

*By Hon. Mr. Murphy:*

Q. Mr. Kelly, this P.C. 751 not only provides for what Dr. Scott said, but it goes on to say that in the event of submission to the Courts the Government of British Columbia shall be represented by counsel and the Indians shall be represented by counsel nominated and paid by the Dominion?—A. Yes.

Q. So that there was every provision made in this Order in Council for safeguarding the rights of the Indians, and for submitting them properly to the court?—A. If the Indians were taken into confidence a little more I think a great deal of misunderstanding and trouble would have been eliminated. I say that in all seriousness.

Q. You mean that if the terms of this Order in Council had been first submitted to a conference or meeting, such as you describe, and all the matters thrashed out and fully understood, the whole thing would have been probably agreed to then?—A. I think so. I firmly believe that if that sort of thing had been done a great deal of trouble would have been eliminated. It has not been done. I hope that the Committee is prepared to admit this; that we are not quite as illiterate as we used to be; we are not quite as ignorant as we used to be in British Columbia sixty or seventy-five years ago. We have made a little progress since that day. My friend, Mr. Paull, the Secretary of our Alliance, is a very competent man, and I think seemed to impress the Committee. They are not all just like him but we have—

Q. He is a fair sample?—A. He is a fair sample of a good many. We have young men who are capable of doing their own thinking and who are capable of seeing things just as any ordinary man. There has not been a frank understanding about that particular matter. I would like to give a great deal of credit to the present Minister of the Interior, not because he is here, but I think he was the first Minister of the Crown who made a trip to British Columbia to find out the facts of the case as far as he was able to, and who met us in conference and discussed matters frankly. Now, we did not go the whole way, but I think it was the beginning of a progress. It was the sort of thing that should have been done in days gone by, but it was not done, and because of that there has been a great deal of misunderstanding and perhaps a great deal of expenditure of money needlessly. I say that in all frankness. We have taken our interpretation of this Order in Council, whether rightly or wrongly, and the report of the Royal Commission was not acceptable to the Indians. We had to agree to that, as you see in the reading of this, to accept that which was objectionable.

*By Hon. Mr. Stevens:*

Q. You were asked to accept before the Royal Commission made their findings; this was when the Royal Commission were really doing their work?—A. (No audible answer.)

Mr. PAULL: They were right in the field.

*By Hon. Mr. Stevens:*

Q. They were in the field?—A. Yes.

Q. They were asking you to accept a finding that was repugnant to you? They were asking that you would accept, as the two governments had, the finding of this Commission, and abide by it, as to lands and lands alone. Surely that is not unreasonable?—A. I think Mr. Stevens knows that the Indians strongly objected to great areas being cut off, which was part of the report of that Royal Commission; 30,000 acres in Penticton.

Q. You did not know that at the time you turned this down?

Mr. PAULL: That is why the Indians would not agree to the contents of this Order in Council, before they knew what the report of the Commission would be.