

Mr. HAY: That is, you cannot take the benefits of another man's action and deny that that party has a part in the contract. Your action estops you from raising that objection.

Mr. KELLY: I understand you now. With the exception that the Indian, as quoted by the Chief the other day, had been told, "If you are not justly dealt with, if you are not satisfied, the King or the Queen will set this matter right." As pioneers, I suppose, all over the country know, the Indian had a great deal of faith, especially in the Queen, because she reigned the longest and they heard of the Queen so often. The Queen would set the thing right. Even if there had been wrong done by Government officials, the matter would ultimately be set right, and believing in that, they went on acquiescing in the matter all the way through until the pinch began to hurt a little more, and they woke up to the fact that perhaps after all the Queen was not very much concerned with them if they did not make a noise and draw attention to their grievances. That was the situation.

Hon. Mr. STEVENS: I think most of us who are well acquainted with British Columbia know that there have been many instances where the Indians have justifiable grievances; but I think all the evidence submitted by Paull and yourself and others here on behalf of the Indians indicate that from time to time the Governments, Provincial and Dominion, but chiefly Dominion, have recognized this and have sought to adjust these grievances. I think the Committee would be prepared to admit that there are some grievances still existing which we would like to smooth out or iron out, but I would like to ask you this, has it not been in the last fifteen or twenty years that there has been an actual claim for aboriginal title arising?

Mr. KELLY: Quite so; something about that length of time, since it has taken a definite form of a legal claim. Before that time it was a sort of a general claim.

Hon. Mr. STEVENS: I recall very well the first meeting that Mr. O'Meara had in British Columbia, at which he formed the society for the protection of the Indians; and that claim was not even set forth then. It was the other claims set forth in your petition; that is, that the Indians were deprived of some of their rights in regard to hunting, fishing, and so on; and also that they were too much restricted. That was the basis of his claim then. But later, if I recall rightly, around 1913 or 1914, there arose this claim about aboriginal title.

Mr. KELLY: About that; I think it started in 1911, to be exact. Of course, you must admit that no man can make a claim unless he can support it after careful research into the records of the country and into the law records, to see that his claim is substantiated before it can be made a paramount issue and be brought before those who are responsible.

Hon. Mr. STEVENS: But in making a claim of that kind, very great care ought to be taken to base such a claim upon very sound documents and contentions.

Mr. KELLY: Speaking as a layman, as far as I have been aware, I have always understood that the support that we have for our claim was a good one. And is it not a fact that in legal procedure this is the practice, to do as Mr. O'Meara has been striving to do, to support his contention by making quotations from this authority and from that authority? Why is it objected to in this case?

Hon. Mr. STEVENS: Because he does not quote correctly.

Mr. PAULL: May I be allowed to interrupt for a moment? There is a book that has been published many years ago, which contains all the dispatches in colonial days with the Imperial Government. All of those dispatches are contained in that book and we have been trying all the time since I have been associated with this matter to get a copy of it. I have been to the Depart-