

degrees from savage life and gradually leading them by example and precept to adopt habits of peace, honesty and industry. While it was recognized that this step would probably be attended with some well-known evils, it was, however, believed that these defects would in time be largely removed by the application of proper remedies.

The system of presenting gifts to the native tribes was not a prominent feature of the colonial policy. It was followed more in obedience to Indian conditions than from any convictions of accomplishing good. The practice was countenanced rather than encouraged, as it was opposed to the main principles of assimilation of the native and civilized races and of the consequent treatment of the Indian as a fellow subject. Habits of self-reliance were inculcated, and the advantages of well-directed labour were impressed upon them. In those early days, labour was scarce and in great demand. The Indians became workers and were employed in almost every branch of industrial and domestic life.

In the administration of criminal law, the Indian and the white man were treated alike.

This in very brief outline is a sketch of the Colonial Indian Policy from 1858 to 1871. It was based on the broad and experimental principle of treating the Indian as a fellow-subject. The principle was at least a lofty one and worthy of an enlightened humanity. It had its trials but it also had its rewards, for, through its influence, the colony was enabled on the date of Confederation, to hand over to the trusteeship of the Dominion a community of 40,000 Indians, many of whom were savages, but all were loyal, peaceable, and contented, and in many cases honest and industrious.

Now, a word respecting the land policy that obtained during those 13 years, for a consideration of this question is absolutely essential at the present moment. I quote now, as before, from a memorandum written by the Hon. J. W. Trutch, first Lieutenant-Governor of British Columbia, in which he says, shortly after his appointment, speaking of the Indians:

The Indians have in fact been held to be the special wards of the Crown and in the execution of this guardianship, the Government has in all cases where it has been desirable for the interests of the Indians, set apart such portions of the Crown lands as were deemed proportionate to and amply sufficient for the requirements of each tribe, and those Indian reserves are held by the Government in trust for the extensive use and benefit of the Indians residing thereon, but the title of the Indians in the fee

of the public lands or of any portion thereof, has never been acknowledged by the Government but on the contrary is distinctly denied. In no case has any special agreement been made with any of the tribes on the mainland for the extinction of their claims of possession, but these claims have been held to have been fully satisfied by securing to each tribe as the progress of the settlement of the country seemed to require, the use of sufficient tracts of land for their wants for agricultural and pastoral purposes.

Then speaking of what took place in the former colony of Vancouver Island, he said:

In 1850 and 1851, shortly after the first settlement in Victoria by the Hudson Bay Company, at that time grantees from the Crown of the whole of Vancouver Island with full powers of government, their agent, Governor Douglas, made agreements with the various families of Indians then occupying the South East portion of the Island, for the relinquishment of their claims in the district of country around Fort Victoria, in consideration of certain blankets and other goods presented to them but these presents were, as I understand, made for the purpose of securing friendly relations between those Indians and the settlement of Victoria, then in its infancy, and certainly not in acknowledgement of any general title of the Indians to the lands they occupied.

And this view of the Lieutenant-Governor appears to have been confirmed by the Imperial authorities, for a little later when Governor Douglas approached the British Government for a loan of £3,000, in order to secure a similar surrender for the whole of the Island, his application was refused, evidently because the Imperial authorities did not wish to recognize any aboriginal title to the land in question.

I wish to draw your attention particularly to the consideration which was given the Indian question in the 13th clause of the Terms of Union, which I have already read. This clause was considered by the Dominion and also by British Columbia, a satisfactory settlement of the Indian question, and the Imperial Government acquiesced. The terms of the union were approved by Her Majesty in Council and in the same year, 1871, British Columbia entered Confederation. Now it will be noted that all parties to the union agreed on clause 13 of the Terms of Union, and this clause recognized the well-established policy of the government of the colonies with reference to Indians.

To further show that there was no possibility of mistaking either the custom or the purpose of British Columbia in regard to Indian control, I quote an extract from a memorandum sent by Governor Musgrave to Earl Granville, Secretary of State for the Colonies, written a few months prior to the settlement of the Terms of Union, as follows: