

lines of the section, and he can only order that a certain percentage or portion shall be set aside to form a fund for the said purposes. Moreover, while the section, as it stands, provides for contribution-being made to schools, and although it has been held that capital may, under that section, be expended in building schools to be attended by the Indians, it is thought well to have the proposed words added so as to make the point perfectly clear. It has been held that the construction of roads included the building of bridges, but doubt has been thrown upon that interpretation; it has, therefore, been thought well to insert the word "bridges" and also the words "ditches and water courses," so as to prevent any difficulty arising in future, as it is necessary that the Governor in Council should have the power to expend the capital of a band, in doing such work without the consent of the band, for otherwise roads leading through reserves might be allowed to get into such a condition as to detrimentally effect the interests of dwellers in neighbouring settlements, and if the Governor in Council has not power to build and support schools out of such money without the consent of the Indians, it will be in the hands of the Indians to impede the Indian educational policy of the government. Clause 3 of the bill substitutes a new section for section 75 of the Act. Under the law as it stands, it would appear that the Governor in Council has only power to depose chiefs chosen under the elective system after the same has been applied to the band by Order in Council. As there are very many bands in which the system has not been applied and cases have arisen in which the interests of such bands call for the removal of chiefs on account of immorality, &c., it has been felt that the law should be so amended as to make it clear that the Governor in Council has power to remove any chief for the causes mentioned in the section. In amending the section it is thought well to wipe out the distinction between head chief and second chief, as in councils chosen under the elective system the distinction has no significance and only tends to confusion. The law as it stands make the maximum number of chiefs which a band may have six head chiefs and twelve second chiefs. The proposed amendment makes fifteen the maximum number of chiefs. In the law as it stands there is no provision

under which an Indian who becomes enfranchised can be paid his share of the moneys of a band unless the band takes action under section ninety-three for the general enfranchisement of its members. The department has been asked by enfranchised Indians for their share of their band's moneys, and as it is thought that Indians who so desire and are found qualified should be given their share of the capital, as well as of the land of the band, and thus be entirely removed from the guardianship of the department. All that part of section 93 (beginning at the twelfth line) which provides for the payment of band funds, &c., to enfranchise Indians when the whole band decide upon enfranchisement, has therefore been embodied in section 88*a*, which clause 4 of the bill proposes to add to the Act, in such a way as to make the provisions as to payment of band moneys apply to cases of individual enfranchisement. As the new section 88*a* contains all necessary provisions for the payment to enfranchised Indians of their share of band moneys, it is not necessary to repeat them, and clause 5 of the present bill, therefore, provides that section 93 of the Act which contains the provisions embodied in section 88*a* be repealed, and a short section substituted, which simply provides for bands taking action for general enfranchisement, and makes all provisions as to enfranchisement of individual Indians apply in such cases. It has been found that section 114 of the Act as it stands is insufficient to prevent the holding of such Indian festivals such as the Potlach or Tamanawas. The late Chief Justice of British Columbia expressed the opinion that it would be difficult to convict under it. It has been held that the mere designation of the festival or dance, such as the Potlach or Tamanawas is not sufficient for conviction of an Indian or other person engaging or assisting in celebrating it, but that what is done thereat, which constitutes the offence, must likewise be described. As there is a similar dance to the Potlach celebrated by the Indian bands in the Northwest Territories, known as Omas-ko-sim-mowok or "grass dance," commonly known as "Giving away dance," and there are, no doubt, Indian celebrations of the same character elsewhere, all of which consist of the giving away, parting with, or exchanging of large quantities of personal effects, sometimes all that the participants own, and it is