

Sir JOHN A. MACDONALD. As regards the timber from the Quebec lands, that question has never been raised in Parliament, except by the hon. member for Bothwell.

Mr. MILLS. The Indians themselves have raised it.

Sir JOHN A. MACDONALD. The question should be looked into, because the Indians of Quebec are in a very destitute condition, and in a different position from the Indians of Ontario.

Mr. ROSS, (Middlesex.) Is it the intention to bring Indian schools on Indian reserves under the educational system of the Province of Ontario? I understand that was the intention of the department at one time. Indian teachers are now specially certificated by the Commissioner or Indian agent, and are under his control in a certain sense, and the department felt it desirable in the interest of Indian education to employ no other than those only licensed as teachers under the educational system of Ontario.

Sir JOHN A. MACDONALD. It is desirable that certificated teachers should be employed as much as possible, but it is also desirable to encourage Indian teachers, if they can be found, because of their linguistic knowledge and their acquaintance with the habits of Indians.

Mr. ROSS (Middlesex.) I am glad to hear the Minister's statement. It would be a great mistake to take the instruction of Indians out of the hands of the Indians themselves.

Mr. MILLS. In many places the Indians speak English well, and in such cases there is an advantage in employing them as teachers. If Indian teachers thus qualified for the work can be found they are the best class to employ, but I would not prefer an Indian teacher who cannot speak English or French, because it is not easy to make progress with Indians who are acquainted with only their native language, for they have no literature.

Sir JOHN A. MACDONALD. It is to our interests to get the best teachers for Indians as well as for white men.

Mr. MILLS. There is an item of \$3,000 for surveys. Where will they be made?

Sir JOHN A. MACDONALD. Principally in the Lower Provinces. There are several reserves there for which there is a demand made that they be surveyed.

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Sir RICHARD J. CARTWRIGHT. I hope the Minister of the Interior will give some detailed account of the state of things, as regards the Indians in British Columbia. Their position gave rise to considerable uneasiness two or three years ago; and although, I believe, it has been greatly allayed, still the House would like to know the present position of affairs, and how far the good intentions of the present Government, towards securing the rights of the Indians, have been successfully carried out.

Sir JOHN A. MACDONALD. I think it was during the late Administration that Mr. Sproat and two other gentlemen were appointed Commissioners to settle the Indian Reserves, but latterly the sole Commissioner was Mr. Sproat. He proceeded, I think, very leisurely but effectively, in some cases, to mark out the surveys and reserves. Last year he resigned his office. We have had some difficulty in finding an efficient successor who would be acceptable to the Government of British Columbia. Of course, both Governments must act together. I am glad to say we have secured the services of a gentleman capable and acceptable to both Governments, who will resume Mr. Sproat's duties and continue the survey and settlement of the Indian reserves, commencing, of course, with the reserves at the points more immediately required, and going leisurely and steadily in laying out the reserves.

The new Commissioner is Judge O'Reilly, one of the Stipendiary Magistrates and County Judges, who will assume those duties immediately.

Mr. MILLS. Has the hon. gentleman fixed any salary for Judge O'Reilly?

Sir JOHN A. MACDONALD. He had \$3,000 as Stipendiary Magistrate, and the pension is \$2,000. He lives in Victoria, but will be obliged to break up his establishment, go to the mainland, and be stationed on the Fraser River, somewhere between New Westminster and Kamloops, for the purposes of his office. We had some difficulty in securing his services. His salary will be \$3,500, inclusive of pension, making a saving of \$1,500. Mr. Sproat received \$3,650.

Sir RICHARD J. CARTWRIGHT. What amount of land is to be assigned to the Indians?

Sir JOHN A. MACDONALD. It will be regulated by the size of each band.

Sir RICHARD J. CARTWRIGHT. Has any acreage been fixed upon as between the two Governments?

Sir JOHN A. MACDONALD. No. The bands are, some large and some small. They have got their ancestral headquarters, and, I suppose, their ancestral burying grounds; and all these matters are considered together, the Commissioner judging in each case according to the requirements of each tribe, their numbers, and occupationary rights possessed for years.

Mr. MILLS. What progress has been made in locating the Indian reserves; is the work nearly completed?

Sir JOHN A. MACDONALD. I am afraid it is not. It is not completed in Vancouver's Island. Besides, a difficulty has arisen, which I hope will soon be overcome; the Government of British Columbia have not yet, by any conveyance or patents, sanctioned those reserves. There has been no active opposition; but there has been delay in the issue of patents under the Great Seal of British Columbia. Objections are taken to some of the reserves as laid out by Mr. Sproat, the present Government claiming that in some cases great mistakes have been made, and in some the reserves made unusually large.

Mr. MILLS. It does not seem to me the reserves were large.

Sir JOHN A. MACDONALD. I did not say so.

Mr. MILLS. In British Columbia the Indian title was never extinguished. When British Columbia entered the Union the right hon. gentleman made some regulations which ignored the Indian title altogether. I do not think he had the power to do so. Looking at British and United States precedents, including the practice of the Imperial Government, and decisions of the United States Supreme Court, I will say that those authorities have always recognized a title in the Indians—not a political sovereignty over the country, but a personal right of property in the soil. That title in all other British colonies had been always considered as existing before the Crown undertook to deal with the lands for the purpose of sale or disposal to other parties. In the Illinois country, before the American Revolution, a case arose in which the right of the Indians to sell their lands was disputed—and upon which the law officers of the Crown gave an opinion recognizing the title of the Indians to the property in the soil, and their right to sell to private parties before the King by his Proclamation forbade such purchases. I think that no arrangement made between the Ottawa and British Columbia Governments will take away the Indian's right in the soil, if he has not already disposed of it. When I was Minister of the Interior, I was not disposed to raise the question, if the Government of British Columbia would deal fairly with the Indians. But it did not seem to me that they were disposed to recognize