

considered better to prohibit all giving-away festivals, as they are conducive of extravagance, and cause much loss of time and the assemblage of large numbers of Indians, with all the usual attendant evils. The Tamanawas, which has been known to last from October until March, result in great waste of time and much demoralization. It consists of orgies of the most disgusting character, viz., biting the arms of spectators, eating, or rather tearing to pieces, dogs and human bodies exhumed for the purpose. The initiation is looked upon as an honour and eagerly sought after. Large quantities of property being given to the head Tamanawas man for admission into the rites, which are made as mystical as possible. It is known as medicine work, and is a prominent and chief feature of savage life. It prevails at Nass, Kit-amaht, Owickanoe, Knight-inlet and among the Kwa-kewlths of the north coasts of Vancouver Island and the southwest coast of the mainland of British Columbia. The proposed clause 7 differs from the law as it stands in that it gives Indian agents the power of two justices of the peace in cases of offence by Indians, against any of the provisions of part XV. of the Criminal Code, as well as part XIII., and it gives agents magistral powers over non-treaty Indians. It is thought desirable and admissible also that agents should be empowered to try Indians for vagrancy under part XV. of the Code, as well as for offences against morality under part XIII. It is frequently difficult to bring Indians, guilty of vagrancy, before two justices of the peace, and evil results follow from such offences being allowed to go unpunished. In drafting the section as it stands upon the statute-book at present, sight was lost of the fact that the term "Indians" used therein did not, as defined by section 2, paragraph (h) of the Indian Act, include all the Indian population of reserves, for in some cases, part of the Indian population came under the designation "non-treaty Indian," as defined in paragraph (1) of the said section. In the proposed amendment this oversight is remedied. Clause 8 adds two new sections to the Act, viz., 140 and 141. Section 140 provides that when an Indian leaves one band and enters another, his share of the capital of the band that he leaves shall go to the credit of the band that he enters. In certain transfers from one band to another

which have taken place, complaint has been made by some Indians that the band from which an Indian withdrew to enter another, gained by the withdrawal, while the members of the band which he entered lost by having their share of interest money diminished, and it has been held that an Indian leaving one band and entering another should take with him his share at least of the capital. The contention is considered a fair one, and the proposed section has been drafted to meet such cases. Clause 141 provides for the reduction of the price at which Indian lands have been sold or the rent at which they are leased, when the same is excessive. It has been the custom of the department to make such reductions as are contemplated by the amendment, it having been considered that the department was within its right in doing so when the circumstances of the case warranted a reduction, but where reductions were made on a large scale, as was the case on the Saugeen Peninsula in 1875, the authority of His Excellency in Council was obtained. When, however, the question came up of wiping out part of the arrears due by the censitaires of Sault St. Louis, the matter was referred to the Department of Justice for advice as to the course to be followed, and the Minister of Justice expressed the opinion that it would be necessary to have the authority of Parliament for foregoing any part of the amount due. This gave rise to doubt as to the legality of the department's reducing, even with the authority of His Excellency in Council, arrears of purchase money on Indian lands, or the interest thereon, and on the advice of the Department of Justice was informed that the Minister of Justice was of the opinion that the authority of Parliament was necessary for the making of such reduction. The cases in which the making of such reductions was authorized by order in council of the 30th September, 1875, afford striking examples of purchasers of land undertaking to pay exorbitant prices. Several purchased at public auction in 1856 and 1857, when speculation in land was rife, and undertook to pay as high as \$5 and \$6 and \$7 an acre for land which proved to be wholly unfit for cultivation. Others who bought in the ordinary way paid in accordance with a surveyor's valuation, which was made when the land was thickly wooded and the real estate market in an inflated condition. It would have been utterly impossible to have