

the Indians to take an active interest in their own affairs, they were given an opportunity to review the proposed legislation and to make representations regarding its provisions. Also a group of representative Indians studied the provisions of the Act with the Minister of Citizenship and Immigration, who is responsible for Indian Affairs.

LEGAL STATUS OF INDIANS

Apart from special provisions in the Indian Act, Indians are subject to federal, provincial and municipal laws, in the same manner as other Canadian citizens. Indians may sue and be sued and may enter freely into contractual obligations in ordinary business transactions. Their real and personal property held on a reserve is exempt from taxation, and such property, except on a suit by another Indian, is also exempt from seizure.

Indians not ordinarily resident on reserves may vote at federal elections, and Indian veterans and their wives may also vote whether living on or off reserves. Indians ordinarily resident on reserves may also vote provided they execute a waiver of exemption from taxation on personal property held on the reserve. With regard to provincial election, the Indians are governed by the electoral laws of the various provinces.

Liquor has presented a special problem. From an early period it was thought necessary to control the liquor traffic with Indians and special legislation was passed by the competent governmental authority in provinces and colonies, even before Confederation, prohibiting the sale to, and use of, intoxicants by Indians in order to protect them from exploitation by unscrupulous traders and individuals who might take advantage of them in economic matters. This was especially true during the early fur-trading period.

Total prohibition of the use of any kind of intoxicant by Indians except for medicinal purposes is the significant feature of the liquor provisions of Indian legislation passed by the Parliament of Canada, which was consolidated in the Indian Act of 1876 and continued with minor changes until 1951.

Provision is now made under the Indian Act for three stages of development. The first is one of total prohibition, as in the past. The second provides for the consumption of alcoholic beverages in public places and is brought into effect on the request of the province concerned and with the concurrence of the Governor-in-Council. This stage is now in effect in the Provinces of British Columbia, Manitoba, Ontario and Nova Scotia and in the Yukon and Northwest Territories. The third stage, permitting Indians to purchase intoxicants in the same manner as other citizens in accordance with the laws of the province may be proclaimed by the Governor-in-Council at the request of the province concerned. This was proclaimed for the Province of Ontario on November 6, 1958. Provision is also made in the act for Indians residing in a province where this third stage is in effect to hold a community referendum at the request of the band council concerned. In the event that the majority are in favour the Governor-in-Council may issue a proclamation permitting the possession of intoxicants on the reserve in question.

SELF-GOVERNMENT

The original political organization of the Indians varied considerably from tribe to tribe. It was usually very simple, involving only the recognition of a chief and headmen or councillors, either hereditary or chosen for their prowess or ability. As early as 1869, provision was made in the Indian Act for self-government