irwin's alleged neglect of duty - all documents available only to DIA officials. For example, in 1906 Chief Basile of the Bonaparte band told the Indian Superintendent for British Columbia, A. W. Vowell, that he had not seen Irwin "for so long," and that he doubted Irwin's sincerity as his band had never received government assistance for improving the condition of their reserve.⁶ That neglect typified Irwin's administration was confirmed in Reverend John McDougall's report sent to Ottawa in the first half of 1909.

the present agent is altogether unfit for the work... many of these bands have not seen him for years, possibly some of them never at all the time since he was agent.... I found that there was no bond of

³"Disgraceful Appointments" *The Kamloops Standard*, October 13, 1897.

⁴"Indian Agent Irwin", *The Inland Sentinel*, October 29, 1897.

⁵McDougall was sent as a special commissioner for DIA, to investigate the possibility of cut-offs from reserve throughout the railway belt.

⁶Chief Basile to A. W. Vowell, January 16, 1906, RG10, v. 3750, f. 29858-10.

sympathy between the Indians and their agent, many times it was said to me "The agent good for white man, but very bad for Indian"... one chief charged the agent with being a "regular gambler" and laughed at the idea of such a man working for the Indians' good.

McDougall's observations were later corroborated by a settler's letter. In March 1911, P. Oppenheimer, wrote to Agent Drummond of the neighboring agency on behalf of the Ashcroft band, claiming "they (the band) could never get Irwin... to come to their reserve. They say that he honestly has been to the place once since he has been Indian Agent."⁷

By the time of this letter, McDougall's complaints had already prompted two investigations which eventually led to Irwin's dismissal.⁸ The first of these inquiries was carried out by Inspector J. G. Ramsden in October, 1909. The brevity of Ramsden's investigation precluded a comprehensive assessment of conditions in the agency. He thus dealt only with complaints that were aired with the loudest of protests. In general, though, Ramsden addressed a problem which extended to all the bands under Irwin's supervision:

It is true that Mr. Agent Irwin has too large a territory for his capacity of business or even for a very capable and energetic man. But there has been no reasonable excuse offered why all these matters reported should have been handled in the manner they have.... It is not surprising that now, where fields of grain used to grow six or seven years ago, the soil is not cultivated at all. When you consider how timber has been dealt with... to say nothing of the many trespasses reported, where even their small gardens were destroyed and no redress or advice offered or trespassers removed.⁹

Consistent with the "rhetoric" of Indian administration, Ramsden believed Irwin's personal neglect, rather than the system he administered, was solely

⁷P. Oppenheimer to Drummond, March 15, 1911, RG10, v. 1311.

⁸McLean to K.C. MacDonald, June 8, 1910, *ibid.*

⁹Ramsden to McLean, November 22, 1909, *ibid.*

responsible for Native grievances. Ramsden reported that "the Indians have implicit confidence in the Government," and if competent officials were placed in the agency "little or no trouble" would arise. In short, Ramsden believed that the Secwepemc' objections to dispossession and cut-offs could be cured with proper administration.

Care taken by the officials under whom their affairs are directly administered to explain matters fully to them to let them know they will be fully protected in all rightful pursuits and advised to be fair and reasonable in their dealings with the whites and fully impressed upon them that the Dept. (sic) will see that the whites will be made to deal fairly and honourably with them. Then under such conditions no trouble will be at all likely to arise.¹⁰

The underside of Ramsden's recipe for fair and honourable administration was a prescription for improving the efficient management and supervision of Indians and their reserves. Ramsden recommended that the agency should be divided in order to facilitate closer administration. The new Agent should "reorganize" Indians into "proper" bands by "scrutinizing" the rights of Indians to membership and land allotment. He should also enforce the "proper" use and distribution of land, a "fair and equitable distribution of locations to individual Indians," and ensure that "unnecessary lands" would be sold to finance economic development. Under this plan, government officials were to employ assistance and protection as instruments for ordering and "improving" Indian communities for DIA's administrative purposes.¹¹

Ten months later, a second investigation was carried out by K. C. MacDonald, the Inspector for the southern-eastern region of British Columbia. MacDonald found the "Kamloops Office in a very unsatisfactory condition. There being no

¹⁰Ibid.

¹¹Ibid.

system of keeping accounts of transactions on behalf of the various bands."¹²

MacDonald's solution to the "problem" of administration echoed the views of Ramsden in emphasizing that the agency needed to be divided; that administration had become too lax, and needed to be tightened up. MacDonald left Irwin in office, but planned for greater supervision over his activities. He ordered files, filing cases, and indexed minute books for recording minutes of band meetings, and pledged to his superiors that "with close over-sight of the Kamloops Office by myself, satisfactory results may be expected."¹³

Irwin had demonstrated one way that an Agent could abuse his discretionary capacity: he had neglected his duty to protect and defend the interests of Indian people, and he had allowed DIA's systems of individual allotments, penalties, accounting, and information gathering to fall into "disorder." While Irwin's dismissal openly identified him as the "problem,"¹⁴ Ramsden's report had stated, and MacDonald's implied, a plan for improving the agency not only entailed increased diligence in "protecting" Indian rights, but also an increase in supervision and management of band members and reserve lands. Somehow, DIA believed that it 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. Of course, DIA would need a new Agent, a "good" Agent, who was "earnest" enough to implement this re-ordering.

¹²Report of Inspector MacDonald, September 23, 1910, *ibid.*

¹³*Ibid.*

¹⁴J. D. McLean to A. Irwin, February 10, 1911, RG10, v. 3944, f. 121,698-54.

The department's first replacement was a very brief one. The new hope was William Nield, who was recommended for appointment on July 26, 1911 for \$1200.00 per year, the same salary paid to the Kamloops Indian Agent in 1884.¹⁵ That Nield did not stay on for even six months signified an aspect of DIA appointments that potentially undermined the selection of "fair-minded" Agents. The Agent's office was a patronage position - not quite a plum, but at least an income - handed out by local M.P.'s to the party faithful. Irwin had been appointed amid a controversy over patronage when Liberal M.P., Hewitt Bostock was stacking local federal offices with local party elites in 1897. The Conservative victory in the federal election of November 4, 1911 signalled a similar patronage turn-over. 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. On that occasion 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 \$1200.00.

John Freemont Smith was such a person. "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.¹⁶ Like the missionaries who

¹⁵Canada, 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.

¹⁶Mary Balf, *Kamloops: A History of District up to 1914* (Kamloops: Kamloops Museum Association, 1989), pp. 84, 122.

attended to Secwepemc communities, Smith was a Catholic. 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 his 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.

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, the values of Victorian society. Born in 1850 into a former slave plantation colony in the Danish West Indies, John "Freemont"¹⁷ 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.¹⁸ 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 which he gained in the same year.¹⁹ In 1909, he claimed the moral high ground and

¹⁷This has been interpreted as "free man".

¹⁸Mary Balf, *Kamloops*, p. 112.

¹⁹John F. Smith, "A Rich District: Development of the Vast Resources of the North Thompson Valley," *Inland Sentinel*, September 13, 1907; Howard Forsell, *Law Enforcement of Pioneer Days in South Central B. C.*, manuscript, Kamloops Museum and Archives, n.d.

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." On this record of respectable service alone, Smith would have seemed the ideal administrator for the Agent's office.

Smith was likely the only person of his competence and public bearing who would accept the tarnished Agent's chair for the paltry remuneration it offered. First, the Agent's salary had not increased in thirty years.²⁰ Second after Irwin's dismissal, the agency was left in disarray. It is not surprising that DIA had difficulty finding a successor. The Canadian National Pacific Railway right-of-way Agent, D. J. MacDonald, who was waiting for an Agent to be hired to settle a right-of-way through some reserve lands, wrote to the district Inspector in 1911, "It seems as though it is very hard to get an Indian Agent appointed here on account of not being able to get any person to accept it at the salary offered by the Department."²¹

In the end, it is likely that Smith 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 which the Agent's office offered. Being the only prominent black citizen in the region, Smith remained status conscious. The Agent's seat in Kamloops had been somewhat tarnished by Irwin, but it remained an "official billet" that many whites believed

²⁰ 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).

²¹D.J. MacDonald to K.C. MacDonald, July 7, 1911, RG10, v. 1311.

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.

From documents alone, what hopes Secwepemc may have had for the "new man" can only be inferred. Their expectations in part would have generated from the administrative vacuum left by Irwin's reign. 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 their land for farming. Other bands, like Bonaparte, which had no land to lease, no readily accessible water, and no capital to build with, slipped into desperate poverty throughout these years. All of the Secwepemc suffered economically because of the condition of their reserves and the constraints of their legal wardship: the inability to obtain capital or to enforce their land and water rights without the Agent.

Thus, with the appointment of Smith, many Chiefs came to settle accounts left outstanding from the days of Irwin's mismanagement.²² The Chiefs were particularly interested in irrigation. Since the 1880s, many bands had lost the use of their open range lands to settler encroachments, thus the cultivation of their dry lands for livestock feed, as well for grain, had become a priority. Irrigation, along with the general "improvement" of their land, required clear access to water and capital.

²²See, for examples, Daily Journal, 1912, RG10, v. 1325.

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 mangle 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. But it was not long before these Chiefs recognized that the new Agent had been hired to restore, not challenge the order which Irwin had allowed to slip into disarray.²³

Therefore, the later Secwepemc petitioners' view that Smith was a "good" Agent, must, in part, be interpreted in view of Irwin's legacy. For instance, band leaders could hope that, instead of stealing their money, the new Agent might faithfully administer their band funds. Instead of ignoring their requests, he might defend their water rights, deliver seed, or send their requests and petitions faithfully to Ottawa. In short, a "good" Agent might be a better "technician" than the last Agent.

Yet, 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. The Chiefs, thus, tended to view the DIA Agent in extremely pragmatic terms: as a vehicle for delivering to band members whatever paltry assistance DIA would choose to provide. When Secwepemc Chiefs asked Smith to deliver outstanding monies owed to them (railway compensation, bands

²³See, for example, Smith's report on visit to the Salmon Arm reserve, March 7, 1912, RG10, v. 1326; or Smith's report on visit to North Thompson, March 1, 1912, RG10, v. 1326.

funds, and leases monies), and to defend the water rights of each band,²⁴ they were not passively accepting the *status quo*. They were exploiting the logic and “rhetoric” of Indian administration - just as at the political level they manipulated the conventions of Imperial laws - in attempt to gain the capital and resources essential to their survival as a people. From the point of view of the Secwepemc, a “good” Agent would offer, at best, better administration: the possibility of representation, the protection of their limited land and water rights, and the opportunity for a dependent, economic recovery.

On the other hand, for DIA, a “good” appointment would help fulfill its long-term strategy by re-enlisting Secwepemc leaders and their people into a set of relations designed to assimilate them into the class structure of Canadian society.²⁵ For that, Ottawa administrators sought a meticulous administrator who could ensure the smooth operation of the agency’s infrastructure: the local industrial school, modes of economic assistance, medical care and sanitation, 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. Smith was chosen as this ideal candidate. The next chapter explores why Smith may have appeared ideal, by paralleling the public ideals encoded in DIA policy with the Anglo-Saxon “culture of reform” to which Smith publicly subscribed.

²⁴See, for examples, Daily Journal 1912, RG10, v. 1325. Also see Smith’s reports of his first visits in early 1912 to the bands in RG10, v. 1326.

²⁵Ramsden to McLean, November 22, 1909, *ibid.* See, for discussion of DIA policy, John L. Tobias, “Protection, Civilization, Assimilation: An Outline History of Canada’s Indian Policy, ” in *Approaches to Native History in Canada*, ed. by D. A. Muise. 89-103. National Museum of Man, Mercury Series, History Division Paper No. 25, Ottawa, 1977.



Plate 1. John Freemont Smith as a young man.
(Courtesy of the Kamloops Museum and Archives)



Plate 2. Portrait of John Freemont Smith and his family.
(Courtesy of the Kamloops Museum and Archives)



Plate 3. The Kamloops City Council, 1905.
(Courtesy of the Kamloops Museum and Archives)



Plate 4. Smith being interviewed by the Royal Commission on Indian Affairs, in
Victoria, November 1913.
(Courtesy of the Royal British Columbia Museum, Victoria, B.C.)

Chapter III

Indian Agents and the Politics of Improvement

The objective of DIA policy - the "improvement" of Indians - resonated with Smith's own cultural outlook. This is not surprising, as the notion of individual "improvement" or "reform" was not limited just to DIA theory, but permeated Euro-Canadian society as a whole, serving as an individual-level counterpart to the ideal of social progress.¹ By setting a personal standard of morality and competence exceeding that set by the society around him, Smith himself had advanced his status within the white-dominated City of Kamloops. It could be said that Smith, a prominent example of moral citizenry, implicitly exemplified the benefits of assimilating into Euro-Canadian society.

As an Agent, Smith had been hired to re-establish order and efficiency within a system designed to "improve" Indians, by promoting their assimilation into Euro-Canadian society. This chapter details how the ideas informing the Agent's role paralleled contemporary theories of moral reformers, who also equated social improvement with assimilation. It shows how these reformist ideas were influential in shaping Smith's own public life and social perspective, while simultaneously investing him with an anxiety for personal moral and social respectability and hard work. Smith, arguably himself a product of moral improvement, perceived DIA's theory and objectives as both rational and self-evident. This resonance between the theory of DIA and Smith's own culture and

¹See, for example, Mariana Valverde, *The Age of Light, Soap, and Water: Moral Reform in English Canada, 1885-1925* (Toronto: McClelland and Stewart Inc., 1991). Also see, Douglas Cole and Ira Chaikin, *An Iron Hand Upon the People: The Law Against the Potlatch on the Northwest Coast* (Vancouver: Douglas and MacIntyre, 1990), p. 93.

experience helps to explain why Smith, in many ways, worked diligently to be a "good" Agent.

Smith's role involved more than simply protecting Indians "in the possession of their farming, grazing and woodlands, fisheries or other rights."² The "Instructions to Agents" gives just a brief outline of the duties expected of him.

- strongly oppose the introduction and manufacture of liquor among the Indians, or the use of the same by them.
- endeavour to prevail upon them to abandon the foolish, wasteful and demoralizing custom of Potlatching.
- confer with and advise them (Indians) in the important matter of sub-dividing the lands on the reserves among themselves.
- 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.
- 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.³

The broad and diverse responsibilities reflect the broad 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

²"Instructions to Indian Agents", 1910, RG10, v. 4048, f. 360,377.

³Ibid.

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, promote the industrial work-ethic, and send Secwepemc children to schools for "improvement."

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 Department of Indian Affairs' efforts to "improve" and assimilate aboriginal peoples paralleled the activities of Canadian moral and social reformers who sought to create a culturally homogeneous nation-state.⁴ 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 their work as the rescue of "Others" from themselves; of destroying the vice which existed within the Other and replacing it with "civilized" virtue. The Department of Indian Affairs was the one state institution to impose the reformist program upon a distinct population.

The theory and imagery of evolution and civilization, combined with the strategies of social and moral reform, informed Indian Affairs' intervention during the early twentieth century. Theories of unilinear evolution described Native societies as primitive and backward; as obstacles to Progress.⁵ DIA offered assistance

⁴Mariana Valverde, *The Age of Light, Soap, and Water*, p. 115.

⁵Noel Dyck, *What is the Indian 'Problem': Tutelage and Resistance in Canadian Indian Administration* (St. John's: Institute for Social and Economic Research, 1991), p. 85.

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.

Smith was to be less an advocate *for* the Secwepemc, than an agent *of* Euro-Canadian society. His annual reports - intended for a public, as well as an official, audience⁶ - 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."⁷

Central to DIA's assimilation efforts was an implicit understanding that European civilization rested upon a foundation of bodily "self-restraint." As Valverde notes, "...the ruling group saw "the regulation and control of instinct and emotion as the basis of civilization..." Rule over instinct "was central for gender formation, for class order, and for racial and ethnic organization" in European

⁶Sarah Carter, *Lost Harvests: Prairie Indian Reserve Farmers and Government Policy* (Montréal & Kingston: McGill-Queen's University Press, 1990), p. 224.

⁷Canada, Department of Indian Affairs, "Annual Report...1912," *Sessional Papers*, 12th Parl., 2nd Sess., 1913, No. 27, p. 218.

culture.⁸ It was imperative then, to DIA officials, that this form of self-restraint be taught to Indians under their wardship.

Of all the obstacles that stood in front of this objective, DIA officials were most concerned with the disruptive effects of alcohol. In 1907, Frank Pedley, the Deputy Superintendent General of Indian Affairs, went so far as to write "that the whole super structure of attainment, material, moral, and intellectual, can only be reared upon the foundation of sobriety and temperance." As Pedley claimed that in the "chain of [moral] causation" sobriety was "the great parent of them all," he viewed restraints against drinking as a priority in the fight against other forms of excess and impropriety.⁹ DIA officials also claimed, as did other temperance advocates, that repressive legislation was ultimately beneficial to the people it restrained.

Indians who have today acquired the highest degree of self-restraint owe their preservation in the past, as do others in the present, to the *protection* afforded by this special legislation.¹⁰

Thus, DIA officials - like reformers in general - believed that the virtue of "self restraint" could be given to Indian people through a mixed program of coercion, encouragement, and direction. DIA bureaucrats were in the business of engineering the "character" of Indian people. Ironically, a spirit of self-regulation was not only a desired end, but also a means to this end. In regard to legal regulation, a DIA deputy superintendent wrote in 1906, "It must be admitted that... the department has to depend mainly on *the good sense and self-control* of the Indians themselves."¹¹

⁸Mariana Valverde, *The Age of Light, Soap, and Water*, pp. 104-105.

⁹Canada, Department of Indian Affairs, "Annual Report... 1906," *Sessional Papers*, 10th Parl., 3rd Sess., 1906-7, No. 27, p. xxx.

¹⁰*Ibid.*, p. xxix, emphasis added.

¹¹*Ibid.*, p. xxxi, emphasis added.

For health care, "while much is accomplished by instruction and restraint, *practical belief* in the laws pertaining to sanitation must in the main be experimentally tried."¹² In terms of economic assistance, "agriculture may be regarded in two aspects, first, as a direct means of maintenance, second as a medium for civilizing and *creating habits of industry* which may later on be diverted into other channels."¹³ At least in theory, DIA protection and assistance was designed, and simultaneously relied upon its ability to produce a "correct consciousness" that would ensure compliance to the "laws" of morality, sanitation, commerce, and work in the day-to-day lives of Indian people.

Such a theory also provided a convenient target on which to pin blame for DIA's own failures: the Indians themselves. The continued use of alcohol by Indians could be ascribed to the failure of Indians' good sense and self-restraint. High mortality rates on reserves was explained as a result of Indians' inability to acquire practical belief in sanitation. The economic poverty on reserves was viewed as a problem stemming from a lack of Indian industriousness. Ultimately, DIA could blame the bureaucracy's systemic failure to assimilate Indians on the supposed inadequacies of Indians themselves. The department's expressed intent to recreate Indian habits and beliefs thus concealed its own limited capacity to regulate laws and provide economic assistance at the agency level.

Yet, DIA's ideological concerns were more than a complex ruse. The pre-occupation with re-creating "self-control," "practical belief," and "habits of industry" in Indians was rooted in the same cultural substratum from which DIA

¹²Ibid., p. xxii, emphasis added.

¹³Canada, Department of Indian Affairs, "Annual Report... 1905," *Sessional Papers*, 10th Parl., 2nd Sess., 1906, No. 27, *Sessional Papers*, 1906, No. 27, p. xxiii, emphasis added.

officials - and most Anglo-Saxon Canadians for that matter - came to understand and "construct" their own Selves in society. Social success or failure was explained in terms of these internally possessed and externally displayed traits. Thus, when DIA officials spoke of improving Indians by changing both their internal constitution and their external appearances, they were expressing a will to make Indians in the image of themselves. Their efforts were an implicit affirmation or glorification of the cultural or character traits which they saw and felt themselves possessing.¹⁴

The cultural traits which determined a person's status in Euro-Canadian society - whether civilized, respectable, or immoral - were assembled under the rubric of "character." According to an implicit cultural arithmetic, character was the sum total of a person's moral virtue and vices. For example, a combination of *honesty, industriousness, competence, and sobriety* added up to a strong character. On the other hand, traits of *idleness, profligacy, and intemperance* described a weak character. Implicitly, the value of a person's "character" was directly related to the internal practice of "self-discipline" and restraint.

To an extent, moral reformers also believed that the endowment of individual virtue and vice varied with one's class, religion, gender and race. Theories of religion, social, and racial evolution invested women, infidels, people of colour, and the poor with inherent character flaws; in contrast, men, the upper-class, Protestants, and Anglo-Saxons were believed to possess a natural endowment of

¹⁴Noel Dyck, *What is the Indian 'Problem,'* p. 26.

character.¹⁵ In short, theories of character served as cultural explanations for class and racial stratification within the prevailing social order.

Yet, these taxonomies did not absolutely fix the social status of individuals.¹⁶ For example, moral reformers believed that fallen individuals could be lifted out of the “low” regions of social existence, through the efforts of people with strong character. The development of a theory of active, interventionary reform - one upon which DIA relied - necessarily held a more flexible conception of “race” or “class.” As Valverde points out in her discussion of evangelical reformers:

Race was not for them a strictly biological concept; it was organized through traditions as well as through genes. This belief was necessary in their evangelical efforts, since if character were completely biologically determined there would be little point in converting Chinese Canadians or Native people to Protestant habits of life. Although they certainly did not think that a Christian Chinese person was the equal of a Christian of British descent, the more hopeful among them thought that in a few generations the objectionable culture of non-British immigrants might disappear, even if the physical ethnic types remained.¹⁷

Hence, individuals or collectivities could attempt to “upgrade” their own status, but only through assimilating the outward symbols and inward values of the dominant society.

The fluidity of character (cultural status) ascriptions contained the underlying rationale for DIA’s efforts: an implicit equation of assimilation with social improvement. Arguably, this rationale informed not only DIA theory, but was the inescapable logic (and language) of society at large. From this premise, it would not be surprising that Agent John F. Smith - a black immigrant from the Danish West

¹⁵Mariana Valverde, *The Age of Light, Soap, and Water*, p. 33.

¹⁶*Ibid.*, p. 110.

¹⁷*Ibid.*, p. 107.

Indies - enjoyed a high status in Canadian society only in relation to his zeal for the cultural values and standards of the dominant Anglo-Saxon society.

Contemporary theories of race and immigration held Black and Asian individuals to be the most unassimilable, and hence the least desirable, of all immigrants. The "non-assimilable" were those races considered prone to weakness of "character," a failing linked to other social "problems" such as pauperism, sexual deviance, idleness, and intemperance. In the early twentieth century, the Canadian government actively prevented the immigration of Black and Asian immigrants. In 1909, the renowned reformer, J.S. Woodsworth, published his view that Asians and Blacks, as "essentially non-assimilable elements are clearly detrimental to our highest national development, and hence should be vigorously excluded."¹⁸ In terms of the dominant Anglo-Saxon culture, Smith's blackness was viewed as an inherent shortcoming of character, and thus designated a low social status.

His skin colour was a pre-occupation of the whites of Kamloops, who colloquially referred to him as "nigger Smith." Some even refused to meet with him on account of his skin colour. A Lieutenant-Colonel, in 1913 objected to having to talk over government matters with Smith, saying it was nothing personal, but...

...if it could be avoided, that (sic) nigger Smith [not] be employed as the officers of my regiment consider that white men should fill these official billets and decline to meet anything in the way of colour. We have none of us (sic) any personal objection to Smith only he is in a position which makes intercourse with whites often necessary and when national defense is under consideration we would confer with men of our own race if possible.¹⁹

¹⁸*Ibid.*, pp. 119-120.

¹⁹Charles Flick, Lieutenant-Colonel Commanding 31st Regiment, to T. J. Cummiskey, Inspector of Indian Agencies, March 31, 1913, RG10, v. 4048, f. 357,520.

Yet, in spite of the racist society within which he lived, Smith could be termed a social success. Clearly the whites who accepted Smith, did so on the basis of Smith's promotion of, and success in, the local business community. His competence and industriousness in business, ranching, and prospecting was symbolized by the two commercial blocks that he had built in the centre of Kamloops in 1905 and 1911. His five years as alderman and ten years as the Secretary of the Board of Trade proved him to be an effective and meticulous administrator. His involvement in starting the Kamloops Agricultural Association and Conservative Association further established him as a figure concerned with the economic and political improvement of the region. As the secretary in the Citizen's League for Moral and Social Reform, Smith placed himself in the community's moral vanguard. When Smith became the administrator and tutor over Indian peoples, he went a step further. He was symbolically constituted as a "white": a symbol of his association with Euro-Canadian society.²⁰ These facets of his character - the values he promulgated in public life - which facilitated his rise to the top of Kamloops civic life and his appointment as the region's Indian Agent, were the very ones which DIA sought to transport into the hearts and minds of Indian peoples.

Smith's own moral code or his formula for success existed, excepting for a few differences in emphasis, together with the ideals found in DIA policy formed a nearly seamless coherence. As Looy has pointed out, the prevailing assumptions of Native cultural inferiority among Euro-Canadians made DIA's assimilation efforts appear as a self-evident necessity.²¹ Managing and sub-dividing reserve lands

²⁰ Mariana Valverde, *The Age of Light, Soap, and Water*, p. 109.

²¹A. 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. 324.

would have seemed to be a consistent means of helping band members “learn” the meaning and use of private property. The justification for “cleaning up” customs deemed to be immoral, for controlling sexuality through moral injunctions, and for regulating housing and living relations in the name of sanitation all would have appeared, to a man such as Smith, to be naturally beneficial. “Taming” and controlling children through a mixture of coercion and prescribed exercises also would have seemed a natural way of “improving” children, of preparing them for productive and useful lives. Overall, Smith’s own experiences implicitly recommended assimilation as a strategy for coping within Euro-Canadian society. After all, his own answer to his stigmatized status as a black man had been to downplay his origins and culture, and instead work ceaselessly to excel in the cultural order that surrounded him. Thus, on the level of ideals, Smith was quite prepared to promote DIA’s assimilationist program, believing it to serve the best interests of Native peoples.

The remaining chapters in this thesis illustrate why, in practice, such a program proved impossible to carry out. They show that, first and foremost, the Kamloops agency was understaffed. As earnest and hard-working as Smith may have been, to fulfill the extent of intervention represented in DIA policy statements was simply too much work for any one Agent to do. Second, DIA’s obsession for economy left the projects of improvement - such as agricultural development and schooling - perpetually under-funded, a problem which only intensified throughout the inflationary years of the war. The implicit purpose and nature of Smith’s intervention - to assimilate native peoples into Canadian society - was itself undermined by an unwieldy and underfunded bureaucracy. Yet, Smith’s meticulous and earnest character, in part, cushioned the negative impact of this

unworkable system. In short, the chapters point to what distinguished a "good" Indian Agent from a "bad" one.

Chapter IV

Law and Sanitation

According to departmental directives, the Agent carried much of the burden of protecting Indians from dangers which stood in the way of DIA's assimilation, or "improvement" effort - the use of alcohol, "foolish, wasteful, and demoralizing customs," sexual impropriety, and disease.¹ 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, Smith visited no more than four times year. In short, his other responsibilities prevented a rigorous form of supervision or involvement in band affairs.

This was not a shortcoming on Smith's part. In comparison to 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 which ran on for whole days.² Nevertheless, without the help of other Agents or a subsidiary staff, Smith's reformist efforts were 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."³ In a context where some band leaders neither supported the assimilationist regulations of DIA, nor

¹"Instructions to Indian Agents," 1910, RG10, v. 4048, f. 360,377.

²See, for example, Daily Journal, meeting with North Thompson band, May 22-24, 1912, RG10, v. 1325.

³See, for example, J. D. McLean to Smith, May 22, 1920, RG10, v. 7941, f. 32-154.

favoured the regulations' formal, coercive character, such an arrangement of delegated authority may have undermined DIA's reformist objectives.

On each reserve at the turn of the century, judicial authority operated through elected Chiefs, the village court, the jail, and the watchmen (Indian police). 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,⁴ the best evidence of this decline was the spate of constables appointed by Smith in the early months of his administration.⁵ 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."⁶ 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.⁷ 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 a figure who was 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 in the hands of band members. Perhaps it

⁴Royal 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, B.C, August 25, 1910.

⁵Daily Journal, September 21, 1912, RG10, v. 1325. Smith gave each constable a police badge, a pair of handcuffs, and keys.

⁶Daily Journal, December 29, 1913, RG10, v. 1325.

⁷Ibid., June 27, 1913; and December 17, 1913.

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."⁸

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.⁹ 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.¹⁰ Nevertheless, Smith continued to fight what he viewed to be sources of "intemperance" and "profligacy" - and succeeded in gaining an Order-in-Council which activated a host of regulations specific to the Kamloops Agency.¹¹ The Chief Inspector for Indian Agencies, H. E. Ditchburn, considered Smith's Order-in-Council a ground-breaking achievement, one which would pave the way for "the extension of these regulations to other Agencies." Yet, it is clear that Smith's 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 way of ensuring that transgressions would not escape unpunished.

Despite its apparent limitations, this system at times proved effective. Band members did bring infractions of the law to Smith's attention, asking him to

⁸Canada, Department of Indian Affairs, "Annual Report... 1906," Canada, *Sessional Papers*, 10th Parl., 3rd Sess., 1906-7, No. 27, p. xxxi.

⁹Daily Journal, July 28, 1913, RG10, v. 1325.

¹⁰Daily Journal, April 12, 1915, RG10, v. 1325. Dallin succeeded Smith as Agent in 1923. See letter from George S. Pragnell to A. S. Williams, August 26, 1932, RG10, v. 7941, f. 32-154.

¹¹H. E. Ditchburn to J. F. Smith, November 15, 1917 and December 29, 1917, RG10, v. 1319. Smith arranged for an Order-in Council which "were merely to form part of the laws for the guidance of Indian councils which adopted them..."

adjudicate over a variety of matters, from disputes over ownership to charges of "immorality." This may have meant dealing with wives who had deserted their husbands, band members who gambled, or instances of band members dancing. On one occasion, Smith heard charges at a Neskainlith 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." Smith reprimanded them, after which "they promised to discontinue."¹² 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."¹³ These lesser illegalities made up the bulk of offences, and Smith dealt reprimands and warnings to offenders, along with advice to band members on how to "better get along."

Most other offences faced by Smith stemmed from his obligation to halt "the introduction and manufacture of liquor among the Indians or the use of the same by them." Provisions in the Indian Act, the predominating theories of temperance and reform, and the incitement of local whites against "drunken" Indians

¹²Daily Journal, January 14, 1914, RG10, v. 1325; January 24, 1915, RG10, v. 1325; February 3, 1915, RG10, v. 1325; March 15, 1915, RG10, v. 1325; December 13, 1915, RG10, v. 1325.

¹³Daily Journal, September 9, 1913, RG10, v. 1325.

influenced the degree to which alcohol-related laws were enforced.¹⁴ DIA's concern for enforcing its prohibition clauses was made clear in the eleven sections of the 1906 Indian Act - 135 to 146 - which dealt with offences and penalties related to the sale, possession, and use of "intoxicants." It was illegal for an Indian to have alcohol in his or her possession, regardless of whether he or she was on or off reserves; a second offence usually carried a sentence of one to two months in prison.¹⁵ The concern for temperance also reached its height in white society at the time. Prohibition was legally enforced in British Columbia between 1916 and 1919. Thirdly, there was a distinctly local motivation among whites in the City of Kamloops for anxiety about "alcohol and Indians." Throughout the first decades of the century, the Kamloops Board of Trade had been agitating for the Kamloops Indian band to be removed from its reserve which bordered the city. The board members argued that, while a relocation would provide city businessmen with land on which to expand, their main concern was a moral one. The relocation, they said, would solve the increasing "problem" of Indians drinking in Kamloops. In their presentation to the Royal Commission, they cited police statistics showing that 48 Indians were convicted in Kamloops for drinking in 1911, 84 in 1912, and 71 between January and October in 1913.¹⁶

Aside from white anxiety, these statistics suggest that in enforcing the Indian Act's liquor laws against Indians, the provincial police were far more repressive than Smith's office. Provincial police claimed that 71 Indians had been convicted in

¹⁴Royal Commission on Indian Affairs for the Province of British Columbia, *Evidence from the Kamloops Agency* (Victoria: Acme Printers, 1916), pp. 1-7.

¹⁵See, for example, Daily Journal, "Tried two Indians," November 13, 1913, RG10, v. 1325.

¹⁶Royal Commission on Indian Affairs for the Province of British Columbia, *Evidence from the Kamloops Agency* (Victoria: Acme Printers, 1916), p. 3.

Kamloops in the first ten months of 1913,¹⁷ while in the same period Smith recorded only ten sentences, most of which were related to drinking on reserves, not in the city.¹⁸ It is not clear how extensively provincial constables patrolled Indian reserves. Yet, just from the alcohol statistics, it is apparent that provincial intervention was significant. In response, Secwepemc leaders looked to DIA, specifically to Smith, to protect their people from the heavy hand of provincial authorities and, in turn, support their right to hear and judge their own people. If Smith invested Chiefs and Indian constables with policing authority, band leaders felt that they could retain for themselves control over most of their reserves' policing, sentencing, and issuing of penalties.

Secwepemc leaders' concern for autonomy coincided with Smith's own limitations, and together combined to revitalize a semi-autonomous juridical structure in some Secwepemc communities. The distance of Smith's rule also, in cases, lent room for certain Chiefs to re-instate, 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,¹⁹ was purportedly "fighting the white man's laws." The Indian Agent who immediately followed Smith reported that Tawhalst had claimed that "He was Chief on his reserve, and would himself deal with any offence committed on his

¹⁷Ibid.

¹⁸Daily Journal, 1913, RG10, v. 1325.

¹⁹Smith to DIA Assistant Deputy and Secretary, May 14, 1919, RG10, v. 7941, f. 32-154.

reserve and that the white man's Court was making money out of the Indians."²⁰ Tawhalst's strong, and perhaps arbitrary, use of the Chief's office generated opposition within the band to his leadership. Charges of "immorality" which Smith periodically heard against Tawhalst were undoubtedly politically motivated.²¹ 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 found 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.²²

Even though Tawhalst was eventually deposed, his eleven year reign indicates that Smith was unable to regulate "proper conduct" on reserves. At the same time, Smith was not the only government agency which impinged upon the lives of Secwepemc people. Smith's distant and infrequent supervision, which, on one hand allowed Chiefs a degree of autonomy, also left Secwepemc bands vulnerable to regulation by provincial authorities. In terms of legal intervention, Smith may have been far more involved than his predecessor in bands' affairs, yet his ability to fulfill the ideal of "protection" and "improvement" remained, at best, limited.

²⁰Acting Indian Agent William C. Dallin to DIA Assistant Deputy and Secretary, January 20, 1923, *ibid*.

²¹Daily Journal, March 27, 1913, RG10, v. 1325.

²²Acting Indian Agent William C. Dallin to DIA Assistant Deputy and Secretary, January 20, 1923, RG10, v. 7941, f. 32-154.

Similar limitations constrained Smith's attention "to the sanitary condition of the Indian villages and camps in the Agency."²³ This task was also closely tied, in DIA theory, to an assumed responsibility to teach Indians "appropriate" cultural and social practices. Policy found in DIA's annual reports and the Indian Act, suggest that the department's health care measures were arbitrary and far-reaching. For example, in 1914, section 92 of the Indian Act was amended to give DIA Agents special powers for enforcing "proper sanitation" on reserves. The new amendment approximated the powers of a city Medical Health officer, which were extensive. The Superintendent General was empowered to make regulations "as he deems necessary for the prevention or mitigation of disease," giving Agents licence for:

[the] entering and inspecting any premises used for any human habitation in any locality in which conditions exist which in the opinion of the Superintendent General are unsanitary... and for directing the alteration or destruction of any such building which is, in the opinion of the Superintendent General, unfit for human habitation...preventing and regulating the conveyances from passing from one locality to another; detaining persons or conveyances who or which have been exposed to infection for inspection or disinfection until the danger of infection has passed; the removal or keeping under surveillance of persons living in infected localities...²⁴

Masking a reality of neglect were DIA annual reports which greatly exaggerated the department's health care efforts.²⁵ DIA represented its Agents as working to reform, through a mixture of coercive restraint and encouragement, cultural practices which DIA believed to be contrary to the "laws of sanitation." As noted

²³"Instructions to Indian Agents," 1910, RG10, v. 4048, f. 360,377.

²⁴Canada, Department of Indian Affairs, "Annual Report...1914," Canada, *Sessional Papers*, 12th Parl., 5th Sess., 1915, No. 27, p. xxiv; Canada, *Statutes*, "An Act to amend the Indian Act," 4-5 George V, c. 35, *Statutes of Canada*, 1914.

²⁵McLean to MacDonald, July 7, 1910, RG10, v. 1311; Canada, Department of Indian Affairs, "Annual Report... 1906," Canada, *Sessional Papers*, 10th Parl., 3rd Sess., 1906-7, No. 27, p. xxi.

above, in 1914 the Indian Act was amended giving Agents extensive, coercive powers in the name of ensuring proper sanitation. Annual reports declared that houses were to be "improved" and "dangerous" practices to be prohibited. One such practice singled out for repression was dancing, "which stirs up the dust which *the promiscuous expectoration* of the affected has charged with germs, and at the same time stimulates respiration."²⁶ The most minute details of Native peoples' lives were targeted for correction: "Ignorance to nursing, inattention to the directions of medical advisors, such as defective preparation of food, and premature marriages, are among other hindrances to health which have been repeatedly pointed out." In spite of the fact that "the department has not infrequently laid itself open to the ill-considered charge of arbitrary repression in its efforts to overcome these inimical conditions...", DIA officials represented its coercive form of preventative medicine to be the most efficient form of medical care.²⁷

In reality, the Agent was far less intrusive. According to policy, Smith was supposed to advise Secwepemc and other native peoples about "the laws of sanitation" and encourage the "improvement" of living quarters. He also was responsible for co-ordinating all medical attention received by Indians in the agency. As an administrator, Smith was also to arrange all the payments for medical attendance, emergency transportation, hospital care, and medicine which were received by Native patients. But in terms of direct involvement in medical matters, Smith's role was limited to reformist advice, arranging for living "improvements," and responding to emergency situations. Smith was not in a position to constantly supervise the standard of medical care in his agency because

²⁶Ibid., emphasis added.

²⁷Ibid.

of transportation and communication limitations, as well as the call of his other, mainly bureaucratic duties.

In cases of deaths or emergencies, Smith did occasionally travel out to reserves. For example, when two prominent leaders fell sick on the Shuswap reserves, Smith at first visited them and arranged for food relief and a doctor's visit. At Neskainlith, Smith found Chief Maxime, "sick and destitute, and arranged with the store keeper at Shuswap...[for] flour, meat, sugar, tea...rice." He also arranged for a local physician, Dr. Bennett, to be at Chase to examine the Chief and two sick children. Chief Maxime was "pronounced in the last stage of consumption, [and] ordered isolated from his family."²⁸ After Maxime's death, Smith advised a band member, August Pierre, "not to allow anyone to live in the house in which Maxime died until it is fumigated." Smith later returned to fumigate and certify the house "sanitized."

Apart from administration, it seems that the only sustained focus to DIA's sanitation efforts in the Kamloops Agency was building frame houses. Improved housing was viewed by DIA and other reformers, both as a boon to health and as a sign of "civilization." For example, the redesign of Indian living space was a medical imperative: "To allow the old shacks now existing on many reserves to remain [any] longer is simply to put a premium on the general increase of tuberculosis, the type of disease especially due to house congestion, overcrowding and infection."²⁹ Moreover, DIA considered new housing crucial to the civilizing process.

²⁸Daily Journal, July 22, 1913, RG10, v. 1325.

²⁹Canada, Department of Indian Affairs, "Annual Report...1913," *Sessional Papers*, Canada, 12th Parl., 3rd Sess., 1914, No. 27, p. 301.

The character of dwelling is so intimately connected with the condition of health... although viewed in another aspect, viz.: that of effect upon morals and higher development, it might be logically be considered in connection with them... the first stage in the process of evolution constitutes no great advance upon the teepee or wigwam, and consists of a low-roofed cabin made of logs... Even this advance is not to be despised in so far as it indicates a fixity of abode, which is the fundamental essential for the civilization of a nomadic race.³⁰

The house building effort did not begin under Smith's supervision. Yet, Smith encouraged band members and arranged for assistance during his tenure, allowing him to assume some credit for the Kamloops band's "success" in a 1913 annual report. Smith wrote, "old unsightly buildings are fast giving place to a better class of dwelling, mostly of frame, more modern in their design, and properly ventilated. A number of the old log buildings are still in use. Those, it is hoped, will in the future be entirely discarded."³¹

In general, Smith's role was limited to co-ordinating doctors' visits, dispensing relief, and supplying lumber for new frame houses. In all, most of the tough talk of meticulous intervention was little more than rhetoric. Smith was not in a position to supervise the domestic world of child-rearing and food-preparation. Some of this work was taken up by the handful of doctors who attended reserves, or by the nurse who worked at the Kamloops Industrial school beginning late in 1913.³² The Oblate missionary, Father Le Jeune also likely advised Secwepemc in the morality of health. Yet, as with legal reform and protection, Smith's burden of duties mitigated the extent of medical intervention that was idealized in official DIA reports.

³⁰Canada, Department of Indian Affairs, "Annual Report... 1905," *Sessional Papers*, 10th Parl., 2nd Sess., 1906, No. 27, p. xxii.

³¹Canada, Department of Indian Affairs, "Annual Report...1913," *Sessional Papers*, Canada, 12th Parl., 3rd Sess., 1914, No. 27, p. 218.

³²Daily Journal, December 29, 1913, RG10, v. 1325.

According to the Agent's instructions, Smith was to regulate the distribution and use of alcohol, promote Euro-Canadian notions of sexual morality, repress traditional customs, and enforce rules of sanitation. To facilitate this, Smith was empowered as a Justice of the Peace, as well as having powers of intervention equal to that of a civic Medical Health Officer. Yet, the extent of Smith's control was compromised by vertically imposed restraints. A shortage of staff, an excessive workload for the Agent, and economic stringency made the ideal of intervention unrealizable. From the point of view of the Secwepemc, while the incompleteness of the medical protection and the intermittent nature of Smith's intervention / supervision constituted a form of neglect, it also provided a space for Secwepemc individuals to live apart from, and fight "the white man's laws." Covertly, Secwepemc could continue to practice traditional customs, gamble, and have use of alcohol; couples could live together (out of western legal marriage) with less fear of retribution; and at least one Chief was able, covertly, to maintain and enforce a form of traditional law in his community. Still, compared to Irwin, who some bands often had not seen for years, Smith brought the intruding gaze of DIA officials closer to the doors of Secwepemc people.

Chapter V

Assistance and Representation

Smith was often forced to choose between the economic needs of Secwepemc bands and the imperatives of the administration he served. In the two cases examined in this chapter, Smith gave precedence to the latter. The cases show that administrative compromises were forced by two sets of pressures: i) those imposed by Ottawa in the form of procedural regulation or economic stringency, or ii) those exerted by the local interests and provincial agencies with which Smith dealt on a day-to-day basis. Again, a strand of advocacy, an idealistic concern for the Secwepemc's interest, is evident in Smith's efforts to negotiate the pressures placed upon his office. Yet, it is clear from these examples that 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. Smith's involvement in these matters is best characterized as that of a broker/advocate who promoted the economic requests of the bands, but shaped them to fit the demands and restrictions which he faced in the course of administrative negotiations.

The two cases presented in this chapter examine pressures emanating both from within, and from without, DIA's chain of command. The case of the Bonaparte band, and its efforts to obtain assistance for irrigating its main reserve, illustrate the band's legal reliance upon the Agent, the restrictions which Ottawa's efficiency experts placed upon Smith's role as an advocate, and the Bonaparte band's recognition of the Agent's relative weakness as an advocate. The case of Charles Lee and the water rights of the Kamloops Indian band (KIB) also details pressures exerted upon Smith's advocacy, but from local and provincial government sources. Together, both cases illustrate the necessary coupling of

assistance and representation in the Agent's role, and how this affected the relationship which developed between Smith and the bands he supposedly served.

To fully understand the meaning of Smith's assistance to the Bonaparte band, it is best to first provide a brief historical background. It must be emphasized that the cumulative effects of settlement had been devastating for the Stuctwesemc (people of the Bonaparte). In the closing decade of the nineteenth century, the open graze lands for ranging cattle were appropriated by non-native ranchers. The reserve lands, inadequate in terms of size alone, could not be farmed for want of accessible water. The small amount of hay which the band could raise was often inadequate for the winter, resulting in the death of livestock. Fishing sites along the Thompson had been damaged by railway construction, while hunting and trapping had become more difficult as surrounding lands were appropriated by cattle ranchers. As a result, the Stuctwesemc people - 150 individuals - lost the ability to support themselves from the land. By 1913, Smith observed of the Stuctwesemc, "if debarred from teaming there is nothing to keep these Indians alive."¹

As early as 1886, members of the Bonaparte band had petitioned the DIA to support the irrigation of their lands. That year, the local Indian Agent, J.W. McKay had noted in his annual report that the "Tluh-ta-us (Stuctwesemc)... [have been] obliged to abandon farming operations on the Bonaparte due to scarcity of water...the Indians require assistance to conduct irrigation work." Fifteen years passed before DIA sent a surveyor, who estimated the cost of the new ditch at "not

¹Report of the Royal Commission on Indian Affairs for the Province of British Columbia (Victoria: Acme Printers, 1916), Vol. I, pp. 326-327.

less than five thousand dollars.”² Another fifteen years passed before DIA finally provided even a quarter of the money deemed necessary by the survey estimate.

After 1901, no further work could be done until Bonaparte Chief, Basile and his council lobbied the local Member of Parliament in 1907 for further assistance. Apparently in place of the negligent Indian Agent, M. P. Duncan Ross wrote to the DIA Deputy Superintendent General on behalf of the band,

If the Department decides that this money should be placed to their credit it should be done at an early date in order that they may have the necessary water to ensure a good crop of hay next summer. This winter they had no hay for their horses and were placed in a very bad position indeed.³

DIA sent \$650.00 a few months later, too late for the summer crop. And when it did come, the money was less than 15% of the required cost estimated in 1901. DIA seemed to have had lost the information of that survey, as J. D. McLean, the DIA Secretary, had no “plans or data... to judge of the extent or cost of the proposed irrigation.”⁴ In spite of this paltry offer of assistance, McLean still insisted that DIA control the whole process. Indian Agent Irwin was told to supervise and report on what work was to be done; to emphasize that the money was to be administered as relief, not as a wage, and to be meticulous with drawing up the appropriate purchase vouchers and pay rolls. In other words, the Bonaparte people were to work in the ditches, while the DIA officials - who knew nothing about the area - were to direct its progress. No ditch was completed that summer, although some work was done until supplies were exhausted.

²C. L. McCammon to Agent Irwin, December 14, 1901, RG10, v. 7609, f. 121-54-19.

³Duncan Ross to Deputy Superintendent General of Indian Affairs, February 20, 1907, *ibid*.

⁴McLean to Irwin, March 25, 1907, *ibid*.

Follow-up assistance did not arrive. Four years later, Basile wrote again to Ottawa requesting assistance, pointing out that the ditch surveyed "long ago" had not been built. This time, he did not cite the lack of capital as the main obstacle; rather, the work had stopped because of conflicts with local whites. He requested help in the matter, and specifically pointed to the difficulties his people were having in disputes with local settlers. Reverend John McDougall, who had been visiting the Bonaparte people, also called on Ottawa to help; but he suggested that Ottawa send its Inspector as "there would be little use in sending the Agent from Kamloops."

The year of Smith's appointment, the band decided to sell off Mauvais Rocher (Rocky Point) reserve to the Canadian National Pacific Railway, as a means of raising money towards their irrigation effort. Smith promoted the sale in view of the band's desperate need. On May 27, 1912, the deal was apparently sealed as Chief Basile, the Canadian National Pacific Railway Agent, J. D. MacDonald, and Smith, agreed at a sale price of \$3,746.50.⁵ Disastrously for the band, the arrangement was disallowed by Ottawa where DIA officials ruled that reserve lands could not be sold as long as the British Columbia government claimed reversionary title in Indian lands.⁶ That year the railway was built through the reserve in spite of the band being prevented from selling its land. Then, without the consent of the band, DIA sold the portion directly affected by the right-of-way to the Canadian National Pacific Railway for \$21.00. The net result of this débâcle was that the Stuctwesemc lost a fishing station at Mauvais Rocher, and money to finance irrigation on their reserve.

⁵Daily Journal, May 27, 1913, RG10, v. 1325.

⁶Royal Commission on Indian Affairs for the Province of British Columbia. *Evidence from the Kamloops Agency* (Victoria: Acme Printers, 1916), 188.

Chief Basile did not give up. In March 1916, he made an "urgent call" to Smith and forwarded a petition signed by forty-seven of the band's members asking Smith to carry the people's irrigation proposal to Ottawa. The band members argued that farming was vital for "their future preservation" as "all the channels for work on the outside are being gradually closed." Smith represented the band's proposal to Ottawa as follows:

The meeting which represented the full male strength of the band, represented that they have horses, harnesses and ploughs, and that every man of them was willing to work, and continue it, when begun to its completion, that is with the exception of a short interval during the haying season, they will all work continuously and have the entire lines completed before the fall. If the Department will furnish them with the necessary supplies. It is estimated that with all the men employed it will take three months to complete the work.⁷

Smith came to an agreement with Basile and his people that a request of \$1000.00 might receive a favourable hearing from the department. In his representation on behalf of the band, Smith listed the costs of provisioning forty-seven men and their families for three months, the purchase of lumber, nails, tools and equipment which totalled \$998.⁰⁰.⁸ Smith underscored the band's urgency in his letter to Ottawa, stating that he would not have supported the band's request, "with full knowledge of the existing depressed economic conditions... were it not for the fact that I have been brought face to face with the knowledge of their inability to win from their land a living under existing conditions, and that a large majority are in consequence reduced to a state next to poverty."⁹

⁷Smith to DIA Assistant Deputy and Secretary, March 13, 1916, RG10, v. 7609, f. 12154-19.

⁸Ibid.

⁹Ibid. In May, Basile travelled to Ottawa himself and there was promised \$1000.00 in assistance.

Smith's requests reflected his role as a broker. He first addressed the department's imperative for economy by emphasizing the extraordinary needs of the band. Moreover, he gave his personal guarantee that the needs of the band were authentic, (*"...I have been brought face to face with the knowledge of their inability to win from their land a living under existing conditions..."*) thus countering the prevailing bureaucratic presumption that most Indian requests were unwarranted and excessive. Lastly, the modest request of \$1000.00, only a fraction of the 1901 construction estimate, reflected his accommodation to the department's economic stringency. Yet, his willingness to compromise with the logic of a self-serving administration, possibly spelled the ultimate failure of the irrigation project.

To minimize further expense to the department, DIA officials had instructed Smith to secure the financial support of neighboring settlers whose lands would benefit from the traversing water lines. Work began but soon stalled as negotiations with the local settlers ground to a halt. During the summer of 1918, local settlers lodged complaints with the Water Commissioner that the Stuctwesemc were building a ditch instead of working for the neighboring ranches. These settlers argued that given the war-time importance of agricultural production, the Stuctwesemc's efforts were "unpatriotic."¹⁰ Without settler support, work on the ditch was forced to a halt. When an error in the grade was discovered the work was suspended indefinitely.¹¹

The case of the Bonaparte band shows the extent to which a distant bureaucracy might, and did ignore the most urgent recommendations of its field

¹⁰H. E. Ditchburn to Smith, July 3, 1918, RG10, v. 1320. These complaints reached the B.C. Indian Superintendent, who then relayed the message to Smith.

¹¹Hydrometric Survey of Canada Report, "Indian Ditch from Hat Creek to Bonaparte Indian Reserve, by L. Balls," January 30, 1920, RG10, v. 7609, f. 12154-19.

officer. It also shows that an Agent, like Smith, no matter how well-intentioned, could not guarantee DIA's obligation to act in "the best interests" of the Bonaparte people. Smith was blocked from fulfilling his job because Ottawa ignored, willfully or as a by-product of administrative parochialism, the human context of its administration. DIA officials in Ottawa subordinated the interests of Secwepemc people to the principle of administrative efficiency. In the end, the assistance which Smith administered was not meant to be successful.

On the other hand, Ottawa was not the only factor undermining Smith's efforts to assist Secwepemc communities. The pressures of compromise were inherent within all levels of DIA administration. Smith himself occasionally bowed to external pressures to subordinate a band's interests to those of third parties, for no other reason than administrative expediency. Smith, as the appointed "defender" of bands' water and land rights, was placed in conflict with the region's white community which viewed Indian land tenure as an obstacle to progress and development. As a result, Smith often came under intense pressure from local officials - often his peers - to facilitate, not impede, the expropriation of reserve lands and water rights. One particular case which involved the water rights of the Kamloops Indian band (KIB) illustrates well the dynamics involved in such a compromise.

The challenge to the Kamloops Indian Band's water rights on Cold Creek involved three main players: the Fulton law firm, representing the settler, Charlie Lee; Smith, negotiating on behalf of the band; and William Young, the Provincial Water Comptroller in Victoria. F. J. Fulton was an influential figure in Kamloops who, as a Conservative member of the provincial parliament from 1900 to 1909, had held the offices of Provincial Secretary, Attorney General, and Chief

Commissioner of Lands and Works. Fulton's local prominence as a Conservative, his seat on the Board of Trade, and in 1910, his position as the city solicitor in Kamloops, meant that Smith, who had formed similar associations, undoubtedly knew him well.¹² Whether Smith knew Lee personally is uncertain, but he did understand the interests which Lee represented, those of settlers and ranchers. In defending the Kamloops band, Smith was opposing the efforts of his social peers. On April 24, 1915, at the sittings of the Board of Investigation of Water Rights, Smith forwarded an objection to Charlie Lee's application to divert water from Cold Creek.¹³ Shortly after, Lee, his legal representatives, and eventually the Water Comptroller himself began to pressure Smith to withdraw his objection. Through correspondence, Lee's lawyers persuaded the water comptroller that the band had far more water - out of Paul Creek - than its members could possibly use. In response to their efforts, the Water Comptroller wrote to Smith claiming that "the Indians are already entitled to a considerable quantity out of Paul Creek, it is hardly reasonable that they should expect to control Cold Creek unless they are making beneficial use of the water."¹⁴ The District Engineer of the Kamloops Water Branch also reported that the amount of land cultivated by the Kamloops band near Cold Creek was less than 50 acres, and that "under these conditions I can see no reason for refusing a water license to Charles Lee."¹⁵ Lee had succeeded, through

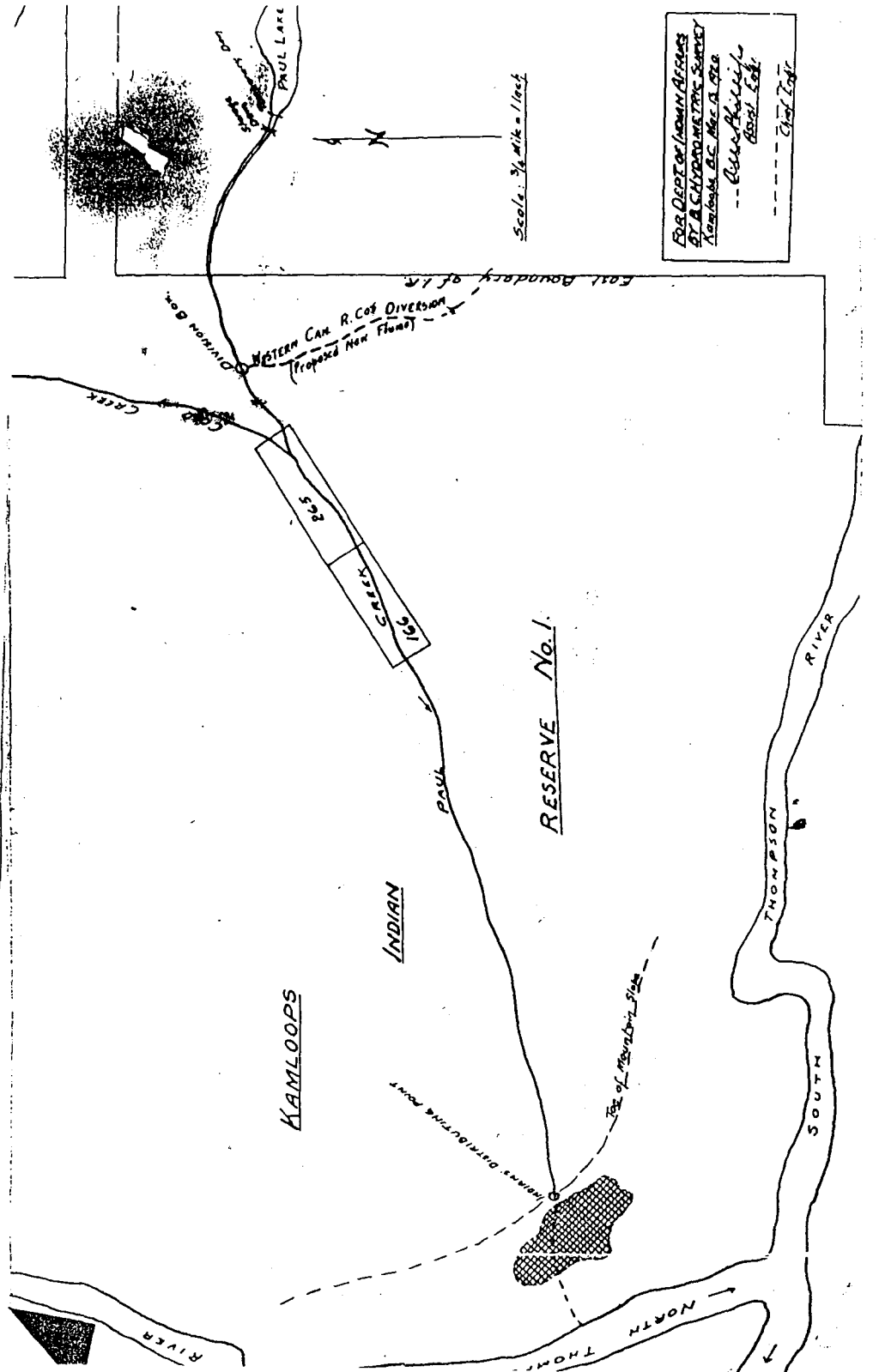
¹²Mary Balf, *Kamloops: A History of the District up to 1914* (Kamloops: Kamloops Museum Association, 1989), p. 79.

¹³Daily Journal, April 24, 1915, RG10, v. 1325.

¹⁴Young to Smith, June 19, 1915, RG10, v. 8074, f. 976/31-5-5-1, pt.1.

¹⁵Kamloops Water Rights Branch district engineer, W. R. Ridsworth to Young, July 23, 1915, *ibid*.

Cold Creek and Paul Creek on the Kamloops Indian Reserve, No. 1.



Source: NAC, RG10, v. 8074, f. 976/31-5-5-1, part 1.

the aid of the city's most powerful legal agents, to convince the Provincial Water Comptroller and the local District Engineer that Smith's objection was unfounded.

Thus, when the Fulton law firm pressed Smith directly to withdraw his objection, Smith offered a compromise. First, he dismissed the allegation that band members made little use of Cold Creek waters as "simply imaginary."¹⁶ He also stressed the fact that the band held a prior record to all the water flowing in Cold Creek. Yet, he was willing to strike a deal. Smith offered to withdraw his objections given a guarantee that the prior water rights of the band would be explicitly protected in the licence.¹⁷ Upon presenting this proposal to the Water Comptroller in Victoria, Smith added that he was conceding his former position in spite of opposition from the Kamloops Chief.

...the chief and the members of his band... [are] entirely opposed to any further diminishing of their water rights as...further curtailing of their water rights would mean a stop to any further development of their lands. However, not wishing to distract from my word to Mr. Clarke, notwithstanding the objections of the Indians, provided that the Indians' prior right to the use of the flow of water from Cold Creek is made perfectly secured (sic) and is not in any way abridged giving due consideration to their requirements as stated, on these conditions I withdraw my objections to the granting of a record in favour of Charlie Lee. ¹⁸

In this letter Smith failed to carry the band's objection faithfully, and instead subordinated the band's interests to his own administrative needs. There were several circumstances which may have influenced his decision. First, as an Agent,

¹⁶Smith to Young, July 8, 1915, *ibid*.

¹⁷*Ibid*. Smith told Clarke he would withdraw his objection if "any record granted to Charlie Lee would be subject to the prior rights of the Indians, and that Charlie Lee's land would not be entitled to have any water for irrigation purposes until after the Indian requirements were satisfied."

¹⁸*Ibid*.

Smith balanced the interests of the "Indians" of Kamloops Agency while preserving an environment conducive to efficient administration. A pure and faithful representation of the Kamloops band's rejection of the water licence could have potentially alienated both the Fulton law firm and the Water Comptroller, of which the former was one of the more influential members of the local Kamloops "elite," while the latter was the patron of Indian water records. Again, Smith was not an island: he was a public figure who responded to public perceptions. In a social context in which many non-natives believed that the Secwepemc were incompetent farmers, and that it was imperative - whether it violated the rights of Secwepemc people or not - to make all lands and water productive,¹⁹ an outright objection to Lee's application by Smith would have appeared most unreasonable. Moreover, Smith did not see himself compromising the rights of the band; rather he believed his brokerage successfully balanced the needs of the band with his need to minimize friction between his office and the settler society around him.

Furthermore, if Smith had maintained his objection to Lee's water licence, it was questionable whether Lee - with or without a licence - still could have been prevented from taking what water he desired. This was due to the strategic location of Lee's land: directly on Cold Creek, upstream from the reserve. Given these circumstances, the Comptroller's final decision to grant a water licence to Lee with a later priority than that of the band (i.e. in the event of a shortage the band has priority over the water) might be viewed as a minor victory.²⁰ In assuming the role of broker, Smith placed conditions on Lee's licence, preserved the prior record of the band, *and* reduced potential friction between his office, a local law firm, and the

¹⁹See Ron Eric Ignace, *The Kamloops Agency and the Indian Reserve Commission of 1912-1916*, (MA, University of British Columbia, 1979).

²⁰Young to Smith, August 19, 1915, RG10, v. 8074, f. 976/31-5-5-1, pt. 1.

provincial water comptroller. However, both from an objective viewpoint, and from the point of view of the band, Smith was acting unfaithfully towards those he was hired to represent. While no direct evidence exists, it is likely that the price for smoothing out his administrative relations was an erosion of trust between himself and Kamloops Indian band members.

Is it ironic that nearly a decade after his retirement as Agent, Smith was remembered by two Adam's Lake band councillors for his fairness regarding water rights judgements?

No Agents since J. F. Smith have [given] us satisfaction, his judgements were good on our water rights on each reserve...[but] of late years, our water rights have been altered. Creeks and ditches changed resulting in the loss of our irrigation and our land rendered useless... J. F. Smith, when he left office left everything in order since when the old laws have been changed but without our consent...²¹

That Smith was remembered as one of the "best" Agents in spite of his brokerage suggests that other Agents were even less diligent regarding the rights of their charges. Even if he did not always carry out a band's wishes to the letter, Smith at least consulted with bands to assess their opinions. Moreover, in spite of the many other duties which demanded his time, Smith maintained a standard for administering the defence of critical water records. Other Agents, it seems, did not fulfill these crucial roles.

²¹Michel Antony and Alec Joseph to the Superintendent of Indian Affairs, April 25, 1932, RG10, v. 7941, f. 32-154.

Chapter VI

Education in the Kamloops Agency

This chapter explores the clashing imperatives of Smith's administrative role and some of the choices he made in relation to education in his agency. In general, Smith had to enforce school attendance in spite of his awareness that the schools under his jurisdiction were gravely underfunded. Moreover, Smith allowed the Kamloops Industrial School to remain open despite having knowledge of the deprivation suffered by the school's pupils. Smith's ambivalence toward conditions at the school illustrate how the imperatives of DIA administration tempered and restricted his idealistic impulse to improve educational conditions in the agency.

Smith was particularly concerned that the students who attended the industrial school were "properly clothed and fed" because he was the one who put them there. He recruited Secwepemc and other native students to the school, enforced their attendance once they were enrolled, and then supervised their activities as "ex-pupils." He was, in effect, an external manager of students, from their early days of childhood until their eventual return home as "ex-pupils." Each summer, Smith consulted with the school principal concerning new students for the school. Smith also accompanied the school doctor in examining new students admitted to the school.¹ In the early years of Smith's administration, recruiting students was not a difficult task: the school limited its enrolment to 67 students,² and despite problems associated with the school, many Secwepemc parents believed

¹Daily Journal, August 5, 1913, RG10, v. 1325; Daily Journal, July 30, 1914, RG10, v. 1325.; Letter to Rev. Father Carion, Daily Journal, July 31, 1915, RG10, v. 1325.

²Canada, Department of Indian Affairs, "Annual Report...1913," Canada, *Sessional Papers*, 12th Parl., 3rd Sess., 1914, No. 27, p. 506.

that instruction in English and western culture was essential for their children's future well-being.

As Agent, Smith was supposed to inspect the school every month to ensure it was safe in case of a fire, that children were properly cared for, and that students were progressing in their studies. On his visits, Smith had noted a high level of illness at the school within the first year of his becoming Agent, and had requested a nurse to care for sick children at the school.³ As the years passed, Smith began to suspect that a high incidence of illness among students was related to conditions at the school.

Smith, who must have observed the deteriorating conditions from month to month during his inspections, also had received "letters... from parents of children, both boys and girls, who had written to them asking to be supplied with shoes and other articles of wear." The children were also malnourished. Smith reported that food at the school was both poor in quality and meagre in quantity.

While I did not examine the contents of the dish placed in front of each boy at his meals, it looked from where I sat, to be very slim for boys growing. At the conclusion of the meal, I asked them collectively *in the presence of the Principal and teaching staff* before they left their dining room, if they had enough and were getting enough to eat, they all answered in the affirmative.⁴

A month later, Smith reported that four cases of tubercular glands had been found at the school. He stated that there was an "unusual amount of sickness among the children attending the school, for some time past." He claimed to hold a "suspicion that the vitality of the children is not sufficiently sustained from a lack

³Daily Journal, December 29, 1913, RG10, v. 1325.

⁴Smith to McLean, February 8, 1918, RG10, v. 3919, f. 116,659-1, emphasis added.

of nutritious food, or enough of the same for vigorously (sic) growing children."⁵ A doctor sent to ascertain the adequacy of the children's diet verified that for "some months past the food supplied has been inadequate for the needs of the children."⁶ Smith wrote to the Oblate authorities and received their promise that children would be properly cared for in the future. Ottawa also wrote to Smith advising him "to see that in the future the pupils of this school are given proper and sufficient food." Yet, DIA refused to address the basic problem of underfunding which Smith had outlined in his report.⁷

Then again, Smith had not asked for much, only the means that would enable the school to be self-supporting. In accordance with DIA's vision of "practical" education, Smith envisioned that the children's labours would continue to support the school as work would "add very materially to the technical knowledge of the Indian children along agricultural lines, as well as to give a nucleus (sic) to a foundation of self-sustenance in the future."⁸ Smith did not request that students spend their school hours - like non-native children - in study instead of industrial labour. He did not question the DIA premise that children had to be taught "industrial habits" rather than reading. He simply wanted Ottawa to supply sufficient money for adequate food, clothing, and equipment so that the school could remain open.

⁵Smith to McLean, March 29, 1918, *ibid.*

⁶F. Vere Agnew, M.D. to DIA, Ottawa, June 4, 1918, *ibid.*

⁷D. C. Scott to Principal Desmarais, April 15, 1918, *ibid.*; D. C. Scott to Principal McGuire, November 7, 1918, *ibid.*

⁸George Manuel, *The Fourth World: An Indian Reality* (New York: Macmillan, 1974), p. 64.

Eventually the school received a new irrigation pump, but it never got the "radical" form of assistance which it needed. This was in spite of warning signs from all directions that the school was deteriorating. In departmental annual reports, the regional Inspector, successive principals, and Smith all suggested that additional funding for the industrial school was imperative. The principals' requests for increased assistance - to make up for the great increase in food and material costs during the war - had been flatly refused by Ottawa.⁹ Even the Royal Commission on Indian Affairs in British Columbia recommended, in a 1916 confidential report, that per capita grants to Indian Residential schools be kept proportionate to the cost of living, "so that the educational work will not be crippled or disadvantageously interfered with through the effect upon the management of financial stringency."¹⁰ Yet, none of these warnings and recommendations brought relief to the students who attended the school.

The result was devastating, foremost to the students and their families, but also to the morale of the school staff. After failing to secure assistance, Principal Lasalles resigned in August 1917. His replacement, Desmarais, resigned thirteen months later after his requests for further assistance also were rejected by Ottawa - due "to an extensive reduction in the amount of our Parliamentary appropriation."¹¹ Smith, who had written, "if this Institution is to continue, some radical as well as practical assistance must be forthcoming or its doors will have to

⁹Scott to Lasalles, April 12, 1917, RG10, v. 3919, f. 116,659-1; Scott to Desmarais, April 15, 1918, RG10, v. 3919, f. 116,659-1. Between April 16, 1916 to September 13, 1918 three principals resigned from positions at the Kamloops Industrial School.

¹⁰*Confidential Report of the Royal Commission on Indian Affairs for the Province of British Columbia* (Victoria: Acme Printers, 1916), p. 26.

¹¹Scott to Principal McGuire, November 7, 1918, RG10, v. 3919, f. 116,659-1.

be closed..." must have recognized DIA's inaction as a breach of faith toward the school's pupils.¹² In a 1918 report, Smith stated:

It is more than clear that the School cannot be run on its present income. In going over pre-war prices, I find that the grade of flour used by the school was \$3.50 to \$4.00 per cwt., and is now \$6.25. Sugar was \$6.00 to \$6.50 and is now \$10.00 to 10.50... The present supply of underwear for the girls is shockingly low. Their outerwear needs augmenting, as well as their footwear. The boys are sadly in need of clothes in general and shoes in particular.... If the children are to be kept they ought to be reasonably clothed and fed, and this is utterly impossible to do from its present per capita grant, unless facilities are given to bring their land under cultivation with tools and implements with which to work it... Harnesses, ploughs and other farm implements are on their last stages of usefulness, and are being patched up to keep them together. These are the outstanding deplorable conditions existing today in connection with the Indian School here. Some of the implements are giving out everyday and I am appealed to, to (sic) apply for their renewal...¹³

He must have understood that the imperatives of administrative efficiency had greatly compromised his duty to represent the interests of the Secwepemc. Yet, Smith remained a compliant gear in the day-to-day clockwork of Indian administration. The school remained open, and Smith continued to inspect the school, round up children for future enrolment, and publicly represent the school as a success.¹⁴

Although Smith was the agency's school inspector, he clearly lacked the power to increase funding, or effectively respond to the concerns which Secwepemc parents had about the welfare of the students. At the same time, Smith knew that

¹²Smith to McLean, February 8, 1918, *ibid.*

¹³*Ibid.*

¹⁴See, for example, Canada, Department of Indian Affairs, "Annual Report...1916," Canada, *Sessional Papers*, 12th Parl., 7th Sess., 1917, No. 27, p. 183. Smith's annual report published in the 1917 *Sessional Papers* makes no mention of the desperate financial situation of the school.

Secwepemc parents were dissatisfied with how the industrial school treated their children. Smith had listened to Chief Louis, of the Kamloops Indian band, state that "When they [the children] come out from school they don't seem to have improved much."¹⁵ Chief Basile of the Bonaparte band had told the Royal Commission, also in Smith's presence, that "the children had been going to the school at Kamloops for seven to eight years, and when they come back it seems as if they don't know anything." Basile had asked a DIA special commissioner in 1909 for the reserve to have its own day school "after I found out that they were not getting on well at Kamloops."¹⁶ Other bands also had requested day schools in favour of the industrial school, probably so they could be closer to their children, and be more closely informed about the process of their children's training. Yet, by the time of Smith's retirement in 1923, no day schools had been built on any of the Secwepemc reserves, and Secwepemc parents still had to rely upon the under-funded industrial school to educate their children.

Despite the problems, parents continued to send their children to the school. In 1923 the enrolment was still relatively low - a record 71 students, 36 boys, 35 girls - a number hundreds short of the number of children eligible for schooling.¹⁷ Hence, a visibly coercive *recruitment* process did not mark the years prior to the school's expansion in 1923. Enough Secwepemc parents sent their children to the Kamloops Industrial School because, given the day-to-day reality of Euro-Canadian domination, on-reserve poverty, and an absence of day schools, residential school

¹⁵Royal Commission on Indian Affairs for the Province of British Columbia, *Evidence from the Kamloops Agency* (Victoria: Acme Printers, 1916), p. 74.

¹⁶*Ibid.*, pp. 100-101. 10 children from the Bonaparte attended the Kamloops Industrial School.

¹⁷Canada, Department of Indian Affairs, "Annual Report...1914," Canada, *Sessional Papers*, 12th Parl., 5th Sess., 1915, No. 27, p. 175.

was a rational choice. The testimony of one student who attended the school details her mother's unspoken reasons for sending her to the school: "It was just what she figured was best for us.... she wanted us to learn the white man's way so we'd get ahead in the world. And here we thought she hated us."¹⁸ At this time Secwepemc people were cash-poor. Most men and women worked for seasonal wages, occasionally at great distances from their reserves. For some, a residential school which offered not only to educate their children, but also to feed and clothe them for several years, had a certain rational appeal, both in terms of learning and economics.

Yet, Secwepemc parents did not place their children in the school in blind faith. Rather, they relied upon Smith (and later Agents) to ensure that the school helped and not abused their children. Smith, in turn, relied upon Ottawa bureaucrats to provide him with the means to maintain decent living conditions at the school. Ottawa's intransigent economy measures left Smith unable to act upon the trust invested in his office.

Powerless to improve conditions at the school, Smith's job remained to compel student attendance. When children ran away, it was Smith's job to ensure that students were returned to the school and punished. As truancies increased (probably in relation to deteriorating conditions at the school) Smith found himself acting as a part-time truant officer, arranging for arrests and punishments of children who had fled the confines and hardships of the industrial school. As with other forms of policing, chasing down escapees from the industrial school was not an occupation for which Smith could spare much time. In fact, between 1913 and 1915 - the years of Smith's Journals available to us - Smith only recorded fifteen

¹⁸Celia Haig-Brown, *Resistance and Renewal: Surviving the Indian Residential School* (Vancouver: Tillicum Library, 1988), p. 86.

students as truant. From what Secwepemc elders tell of the conditions at this early school, there were probably many more students who tried to evade the absurd world of industrial school, but who were never successful enough to warrant Smith's involvement.¹⁹

A particularly stern punishment was served to truant students. For example, Smith's journal entry for August 27, 1914:

Engaged W. Mortimer of the Provincial Constable Staff to proceed to chase and place under arrest truant boys from the Industrial School. I advanced him 15.⁰⁰ toward his expenses. I also clothed him with a warrent for their arrest. [The] Boys were returned by Chief Antoine and Charles Andrew, afternoon. Visited school and repremanded (sic) the boys for running away, imposing a punishment of Bread and water for three days. Except a midday meal which shall be full.²⁰

Some parents would co-operate with the school and send runaway children back.²¹ Yet, other parents clearly did not value the training and discipline their children were given. In such circumstances, there was little Smith could do to enforce school attendance. Smith himself conceded such limitations in the case of the Shulus day school, which was located over 100 kilometres - by stage coach - from his Kamloops office. In view of the department's limited resources Smith suggested coercive tactics.

The difficulty of enforcing attendance still exists and I have been unable to secure anyone who would take on the duties of Truant Officer. The teacher informs me that he finds children willing and glad to attend the school but that the parents of the children are the real hindrance to their attendance by frequently taking children away without notice to their hunting and fishing expeditions. If this could

¹⁹Ibid.; George Manuel, *The Fourth World: An Indian Reality*, pp.63-67.

²⁰Daily Journal, August 27, 1914, RG10, v. 1325.

²¹Daily Journal, March 7, 1913, *ibid.* On this day, Smith sent Eli Lareau from Kamloops reserve after a runaway boy.

be overcome, that is, if there were any way of severely punishing parents who deliberately block the way of their children's attendance at school, the roll could be increased and the attendance would be much more regular.²²

To sum up, Smith continued to enforce attendance in the agency in spite of the immediately apparent and far-reaching failure of the schools to persuade Secwepemc parents that they were beneficial to their children. Smith, himself, had conceded that the industrial school was operating under conditions warranting its closure. Further, Smith knew, as early as 1913, that Secwepemc Chiefs had expressed disapproval with the school, asking instead for day schools to be built on their reserves. Because of the economic shortcoming of DIA, Smith had been forced to administer an educational system which, far from achieving its sterling ideals of "improvement," was obviously abusive. In response, Smith did attempt to gain the assistance of higher officials, but his efforts were turned down. The Secwepemc parents who questioned Smith about the conditions at the school and requested day schools to be built on their reserves, also witnessed Smith's failure to either improve conditions at the industrial school or deliver the day schools they had requested. Could the standards for a DIA Agent have been so low, that under the dreadful conditions in his agency, Smith still qualified as a "good" Agent? It may have been, despite his failure to alleviate conditions at the school, that his efforts and sentiments were seen as being far more positive and sympathetic than those of any other DIA official in living memory.

²²Quarterly report on education in the Kamloops Agency, August 6, 1919, RG10, v. 3918, f. 116,659-1.

Chapter VII

Band Elections

During the period of Smith's tenure, the relationship between the Agent and Secwepemc Chiefs increased in formality and complexity. Smith oversaw the Kamloops agency at a time when all communities but Bonaparte underwent changes in leadership. In the four communities in the southeast, (also those most frequented by the Agent, and perhaps the most accessible from Kamloops), this turnover sparked disagreement over leadership, precipitating the formation of internal factions. In Kamloops, the death of Louis Hle-hle-kan, who had been hereditary Chief for nearly six decades sparked a competition between supporters of the Lareau and Leonard candidates, and the supporters of Phillip Tomma and Simon Petell. At Neskainlith, where the turnover of Chiefs had been a more regular occurrence, community unanimity was maintained until a 1919 contest between Francois Pierrish, who had left three years earlier to enlist in the army, and Chief Saul William, who had acted as Chief during the years of Pierrish's absence. At Adam's Lake, a dispute over succession was the issue when Chief Narcisse died, leaving his brother, Antoine Tawhalst, and his son, Adrien Narcisse, both vying for his seat. After the elections, disputes erupted over leadership within each community and Smith intervened, either "reconciling" disputes, or forcing a Chief out of office and arranging subsequent elections. Of the four communities, Smith was most involved with the Little Shuswap Lake band which saw five different Chiefs over this eleven year period - Francois Silpahan, Isaac Thomas, Clema Arnouse, Peter Tomma, and Charlie Goosta Francois - elected or reinstated, deposed or forced to resign.

This chapter focuses upon Smith's involvement with the Little Shuswap Lake band's leadership over this turbulent period. The first part of this chapter, however,

will initially discuss two points. First, it is necessary to discuss the formal aspects and mechanisms which regulated the Chief-Agent relationship. Second, a discussion of two election-related reprimands received by Smith early in his tenure, foreshadows how he later resolved the clash of DIA policy and real life conditions at Little Shuswap Lake. Overall, this chapter illustrates a pattern of intervention rooted in reformist principles, and how Smith attempted, in the end, to influence the selection of a leadership that would promote the cultural values of the department.

The formalization of the Chief-Agent relationship was symbolized by DIA's 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*.¹

We have no evidence that Smith held these specific declarations ("...to serve the sovereign Lord the King...without favour or affection, malice or ill will.") over the head of any Chief or Councillor. In fact, when a Chief was removed or deposed, the mechanism of removal was the Indian Act. But the declaration suggests DIA's intentions in regard to shaping a relationship between Indian Agents and band Chiefs. 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

¹"Declaration of Chief or Councillor," re: Phillip Tomma, Kamloops, June 7, 1920, RG10, v. 7941, f. 32-154, emphasis added.

Chief's behaviour would then be kept in check by the intermittent supervision of the Agent.

This hierarchical arrangement was being introduced as First Nations in the B.C. interior were simultaneously organizing a concerted movement pushing for the recognition of their land rights and tribal authority. The declaration was a reminder to those leaders, especially those who were involved in the resistance, that they had sworn allegiance to the King, his laws, his representatives.² DIA officials repeatedly insisted that the idea of land rights was a fabrication of nefarious white agitators or the work of "deluded" Indian "troublemakers."³ Chiefs who participated in land rights meetings were also resisting DIA's administrative claim to represent the interests of Indians. DIA officials labelled them "agitators" and "subversives." The declaration - on file, ready to be retrieved upon need - thus reserved for DIA officials a rhetorical instrument for removing Chiefs who opposed the will of the Agent and the department.

The declaration complemented existing provisions in the Indian Act designed to regulate the behaviour of Chiefs. The declaration underlined the government's belief - codified in the Indian Act - that the Chief and Council were accountable to DIA, and could be removed from office at the department's discretion for "improper" conduct. Section 96 of the *Indian Act* 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,

²Chief Louis of Kamloops and Chief Basile of Bonaparte were prominent representatives of the Interior Tribes. These two often represented all the other Secwepemc bands in their dealings with the federal government and the imperial government in England.

³Daily Journal, May 28, 1913, RG10, v. 1325; McLean to Smith, June 6, 1913, RG10, v. 7941, f. 32-154.

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.⁴

On the other hand, there was the problem faced by band members who disliked their Chief, yet who could not convince the department to depose him. According to Department of Indian Affairs policy, once elected, Chiefs were appointed for life until their death, 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.⁵

Thus, for band members to elect a new Chief, they first had to follow the procedure and rhetoric of a petitioned deposal as set out in the Indian Act. Over time, the *Indian Act* - section 96 - infiltrated the community electoral process, substituting DIA-controlled procedures for community-based forms of leadership selection. At the same time it weaved these community-based forms into DIA's machinery of appeals, elections, and deposals - a system in which the Agent played a pivotal role.

In theory, the Governor in Council made the final decision concerning all deposals. But the fact remains that decisions were made through a system, rather

⁴*Revised Statutes*, 1906, Ch. 81, part 1, 61 V., c. 34, s. 9, p. 27.

⁵Smith to McLean, May 14, 1919, RG10, v. 7941, f. 32-154.

than by isolated individuals. Decisions may have flowed down from Ottawa to the Agent, but the information that drove those decisions, more often than not, originated in the Agent's office. With little exception, Smith's recommendations regarding Chiefs were accepted as truth, adjusted only for cost, scrutinized with the concern of a rubber stamp.

This is not to say that this "rubber stamp" lacked its own demands. First, a steady flow of reports was necessary to create the impression that an Agent was doing his job.⁶ Second, those reports had to show that he was conforming to correct procedures of accounting and use of authority.⁷ It might be also argued that Smith's first years were subject to an unusual degree of supervision - in terms of checks, reminders, and reprimands - because they followed Irwin's years of mismanagement. Generally, Smith's administrative finesse gave the department little opportunity to find fault. The exception to this rule was Smith's dealings with band elections. Smith felt 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. Thus, Smith believed that he should be allowed to recognize a band's selection of Chief before waiting the time it took, at times over six months, to receive DIA's authorization to hold an election.

Smith faced two reprimands for acting upon this belief. The first came in a letter from the DIA Secretary, who objected to Smith's report of having "elected" a Chief at Adams Lake.⁸ McLean wrote:

⁶"Instructions to Indian Agents in B.C., 1910," RG10, v. 4048, f. 360, 377.

⁷McLean to Smith, May 21, 1913, RG10, v. 3918, f. 116,659-1; Daily Journal, March 11, 1913, RG10, v. 1325.

⁸Smith to McLean, April 29, 1912, RG10, v. 3944, f. 121,698-54.

I have to acknowledge the receipt of your letter of the 29th ult. ...
submitting names of chiefs and councillors whom you say you have
elected - *it is presumed you mean appointed* - among the different
bands. As you appear to be acting a little hastily in this matter, not
being aware of the system now generally followed in British Columbia
in filling vacancies in the position of Chief or councillor, I enclose a
copy of the letter of March 31, 1911, addressed to Mr. K. C. MacDonald,
at that time Inspector of Agencies. From that letter you will
understand that the Department does not expect that any of its officers
will make appointments without first receiving authority to do so... ⁹

The letter to which McLean referred was a circular outlining a policy for
dealing with a new generation of Chiefs that was beginning to succeed the old line
of hereditary, or "life" Chiefs.

In case you may not be aware of the system of appointment generally
followed in British Columbia, I may inform you that, while until a
few years ago appointment were generally hereditary and for life, for
some time the Department has been introducing the system of
making appointments for an indefinite term, that is to say, during
good behaviour, and under the 96th section of the Indian Act you will
observe that any Chief or councillor may on the ground of dishonesty,
intemperance, immorality or incompetence be deposed by the
Governor in Council.¹⁰

The policy of appointment reflected Ottawa's belief that the Secwepemc, and
other native peoples, were not sufficiently "advanced" to hold elections.
Supporting this evolutionary notion was an official understanding that bands in
B.C. were not yet sufficiently "advanced" to hold elections. In reality, most
Secwepemc communities had adopted electoral forms as early as the mid-1870s.
Smith replied to McLean's reprimand by simply claiming to have followed the
electoral practice which preceded his appointment, and that in each case "...I have
kept within the meaning of the Indian Act, the interpretation of which I have

⁹McLean to Smith, May 9, 1912, *ibid*, emphasis added.

¹⁰McLean to K.C. MacDonald, March 31, 1911, RG10, v. 3944, f. 121,698-54.

endeavoured to familiarize myself."¹¹ The fact that DIA believed certain bands were not "ready" for elections had little effect upon Smith's administrative practice. Instead, he participated as the co-ordinator of elections, and then appointed what candidates the bands had selected in its "election."

It was a practice which Smith may have adopted for several reasons. For one, Agent Irwin had left records of previous "elections," and thus had left a precedent to follow. Secondly, while Smith was still unacquainted with the bands, he found it more convenient to simply let bands select their own leaders according to their own criteria and method. Lastly, to Smith, interfering with a band's established custom of succession seemed terribly inefficient. Smith, thus, continued to preside over band elections at the initiative of the band, rather than that of Ottawa. That is, he continued this practice until receiving a second reprimand from Ottawa.

In early 1914, McLean again chided Smith for "appointing" a Chief - the Neskainlith band's selection - "without obtaining authority of the Department to do so." DIA did not object to the candidate which Smith had recommended as the most "industrious" and "progressive" of a "thrifty lot."¹² Rather, McLean was upset about Smith's presumption of local authority; that Smith had sent his recommendation *after*, rather than before, the election. McLean made it clear to Smith that he was not to act on his own.

...I have to remind you that you should not take steps towards making appointments without first obtaining authority from the Department to do so. It was thought that you would understand the Department's wishes in such matters from the last clause in the enclosed circular,

¹¹Smith to McLean, May 16, 1912, *ibid*.

¹²Smith to McLean, February 5, 1914, RG10, v. 7941, f. 32-154.

which reads as follows: 'it being understood that an election must not be held until authorized by the Department.'¹³

Ottawa's strongly-worded assertion of authority was not an unusual dispatch coming out of the distant headquarters of a far-flung bureaucracy. But it was, from Smith's point of view, an unreasonable one. He believed that for administration to be effective at the local level, immediate discretion in the field was necessary. Smith argued that the Agent needed to exercise local discretion; to be a local "Ottawa." In the case of the Neskainlith band, band members had been waiting six months for DIA to appoint a successor to Chief Maxime. Smith felt it was not only reasonable, but necessary for administrative purposes, that he be able to recognize a Chief, not months after a vacancy, but almost immediately. What Ottawa did not seem to recognize was that one Agent, spread out over a dozen communities, *needed* Chiefs to whom he could delegate the responsibility of administering their reserves.

Smith decided to challenge the department's directive. He told 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 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."¹⁴ 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.

¹³McLean to Smith, February 14, 1914, *ibid*.

¹⁴Smith to McLean, February 21, 1914, *ibid*.

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.*¹⁵

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."¹⁶ 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 to abandon constructive dialogue with the central planners on Ottawa; to maintain appearances by producing predictable reports, while in fact managing the agency's affairs along discretionary lines.

To counter such arbitrary activities, DIA did have a system of accountability. But it was a limited one. DIA's employees were to believe that at any time a "superior" would be reading their reports, assessing their performance, checking for obedience. But this form of supervision was easy to circumvent or "manage." Following the second reprimand, Smith was careful to follow the formal procedure of informing DIA of a vacancy and waiting for permission before holding an election. Only in occasional cases, where his actions would have appeared

¹⁵Ibid, emphasis added.

¹⁶McLean to Smith, March 2, 1914, *ibid*.

unequivocally justified, did Smith subsequently reveal the real discretionary character of local practices.¹⁷ Like most Agents who found discretion necessary for their work, Smith learned to tailor administrative fictions that were amenable to Ottawa bureaucrats; and he learned the parameters within which discretion could be exercised before it became a risk to his job.

Nevertheless, Smith remained an idealistic Agent. If petty squabbles between the field and head office compromised his efforts to maintain "good" administration, he was prepared to deviate from the official line. Yet, Smith's involvement in Secwepemc elections was characterized by a concern to adapt to local conditions, not alter, the broad assimilationist principles of DIA. In the case of the Little Shuswap Lake band, Smith's involvement was aimed toward securing what DIA considered to be the "proper conduct of the band."

Prior to Smith's appointment, Little Shuswap Lake band already had experienced government interference in its affairs. Francois Silpahan was first deposed by DIA in 1903, and replaced by Isaac Thomas in a "snap" election held by Agent Irwin.¹⁸ Four years later, after much protest from band members, Agent Irwin unofficially deposed the unpopular incumbent, Isaac Thomas, and reinstated Silpahan. Irwin never reported the second change to Ottawa.

When Smith made his first visit to Little Shuswap in April 24, 1912, Francois Silpahan was recognized by the band as Chief. As no records of appointed Chiefs had been left by the previous Agent (Irwin), Smith assumed that the Chief was recognized by the department.¹⁹ Smith held a meeting at which he "elected" four

¹⁷Cf., below, the cases of Peter Tomma, Isaac Thomas.

¹⁸Clerk of the Privy Council, July 23, 1903, RG10, v. 3944, f. 121,698-54.

¹⁹Smith to McLean, May 16, 1912, *ibid.*

Councillors, recommending to DIA that the four serve on council for "a term of three years in good behaviour."²⁰ Along with these results, Smith sent Ottawa a negative appraisal of Silpahan and his band. He observed that "little system was observed" and that the band was "in a some what disorganized state." He reasoned this was due to the fact that Francois Silpahan was living 20 miles away from the main reserve, at Tappen, too distant to maintain any steady supervision.²¹ Smith was also critical of the "lack of cultivation" on the reserve.

Within a fortnight, Smith had received the official history of Silpahan's deposal. The DIA secretary informed Smith:

With regard to Francois Silpahan,... this man was deposed from the office of Chief of Little River, Little Lake or Kuant (sic) band by Order on Council of July 23, 1903, on account of dishonest and arbitrary dealings with the members of his band; and the Department is not aware of anything having done since towards re-appointing him to the office. ²²

This filing-cabinet 'truth' prompted Smith to investigate further. He sought out the Oblate missionary, Father Le Jeune, who confirmed the character assessment (i.e. Silpahan as dishonest and arbitrary) conveyed in DIA's letter. He told Smith that Silpahan had been deposed by Irwin, and replaced by Isaac Thomas, "but Francois [Silpahan] was re-instated some three years after by Mr. Irwin through some pressure brought to bear on the Agent by Francois' friends."²³ This supporting evidence precipitated Smith's assessment that:

²⁰Smith to McLean, April 29, 1912, RG10, v. 3944, f. 121,698-54; Daily Journal, April 24, 1912, RG10, v. 1325.

²¹Tappen, or Tappen Siding, is one of four reserves of the Little Shuswap Lake band.

²²McLean to Smith, May 9, 1912, RG10, v. 3944, f. 121,698-54.

²³Smith to McLean, May 16, 1912, *ibid*.

...Francois Silpahan has a following as bad as himself... There are a number of able-bodied men in this band whom from what I have seen, I am constrained to class them as a lot of worthless lazy fellows who are making very little effort to cultivate their land, I am sorry to say that I saw infinitely less cultivated land on this reserve than on any other in this Agency. I noticed an entire lack of interest in soil cultivation which is not noticeable on any of the other reserves; in fact the great majority of the Indians in this Agency are exhibiting commendable interest in the cultivation of their lands, a spirit which is nearly dead in these Indians. *I have got to make further investigations into their means of support which will form the subject of a later report.* I fully realize that some action must be taken to place at the head of this a band a man of much better character than the present Chief, in other words the man who has assumed office.²⁴

Smith was experienced as a freelance journalist and editor; he was not prone to ramble. Thus, his repeated references to cultivation do not show stylistic lapses, but rather the importance of farming in assessing Indian people. Smith determined social "progress" by the amount of acreage an individual or band had placed under cultivation. According to Smith's calculations, the Little Shuswap Band had fallen behind the rest of the agency. Without "further investigations into their (the band's) means of support," Smith diagnosed the solution and its cure: the removal of Francois Silpahan, a "problem" Chief.

In fact the band's difficulties with farming were related to a complex of factors: poor land, no access to water for irrigation, a lack of capital, and past neglect on the part of former Agent Irwin. As Silpahan told the Royal Commission in October 1913:

there may be some level land but it is dry so we can raise nothing... and we have no machinery to take the stumps out....I believe the Government Laws about the land. I have slashed and taken the timber off the land, but I got as far as the stumps and I could do no more. I have cultivated around the stumps but I could not take the stumps out. What I am talking about is that the Indians have been working

²⁴Ibid, emphasis added.

the reserves a long time now. We have often called upon the Indian Agent for help and he always says "I will send word to Ottawa, and you can get what help you want." It seems to be without result....²⁵

Later, Smith would learn about some of these problems, and would respond to them. But that May in 1912 Smith did not notice the stump gardens and the old, broken machinery, instead he saw "lazy" people. Thus, he recommended the removal of Silpahan and the reinstatement of the unpopular Isaac Thomas,²⁶ which was carried out on August 28.²⁷

Not surprisingly, most band members resisted the change. After several failed attempts to "reconcile" the band with Thomas, Smith eventually conceded that a wholly unpopular but "moral" Chief was as ineffective in promoting progress as was a popular, but "immoral" one. He wrote to Ottawa suggesting that Thomas' unpopularity rendered the Chief incapable of promoting the band's "advancement."²⁸ McLean agreed, saying "that no matter how moral or industrious he (Thomas) may be, if the majority of the Indians dislike him and he has no influence over them, his usefulness must be gone, and there would apparently be sufficient cause for his deposal on the grounds of incompetency."²⁹ In the same letter, McLean instructed Smith to offer Thomas the option of resigning as "the Department would rather spare him the humiliation of being deposed."

However, Smith had already taken matters into his own hands; or rather he placed matters back into the hands of band members. On March 13, 1913, weeks

²⁵Royal Commission on Indian Affairs for the Province of British Columbia, *Evidence for the Kamloops Agency* (Victoria: Acme Printers, 1916), pp. 44-45.

²⁶Smith to McLean, May 16, 1912, RG10, v. 3944, f. 121,698-54.

²⁷Daily Journal, August 28, 1912, RG10, v. 1325.

²⁸Smith to McLean, April 8, 1913, RG10, v. 7941, f. 32-154.

²⁹McLean to Smith, April 21, 1913, *ibid.*

before McLean's latest instructions arrived, Smith had held an informal re-election at which Francois Silpahan was unanimously selected as Chief.³⁰ It was an act of discretion on Smith's part, one which he carried out for practical reasons: by restoring Silpahan he brought "order" to the community. Smith likely told the band that he would submit their decision to DIA for its approval.³¹ But to Ottawa, Smith reported that, not an election, but only a "census" had taken place.³² Further, he told Ottawa that the band would now *wait* for the department's approval *before* holding an election.

In Smith's reports and in Ottawa's files, the March 13th election had not taken place, and Thomas continued as Chief until his "official resignation" on June 26. This official resignation was, in fact, an administrative formality convened to secure the obligatory written resignation. It was at this date that Smith reported the fall of Thomas.³³

In this case, Smith was not deceiving Ottawa outright. Thomas may have indeed resisted resigning, and the whole dramatic episode, of Smith reading the department's ultimatum to Thomas in front of the assembled band members, undoubtedly occurred. The difference was between what was officially reported and what really occurred and mattered in local practice. Smith could be truthful in saying that Thomas remained Chief, if he did not mention that he and the band no longer recognized Thomas as Chief. It was the difference between reports and practice, formality and reality. For Smith, a six month wait for Ottawa's

³⁰Daily Journal, March 26, 1913, RG10, v. 1325.

³¹Smith to McLean, April 8, 1913, RG10, v. 7941, f. 32-154.

³²Ibid.

³³McLean to Smith, April 21, 1913, *ibid.*

"instructions" offended his sense of order and "good" administration. Yet, openly disregarding established procedure only invited reprimand and censure. Smith's solution was to work between two distinct sets of understandings. To superiors he represented himself as a subservient Agent, to the Secwepemc he appeared as a local sovereign.

The Agent's discretion, unplanned and unmonitored, was what made an unworkable system (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.³⁴ 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.

Some Secwepemc were conscious of Smith's brokerage. Isaac Thomas later recounted, in a letter to Inspector T. J. Cummiskey, that he had resigned because he believed Ottawa was forcing him out. Thomas later came to believe that Smith had deceived him about Ottawa's intentions, and that Ottawa's "letter" had in fact provided him the option to remain as Chief.

When Smith agent was here I did not understand him as he did not seem to make me understand that he wrote to Ottawa and received a reply from him that if he (Thomas) wanted to quit his own business he would but if he did not want it, well, it was alright. I was going to write to Ottawa but I had respected you. Please will you manage that for me. I did not want any one to get my business....³⁵

³⁴A. J. Looy, *The Indian Agent and his Role in the Administration of the North West Superintendency, 1876-1893* (PH D, Queen's University, 1977), p. 329.

³⁵Isaac Thomas to T.J. Cummiskey, July 19, 1913, RG10, v. 7941, f. 32-154.

Significant to the outcome of this episode, Thomas could question only the contents of the "letter," but not the relationship which subjected his fate (and that of others) to the contents of such letters. Letters were direct symbols of the Agent's direct connection with Ottawa. And because they were almost entirely controlled by Smith at the local level, they were the devices which facilitated his discretionary power.

Smith was like a sentry at a border crossing: detecting, selecting, editing, and producing representations which flowed through his office. Information which both flowed "up" to Ottawa (about individuals and bands in his agency), and "down" to the Secwepemc (about Ottawa, its rules, decrees, and policies of which he was the messenger) was subject to his scrutiny and manipulation. Ottawa's support was garnered with amenable reports; while his local authority was reinforced by written directives from Ottawa.

Smith's monopoly on "downward" understandings in part was due to the high degree of illiteracy among Secwepemc at the time. His control over information critical to land management (maps) and the legal system (the Criminal code and the Indian Act) was also an important factor making Smith an "information patron." But perhaps the most significant factor contributing to this was that DIA planned and regulated the Secwepemc's affairs through internal correspondence. The doors to the Agent's office, DIA's internal communications and files, and internal decision-making process, in general, were closed to the scrutiny of either the Secwepemc or the Canadian public. When the "downflow" of bureaucratic authority - a letter - forced Isaac Thomas to resign, the power did not function within the letter, or in Smith, but at the level of representations. Smith could choose what letters, or sections of letters to read to a band. He could represent himself as having a wide or narrow mandate; that decisions emanated from Ottawa

or from his office. Thomas was aware of this when he argued that Smith "did not seem to make me understand."

Thomas, like Silpahan, was denied knowledge of, and thus was powerless to act against or refute, the circulating "objective" character profiles (i.e., that he was a weak Chief, etc.) which DIA kept of him. Because DIA's accumulation, circulation and use of knowledge about "Indians" was kept from aboriginal people, it allowed Smith to represent himself in one way, while acting in another.³⁶ Conversely, Smith regulated "upward" understandings in the reports that he filed with Ottawa. Many of his dealings with bands were not reported at all, while many details of events were filled in by Smith after the fact.

In the case of Silpahan, Smith had guessed correctly that any re-appointment of Silpahan would be opposed by Ottawa. In a letter to Smith shortly after Thomas' resignation, Ottawa wrote that answering a band's call to remove an unpopular Chief was one thing, but:

The question as to whether the Department would agree to the re-appointment of Francois Silpahan in the event of the office of Chief becoming vacant is another matter. As at the time of his deposal in 1903, the Department was informed that the large majority of the members of the band were against him, it is a little strange if they have changed their opinion now, and *perhaps a better man than either the present Chief or the ex-Chief could be found who would also be acceptable to the majority of the Indians.*³⁷

Following Thomas' resignation, Clema Arnouse was "recommended by the band" as their DIA Chief, and later recognized by Ottawa upon Smith's

³⁶Cummiskey to McLean, July 25, 1913, RG10, v. 7941, f. 32-154.

³⁷McLean to Smith, April 21, 1913, *ibid*, emphasis added.

recommendation.³⁸ Moreover, there was no mention of Silpahan's already having been elected. Thus, Silpahan's leadership was pushed "underground" and Little Shuswap Lake adopted a double Chief system. One was the official DIA-recognized Chief; and the other was Silpahan, whose leadership, based on the Tappen reserve, continued without the official recognition of DIA.³⁹ The Chiefs operated in a parallel capacity, both representing their people at important meetings with government officials and other band Chiefs. Under Smith, who occasionally consulted with and assisted Silpahan, this system continued to work without Ottawa's knowledge.

Political strife within the band settled until Arnouse's premature death four years later. The election on October 23, 1918, split the band, with six votes cast for Francois Silpahan and eleven cast for Peter Tomma. Moreover, the vote alienated Smith, who stated his opposition to the winning candidate in a report to Ottawa:

Having been in close touch with this band during the past seven years, I have been forced to consider him the most mischievous and troublesome Indian of the band. Either of the other two nominees are far superior men, but as he has been very active in canvassing, he secured the majority.

Smith recommended that Tomma be given a year to prove himself, as "to quash the election... might create friction among them (the band members)." DIA headquarters approved the appointment, but two months after the election Tomma and his brothers sent a complaint to Ottawa that Smith still had not confirmed the

³⁸Smith to McLean, July 10, 1913, RG10, v. 7941, f. 32-154; McLean to Smith, July 24, 1913, RG10, v. 7941, f. 32-154.

³⁹See a 1927 memo of the Interior Tribes, in which Francois Silpahan is listed as a Chief of Tappen reserve, while Charlie Francois is the Chief at Squilax. *Report and Evidence of the Special Joint Commission of the Senate and House of Commons appointed to inquire into the Claims of the Allied Indian Tribes of British Columbia, as set forth in their petition submitted to Parliament in June, 1926*, p. 176. See also (petition) Shuswap Chiefs to R. B. Bennett, July 5, 1932, RG10, v. 7941, f. 32-154.

Chief's position.⁴⁰ Smith eventually confirmed Tomma, but that did not end the discord existing between the two of them.

The Tomma family was shrewd in its dealings with Smith, often by-passing his office, and corresponding directly with Ottawa. They obtained resources that made them more independent of the Agent - a map of the reserve and copies of the *Indian Act* - and solicited support from Ottawa in face of Smith's open opposition to Peter Tomma. On August 28, 1921, Tomma again wrote to Ottawa, claiming that he was dutifully enforcing the Indian Act on his reserve. He also wanted Ottawa to reinforce his authority against that of Francois Silpahan.⁴¹ A month later, A. F. MacKenzie, the DIA secretary wrote back to Tomma:

...I beg to inform you that you should follow the instructions of the Indian Agent and use your judgement and best influence in the interest of all the Indians of your band and you should have no fear of being deposed from office so long as you do your duty and set a good example to your band.

Should you need any advice regarding the welfare of your band, you should consult with the Indian Agent who will be pleased to help you.⁴²

MacKenzie told Tomma that he was subordinate and accountable to Smith. It was not exactly the unconditional support for which Tomma was looking. But he was not intimidated. Perhaps re-assured by the letter from Ottawa, he ignored the criticisms emanating both from dissenting band members and from Smith's office, and sent another letter to Ottawa listing oversights and mistakes made by Smith in

⁴⁰Petition from Michel Tomma, Peter Tomma, and Alex Tomma to DIA, Ottawa, December 23, 1918, RG10, v. 7941, f. 32-154.

⁴¹Peter Tomma to DIA, August 28, 1921, *ibid.*

⁴²A.F. MacKenzie to Chief Peter Tomma, October 11, 1921, *ibid.*

relation to their reserve.⁴³ After being "informed" about Tomma's letter, Smith reacted angrily. He sent Ottawa a scathing indictment of Tomma's character, declared that Peter Tomma had "engineered himself into the Chiefship of that unfortunate band," and:

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. Since he has been Chief, during the past three years, he has been charged before me by members of his Band with dishonest dealings among them and other irregularities. He reported to me on the 21st of March last that his people had held a meeting on the Sunday preceding, and that they had put him out as Chief, I paid them a visit shortly after and reconciled them. I reported none of this to the Department, but reprimanded him at home and tried to reconcile him with the other element of the band.

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. I have tolerated him, and have tried to help him the very best I know how, and to reconcile him with the *better elements of the band*...⁴⁴

Smith got the desired response. DIA gave him license to depose Tomma if the Chief did not "improve his conduct."⁴⁵ Tomma was not immediately deposed, but eleven months later he was forced to resign amid charges of nepotism, laid against him by other band members. He was the third Chief at Little Shuswap Lake to be removed since Smith's appointment. In reply to news of the resignation, McLean instructed Smith, in so many words, to only bother appointing a successor "whom you can strongly recommend."⁴⁶

⁴³Smith to DIA, Ottawa, December 7, 1921, RG10, v. 7941, f. 32-154.

⁴⁴Ibid., emphasis added.

⁴⁵McLean to Smith, January 14, 1922, *ibid.*

⁴⁶McLean to Smith, November 24, 1922, *ibid.*

Whether Smith disclosed McLean's instructions to the band, we cannot be sure. Of the three candidates - Francois Silpahan, Michel Tomma, and Charlie Goosta Francois - Charlie Francois received 17 of 21 votes. The decision was later made unanimous, indicating that, to some extent, a consensus among band members had been re-established. But it was a consensus that now considered the criteria of the Agent.⁴⁷ Described by Smith as "industrious," "steady," "honest," "clear of trouble," and a good farmer - Francois reflected all the virtues which DIA believed a Chief needed in order to "advance" his people toward civilization.

It is impossible, from documents alone, to measure the amount of influence Smith wielded over the selection of candidates and the process of elections. However, it is clear that Smith promoted certain candidates, while opposing others. On the other hand, a candidate such as Peter Tomma, who Smith clearly opposed, was permitted to become Chief, on a provisional basis. The influence of Smith's administration thus, was not one of dictatorial rule, but one of supervision which permitted a relatively autonomous electoral system to operate on reserves.

Yet, the autonomy found in the electoral process should not suggest political autonomy. Indeed, Chiefs were severely circumscribed in their authority over band members, and in their capacity as band administrators. Chiefs had to answer to the Agent, both for securing administrative assistance, but also within a fixed hierarchy whereby the Chief was obliged to declare that he would "report all infractions of the laws and regulations at the earliest opportunity to the Indian Agent over me." Chiefs, thus had to find ways to negotiate their hold on power, by working with Smith, and securing his favour.

⁴⁷Smith to McLean, December 29, 1922, *ibid.*

In electoral relations, Smith clearly was a power broker. He appointed and deposed Chiefs. Yet, there is no evidence that his power and authority over band members arose from an abuse of his position. Rather, it was the position of the Agent, within the structure of administrative relations itself, which subjected Secwepemc people to rule by an external bureaucratic authority. Smith was to serve Secwepemc people, but according to the imposed structure and procedures of DIA, and toward the objective of assimilation.

Hence, Smith was to "help" bands select leaders best suited to DIA's vision of advancement. Such Chiefs and Councillors were those that fit DIA's particular image of a "good" Indian: a sober hard-working farmer, compliant to authority, co-operative with the department. Chiefs who stood outside DIA's definition of good behaviour risked their removal. At least at Little Shuswap Lake in the 1920s, a Chief's ability to meet DIA criteria had become a factor in band members' selection of leadership.

Smith's role was seldom clear-cut, and certain contradictions were implicit to his mandate. For instance, how was he helping bands by imposing unpopular Chiefs upon bands who clearly objected to them? In each case, Smith promoted the reputations of band members that he considered "progressive," but remained staunchly obedient, if not to the letter, then to the spirit, of DIA administrative principles. It was Smith's earnestness, and perhaps his honesty, which accented the contradictions of his position. Smith tried to live, at least publicly, by the virtues of contemporary moral reform: discipline, order, honesty, sobriety, respect for authority. These qualities made him more attentive and meticulous than most Agents to the interests of bands members; he wanted to "help." Yet, simultaneously they made him more respectful of, and subservient to, the authoritarian system he ruled over Secwepemc people.

Chapter VIII

Conclusion

When Indian Agents were first appointed in agencies across British Columbia, First Nation leaders were told that these local functionaries would "defend and protect" the interests of their people. Among the Secwepemc, Chiefs expected the Agent would help their people to be "great and good," implicitly evoking a relationship which respected their equality and autonomy. In contrast, the Euro-Canadian cultural view of Indians as inferior, and hence, in need of "improvement," informed DIA policy which, in turn, shaped the Agent's role. By Smith's appointment in 1912, the Secwepemc Chiefs' vision of a parallel relationship of equals only survived as a marginalized voice in the political sphere. In terms of day-to-day dialogue between Secwepemc Chiefs and their administrative "keepers," couched as it was within a distinctly inflexible, technical "rhetoric" of Indian administration, an equal relationship was placed beyond consideration.

Thus, there developed a split in the discourse used by Secwepemc leaders when criticizing their treatment by the Canadian and provincial government. In their political speeches, Secwepemc leaders protested the accelerated dispossession and repression of their people, condemning the deceit of Canadian and provincial governments. Yet, when they spoke to DIA administrators, like prisoners criticizing their warden or their guards, they voiced their grievances through the rhetoric of the bureaucratic structures and procedures which held their people captive.

It was in this latter sense that certain Secwepemc described Smith as a "good" Agent. The petitioners of the 1930s had not been "duped" into accepting the ideals and compromises inherent in DIA administration. Rather, in the terms of a rhetoric which set the boundaries of debate about, and to some extent, the reality of

their relationship with DIA, the labelling of Smith as a "good" Agent provided a measure for contrasting the declining standards of administrative assistance and protection. This limited, context-specific assessment of Smith as a "good" Agent is not to be confused with how Secwepemc Chiefs, thirty years earlier, had idealized the nature and extent of the Agent's role.

In this thesis, specific cases have illustrated how compromise and coercion were an inherent feature of DIA assistance. They detailed how 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 upon Smith to act in their people's interests, Smith's ability to meet their expectations was, in turn, dependent upon 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 which was delivered to each community. Smith was distinguished from his predecessor and his successors - and perhaps this is why some Secwepemc leaders recalled him as having been a "good" Agent - 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.

Noting that the contradictions, frustrations, and low salary of the Agent's position had created a succession of "bad" Agents, prior to, and following Smith, this thesis has asked what made Smith the exception. It is necessary to look beyond

Smith's meticulous paper work, diligent consultation, hard work, and strategic representations. He clearly did these things, but why would he feel compelled to excel where other Agents merely allowed things to fall by the wayside?

Smith, who was a cultural outsider for reasons of his origins and his colour, interpreted the position of Agent slightly differently from other Agents. Much more than the average white Kamloops resident, Smith was extremely concerned with his status as a respectable man. In the context of racial discourses which defined black men as "dirty," "immoral," and "incompetent," Smith countered these claims with a zeal for being extremely "clean," "moral," and "competent." In other words, in being secretary of the Board of Trade, a founder of the Citizens' Moral Reform League, or a competent, hard-working Indian Agent, Smith proved something that most educated, white men did not have to prove: that he was equal to the whites of his class.

Smith had long had to reckon the ideological contradictions imbedded in Anglo-Saxon notions of race and respectability. His position as Agent only brought these to the fore. There were white officials, who like Lieutenant-Colonel Flick, refused to do business with "nigger Smith." More commonly, there were those, like the British Columbia Commissioner of Indian Affairs, H. E. Ditchburn, who viewed Smith with ambiguity. Ditchburn once said before a House of Commons Committee that "There was unfortunately a negro appointed Indian agent over the Indians in the Kamloops agency." Yet, when asked whether the "negro" had been a good Agent, Ditchburn had replied, "A very good agent; a very respectable man."¹

¹Canada, 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.

By being a "good" Agent, Smith claimed in the eyes of authority, both superiority over the Indians he tutored and respectability among his white peers.

The notion of an Agent's "respectability" overlayed DIA's project of "improving" Indians.² According to the theory underlying the Indian Act, band members were to learn appropriate forms of behaviour from their Chief, who in turn would learn from the example of the Indian Agent. As role models, Agents and Chiefs were to be the vehicles for social and moral improvement:

A chief who is not strong enough to bring his bad Indians before him and fine or punish them cannot succeed in improving his people. Added to this, if agents were affected in the slightest with moral turpitude in regard to their standard of morality which should be maintained among the Indians in regarding lives both single and married we could make no advancement.³

In terms of his "standard of morality," Smith was an ideal Agent.

Again, it must be remembered that while Smith exceeded the dismal performance of Agent Irwin, his role - both in its limitations and its objectives - was a far cry from what Secwepemc leaders had ideally sought in an Agent. An inherent feature of his job, Smith routinely compromised the interests of Secwepemc bands on two main counts. The first of these was DIA's imperative for efficiency. Smith, saddled down with more responsibilities than one person could reasonably be expected to assume, was forced to compromise the interests of Secwepemc bands in order to make his administrative role both workable and tolerable. In instances such as the Bonaparte land sale or the industrial school, Smith's ability to render assistance was also inhibited by DIA's economic restrictions.

²A. J. Looy, *The Indian Agent and his Role in the Administration of the North West Superintendency, 1876-1893* (PH D, Queen's University, 1977), pp. 291-292.

³T. J. Cummiskey to McLean, July 25, 1913, RG10, v. 7941, f. 32-154, emphasis added.

The second related to DIA's assistance and protection being tied conditionally to the "improvement" of Indian peoples. That is, the Secwepemc were told that assistance was available to "improve" themselves, if they sent their children to the industrial school, listened to the Agent, became farmers, and aspired to Euro-Canadian values and beliefs. It was a relationship, in which a whole cultural package - the form of which education, economic development, and the organization of land and people would assume - was delivered tied to the offer of assistance and protection. This intentional compromise of Secwepemc culture was, in theory, the ideological counterpart to material assistance.

The final rub was that DIA protection and assistance, in practice, was a hollow promise, offering little hope of "improvement," while leaving only the insistent demand that Indians change their way of life in order to fit the formulas of DIA administrators. For example, the school did not "improve" the students who were punished for their truancy; while many Secwepemc were involved in non-farming activities, farming was the only activity for which DIA lent assistance; economic assistance was frequently inadequate, yet band members had no alternative but to accept the meagre offerings over no assistance at all; and although the Agent was an employee of the government, the Secwepemc had to rely upon him as their only representative voice to the outside world. When many Secwepemc sacrificed their traditions in exchange for the assistance, schooling, and other forms of tutelage offered by DIA, they expected such sacrifices would prepare them and their children to survive the imposed European socio-economic system. While Smith may not have fully sensed the crisis faced by his clients, the gap which lay between the ideal to assist, protect, and promote the interests of Secwepemc people, and the working reality which he administered, was far too great for even a "good" Agent to ignore.

If Smith sensed the contradictions of his position, he did not take any radical actions to change it. Admittedly, as the different cases illustrated, Smith did not accept all the contradictions of his position at face value. Smith did request assistance to address his limited policing capacity; he advocated that assistance be given to bands who had been neglected in the past, such as the Bonaparte; he criticized the abominable conditions at the industrial school; and he questioned the need to have the prior authorization of Ottawa before holding elections. Further, when dealing with the intractable will of Ottawa officials, Smith engaged in brokerage to maintain order, and what he considered to be "good" administration. Yet, he also allowed himself to be the instrument of a weak, under-funded administration, which provided him with neither the funding nor the institutional support to properly carry out his responsibilities.

How, then did Smith justify his position? His reformist associations and his own experience of improving/assimilating himself, suggest that he accepted the cultural stigmatization of all non-European peoples, and thus conceptualized his own role in terms of helping Indians to improve themselves - to become like Europeans. As Noel Dyck observes:

In practice, field officers were forced to shoulder some of the fundamental contradictions inherent in imposed tutelage. In order to justify the manner in which they were granted power by their agencies over aboriginal peoples, they had to commence by denying the worth and abilities of Indians. Unless they accepted the proposition that native people could not lead a decent life without the direction which they provided, tutelage agents were cast in a role in which they would arbitrarily and self-consciously exercise power over other human beings for no good reason.⁴

⁴Noel Dyck, *What is the Indian 'Problem': Tutelage and Resistance in Canadian Indian Administration* (St. John's: Institute of Social and Economic Research, 1991), p. 77.

Yet, though it may be apparent why Smith accepted the ideals of DIA administration, it remains unclear why he remained as Agent when even the department's own ideals were undermined by inflexible administrative rules and economy measures. Perhaps, then, it was the salary and status of his position, and a respect for administrative protocol, which restrained him from exposing the unjust conditions which Native children were forced to endure at the Kamloops Industrial School, the hopelessness of economic development on most reserves, and the absurdity of Ottawa's distant authoritarian rule. Perhaps, Smith was like one of George Manuel's prison officials who "are prisoners themselves, caught between the bars of the local towns people with whom they must live, and their superiors, who judge their ability to achieve economy."⁵

⁵George Manuel, *The Fourth World: An Indian Reality* (New York: Macmillan, 1974), p. 186.

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