

the border for the purposes of hunting and visiting relations, would, if adopted, place in the hands of the officials of the two countries the means of satisfying all reasonable demands of Indians of the various tribes who may have intermarried, or may desire to hunt together. A short personal description on the permit of the Indian bearing it would prevent a transfer of it to any Indian having no right to carry the permit:

That should the United States Government concur in Your Excellency's suggestion, he, Sir John Macdonald, recommends the adoption of a form of permit and instructions as to the issue of the same, which will be applicable to officials of either country, and ensure uniformity of action by them. On this subject a report from the Honorable E. Dewdney, Lieut.-Governor and Indian Commissioner of the North-West Territories, is hereby annexed. Neither Government should be held responsible for any wrongful act of an Indian holding a permit, but he should be held personally responsible, be as severely punished as the law would allow, and forfeit forever afterwards all claim to a renewal of his permit:

That in submitting the above for Your Excellency's approval, he, the First Minister states that it is the earnest wish of the Canadian Government to prevent depredations by Canadian Indians on United States Territory, and at the same time to express their appreciation of the friendly desire of the Government of the United States to act in regard to their Indians for the same end; and it is confidently hoped that a thorough understanding between the officers on either side will facilitate the adoption of an arrangement which will regulate what cannot be prevented, namely the occasional movement of Indians across the line.

Your Excellency's telegraphic dispatch to Her Majesty's Minister of the 4th April instant, fully engrosses the intention of the Dominion Government to aid in the prevention of incursions and give every information as to the southward movements of our Indians.

Sir John Macdonald suggests that some arrangement should be made between Her Majesty's Government and that of the United States, by which Indians on either side should, on complaint under oath charging them with felonies or serious outrages against property, be arrested and surrendered for trial in the country where the offences may have been committed, notwithstanding that such offences may not come within the terms of the existing Extradition Treaties. This can of course only be done by negotiations between the two Governments, as Canada has no power to act in the matter.

Sir John Macdonald further suggests that the Government of the United States should be informed that by the Statute of Canada, 32-33 Victoria, chapter 21, section 112, there is the following provision:—

"If any person brings into Canada or has in his possession therein any property stolen, embezzled, converted or obtained by fraud, or false pretences, in any other country in such manner that the stealing, embezzling, converting or obtaining it in like manner in Canada would by the laws of Canada be a felony or misdemeanor; then the bringing such property into Canada or the having it in possession therein, knowing it to have been so stolen, embezzled or converted, or unlawfully obtained, shall be an offence of the same nature and punishable in like manner as if the stealing, embezzling, converting or unlawfully obtaining such property had taken place in Canada, and such person may be tried and convicted in any district, county or place in Canada into or in which he brings such property or has it in possession."

That under this clause any Indian stealing cattle or other property in the United States can be tried for the offence as if the crime had taken place within the Dominion of Canada. If a similar law obtains in the United States Territories the enforcement of its provisions would seem to afford an efficient check on the system of raids prevailing along the border.

The Committee concur in the Report of the Right Honorable the First Minister, and advise that a copy of this minute when approved be transmitted to Her Majesty's Minister at Washington.

Certified.

JOHN MCGEE,
Acting Clerk, Privy Council.