

his children, and if he dies intestate as to said land it shall descend to his children according to the laws of that part of the Dominion in which said land is situate, and the children to whom it is so devised or descends shall have the fee simple thereof.

Every such Indian must, before issue of the said letters patent, declare to the superintendent general a name and surname by which he wishes to be enfranchised and thereafter known, and on receiving such letters patent he shall thereafter be known by such name and surname, and he and his wife and minor unmarried children shall be held to be enfranchised, and all legal distinctions between them and ordinary subjects cease, except that they retain their right to participate in the annuities and other income of their tribe or band, and except as regards the laws of the previous act as to spirituous liquors, and the law of the present act as to roads, &c.

If any enfranchised Indian, owning land as aforesaid, dies without any child, such land escheats to the Crown for the benefit of the tribe,* but if he leaves a widow she has it until her death or remarriage, when it escheats to the Crown for the benefit of the tribe.

The wife or unmarried daughter of such deceased Indian, who may through this act be deprived of all benefit from her father's or husband's land, shall, so long as residing on the reserve of her tribe and remaining unmarried, receive two shares instead of one of the annuity, interest money, or other revenues of the husband's or father's band.

In allotting locations and issuing letters patent to Indians for land, the quantity of land for each shall, as nearly as may be, bear the same proportion to the total quantity of land on the reserve as the number of persons to whom such lands are located bears to the total number of heads of families, and male Indians over the age of fourteen years on the reserve, except in special cases to be reported to the governor in council.

If any such enfranchised Indian dies, leaving any child under twenty-one years, the superintendent general may appoint a guardian for it, until it attains the age of twenty-one years, and the widow of such Indian, being also the mother of such child, shall receive its share of the proceeds of such Indian, so long as the child remains a minor and the widow continues to reside on the land left by such Indian, and in the opinion of the superintendent general conducts herself respectably.

Any Indian falsely representing himself as enfranchised under this act, is liable to imprisonment, not exceeding three months.

Lands conveyed as aforesaid by letters patent to any enfranchised Indian are, during his lifetime, exempt from seizure, and cannot be in any way encumbered or disposed of.

Indians not enfranchised have the right to sue for debt or any wrong and to compel the performance of obligations made with them.

The under secretary of state is charged under the secretary of state with the performance of the departmental duties of the secretary of state under the said act, and with the control of the employés of the department and such other powers and duties as may be assigned to him by the governor in council.

Chapter nine of the consolidated statutes of Canada is repealed.

It is enacted that this act shall be construed as one act with the act 31 Victoria, Cap. XLII.

The two earliest of the four acts seem to have had a tendency to

*The word "tribe" is sometimes used in this report to denote tribe, nation, band or body.