

Wyclese Reserve and the Exclusive Fishery

The Gwa'sala have fished the waters of Smith Inlet since time immemorial. The first European explorers in Smith Inlet were crew members of Captain Vancouver's exploration expedition in 1792. They described the village of Wyclese (*Gwikalis*) as a detached rock connected to the mainland by a platform and constructed for defence and they estimated the population at around 250 people.

In 1882 Indian Commissioner Peter O'Reilly met with Chief Pen-Kwe-te (Pengwidi) at Wyclese, a village with six to eight bighouses. O'Reilly allotted a 300 acre reserve there as well as an exclusive fishery located to the east of the Wyclese IR#1. The Minute of Decision read: "The right to fish in the Sammo River two miles (2) above tidal water is reserved for the Indians."

One year later the Quashela Cannery was built. It was not uncommon at this time for Reserve Commissioners to allot exclusive fisheries as well as reserve lands. However the Department of Marine and Fisheries (later DFO) upheld the "public" right to fish and they refused to ratify any exclusive fishery reserves. The Department of Indian Affairs was unable to defend or protect the exclusive fishing right reserved to the Gwa'Sala.

In spite of DFO's position that there could be no exclusive fishery, over 30 years later, the Sammo River exclusive fishery was still on the books, although the fishery was not confirmed as a reserve. In 1914 Gwa'sala Chief Ceshaholis (Sisaxo'las) gave evidence at the Royal Commission on Indian Affairs about the Wyclese Fishery.

CHIEF CESAHOLIS: ... we want to keep where our former village was – we still have our houses there at Wyclese.

Q: That is a reserve already (no 1)

A: There is another place we want called Toksee.

Q: Where is that on the map?

A: There is a river there called Quawshela river near the Lagoon

INDIAN AGENT HALLIDAY: There is a river that comes in there from a chain of lakes – I think it is called the Sammo River.

MR. MACDOWELL: You have the exclusive right to fish in the same river for two miles above tidal water. It says so in this book (the Schedule)

MR. COMMISSIONER McKENNA: Do you know that you have a river in which you have the exclusive right to fish?

NO ANSWER

Q: Have you given to the cannery the privilege of fishing a certain river here, and are you paid by the cannery for giving them that privilege?

A: No, we don't know that the cannery can catch any of the fish in any of the streams.

Q: Do you know that you have a particular river in which you have the exclusive right to fish?

A: We don't know. The Government has never told us about it.

Q: Do you allow the cannery to draw a seine at the mouth of a river on Wyclese Reserve?

A: Yes, we are paid \$50.00 a year for allowing them to do it. The river that we are speaking about is at the back of this place where they use that net.

Q: You can fish there?

A: No. We don't go any further than the mouth of the river – We don't go up the river, and it is the back of this place that we want. This lake is ten miles long, and then there is a river up at the head of this lake, that is where our houses are for drying the salmon. The name of the place where our houses are is called HALOWIS on Long Lake – We want the place where our houses are.

Although the Department of Indian Affairs recognized that the Gwa'sala had an exclusive right to fish at the river connecting Smith Inlet to Wyclese Lagoon, the Department made no attempt to protect this right and when the Gwa'sala claimed their salmon fishery on Long Lake and Smokehouse Creek extending five miles "from Tsetsaquah to Reserve No. 2 (Nekite)" they received only two small reserves, 13.8 acres at Toksee IR#4 and 9.6 acres at Halowis IR#5.

As for their fishery, from 1890 to the late 1920s various canneries were located at Smith Inlet near the Wyclese Reserve and these canneries effectively controlled the gill-net boats and gill-net licences in Smith Inlet. The canneries, backed by fishing legislation, not only ignored the Gwa'sala right to fish in their territory but also eventually depleted the entire fishery through aggressive fishing practices.