

EX 4.

Ottawa, 20th April, 1933.

Sir,

I beg to acknowledge the receipt of your letter of the 3rd instant, referring to a full blooded Canadian Indian of the Flat Head band who married a white man in the United States and died some years ago leaving three children and the question is asked as to whether these children inherit any interest in Indian property in Canada through their late mother.

In reply I beg to refer to Section 14 of the Indian Act as follows:-

"Any Indian woman who marries any person other than an Indian, or a non-treaty Indian, shall cease to be an Indian in every respect within the meaning of this Act, except that she shall be entitled to share equally with the members of the band to which she formerly belonged, in the annual or semi-annual distribution of their annuities, interest moneys and rents; but such income may be commuted to her at any time at ten years' purchase, with the approval of the Superintendent General."

I may say that we have no band in Canada known as the Flat Head Band but even if the Indian woman to whom you refer was a member of any recognized band in Canada she ceased on her marriage to a white man to be an Indian under the law but retained her right to draw the annual interest moneys if the band had any. On her death however she would cease to have any interest in the property of a band and there would be nothing accordingly that her children could inherit from that source.

With respect to homesteading, I beg to say that we are not aware of any lands that the Dominion Government now has for homesteading. The public lands of the country have been transferred to the Provinces in which they are situated.

Your obedient servant,

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Secretary,
A. J. MacKay

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