

200,840//RTR

Ottawa, 4th Oct, 1906.

*W. G. G.*

Sir,-

I enclose herewith file No. 200,840/1, ty., of this Department relating to trouble with the Babine Indians owing to removal of barricades by officers of the Dept. of Marine & Fisheries. On the 27th ult the Minister of Marine & Fisheries and the Minister of this Department agreed that the nine Indians under arrest should be released on suspended sentence, and a telegram was sent to that effect by the Minister of Marine & Fisheries to his officer, Inspector Williams, at Aberdeen, B. C. It appears, however, from a telegram from that officer, dated the 2nd instant, a copy of which is on this file and was forwarded under cover of letter of 3rd instant from the Commissioner of Fisheries, that the telegram did not arrive until after the trial of the Babine Indians. Since then, the Minister of Marine & Fisheries has wired the stipendiary magistrate at Hazelton as follows,- " Under Chapter ninety-five, Revised Statutes, Canada, Section eighteen, subsection six, I, as Minister Marine & Fisheries, remit the full penalty imposed on Babine Indians for offence against Fisheries Act for barricading river, irrespective of penalties under Criminal Code, irrespective of authorities or otherwise."

And this Department has been advised by the Department of Marine & Fisheries that the action for theft and assault under the Criminal Code having been initiated