New Point Re Songhees

City Barrister Hands Down a Very Important Opinion on Reserve Question.

Thinks Indians Can Not Sign Away Their Rights if They

Mayor Takes Initiative in Action

(From Saturday's Daily.)

T THE meeting in the City hall yesterday evening, called for the purpose of discussing the Songhees' reserve question, an important announcement was made by Mayor Barnard to the effect that he had obtained an opinion from the city barrister. W. J. Taylor, respecting the status of the Indians, and Mr. Taylor gave it that in his judgment, the present generation

below.

In the mayor's opinion, Mr. Taylor's a conclusions were undoubtedly correct. An important point which was established was that the Indians now living had no right to legislate for posterity. He had forwarded a copy of the city barrister's opinion to the premiers of both governments, asking that special legislation be enacted regardless of the consent of the Indians. Personally, the mayor was of the opinion that there was no other way out of it. From the point of view of the Indians themselves, it would be better if they were removed from such close contact with the city. No harm was being done the Indians in such a move—the Dominion government would look after their material prosperity. The people should bring all pressure possible on both governments to forcibly remove them, disregarding their consent altogether.

S. J. Pitts, president of the Board of Trade, personally, was of the opinion that no progress would be made until the city had obtained the rights of the provincial government so that a new reserve could be obtained and an arrangement made with the Indians.

A. J. Morley, the next speaker, while impressed with the importance of the city barrister's opinion, favored Mr. Pitts' view—that the matter would not be settled until the city had the question in its own hands. He moved the following resolution:

Be it resolved, That the citizens in public

more or less, south of the present E. & N. right of way, for terminal railroad and wharfage purposes, for the use of the E. & N. railway in common with other railroads now or later entering the city; the city agreeing to provide all necessary facilities and maintain the same, making only such charge for use thereof as shall cover interest, sinking fund and maintenance.

8. The remaining portion, north of that 8. The remaining portion, north of that set apart for sale, to be used by the city for park and such industrial purposes as shall best serve the public interest.

Shall best serve the public interest.

9 That the city furthermore clearly point out to the Dominion and Provincial governments the additional revenue, through taxation and otherwise, that will immediately accrue from the opening of the reserve to settlement and industry.

Moved by A. J. Morley, seconded by Lewis Hall.

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Ald. Hall seconded the resolution. He was sure all present had the best interests of the city at heart, and he trusted some action would be removed. In his opinion, it must be necessary to pass a bylaw, so that an agent could go to both governments and discuss proposed legislation. The city of Victoria was the most interested party. He thought if the proper government agents were appointed there would be no difficulty in arranging a settlement. He favored the mayor being delegated to look after the city's interest. The Indians would be required to be dealt with as Indians. If a sum of money were st aside, no doubt the Indians could be dealt with promptly and successfully. He agreed with the plan proposed in the resolution for the administration of the reserve. The city should acquire the 19 substitute of the indians were important matter, especially in view of the likelihood of the city being made the terminus of a transcontinental railway. The reserve would be a fire point for a union depot. The city should have something to say regarding the removal of the Indians—the tourists liked to see the Indians (laughter) and they should not be taken too far away. Then again, the Indians spent money, and they should be kept adjacent to the city.

C. H. Lugrin warmly approved the

The control of the property of of the

He agreed with the spirit of Mr. Mordely's resolution, but thought it went too much into detail.

W. G. Cameron, M. P. P., went a little into the history of the case. He thought the City Council and the provincial government were the bodies who not what power to effect a settlement. If all side issues were laid aside, and the council supported in its action, there would be a settlement. He thought it an intolerable condition that a large Indian reserves should be permitted to exist within the confines of the capital city of the province.

After some further debate a vote was attendent being carried.

Wictoria, B. C., Jan. 17, 1905.

His Worship the Mayor, Victoria, B. C.

Sir,—I have the honor to acknowledge receipt of your letter containing request for an opinion as to the respective rights of (a) the Indians; (b) the provincial government; (c) the Dominion government; (d) the city of Victoria, to the land commonly known as the Songhees in ment; (d) the city of Victoria, to the land commonly known as the Songhees' reserve, in the following land as a statut and made a report thereon upon the 4th May, of (a) the Indians; (b) the provincial government; (c) the Dominion government; (c) the Dominion government; (d) the city of Victoria, to the land commonly known as the Songhees' reserve, in the following land as a statut are should an reserve so the best means of bringing about the confers upon the Dominion and the province and administrative jurisdiction between province and any remedy necessitates concerned to overcome this damy remedy necessitates concerned to overcome the confers upon the Dominion and not to confer power upon the Dominion to appropriate same after surrender of the land; (f) One method of relief we whether in ease or futuro, a built in infringement of the province whether in ease or futuro, a built in infringement of the provision would have to be a section for incoming required to exist within the confines of the capital city of the province in the following land the province and administrativ

**Suffered Intense Pain Rendered States and States and

sent of all the Indians living, together with the consent of the Dominion and provincial governments, would not be sufficient to overcome this difficulty, as any remedy necessitates concurrent legislation by the Dominion and the province.

(f) One method of relief would be to obtain the consent of all Indians living to to a transfer of the land; then have the Dominion pass a statute authorizing a disposition of the rights of the Indians whether in esse or futuro, and the province pass a statute authorizing a sale of the land free from encumbrances.

Provision would have to be made for the approval of the Governor-in-council and Ligut.-Governor-in-council and Ligut.-Governor-in-council respectively, of any proposals for the removal of the Indians, so as that, in any scheme of rehabilitation of the Indians elsewhere, privileges and advantages should be secured for them equal at least to those now enjoyed.

I have the honor to be, sir, your obedication of the Ship Carrying Trade Durger of Ship and Ship are reported of the trade at the province and a three-masted ship are reported of the Lage and the Straits, bound in, which is the largest number of arrivals in a single day for weeks. The American She will load lumber of arrivals in a single day for weeks. The American schooner C. S. Holmes, Capt. Thompson, arrived at Port Bakeley of the State of the trade of the trade of the Lage and the Straits, bound in, which is the largest number of arrivals in a single day for weeks. The Amer

Of Miners

Spokesman for Striking German Coal Workers Presents Their

Wages Forced Down and \$1,20 the Highest Rate Now



of the Tourist Assoc

City To Take

An Important Announ

Time Has Arrived Whe

importance was made by majortance was made Mayor Barnard last ev mual meeting of the To —namely, that the time his opinion, when come be given to the expedi

poration assuming juris management and

tion Should Direct As

Mayor Barnard Evening.

Tourist

tion of officers for This was accordisgly explanation of the rea uated this suggestion of Worship explained that parent for some time to burden of supporting su The mayor, who is als the society, presided at which, by the way, was tended. On the minute meeting being read and a tary Herbert Cuthbert re-

report, which, during the lustrated by an exceller light views of scenes in bia and points on the second the annual report, E. C. surer, presented the fin. a most gratifying one, s bilities, and a small bala start the year 1905. Ow on space this morning t are not printed. They a subsequent issue. R. Hall, M. P. P., tion of the report speech. He was -thanks entirely to Tourist Association.

Tourist Association. The
do much to advance Vic
Tourist Association sho
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thought Victoria and Va
had great future as a to
luding perticularly to the luding particularly to matic advantages. Col. Prior seconded paid a tribute to the sp paid a tribute to the spi rendered by the secretary bert was "the right man place." (Hear, hear.) there was such a poor at toria was now at the "I ways," and it behoved t arouse themselves for the their interests. The time for getting railway comme arouse themselves for the their interests. The time for getting railway comm Grand Trunk was coming and it should be remembe Hays undoubtedly was in the views of the committee on him. Now was the torians to get together, in torians to get together, no their politics. No town a ural facilities for the ma town; but "we must put to the wheel." Some i should call a public meet citizens might consider we offer to the Grand Trunk road made its terminus he ple must be up and doin like to see somebody star

NOTICE is hereby give days after date, I intend n tion to the Chief Commissi and Works for permission to away timber from the fo Commencing at the N. W. 80 chains south, thence 80 chains north, the west to point of commen

Dated this 31st day of

who was an enthusiast and the Island. Conclu

NUTICE.

NOTICE is hereby give days after date, I intend n tion to the Chief Commissi and Works for permission to away timber from the fo Commencing at a post pl south shore of Kingcome south 40 chains, thence we thence north 40 chains to thence easterly following a point of commencement, acres, more or less.

Dated this 14th day of I

NOTICE is hereby give days after date, I intend I tion to the Chief Commiss and Works for permission to away timber from the f Commencing at a most nism away timeer from the I Commencing at a post planhalf mile west from J. C. corner, thence south 40 west 160 chains, thence in to shore, thence following are to point of commence erly to point of commenc Dated this 14th day of I JOSEP

NOTICE. NOTICE is hereby give days after date I intend cation to the Chief Con Lands and Works for per and carry away timber for ing lands: Commencing at cd on the south side of thence west 80 chains, to horth shore of following shore line easter ly to point of commence erly to point of commence of the commen erly to point of commence ing 640 acres, more or less. Dated this 14th day of

NOTICE is hereby give days after date, I intend notion to the Chief Commission and Works for permission to way timber from the fe commencing at post plante corner, thence east 40 chain 80 chains, thence west 80 sooth 80 chains to point making 640 acres; location, point west of Wadham's C Iniet, B. C. Dated this 31st day of Au H.

NOTICE is hereby give days after date. I intend a tion to the Chief Commission to away timber from the fo Commencing at the S. E. 80 chains north, thence 80 thence 80 chains south, the cast to point of commence 440 acres; location on W. B. C., and adjoining claim of Dated this 3ist day of A