

copy No. 17

Telegram from Sir John A. Macdonald  
Ottawa

copy

142 <sup>64</sup>  
87

23 Feb. 1887.

Recd. by Hon. W. S. Smith

Pict. 25 Feb. 1887

17  
87

If absolutely necessary will send Mounted  
Police force to Kootenay but there must  
be requisition from your Government  
under Act Vic. c. 36 s. 30 now Revised  
Stats. of Canada c. 45 s. 31 you are  
bound <sup>by the Act</sup> to pay expenses. It is more  
especially proper now when force  
is asked for to protect the white  
settlers.

(Sgd.) John A. Macdonald

Original on file in Lands & Works Office

10-748  
87

Telegram from

S. Redgrave, Donald, Nch. 17. 1887.  
Recd. " 18. 1887

To A.B. Davie  
Att. Genl. Vic.

Despatch to you from Anderson  
today, namely; - "arrested Kapla  
murderer of Hilton. Trail broken  
open by 25 armed Indians,  
headed by Isadore; and prisoner  
released. Galbraith with despatch  
arrived today; says lives of  
settlers in jeopardy; prompt  
action necessary; trail open  
from Johnsons. Will forward  
letter.

(S?)  
S. Redgrave

Ms. 31

A.G.O.

18 March 87

To Galbraith  
Donald.

Telegram just received - Much obliged  
Vowell returns from Vancouver tonight  
will start him for Donald right away  
with necessary instructions.

Have you any other suggestions?

Use wires at Government Expense

Alex. E. Davie

A.G.O. 18 mch/87

To S. Redgrave  
Donald

Telegram received - Vowell will  
proceed at once with necessary  
instructions

Alex E B Davie

copy

4/

A.G.O.

Victoria,

19 March, 1887.

Sir,

Referring to the rescue from the gaol at Wild Horse Creek, Kootenay, of an Indian named Kapla accused of the murder of a miner named Hilton, and which rescue was effected by twenty-five armed Indians headed by the Indian Isadore, telegrams concerning which were received by me last evening & communicated to you after your arrival from Vancouver, I have now to repeat the request that you will proceed without any delay to Kootenay where your presence, it is thought will tend to prevent further lawlessness on the part of the Indians.

You are left to your own discretion as to what course you should

Should pursue after your arrival.

For your information I beg to state that it is the intention of the Government to request the Dominion Government by telegram, to despatch as soon as practicable to Wild Horse Creek a sufficient force of Mounted Police.

The intelligence conveyed by the telegrams is such as to render your departure urgent, it being represented that the settlers are in danger, and I request that you will leave by the steamer which sails on Monday morning for Tacoma.

I have the honor to be,  
Sir,

Your obedient Servant  
(sgd.) Alex. E. B. Davis  
Atty. Genl.

A. W. Towell Esq<sup>re</sup>

Stipendiary Magistrate.

5 Telegram from Atty. Genl.  
To Galbraith

A.G.O. 19 Mch. 1887.

Vowell goes by Sauc Point.

18<sup>o</sup> / Alex. E. Bowie

6 Telegram from Galbraith  
To Atty. Genl.

dated, Dault, 19 March, 1887.

Will wait for Vowell. Have you arranged with  
Dominion Government for police in case of  
outbreak: 400 men necessary: supplies will  
have to go in with them: trail must  
be cut out.

18<sup>o</sup> / Galbraith

8 Telegram from Attorney-General  
To Galbraith

A.G.O. 20 Mch, 1887.

Dominion Government has been communicated  
with on the subject.

18<sup>o</sup> / Alex. E. Bowie

p. 496

Letter from Attorney-General  
to A. G. Howell, Victoria.

A.G.

Sir,

Referring to the rescue from the  
Horse Creek, Kootenay, of an Indian  
accused of the murder of a miner named  
and which rescue was effected by  
armed Indians headed by the Indians  
concerning which were received by me  
communicated to you after your arrival  
I have now to repeat the request that you  
without any delay to Kootenay - where  
it is thought, will tend to prevent further  
the part of the Indians -

You are left to your own discretion  
course you should pursue after your  
For your information I beg to state  
the intention of the Government to request  
Government by telegram, to despatch  
practicable to Wild Horse Creek a sufficient  
Mounted Police.

The intelligence conveyed by the  
as to render your departure urgent, and  
- sented that the settlers are in danger  
request that you will leave by the  
sails on Monday morning for Tacoma.

I have &c.

1871/ Alex

O.H.M.S.

H.Q. Victoria 20<sup>th</sup> March 87

Right Honorable

Sir John A McDonald.

Despatches from Wild Horse Creek, Kootenay, state that Indian Chief Isadore with twenty five armed Indians broke into the gaol and rescued an Indian charged with the murder of Matthew Helton a white Miner. Despatches further state lives of settlers in jeopardy. Think sufficient force of Dominion Mounted Police should be sent without delay, but Province cannot undertake the expense especially as we consider the matter pertains to Indian Department and information indicates incipient insurrection of Kootenay Indians.

Wm Smith

Please answer.



copy

9

Telegram to

R. T. Galbraith

Donald B.C.

Nowell left this morning for  
Sand Point.

(52) Irving

21<sup>st</sup> March, 1887.

(Copy.)

Telegram.

---

Victoria, B.C.

March 21, 1887.

From Donald

To A. E. B. Davis

Atty Gen'l

Received telegram, road  
will be opened from Vancouver to Donald Wednesday.  
trail open to lake. Vowell will save 100 miles  
snow-shoeing by coming this way. Answer.

Gallbraith

---

(Copy.)

Telegram.

---

Victoria B.C.

March 21<sup>st</sup> 1887.

From Donald B.C.

To A.E. B. Davie, Victoria.

Second messenger just arrived from Wild Horse Creek, reports all quiet. Isadore says no trouble need be feared with Indians; but he has requested Oylmer and Anderson to leave who are now on their way here. He wishes interview with Dr Powell. I will go to Victoria.

Galtbraith.

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(Copy.)

Telegram

---

Victoria B.C.

March 22<sup>d</sup> 1857.

From Donald

To A. E. B. Davie

Atty Genl.

Anderson on his way  
here. Parker in charge. would suggest one  
of the Government officers from Donald should  
be sent to Wild Horse pending arrival of  
Vowell. Officers can get there in four days.  
Answer

Gallraith

---

copy

14

A.G.O.

22<sup>nd</sup> Mich, 1887

L.W. Powell Esq<sup>r</sup>

Supt<sup>r</sup> Indian Affairs.

Sir,

By direction of the Attorney  
General I have the honor to  
enclose you a copy of a  
telegram received this morning  
from Mr. R. T. Galbraith in  
reference to the state of  
Indian affairs in the  
neighbourhood of Wild Horse  
Creek.

Your obedient Servant

(S<sup>r</sup>) P. A. Irving

Dep. A.G.

(Copy.)

British Columbia

262.2

Indian Office  
Victoria Mar. 22<sup>nd</sup> 1887

Sir,

I have the honor to acknowledge the receipt of your letter of even date covering copy of a telegram from Mr. R. J. Galbraith in reference to the state of Indian affairs in the neighbourhood of Wild Horse Creek.

I have the honor to be,

Sir

Your obed<sup>t</sup> servant,

(Signed) J. H. Powell,

Indian Superintendent.

The Honorable  
The Attorney General. }  
}

(Copy.)

Victoria

March 22<sup>o</sup> 1887.

Sir,

I have the honour to offer a suggestion with regard to the danger in the Upper Kootenay District of an Indian rebellion.

You are cognizant of the events which have passed and of the state of tension which exists between the Indians and the white men. In point of fact the law cannot be administered in any Indian question because there is no force to support or carry it out.

Isadore the Indian Chief has taken up such a dictatorial position that he is practically master of the situation, & he has lately openly defied the law, by rescuing an Indian prisoner, at the head of twenty-five armed men.

It is evident that such a state of affairs cannot be permitted to exist, and that the only way of establishing law and order and personal security for the white settlers is to introduce such a force of Mounted Police as would effectually overawe the Indians and thus prevent any chance of a rising.

Unless this is done I am confident that an outbreak will take place and probably a massacre of the white settlers.

I, therefore, trust that every exertion may be made to induce the Dominion Government to at once send a sufficient force of Police to establish and maintain law and order.

Easter

Easter is the time when all the  
Indians assemble at the St. Eugene's Mission,  
and it would be a favorable time for introducing  
the Police force as they would arrive on the spot  
without warning to the mass of the Indians.

I have the honor to be,

Sr,

Your most obedient servant,

(signed) James Baker,  
St Colonel,  
M.P. Kootenay District.

To the  
Honorable  
The Attorney General  
of British Columbia.



(Copy.)

Telegram.

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Victoria B.C.

March 23. 1887.

From Sand Point Ida

To Hon. Atty Genl, A. E. B. Davis,  
Victoria.

Arrived today no news  
from Kootenai trails impassable at present. Will start  
as soon as I can procure Indians &c. Write today.

A. W. Vowell

---



copy

## Telegram

O.H.M.S.

A.G.O.

A.W. Powell,

Sawto Point,

Idaho.

Following despatch just received  
from Galbraith dated 20<sup>th</sup> inst.  
Second messenger just arrived  
four days from Wild Horse  
Creek Reports all quiet  
Isidore says no trouble need  
be feared with Indians but  
he has requested Aylmer and  
Anderson to leave who are  
now on their way here  
He wishes interview with Doctor  
Powell. I will go to Victoria.

(sgd) Erving

Rush

Mich 22(?) 1887

(Copy.)

Telegram.

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Victoria B. C.

March 23. 1887.

From Sand Point Ida  
To A. A. Irving,  
Victoria.

Telegram received contents  
noted.

A. W. Vorell,

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(Copy)

Handed in by  
Col. Baker M.P.P.  
on 24<sup>th</sup> March 1887.

---

Donald,  
22<sup>nd</sup> March

To

Col. Baker,  
Vict.

See Atty Genl and stop  
Vowell going to Kootenay. Will write  
particulars by first train.

F. M. Aylmer,  
H. Anderson.

---

(Copy.)

Handed in by  
Col. Baker M.P.  
on 24<sup>th</sup> March 1887.  
— " —

Donald  
22<sup>nd</sup> March

To  
Dr. Powell,  
Indian Department.

Second messenger arrived, a temporary  
compromise between whites and Indians  
effected ~~with~~ <sup>till</sup> arrival of Vowell.

Anderson and Aylmer asked to leave  
District, not on their way here, I go  
to Victoria.

Galtbrait.

(Copy.)

Telegram.

---

Victoria, B.C.

March 24, 1887.

From Sand Point Ida  
To Hon. A. E. B. Davie,  
Mty Genl  
Victoria.

Telegram received from  
Baker sent after me to Kootenai Station, have  
returned generally receive instructions from Govt  
I wait.

A. W. Vowell

---

Copy

23/

Telegram

To A.W. Howell,  
Sand Point,  
Idaho.

Wait at Sand Point until  
I send further instructions

(880) Alex. E. B. Davis  
Atty. Genl.

Victoria, B.C.

24 March, 1887.

(Copy.)

No. 17

Telegram from Sir John A Macdonald  
Ottawa

23<sup>rd</sup> March 1887

Received by Hon. Mr. Smithe,  
Victoria,

25<sup>th</sup> March 1887.

If absolutely necessary will send Mounted Police  
force to Kootenay but there must be requisition  
from your Government under 42 Vic. c 36, s 30  
now Revised Stats of Canada c 45 s 31 you are  
bound by the Act to pay expenses. It is more  
especially proper now when force is asked for to  
protect the white settlers

John A. Macdonald



Copy

24

Telegram

From <sup>To</sup>

H. Anderson

Donald.

Report yourself at this office  
as soon as possible.

(882) Alex. E. B. Taire

Atty. Genl.

March 26~~th~~, 1887.

(Copy.)

Telegram.

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Victoria, B.C.

March 26 1887.

From Donald

To Hon. A. E. B. Davis.

I start for Victoria in  
the morning.

W. Anderson.

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(Copy.)

Telegram.

---

Victoria, B. C.

March 26. 1887.

From Sand Point Idaho.

To Hon. A. E. B. Davis,  
Atty Genl

How long is it likely  
will I have to remain here?

A. W. Vowell.

---

(Copy)

Donald, B.C.

March 18<sup>th</sup>, 1887.

Dear Sir,

I beg to forward the enclosed communication from Constable Anderson. It was delivered by Mr Galbraith who just arrived from Wild Horse Creek. He told me the contents were of the greatest importance, and in your absence to open it and wire to you or the Attorney General. As I was not positive where you were, I sent a telegram to the Atty General. Specially as it was very uncertain when mail communication could be ensured. Passengers have been delayed here since the 28<sup>th</sup> of February, and we can get no information as to when it is likely the C.P.R. may make connections.

The snow slides have been both heavy, continuous and serious, causing the death at one time of six persons who were smothered. No mails have reached this place from the west since your departure.

Not to lose the first opportunity of a chance of this being forwarded, I post it to-day.

We have had snow to the depth of 5 feet on the level at Donald and hardly a fine day for a fortnight, although the last two days it is melting away rapidly.

A Freight train came in from the East yesterday, bringing supplies which were very scarce at Donald.

I have the honor to be,

Sir

Your obedient servant,

(Signed) J. Redgrave

A. W. Powell Esq, }  
-G.C. & S.M. }  
Victoria }

(Copy.)

Wild Horse,

9<sup>th</sup> March 1887.

Sir,

In accordance with the orders given by you last fall re the arrest of the Indians, Kapla and Isadore, accused of the murder of Hylton and Kemp.

Ascertaining that Kapla was camped at the Ferry and Isadore at St Mary's Prairie, I yesterday morning with a small force arrested Kapla and immediately proceeded to do the same to Isadore. He had, however, disappeared. Being unable to find him I returned to Wild Horse and placed Kapla in gaol.

About noon today a band of eighteen or twenty armed Indians, headed by Isadore the chief, appeared at the gaol and demanded the release of the prisoners. I refused to give him up. They thereupon proceed to break open the gaol and released the prisoner, using at the same time very threatening and abusive language, and saying they would not allow the authorities to imprison tribe.

There being only one man here with me at the time, resistance would have been useless, and judging from the way the Indians are talking I am convinced that had a shot been fired and an Indian killed, most if not all the whites in the valley would have been killed.

I take this opportunity of again calling your attention to the fact that a force will be necessary to bring these Indians to their senses and make them amenable to law.

The fact of their having rescued the prisoner will

will now justify severe measures for the punishment of the Chief and his principal subordinates and who have been instrumental in causing the dissatisfaction which now exists among them respecting the ~~statement~~ settlement of the Indian Reserve question.

Should it be decided to send in a force I would recommend their dispatch as soon as possible or as soon as the trail to Golden becomes passable for horses and before the snow has left the mountains, as the Indians would then be placed at a great disadvantage should they attempt resistance, also I think being now very short of cartridges for their rifles they would not have time to get any in.

I am, Sir,

Your obedient servant,

signed J. Anderson,

A. W. Vorell Esq }  
S. M. H. C. }  
Donald, }  
B. C. }

(Copy.)

Kootenay, B.C.  
14<sup>th</sup> March 1887.

Sir,  
We desire to bring to your notice the state of affairs in this district. During the early part of this month the Constable and five men arrested an Indian for the murder of two white men committed over two years ago. Two Indians were supposed to be implicated, but only one was arrested, the other not being found when searched for. The day after this occurrence the chief accompanied by 19 bucks proceeded to Wild Horse and demanded the keys. These not being forthcoming the Indians proceeded to the gaol, broke open the outer door and entered. The Constable then opened the cell door, took off the handcuffs and released the prisoner.

The whites hearing of this occurrence and fearing an outbreak of hostilities, decided on calling a meeting and ascertaining, if possible, the feeling of the Indians. A meeting was accordingly held at Kootenay Ferry, that being the most central spot. It was attended by twenty-seven whites and over forty Indians including the Chief Isadore.

The Chief in answer to queries put to him explained that his reasons for making a forcible entry into the gaol to release the prisoner were as follows, viz:— that he feared the relations of the prisoner would retaliate on the Constable as soon as they became aware of the arrest and thus create a breach of the peace between the whites and Indians which would lead to bloodshed. He also stated that, whilst the present irritation amongst the Indians lasted, he desired that the Constable Mr. H. Anderson and the  
Hon.

Hon. F. W. Aylmer should absent themselves from the District, that if this were done he promised that the Indians would not molest the whites but disperse to their different occupations, the whites agreeing to do the same. The reason he gave for Mr Anderson and ~~the~~ Hon. F. W. Aylmer's leaving the country was that he feared for their personal safety, the former on account of the recent arrest, the latter on account of the land surveys.

The question was then put amongst the whites whether the two gentlemen named should or should not leave the country, and it was decided by the majority that in the interests of peace they should be asked to do so for the present.

There is now no immediate danger to be apprehended from the Indians, but we would beg to point out that for all practical purposes the law amongst the Indians is imperative. Should the Constable attempt an arrest for a serious offence, the offender is either screened from justice or released by main force, the settlers being themselves powerless to assist the authorities in maintaining the law.

Subjoined is a list of the settlers present at the meeting, who can substantiate the above facts and who are desirous that they should be laid before the proper authorities.

### List of settlers

D. Griffith	J. Kelly	J. Irvine
F. Panstaff	J. Neish	N. Doul
A. B. Fenwick	N. Lundy	A. McCormac
J. Lewitt	N. Broadwood	Chas. Clark
Wm. Godridge	A. C. Warren	Capt. Parker
N. Moore	V. H. Baker	M. McRae
L. Mangan	Hon. F. W. Aylmer	J. Foster
M. Byres	R. Woods	J. Hunter
L. Dow	R. D. Mathers	

The Hon  
The Attorney General  
Victoria



(Copy.)

Donald

22<sup>nd</sup> March 1887.

Sir,

The Hon. F. W. Aylmer and myself have just reached this place from Wild Horse.

No doubt you have been informed of the fact that the Indians of Kootenay broke open the door of the gaol at Wild Horse and took therefrom an Indian I had arrested, suspected of having murdered the two men Hilton and Kemp. Immediately after the occurrence I wrote to Mr. Vorell, detailing the circumstance intending to await the arrival of assistance and in the meantime not attempt any violent measures. After that, however, Galbraith who was then on his way down sent one of his creatures back to treat with the Indians, he, Galbraith, at the same time saying that I had no business to arrest this Indian. "How did I dare to arrest this Indian without consulting him?" His messenger also said that he would be one to supply the Indian who would shoot me with a rifle and ammunition, also with supplies to take him out of the country. After doing so, this man also went to the Mission and asked the Indians if they (the whites) should arrest myself and Aylmer J.P. and put us in gaol. In fact there is no doubt in my mind that his messenger was sent back to excite a feeling of dissatisfaction against me for having ~~acted~~ acted in this matter - in fact a portion of his instructions were overheard by a messenger I had sent with my despatch, Galbraith thinking he was asleep in camp. Galbraith not satisfied with that told every one

on

on his way down that I had no right to arrest  
this man.

All this has been done by him to try and  
injure me in my official capacity, for the simple  
reason that I would never allow myself to be made  
a tool of by him or any one else in the District,  
and I have long known of his underhand dealing  
with the above object.

Even if it was not my duty to try and  
arrest a suspected criminal, on the present occasion  
I was acting under my Superior, Mr. Vowell's orders,  
given last fall.

I would respectfully urge upon you the  
advisability of not sending Mr. Vowell up to Wild  
Horse without sufficient force to enforce the law among  
the Indians, and I am thoroughly convinced should  
he attempt any move without such backing, that his  
authority will be set at naught by the Indians.

I will await instructions - at this place -  
from you or Mr. Vowell, not having time to write  
more fully, the train being about to start.

I am,

Sir,

Your obedient servant,

(Signed) J. Anderson

The Hon.

A. E. B. Davis,  
Attorney General,  
etc. etc.  
Victoria,  
B.C.

A.G.O.  
(26) 20<sup>th</sup> March 1887.

A.W. Towell

Sand Point

Despatches from  
Anderson and Aylmer now at Donald  
state they were forced to leave by dictation  
of Indians and request of white settlers  
who justify on score of preserving peace

Both Anderson and Aylmer strongly  
advise you should not go in, as without  
sufficient force your visit would be  
useless. - Settlers further state no immediate  
danger apprehended. Have wired Anderson  
to come down. Evident some of white folks  
Kootenay have not been in accord.

Dominion refuses Police unless we pay expense  
will wire again shortly instructing you whether  
to go or return. What are your own views.

A.E.B. Davie..

(Copy.)

Telegram.

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Victoria, B. C.

March 27. 1887.

From Sand Point Idaho  
To Hon. A. E. B. Davie.

Yesterday's telegram received  
this a.m. express my views before leaving  
Victoria think now I had better proceed ~~to~~  
and report from Donald.

A. M. Vorell

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(Copy.)

Sand Point,  
23<sup>rd</sup> March 1887.

Sir,

At 1.45 p.m. I arrived at this point on my trip.

Upon my arrival I learned that the road from here to Bonner's Ferry, some 30 odd miles, is very bad and that in fact all the way up it will be hard work to get along. There has been no one here from Kootenay this year, and the trail not having been broken makes travelling all the worse - my intention is to proceed as soon as I can either with horses or on snow shoes. I am informed that there have been for the last two or three days more Indians about here than have been seen at this time of the year, or any time before, together. They are Flat Heads, Spokane Indians and others friends of the Kootenay tribe. Whether that circumstance means anything or not is more than I can say. Should I learn anything further I will report.

I am,

Sir,

Your obedient servant,

(signed) A. M. Vowell.

The Hon.

A. E. B. Davis, }  
Attorney General, }  
Victoria. }

(Copy.)

Sand Point,  
23<sup>rd</sup> March 1887.

My dear Davie,

When writing about Indian friends of the Kootenais, i.e. of Isadore, instead of Flat Stads I should have written Flat Boss. Your telegram just received. I have been busy all this afternoon hunting up Indians to pack. Think I can get some mode of transport in shape tomorrow.

I expect to make a quick trip.

Yours truly,  
(Signed) A. W. Towell.

copy

A.G.O.

28 March 1887.

36

J. W. Powell Esq<sup>r</sup>

Supt. Indian Affairs.

Sir,

I am instructed by the Attorney-General to say that after the communications - written and verbal - of Mr Anderson (the Kootenay Constable, who is now in Victoria) relative to the recent occurrences at Kootenay it is deemed both useless and inexpedient to send Mr Powell into Kootenay. That officer has therefore been recalled, by telegram, from Sand Point.

I have the honor to be,

Sir,

Your obedient servant

(sgd) P. D. Irving

Dep. A.G.

28th March, 1887.

copy

35

H.G.O.

28 Mch. 1884

Telegram to

A.W. Howell

Sand Point, Idaho.

After recent information we  
deem it useless and imprudent  
for you to proceed - So  
return Victoria -

Smiche died today -

(cc) Alex. E. B. Davie



159  
84

No. Sent by Rec<sup>d</sup> by  
55th C No Collect Lomas

train b. 35. Victoria B.C. Mar 29, 1884

From Lava Point Ida 29  
To Hon A E B Davin  
V.C.

Am anxious please  
want instructions  
J. A. W. Cowell

38  

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160  

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87

Victoria B.C.

Mar 29. 1887

From Sand Point Ida 29

To Hon A. E. B. Davie

Atty Genl

Vic

Yesterday telegram received, today  
would prefer going on to Kootenay  
1887 A. W. Cowell

O.H.M.S

A.G.O

29<sup>th</sup> March 1887-


A.W. Vowell.

Sand Point

Idaho Territory

Return to Victoria.

Alex. S. B. Davie



40      166  
            84

Victoria B.C.    March 31, 1884

From Portland 21

To A. E. B. Davis    Atty Genl

So my presence required immediately  
at Victoria, direct.

Answer to Tacoma House

Tacoma.

1521 Alw Bowler

167  
87

British Columbia

24 10<sup>th</sup> ap / 87

290.2

Indian Office  
Victoria Mar 30<sup>th</sup> 1887

Sir  
Enclosed please find the letter of Mrs Clark  
of Kootenay, to which I had the honor of referring  
you.

I have the honor to be

Sir

Your Obedt Servant

(Sd) J. W. Powell

Indian Superintendent

The Honourable  
The Atty Genl  
tc. tc.

Enclosure handed back by the <sup>Attorney General</sup> A.G. to Mr. John Galweith  
to whom it was addressed.

3<sup>rd</sup> ap / 87

Right Honorable  
Sir John A. McDonald  
Ottawa

Since Mr Smith's telegram of twentieth March  
Kootenay Indians have compelled our Constable  
to leave District - also by letter a settler - white  
are stated to acquiesced to pursue peace, consequently  
have recalled Powell, considering his visit  
would be impudent and useless

Consider Province should not be asked  
to bear expense Mounted Police as Indians are  
in revolt and the charge of them by both  
Terms of Union and organic Act is cast on  
Dominion

These Indians are also highly  
dis-satisfied with Reserves and desire to see Mr  
Powell - Am advised that before any force  
goes in Indians should be visited by some  
one in authority to assure them that force is  
for establishment of order and not come  
with pacific intentions, otherwise advent of force  
would be signal for hostilities - Am willing that  
Powell should go with Powell

Alex. E. B. Davis.

A.G.O  
3<sup>rd</sup> April 1887.

O.H.M.S

A.G.O

Victoria 23 April 1887.

J.A. Maca M.P.  
Ottawa.

Members of Council Kootenay

Indians goes forward Monday. Position  
that we have always assumed is that under  
Terms of Union responsibility of dealing  
with Wild Indians or Indians in revolt  
is upon the Dominion

Alex. E. B. Davie

O.H.M.S.

A.G.O

Victoria 24<sup>th</sup> April 87.

J. A. Mearns M.P.

Ottawa. Ont.

Ask for Kootenay telegrams to  
Sir John from Smith and self dated  
20<sup>th</sup> March and 3 April

A.E.B. Davie.



220  
/ 54

Victoria

April 26. 1887

From Ottawa Ont 25

To A. E. B. Davis

Sic

Send me full particulars  
of land preempted by Baker  
and claimed by Isadore or  
any Kootenay Indian

(Sd) J. A. Mara

26<sup>th</sup> April 1887.

J. A. Mara Esq M.P.  
Ottawa. Ont

Sir

I have the honor to enclose a letter from  
the Surveyor General to the Honorable the  
Attorney General giving particulars of  
the claim of Isidore and other Kootenay  
Indians to lands held by Lieut Col  
James Baker and other white settlers  
in the Kootenay District

I have the honor to

P. A. Irving  
Dep. A.G.

Victoria B.C.

221  
89

Rt 26 Ap. / 87

Original sent to J. A. Mara M.P.

Victoria B.C

April 26<sup>th</sup> 1887

Sir

Respecting your inquiry touching the claim of Chief Isadore or other Kootenay Indians to lands held by Col. Baker. I have the honor to report the following particulars, which I have been able to gather on the subject.

The Kootenay Indians are nomadic and never remain more than a few months on the same ground, but they are accustomed to return to the same ground, at the same seasons of the year.

Outside the present Indian Reserves in the Upper Kootenay Valley, there are about eleven places where the Indians have been accustomed to camp for certain seasons. Several of these have been taken up by white settlers, notably Captain Parker at Fish Lake, Honble F. W. Aysmer at Summers Flat, Colonel Baker M.P.P. at Josepho Prairie, and Kootenay Bottom, Messrs Levett, at Reynolds Ranch and several other settlers at the Columbia Lakes.

The Honorable A. E. B. Davie  
Premier &c. &c.

Victoria

B.C

T

The piece of land claimed by Isadore or Colonel Baker's ranche was taken up by Mr. John Galbraith who paid ten per cent on the purchase money and handed the papers over to Colonel Baker in 1885. When that gentleman purchased the adjoining estate from Mr. Galbraith.

Colonel Baker had the land surveyed and completed the purchase of the lot.

Isadore has fenced in about 20 acres of which he has ploughed one and half acres. He has another fenced field on Colonel Baker's ground down by the Kootenay river bottom where there are about five acres fenced in.

Colonel Baker offered to compensate Isadore for his fences &c. &c. and the latter agreed, but afterwards refused to accept anything or give up the land having been influenced in this direction it is supposed by some white men in the District who wished to curry favour with the Chief.

The Indians who hold other lots outside their reserves are watching the result of the Government action, and if Isadore is allowed to hold the land they intend to claim their supposed rights. The Reserves set aside are on a very liberal scale, and the white settlers took up their locations outside the Reserves according to law and precedent.

I have the honor to be  
Sir

Your obedient servant  
(H) W. S. Gore  
Surveyor General

P.S.

I should perhaps add that this information was received from Colonel Baker to day.

(H) W. S. G

238  
87

Re 28 April 1887.

Victoria  
April 27<sup>th</sup> 1887

To  
The Honourable  
The Attorney General  
re . . . . .  
Victoria.

Sir

I have again to call your attention to the gravity of the situation in the Upper Kootenay Valley and to the danger of prolonged delay in settling the Indian question and in the re-establishment of law and order in that portion of the Kootenay district.

A feeling of profound indignation is arising among the inhabitants of Donald, Golden City, and the Upper Kootenay Valley, at finding that the settlers of the latter portion of the district are being left at the mercy of the Indians, and that no steps have been yet taken to protect life and property, although it is now over six weeks since the Constable and the Hon<sup>ble</sup> F. W. Aylmer a Magistrate were turned out of the Country by the Indians.

It may be well to review the events which have led up to the present crisis in order the better to impress on the Executive Government of the Province the critical and dangerous state of affairs.

For many years past the Kootenay  
Indians

Indians have been dissatisfied on the Reserves Question. In the year 1883 Mr. Farwell was sent to the Upper Kootenay Valley to report upon the subject and he says amongst other things, "On my arrival in the Kootenay district every white man I conversed with, without exception forcibly expressed on me the fact that the Kootenay Indians as a whole were extremely dissatisfied with the unsettled state of their affairs and that they looked on anyone with the emblems of an official capacity with suspicion."

In 1884 the Hon<sup>ble</sup> P. O. Reilly visited the district as Indian Commissioner, and after consultation with the White Settlers and the Indians, he laid out five Indian Reserves as follows.

Lower Kootenay Valley	1831 Acres
Upper Kootenay Valley	
Upper Columbia Lake	2,759 "
Lower " "	8,456 "
St. Mary's Mission	17,425 "
Tobacco Plains	10,560 "
	<hr/>
Total	41,031 Acres

These Reserves were afterwards approved by the Hon<sup>ble</sup> W. Smith Chief Commissioner of Lands and Works, who distinctly stated to Mr. O. Reilly that none of the lands outside these Reserves would be appropriated by the Indians.

The total number of Indians including Men Women and Children is about four hundred and fifty, and the lands set aside as reserves include

include a great part of the best soil in the district.

Mr. D. Rully was under the impression that Isidore the Indian Chief was satisfied with the reserves but no sooner had that officer left the district than Isidore complained of the area of land set apart at St. Mary's Mission.

It may be remarked that the Kootenay Indians are nomadic in their habits and that they seldom remain more than a few months on one spot. They camp here at one season, and there at another, but usually return to the same locality at the same season of the year.

There were several of these camping places outside the Reserves and scattered over the Valley for a distance of over one hundred miles, when the Indians had been in the habit of camping with their herds, and in two or three of these places that had roughly fenced from four or five acres of land.

On Joseph's Prairie Isidore the Chief had fenced about twenty acres of which he has ploughed two acres.

White settlers began to pour into the country and these pieces of land, which were outside the Reserves were taken up by pre-emption and purchase.

As more white settlers came in, the Indians became more dissatisfied, and it was evident that some more definite decision should be arrived at, so that the Indians should thoroughly understand that all the land in the district was open to settlement by the white men, except the Indian Reserves.

The Indian Commissioner and the white settlers considered the reserve question settled. The

Indian

Indians on the other hand took an opposite view of the case and it was evident from their behaviour that trouble was brewing. -

In the Autumn of 1885. I addressed a private letter to Dr. Powell Indian Commissioner pointing out the state of affairs and that it was important that the Indians should be informed of the definite settlement of the reserve question.

It was understood that Dr Powell was coming to Kootenay in the Spring of 1886. and the Indians waited to meet him, but that Gulleman was prevented from making his visit until the Autumn.

In the summer and Autumn of last year I wrote official letters to Dr. Powell, pointing out that from information I had received there appeared to be danger of an Indian rising unless the reserve question was speedily settled and that it would be advisable to bring in a strong force of Mounted Police to support his Authority. Other leading settlers of the district wrote to the same effect. -

Dr. Powell arrived in September accompanied by Mr. Powell the Stipendiary Magistrate, who had also been appointed acting Indian Agent for the district. Isidore the Chief was invited to attend the Commissioner and he came dressed in the insignia of his office, full faced coat, and cap and staff surmounted by a lion and crown, he was also accompanied by about twenty armed Indians.

After Dr. Powell had explained the position of affairs, and the limits of the reserves. Isidore the Chief spoke in reply and became exceedingly insolent



insolent, he dashed his staff on the ground, took out a pistol and placed it by his side, and said that it was for him to say what lands he would grant the Queen, and not that she should dictate to him. He then demanded as a reserve what was practically the greater part of the land in the whole valley.

It was hopeless for Dr. Powell to attempt to do anything without a strong force at his disposal and he therefore evaded the question, and told Isidore to have a census taken of the cattle and horses and that he would consult with the authorities and return in the Spring to settle matters.

On his return to Victoria Dr Powell forwarded my letter, and those of the other settlers, to the Dominion Government, together with a report of the present state of affairs.

During the Autumn there were several cases of insubordination amongst the Indians.

In December last the Dominion Government sent Colonel Herchmer of the Mounted Police to the Upper Kootenay Valley to report on the situation, and to select a site for barracks.

I must now go back to the Autumn of 1884. — At that time two white men were murdered on the trail between Golden City and the Columbia Lakes, and suspicion afterwards attached to two Indians as having committed the crime.

Sufficient evidence was not forthcoming for their arrest until about two months ago when

When Mr. Anderson the Recorder and Constable of that part of the District obtained a warrant and arrested one of the Indians and put him in jail. Upon this Isadore the Chief accompanied by twenty armed Indians proceeded to the jail, and demanded the release of the prisoner, and upon the Constable refusing they broke open the jail and released the Indian.

They afterwards demanded that Mr. Anderson the Constable and the Honble J. W. Aylmer a settler and Magistrate should leave the Country and that a meeting held by some of the white settlers it was decided that the lives of the white settlers would be jeopardized by the Constable and Mr. Aylmer remaining and so they accordingly left the Country.

The Indians have refused to allow white men to cut rails, and do work on their pre-emptions, and are practically in command of that portion of the district.

There are over a hundred settlers and miners scattered over the upper Kootenay valley, and under the present state of affairs, any trifling might lead to an outbreak of the Indians in which case the lives of the settlers would be sacrificed.

The settlers assert with reason that as they pay rates and taxes they are entitled to security for life and property.

It will be most detrimental to the interests and progress of the Province if  
6 the

The report goes forth that Settlers who come into it cannot obtain protection from the Government.

In this case it certainly appears that as the Dominion Government has charge of the Indians it should bear the expense of establishing order, but I am most strongly of opinion, that it is the duty of the Province at once to protect its own people, from whom it derives taxes, and to settle afterwards upon whom the burden of the expense must fall.

If this is not done without delay a very grave responsibility will rest upon the Provincial Government should any catastrophe happen.

I must reserve the right of publishing this letter should I consider it necessary to do so.

I have the honour to be  
Sir

Your most obedient servant

(Sd) James Baker

Lt Colonel  
M.P.P. Kootenay District

9

245  
84

Donald

27 April 1887.

Sir

In reference to instructions given to Mr Anderson last fall in connection with the search after sufficient evidence against and arrest of Kootenay Indians, supposed to have been implicated in the murder of Hilton & Kemp. I beg to refer you to my letter to you dated 13<sup>th</sup> Oct 1886, on that subject on the 13<sup>th</sup> line of 3<sup>rd</sup> paragraph. I left out the word "not" which should have appeared after the word is on that line and before enough (is not enough) it should have been.

I have the honor to be  
Sir

Your Obedt<sup>e</sup> Servt  
(Sd) A. W. Bowell, Esq

The Hon<sup>ble</sup>

A. E. B. Davie

Attorney General etc  
Victoria

Receipt acknowledged 5<sup>th</sup> May/87

266  
84

Victoria B.C.

May 5 1884

From Ottawa 5

To Hon Alex E W. Davie

Lieut. John says force too weak to oppose  
150 men, but will probably increase number to  
75 or 100. he has requested American Govt. to  
move 150 men up to the boundary.

Wm J. A. Mars

270  
87

Victoria B.C.  
May 7 1887

From Ottawa Ont 6  
To Hon A R Darrin  
Vice

Will send seventy five (75) Mounted police,  
Powell should proceed & explain to Indians  
reason of force being sent. Dr. Powell detained  
here on business. Answer.

(Sd) John A. Mac Donald

A.G.O

Viel: 7<sup>th</sup> May 1887.

Right Honourable  
 Sir John A. McDonald

Much

more satisfactory if one hundred and fifty  
 could be sent in. - Number could be reduced  
 during summer - Small force will invite attack  
 Important that there should be as little delay  
 as possible - Inst Powell will go in  
 immediately - Will instruct Powell to accompany  
 him

Alex &amp; B Davis

Telegram

Victoria, 12 May, 1887.

Re: Hon. Sir John A. Macdonald  
Ottawa

Has Powell left? What force is  
being sent? Please answer

<sup>187</sup> Alex. B. Davie

Answer

Ottawa, 12 May '87  
To Hon. A. B. Davie

Powell is absent; will return  
in a day or two, and go west.  
45 men: no more can safely  
be spared.

<sup>187</sup> John A. Macdonald



277a  
87

Telegram

dated Ottawa, 14 May 1887

Recd. Viet., 14 " "

To A. B. Davie

Powell just returned here;  
am to see him today  
or Monday.

1887

John A. Macdonald

Agd. 15 May '87

---

Lt. Col. James Baker,  
Donald, B.C.

Sir John Macdonald Wms, - my  
45 Mounted Police can be  
spared. Do you consider  
there is danger in so small  
a force going in?

Powell will leave Ottawa  
in a day or so, and,  
with Powell, will proceed  
force.

(Sd)

A. B. Davie

---

200  
84

Donald

14 May 1884.

Sir

I enclose a copy of a letter just received from Father Fox just in reference to Indian matters

Last night there was a man named John McQuinty shot, supposed to be fatally by one James Ralkey who was drunk at the time and seems to have had a grudge in reference to some money lost at poker some few evenings since. This took place at Donald. - Every effort is being made to arrest the offender, but up to the present he cannot be found.

There is a great deal of Police business on hand from day to day, and it seems as if it would continue as the men in the Country belong to a very bad class, there are now <sup>five</sup> prisoners in not a good prospect of more soon.

It would be necessary to increase the Jail accommodation if the prisoners increase in number & I cannot carry on the Police duties without the assistance of Specials.

I am Sir

Yours Obedt Servt

(Sd) A. W. Cowell Esq  
Kootenay.

The Hon

A. G. B. Davie

Atty Genl

Victoria.

360<sup>1/2</sup>  
87

St Enquil Mission

6<sup>th</sup> May 1887

Dear Sir

I have only a few minutes to acknowledge the receipt of your favor of 23 April, just handed to me, the messenger goes away at once, I will explain to Isadore your wishes, when he comes back from Tobacco Plains: it is always a pleasure to me to do the little I am allowed to do in these matters if it can oblige you.

I never heard Isadore or any other Indian say you told them the murderers of the two miners would not be interfered with. Of course they say that as the white men and Indians who killed or shot at Indians were not punished nor even tried in some cases, the murder of the whites who are passed ought to be looked upon as a set off against the murder of Indians, and for the future take a new start, and punish equally white men and Indians when guilty.

For the present everything is quiet as usual amongst the Indians, I am sure the mass of them dread war with white men, and are anxious to avoid it, but it would be hard for me to say, what they would do if forced into it.

They seemed to be pleased when they heard you were coming by Sandy Point, I have very little doubt you could alone settle these difficulties if you could manage it alone.

I suppose you have heard that some of the North West Indians, have told the Kootenays last summer that

7

that if they go to war with the White Men they would  
join them. I could not say how serious it was at all  
events your prudence and Caution will save us  
from a new Modoc War! I rely on you for it.

Beffing your indulgence for the hurry of my writing  
Remain as ever your devoted Servant

Dear Sir

(sd) your devoted Servant  
L. Forequet

(To Mr Bowell)

O.K.M.S.

A.S.O.

p. 31

14 May, 1887.

To A.W. Rowell Esq.

Donald B.C.

Please inform me by wire where  
Colonel Baker is now.

Isidore / Ironing

51  
87

Victoria

May 19, 1887

From Donald 19

To P. A. Irving

Dep Atty Genl

Baker on Columbia River en route  
to Cambrook

(sd) A. W. Rowell

O.H.M.S.

A.G.O.

17 May, 1887.

Right Hon.

Sir John A. Macdonald

Ottawa.

Has Powell left.

If so, when.

18<sup>2</sup>/ Alex. E. Davie

—

18  
7/1

Victoria May 20. 1887

From Ottawa 20

To the Hon Alex E. Davie

Powell still here, will leave  
for home tomorrow.

(Sd) John A. Macdonald

Agg. May 20. 1887.

A. W. Powell,  
Donald.

Letter of instructions re  
Kootenay Wright's mail.  
Wire arrival of Powell  
Alex. E. B. Davis



Mailed, 20<sup>th</sup> May  
1887

AGO. 16<sup>th</sup> May, 1887.

A.W. Powell Esq.  
Donald.

Sir,  
It is the intention of the Dominion Government to despatch within a short time a force of Mounted Police into Kootenay. The Dominion Government has directed Dr. Powell to precede that force for the purpose, as I believe, of informing the Indians at Kootenay of its advent with pacific intentions and for the establishment of order. I am daily in expectation of telegraphic information that Dr. Powell has left Ottawa for Golden Ck., and it may be that he has already started.

It is the desire of the Provincial Government that you should accompany Dr. Powell to Kootenay for the same purpose, and also for the purpose - after the arrival of the Police at Kootenay - of acting magisterially in the matter of the rescue of the Indian Kapla by the Chief Isadore and his associates.

The Chief and a few of the principal ringleaders should be arrested and committed for trial for breaking jail and rescuing the prisoner; and, if the accused Kapla has not escaped across the Boundary, an effort should be made to effect his capture, so that he may be dealt with in the usual course of inquiry upon the charge of

2.

of homicide, and also upon a charge of  
escaping from jail.

You will have to instruct Constable  
Anderson to proceed to Kootenay for the  
purpose of giving evidence against Isadore  
and his associates.

While giving the above specific  
instructions you will of course bear in mind  
that, while they indicate what the Government  
deems advisable, there is left to you a  
general discretion.

I have to:

(sd/)

A. E. Davie  
Atty. Genl.

300  
84

Victoria B.C.

May 20 1854

From Donald M 20

J. A. E. B. Davis

Ally Pen

via

Td received what about Constables  
at Donald

Wm Bowell

319  
87

Victoria B.C.

May 23 1884

From Toronto Ont 23

To A. E. B. Davie, Premier,

Herchner reports to Ottawa, impossible  
for Mounted Police to go in to Wild Horse  
from Golden go by Crow's nest and take  
provision in that way Crow's nest trail  
obstructed with fallen timber etc

I am desired to ask if you will send a  
party out from B.C. side to clear trail  
will wait here until to morrow for your  
reply "Mara" here and approves

1841 J. W. Powell

To J. W. Powell  
Toronto

Instructions have been given to  
have trail cleared

A. E. B. Davie

May 23. 87

C.M.S.

A.S.O.

May 23. 1887

Isadore Powell  
Donald.

Dispatch received stating Ketchikan  
reports impossible for Mounted Police  
to go into Indian Horse by Golden.  
That Police go in by Crow's Nest Pass, taking  
provisions that way: that Crow's Nest trail  
obstructed by fallen timber; and requesting  
us to send party from British Columbia  
side, to clear trail. Unless you can  
adopt better course dispatch special  
messenger to Col. Baker, with  
letter conveying above information,  
and requesting him to have trail  
cleared at Government expense.

Alex: E.B. Davis

328  
87

Donald

23 May 1887.

Sir

I have the honor to acknowledge the receipt of your letter of the 16<sup>th</sup> inst, in reference to the action deemed advisable by the Provincial Government in dealing with the Kootenay Indians. etc. and beg to assure the Hon<sup>ble</sup> the Attorney General, that I shall spare no effort in having their views carried out satisfactorily

I have the honor to be

Sir

Your Obedient Servant

Arthur W. Bowell Esq.

Kootenay

The Hon<sup>ble</sup>

A. E. B. Davis

Attorney General. etc.

Victoria

AL

E. 72.

A.G.O.

24 May, 1887.

Jogamara,

Ottawa.

Necessary instructions to clear  
trail were given immediately.  
Telegram to Powell not  
delivered, as he had  
left Toronto.

Davie

341  
/87

Donald

25<sup>th</sup> May 1884

Sir,

Your telegram respecting the clearing out of  
"Crow Nest Pass" trail rec<sup>d</sup> this afternoon -

I have already  
taken steps to have your instructions carried out.

I see no impediment however in the way of the  
Mounted Police going in via Golden City, especially  
as I have had that trail cleared out fully expecting  
that that route would be adopted. -

I have the honor to be

Sir

Your Obedient Servant

A. W. Powell L.M. Esq.

Kootenay

The Hon

A. G. B. Davie

Atty Genl  
Victoria

pc



E. 49

A.G.O.

28 May, 1887.

R. Hon:

Sir J. A. Macdonald

Ottawa.

Novell reports Golden City  
trail clear.

Davie

A.G.O.

28 May, 1887.

J. Amara

Ottawa.

Novell reports Golden City  
trail clear.

Davie

324  
84

Operator at Toronto Ont.  
to operator at Victoria B.C.

Victoria 26 1884

To Vic

Letter to J. W. Powell signed Devin  
of to day undated. Powell was staying at  
Queens but left for Port Arthur before  
msg recd. Toronto Ont 25

367  
87

Victoria B.C

June 2 1887

From Ottawa Ont 30  
To Hon G. A. B Davis

Via

White has wired the Commissioner Golden trail  
open. Government still think it advisable to  
open Crow's nest pass and with clear trail  
to Summit

(S<sup>d</sup>) J. A. Mara

To Mara

Crow's nest is being cleared

Davie

June 2 '87  
AGP.

398  
84

Donald

3 June 1887

Sir

I have the honor to acknowledge the receipt of your letter of the 30<sup>th</sup> inst. in reference to Res-  
-pective Salaries of Constable Dennis Anderson

There being a man at present in Kootenay and Comestable who was with Con. Anderson at Wild Horse Creek when Isadore released the Indian Prisoners perhaps it may not be necessary for Anderson to be brought up as a witness, and to save much expense. The man's name is Lundy, and he was employed as Special by Anderson on several occasions, and was the principal actor, I am given to understand. When Isadore and the Indians appeared at the Park at Wild Horse Ck.

I have the honor to be

Sir

Your Obedt. Servt.

(H) A. W. Dowell L.M. etc  
Kootenay

P. A. Irving Esq  
Dep. Atty. Genl.  
Victoria  
P. A.

405  
87

Victoria B.C.  
June 14/87

From Donald B.C. 14  
To P. A. Irving S.A. C  
Vic

Powell at Golden Thursday on direct I leave to  
Morrow to get things in order what about Dennis  
is there any change in general programme  
(see) A. W. Ho

Victoria, 13 June, 1887. 40.

W Powell Esq,

Stipendiary Magistrate

Donald

Sir

Referring to my letter of instructions of 16<sup>th</sup> May last I beg to inform you that I Col Powell who has recently returned from Ottawa, has had several interviews with the members of the Executive relative to the Kootenay matter and that he now proceeds to Kootenay and will be accompanied by Col Herkimer.

I repeat the wish of the Provincial Government that you should accompany them and ~~on~~<sup>in</sup> the line of conduct indicated in my letter above referred to should be followed. At the same time should it prove impracticable you will be governed by circumstances and in this you will understand, so far as the Provincial Government is concerned you have full discretion. It is also our desire that you should consult with Dr Powell with regard to any step that may be taken. He will inform you of the movements of the mounted police -

I have &c

A. B. Davie ~~P. H. Irving~~

Attorney General, ~~1887~~

At Vancouver by S.M.  
Donald.

Sir

Referring to your letter of the 3rd June instant, I have  
the honor to inform you that Constable Anderson is the  
proper person to lay the information against Sidne  
and others. Constable Anderson must go to Kootenai  
at the proper time and give his evidence

I have &

P. A. Irving  
W. A. G.

13<sup>th</sup> June 1887

A.G.P.

June 15<sup>th</sup> 1887.

Mr Vorrell.

(1) Donald. and (2) Golden City

Better leave Dennis until  
Giffen arrives. You can take in one or two Special  
Constables as you deem necessary. Letter mailed  
last Monday

A. E. B. Davis.



Rec?

419  
87

Victoria B.C.  
June 16. 1887

From Ottawa Ont 16  
To A. E. B. Davis  
Vic

Kowall wires, unless Reser's Champed Indians  
will fight, says they may as well be killed by  
powder and ball as be starved to death. Troops  
must come in or consequence serious, and  
irreparable. This telegram is inconsistent on its  
face. Who are the Indians if troops don't go  
in, but it throws all responsibility and blame upon  
Reser for not enlarging Reser's. Sir John says police  
are ready and is only waiting for reply from Washington  
to meet them

1887 J. A. Mara

Victoria, 16 June, 1887.

To Samara,  
Ottawa.

We have never objected to enlarge Reserve  
and in our minute to Dominion fort-  
pointed out necessity of re-adjustment  
in order to remove discontent. Powell  
knows we are willing to make any  
reasonable enlargement that may be  
recommended. We certainly considered  
that, before dealing with the reserve  
question with the Indians, the fact-  
-breaking business should be disposed  
of by arresting Isidore, - unless deemed  
impracticable, - concerning which our  
instructions give full discretion.  
Please shew this to Sir John.

(S<sup>d</sup>.) Alex. E. Davie

420  
84

Victoria

June 17. 1887

From Golden City 15

To A. E. B. Davie

Atty Genl

Via

It is of the greatest necessity that the recently  
five Mounted police should be sent to  
Kootenay with out delay.

Wm James Baker

M. P. P.

Lt. Colonel

E. 202

A.G.O.

17 June, 1887.

R. Hon. <sup>the</sup> Sir John A. Macdonald,  
Ottawa.

Following is copy of telegram just  
received from Col. Baker, of Kootenay:-  
It is of the greatest necessity that  
the 75 Mounted Police should be  
sent to Kootenay without delay.

Alex. E. B. Davie

E. 203

A.G.O.

17 June, 1887.

Lt. Col. Powell  
Jensen.

Following is copy of telegram just  
received from Col. Baker:-  
It is of the greatest necessity that  
the 75 Mounted Police should be  
sent to Kootenay without delay.

Alex. E. B. Davie

421  
84

Telegram from Operator at Golden  
to Operator at Victoria

No. 34th Sent by R. O. by  
B. M. S.

Time 35.3 pm Victoria B.C. June 14 1887

To Via

Quay Howell and Dr Powell have  
left for Kootenay ~~unsuccessful~~  
Messages undelivered  
Golden B.C. 14.

429  
54

No	Sent by	Rec by
76	Jf	JW

Time 8.45 p      Victoria to June 18. 1884

via

Powell and Dr. Powell left for  
Kootenay. Thursday.

Col Baber not seen  
Messages undelivered  
Golden to. 18.

430  
87

Golden

16<sup>th</sup> June

1884

My dear Sir

Dr Powell joined me here this eve also  
Col Huchmes, he leaves on Thurs tomorrow at about  
4.30 am -

Mr Rippen not having arrived, and  
my not having rec<sup>d</sup> any notification of Mr Dennis  
appointment to W. H. C. U (as a thing consummated),  
I have left him at Donald to await instructions  
from you. Should Mr Rippen not arrive before you  
think it advisable that Mr Dennis should leave  
please instruct Mr Redgrave to get a fit and proper  
person to act as Paoler etc. pro tem.

I rec<sup>d</sup> the Hon

Atty Genl instructions, will do my best towards  
Carrying them out, to send the views of the Govt.  
and am very glad to know that Mr Davis is at the  
to be about again. Mosquitoes bad, and things  
unhandy here.

So excuse this scrawl.

Faithfully Yours  
(sd) W. Bowell

P. A. E. Dennis Esq  
St. H.  
Victoria



447  
87

Victoria B.C.

June 20<sup>th</sup> 1887

From Ottawa Ont 20  
To Hon A. & B. Dowie

Rec

Orders will be sent today to Col Herchum  
to move Police at once.

J. A. Mearns

A.G.O.

21 June, 1887.

To O.G. Dennis  
Donald.

Send Special messenger to Powell  
with following message: -

J. Amara wires that order  
was sent 20<sup>th</sup> instant  
to Col. Herchner to move  
Police at once.

Alex: E. P. Davie

(Answer at once.)

448  
87

Victoria

June 21 1857

From Donald 21

To Hon A. E. B. Davis

Messenger leaves at once with

your message to Powell

Wm. C. G. Dennis

490  
87

Wild Horse Creek  
24<sup>th</sup> June 1887.

Sir

I have the honor to report that I, in company  
with Lt Col. Powell and Herchmer, arrived here  
on the 23<sup>rd</sup>

Since arriving nothing has come to light  
of any importance as bearing upon the Indian  
question.

We have not seen Isadore as yet, owing to  
excessive water, many bridges have been carried away,  
and consequently travel in many places within a  
radius of 20 or 30 miles is not only difficult  
but dangerous.

It is our intention, as soon as we  
see Isadore and arrange for a business talk to  
proceed to Tobacco Plains and see the Indians  
at that place.

The few Indians we have seen seem  
rather bold and saucy, and have refused to take a  
letter to, or from a white man unless told to do  
so by Isadore, I have also been informed that the  
Indians do not intend to work for the Whites in future.

The Mosquitoes are very bad.

I have the honor to be

Sir

Yours Dot Servt.  
Ed. A. W. Cowell

The Hon

A. E. B. Davis

Atty Genl

Victoria

481  
87

Victoria B.C.  
July 5<sup>th</sup> 1884.

From Golden 5  
To Hon A. G. B. Davin  
Premier

via

Arrived here this morning after very satisfactory  
visit. Isadore and Chief Men pass me three bond  
to deliver. Kaples when expired, no further trouble  
anticipated. Powell remained at Wild Horse Creek  
will arrive, Victoria Thursday and inform you  
fully

1841 J. W. Powell

488  
89

Victoria

July 8<sup>th</sup> 1887

To

The Honourable

The Attorney General

+ + +

Sir

I have the honour to lay before you the opinions expressed to me by many of my Constituents in the Upper Kootenay Valley, upon the vexed question of the Indian Reserves.

As you are aware, the Indians for several years past have been dissatisfied with the Reserves set apart for them, and have maintained that it is insufficient for providing winter grazing for their stock.

They have in consequence, grazed their Cattle and horses over various portions of the Valley and when White Settlers came in, and took up these portions of land, it produced quarrels and disputes between the two races. In these disputes the Indians were always able to hold their ground for the simple reason that there was no civil force or recognised authority to remove them.

Finding this to be the case, the Indians became more and more arrogant and oppressive until affairs culminated in the late disturbances.

Dr. Powell the Indian Commissioner arrived in the Valley on the 28<sup>th</sup> ult together with Mr. Powell  
and

T

and Colonel Herchmer of the Mounted Police.

It was confidently expected by the White Settlers that the advent of Dr Powell would finally settle the reserve question to the satisfaction of both Indians and White Settlers, but great was the disappointment of the latter on finding that he had left the Country without any definite arrangement being concluded in consequence of his not having been armed with sufficient authority by his superiors. So that practically the settlement of the difficulty has not been advanced and the position of affairs remains as critical and unsatisfactory as formerly. -

The introduction of the Police force has produced a salutary effect on the conduct of the Indians, and the moment is now favorable for concluding a definite agreement with them, as to the extent and locality of the reserve, which may prove entirely satisfactory to all parties concerned.

A solution of this question can no doubt be formed by enlarging the present Reserve, so that it may extend from the St Mary's river to I Rookum Creek, and by insisting that the whole of the Indian stock should be confined to this reserve.

This would at once do away with any chance of friction between the two races and it would perfectly satisfy the Indians.

The land specified has admirable natural boundaries for preventing the straying of Cattle and horses.

It is bounded on the East by the Kootenay  
River

river, on the South by the St. Mary's River, on the North by the St. Kookum Chute, and on the West by the Selkirk Mountains.

The total area of grazing lands, inclusive of the present reserve, would be about one hundred and twenty thousand acres. The Indians have at present about four thousand head of Cattle and allowing thirty acres of grazing to each head of stock. which is only five acres more per head than the area fixed by the Cattle Association in the North West than the grazings are far superior - this would make for the four thousand head a grazing area of one hundred and twenty thousand acres about equal to the proposed Reserve.

The Winter grazing on this large area composed of hay meadows & - is now held partly by the <sup>present</sup> Indian Reserve and partly by Mr. Mather and Mr. Boyle, who are White Settlers - the consequence is, that the large balance of land which is summer grazing only, has not been taken up, and will not probably be taken up by White Settlers because it does not afford the necessary winter grazing, which is now in the hands of the Indian and Messrs Mather and Boyle.

If these lands are granted to the Indians as their Reserve it would be necessary to buy out Mr. Mather & Mr. Boyle and this can be done for thirteen thousand five hundred dollars - Ten thousand dollars, was to my certain knowledge offered and refused last year for Mr. Mather's ranch and he has made considerable improvements upon it since.

Although the area of land suggested as



a reserve is large, it must be remembered  
that the Indians would have to confine all their  
stock to it, which is the main object to arrive  
at, in order to prevent future disputes, and to  
permit the white settlers to improve their breeds  
of Cattle and Horses.

Unless this suggestion is  
carried out, it will be necessary to keep a Police  
force permanently stationed in the District.

I have the honor to be  
Sir

Your Most Obedient Servant  
(sd) James Baxter

Lt. Colonel  
M. P. P. Kootenay District

511  
87

Wild Horse Creek

2 July 1887.

Sir

I have the honor to report that Dr Powell  
Col. Herchmer and myself, arrived in this  
vicinity on the 23<sup>rd</sup> ultimo.

Since our arrival we  
have had several interviews with Chief Isidorou  
and his old men whom he styles as "Sheriffs."  
Dr Powell will report fully upon the nature of  
our interviews, and upon the result.

I may state that  
Isidorou has been very plausible regarding  
reasons assigned for his action in removing prisoners  
from Fort.

There is at least to be considered in his  
favor that no damage has been done to the Govern-  
-ment Building (Fort), save the breaking of a  
staple or drawing and that he really met with no  
opposition while doing so.

Con. Anderson merely  
said that he would not give the prisoners to him.  
The conversation being held in the office a distance  
from the Fort, but nothing further, from what we  
have learned, it also appears that Isidorou did not  
have any weapon in his hand when talking to  
Anderson, whom he acknowledges to have abused  
in

The Hon

A. E. B. Davie

Atty Genl etc  
Victoria

T

language.

Kapla and the others accused with him is still in the Country, and will be delivered up, when wanted by Isadore, -

Dr. Powell and Col Hechman left this morning en route for Victoria.

When the Mounted Police arrive I will proceed against the supposed murderers, and if after hearing Dr. Powell's report, it should still be the desire of the Govt against Isadore and his men for rescue of prisoners and forcing open of Park.

That the rations at present allotted to Isadore and his tribe is far too small for their seasonable requirements I have not the slightest doubt.

I am afraid that my being absent from Donald, may cause confusion regarding the conduct of Public Govt affairs generally.

However I must obey my instructions and remain here, I don't know for how long.

I have the honor to be  
Sir

Your obedt Servt

A. W. Bowell Esq

14<sup>th</sup> July 1887.

Mr Harry Anderson  
Rogers Pass.

Sir.

You will proceed to Wild Horse Creek by the first opportunity, to give evidence at the preliminary hearing before the magistrate of the charge against the alleged murderers of Helton & Kemp.

Mr Dennis who goes in at the same time will notify you of the day of the departure of the steamer from Golden City.

I would be obliged to you if before you leave you would advise me of the necessity of placing a constable at Rogers Pass during your absence and if there is any one at that place who would act as a special

I have the honor.

~~Yours~~

P. A. Irving.

British Columbia

514  
87

626.2

Indian Office  
Victoria July 13<sup>th</sup> 1887.

Sir

With reference to my conference with the Provincial Government prior to my visit to Kootenay with Col Herchmer and Stipendiary Magistrate Mr. Powell, upon the troubles existing there, on account of which it was decided to send a Company of Mounted Police into the district, I have the honor to furnish you with a copy of my report to the Hon the Supt Genl of Indian Affairs, the matter being one affecting the action of both Governments.

I have the honor to be  
Sir

Your Obedt Servant  
(sd) D. W. Powell  
Indian Superintendent

The Honorable  
The Attorney General  
Etc. Etc. Etc  
"

Recd. ackn<sup>d</sup>. 15<sup>th</sup> July 1887

British Columbia

627. 2

Indian Office  
Victoria July 13<sup>th</sup> 1887

Sir,

I have the honor to state that in pursuance of your verbal and telegraphic instructions, I left this City on the 13<sup>th</sup> ult. for Kootenay to enquire into the difficulties existing in that District between the Indians and white settlers, to report to you upon the necessity of sending a Detachment of Mounted Police there for the maintenance of peace, and to apprise the Indians in advance of the object of the Force - and that its presence in the District was not intended for any interference except that which might be necessary for the preservation of constituted authority.

It will be remembered about two years ago two white settlers were murdered on the trail, not far from Golden City, and that suspicion fell upon two young Indians belonging to Isadore's band named "Kapla" and "Young Isadore" who were accused of being the murderers.

In March last "Kapla" was in the Indian Camp at St. Marys and Mr. Constable Anderson with five specials arrested and imprisoned him in the Provincial Gaol at Wild Horse Creek, on the authority of two warrants issued by Mr. D. G. Service and Mr. M. Phillips two local justices of the peace. In a few days afterwards, the Chief Isadore with fifteen or twenty Indians of his band appeared at the Gaol and demanded the liberation of Kapla upon the plea that he had been improperly arrested. Upon refusal of Mr. Anderson the outside door of the gaol was broken in by the Indians when he (the Constable) unlocked the cell door and permitted the prisoner to escape.

Prior to my departure from Victoria I had several conferences with the local Government upon the matter, and it was arranged that the Stipendiary Magistrate was to use his discretion after conference with me as to the course most proper to be pursued with regard to Isadore, and the re-establishment

of authority in the district. We.

I went by the Canadian Pacific Railway to Golden City, where by previous arrangement I met Col. Woodman and Stipendiary Magistrate Vowell, and we proceeded together by boat to the Columbia Lakes, where I had the honor of telegraphing you as to our progress. At this point horses were in waiting for us, and we at once started for Wild Horse Creek, arriving there on the 24<sup>th</sup> ultimo.

I sent a messenger to Isadore to apprise him of our arrival, and on Sunday 26<sup>th</sup> he with a few of the Principal Indians called to pay his respects and to state, that he would willingly meet us whenever we were ready to receive him - We appointed Tuesday the 28<sup>th</sup> ult and having obtained the services of Francis a Kootenay Indian as Interpreter, assisted by the Rev. L. Fouquet - we duly met Isadore, and a number of representative Indians, according to agreement.

I then addressed them, calling Isadore's attention to the fact that I had <sup>visited</sup> ~~assailed~~ him last year for the purpose of enquiring into his alleged land difficulties, that I had carried copies of his speeches made on that occasion to the Government and while they were being considered, I was astonished to learn that notwithstanding his expressions of Loyalty, that he himself with a number of armed Indians, had been guilty of breaking the law, and had incurred the risk of very serious punishment in forcibly taking Kapla from legal custody. I had visited Ottawa upon this business and the Government was anxious to hear what he had to say in extenuation of so grave a crime. That he must know that the law would be rigidly upheld, and that no man whether he be a white or Indian Chief would be allowed to interfere with it. That only one man had been stationed here as a constable, because the Government ~~intended~~ depended upon the loyalty of both whites and Indians to uphold authority, but if this were not enough and it appeared necessary that the government were able and determined to fill the district with soldiers, but I was to tell both whites and Indians that the presence of such a force was merely for the maintenance of law and order, and beyond this there would be no interference with any one. That I was grieved to learn that Isadore who held a responsible position among the Indians, and was looked upon

upon by the whites, is a great Chief, had incurred grave penalties by his conduct in this matter, but I had come up here, as his friend, and if he were governed by my advice, and could explain his action satisfactorily, I would use my influence with the authorities at Victoria and Ottawa in his favor, and in mitigation of his great fault. &c. &c.

Madore then made the following remarks which were taken verbatim, and shew the reasons by which he felt impelled to take the law into his own hands.

" You are two Chiefs - I will tell you my heart -  
 " You see our body is small - It is not strong, and we try  
 " to follow the straight road - I know nothing about  
 " writing - I have no paper, still, I do not forget, although  
 " according to the ways of the white man there was something  
 " wrong in breaking the door of the goal. I thought it was  
 " right under the circumstances. I know on the side of the  
 " white man it was wrong to break the door, I did it to  
 " keep my people good - to keep them from doing something  
 " worse.

" Two years ago, Mr. Vowell said to me your people  
 " have killed two white men - I told Mr. Vowell that I did  
 " not see it with my own eyes, but I had heard it.  
 " Twice on two occasions, I said the same thing to him -  
 " Mr. Vowell told me a paper had come from the Big  
 " Chief, and in a month and a half he would come back.  
 " He did not come back in that time. Mr. Vowell told me  
 " he had not seen the deed (murder committed) but he had  
 " seen the bones - that none of the white men had seen  
 " the deed. In a month and a half he (Mr. V) would come  
 " again, and if nothing was transpired the <sup>1<sup>st</sup></sup> paper would  
 " be destroyed - and if he could find out nothing more  
 " no further proceedings would be taken - One year passed  
 " we did not speak of it - Last year Mr. Vowell came  
 " with you, he did not speak of it - Two years passed we  
 " did not speak again - Last winter after Mr. Vowell left  
 " the Constable arrested one of my people, during the winter -  
 " Why did he do this? Mr. Vowell had not spoken of it.  
 " I came here to see the Constable, I asked him, what  
 " Chief told you to arrest the Indian - He replied that  
 " a paper had come to him from below (Victoria) that was  
 " the reason.

" I said, tell in the name of the Chief, The Constable refused  
 " to go to him again, tell us the name, he would not -  
 " If you will not tell us the name we will take the name of  
 " (prisoner)



"prisoner out of gaol. The Constable said it is not I  
 "who has received the paper (to arrest the boy)  
 "Mr. Aylmer received it - I said, why did you  
 "put that man in gaol, he answered, you know  
 "why I did it, two white men have been killed  
 "at Columbia Lakes - that is the reason I arrested  
 "him - I said, who saw him kill the white man -  
 "Name of the Kootenays have seen it. If you tell me  
 "the white man saw him do the deed all right -  
 "If not I will take him out of gaol - He would  
 "not answer - I said Mr. Vowell does not know,  
 "I don't know. If you don't know, I will take  
 "him out of gaol. The Constable then said,  
 "who is the chief to whom you spoke twice and  
 "who was to speak to you a third time, I said.  
 "Mr. Vowell.

"He then said. I'll keep the prisoner -  
 "I want hide from you Chiefs what I then said  
 "look over the land, how many white men have  
 "the Kootenay killed - Look at this place, there  
 "is the blood of a Kootenay, it is the white men  
 "who spilled it. We have seen this with our own  
 "eyes"

"The white man (murderer) went down below  
 "for trial, we thought he would be killed  
 "(executed) the white Chiefs said so, not  
 "long after he returned - Another white man  
 "struck an Indian - Mr. Vowell asked was the  
 "Indian in the white man's house - Yes - I  
 "don't know how long ago on the prairie (at  
 "Fort McLeod) white men killed two Indians  
 "because they thought the Indians had fired  
 "the prairie - Three white men have killed four  
 "Indians - all this I told the Constable (Anderson)  
 "There are other cases of Indians being killed  
 "I do not speak of - The Indians have never  
 "forgotten it - I told Anderson, Mackay was  
 "a cousin of the first Indian killed - The white  
 "man told the murdered Indian's father, he  
 "would pay but he did not, Mackay remembers  
 "this, the next one killed was a brother of  
 "Mackay, the man you put in gaol is a son  
 "in law of Mackay, and you are sure to have  
 "trouble.

Maahy did not tell me, but I knew he would give trouble because he had a great many relations, and for a long time I have heard him express the bad feeling, the bad feeling he had on this account. I told him all these things because I thought he did not speak straight to me. I said, as you don't give me any reasons for arresting the Indians I will take the key of the goal, I took a key, tried the door, it would not open it. An Indian then took an axe and broke open the door - The Constable then came and opened the cell door - You three Chiefs now know what I have done and my reasons for this - After all this was over I heard that the Constable said I was armed and threatened him - I only laid my hand on his shoulder to direct his attention to my words - Afterwards I saw Aylmer, and I asked him, did you get a paper from below he said "No" it was Anderson got the paper.

When I saw this contradiction I knew they were lying. I knew therefore that there would be trouble in the country, and that they better had better leave."

Ques. You said a while ago that you were not armed when you liberated the prisoners - were any of those who came with you armed?

Ans. There were seven who had arms - I always carry my revolver but I did not draw it, this is what I mean when I say "I was not armed"

In reply, I informed Sadore, that I was glad to hear that when he committed the crime of breaking the goal that he had no intention of breaking the law, and his words should be conveyed to the Government, as he had given them to me. I could not say that he would not be punished, but he would have to prove his sincerity by something more than words, Kapla would have to be returned at all hazards, and as their friend, and as their friend and adviser, I looked to him and his good Indians to bring the prisoner back; and his prompt return by them was the only consideration upon which I would hold any further communication with them after today. I further reminded the Indians of their duty to maintain the law, which was for their own protection as well as for the Whites.

Sadore appeared sullen and very firm in an attitude of independence, I however stated that I would no reply now but I would give them two days to confer with each other and then I expected them to return with a positive answer as to whether they themselves would bring back Kapla or not.

Our

Our meeting occupied the whole day, and it was very late, after a long and acerbic debate among themselves in respect of our ultimatum, ere they left the village.

Our second conference took place on the 1<sup>st</sup> instant when the following reply was made by Theodore, after some remarks from Mr. Towell.

"The other day before the three Chiefs, I barked from my heart, straight, today I will do the same - Among my people there are some have one heart, some another. They are not all of the same mind. I don't know how many are straight and good, I don't know how many here do right - When I was first a young man I became a Sheriff (watchman) since that when I heard any Indians had done wrong I tried to find out, Indians were afraid, and would often try to hide their actions - After I became Chief it was the same. I had the same difficulty - The Sheriffs are with me today, a long time ago we were strong - Sheriffs are not so active or vigilant now. There are so many associates among Chinese and bad white men that it is difficult to detect any crime - When they do wrong, they hide it - You Chiefs when your own people do wrong, your sheriffs (constables) often cannot find out or trace a crime, it is the same with me - When I broke the gaol I did wrong - I knew a little it was wrong - My Sheriffs did not know it was wrong - Thus I made a mistake - Part of my people are good, part are bad - I was afraid the bad would make trouble - This also made me think I was doing right - You have told me I was wrong. My old people are mostly good, the youths and young men are foolish and have not so much sense, they are often unmanageable - That is another reason why I thought I was right in breaking the gaol - Lately white men and young Indians have done wrong (alluding to the shooting at Humphreys) - you know how it is they are foolish - In this instance, you told us what the whiteman said, but it is not correct - They don't tell you the truth - My younger men also don't tell all the truth - The white men told you they fired in the air. The Indians say, the three shots were fired at them - two different stories - The white men who fired ran away from the country, and you can't find out how it was done - My house is in one place, some Indians in another - I am here, they are scattered - Most of them are with Patrick (Bummers Hat) I know what is going on among those with me but not with others. I have seen two Indians on the road when going from here - They told me, we would like to know your heart - I said - what do you want to know? What has

has

7.

"has the talk been about, they said. I said the Chiefs have said  
"Kapla must come back here, one said what do you think about  
"it, I said my wish is that Kapla should come here. One said  
"All right, I know your wish, I will travel the whole night and  
"go for Kapla - I said that is good - He then went, Now, I  
"don't know if Kapla will come or not. All who were with me  
"want Kapla to return - As to others I don't know what they  
"may do - This is all I have to say about this."

Mr. Towell then said. We have heard your  
"speech and it is very good that you should want Kapla to  
"return. We have heard what you said about two men going  
"for Kapla, you don't know if they may succeed - Now you  
"are Chief - if two men cannot do it you have the same  
"power to send ten or twenty men if necessary that you had  
"to come and liberate Kapla - If the men you said are not  
"enough I will send good white men (Constables) to help you,  
"if young and foolish Indians, prevent you from apprehending  
"Kapla

"When people hear that you are Chief, it is considered that  
"you have full control over your Indians, When, as a father,  
"he sends to any one of his children to do anything and there is  
"any disobedience they should be punished - If you are able  
"to punish them, you should be glad to get assistance to do  
"so, If they do not obey, you no longer are Chief over them -  
"When we talked to you our heart, was not that you were to  
"bring Kapla today as I am not prepared to go into the case  
"as I have no witnesses nor papers - My wish is that Kapla  
"should be forthcoming when I am ready to go into the case  
"We have no desire to keep Kapla locked up till then.

After informing the Indians of the nature  
of an arrest, that it did not necessarily imply guilt on the  
part of a person, who might by chance, be arrested, and of  
the process of commitment, I stated that I could not wait  
until Mr. Towell was ready to try Kapla, as I was obliged  
to leave. I wanted however to enquire to the authorities at  
Victoria and Ottawa, Iadore's promise to deliver the  
prisoner when wanted, and I should therefore require some  
written agreement, duly witnessed by the Indian sheriffs  
present, to such effect, and a document of which the  
following is a copy was at once signed by the Chief, and  
the business for which we visited Cold Horse Creek was  
thus completed.

I. Iadore, for myself, and my good people, in  
whom Deau trust, hereby agree to use my utmost endeavours  
to hand over to the Provincial Government authorities

one Kapla whom I said my people with good intentions towards the Indians released from gaol at Wild Horse Creek Kootenay, last March when the said Kapla may be so required to appear upon the charge upon which he was originally arrested -

Ed Isadore <sup>his</sup> mark

Signed at Wild Horse Creek on the 1<sup>st</sup> day of July 1887  
in presence of (J<sup>d</sup>) d. Touquet.

- Francis his mark X
- Josephusama " X Chief men of
- William " X the Band
- Jerome " X
- Laurent " X
- Patrick " X

Witness to above marks  
(J<sup>d</sup>) J. W. Powell  
Supt. Indian Affairs

Before dispersing however, Isadore said he wished to recall the object of my mission last year, and that he now desired a few words from me about his land difficulties. Question by Isadore after business was finished.

" I wish you would now talk about the land. Last year you came & told you about the Reserve given to me was too small - I would not agree to it because it would not be long before my animals would starve. We do not work much because this matter was unsettled. There are many Indians who wont work or farm because the land is too small. All the arable land is taken up and many cannot get any - It will be good for you to give us a larger Reserve so that Indians can feel that they can work, and keep their animals from starving. You told me to talk, that is the reason I talk, you of our small Reserve - If you wish to settle it quick, you will do so. The field I worked for a long time - The white man says it is not my land - I do not like to work it when it is uncertain - I prefer to my land on Joseph's prairie and on the flat - The Reserve is too small, I cannot go on to it with my horses and cattle - There will always be trouble because I have no place to put them."

A long talk followed, during which I explained to Isadore that I was <sup>not</sup> authorized to deal with any Indian lands, but I would certainly make his complaints known, I knew that the Indians laboured under great inconvenience in not having an agent here who would remain with them, take a census of their numbers and stock and find out their requirements. To meet this difficulty, I had appointed Mr Phillips as their resident agent and his head quarters

would be in this locality. This present reserve appeared too small, and as soon as Mr. Phillips had required all the evidence necessary for a reconsideration of the matter, I would ask the attention of the government thereto.

That Mr. Phillips would accompany me to Columbia Lakes where I wished to meet the upper Kootenay and Shuswap Indians, but would return immediately and be available to advise the Indians and make their reasonable wants known. This gave the Chief and those present great apparent satisfaction, and after a shake hands all round and the best good feeling being conveyed over a luncheon and the pipe of peace, during which I advised them to follow the example of their white brethren in making money by supplying the soldiers if they came to Kootenay and colloquy terminated agreeably to all concerned.

In regard to the appointment of a local Agent, I may state that it was necessary that someone should be selected at once, especially in view of the immediate coming of the mounted Police, and the urgent complaints and dissatisfaction of Seador's Indians as to their Land Reserves. The gentleman named is a Justice of the Peace, a very old resident of Kootenay, having been for a lengthened period in charge of the Hudson's Bay Company's business in that district.

Mr. Phillips with his family lives at Tobacco Plains, whither I had sent for him on my arrival, but he will devote his whole time to the Agency, and for the present, reside at Kootenay Ferry, a very central point, in the midst of Seador's Indians, where he will erect a log-house to be used for office and living purposes. The prompt election of Mr. Phillips during my visit gave general satisfaction and I consider the Department fortunate in securing his services.

From Wild Horse Creek, I proceeded to the Upper Kootenay where I met by appointment the Indians resident there with old "Mogeeas" who is really head Chief over all the Kootenays.

Mr. Phillips interpreted for me, Mogeeas expressed his regret that there had been trouble, but at the same time his confidence that the government would make it all right. The Upper Kootenays are all doing well and have a thriving settlement.

They are satisfied with their Land Reserves, and our meeting terminated most satisfactorily, some fifty or sixty horsemen with Mogeeas, accompanying us to the steamer landing to wish us "Bon voyage" on our return to Victoria. J.

10/

I cannot help thinking that the fears of an Indian uprising, have been somewhat exaggerated, probably from the fact that no Chief Officer has visited the District since the gael trouble occurred. From the fact that no arrest of the Indian Kapla was made during the presence of a stipendiary magistrate for the last two years, and also that considerable prejudice on the part of both Indians and Whites prevailed against Mr Anderson, Isadore imagined that there was no proper authority in the District for arresting Kapla. Again, there can be no doubt that there has been much laxity of justice in that distant portion of the Province in times gone by, and the mention by Isadore of several Indian murders by White men who escaped punishment, is another reason why the Kootenays feel very keenly upon the unfortunate matter now under discussion. Under any circumstances, Isadore informed me that he only awaited the advent of proper authority to explain his conduct and submit his reasons therefor.

Should Isadore fulfill his agreement with me of delivering up the accused prisoner when required to do so - and I think an enquiry should be promptly held by the magistrate. no proceedings, should be taken against him with a view to his punishment. He is a proud and unyielding Indian, who enjoys the reputation of having been a successful in the Blackfeet wars, and the humiliation of having to bring back a man whom he set free, is in itself a pretty severe penalty.

Moreover, in the eyes of the Indians, it is a complete vindication of the law.

With regard to Isadore's speech upon his land difficulties, there cannot be the least doubt that they should be promptly admitted - My own and the impression of those with me was that the reserve at St Mary's is inadequate for the requirements of the Band, on account of the great quantity of useless and stoney ground, of which it is largely composed.

This opinion appears to be shared by all the settlers in the vicinity, with whom I conversed, and this evidence is further confirmed by the Indian Department Surveyor, who last summer surveyed the land.

Isadore himself is a man of considerable wealth in cattle, horses, &c. and cash, realised therefrom, being estimated at not less than \$30,000.<sup>00</sup>

It seems to me quite out of the question that

that this man could leave the place he has always occupied (lately taken up by Col. Baker) on the Kootenay bottom, where he obtains his winter supply of food, and remains with his stock, to starve on the Reserve at St. Marys. He will not do this, and I do not think he should be driven to such a suicidal act. If possible, this land should have been reserved for him, but if not, I am quite sure, some other provision will have to be made, and even if an expense of buying out some settler's ranch has to be incurred to accomplish such an object, believe me, it is by far the most economical mode of settling the trouble. Were this done, I have no hesitation in assuring you that no expense such as sending in Mounted Police would have to be met to ensure peace and good government in the locality, and there would be a contented and progressive band of Indians instead of a discontented and sullen tribe who now believe themselves, not without great reason, the subjects of tyranny and oppression.

On my arrival at Wild Horse Creek, I was apprised that a company of U.S. Infantry had arrived at the Tobacco Plains Border, which for the present, would prevent the passage to and fro, of renegade Indians, and also put a stop to the illicit Whisky traffic which had been carried on there. It appeared therefore desirable that our Mounted Police should go in if the civil trouble is disposed of and as arranged, but the land difficulties adverted to now, and in former reports, are promptly adjoined; the force can in my opinion be safely withdrawn at any time.

I entrusted Mr. Phillips to obtain a census of the Indians and their stock, and personally to seek out and report upon any difficulties existing there and the best solution of them.

The Shuswap and Upper Kootenays are capable of great improvement, and if this office can stimulate them to further advancement in utilizing their fine reserves, and increasing their stock, it will not be long ere his presence is productive of benefit to the discontented Indians of his Agency, and consequent satisfaction to the Department.

Col. <sup>2</sup> Kerchner and I arrived at Golden City on the 5<sup>th</sup> inst where we saw the Mounted Police in camp ready for the march up river. They are a fine body of men, under an efficient officer, Major Steele and I have no doubt their presence in Kootenay will have a salutary effect in the preservation



12/

preservation of law and order, and increasing  
the respect of both Whites and Indians therefor.

I returned to Victoria on the 8<sup>th</sup> inst with  
the impression of having secured better results from an  
official visit than I could have hoped for under the  
circumstances: and which, (I need scarcely add) I  
indulge in the hope will meet with your full approval

I have the honor to be

Sir

Your obedient servant  
Supt. J. H. Poorell.  
Indian Superintendent.

O. G. Dennis . Donald.

Don't leave until further orders.

Irving

A.G.O.

17<sup>th</sup> July 1887.

Mr O.G. Dennis

Donald

Sir

The Government will send in by you some despatches of importance to Mr Powell

You will not leave Donald until you receive them.

Yours obediently

P. A. Irving

Dep. A.G.

A.G.O.

12 July '87

O.G. Dennis

Donald: B.C.

Sir

I have the honor to instruct you to proceed to visit Horse Creek by the first opportunity and to deliver the enclosed letter to Mr Vowell.

Mr Anderson now at Rogers Pass will go in with you. You will advise him by wire of the date of the boat's departure from Golden.

You will be good enough to acknowledge, by telegraph, the receipt of these instructions and enclosure.

I have the honor to be Sir

F.D. Irving

Dep. A.G.

July 14<sup>th</sup> 1887.

O.G. Dennis

Donald.

Despatches for Vowell should reach Donald today. They are enclosed in a letter to you. Proceed as soon as you receive them Anderson can follow.

Irving.

A.G.O 16 July 1887.

516  
87

July 16. 1887

From Donald Mc 16

To P. A. Irving

Dep<sup>t</sup> Atty Genl

Vic

Instructions received Lease  
on Monday.

(S<sup>u</sup>) L. G. Dennis

ms or hrc

18<sup>th</sup> July 1887

S Redgrave Esq

Donald B.C.

Sir

I have the honor to enclose herewith a communication for Mr H Anderson, and to request that it may be forwarded to that officer by the first opportunity

I have &c

P A Irving

Dep. Secy.

Mr Harry Anderson.

Wild Horse Creek, B.C.

Sir

I have the honor to transmit to you herewith notes of the evidence taken by Mr Vowell, Mr Spoot and myself in connection with the murder of Stilton & stump in 1884 in the hope that they may be of some use to you in the proceedings against Kapla

I have &c

P A Irving

Dep. Atty Gen

18<sup>th</sup> July 1887.

14<sup>th</sup> July 1887.

H. W. Powell Esq. S. M.

Wild Horse Creek

Sir

I have the honor to acknowledge the receipt of your letter of 2<sup>nd</sup> inst in reference to Indian matters in Kootenay and am by direction to inform you that it is the desire of the Gov<sup>t</sup> that you sh<sup>d</sup> at once require Isadore the surrender of Kahla and proceed to hold a magistrate's examination on the charge against the alleged murders of Hilton & Kemp. After the examination you may return to Donald unless you see that circumstances require your presence elsewhere -

In view of Lt Col Powell's report the Government

has not yet determined whether it will not direct proceedings to be taken against Isadore for breaking the lock up at Wild Horse Creek. That question is still under consideration, but as the charge if it is to be brought before a magistrate can be dealt with by one Justice of the Peace, your return to Donald need not be delayed for the announcement of the Government's decision -

Giffen has relieved Dennis who with Anderson will take in this communication

Anderson goes in to give evidence against the alleged murderers of Hilton & Kemp

As there are other matters to be dealt with as soon as the alleged murderers of Hilton & Kemp has been disposed of, I am to request that you will be good enough to notify me of your decision in the case with the least possible delay

I have the honor to be

4 2 5  
P. A. Irving  
Dep. A.G.

529  
/ 87

Donald

14<sup>th</sup> July 87

Sir

I have the honor to report that I returned to this place today.

105 My reasons for doing so were as follows, it was impossible for me to take any steps, as to an enquiry into Kapla's case, without Mr Anderson whose presence could not be counted upon for some time.

2<sup>nd</sup> There seemed to me no immediate hurry in reference to the delivery of Kapla by Isadore and the necessary investigation.

3<sup>rd</sup> It is, and was, very doubtful if the Mounted Police could get into Kootenai during this month, the loss of the Steamer Duchess having upset all previous arrangements and placed many obstacles in the way of transport.

4<sup>th</sup> I did not consider it wise to demand the delivery of Kapla by Isadore until the Police were in the vicinity, as did he refuse to do so, or did any of his tribe make trouble, I would be powerless as to the proper enforcement of the Law. 6<sup>th</sup> So long as things are allowed to remain as they are at present, there is no chance of immediate trouble between the  
Indians

The Hon A. E. B. Davis  
The Attorney General etc  
Victoria

D

Indians and Whites, etc which renders my presence amongst them unnecessary.

7/2 There is lots to do just now at Donald requiring immediate attention.

I may state that the Mounted Police are still at Golden City, and that it is impossible to say when the Steamer Duckers will be afloat and fit for traffic. -

Mr. Dennis starts to day for Wild Horse Ck to receive Capt. Parker who has been temporarily in charge of that post.

Mr. Anderson can accompany me when I return to that place or vicinity.

If, as I expect, I can get through the work here requiring immediate attention by the end of the week, it is my desire to go down to Victoria if only for a day, for the purpose of conferring with the Govt on subjects of importance in connection with this district. So desirably do I consider it to be that I should do so, that rather than be denied the opportunity, I will pay my own expenses down and back.

I did not take any Special Constables with me on the occasion of my late visit to Kootenay being anxious to save all expense possible.

I have the honor to be

Sir

Your Obedt<sup>e</sup> Servt

A. W. Powell & M. etc  
Kootenay.



531  
84

19<sup>th</sup> July 1884.

Sir

I beg to acknowledge the receipt of your letter of the 14<sup>th</sup> inst. ordering me to Kootenay &c.

Mr. Dennis telegraphed at the same time saying he would start on Monday morning last. Just as I was about to start, I received another telegram, telling me not to do so, that all arrangements had been changed. I am now therefore awaiting further instructions. I am desirous of going into Kootenay for the purpose of collecting my personal effects, also to arrange all business matters, both public and private.

I am the honor to be

Sir

Your obedient servant  
(Sd) H. Anderson

A. W. Bowell

Donald

Government desire you to carry out  
instructions conveyed in letter of 14<sup>th</sup> inst

P. A. Irving

Deputy A. G.

A. G. O. Vic

20<sup>th</sup> July 1887.

July 22 1887

From Donald 22

To R. Irving

Deputy Genl.

Tell of twentieth need no boat going up  
Columbia till next week do good object to  
my going to Victoria for a day, tomorrow  
Anderson knows nothing re Kapla  
case hearsay

A. W. Bowell

548  
87

Donald

21 July 1887

Sir

Your telegram of 20<sup>th</sup> inst received today at 10.30 a.m.  
I am sorry that the Govt disapproves of my contemplated  
visit to Victoria, which I can assure them was conceived  
in the interests of the Govt and the public service alone.

Should Kapla be committed for trial, as Constable  
Anderson knows nothing beyond hearsay. I wish to be  
informed whether it is the desire of the Govt that he, Kapla,  
together with witnesses if any, be confined in Wild Horse  
Creek Gaol, Donald Lock-up, or elsewhere awaiting trial.

I will as soon as possible proceed to put  
in force the instructions of the Govt alluded to in telegram.

I have the honor to be

Sir

Your Obedt Servt  
(Sd) A. W. Rowell L.M. etc.

P. A. E. Cronin Esq  
Dep Secy Lee  
Victoria  
Prel

43.

A. W. Rowell  
Donald

Think Donald would be most convenient

P. A. Cronin

A.G.O. 25<sup>th</sup> July, 1887

Dep. Secy.

25<sup>th</sup> July 1887.

Sir

I have the honor to inform you that the Government think that in the event of Kapla being committed for trial, the lock up at Donald would be the most convenient place for confinement as it is more than likely that a sitting of the Court of Assize will be held shortly at that place

Your obedient servant

P. A. Irving

Deput. G.

Mr. Vowell Esq.

7

Cranbrook, Kootenay July 25<sup>th</sup> 1887.

To the Hon:

The Attorney General

+ - - + - - + - - M.C.

Sir

I have the honor to forward a petition from one hundred and ten of the white residents of the upper Kootenay and Columbia Valley relating to the speedy settlement of the Indian Reserve question and the retention of the Police force in the District until confidence is restored between the Indians and the white settlers. Many other settlers would have signed the petition but they are so scattered that it would take time to reach them.

If the prayer of the petition is granted it would be necessary to buy out Mr Robert Mather from his farm and ranch on Cherry Creek and also Mr Peter Boyle in the same neighbourhood, and both these settlers are willing to go should they be requested to do so: the former for a sum of twelve thousand dollars the latter for fifteen hundred. Mr Mather has very extensive improvements on his farm.

I would respectfully suggest that if Commissioners were appointed, one from the Province and one from the Dominion, to come to this district with full authority to settle the Reserve question finally upon this basis, the whole matter would be amicably arranged and a permanent good feeling would be created between the Indians and white settlers.

I take this opportunity of urging the speedy appointment of Mr Dennis as Constable and Recorder at Wild Horse Creek as the affairs of this portion of the district are left in a lamentable state of confusion.

I have &c &c

James Baker  
St Col.

July 11<sup>th</sup> 1887.

To

His Honor

The Lieutenant Governor in Council

May it please Your Honor

We the undersigned residents in the Kootenay District being deeply concerned in the preservation of the peace and order which has been disturbed by the non settlement of the Indian Reserve Question to the satisfaction of the Indians and white settlers, beg respectfully to urge upon Your Honor's attention the importance of a speedy conclusion of the matter in dispute.

We consider that a satisfactory settlement can be made upon the basis of granting to the St Mary's Indians as a Reserve, all the land comprised between the St Mary's and Kootenai River and in existing that in return for this large area of land the Indians shall confine their ~~stock~~ whole of their stock to the Reserve. The said Reserve to be open to white settlers for mining and timber rights.

We hail with gratification the introduction to the District of a sufficient Police force which is so urgently needed and we trust that it may be retained in the District, at least until the Reserve Question is definitely settled and peace and confidence are restored, and your petitioners will ever pray.

Signed by David Griffiths

and

109 others.

560  
87

British Columbia

738.2

Indian Office

Victoria July 28<sup>th</sup> 1884.

Sir

Referring to the copy of my report on  
Kootenay affairs forwarded under cover of  
my letter of the 13<sup>th</sup> inst. No. 626.2. I have  
the honor to enclose copy of the first report,  
received from Mr. Indian Agent Phillipps  
upon the subject of Chief Isadore's requir-  
-ments.

I have the honor to be

Sir

Your obt<sup>d</sup> Servant

J. W. Powell

Indian Superintendent.

The Honorable

The Attorney General

Etc etc Etc

1

589  
87

Wild Horse Creek, Kootenay  
British Columbia  
July 16/87

Lieut Col Powell  
Supt Indian Affairs  
Victoria BC

Sir

I rode over to Isadore's camp the day after his return from visiting the Stony Indians at the Columbus Lakes. He came over to my camp today at my request with some of the leading Indians.

I have now late in the evening got through with a long interview. I enclose a short abstract that contains all that is of any practicable value. To copy his speech in full would be but to waste paper, it contains much repetition and much that you have heard before. The Indians were in a very good temper and very friendly; but Isadore's demands as to land were as usual altogether too large.

He speaks more for himself than for the tribe. I asked him to ask for less and then there was more chance of getting it. He asked me to make a suggestion; this of course I could not do, as he would look upon a suggestion as a promise. His last demand was from Skookum Chuck to a place opposite the mouth of Bull River. I promised to write to you, but told him would not be allowed. It is, I suppose quite impossible to secure to Isadore his cauche down on the River with a small tract of land round it for Paulino and his near relatives, he says Joseph owned it before him and that he is attached to the spot.

He

2

Indian Agent  
Michael Phillips summary of situation



He does not wish to be pushed upon a reservation.

By all the laws of right and wrong the place belongs to him; and for me to tell him that his place belongs to another was for me most unpleasant.

He is wealthy, industrious and energetic and has a good farm as most of the White Settlers.

The land records have all been removed to Donald and I cannot tell what land has been purchased and taken up round his lower place.

Could not land be procured for him here for less than the Mathers Ranch could be purchased. Mathers who evidently thinks the Government will have to buy him out is I believe putting all the improvements he can on his place.

When Isadore asked for the west side of the River, he did not ask for the land already occupied, but then he had no idea how much was already purchased by Col Baker.

I think the Indians outside of Isadore and his relatives, would be glad of the stretch of land you named from Skookum Chuck to the St Marys River.

They are over 200 in number and there can be no doubt that the present reservation is too small. If it is possible to procure Isadore's lower farm for him, and to give the others an addition to their land on the St Marys River, the matter can be easily settled.

As it is there is no danger of even an unpleasantness with the Indians but to remove Isadore from his place forcibly, would cause much ill feeling if not more, and would make it impossible to do without the mounted police for years to come.

Shortly - what I have to recommend is this -  
That

That if possible you allow to Isadore and his near relatives his lower farm, on the West side of the Kootenay River (Joseph Ranch) with a suitable amount of hay and grazing land for his rather large band of horses and Cattle. There are no improvements <sup>outside</sup> of those made by Isadore himself anywhere within miles of the place.

Also that a considerable addition of land be made to the present reservation on the St Marys River. From the St Marys River to Stookum Chuck is not at all too large for them and their stock

I need hardly add that they cannot live on the present small reservation, the greater part of which is simply waste land. Even on the apparently large tract between the St Marys River and Stookum Chuck there are only small spots, here and there, that can be used for farms. A contented Indian population is better than one kept in order by force.

If you do not approve of this, kindly let me know, it is better that I should plainly and at once tell him, that he must submit to the inevitable and give up his land.

I might add that there is not one white settler in the district that would not feel that a wrong had been done. Isadore is vigorous and energetic.

He lutes and sells his cattle up town, and asks no favor of anyone; simply he left alone on his farm.

Even for Col Bader himself, Isadore as a prosperous and contented neighbour is far better than Isadore pushed on a reservation

and

and full of hate

If the Government will secure  
Isadore on his right to his lower farm; I can I feel  
sure get him to grow up his garden, etc. on Joseph's  
Prairie near Col Baker's house, paying him of  
course for his improvements.

My interview with  
Isadore lasted so long, and the mail goes out so  
soon, that I have only time to write for this hurried  
statement. etc. etc.

(Sd) Michael Phillipps

18  
J. W. Powell Esq<sup>r</sup>

Indian Superintendent

Victoria

Sir

I have the honor to acknowledge the receipt of your communication of the 28<sup>th</sup> Instant enclosing copy of the first report received from Mr Indian Agent Phillips upon the subject of Chief Isadore's requirements

I have the honor to be  
Yours &c.  
J. A. Irving

Victoria,  
29<sup>th</sup> July, 1887.

562  
87

British Columbia

739.2

Indian Office  
Victoria July 29<sup>th</sup> 1887.

Sir

I have the honor to enclose herewith copy of a letter from Col. Baker M. P. P. which was inadvertently omitted in furnishing you with a copy of the report of my visit to Kootenay on the 13<sup>th</sup> instant.

I have the honor to be

Sir

Your Obedt<sup>l</sup> Servant  
(Sd) J. W. Powell  
Indian Superintendent

The Honorable  
The Attorney General  
etc . etc . etc.

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Recd. ackn<sup>d</sup>. July 29. 1887

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588  
87

Steamer Duchess  
Golden City, Kootenay  
July 5<sup>th</sup> 1887.

Rd A.G.O. 29 July 1887

To

J. W. Powell Esq M.D  
Indian Commissioner  
Etc. Etc.

Sir

In reference to your recent visit to the Upper Kootenay Valley. I much regret that your instructions from your Government did not authorize you to come to some definite decision with regard to the long pending settlement of the Indian Reserve question on the St Mary's River.

It is now more than three years since dissatisfaction has existed on this question, as between the Indians and White Settlers and it was confidently expected by the latter, that your recent visit would terminate the tension which exists between the two races and which has been the primary cause of the late disturbances.

It is the opinion of White Settlers and it is believed by the Indians also, that if the Reserve were to embrace all the land between St Mary's River and Shookan Chuck, and if the Indians agreed to confine the whole of their stock to this extended reserve, it would prove entirely satisfactory to all parties and would preclude any dispute in the future.

To carry out this suggestion it would be  
Necessary

T

Necessary to compensate the Settlers on the Land designated, and the cost of so doing would amount to thirteen thousand five hundred dollars.

a comparatively small sum for settling this long standing and dangerous question.

The boundaries of the Land indicated are naturally so good, that they would prevent any chance of the stock of the Indians and white Settlers intermingling and would thus prevent any chance of friction in that way.

The appointment of an Indian Agent and the introduction of the Police force will help to prepare the way for a satisfactory settlement, but I would most strongly urge upon you the importance of retaining the Police in the Locality until the Reverse question is definitely settled.

Trusting that no time may be lost in pressing the subject on the attention of the Government

I have the honor to be

Sir

Your most obedient Servant

(Sd) James Baker

Lt Colonel

M.P.P. Kootenay District.

Victoria, B.C.

4<sup>th</sup> August, 1887.Lt. Col. James Baker M.P.P.  
Frankbrook, Kootenay.

Sir,

I have the honor to acknowledge the receipt of your communication of the 25<sup>th</sup> ult<sup>o</sup> forwarding a petition to His Honor the Lt. Governor, in connection with the Indian reserve question in Kootenay. - This petition has been sent forward to the Executive with a copy of your letter.

Constable Dennis left Donald some time ago - about the 18<sup>th</sup> July I think - and no doubt arrived at Wild Horse Creek shortly after the writing of your letter.

I have &amp;c:

1sd/

P. H. Irving



620  
84

Re. 23 August 1884

In Camp W=

Wild Horse Creek  
9<sup>th</sup> Aug<sup>r</sup> 1884.

Sir,

I have the honor to report that up to the present time it has not been possible for the Chief Isadore to produce Kapla so Isadore states, and I believe truly, as the majority of the Indians are out hunting and it is believed that Kapla is in the mountains also in pursuit of game.

Isadore has had his Indian Sheriffs out in all directions and is acting in good faith in the matter.

He says he hopes to be able to hand Kapla over in a few days.

I have taken steps to have the other Indians supposed to be implicated in the murder also arrested as there is no more evidence against Kapla than can be produced against those referred to.

It may be some time yet before the examination can take place, and I regret that my absence from Donald, when there is so much business requiring attention, is likely to be prolonged on account of the business in hand, i.e. examination of Indians which could be very well attended to by Major Stube who is duly qualified. I am informed Mr. Anderson is doing all he can to produce evidence, and I am doing all I can to bring the matter to a satisfactory finish.

Everything

Everything so far to be quiet, and I doubt  
not but that while the Police remain here such  
will continue to be the case. -

I have the honor to be  
Sir

Your Obedt Servt  
(Sd) A. W. Powell Esq &c  
Kootenay.

AL

E. 462.

Victoria, B.C.,  
23 August, 1887.

A. W. Raven Esq. Esq.  
Wild Horse Creek, Kootenay.

Sir,

Chauf.

I have the honor to acknowledge the receipt of your communication addressed to the Honorable the Attorney General - reporting that, up to the time of writing, it had not been possible for Isadore to produce Kapla, notwithstanding his (Isadore's) efforts to do so.

The attention of the Government will be brought to the facts stated in your letter.

I have &c.

(sd)

P. R. Irving  
Dep. A.G.

656  
87

P. 5 Sep / 87

The Hon<sup>ble</sup>

A. C. B. Davie

Attorney General &  
Victoria

In Camp

near the Ferry

Kootenay

BC

Sir

I have the honor to report that upon this pm I returned from a trip to the lower Kootenay. Pursuant whither I had proceeded with the intention of visiting the Kootenay Lake Mines, upon my arrival at the Custom House I however learned that the Miners with the exception of one or two had all left, having put their assessments & representation upon their respective claims.

There has been some little excitement in the vicinity of the Kootenay Outlet owing to rich quartz having been then discovered chiefly argentiferous with Copper. Some very Copper ore discovered assays favorably running from \$55.00 to the ton to \$1000.00 and upwards.

During my absence about 2 or 3 days since, the Chief through his Sheriffs has handed over Kapla and Isadore two of the Indians who are supposed to have murdered Hilton and Kemp. Constable Anderson is now endeavouring to secure the boy who was with the two Indians named, and I expect and hope, that in a very few days the examination of witnesses & in the case, will take place.

I have the honor to be

Sir  
Your obed<sup>t</sup> Serv<sup>t</sup>  
J. H. A. W. Bowell Esq. etc.

The prisoners are held by Major Steel, as I did not think it wise to lease them with Con Dennis who is being isolated at Wild Horse Creek, A.W.S.

Receipt asked?  
5 Sept: '87

659  
87

Rae? 9.45 am 7/9/87

Sept 5<sup>th</sup> 1887

From Ottawa 6

To Hon A. E. B. Davis

Via

Have received following telegram dated fifth inst  
telegram begins. Kootenay Indians wanted for murder  
in custody. Still reports a evidence produced has  
remanded them for eight days, telegram ends  
please see to prosecution of this case by Crown

Wm A. Macdonald

662  
87

Sep 7. 1884

From Golden Mt

To the Hon A. G. B. Davis

Atty Genl. B.C.

Arrived this evening no evidence to commit  
Indians still in custody demanded Major  
Steele has charge of them with note

(Sd) A W Bowell Secy  
Kootenay.

668  
87

Sept 12 Sep 87

Re 10 Sep 87

On Board Star Duck  
Columbia River  
7<sup>th</sup> Sep 1887

Sir

I have the honor to report that I am on my return Donald having passed some six weeks at Upper Kootenay in hopes of evidence being brought forward sufficient to commit Kapla and Isadore for trial on the charge of having murdered Hilton and Kemp, a crime which by many they are supposed to have committed. Mr. Andersons efforts in the way of procuring such evidence, have proved unavailing nor at the time of my departure from the vicinity of Wild Horse Creek was there any chance of his being able to do so. I have left the prisoners in charge of the Mounted Police and Major Steele, who is now attending to the case has some of his own men employed in endeavoring to hunt up evidence against the Indians.

Major Steele has had much experience in that line, and I consider under existing circumstances that the case could not be in better

The Honble

A. E. B. Davie

Atty Genl. &c.  
Victoria

T

better hands.

For the present the prisoners will be remanded for time to time. I have not instructed Mr. Anderson to return, as he is acting directly under instructions from your department, but I may say that there is not the slightest use in keeping him where he now is. If it should be considered advisable I can run down to Victoria for a day or so, when the situation could be fully explained.

I may state that I have had a very rough trip and a most unpleasant time of it, and that the result has been what I anticipated.

I have the honor to be

Sir

Your Obedt Servt

(Sd) A. W. Bowell Esqr



54  
98

A.G.O. 12 Jan'y. '88

In accordance with an arrangement entered into with the Dominion authorities, the Honorable F.G. Vernon C.C of C.W. was authorized by the Provincial Government to proceed to the Kootenay District, and with Lt Col. Powell Provincial Superintendent of Indian Affairs and the Honorable P. O'Reilly Indian Reserve Commissioner, enquire into the alleged grievances of certain portions of the Indian Tribes in the Kootenay District over whom Isadore was the recognized Chief.

These gentlemen accompanied by Mr. Powell, L.M. accordingly proceeded to Kootenay in the early part of September, and after a tedious trip, arising from the absence of any means of travelling, arrived at St Mary's Reserve on the Kootenay River on the 22<sup>nd</sup> of September. Unfortunately Isadore and most of his tribe were away, having gone in accordance with their annual custom to Sand Point, Idaho, to purchase winter supplies. — As it was quite impossible to await their return, which was not expected for several weeks, and as the nature of their grievances had been expressed to the Indian Superintendent upon several occasions and were consequently well understood, it was deemed advisable to closely examine the Reserve with which they were dissatisfied, and ascertain generally whether their complaints were well founded or otherwise — This was accordingly done, Mr. Phillips the local Indian Agent accompanying the party, and some additions made to the existing Reserves.

7

The

The following document embodying the views of Messrs Vernon, Powell, & O'Killy, was drawn up and left with Major Steele, the officer in command of the Mounted Police at Kootenay, to be read to Isadore and his wife upon their return from Sand Point.  
— Attached will be found the report of Major Steele to Col Powell after the performance of this duty.

805  
87

To Chief Isidore  
and the Kootenay Indians.  
at St Mary's Reserve

The Governments of Canada, and British Columbia  
have been told you are dissatisfied with the Reserves  
laid out for you in 1854, by the Indian Reserve  
Commissioner Mr. O'Reilly, and they have authorized  
us to come here, and enquire into the matter.

We have not been able to meet you, so many  
having left for Sand Point, and we cannot wait till  
your return.

We have seen all your lands, and have increased  
your Reserves to what we consider ample for all your  
requirements.

Major Steel will read this to you, and  
tell you what we have done.

Before we tell you further about  
the Reserves, we want to talk to you about your  
conduct last winter in breaking the Government  
jail, Isidore, has, up to the present time, been  
recognized by the Government as your Chief.

Now when a man is a Chief, whether he be a White  
man or an Indian, he is responsible for the actions  
of those under him. The Government look to him  
to help in preserving the Laws. They expect a Chief to  
act as such, and if he cannot control his Indians  
when they are inclined to break the Laws, his duty  
is to inform the Government Officer. We do not believe  
the Indians here are all bad, they are the same as  
Indians in other places, most of them are good, we  
think only a few are bad.

What did Chief Isidore

do

do last winter when the jail was broken? Did he act as a Chief, and say to the good Indian "Some of my Young Men want to break the jail, and take Kapla out, come and help me to prevent them from breaking the Law?" - No, he was their leader, and set the Law at defiance, was that the way for a Chief to act?

We have always heard the Kootenay Indians were brave Men, there were but few white Settlers in the district, and only one Constable, because it was thought Chief Isidor would do his duty as a Chief, and help the Government when necessary. Was it therefore brave for twenty five Kootenays to break the Jail guarded by one Officer.

When a Chief does not do his duty another Chief is put in his place. Isidor has not done his duty. But Dr. Powell came and talked to you, Isidor admitted that he had done very wrong, and was sorry and promised that Kapla should be returned to jail. "This was done."

Dr. Powell promised that he would use his influence with the Government to procure Isidor's pardon. The Government has listened to Dr. Powell, and will not punish him this time.

The Chief's behaviour will not however be forgotten, and should he at any future time be guilty of a breach of the Law, he may rest assured that he will be severely dealt with, and no longer recognized by the Government as a Chief.

We wish Isidor to understand and remember these words.

He

He will now speak about your Reserves.

You know that White Men come into this Country, and take up Land according to its laws.

There is a great deal of Land the Indians do not use and do not require. It is the same in Kootenay, as in other places where there are Indians.

The Government was anxious that the Indians should have what Land they could use, before it could be taken up by White Men, so Mr. O. Rilly came up four years ago. He enquired of you what Lands you particularly valued, and the number of Cattle and horses you owned. You would not tell him. You wanted the whole Country which you knew you could not use. He then reserved all the Land he thought necessary, and as much as he thought you could use for your stock. He asked Isidor, at Joseph's Prairie, if he was satisfied with the Reservations, or whether he should return, and reserve another piece on Isidor's lower ranch on the Kootenay River. Isidor replied he was satisfied, that the Indians had been given more Land than they expected, and that there was no occasion to reserve any more Land.

Messrs Robert, and John Galbraith, and Mr. Green were present, and heard him say this.

Sometime after Mr. O. Rilly left he changed his mind, and said that he wanted his place on the Kootenay River. Why did he not tell Mr. O. Rilly, or that it could have been reserved at the proper time.

Dr. Powell came here this spring, and the Indians said "their Reserves are too small. Isidor told Dr. Powell that all the arable Land on the Reserves

"Several had been taken up by his people, and that  
"there were many who could not get any land to work,"  
and much to the same effect.

We have now spent many days here, and  
have been all over the Reserve, and seen much good  
land that is not used. There is a good deal of hay  
that could be cut, but is going to waste. If you want  
to save your Cattle in the winter, why do you not cut  
the hay? You have abundance of range on the hills  
for your horses. You have plenty of land on which to  
raise potatoes, and other roots, and other vegetables.  
Why do you not grow them? Why do you not try to use  
the land you have before, nothing for now.

You have hundreds of horses run-  
ning wild, and we are told they are increasing in  
number. They only tend to destroy the ranges, and are  
of little value to you. You cannot expect the Government  
to give you more land to raise useless horses.

The Government are desirous you  
should have all the land you can utilize, but they  
will not give you more than your wants justify.

We have now decided to allow you a piece  
of land on what is known as Isadore's lower farm,  
so as to cover all the improvements, and all the  
hay land in the immediate vicinity.

We have also  
reserved a valuable meadow some distance away  
where some of you have been in the habit of cutting  
Hay, as well as a piece on Bummer's Flat, when  
you have been accustomed to camp during some  
portion of the summer.

These reserves are all that  
will be made, and with those previously  
said

Said off. Contain all the Land you can possibly want  
for yourselves and your stock, and much more than  
has been allotted to Indians in some other places.

This is a final decision, and will not  
be altered.

Mr. Phillips the Agent appointed by  
Dr. Powell, will show you the Lands, and how to  
improve them.

The Land on Joseph's Prairie does not belong to  
you, and will have to be vacated immediately. You  
will be paid a fair value for the fencing you have  
put there.

Your hunting lands in the Mountains  
you have now, as you had before the White Man came  
you also enjoy the same right as the White Man to  
use the unoccupied lands of the Crown.

We trust that in the future, you will be  
friendly to the White Men who live amongst you.

We wish to see you improve your horses, and  
your breed of horses, raise more Cattle, and Crops,  
become wealthy and prosperous, and do your  
duty as Subjects of the Queen.

(sig<sup>d</sup>) F. G. Vernon

(sig<sup>d</sup>) J. W. Powell

(sig<sup>d</sup>) P. D. Reilly

Wild Horse

Kootenay Col

Sept 27<sup>th</sup> 1884.

(5)

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H. W. M. P

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Kootenay BC  
12<sup>th</sup> Nov 1887

To

Dr. Powell  
Indian Commr  
Victoria

Sir

I have the honor to inform you, that on the 7<sup>th</sup> inst in accordance with the request of the Commissioner, I asked Chief Isadore to bring his Indians here, that I might read the proclamation referring to the Reserves laid out for the Kootenay Indians by Messrs Vernon, & Reilly myself.

The Chief was much against giving up land at Col Bates's saying that he was justly entitled to it, having been there ten years before Mr J. Galbraith came. He is most anxious to meet Messrs Galbraith and Bates face to face, but I told him the matter had to be decided at once, there being no appeal from the decision of the Commissioner, and that he must leave as soon as Col Bates should pay what a price is agreed upon for the improvements.

After considerable parley he consented to leave on the payment of One thousand Dollars by the Colonel for his improvement. This I imagine is too high, and if Col Bates does not agree to it, presume it must be left to arbitration.

During the interview, the Chief stated  
that

2



That Mr. D. Rilly was mistaken in supposing  
that when the Reserves were laid out before, he  
was satisfied.

He (Isadore) left in good  
humour, and is, I have been informed, gone  
to Tobacco Plains.

I have the honor to be

Sir

Your Obedient Servant

(S)

S. B. Steele Capt

Commanding, D. Division

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87

Receipt aera? 11 October 1887

"Hilton Kemp Murder"

Rt 29 Sep/87

Sir

I have the honor herein to give a detailed statement of everything known, and what has been done in the above case by myself and others. I also beg to acknowledge the receipt of depositions in R v Louis Hand & Brian, which I received previous to starting for Kootenay, to which place I proceeded after receiving your instructions. On my arrival I endeavoured to procure all the evidence possible against Kapla and Isadore. I again went to Tobacco Plains, for the purpose of getting information about the gold watch which Kemp is supposed to have had on his person, when murdered. However did not succeed in doing so.

The only hope then was to get hold of the boy who was with the murderers, when the two men were killed, the great difficulty was to be able to identify him his name not being known to me. Baptiste Morjean however informed me, at Columbia Lakes, that he was named "Baptiste" and pointed him out. I therefore took him to Wild Horse, when he was held for some days by Major Steel. Meantime another boy "Euras" suspected by some to have been the

P. A. E. Irving Esq  
Dep Attorney General  
Victoria

B.C

one, was brought in after several demands, the witnesses were examined but nothing of any importance could be got from any of them, under which circumstances I deemed it best not to press for a commitment, Major Steele thereupon discharged the prisoners.

Possibly upon reading the depositions, which no doubt will be forwarded to you. You may infer that Kapla and Isadore are innocent, I however have come to a different conclusion.

In the first place I am convinced that all the Indian witnesses have been very well instructed, by whom I cannot say, but most likely by some white man.

The boy Baptiste I am <sup>almost</sup> certain is the right one, for this reason. "Moriseau" who is married to an Indian woman, one of the Kootenay tribe, told me that his woman and her people told him that Baptiste was the right one not "Eneas" as I had told him at first. Baptiste Moriseau having been hired by me to point him out. Mr. Phillips the Indian Agent also told me that when at Sobaco Plains an Indian told him that the boy Baptiste was the right one, not Eneas, therefore if Edward Chancy's evidence can be believed, and I have no doubt of its truth, Baptiste must have perjured himself in denying having been with Kapla and Isadore, on or about the 12<sup>th</sup> August 1884, when passing Aylmer place at Columbia Lakes and bound as they said for taking Horse. Chancy is not able to identify the boy.

The circumstances which induce me to believe in the guilt of these men, are in the first place

place no suspicion was attached to them, after the discovery of the murder. I at first attributed it to Long Haired Moran, some six months after, some of the Upper Kootenays told to some of the Lower Kootenay Indians the story as we now get it, all the little circumstances are detailed even to the killing of Hiltra's dog, a terrier which I saw with him at Wild Horse on the 21<sup>st</sup> July 1884.

Impely was the only one, who knew these men, in the district except A. Piller who first saw them at Bull River. Aylmer and others recognized them only by my description and then more particularly by the Grey terrier dog, above mentioned.

Another very suspicious circumstance is it is well known that the Indians had no money, or very little when they started for Kicking Horse, some very strong reason must have induced them to return without going there, which they could not have done in three days after passing Aylmer, which is about 100 miles from Kicking Horse.

On being asked by Chauncy they declared that they had been there and had just returned, also when did they get the money, that was seen by Chauncy, particularly the \$20. bills, it is known that Kapla had not sold horses, but he told Chauncy that was the way he got it.

Richard Fay, at Bouncers Ferry, I understand declares that Isadore tried to change a \$50. bill with him the same fall. Isadore then being on his way to Sand Point.

Had the witnesses to prove all these things been white men a strong circumstantial case might have been got against them but being all Indians  
and

and hostile witnesses it would be waste of time to  
try and further.

It is to be regretted that all the Indians  
concerned in the breaking of the pack at Wild Horse  
last winter have not been punished. I am very certain  
that, had they been arrested, some of them would  
have given us all the information necessary for the  
conviction of the murderers.

It is also to be regretted for other reasons. viz.  
After the withdrawal of the Mounted Police, I am  
convinced the Indians will be as bad as ever, and will  
certainly, not allow one of their number to be arrested  
under a serious charge. I also find it extremely  
difficult to get any reliable information respecting  
all the little circumstances connected with the  
murder after such a lapse of time, had proper  
inquiries been made three years ago, when first  
the body of the murdered man was found. I am  
certain that the crime could have been brought  
home to the guilty parties, whoever they may be.

As I understand the Government have  
been misinformed regarding my action in  
arresting the Indian Kapla last Spring.

I enclose a copy of my instructions in  
Mr. Dowell's own handwriting. The original is now  
in my possession, the original having been copied  
in the press copy book, no excuse can be made  
in respect of ignorance of its contents.

I also enclose some notes respecting  
the card which may interest you.

I have the honor to be  
Sir

Your obedient servant  
(Sd) H. Anderson

4

## Hilton and Kemp Murder

H. Anderson

I saw Hilton and Kemp at Wild Horse on the 21<sup>st</sup> July 1884. They had just come from the 'Ceam'd' Alene Mines Tobacco Plain and Bull River. Hilton took out a free Mines Certificate at the Boat Office W.H. - He stated they were bound for Big Bend and they intended to prospect on Sheak etc. I advised them to try Friday, which they most likely did, as will be seen further on.

Hilton sold me one of his horses, he being as he said "broke," leaving him with one horse, and Kemp with two. I can only recollect the colour of one of Kemps a light bay, with white face, and white legs. Hilton had small grey dog, a terrier with him.

I had known Hilton very well for some years, Kemp only slightly. I think they left Wild Horse on the 22<sup>nd</sup> probably in the afternoon.

In September of the same year, I was ordered to take the Prisoner Victor to Kamloops via Kicking Horse and Rogers pass. Before starting, Mr. Powell informed me, that there was a body on one of the Creeks and that he had sent a man to bury it. I was under the impression at the time that it was on the line of Railway, so I did not pay much attention to it, on my way down however near Kicking Horse, I met a man who told me that the body lay at Dead Man's Creek, on reaching Golden I informed Mr. Redykan of the fact urging him at the same time to send up and institute inquiries as it was reported to be a murder. - Meantime I had been making inquiries

as

as to the whereabouts of Hilton and Kemp more particularly of John Dunthorn I met in Eagle Pass I had told Hilton of Dun being at Golden, and I was certain that they would not have passed that place without seeing. Neither Dun or any one else had seen them, so far as I then could learn. My suspicions were then aroused as to these men's safety

After returning to Wild Horse via Spokane I started for W. Horse as the board murder. I enquired of Mr. Redman what had been done, he however could give me no information, except that some whiskey men had brought in a Free Mines Certificate, which had been found close to the body Mr. Redman could not give me the name of the man it had been issued to, he had not even taken the precaution of keeping it or the date of issue, but he thought it was about the 23 of July. On my return to Wild Horse, I stopped at Dead Man's Creek and made a search finding the remains, with great difficulty owing to the snow. I judged from the appearance of the clothing, and of some hair left on the skull that the remains were that of Hilton. Nothing could then be done in the way of further search on account of the snow. No feet having fallen by the time I reached W. Horse I fully intended to make due search in the spring.

Before I was able to do so I was ordered to Kootenay Lake, on my way to which place I got the full particulars of its having been done by Kapla and Isadore, from Richard Fay and David Mc Locklin, all of which I gave to Mr. Cowell I also told him of the threat the Indians had made

Made in that they would not allow these Indians to be taken.

I advised him to move in the matter immediately as if necessary the assistance of the Mounted Police could than have been obtained from the force at Golden.

Before this I had traced them Hilton & K from Wild Horse to Aylmer where they were last seen, so far as is known, on about the 25<sup>th</sup> or 27<sup>th</sup> July. Aylmer, Armstrong and the two Thompsons of Okan met them a short distance north of Sheep Creek they spoke to them some time. (Although they did not know them they recognized my description of the dog and horses). Hilton and Kemp asked the way to Fairday Ck.

Most likely they prospected them, owing to the fact of their nest being seen on or about the 10<sup>th</sup> August at Aylmer's old place near Aris dunn a distance of about 38 miles from the place they were met by Aylmer & Co. Edward Chance saw them pass on the above date - two days after Kapla, Isadore and a Boy, were seen by the same man going North, in the same direction taken by Hilton and Kemp. - Chancey is not now able to identify the boy.

The distance from when they were seen by Chancey to when they were murdered is about 32 miles. They probably camped at Dead Man's Creek on the night of the 11<sup>th</sup> when they most probably lost their horses. We get the story from the Indians, that one man only was in camp he had everything packed up. They Kapla and Isadore



Isadore asked him for something to eat. he refused owing to the trouble of unpacking. they went on a short distance, and on consultation concluded to return and kill him, which they did immediately after the other man who had been hunting horses came in sight. He shot at and wounded him, he ran away and they followed him quite a distance into a swamp where they finished him, after this the Indians Kapla and Isadore sent the boy to shoot the dog, which he did.

According to Edward Johnston evidence he saw long haired O'Brien pass his place on the 15<sup>th</sup> August. this place is 50 to 58 Miles from Dead Man Creek.

In all probability it would have taken Long haired O'Brien and his partner not less than three days to cover the distance on foot which would bring us to the 18<sup>th</sup> August.

I can hardly think that Hilton and Kemp would have been delayed such a length of time with lost horses and not likely by prospecting the nature of that section of Country being unfavorable for gold.

Certainly the dates given by Johnston and Chauncy may not be correct, but if so I think my conclusions are reasonable.

(Sd) H. Anderson

Copy of Mr. Bowells letter

Donald Pol  
13<sup>th</sup> Oct 1886

Sir

I have the honor to acknowledge the receipt of your report dated 27<sup>th</sup> ultimo. in reference to the murder of Hilton and Kemp. and also to the death of Ah Seong a Chinaman, near Gabrials Ferry last June.

You will by and get to Tobacco Plains as soon as possible, and make due search for the articles you mention as important towards establishing proof of Murder etc - As before instructed you are authorized to incur all reasonable expenses in prosecuting search for evidence in above case. etc -

The advisability of all 3 Indians suspected are in Kootenay is beyond doubt and you can as I informed you, when at Wild Horse last, have information shown to, and warrant ready to act upon at the shortest notice, when arrested have them brought down here for safe keeping, employing necessary force for guarding them en route.

I have the honor to be

Sir

Your Obedient Servant

(M) Arthur W. Bowell C. C. S. M. etc  
Kootenay.

Henry Anderson Esq  
Constable etc

Wild Horse Creek

Kootenay

Pol

123  
✓ 87

Oct 3, 1887

From Donald 3

To Hon. A. E. B. Davis

Arrived here from Kootenay with O'Reilly today;  
Chief Isadore and most of tribe absent at  
Pond Point. Could not await their return:

The Commission thoroughly examined evidence  
and made small additions thereto; formulated  
the joint result of our investigation. Powell  
remaining at Kootenay to deliver it upon Isadore's  
return

(Sd) F. G. Vernon

8<sup>th</sup> Oct: 1887

Major S B Steele

Wild Horse Creek

Sir

I have the honor to request that you will furnish  
this department with a copy of the proceedings  
before you against Kapla & Isadore

I have the honor to

P. A. Irving

Dep A.G.

745  
87

Re. 10 Oct 1887

Ackn<sup>d</sup> 11 Oct '87

Donald

7<sup>th</sup> October/87

Sir

I have the honor to enclose herewith Depositions taken before Major Steele J.P. &c in reference to the charge of murder brought against one Kapla, an Indian, and others.

I also enclose Major Steele letter which accompanied the above papers. The delay caused in their being forwarded to your office is owing to the fact that the package referred to, with other letters, crossed me when I was on my way to Upper Kootenay with the Hon<sup>ble</sup> the Chief Commissioner of Land and Works, &c last month, owing to which I only received them upon my recent return to Donald.

As before stated, every opportunity was afforded the Constable prosecuting, to obtain all possible evidence bearing upon the case for which reason it was deemed advisable on several occasions to demand the prisoners.

I have the honor to be

Sir

Your Obedient Servant

A. W. Powell Esq. M. M.

Kootenay

P. C.

The Hon<sup>ble</sup>

A. E. B. Davie

Attorney General &c

Victoria

P. C.

A. W. M. P.

Kootenay

136  
6<sup>th</sup> Sep / 87

To

A. W. Powell, J. P.

Donald

Sir

In accordance with your request, the prisoners Kapla and Isadore, were brought before me on demand, on the 2<sup>nd</sup> inst. and the evidence of Edward Chancery taken. Peter Constable Anderson, prosecuting. Constable Anderson stated, that he thought he could get more evidence, and that some men were making up evidence. So I demanded them for 3 days. On the third day, the 5<sup>th</sup> inst they were again brought before me, and I heard the evidence of Interpreter Francois.

Chief Isadore, Indian Sheriff Patrick, Eneas, Tabby, Barnaby, and the boy Baptiste. Eneas is supposed to be Indian boy, reported to have been with the prisoners when passing Chancery's house, he could not identify him as being the one, nor his brother. So you will see by the evidence taken from everyone but Chancery, that it is all necessary and most of it irrelevant. Everything has been done to fix the guilt on the proper parties, but owing to the length of time that has elapsed since the crime was committed, it would appear to be impossible to ascertain the true facts of the case at present. I could see nothing else but to dismiss the case for want of evidence.

If these Indians are the guilty parties, and many others know it, they are without exception the smartest accused I have yet met. I have seen these Indians at midnight, and did all in my power to get something out of them, but without effect. They do not show by their

manners

manner that they are guilty, or know anything of the case,  
and have displayed all the indifference of innocent men  
I have the honor to enclose the depositions  
of the several witnesses, as well as the rest of the papers  
relating to the case

I have the honor to be

Sir

Your obedient servant

(Sd) S. B. Steele Supt

Commanding "D" Division

(Copy.)

A. H. M. P.

Kootenay, B. C.

2<sup>nd</sup> Nov. 1887.

Sir,

With reference to your letter dated 8<sup>th</sup> ulto, asking for proceedings in case of Kapta and Isadore, I have the honor to enclose herewith a certified copy of the same.

I have the honor to be,

Sir,

Your obedient servant

(Signed) J. B. Steele Supt.

Commanding "D" Division.

To the

Dep. Atty. General,  
Victoria

Receipt ackldg 9 Nov. 87.



Copy.

Canada  
Province of British Columbia  
District of Kootenay

The deposition of Henry Anderson  
of Kootenay, Constable, taken on oath  
before me, one of Her Majesty's Justices  
of the Peace; in and for the said District  
of Kootenay, in the Province aforesaid,  
this ninth day of August. A.D. 1887.

Who saith, that Eneas, an Indian  
the son of one Wokalia, or Fisher, an  
Indian of the District aforesaid, is  
likely to give material evidence, on  
behalf of the prosecution in this behalf  
touching the matter of the aforesaid  
information. And this deponent  
verily believes that the said Eneas, will  
not appear voluntarily for the purpose  
of being examined as a witness, without  
being compelled so to do.

(Sg<sup>o</sup>). H. Anderson

Before me, this day year  
first mentioned, at Cold  
House Creek.

(Sg<sup>o</sup>) A. W. Towell. S.M.

Certified true Copy.

J. W. White

Sup<sup>t</sup>. + J.P.

Commanding "10" Division

W. T. W. P.

Canada  
Province of British Columbia  
District of Kootenay.

True information & Complaint  
of Henry Anderson, of Kootenay, taken  
this ninth day of November, in the year  
of our Lord one thousand eight hundred  
and eighty six, before the undersigned  
one of Her Majesty's Justices of the Peace,  
in and for the said District of Kootenay,  
who saith that on or above the month  
of August 1884, two Indians viz: "Isadore"  
and "Kupla" (Gustanama's son) both  
natives of Kootenay, did felonously,  
willfully, and of their malice aforethought  
kill and murder, two white men, viz:-  
William Kemp and Mathew Hylton,  
near a spot known as dead man's Gulch,  
on the trail between Wild Horse and  
Kicking Horse, in the District of  
Kootenay.

Sworn before me, the day and  
year first above mentioned at Tobacco  
Plains - Kootenay.

(S<sup>r</sup>.) Michael Phillips J.P.

\*

Depositions of Witnesses.

Canada  
Province of British Columbia }  
District of Kootenay.

The Examination of Edward Chaney  
(labourer) taken on oath this second day  
of September. A.D. 1887. and of certain  
Kootenay Indians, named respectively  
Francis (umpun) Patrick (Indian Sheriff)  
Isadore (chief) Lucas (boy) Darley, Barnaby  
and Babbie (boy) at Kootenay Ferry, in the  
District aforesaid, before the undersigned,  
S.B. Steele a Justice of the Peace for the said  
District. in the presence and hearing  
of Stapla and Isadore, who are charged  
this day before me, for that the said  
Stapla and Isadore, did during the month  
of August 1884. at Leads man's Gulch,  
feloniously, willfully, and of their  
malice aforethought, kill and murder  
two (2) men: viz W. Kemp and M. Hilton -

---

Juris deponent, Edward Brancey  
upon his oath, says as follows:-

I was working at Mr. Alynors during  
the summer of 1884. I saw two men pass  
Alynors place about the 10<sup>th</sup> or 11<sup>th</sup> August.

After hearing of the death of the two  
men Hilton and Kemp, I supposed that  
from their description they must have  
been the same. I did not speak to them  
they passed Alynors place, between 10 and  
12 forenoon, they did not stop.

About two days after, three  
Indians came past the place, one of  
them, the prisoner Kapla came into the  
house, I saw another Indian and a  
boy on the road, Kapla said one was  
Isadore, the other, I think, was Daltiste.  
Kapla said he was going to Kicking Horse.  
Three days after, the same Indians  
returned, Kapla came to the house, I  
asked him if he had been to Kicking  
Horse, he said he had, I told him he  
had been very quiet about it, he did  
not answer me. He wished to buy a  
saddle from me, he pulled out a roll  
of bills, and offered me a twenty Dollar  
bill for it. I said you have got plenty of  
money, he answered that he had three  
more of the same kind, I asked him  
how he had got the money, he said he  
had sold horses, I told him, I thought  
he lied, he must have killed a white  
man, I said this in fun, he changed  
color a little but did not answer.

He then said if you want Twenty Dollars for your saddle I will take it, if not I will go, he took the saddle, and said he would send me the money, I not having any change in the house he sent the money by the boy in the evening.

Three or four days after the return of the Indians, I heard of the murder of two white men, I am not quite sure as to the number of days, I had no suspicion that the Indians were the murderers.

The two men that I saw were heading for Kicking Horse or down that way, they had a small dog, they were both tall, rawboned men, one had a sandy beard.

I was at this time working for Mr. Olymer on his place about one mile east of Windemere, and about thirty one miles, from where the two men were murdered. The place is on the Kicking Horse Trail.

(S<sup>d</sup>.) E.H. Chaussey.

Taken before me this 2<sup>nd</sup> day of September 1887.

(S<sup>d</sup>.) S.B. Steele \*  
Justice of the Peace in and for said District

This deponent "Francis" upon  
his oath, says as follows:-

I heard from Patrick, Indian  
Sheriff, three years ago, of the murder of  
two white men at Dead Man's Gulch, I  
had just arrived from Sandy Point, I got  
to the mission, and that is where Patrick  
the Indian Sheriff told me. He told me  
there were two white men murdered, he  
said he thought that Isadore had done it,  
he only mentioned one, but I heard that  
he was with Kappa. I did not hear  
of any boy being with them. I have  
not heard since of any boy being with  
them at the time.

I did not hear any other  
particulars, as to how the murder  
occurred.

(Ss.) — Francis

his  
X  
mark

His deponent "Parick" an  
Indian Sheriff, on his oath states as  
follows:-

I first heard of the murder in  
my own lodge, being Isadore told me,  
He told me there were two white men  
killed beyond the Lakes, he named  
Isadore and Kapla as the murderers,  
he did not name any one else, nor did  
he give any particulars, he did not  
state how he heard it himself.

(Ss.) Parick

his  
X  
mark.

"Chief deponent" Isadore" (Chief)  
on his oath states as follows—

I heard of the murder of two white men three years ago, I heard it in my house, the people were talking about it, one person first commenced to talk about it. I went to Sandy Point, when I got back to my place, that is when I heard of it. It was Alexander Niwak made the remark.

When he told me, I asked him who said this, and who had done it, he said he did not know it was what he heard, I tried to find out who had done it, but it was kept secret, they are like other people when they do a bad thing, they keep it quiet. Isadore often goes to Sandy Point, but I cannot remember if he was down that year. Isadore went with Williams who had money, I did not hear if Isadore spent any. I did not hear that Isadore or Kapla had told anyone in Sandy Point that they committed the murder.

I did not warn Kapla to leave the country, he stayed over there gambling and did not wish to return.

(Sg<sup>o</sup>) Chief Isadore

his

X

mark



Pete's deponent "Eneas" states on  
oath as follows:—

My father's name is Alynor, I do  
not remember anything about the murder  
of the white men three years ago. I was  
not with Kapla and Isadore that year.  
I was at Schoeswap Pete's house that  
year, he is married to my sister, before  
the Salmon came, and before Pete went  
to Kicking Horse, some time before.  
After Pete went to Kicking Horse I came  
to Tatley's Lodge, and after that to Jacobs'  
Prairie, it was about this time.

I have never been with Kapla  
and Isadore to the Lakes, nor do I  
remember seeing two Indians going  
down there, nor anything about the dog,  
said to be with them.

(Sg?) Eneas

his  
X  
mark.

Jerry deponent "Jatley" upon  
his oath states as follows.

I remember hearing of the  
murder of two white men three years  
ago, but do not remember seeing Kapea  
that summer, "Eneas" was at my lodge  
that summer, but I do not remember the  
time.

I heard of Kapea + Isadore  
going down to Kicking Horse, some  
boys told me when at Bonnet Ferry.  
I did also hear of two men having  
been murdered, but heard no particulars  
they did not mention any names.

(Sg.) Jatley

his  
X  
marks

This deponent "Barnaby" states  
on oath as follows.

I first heard of the murder of  
the two white men three years ago, I  
was going into Chief Isadore's Lodge,  
and heard them talking of it.

It was the same day that Alexander  
told Chief Isadore. nobody in  
particular told me, everybody was  
talking of it. They did not mention  
any names. This is all I know  
about it.

I had no conversation  
with Kapla or Isadore, nor have I  
ever received any presents from them  
we don't stop at the same place.

(Sg<sup>d</sup>) Barnaby

his

X

mark

His deposition, the Indian boy  
"Babiste" upon his oath states as follows.

I did not hear of two white men  
being killed three years ago. I was at  
Summer Hat. I was not at the Lakes  
all that summer.

I know Neas and am friends  
with him, but we have never talked about  
any murder.

(S<sup>d</sup>) Babiste

his  
X  
mark.

Taken before me at Kootenay B.C.  
on the fifth day of September, in the year  
of our Lord, one thousand eight hundred  
and eighty seven.

(S<sup>d</sup>) S. B. Steele \*

a Justice of the Peace in and for said District

*Certified true copy*

*S. B. Steele J. P. Capt.*  
*Commanding "W" Division*

Statement of Accused.

Isadore & Chapla "two Kootenay Indian  
stand charged before the undersigned  
Samuel Bensfield Steele, a Justice of  
the Peace, in and for the District of  
Kootenay, Province of British Columbia,  
this fifth day of September, in the year  
of our Lord, one thousand eight hundred  
and eighty seven.

For that the said Isadore & Chapla  
during the month of August 1884 at  
Dead Mans Gulch, did feloniously,  
wittingly, and of their malice aforethought  
kill, and murder, two (2) men, viz =  
Co. Kemp and Matthew Hilton, and the  
said charge being read to the said Isadore  
and Chapla, and the witnesses of the  
prosecution, being severally examined  
in their presence, the said Isadore and  
Chapla are now addressed by me as follows:-  
"Having heard the evidence, do you  
wish to say anything in answer to the  
charge? You are not obliged to say  
anything unless you desire to do so, but  
whatever you say will be taken in  
evidence against you at your trial.  
To whereupon the said Isadore & Chapla  
state - that neither of them have  
anything to say.

Taken before me at Kootenay B.C. this day and  
year first above mentioned.

S<sup>d</sup>. S. B. Steele

Justice of the Peace, in and for said District

959  
87

British Columbia

959  
87

Encls. referred to in  
960  
87

352. R.

Indian Office  
Victoria Nov 21<sup>st</sup> 1884.

Sir,

I have the honor to enclose for your information, copy of a letter from Major Steele upon the subject of Chief Isadore and the Indian Reserves in Kootenay.

I have the honor to be

Sir

Your Obedt<sup>o</sup> Servant  
(Sd) S<sup>t</sup> Moffatt  
for the Indian Supt<sup>o</sup>

The Honourable  
The Chief Commr:  
of Lands & Works.

22  
88

British Columbia

26  
88

514. R.

Indian Office  
Victoria Jan<sup>y</sup> 4<sup>th</sup> / 1888.

Sir

I have the honor to enclose for your information copy of a letter from Major Steele on the subject of the final settlement of Chief Isadore's claim for improvements at Joseph's Prairie in the Kootenay District.

I have the honor to be

Sir

Your Obed<sup>t</sup> Servant  
(sd) J. W. Powell  
Indian Superintendent

The Honorable  
The Chief Com<sup>rs</sup>  
of Lands Works.

22  
88

N. W. M. P.

Kootenay BC

9<sup>th</sup> Dec 1884.

J. W. Powell Esq  
Indian Commissioner  
Victoria.

Sir

For the information of the Commissioner appointed to arrange the question of Indians and Indian Reserves in this District, I have the honor to report as follows.

I received your telegram of the 20<sup>th</sup> requesting me to tell Isadore that you would be responsible for the payments at Joseph's Prairie. I sent for him and he came on the 8<sup>th</sup> inst as requested. I produced your telegram, and explained it to him, and asked him if he was willing to accept your offer, and vacate the prairie at once. He replied that he would vacate the prairie if the money were paid down but not before. I told him that his action showed an unreasonable distrust in the word of the Commissioner.

Isadore replied that he did not

mean



mean that, and then launched out into a long account of the wrongs of the Indians, saying that the Reserves were not of sufficient size, that the Commissioners should have met him face to face, and finally that he had repented of his bargain, and did not wish to give up the Prairie. I told him he had acted in a shameful manner, that his action was foolish and that he could not now expect much consideration. I also asked him to say if he meant that he would not give up the Prairie, or simply that he did not like to do so. I could get no direct answer, he simply spoke of the smallness of the Reserves and said he did not wish to give up the Prairie.

I permitted the Chief to leave then as I did not deem it advisable to say any more on the subject.

On the following day I received your letter, informing me that you had recommended that the irrigating ditch be dug on his land as requested by him in a previous interview, and sent J. B. Beeland my interpreter to Isadore to tell him that the recommendation had been made, and that he must appoint an arbitrator

to

to decide upon the value of the improve-  
-ments made by him on Joseph's Prairie  
and that Col Baker's representatives would  
appoint one on his part.

If the Chief refused to appoint an  
Arbitrator, I directed the interpreter to  
tell him that I would appoint one, and  
would, as soon as they had made the award,  
pay him the money allowed by them, but as  
he had acted in such an unreasonable  
manner by refusing to give up the land,  
I would in addition to handing it over to  
Col Baker withdraw my recommendation  
to you with reference to the irrigating  
ditch on his land, and also to tell him  
to come over here on Sunday the 11<sup>th</sup> inst.

The interpreter was obliged to tell  
the Chief the whole of my message, and  
upon hearing that I would appoint an  
Arbitrator in any case, he said that he  
wished Mr. Edward Kelly a Justice of the Peace,  
as his Arbitrator, and would come over to  
the Barracks on the 11<sup>th</sup>. He arrived on the  
11<sup>th</sup> with all his head men, and I then told  
him that I was ready to send the Arbitrator  
over, and was glad that he had become aware

of

of his folly in refusing to give up the place.  
Informing him at the same time, that I  
would pay him the money down, on receipt of  
their award.

He then began a long complaint  
saying that the Commissioners for the settlement  
of the reserves had not treated him properly,  
that he and the Indians should have been  
met by the Commissioners, and had the whole  
thing explained to them. As it was he said  
that not an Indian was satisfied with the  
treatment they had received, he finally  
concluded by saying that the improvements  
on Joseph's Prairie are worth one thousand  
dollars, and that he would not take less.

I then informed him that the whole place  
was not worth half the money, and besides  
that owing to his obstructiveness, there was an  
absolute certainty of his being deposed  
from his position, and upon his reply that  
the custom of the Indians was that a Chief  
remained a Chief as long as he lived, I told  
him that if he broke the laws, and proved  
obstruction, as he was now doing, that he  
would be deposed, and another of a more  
law abiding and reasonable nature  
appointed. I found it necessary to speak

thus

thus plainly to him, and I am positive, that if I had not dealt very firmly with him, he would keep this matter in abeyance until spring, and would then give me trouble.

As soon as I had finished speaking, Isadore asked for Mr. Kelly again. I told him he could appoint anyone he chose, and directed him to ask Mr. Kelly to be ready on the following day.

On the same day (11<sup>th</sup>) I sent word to Mr. Hyde Baker requesting him to appoint an Arbitrator as it was necessary to settle the matter at once.

On the 12<sup>th</sup> I sent Insp<sup>s</sup> Hurst to Joseph's Prairie, Mr. Kelly kindly undertook to arbitrate for Isadore, and with J. Levett on Col Baker's part, came to the decision that the improvements were worth four hundred and ninety dollars (\$490<sup>00</sup>). This was satisfactory to Mr. Hyde Baker and at 8.30 that evening Isadore came, was paid the money by me, and signed a receipt for the same, which is herewith enclosed.

With the final settlement of this claim I believe that the most troublesome part of the arrangement with the Indians, and that most likely to cause trouble has been dealt

with

with

I trust that the Commissioners will find the  
management of this affair, and the effect entirely  
satisfactory.

I have the honor to be  
Sir

Your obedient servant  
(PA) J. B. Steele Sup<sup>t</sup>  
Commanding D. Division

22  
85

Original

Memorandum.

North West Mounted Police.

Kootenay 12<sup>th</sup> Dec 1887.

Received from Superintendent S. B. Steele,  
N. W. M. Police, acting on behalf of the Indian  
Commissioners of the Province of British Columbia  
the sum of Four hundred and ninety Dollars  
(\$490<sup>00</sup>) in full of all demands for my  
improvements on the land situated on Joseph's  
Prairie Kootenay District, in the Province  
aforesaid, and owned by Col Baker, M. P. P. and  
I now vacate the said land and premises.

His  
Isadore Chief  
Mark

Signature

Witnesses

(H) F. J. Flood  
Insp<sup>o</sup>

(H) Albert Hurst  
Insp<sup>o</sup>

8

Telegram from Galbraith

Donald, 14<sup>th</sup> March, 1887  
rec<sup>d</sup> 18<sup>th</sup> " 1887.

To Attorney General  
Victoria.

Can Kovee not come in and  
talk with Indians? If some  
action is not taken immediately  
lives of settlers in jeopardy.  
I wait Government decision.  
I would strongly urge a talk first.  
Answer.

(80.) Galbraith

140  
87

Copy

Handed in by <sup>copy</sup> Col. Baker, M.P.P.  
on 24 Mch, 1887.

Donald

22<sup>nd</sup> Mch.

To Dr. Powell,

Indian Department.

57  
87

Second messenger arrived, a temporary  
comprise between whites and Indians  
effected till arrival of Powell.  
Anderson and Aylmer asked to leave  
District, now on their way here.  
I go to Victoria.

Galbraith



copy

Copy

Handed in by

Col. Baker M.P.P.

On 24<sup>th</sup> March, 1887.

139  
/ 87

To

Col. Baker  
Vict.

Danda,  
22<sup>nd</sup> Feb.

17  
/ 87

See Atty. Genl. and Stop Powell  
going to Kootenay.

Will write particulars by first  
train.

J.W. Allmet

Henry Anderson

— 4 —

1.  
Hilton and Kemp.

A. G. O.

21 August, 1885.

To A.W. Towell Esq. S.M.  
Kootenay B.C.

Sir,

I have the honor to acknowledge the receipt of your communication of the 10<sup>th</sup> instant with its Enclosure.

I have &c.

(Signed)

P. E. Irving

Dep. A.G.

17/87

Extract from letter from A.G.O.  
to A.W. Powell Esq. Sm.

28 Aug. 1885.

x x x x x x x x x

It is to be hoped that you will shortly be  
able to report the arrest of the Indians  
suspected of the murder of Milton and Kemp.  
I have &c.

(Signed)  
P. H. Irving  
Dep. A.G.

17/87

A. G. O.

15<sup>th</sup> October, 1885.

A. W. Powell Esq<sup>re</sup>  
Farwell.

Sir,

I have the honor to acknowledge  
the receipt of your letter of the 21<sup>st</sup> September  
in reference to the cases of Baird, Hilton  
and Hammill

x x x x x x x x x x

As to the Hilton case -

If you think a reward would produce any  
results it should be offered. You are authorized  
to offer \$500.

17 / 87

A.G. O.

10<sup>th</sup> November, 1885.

To J. W. Powell Esq.  
Supt: Indian Affairs.

17/8/85

Sir,

In answer to your letter of the 4<sup>th</sup> inst. Enquiring as to the truth in a report that the Indians of Kootenay District has murdered two white men, I have the honor to say that there is good ground for believing that three Indians - two men and a lad - were concerned in the murder of two miners at a creek, now known as 'Dead Man's Creek', about 57 miles south of Kicking Horse.

If you wish you can see at this Office a copy of the Government Agent's letter advising this Department of his efforts to secure the co-operation of Isadore, the Chief of the Kootenays, and of certain bad feeling on the part of the Indians towards the whites - of this you are, of course, better informed than this Department.

The Government have authorized rewards for the apprehension of the guilty parties, and our Agent - Mr. Powell - has been exerting himself in the matter, but so far no information sufficiently reliable, as to the identity of the murderers, to justify arrests, has been obtained.

I have &amp;c:

(signed)

P. E. Irving

Dep. A.G.

5

A.G.O.

29 Janry: 1886.

To Comtable Anderson  
Kootenay B.C.

17/87

Sir,

I enclose some memoranda extracted from statements made to Mr. Sproat in connection with murder of Hilton and Kemp, and a copy of the account given by Mr. Wright of the finding of one of the bodies.

The feeling at Farwell is that a man called "Long-haired O'Brien" was concerned in the murder, but it seems to me that the Indian theory is the more probable - The enclosed may be of some service to you in tracing up the Indians.

Yours obedt. Servt.

(Signed)

J. E. Irving

Dep. A.G.

6.  
A.G. O.

10<sup>th</sup> Feby. 1886.

G.M. Sproat Esq.  
tc. tc.

x x x x x x x x

In reference to Dilton murder the papers transmitted  
by you do not conclusively identify, to my  
mind, O'Brien as the criminal. The evidence  
from the lower end of Kootenay points strongly  
to some Indians - three in number -  
the case is being investigated. Did any  
of your witnesses see traces of Indians  
about that locality?

17/87

1  
A.G. O.

16 August, 1886.

To A.W. Towner Esq.

Sir,

Will you be good enough to report what is being done - or what you think should be done - in the Hillon and Kemp affair.

Your obedient servant

(signed)

P. E. Irving

17  
87



8.  
A.G. O.

25 Aug. 1886.

To Mr. Novell Esq.  
Donald, B.C.

Sir,

I have the honor to acknowledge  
the receipt of your communication of the  
22<sup>nd</sup> instant with promise of a further  
report in Wilson and Kemp affair.

I have &c.

(Signed)

J. E. Irving  
Dep. A.G.

17  
87

9

A.G.O.

16 October, 1886

To A.W. Vowell Esq.  
Donald, B.C.

Sir,

I have the honor to acknowledge the receipt of your communication of the 13<sup>th</sup> instant with Constable Anderson's report in reference to

- (1) Hilton & Kemp case.
- (2) Chinese at Long.

I have &c.  
(Sg<sup>o</sup>.)

R.E. Irving  
Dep. Atty.

17  
87

H. Anderson  
Donald.

Report yourself at this office  
as soon as possible

Alex<sup>r</sup> E. B. Davie

Atty Genl.

24<sup>th</sup> March 1887.

17  
87

O.H.U.S

A.G.O.

Victoria  
19<sup>th</sup> March  
1887.

R.G. Galbraith

Donald

Kootenay.

Howell goes by Sandpoint

Next B Davie

17  
87

A.G.O. 18<sup>th</sup> March 1887.

To Galbraith  
Donald.

Telegram just received

Much obliged. Powell returns from  
Vancouver tonight. Will start him  
for Donald right away with  
necessary instructions. Have you any  
other suggestions? All wires at Govt  
expense

Alex. S. B. Davis

17  
87

R. J. Galbraith

Donald B Co.

Howell left this

Morning for Sand Point

Iwing

21st March 1887.

17  
87

J. W. Powell

Supt of Indian Affairs

Sir

By direction of the Attorney General  
I have the honor to enclose you a copy of  
a telegram received this morning from  
Mr R. J. Galbraith in reference to the state of  
Indian affairs in the neighborhood of  
Will Horse Creek

Your obedient Servant.

P. A. Irving

22<sup>nd</sup> March 1887

Dep A.G.

17  
87

J. W. Powell Esq.  
 Superintendent of Indian Affairs

Sir

I am instructed by the Attorney General to say that after the communications written and verbal of Mr Anderson (the Kootenay Constable, who is now in Victoria) relative to the recent occurrence at Kootenay, it is deemed both useless and inexpedient to send Mr Powell into Kootenay. That Officer has therefore been recalled by telegram from Sand Point

I have the honor &c  
 P. A. Irving  
 Dep. A.G.

28<sup>th</sup> March 1887.

17  
 B



To S. Redgrave

Donald.

Telegram received -

Dowell proceeds at once with necessary  
instructions

Alex S. B. Davis

Feb 18. 1887.

17  
87

(Copy.)

Telegram.

---

Victoria B.C.

March 18. 1887.

From Donald  
To Atty Genl,  
Victoria.

Can Vorell not come in and  
talk with Indians. If some action is not taken  
immediately lives of settlers in jeopardy. I wait  
Government decision. I would strongly urge a  
talk first answer

Galtwhith.

---

17  
87

(Copy.)

Telegram.

---

March 18. 1887.

From Donald

To A. B. Davis

Atty Genl, Victoria.

Despatch to you from  
Anderson today namely, "arrested Kaptan  
murderer of Hilton Gaid broken open by 25  
armed Indians headed by Isadore and prisoner  
released Galbraith with despatch arrived today  
says lives of settlers in jeopardy prompt action  
necessary trail open from Johnsons. Will forward  
letter.

J. Redgrave.

17  
87

O.H.M.S

A.G.O. 22<sup>nd</sup> March 1887

A.W. Powell

Sand Point

Idaho.

Following  
 Dispatch just received from Galbraith 20<sup>th</sup>  
 instant second message just received four  
 days from Wild Horse Creek reports all quiet  
 Isidore says no trouble need be feared  
 with Indians but he has requested Aylmer  
 and Anderson to leave who are now on their way  
 here. He wishes interview with Dr Powell. I will  
 go to Victoria

Irving -

Bush.

17  
87

A. W. Vowell  
Sand Point, Idaho.

Wait at Sand Point until I recd  
further instructions

Alex. S. Davie  
Attorney General

24<sup>th</sup> March 1887.

17  
87

A.G.O.  
28<sup>th</sup> March 1887.

A.W. Rowell

Sand Point, Idaho.

After recent information we  
deem it useless and imprudent  
for you to proceed. so return

Smith died today

Alex. E. B. Davie.

17  
87

Atty. Gen.

Vic. 5 May, 1887

Sir,

I have the honor to acknowledge  
the receipt of your letter of the  
29<sup>th</sup> ultimo with reference to your  
letter of the 13<sup>th</sup> October 1886.

I have &c.

W. H. Irving  
Dep. Atty. Gen.

A. W. Towell Esq.

to to to

17  
87

To S. Bedgano  
Donald Pol

What character does Forests Hold bear?  
Answers

(S. Bedgano)

A.Q.O 26 Jan '88

17  
87



26 Jan'y 1888.

J. Redgrave Esq  
Donald. B.C.

Sir

I telegraphed you 5 days ago as follows..

" A man named West complains that his daughter  
" is detained against his will by Forest Hotel  
" keeper at Donald.

Examine into case and report and later, I  
will..

What character does Forests Hotel  
keep? answer."

Your Obedient Servant

P. A. E. Irving

Depts of the Gen

J. Redgrave  
Donald

A man named West complains that his daughter  
is detained against his will by Forest Hotel keeper  
at Donald.

Examine into case and report.  
(7th) Irving

26 Jan /88

17  
5

Mr. W. P. West

Dearest Sir

Sir

I am afraid that I can be of very little assistance to you in the matter mentioned in your letter of 20<sup>th</sup> instant.

The remedy is an application to the Court. This office cannot interfere.

If however the house, is a house of ill-fame or assassination, or there is reason to believe that the girl is kept in the house for immoral purposes, the police can and will interfere. You do not state that such is the case but suggest as much. I have told the Provincial Police at Donald to investigate into the case and report.

Thank you very much  
Sir

Your Obedt. Servant  
(Sd) P. A. E. Irving

26<sup>th</sup> Jan 1888

17  
87

J. Redman  
Donald Mc

With answer telegram  
Twenty Six January  
1881 Irving

A.G.O  
31<sup>st</sup> Jan'y 1888

17  
87

4<sup>th</sup> Feby 1888

Mr. W. P. West

Bellevue Station

BC

Sir

With regard to the detention of your Daughter, by Mr. Forest of Donald as brought to my notice by your letter of the 20<sup>th</sup> ultimo, I do not see that I can be of any assistance to you.

At the same time however I am happy to be able to inform you as the result of inquiries I caused to be made, that Mr. Forest and his family are respectable persons.

If you desire it, I will hand my letter to some Solicitor here as this Department cannot advise in cases of a private nature.

Yours ob. Servant  
Lis

Your Most Obedt Servant  
Ed P. A. E. Irving  
Dep. Atty. Genl

17  
87

Febry 13<sup>th</sup> 1888

Mr. W. P. West  
Beaver Station, B.C.

Sir

I have the honor to state that according to  
the desire expressed in your letter of the 8<sup>th</sup> inst.  
I have handed your letters to Mr. F. G. Walker,  
Solicitor, who will no doubt communicate with  
you on the subject thereof.

I have the honor to be  
Sir

Your obedient servant  
(Sd) P. A. E. Irving  
Dep. Atty General

17  
87

2 Nov 7

29<sup>th</sup> ultimo  
Enclosure and to state that it will  
be brought to the Attorney General's  
Notice.

(H) P. A. E. Lewis

G. M. Sproul by  
Farwell

17  
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582  
87

P. 4 Aug 5 / 84

Cadbrook  
Kootenay  
July 25<sup>th</sup> / 84

To  
The Honourable  
The Attorney General

17  
87 Victoria B.C.

Sir

I have the honour to forward a petition from one hundred and ten of the white residents of the upper Kootenay and Columbia Valley, relating to the speedy settlement of the Indian Reserve question and the retention of the Police force in the district until confidence is restored between the Indians and white settlers.

Many other settlers would willingly have signed the petition but they are so scattered that it would take time to reach them.

If the prayer of the petitioners is granted it would be necessary to buy out Mr. Robert Mather from his farm and ranch on Cherry Creek, and also Mr. Peter Boyle in the same neighbourhood, and both these settlers are willing to do so. Should they be requested to do so. The former for a sum of twelve thousand dollars, the latter for fifteen hundred. Mr. Mather has very extensive improvements on his farm.

I would respectfully suggest that if Commissioners

will

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be appointed one from the Province and one from the Dominion, to come to this district with full authority to settle the Severae question finally upon this basis, the whole matter would be amicably arranged and a permanent good feeling would be created between the Indians and white settlers.

I take this opportunity of urging the speedy appointment of Mr. Davis as Constable and Recorder at Wild Horse Creek as the affairs of this portion of the district are left in a lamentable state of confusion.

I have the honor to be  
Sir

Your most obedient servant

(Sd) James Baker  
Lt. Colonel

17  
87

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O.H.M.S

A.G.O

May 20. 1887.

A W. Vowell.

Donald

Kootenay  
Powell.

Letter of instructions re  
mail. Will arrival of

Alex E. B. Davie.

17  
87

Victoria, B.C.

26 April, 1887.

J. A. Mara Esq. M.P.

Ottawa, Ont.

Sir,

I have the honor to enclose  
a letter from the Surveyor-General  
to the Honorable the Attorney-General  
giving particulars of the claims of  
Isidore and other Kootenay Indians  
to lands held by Lieut. Col. James  
Baker and other white settlers  
in the Kootenay District.

I have &c.

(S<sup>d</sup>) P. H. Irving

Dep. A.G.

17  
87