

restriction desired upon Indian hunting rights. I submit that for the consideration of the Committee.

Hon. Mr. MURPHY: When you began this last argument did I understand you to draw a distinction between the treatment accorded the Indians of British Columbia in regard to hunting rights, and the treatment accorded Indians elsewhere in Canada.

Mr. O'MEARA: The suggestion is official and on the records, that Canada is saying to the tribes of British Columbia, "We will give you everything that has been given to the tribes in the rest of Canada." I am pointing out that in regard to hunting rights Canada is not in a position to do that, because British Columbia says that there has been a final adjustment of all matters in connection with Indian affairs, and yet, when you go into other parts of Canada, hunting rights have been reserved by treaties.

Hon. Mr. STEWART: Reserved by treaty?

Mr. O'MEARA: Under the treaties.

Hon. Mr. STEVENS: Do you suggest that in other parts of Canada the Indians have all their original rights of hunting?

Mr. O'MEARA: No, because the matter has been matter of controversy.

Hon. Mr. STEWART: Because that would be an absolutely absurd statement to make, if it refers to lands which are not Crown lands.

Mr. PAULL: If I might answer that, by some treaty in Vancouver Island, between some Indians and the Hudson Bay Company, on April 29, 1850, "with the small exceptions becomes the entire property of the white people forever. It is also understood that we are at liberty to hunt over the unoccupied lands and to carry on our fisheries as formerly." That was the agreement entered into between the Hudson Bay Company and some tribes on Vancouver Island. Our submission is that now we cannot fish and we cannot hunt on these lands.

Mr. DITCHBURN: I think you ought to take into consideration that there are no unoccupied lands in that part of the country. Now those are all privately owned lands.

Hon. Mr. STEWART: And the same thing applies in Ontario.

Hon. Mr. STEVENS: It makes a reasonable claim almost hopeless to put up any preposterous claims with it.

Hon. Mr. MURPHY: There can be no shooting in Vancouver streets.

The CHAIRMAN: Have you finished, Mr. O'Meara?

Mr. O'MEARA: No, not yet, Mr. Chairman. I have promised to be as brief as possible, but there are some important matters yet to be put before you. I submit these hunting rights are important.

Hon. Mr. MURPHY: You have stated them anyway.

Mr. O'MEARA: Yes. With regard to general rights, the only other issue is have the aboriginal tribes original water rights? I want to put a very important statute of British Columbia before this Committee. Will Mr. Paull put it in?

Mr. PAULL: Mr. Ditchburn put that in already.

Mr. O'MEARA: But may I point out that the final section of that statute in so many words enacts that aboriginal water rights shall not be recognized in British Columbia. I ask special attention to that enactment of the Province, showing the position which the province takes on this whole subject of the rights of Indian tribes.

Hon. Mr. STEVENS: That statute is all in. Mr. Ditchburn put it in.

Mr. PAULL: It is chapter 19 of the British Columbia Statutes of 1921.

Mr. O'MEARA: The next two issues honourable gentlemen, as I shall submit, are of all the most important issues to be placed before this Committee; and at the same time I hope to be able to put them before you in not more than ten minutes. Those relate to the law of 1920, which, as I submit under the memorandum before you now, is regarded as a sort of a vise in which the Indian tribes are held and in which even the Dominion Government is preventing any