

THE SEMI-WEEKLY COLONIST

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THE INDIAN CLAIM

Mr. R. E. Gosnell writes us very interestingly concerning the claim that has been put forward on behalf of some of the northern Indians. He points out several questions that inevitably arise when an attempt is made to state the Indian case in concrete form as respects any particular piece of land. It occurs to us that the arguments advanced on behalf of the Indians are plausible and ingenious, but not sound. They are based upon a confusion of things that are very dissimilar. We are asked to judge of the so-called rights of the Indians to land as though they were governed originally by the laws of the United Kingdom, whereas in point of fact we know that they never were. There never was such a thing as ownership of land by the Indians; there was occupation. The Indians had no land to sell. There was no tribal title recognized among themselves or by other tribes, but only a continuous possession which was not always continuous. We are told that Mr. Douglas, as he was then, acting for the Hudson Bay Company, recognized the Indian title and took steps to extinguish it; but all he really did was to pay certain tribes to abandon certain tracts. He used for the purpose an adaptation of the Indian form of deed, but he could not, and he never pretended to give them a title to something that they did not own. His whole correspondence shows that he treated the land as absolutely in control of the Crown, but even if for the sake of preserving friendly relations he chose to pay them for not interfering with the settlement of Europeans in the southern part of Vancouver Island he did not thereby give the Indian tribes a title to the remainder of British Columbia. When we come to speak of title, we have to deal with a matter of fact, not one of theory, and still less one of sentiment. To claim that the Indians had the ownership of vast areas simply because they roamed over them in search of game, fished in the lakes, or picked berries on the hill-sides, seems an absurdity in the highest degree. All they had was the use of them.

Let it be supposed that a man should get in communication with a band of Indians and secure from them by purchase a part of the land on the Fraser River, for example, or not to go far away, up the West Coast of Vancouver Island, and suppose that another man should apply for and obtain a Crown grant of the same land in the regular way. In whom would the title vest? Will anyone contend that the man who bought from the Indians would be the owner? Yet, if the claim put forward on behalf of the Indians is admitted, must we not concede that he had a right to hold the land against all comers? In such a case there would be two owners, one in British Columbia, which is an untenable position. Is it not clear that, if the Indians own the land of the Province, except such small parts as they have surrendered to the white people, they must transfer it according to their own customs, and ignore any jurisdiction of the Provincial courts? For the Indians are either British subjects or they are not. If they are, they come under British law and that law does not recognize any such title to lands as the Indians are setting up. If they are not British subjects, and the Crown has no title to the land, they remain an independent people. It is a fundamental principle of British law that the title to all land is vested primarily in the Crown, and that subjects can only acquire it by virtue of a grant from the Crown. If the Indians are subjects they must hold their land under the Crown, and cannot hold it by any other title.

While we decline to accept the contention made on behalf of the Indians we are fully in accord with those who say that their claims ought not to just be brushed aside as though they were unworthy of consideration. We have taken possession of the country; our possession has been recognized by all the nations of the earth but we find in the country an aboriginal race. We are bound by every instinct of humanity to deal generously with this race. If we should abandon the country to them they would not revert to their former condition for they have tasted the fruits of civilization and could not return. If they wished to do so, to their original savagery. They have not been badly treated. Indeed, they have been treated exceedingly well. They have been introduced to such things as possible. But present conditions cannot continue. The inexorable advance of civilization makes that inevitable. Our duty towards the Indians, therefore, is becoming more imperative. We must see to it that they do not suffer because of the new conditions that have arisen. While we deny their right to land which they cannot occupy to any beneficial purpose, we admit in the fullest degree

their right to liberal treatment and trust that it will be accorded to them. The settlement of the dispute that has arisen may not be wholly without difficulty, for the Indians have advisers who seem more determined on mischief than on justice; but justice must be done notwithstanding.

THE DAILY KNOCKER

We venture to suggest to our evening contemporary that it might with advantage read its own news columns. Last night speaking of what the Colonist had said concerning the despatch of survey parties into the field on Vancouver Island by the Canadian Northern Railway company, our contemporary threw doubt upon this saying that it did not believe the terms of the contract were fulfilled by the presence of survey parties in the field—if they are in the field—as the Colonist suggests they are. Then it added, "We confess we do know nothing about that. The engineers may be hiding their light under a bushel." On the first page of the same issue of our esteemed contemporary was a leading local item headed "Surveyors Leave for Up the Island," and it told of the despatch of a party by the Canadian Northern, adding that this was the second party to enter the field, the first having gone out some weeks ago. We naturally expected our contemporary to disagree with the Colonist, to discredit Mr. McBride, and to view with doubt anything that Messrs. Mackenzie and Mann may propose or promise; but we did not expect it to decline to believe the statements in its own news columns.

But there is a serious side to this matter, and this is why we refer to it. The Colonist having stated and its own news department having brought in the news that the survey for the Canadian Northern were being pushed forward with rapidity, our evening contemporary has deliberately chosen to throw doubt upon the good faith of the whole proceeding. If such a course has any effect at all, it must be one prejudicial to the welfare of this city, for if its readers share in its doubts, they cannot fail to lose confidence to a certain extent in the future of Victoria. Such a policy on the part of our contemporary can hardly be adopted for political effect, and it is difficult to believe that it is inspired by a feeling of hostility to the Colonist. Perhaps it is only the outcome of "constitutional cussedness."

THE EAST AND ITS LESSON

The St. John Telegraph, commenting upon some observations in this paper, says that it would prefer to see the young men of New Brunswick go to British Columbia rather than to the United States, but it urges them to remain at home and develop their own province. To this advice no true Canadian will take exception. We in British Columbia wish to see the West developed, but not at the expense of the East. Our contemporary says that the progress of its province is just beginning. It looks for great things to come from a more thorough system of farming, from the development of its mineral resources, from the utilization of its water power and from the more economical handling of its forests. It is to be forthcoming from the Grand Trunk Pacific, the Canadian Northern and what is known as the Valley Railway. We are glad to see our contemporary in such an optimistic spirit, and that he is able to give good grounds for the faith that is in it. All we have to add is that if young New Brunswickers do not take our contemporary's advice and stay at home, we hope they will come to British Columbia.

But our contemporary's observations in respect to the development of its province by railway lines leads us to say something about what has been done and what is about to be done there. We say it not in any spirit of criticism, but for the purpose of showing the people of this part of the Dominion what is considered reasonable in the East in the way of transportation facilities. New Brunswick has an area of a little more than 27,000 square miles; that is, it is less than twice as large as Vancouver Island. Three lines of railway enter it from the north. The Intercolonial, the Rivière du Loup and Temiscouata, and the National Transcontinental. The Canadian Pacific enters it from the West. The people are looking for another great system to cross its boundary with a line, namely, the Canadian Northern, running north and south along its western

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CYRUS H. BOWES, CHEMIST

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frontier is the Canadian Pacific, which projects two or three branch lines into the State of Maine, running north and south along its eastern frontier. The Intercolonial, crossing the province diagonally the National Transcontinental is approaching completion. This will unite the rails of the Canadian Pacific with those of the Intercolonial. There is a project on foot for the construction of another north and south line, by way of the valley of the St. John, above referred to as the Valley Railway. Crossing the provinces at the north is a line of railway in process of construction. Crossing it on the south is the St. John division of the Intercolonial. Crossing it in the centre is what used to be called the Canada Eastern, now a part of the Intercolonial. Extending for a part of the distance through the centre is the Central Railway. Following the Bay of Fundy shore from St. John westward is what used to be called the Grand Southern Railway. Branching off from the Intercolonial in the northeast is the Conquest Railway. We shall not attempt to name the various branch lines. Neither shall we take the trouble to figure out closely, but it is safe to say that New Brunswick with its 27,000 square miles, or, as we say, its seascoast, which is nearly two-thirds of its whole boundary, its magnificent system of navigation affords several important highways of commerce, has in operation or under construction nearly 2,000 miles of railway.

We repeat that we do not mention these things in any spirit of criticism and we have not a word to say in hostility to those who are agitating for additional railways in that province. We only hope that they will be able to secure every line that they think is needed. Our reference to the subject is, as we have said, to show our own western people what is regarded as only adequate railway development in the eastern provinces. Not long ago the Colonist was announcing the construction of a line of railway along the West Coast and to the north of the Island by way of Alberni. To this strenuous objection was taken by a certain Victorian, who said that people would never consent to the construction of a railway that would parallel the C. & N. If this Island were New Brunswick, the people would want the road up the coast, another up the west and another up the middle, with branches to every conceivable point you could name. And what is more they would keep agitating for them until they got them. That is a lesson which the East has for the West.

Mr. William Mackenzie, editor of a Winnipeg reporter that his company intended to double the output of its collector lately sold by the firm of A. D. Muir & Sons. The new concern will be a tremendous power in the Pacific Northwest.

A Methodist minister, who has lately returned from Japan, says that the United States is getting ready to fight the United States. There is no cause belli in sight, but it would not be difficult to convince us that Japan one day will take it into her head that she wants the Philippines. It was comes that is where it will be fought.

The Suffragettes are threatening to go upon the rampage again in England. Poor John Bull has certainly enough trouble of his own these busy days. We fear the Suffragettes will defeat their own cause. There was a prospect that something might be done in the direction of woman suffrage, but if their rowdiness is renewed the advocates of the new measure will simply alternate what public sentiment there may be in their favor.

The Nelson News complains of the inadequacy of the mail service in that part of the province. Unfortunately Kootenay is not the only part of British Columbia to be inconvenienced by the failure of the Post Office Department to meet the reasonable requirements of the people in the matter of mail accommodation. Public just as little as possible. In a new country the postal services ought to be ahead of the requirements, instead of lagging a decade behind them.

The Inland Sentinel thinks that the establishment of a testing plant for explosives and the making of stricter regulations as to their storage are both needed in Canada. We suppose the jurisdiction that comes within the jurisdiction of both the Federal and Provincial Governments. The testing of explosives seems to relate to trade and commerce, and therefore to come within the jurisdiction of the Dominion; the regulation of storage is within the scope of police jurisdiction, and may therefore be dealt with by the provinces.

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Punch Bowls, small size, at	\$10.00
Finger Bowls at, per dozen	\$30.00
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Sterling Silver Teaspoons, per dozen	\$20.00
Sterling Silver Berry Spoons, each, \$8.00 to	\$5.00
Salt and Pepper Shakers, sterling silver mounted cut glass, at per pair, \$4.00 to	\$1.00

Vases, plain and etched glass with sterling silver mountings, at from \$3.50 to	\$1.50
Salt Cellars, glass, with and without sterling silver mounting, sterling silver spoons, in lined cases, at, per pair, \$3.00 to	\$1.75
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MUCH WORK IN HAND IN WESTERN SECTION

Construction From Edmonton Coast Will Be in Progress Next Year—Some Contractors Already Awarded

WINNIPEG, June 20—President Wm. Mackenzie of the C. N. R. Railway Company, arrived in the city yesterday afternoon, the journey from Montreal being made in twenty-four hours and twenty minutes over the main line. This is the fastest time ever made on this trip, and establishes a new record. The average speed made included all stops. Mr. Mackenzie is quite elated over this remarkable journey, but stated that hopes when the time comes now progress have been completed that will push the run in the same time.

Mr. Mackenzie is returning from Victoria, B.C., where he consummated the purchase of the Dunsmuir mines and took possession of the property. "It is our intention," said Mr. Mackenzie, "to extend the workings of the present output, which is approximately 3,500 tons daily. The coal from our mines is consumed along the Pacific coast as far south as San Francisco, and the demand is increasing yearly."

Speaking of the construction of the mountain section of the C. N. R., Mr. Mackenzie stated that tenders are now being invited for the construction of sixty miles eastward from opposite New Westminster, and it is hoped that this section will be completed this year. This will carry the line through the famous Chilliwack farming district to Hope. Construction is also to be started at once from Edmonton westward, a contract for year construction will be in progress for the entire distance between the McLeod River and Hope. From the Thompson head Pass the line will follow the Thompson and south bank of the Fraser to New Westminster. Mr. Mackenzie says that the line as located is a very good one, though many of the problems of mountain railway building will be encountered. Being asked when he expected to have the C. N. R. completed as a transcontinental line, Mr. Mackenzie replied that July 1st, 1914, had been fixed as the date of opening a through line from Montreal to the Pacific Ocean, and he added that his company would be able to carry out the programme to the letter.

Respecting work now under way in the prairie provinces, the president referred the newspaperman to the local officials of the road, who, he said, were in a better position to furnish information than he. However, he volunteered the information that already this year 300 miles of new road in the west had been laid with steel and work was being pushed in every corner.

Speaking of the future of western Canada, Mr. Mackenzie grew most enthusiastic. "Having in view what has occurred in the past quarter of a century, who can foretell what great things there are for us?" he said. "The possibilities seem overwhelming. In this rich agricultural country, the best in the world, with wheat at a price which experts declare will never be lower, the wealth that our land will produce is almost inestimable. Mr. Mackenzie leaves for Toronto today."

AEROPLANE TRAVELLING

Lady Abby As Passenger With Graham White Has Rather Startling Adventure.

LONDON, June 20.—Graham White, the English aviator, who was near prize of \$50,000, recently announced that he would take passengers in his biplane, Lady Abby, for £15. The second of his flights were to cost her £14 10s. The first flight was tried on Saturday. Soon after the start the engine of the great machine failed and the biplane fell. It happened that it was only about ten feet in the air at the time, and Lady Abby and White were uninjured. The machine was badly damaged.

SERIOUSLY BURNED

Owner of Trotting Horse Suffers In Endeavor to Rescue Animal From Burning Stable.

OTTAWA, June 20.—The Central Canada exhibition buildings were again tonight visited by fire. Mixed alarms delayed the brigade in getting to the scene, with the result that the stables, in which were a number of valuable trotting horses, were destroyed. In attempting to rescue the famous known trotter Waterloo, Frank Putnam, the owner, was seriously injured and was taken to St. Luke's hospital. All the race horses, eight, were safely removed. The stables were frame structures, so that the loss will not exceed \$15,000.

King to Inspect Rifle Teams LONDON, June 20.—His Majesty King George at Buckingham Palace this week.

Crushed by Load of Lumber VANCOUVER, June 20.—E. Phillips, aged 65, a workman, was instantly killed this afternoon by a load of lumber from a flat car slipping and crushing him.