

LAND CLAIMS IN B.C.

1763: Royal Proclamation, a statement of British Policy clearly recognizing Indian lands and rights. It has never been repealed and has the force of law in Canada.

1849: James Douglas of Hudson Bay Company and later governor, secures Indian land for white settlement by Treaties on Vancouver Island.

However outrageous these treaties, they do represent formal recognition of Aboriginal rights.

1850: the English start flooding in, clearing land for agriculture and threatening the salmon in their rush for gold. Reserves are set up.

1867: Section 109 of the British North America Act gives jurisdiction and ownership of land and natural resources to the provinces.

1871: declaring ownership and control of the land, the non-Indians of B.C. join the confederation of Canada. For the next 20 years, there is a great push to destroy the Indian lifestyle.

1880: start of our historical battle for our land claims. Individual tribes and local groups start making representations, petitions and start sending delegates to the provincial and Federal governments. Chiefs of the Lower Fraser and South Vancouver Island protest encroachment on Indian land.

1887: the Chiefs of Port Simpson and the Nass petition for *return* of their land and formal treaty guaranteeing their rights to those lands forever. "What we don't like about this government is their saying this: 'We will give you so much land.' How can they give it to us when it is our own land."

1890: Nisgha land claim committee formally organized by Arthur Calder.

1889: Treaty 8 signed with the Beaver and Slavey Indians in the north east.

1906: Squamish delegation go to England with a petition

1909: 20 tribes from southern B.C. send delegations to London.

1913: the "Nishga Petition" demanding a legal judgement on the land claim is formally adopted by Nishga Land commission.

1915/16: Nishga delegations to Ottawa to lobby

1915/16: McKenna/McBride Commission and the cut off lands.

1915: Meeting at Spences' Bridge and

1916: meeting on Mission reserve form the Allied Tribes of B.C. to present land claims directly to the Imperial Privy Council.

1919: "Statement of Allied Tribes of B.C. to the Government of B.C.", prepared by Peter Kelly, a Haida Minister, and incorporating for the first time all claims for Indian Tribes in the Province. This is also the first demand for action on related social and economic issues. It is also the first petition to both the Provincial and Federal Governments.

1920/24: Allied Tribes fight the Bill to make the McKenna/McBride Commission the final settlement for land claims in B.C. They are successful.

1926: the Allied Tribes, through Peter Kelly, Andrew Paull, Chief David Basil and Chief Chillihitza, present land claim positions to Parliament which sets up a Joint

Committee to hold hearings and make recommendations.

1927 Joint Committee judges that land claims are not proven. They also make a recommendation, later to become law, that fund raising by Indian organizations for land claims become a criminal offense. They further recommend an annual Special Vote with \$100,000 for improvement for Indian life, to be administered by the Department of Indian Affairs. No leaders have ever accepted the B.C. Special Vote as payment for land title.

1931: the Native Brotherhood Andrew Paull organizes protests from groups around fishing land and social issues.

1942: Indian commercial fishermen have to pay federal income tax. Andrew Paull organizes protests from the south and joins the Native Brotherhood.

1943: Andrew Paull attends the meeting and is elected President of the Brotherhood of Canadian Tribes This is to become the North American Indian Brotherhood.

While the Native Brotherhood and the Northern American Indian Brotherhood share many concerns, one difference keeps them apart. The Native Brotherhood seeks equal rights for Indians; the North American Indian Brotherhood argues that we have special rights for our own ways of life as aboriginal inhabitants of this country.

1946 to 1951: Peter Kelly and Andy Paull fight for and succeed in getting revisions to the Indian Act.

1949: B.C. Indians get the vote. Frank Calder elected to Provincial Legislature.

A CHRONOLOGY

1950's: Question of Aboriginal land rights is heard more and more.

1955: Nishga Tribal Council formed by Frank Calder to continue the work of the Nishga Land Committee.

1959: Joint Parliamentary committee convened to hear questions on Indian Affairs. Andy Paull tells committee "So long as the title question is not dealt with, every Indian in B.C. feels

Elliot, Eddy and Joe Elliot, Fred Miller, Philip Paul and Mike Underwood and together with the Native Brotherhood they sponsor the case.

December 1964: White and Bob decision. Supreme court upholds the treaties but avoids the question of land title. Federal government reimburses all costs of this court case and promises to open negotiations on

and protest from Indian people and organizations all over Canada, the Feds agree to give funds to groups working for land claims settlements.

1969: NDP position paper in B.C. recognizes that Indian title has never been extinguished and has to be negotiated.

1972: UBCIC leaders present "Claim Based on Native Title" in Ottawa.



Photo: Nesika

You can't talk about land claims in B.C. without mentioning Peter Kelly, Frank Calder and Andy Paull, standing in the front here (left to right) leading a delegation to Ottawa.

that he is being tricked and will never be satisfied." He died soon after George Manuel and William Walkem of the Native Rights Committee continued to press the question of Indian Land title in B.C.

1960: Land Claims is a major issue for Indians in B.C.

1960: Indians get the vote in Federal elections

1963: Regina vs. White and Bob. Clifford White and David Bob of Nanaimo are charged for hunting deer out of season and their defense is based on Aboriginal rights, that they were hunting on traditional tribal territory. The White and Bob case becomes the land claims rallying point. South Vancouver Tribal Federations organized by Wilson Bob, Dave

B.C. land claims, provided one group represents 75% of the B.C. Indians. Several organizations are formed to meet this requirement but none last.

1969: Nishga Tribal Council decides to press its claim independently in the case of Calder (et al) vs. the Attorney General of B.C.

1969: (2 months later) Liberal government issues White Paper on Indian Affairs reversing their stand on Indian Land Claims and refusing to recognize aboriginal land title as valid.

1969: formation of the Union of B.C. Indian Chiefs unites most of the leaders of the previous organizations to fight this stand and to work towards a settlement of the land claim. Under tremendous pressure

1973: Supreme Court of Canada decisions on the Calder Land Case. Three justices rule that the Nishgas have aboriginal rights to 1,000 square miles of the Nass Valley. 3 justices say no and the 7th Justice gives judgment on the case and not the issue.

1973: (August 8th) The present government acknowledges the 1763 Royal Proclamation to be a Declaration of Indian lands and that the federal government has lawful obligations to negotiate. The Province of B.C. was expected to have input into these negotiations.

1978: 10th annual general Assembly adopts the Union of B.C. Indian Chiefs Aboriginal Position Paper outlining the principles of Indian Government.