

of course, to do so. In the earlier years when the fur trade constituted their chief business, it was not desirable to have any extensive white settlement, and it was in their interests to keep on the most friendly terms possible with the natives. Notwithstanding this, the Hudson Bay Company always regarded the natives and treated them as inhabitants of the country, but not as owners of the soil or as having any title whatever to the same.

This policy was in harmony with the policy of the Motherland in all her explorations, as noted a few moments ago. We stated that the two Crown colonies were united in 1866; three years later Sir Anthony Musgrave, himself a Hudson Bay official, was appointed Governor of the colony, with the express purpose in view of conciliating the different factions in the colony and promoting its best interests, and immediately after his appointment, Earl Granville, then Secretary of State for the colonies, addressed to him a despatch in which he touched upon the Indian question as follows:

It will not escape you that in acquainting you with the general views of the Government, I have avoided all matters of detail, on which the wishes of people and the legislature will of course be declared in due time. I think it necessary however to observe that the Constitution of British Columbia will oblige the Governor to enter personally upon many questions, as the condition of the Indian tribes and the future position of the Government servants with which, in the case of a negotiation between two responsible Governments, he would not be bound to concern himself.

The 146th section of the British North America Act provided for the inclusion in the union of other colonies and mention was made of British Columbia. Preliminaries of union were actively taken up by both the colonies and the Dominion, and in 1870 we find Governor Musgrave writing to the Governor General of Canada as follows:

In Lord Granville's despatch, No. 84, of the 14th August, which was communicated to Your Excellency, he mentioned the condition of the Indian tribes as among some questions upon which the Constitution of British Columbia will oblige the Governor to enter personally. I have, purposely, omitted any reference to this subject in the terms proposed to the Legislative Council. Any arrangement which may be regarded as proper by Her Majesty's Government can, I think, best be settled by the Secretary of State, or by me, under his direction, with the Government of Canada. But Indians and lands reserved for Indians form the twenty-fourth of the classes of subjects named in the 71st section of the Union, which are expressly reserved to the legislative authority of the Parliament of the Dominion.

[Mr. Stacey.]

Yet, Sir, in face of all this, we have the astounding claim made that these Indians are not under the authority of the Dominion, but under a sort of protectorate of the British Crown.

I give one instance which occurred some years earlier to illustrate the attitude of Sir James Douglas, who was Governor of the Hudson Bay Company and administered affairs, under charter, on Vancouver Island. His policy was to take surrenders from the Indians, and a portion of the lower part of Vancouver Island was ceded to the company. In 1861 he endeavoured to obtain from the Home authorities a loan of £3,000, wherewith to obtain a cession of the Indian title to the whole of the island, but his application was refused. But on the mainland that policy was not at any time recognized. No aboriginal title was ever acknowledged there, and after the two colonies were united in 1866 the policy of the mainland prevailed.

Now, let us ask what the policy of the Crown Colony of British Columbia prior to 1871 actually was, in order that we may clearly understand what was involved and set forth in the 13th article of the terms of the Union. The 13th article reads as follows:

The charge of the Indians and the trusteeship and management of the lands reserved for their use and benefit shall be assumed by the Dominion Government and a policy as liberal as that hitherto pursued by the British Columbia Government shall be continued by the Dominion Government after the Union. To carry out such a policy, tracts of land of such extent as it has hitherto been the practice of the British Columbia Government to appropriate for that purpose shall from time to time be conveyed by the local Government to the Dominion Government in trust for the use and benefit of the Indians on application of the Dominion Government and in case of disagreement between the two Governments, respecting the quantity of such tracts of land to be so granted, the matter shall be referred for the decision of the Secretary of State for the Colonies.

Now then, let us examine the nature of such colonial policy. The policy of the Dominion Government in other parts of Canada aimed at the concentration of Indians upon reserves but that of the Crown Colony, while granting reserves in cases where the Indians preferred them, courted rather the opposite result. The colonial policy was first inaugurated under the auspices of the Imperial Government in 1858, the date of the foundation of the Crown Colony. Under this policy, the natives were invited and encouraged to mingle with and live amongst the white population with a view to weaning them by