

A resolution passed by the Interior Tribes at a meeting at Spencer's Bridge on the 6th December, 1917, contained the following:—

We are sure that the government and a considerable number of white men have for many years had in their minds a quite wrong idea of the claims which we make, and the settlement which we desire. We do not want anything extravagant, and we do not want anything hurtful to the real interests of the white people. We want that our actual rights be determined and recognized; we want a settlement based upon justice. We want a full opportunity of making a future for ourselves. We want all this done in such a way that in the future we shall be able to live and work with the white people as our brothers and fellow-citizens.

I think that brings before this committee the real mind of the Indians of British Columbia. After all, I think we are not so very far apart, if we are willing to admit that the Indians have a right.

*By Hon. Mr. Stevens:*

Q. Are you through, Mr. Kelly?—A. I do not think that there is any more that I can add to it. Mr. Chairman, I would like to say this; it seems to me that this high court of this Parliament of Canada—at least, some of the members of it—have not come to any decision. There is the question, have we any right? If we have no right, why have we no right? The right has never been taken away from us, as has been conceded time and again. The government takes that view; then why not deal with our right, as we have been asking for? That is putting the thing in a nutshell.

Q. I do not know how you establish that.—A. We say our aboriginal title has never been extinguished. Can you show us when it has been extinguished; if it has been, it was done while we were asleep.

Dr. SCOTT: It has been extinguished from 104,000 acres, more or less, by Treaty Number 8.

Hon. Mr. STEVENS: I think it was extinguished in the lower part of Vancouver Island by Treaty.

The WITNESS: Yes, we admit that. We have admitted where it has been done. The Hudson's Bay Company has done that.

*By Hon. Mr. Stevens:*

Q. Then there would appear to be an extinguishment of it—I cannot say there is any document or instrument available—by common consent over a very, very long period of years, by acquiescence on the part of the Indians, and there has not been a single citation that I can recall of early negotiations, which did not rest upon merely a discussion of the area to be set aside. The fact that the Queen or other authority was setting aside an area seems to permeate every negotiation.—A. I think that is the very point on which we differ. One member says that it has died a natural death, if one may put it that way, because many years have elapsed since the matter was discussed, or at least acknowledged, or recognized by the government, and it has not yet been dealt with.

Hon. Mr. McLENNAN: You want to go further back than that.

Hon. Mr. STEVENS: Prior to Confederation.

Hon. Mr. McLENNAN: When the British people came to British Columbia, they exercised without contest the right to sovereignty.

Hon. Mr. STEVENS: They took possession of the land in the name of the Queen, or of the King, as the case might be.

Hon. Mr. McLENNAN: Yes. And occupation continued from that time.