

COMMITTEE ROOM 368,

TUESDAY, April 5th, 1927.

The Joint Special Committee appointed to inquire into the claims of the Allied Indian Tribes of British Columbia, as set forth in their petition submitted to Parliament in June, 1926, met at 10.00 o'clock, Hon. Mr. Bostock, presiding.

The CHAIRMAN: Gentlemen, what further evidence do you wish to hear this morning? Mr. Ditchburn is here, and I understand Mr. Found will be here shortly.

Hon. Mr. McLENNAN: There is one point, Mr. Chairman, I was not clear about in Mr. Kelly's evidence. As I understood it, he claimed that a purchase, such as that made by James Douglas at Victoria of a certain area of land, did not extinguish the title,—the aboriginal title to that land. Was I correct in that?

The CHAIRMAN: Senator (Hon. Mr. McLennan) would you like to put Mr. Kelly back on the stand?

Hon. Mr. McLENNAN: Yes, I would.

The CHAIRMAN: Mr. Kelly, will you take your place at the end of the table again?

Rev. P. R. KELLY recalled.

The CHAIRMAN: You have already been sworn.

The WITNESS: Yes. I do not think I said that.

*By Hon. Mr. McLennan:*

Q. I wanted to be clear on that point, Mr. Kelly.—A. It was the secretary who made that remark. A treaty is a treaty; it does not matter what the grounds are; nevertheless it is binding on both parties, and I think the treaty should speak for itself. We have the text of the treaty here, and it should be put before the committee. That will clear the matter up. Shall I read the treaty?

Q. Read the essential point of it.—A. It is not long; just a paragraph. This is a conveyance of land to Hudson's Bay Company—

The CHAIRMAN: I do not understand from what you are reading.

The WITNESS: A conveyance of land to the Hudson's Bay Company.

The CHAIRMAN: That has not as yet been put in the record; it will have to be filed.

The WITNESS: Yes, we will put it in the record. This is the Saanich tribe—south Saanich. (Reading):

Know all men that we, the chiefs and people of the Saanich Tribe, who have signed our names and made our marks to this deed on the sixth day of February, one thousand eight hundred and fifty-two, do consent to surrender, entirely and for ever, to James Douglas, the agent

[Rev. P. R. Kelly.]