

to fish in a stream running through it. These fishing stations are scattered through the country. The fish has little value as an article of food. Securing the fishing station only tends to encourage the Indian in habits of idleness, and seriously retards his civilisation. In this connection I do not refer to the salmon fisheries. These are a fixed industry, and necessary to the sustenance of a number of families, who have not, and do not, seek lands for cultivation, relying entirely on trading with other tribes for dried salmon, a favourite and nutritious article of food. We contend that it is wrong to afford Indians an opportunity of following nomadic habits, instead of encouraging them to engage in agriculture, and to settle on the land allotted to them. This Commissioner has gone further than that; for when he had made up his mind to allot certain quantities of land to Indians, he does not seem to have been particular as to whether the land was the property of the Crown or not. He has undertaken, on several occasions, to interfere with the title of settlers, arrogating to himself the position of a judge, to determine whether the settler shall be deprived of the land or not. Settlers naturally resent this kind of thing. In one case it has amounted to a serious difficulty. A settler, residing in the vicinity of an Indian Reserve, took up a tract of land of 160 acres. Having a partner who owned a piece of land at some distance, he lived with him while he cultivated his land. The Indian Commissioner claimed this land for Indian purposes, because he had not fulfilled the conditions of settlement, and gave the land over to the Indians. The settler applied to his lawyer, who advised him not to permit Indian or Government surveyors to go upon that land, but to resist by force if necessary. When such matters as that are in dispute between Indians and whites, they should be immediately settled; but three years have passed and nothing has been done yet. I hope the right hon. the leader of the Government will give his early attention to this matter. I can do no better than conclude by reading the closing portion of a letter I have received, bearing on Indian affairs:

"I request that you, our member, will use your influence with the Government to procure, at least, an investigation into the matter of the

settlement with the Indians in Nicola Valley, with a view that the same be modified so that injustice may not be done to either whites or Indians."

Mr. MILLS: I think it is desirable that all the papers relating to this subject should be brought down. I do not think the facts will be found precisely as the hon. gentleman has stated them, although he has doubtless stated them as they were represented to him. The hon. the First Minister will remember that the Terms upon which British Columbia entered the Union overlooked entirely the Indian claims to the territories where the Indian rights had not been surrendered. I think it is the only instance in the whole history of British colonisation in North America, where the Government have undertaken to deal with the land without first securing the extinction of the Indian titles. It is my opinion that the terms and conditions of the Union did not, and in law could not take away the rights of the Indians in the soil. Looking at the provisions of the British North America Act, relating to the Indians, and bearing in mind that all terms and conditions of Union to be valid, must be consistent with these terms and conditions; I do not think it is consistent with those provisions that the Governments of Canada and British Columbia should make an agreement between themselves that would entirely ignore the Indian title. That title is protected by the law, and that protection is not abrogated or taken away by the arrangement that was made between the parties. While I was in the Department, I was not disposed to raise the question of the Indian title, if a reasonable settlement could be otherwise obtained on behalf of the Indians. The hon. gentleman must know that before this Commission got to work, the country was on the brink of an Indian war. In British Columbia a Confederation was organized between the Indians of Washington Territory and British Columbia, and it was only the failure of Chief Joseph in his contest with the United States troops that saved us from that calamity. If the hon. gentleman looks into the papers, he will find that, while it was proposed that the Indians should learn the habits of the white people, the amount of land allotted to them was so limited, that it was impos-

Mr. BARNARD.