

By Hon. Mr. McLennan:

Q. Part of the covenancy for your surrendering the title was the reserves; the reserves were to be considered to be part of the compensation?—A. Yes.

Q. If they had given you \$100,000,000, you would have had to surrender title and take the lands as part of the compensation?—A. That is so.

Q. That is the way it reads?—A. It does not read that way.

By Hon. Mr. Stevens:

Q. A moment ago you took the stand that what you claimed was that you had a right to settle this question as it had been settled in other parts of Canada; that the British Columbia Indians had been treated differently. That says: "benefits to be granted for extinguishment of title in accordance with past usage of the Crown." Now, that is throughout the whole of Canada?—A. Exactly. Just a while ago I pointed out the fact that in the other parts of the Dominion Commissioners were sent out and they met the Indians in a formal way in council and negotiations took place. I said that perhaps it was just a formal procedure; it might be true that treaties were drawn up beforehand and the Indians could not make any advance in reference to them, but the fact is they had negotiations and the Indians were met and terms discussed and agreed to. This says that we shall accept whatever the Government sees fit to give to us.

Q. It says, "receiving from the Dominion benefits to be granted for extinguishment of title in accordance with past usage of the Crown in satisfying the Indian claim to unsurrendered territory?"—A. There would have been no objection, I assure this Committee, to this particular paragraph if there was any reference made to negotiations, if the Indians were to be represented there and after talking about the matter we would agree to some sort of settlement.

Dr. SCOTT: The whole thing is provided for in the clause. Negotiations would have to take place, but the benefits would be in accordance with past usage of the Crown in these matters.

Hon. Mr. MURPHY: Not merely past usage in relation to the Indians of British Columbia, but the Indians of the whole Dominion?

Dr. SCOTT: Yes. In the memorandum which accompanied it I explained what these usages were, and in my report I analyzed some of these things, but there was to be an agreement according to the past usage of the Crown.

Hon. Mr. McLENNAN: Were the Indians made aware of that?

Dr. SCOTT: This was never brought before them in a formal way. This Order in Council was printed and they knew what it was. Of course, the real objection was that they did not wish to accept the findings of the Royal Commission.

The WITNESS: I think the Doctor will agree with this; that forms were sent out to the different agencies in the province of British Columbia and it was demanded that the Indian Chiefs or representatives sign their names signing away their rights, even before they knew the contents of the report of the Royal Commission.

Dr. SCOTT: That is quite wrong; that is not the fact at all. I gave my agents certain copies but they were not authorized or directed to submit them to the Indians or discuss them with the Indians. It was only for their own information, but Mr. Kelly got a copy.

The WITNESS: If my understanding of that is wrong I am quite willing to be corrected; I do not wish to stretch anything beyond its proper meaning and intention. Since the Deputy Minister of Indian Affairs has brought this before the Committee and given that explanation, I accept his explanation.