

tinguished the Indian title." Sir James Douglas did not bring any lands under settlement without first obtaining a transfer of the rights therein of the Indians; and Sir Edward Lytton Bulwer, when he held the office of colonial secretary, insisted on the transfer being made the subject of a bargain with the Indians. Mr. Mills, further on, added: "Sir James Douglas recognized, not that the Indians had any legal title to the soil, for the title was vested in the Crown, but the Indians did possess rights which other parties should purchase, and it was just and proper as a matter of political expediency that the government should pursue the policy they had invariably pursued in Ontario, namely, conciliating the Indians by giving them some compensation for their actual occupation, with the view of securing their good will and promoting the peaceful settlement of the country."

Mr. Mills here comes very near to a correct statement of the true nature of the Indian title, than which no right which has been contested at any time during the course of European settlement in America has been more clearly defined or better settled. In one word the Indian title consists of a right of occupation neither more nor less, as all colonizing European governments have recognized, and as all the able jurists who have dealt with the subject have laid down. The recognition of this right is traceable in every prominent transaction since the dawn of colonization in America to the present day. The opinion of Sir James Douglas on a question on which he was very ill informed, to which Mr. Mills refers, cannot be quoted as authority. In resisting, as the British government had always rightly done in recent times, the right of individuals to acquire lands from the Indians, Sir James Douglas said, "the land in question was the property of the crown." The country was the property of the crown and could be transferred by one European nation to another; but such transfer did not extinguish the Indian right of occupation. The language used by Sir James Douglas is inexact; but he probably meant no more than that the sovereignty of the country was in the crown and that the crown alone had the right to acquire the Indian title.

In the same way it seems Lord Dufferin used some loose expressions which induced something approaching to a belief in the minds of the British Columbia Indians that they were the absolute proprietors of the soil. He may have thought so; but in that case, it is clear that he spoke without adequate knowledge of the subject. Mr. Duncan who from having been a reader of the Church Missionary Society, set up on his own account and got into a violent religious quarrel with the Bishop about a small bit of land at Metlakatla, takes the equally untenable ground, that the land is the absolute property of the Indians, and that the Crown has no right to interfere. Sir John Macdonald admitted that the Indians had rights, but he was careful not to define what they were. He combatted the idea that Mr. Mills sometimes seemed to express, that the extinguishment of the Indian title is a mere matter of expediency and convenience. It is not clear

whether Mr. Mills intended to express this opinion or not; but if he did it is quite certain that he was in the wrong.

The Indian right of occupation is one which equity requires the Government to extinguish; a transfer of that right to the Government completes the title of the Crown, and enables it to grant patents for lands so obtained. Before extinguishing that right one nation could and often did transfer the whole country, still covered by the Indian right of occupation, to another nation; but neither nation could properly cede the lands to individuals for occupation and settlement without having first extinguished the Indian title. When France ceded Nova Scotia to Great Britain, the Indian title to most of the soil was still unextinguished, and Louisiana changed hands at least three times while the Indian title to most of the soil remained in full vigor.

Some practical difficulty has arisen between the Dominion and British Columbia about reserves for the Indians. When British Columbia entered the Confederation the charge of the Indians and the trusteeship and management of the lands reserved for their use became vested in the Dominion Government; and the government of British Columbia undertook to appropriate for Indian reserves tracts of land similar to those which had previously been set apart for that purpose. Now the Columbian government wants the Dominion to buy the land for reserves. To settle a difficulty of this kind, the Dominion did once, apparently without any adequate reason, agree to pay some \$6,000. Now another vote for a similar purpose would be required if the Federal Government were again to yield to an illegal demand. Sir John Macdonald announces the determination of the government to resist. "If we go on," he said, "the British Columbia Government will be asking better terms all the time and insisting upon being compensated for any lands that the Indians may be deprived of." This is a proper decision to come to and we trust it will not be departed from.

#### THE SILVER QUESTION IN GERMANY.

The recent attempt of the bi-metalists of Germany to restore silver to its former position has failed. They began by persuading the farmer that the adoption of the gold standard was the cause of the cheapness of wheat, and that he was placed at a disadvantage by being compelled to pay his taxes in the dearer gold currency. The farmers, easily convinced by arguments which promised to put money into their pockets, assailed the Reichstag and the Chancellor with petitions in favor of restoring the double-standard. When the Chancellor referred the petitions to the Confederate Council for the purpose of enquiry, the bi-metalists thought their cause was already won. One of their number in the Reichstag, proposed to request the Chancellor "to take the necessary steps for re-convocting the conferences broken off in 1881 for the purpose of inducing the United States, the Latin money confederation of the German Empire, and all countries choosing to join them, to coin

silver money bearing a fixed relation to the value of gold." The motion was sustained in a feeble-forcible but not convincing way. Counsellor Schran, in reply, showed that since the monetary laws were adopted in 1881, gold had not gone abroad, and Dr. Bamberger affirmed that the coin now in circulation amounts to between six and seven hundred millions of marks more than before; so that on what is called the theory of quantitation—that prices bear a direct relation to the quantity of currency—the fall in prices must be due to some other cause; and it is obvious that if the monetary laws have had the effect of increasing the quantity of gold in the country, the effect must have been to prevent a still greater decline of prices. However the fact may be, the coincidence that the whole quantity of currency has greatly increased, since the gold standard was adopted, is remarkable.

Counsellor Schrant estimates the present amount of gold in Germany at 1,700,000,000 marks, equal to \$425,000,000. But Germany still retains 400,000,000 marks in silver which is perhaps four times as much as would be absolutely necessary for purposes of change. The German National Bank, the Reichbank, holds from 200,000,000 to 300,000,000 marks in silver. Still the proportion of silver which remains in use in Germany is relatively so small that she has, on that account, but little interest in the attempt to revert to bi-metalism. Dr. Bamberger pointed to the significant fact, that since the gold standard was adopted the rate of interest has been the lowest ever attained, during the century, in any civilized country. Here is a fact for greenbackers, who fancy that cheap money, bits of paper worth nothing and for the payment of which no fund is provided, means a low rate for the loan of money. That the fact will kill the fallacy we do not hope; for people who invented the fallacy are, we dare say, quite prepared to continue to re-assert it, in the face of any number of facts. The motion to re-convoke the monetary conference of the Latin nations and the United States, in which England would certainly have declined to take part; was rejected by the Reichstag, and the last hope of the bi-metalists in Europe has vanished. How long will the United States continue to buy and coin silver at the rate of two millions of dollars a month?

#### FIRE INSURANCE IN CANADA IN 1884.

An abstract of statements of the companies doing fire and inland marine business in Canada in 1884 reaches us this week from the Superintendent of Insurance at Ottawa. It is subject to correction, but probably its figures are accurate enough to present the general features of the year's fire business in comparison with that of former years. The list contains twenty-nine companies, one less than in 1883. Six are Canadian—the Sovereign having dropped out, which in the previous year made seven—nineteen British, same number as in 1883, the only alteration being the withdrawal of the Scottish Imperial from the list and the addition to it of the Glasgow and London. The same four American offices continue.

The total business of these twenty-nine