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No. 25
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SESSION 1947

1947



SPECIAL JOINT COMMITTEE OF THE SENATE
AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE
EXAMINATION AND CONSIDERATION OF THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 25

THURSDAY, MAY 22, 1947

WITNESSES:

- Mr. Reginald Hill, representing Six Nations Council, Brantford, Ontario.
Mr. Joseph C. Hill, representing Six Nations Council, Brantford, Ontario.
Chief Sam Lickers, representing Hereditary Chiefs, Six Nations, Brantford, Ontario.
Mr. Asa Hill, Indian Defense League of America, Niagara Falls, N.Y.
Mr. William Smith, Six Nations "Iroquois" Confederacy, Ohsweken, Ont.
Mr. Thomas Roy, President, Grand Council, Treaty No. 3 (Northwest Angle), Sioux Narrows, Ontario.
Chief William Meawasige, representing Manitoulin Island Indians.
Mr. Henry Jackson, Union of Ontario Indians, Midland, Ontario.
Chief C. L. Big Canoe, Georgina Island Reserve, Ontario.
Mr. Telford Adams, representing Indians of Southwestern Ontario.

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1947

MINUTES OF PROCEEDINGS

THURSDAY, 22nd May, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

Presiding: Mr. D. F. Brown, M.P., (Joint Chairman).

Present:

The Senate: In recess.

The House of Commons: Messrs. Brown, Bryce, Blackmore, Case, Castleden, Charlton, Farquhar, Gariepy, Gibson (*Comox-Alberni*), Harkness, Little, MacNicol, Matthews (*Brandon*), (Vice Chairman), Reid, Richard (*Gloucester*)—15.

In attendance: (From Indian Affairs Branch): Messrs. R. A. Hoey, Director; W. S. Arniel, Inspector for Ontario; Lt-Col. E. P. Randle, Superintendent, Six Nations Reserve, Brantford, Ontario; B. F. Neary, MBE., Superintendent, Welfare and Training; H. M. Jones, Supervisor, Family Allowances; G. Patrick, V.L.A.; B. Russell; also, Rev. Father Brachet, OMI., Fort Alexander, Manitoba; also, Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

There were many Indians present from various Reserves in Ontario, including: J. Clinch; Allan Martin; Gordon Martin; (Six Nations); Laurence Peltier, Manitoulin Island; J. B. Tootoosis, President, Union of Saskatchewan Indians; J. A. Burnham, Indian Defense League; Chief Walter Sands, Walpole Island; E. D. Tabobondung, Parry Sound; Lewis Jackson, Christian Island; John Twain, Bear Island; Alec. Paul, Temagami; D. McKenzie, Temagami; P. McDougall, Temagami; Fred Pine, Mark Pine, William Shingwauk, Dan Shingwauk, all from Garden River; Chief J. A. Martin, Ohsweken; John Henhawk, Ohsweken; Herbert Jamieson, Ohsweken; James H. Martin, Ohsweken; Enos Maracle, Chief Councillor, Six Nations.

Mr. Charlton, introduced the members of the delegation representing the Six Nations Indians from Brant County.

Mr. Enos Maracle, Chief Councillor, Six Nations Reserve, expressed the appreciation of his Council for the hearing to be accorded the delegation.

Mr. Reginald Hill, teacher, Indian School, Six Nations Reserve, Brantford, Ontario, official delegate of Six Nations, was called, heard and questioned. He presented a brief the text of which appears in the Minutes of Evidence.

Mr. Joseph Hill, Supervising Principal, Six Nations Reserve, was called, made a statement and withdrew.

Chief Sam Lickers, representing the Hereditary Chiefs of the Six Nations was called, read in the record a brief, and withdrew.

Mr. Asa Hill, was called, placed on record the constitution of the Indian Defense League of America, also the brief of that League.

The Committee adjourned at 1.07 p.m., to meet again at 4.00 p.m., this day.

AFTERNOON SESSION

The Committee resumed at 4.00 o'clock p.m. Mr. D. F. Brown, M.P., Joint Chairman, presided.

Present:

The House of Commons: Messrs. Brown, Brunelle, Bryce, Blackmore, Case, Charlton, Farquhar, Little, Matthews (*Brandon*), and Raymond (*Wright*).

In attendance: Mr. R. A. Hoey, Director of Indian Affairs, Ottawa. Also, Mr. N. E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Chief William Meawasige, Spanish, Ontario, representing Manitoulin Island and North Shore Indians, called. He read a brief. Mr. Lawrence Peltier, Wikwemikong, Ontario, was in attendance during the presentation. The witness also presented the following briefs to be printed in the records of the Committee:—

- (a) Brief (undated) of the Veterans' Association of Wikwemikong, Ontario;
- (b) Brief dated 12 May, 1947, of the Whitefish River Reserve, Ontario;
- (c) Brief (undated) of the Serpent River Band, Ontario;
- (d) Brief (undated) of the Spanish River Band, Ontario;
- (e) Brief (undated) of the Wahnapiatae Band, Ontario;
- (f) Brief, dated 18 May, 1947, of the Sheshegwaning Band, Ontario;
- (g) Brief (undated) of the Sucker Creek Reserve Band, Ontario;
- (h) Two letters, dated 12 and 16 May, 1947, signed by Mrs. Dorothy McLeod, Sucker Creek, Ontario, addressed to Canon Haines, Little Current, Ontario;
- (i) Brief, dated 11 May, 1947, of the West Bay Indian Band of the Manitowaning Agency, Ontario;
- (j) Three statements (undated) in support of representations in briefs from Wikwemikong.
- (k) Brief, dated 16 July, 1946, of the Mississauga Indian Reserve. (Printed as appendix 'AQ' on page 866 of Minutes of Proceedings and Evidence, No. 21, 1946.)

(For text of items (a) to (j) see appendices (EZ) to (FI) attached.)

Mr. Henry Jackson, Christian Island, Ontario, representing the Union of Ontario Indians, called. He read a brief. In attendance during the presentation: Chief John Twain, Temagami, Ontario; Mr. Alex Paul, Temagami, Ontario; and Mr. Lewis Jackson, Christian Island, Ontario. (Appendix FJ).

Chief Tom Roy, Sioux Narrows, Ontario, representing the Northwest Angle Indians, called. He read a brief and retired.

Chief C. L. Big Canoe, Georgina Island, Ontario, representing the Georgina Island Indian Reserve, called. He read a brief and stood aside.

The Committee adjourned at 6.00 o'clock p.m. to meet again this day at 8.30 p.m.

 EVENING SESSION

The Committee resumed at 8.30 o'clock p.m. The Joint Chairman, Mr. D. F. Brown, M.P., presided.

Present:

The House of Commons: Messrs. Brown, Bryce, Blackmore, Case, Charlton, Farquhar, Harkness, Little, MacNicol, and Reid.

In attendance: Mr. T. R. L. MacInnes, Secretary, Indian Affairs Branch, Ottawa. Also Mr. N. E. Lickers, Barrister.

Mr. Telford Adams, Sarnia, Ontario, representing Southwestern Ontario Indians called. He read a brief and retired.

Mr. Lickers filed a brief dated 3rd May, 1947, on behalf of the Grand General Indian Council of Ontario, signed by Mr. H. B. Williams, President and Mr. Wallace Soney, Secretary. (For text see appendix FJ.)

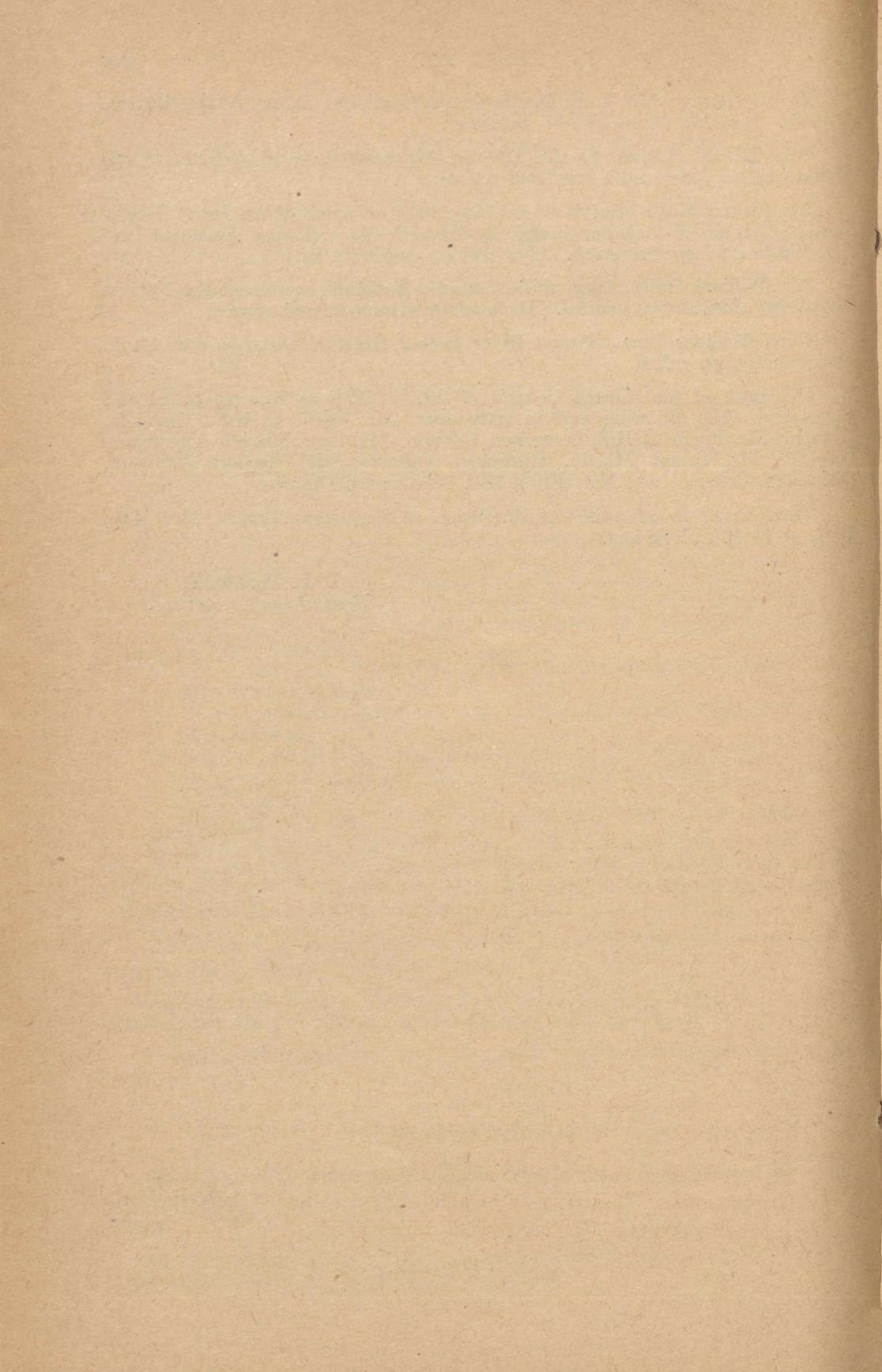
Mr. William Smith, Hagersville, Ontario, Assistant Secretary, Six Nations "Iroquois" Confederacy, called. He made a statement and retired.

Chief William Pine, Garden River Indian Reserve, Ontario, was not in attendance when called.

Delegates of the Elected Council of the Six Nations Reserve called and questioned. The following were in attendance: Mr. Joseph C. Hill, Ohsweken, Ontario; Mr. Reginald Hill, Ohsweken, Ontario; Mr. Enos Maracle, Ohsweken, Ontario; Mr. James Martin, Ohsweken, Ontario; Mr. Herbert Jamieson, Ohsweken, Ontario; and Mr. Hilton Hill, Middleport, Ontario.

The Committee adjourned at 10.05 p.m. to meet again Friday, 23rd May, 1947, at 11.00 o'clock a.m.

T. L. McEVOY,
Clerk of the Committee.



MINUTES OF EVIDENCE

HOUSE OF COMMONS,

May 22, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11.00 a.m. Mr. D. F. Brown, M.P., (Joint Chairman), presided.

The CHAIRMAN: This morning we are to hear from the delegates representing the Indian population in the various parts of Ontario. There is a large number of delegates in attendance. There are six official delegates and we have, in addition thereto, a large number of delegates who have come either to present briefs or to be in attendance as spectators. On behalf of this committee, I wish to extend to all a most cordial welcome and assure them we will do our utmost to give as full and complete a hearing as is possible so that they may be given an opportunity of presenting what they consider to be the material they would like to have brought before this committee and put on the record, leading, of course, to the revision of the Indian Act.

The subcommittee did meet last night but there is no formal report at the moment. We have an agenda set out, and in addition to the witnesses who will be called, an opportunity will be given later to those who are not on this list and of whom we have not presently knowledge, but who may want to be heard briefly at the completion of this list, if that is your pleasure. This will raise, of course, the question of how many sessions we are to have to-day.

I might inform the visitors that the procedure of the committee, if we proceeded strictly according to plan, would be to have one hearing to-day and one hearing to-morrow. The hearing to-day would terminate at one o'clock and the hearing to-morrow would be from eleven until one o'clock.

However, we have adopted the practice of permitting the delegations to make further presentations, and we have extended the time by having additional sessions during the day. Is it your pleasure, gentlemen, that we should meet again to-day? I see there are quite a number here in attendance and I think they have come from considerable distances and therefore we would like to hear them as fully as possible:

Mr. REID: My own view, Mr. Chairman, is this; even though we are working under pressure and there may be an important vote in the House to-day, I think in fairness to the Indians from Ontario, or from any other province for that matter, in view of the fact that we have given additional hearings to other delegates, I would certainly be in favour of giving as much time as we reasonably can to these delegates from Ontario. That is my own view.

The CHAIRMAN: Well, then, suppose we see how we get along up until one o'clock.

Mr. CASTLEDEN: That's a good idea, let's get going.

The CHAIRMAN: Then we may be able to meet at four o'clock, subject, of course, to other events which may develop during the day.

And now, gentlemen, I will read to you the list of delegates which I have before me, then there may be others who want to say something after those on this list have appeared.

Mr. Reginald Hill
Mr. Joseph Hill
Chief Sam Lickers
Mr. William Smith
Chief Tom Roy

Chief William Meawasige
Mr. Henry Jackson
Mr. Telford Adams
Chief C. L. Big Canoe
Chief William Pine

Will Mr. Reginald Hill please come forward?

Mr. CHARLTON: Mr. Chairman, members of the Senate and the House of Commons, I would like to have the opportunity of introducing the delegation to the committee. Starting to your left you have Chief Councillor Enos Maracle; then Mr. Reginald Hill and Mr. Joseph Hill, both of them school teachers; Mr. Hilton Hill, Mr. James Martin and Mr. Jamieson.

The CHAIRMAN: Thank you very much, Mr. Charlton.

Mr. Reginald Hill, take the table at the centre, if you will please. The reason for that is so that all the members may be able to hear you and so that the reporters may be able to get the statements which you make on the record.

Mr. CHARLTON: Mr. Chairman, I believe that Mr. Maracle, the Chief Councillor, would like to say a few words before the presentation starts.

The CHAIRMAN: If we could wait until this list has been exhausted; otherwise, I am afraid we may run short of time. We will try to make every opportunity for Mr. Maracle to be heard after we get through with this list.

Mr. CHARLTON: It is just a matter of introducing these people, Mr. Chairman.

The CHAIRMAN: Do you want to introduce the speakers, Mr. Maracle?

Mr. ENOS MARACLE (Chief Councillor, Six Nations Indians, Brantford): Mr. Chairman and gentlemen, first I should like, as chief councillor of the Six Nations Indians, to express on behalf of the council and of my people our appreciation to this committee for hearing this delegation, and we hope that your committee, through their labours, will bring success and prosperity to us all; and above all contentment to the Indian people as a whole. May I introduce our chief speaker, Mr. Reginald Hill?

Reginald Hill, Six Nations Indians, called:

By the Chairman:

Q. Mr. Hill, it may be that the members of the committee would like to ask you a few preliminary questions. First of all you are a member of the Six Nations reserve?—A. That is correct, sir.

Q. And you are a member of that band?—A. Yes.

Q. What is your position?—A. At the present time I am a teacher at the Indian school on the Six Nations reserve.

Q. And you are representing the council of the Six Nations reserve?—A. I first worked with the committee—

Q. What committee?—A. The committee appointed by the elected council on the Six Nations reserve. I was specifically appointed to come down here as a delegate.

Q. And you were appointed by the Six Nations council?—A. That is correct.

The CHAIRMAN: Are there any other questions which members wish to ask of this witness?

By Mr. MacNicol:

Q. To which particular tribe do you belong?—A. The Seneca tribe.

By Mr. Castleden:

Q. I understand you represent the elective council?—A. Correct.

Q. Is there another organization known as the Confederacy?—A. I believe it does exist. I believe they have delegates here.

Q. How many Indians have you on the Six Nations area whom you represent?—A. There are a total of about 5,500 on the list.

Q. That is of the Six Nations altogether?—A. Yes. Of which you could possibly say 50 per cent would be women. That would leave, of course, a balance of 2,750 males. From that list you could subtract about 400 as the total number of boys. Though that group belong to the school age there have been about 800 in attendance at our day schools. That would leave us about 2,350. If you take another 250 to represent the boys of the pre-school age group you would have left 2,100. In addition to that you could safely subtract an additional 200 to allow for the boys between the ages of 16 and 21 who are not voters. That leaves approximately 1,900 eligible voters. I think you will agree with me that at no election does the entire body of eligible voters express an opinion. In Brantford recently we found that only 45 per cent turned out to the election. Consequently, I think we could safely assume that only about one-half of the 1,900 would register their vote. That would mean approximately 950 active voters. Of that group in the 1946 elections for the present elected council there were 571 votes cast, and that was with two districts not participating. There were acclamations in two groups. Consequently, we got 571 votes cast in the remaining four districts. I think, sir, that will give you a picture of the group and the elective council.

Q. Yes. Had the Indians the privilege of one vote or two?—A. They voted for two councillors.

Q. And the total number of votes cast for the two councillors was?—A. 571.

Q. I do not know whether you represent the 5,000 Indians in the Six Nations reserve.

The CHAIRMAN: There are other representatives here.

Mr. CASTLEDEN: There are representatives here from the Confederate group?

The CHAIRMAN: Yes.

By Mr. Castleden:

Q. How were your delegates selected?—A. They were appointed by the council in session.

Q. The councillors met— —A. The councillors met and selected the spokesmen.

Q. How many councillors are there?—A. Joseph Hill and I were selected.

Q. How many councillors were there when the selection was going on?—A. I have no way of saying, sir, as it was done in committee, but I presume the entire council was represented.

Q. How many councillors would there be?—A. There are normally twelve, but I think there are only eleven active this year.

Q. It would be at a meeting of those eleven councillors?—A. Yes.

By Mr. MacNicol:

Q. Are all your tribes represented; the Mohawks, Onondagas, Oneidas, Cayugas, Senecas and the Tuscaroras; are they represented here?—A. In the elective council it is a geographical selection with no consideration of the different tribes. Under the hereditary system I think you will find that the representation was by tribe.

Mr. MACNICOL: Do some of the representatives represent the Muncies and the Delewares?

The WITNESS: They belong to a different reservation.

The CHAIRMAN: I think, gentlemen, we should get along with the brief.

Mr. REID: Mr. Chairman, I am not raising a point of order, yet it is a point of order. When this man made his presentation we had him give a breakdown which no other Indian delegate was asked for at the start and we have been given the actual number of voters.

Now, this later may be held against the band. It is something new in this committee. We have had delegation after delegation and they have told us the number of the band and the number in the association, but we have never asked them for a breakdown of the actual number of voters. Now, he told us at the start that they represent 5,500. This man has been good enough to tell us right down to the last detail how many votes were cast, which is something remarkable; but I do not want that held against this man and I do not think it should be done, not at this stage. If we were going to do that in one case we should have interrogated every witness and said, "Let us have the entire number of Indians and the number of voters." We have not done that before.

Mr. CASTLEDEN: Oh, yes, we have.

Mr. REID: Will you show me where we did that? I do not like the situation to be raised at this stage of the proceedings.

The CHAIRMAN: I do not think it means very much because this witness, whether he is a member of the band or whether he is not, was appointed by the council of his reserve.

Mr. REID: That should be sufficient for this committee.

The CHAIRMAN: That is right.

Mr. MACNICOL: Let us get on with the submission.

Mr. REID: I am not apologizing for bringing this matter up and having it put on the record.

Mr. CASTLEDEN: What we are interested in is to get a proper representation from all the Indians, and I think this witness should give us information as to whom he represents and that opportunity will be given to other delegates.

Mr. REID: It should have been done before, if we are going to do it now.

The CHAIRMAN: This gentleman has been appointed by the council of the Six Nations reserve and I do not care who he is or what he is. He has been appointed to come here, and that is sufficient for our purpose.

Mr. REID: Yes. It is all on the record now, and I am content.

The WITNESS: Mr. Chairman and gentlemen, as a non-member of the council, as an individual, I would like to express my appreciation for the privilege of appearing before this body and state that I believe it is the general feeling of the average individual on the reserve—a feeling of gratitude that we should at long last have been consulted at a time when the laws which govern us are about to be revised. With your permission I will proceed with the brief, copies of which you all have.

The Council of the Six Nations Indians of the Grand River, on behalf of their people, make the following recommendations for the consideration of the Special Joint Committee of the Senate and the House of Commons, appointed to examine and consider the Indian Act.

1. THE STATUS OF THE SIX NATIONS

(a) Your committee is requested to clarify the status of the Six Nations for the following reasons.

(b) The position of the Six Nations is unique in that, in the wording of the Haldimand Deed they were clearly named as "allies" of the British, rather than subjects. A portion of the Haldimand Deed reads as follows:—

Whereas His Majesty having been pleased to direct that in consideration of the early attachment to His cause manifested by the Mohawk Indians and of the loss of their settlement which they thereby sustained that a convenient tract of land under His protection should be chosen as a safe and comfortable retreat for them and others of the Six Nations who have either lost their settlements within the Territory of the American States or wish to retire from them to the British. I have at the earnest desire of many of these His Majesty's faithful allies purchased a tract of land from the Indians situated between the Lakes Ontario, Erie and Huron, and I do hereby in His Majesty's name authorize and permit the said Mohawk Nation and such others of the Six Nations Indians as wish to settle in that quarter to take possession and settle upon the banks of the river commonly called Ouse or Grand River, running into Lake Erie, allotting to them for that purpose six miles deep from each side of the river, beginning at Lake Erie and extending in that proportion to the head of the said river, which them and their posterity are to enjoy for ever.

Dated 25th October, 1784.

(c) It is of the utmost importance that this point be cleared up by the Committee, as by being named as allies, would grant the said Six Nations certain rights and privileges which may not be granted to subjects, some of which may be outlined as follows:—

- (1) Full control of the lands allotted to them.
- (2) The exemption from taxation, for all time, on said lands because of the unique manner in which these lands were inherited.
- (3) While we approve of our funds being held in trust by the government, it is considered that the council should have full powers over any single expenditure or grant not exceeding \$1,000.00—but that the superintendent-general should have no power to expend our funds without consent from the council.
- (4) It is considered that to allow the said lands and revenue therefrom to remain tax free would be a reasonable manner in which to compensate the said Six Nations for the sacrifice of flesh and blood and territory, and be some reward for their unfailing loyalty to the British cause at all times, a loyalty which has continued up and to the end of the second great world war.
- (5) The Six Nations seek a degree of self government based, as already stated, on the unique manner in which they inherited the said lands, and wish only to substantiate such self government in so far as it may be reasonable and just to the people of the Six Nations and to the dominion government, who, by the British North America Act, have been entrusted by the Imperial government to look after the interests of the Six Nations people.
- (6) The affairs of the Six Nations of the present generation are far removed from the time that they first settled on the said lands and have become completely interwoven with the affairs of the dominion in general. The Six Nations now obtain a living in the same manner as the average white citizen, meet the same obligations and are subject to all forms of taxation except that of direct land taxation and a few other minor taxes which may not apply to an Indian reservation because of the wording of the present Indian Act. Because of all this, and certain

other factors, it is realized that absolute self government would be an unsound request, and impractical both to the Six Nations and to the dominion government.

2. LANDS

Due to the manner in which the Six Nations inherited their property (see Status of Six Nations) the decisions of the council in all land transactions, and transfers between members of the Six Nations, shall be final and conclusive, subject only to an appeal to the Justice Department.

However, there shall be no surrender of any Six Nations lands unless two-thirds (2/3) of the total number of votes cast, favours such surrender. (See Sec. 51-1. Indian Act).

3. AGRICULTURE

Since many Indians of Canada are occupying land suitable for agricultural purposes, it is recommended that the revised Indian Act should make provision for the establishment of a "Division of Agriculture", provided with sufficient funds to considerably increase the development and progress of agriculture on the said reserves and cooperate with the provincial departments of agriculture in which such Indians may reside so that they may share equally with other residents of such provinces in the agricultural educational programs conducted from time to time.

4. EDUCATION

The joint committee is urged to consider the following recommendations covering the educational needs on the Six Nations reserve:—

- (a) Teachers be placed on civil service with provisions for retirement.
- (b) A salary scale be set up with provision for a minimum and a maximum salary.
- (c) That present school grants to pupils be continued, but that all students so desiring, be allowed to attend high, continuation or collegiate institutes, and that bus transportation be supplied and tuition fees be paid.
- (d) That required standings be reduced.
- (e) A school nurse be supplied, who will check all reported illnesses. The doctor to supervise vaccinations at regular intervals, and that milk be supplied to the pupils at school.
- (f) Sanitation supplies to be provided and water to be tested regularly.
- (g) Adequate supplies of books to be provided.
- (h) Dental services to be provided.
- (i) The council suggests that Indian residential schools be made undenominational and placed under control of the department rather than under church control as in some cases at present.

5. SOCIAL SERVICES

It is felt that a social service division should be established, with trained personnel, to supervise and improve living and health conditions on the reservation. It is felt that such a division would do much to alleviate cases of suffering on the reserve. This division could make provision for old age pensions, widows' allowances and other benefits now available to those outside of reservations.

6. POSITIONS IN INDIAN ADMINISTRATION AND EDUCATION

In the matter of appointments to positions in Indian administration and education, Indians where qualified, should be given a preference, with Indian veterans receiving first preference, then any Indian, and if no Indian can be found qualified to fill the position, then the regular provision of the Civil Service Commission should apply.

7. APPOINTMENT AND POWERS OF INDIAN AGENTS

The Six Nations Council endorses and supports the recommendations made by the Okanagan Society for the Revival of Indian Arts and Crafts as outlined in the special joint committee's report No. 14, dated Thursday, July 18, 1946, page 615, regarding the appointment, training, and definition of the powers of the Indian Agents:

8. THE RIGHT TO VOTE

We recommend that the revised Act should provide citizenship without loss of lands or rights as at present. Such was given without question in the United States. At the present there is the anomaly of the government conscripting for military service, demanding income tax, collecting certain other taxes, and yet saying that Indians cannot be citizens, cannot have old age pensions, and other matters of social security and benefits. The vote should be given to all Indians on the same basis as at present provided for Indian veterans.

9. VOTES FOR WOMEN

The women of the Six Nations are fully qualified to vote intelligently, and it is the wish of this council that some provision be made at this time to give them this right. In this connection we unanimously support the recommendations made on page 632, section 4, of Report Number 14, 1946, to which we have previously made reference.

10. RE-INSTATEMENT OF ENFRANCHISED MINORS

It is our opinion that some provision should be made so that any Indian, who was enfranchised by his or her parents, as a minor, and who is now prepared to reside on the Six Nations reserve, and providing that he or she is prepared to repay their share of Six Nations funds, should be allowed to return, and after a probationary period of two years, may be accepted and restored to membership by the Six Nations council.

11. INDIAN ACT

Section 2 (i) should be deleted and where "person" is mentioned in the Act, it should be made to read "anyone other than an Indian". Although this definition is only in the interpretation section and is used only as a definition in the Act itself, it has been misunderstood in so far as the Indians are concerned, and they have taken it to mean that they are not a "person" and have been placed in the same category as minors and lunatics.

Section 3 should be amended so that it would read "The Governor-in-Council, upon the application of the Indians, or non-treaty Indians, or any of them, or any band or irregular band of them, or the reserves or special reserves, or any portion of them, in any province or in the territories, or in any of them, may be proclamation exempt such from the operation of this part".

Section 13 should be amended by deleting the words "with the approval of the Superintendent General" and substituting therefor "Band or Council of the Band".

Section 14 should be amended by adding thereto "and any property held by such Indian woman shall be sold by her within one year from her marriage and if not sold, to be purchased by the Band or Council of the Band to which she belongs at a price to be determined in such a manner as the Band or Council of the Band may direct based on reasonable prevailing values".

Section 17, subsection 2, should be amended so as to read "The Superintendent General may, with the consent of the Band or Council of the Band, cause to be deducted from the capital of the Band of which such Indian was formerly a member . . ."

Section 18 should all be deleted and these new subsections substituted therefor.

Subsection 1—The band or council of the band may from time to time determine who is or who is not a member of such band entitled to share in the property and annuities of the band.

Subsection 2—The decision of the band or council of the band shall be final and conclusive, subject to an appeal to the superintendent general.

Section 25 should be amended by deleting therein "Superintendent General" and substituting therefor, "Band or Council of the Band".

Section 26 should be amended by adding after ". . . shall descend" in the fourth line, "according to the laws of descent on any intestacy in the province in which such property is situated" and deleting the balance of the section.

Section 26, subsection 2, should be amended by deleting "Superintendent General" and substituting therefor "Band or Council of the Band".

Sections 27 and 28 should be amended by deleting "Superintendent General" and substituting therefor, "The Band or Council of the Band".

Section 29 should be deleted in view of amendment to Section 26.

Section 31 should be amended by adding after ". . . obtained a location ticket", "or deed therefor upon the approval of the Band or Council of the Band".

Section 32 should be amended by deleting "Superintendent General" and substituting therefor, "Band or Council of the Band", and adding to the subsection "subject to an appeal to the Superintendent General".

Section 32, subsection 2, should be amended by deleting "Superintendent General" and substituting therefor "Band or Council of the Band".

Section 33 should be amended by adding after ". . . Superintendent General" in the third line, "upon the recommendation of the Band or Council of the Band" and deleting "Superintendent General" in the ninth line and substituting therefor "Band or Council of the Band".

Sections 34, 35, 36 and 38 should be amended by substituting "Band or Council of the Band" for "Superintendent General" throughout.

Section 39 should be amended by adding subsection 4 as follows: "The Band or Council of the Band may institute any action for and on behalf of the Band for any claim or demand whatsoever, in any court having jurisdiction, when His Majesty on behalf of the Band or Council of the Band neglects or refuses to institute such action".

Section 39, subsection 4, shall become subsection 5.

Section 43 should be amended by deleting "Governor-in-Council" and substituting therefor, "Band or Council of the Band".

Section 48 should be amended limiting expropriation only for public works, and subsection 3 should be amended giving the band or council of the band the right to choose their own arbitrator.

Section 51, subsection 2, should be deleted.

Section 52, and all subsections, should be deleted. We cannot urge too strongly that this section and subsections of the Indian Act relative to the removal of Indian reservations from urban centres be obliterated, as it is wholly contrary to British democratic principles and opposed to those ideals for which our young men fought and died.

Section 93, subsections 2, 3 and 4:—In the matter of expenditures from the capital or interest accounts of the Six Nations, it is our opinion that no expenditures of any sort should be made without the knowledge and consent of the council, and that, in view of this opinion, that Section 93, subsection 2, of the present Indian Act should be repealed as regards the powers granted the superintendent general in this connection,—and in subsections 3 and 4 "Band or Council of the Band" should be substituted for "Superintendent General". Further we are of the opinion that in order that our people may

have confidence and trust in the department, that the annual statement of all expenditures and receipts, and the general statement of our trust accounts, should be published for distribution annually to our people.

Section 94(a) should be amended by adding after the words ". . . may operate farms on Indian Reserves" in the second line,—“with the consent of the Band or Council of the Band”.

Section 95 should be deleted and the superintendent general should only be given supervisory powers unless otherwise stipulated.

Sections 110 to 114 should be deleted.

Sections 126 to 137 should be deleted and the Indians should be governed by the liquor laws and regulations in each province and they should have the same rights and privileges of buying and consuming as the ordinary resident of the province in which each band is situated.

Section 140(a), and section 140(a) subsection 2, should be deleted.

Sections 141 and 142 should be deleted.

Section 163(a) should be amended by deleting the word “male”.

Section 176 should be amended, and provision made whereby the people of the Six Nations may elect the chief councillor.

Section 178 should be amended to read “At such meeting of the Council the Chief Councillor or his deputy appointed for the purpose, shall

(a) preside, and record the proceedings;

(b) control and regulate all matters of procedure and form and adjourn the meeting to a time named or sine die;

2. The agent for the reserve will be present and shall

(a) report and certify all by-laws and other acts and proceedings of the Council to the Superintendent General.

(b) address the Council and explain and advise the members thereof upon their powers and duties.

Section 185 should be amended by giving the band or council of the band the same authority and jurisdiction over their own affairs as any municipal authority has in the province in which the band is situated.

Finally—apart from the preceding brief which deals almost entirely with matters affecting the revision of the Indian Act,—we would draw your attention to certain remarks of various witnesses who have appeared before you, whose statements we have read with considerable interest and with astonished amazement.

To refer to one in particular—your witness was speaking of the Reserve at Brantford,—our own Six Nations,—quote “I think we must look forward to their gradual assimilation”.

We very much resent those remarks, as we are proud of being Six Nations Indians. We are thankful we have sons and daughters, and we hope that they—like ourselves—will grow up with pride in the fact that they are, first—Six Nations Indians, and secondly—good Canadians.

The late Sir John Willison, speaking to a young Indian boy attending Upper Canada College, gave this advice; “My son, remember always that it takes a poor Canadian to make a good American. A man should have pride in his race and the land of his birth.” We as a people are very conscious of his meaning in the light of what is happening to-day.

We as a people bitterly resent these suggestions of assimilation or absorption, and cannot accept such as inevitable.

We remember well the words which appear on Chief Red-Jacket's monument in Buffalo:—“When I am gone and my voice is no longer heard, the avarice and guile of the white man will prevail. My heart fails me when I think of my people, so soon to be scattered and forgotten.”

What possible justification can there be for it to be so frequently urged that Indian reserves must be broken up before the Indian can attain his rightful place in equal partnership with his fellow Canadians.

The CHAIRMAN: Thank you. The next witness will be Mr. Joseph Hill.

Joseph Hill, called.

Mr. MACNICOL: Are there copies of the next submission?

The CHAIRMAN: I do not know.

By the Chairman:

Q. Have you any prepared submission?—A. Pardon?

Q. Have you any prepared submission?—A. Only on education. I have nothing on the first part.

Q. Have you copies of it?—A. No, I have not.

Q. You are appointed by the Six Nations Council to represent your band?—A. Yes, sir.

Q. What is your occupation?—A. I am supervising principal.

Q. School teacher?—A. Yes.

Q. Would you like to proceed?—A. May I sit?

Q. Yes, as long as you speak loud enough so that the committee reporters may hear you.

The WITNESS: Gentlemen of the committee; I am dealing with education and associated problems and related legislation, and I do not propose to speak for any other group or any other reserve. If any of our recommendations may be applied to other reserves and be of help to them, so much the better.

Education is the basis of progress of any people or group of people and the cultural and even economic standards of any people or group of people may often be measured by the education which such people or group of people have attained. In dealing with education it must be understood that the Six Nations have only recently emerged from a primitive stage in human development. Only then can the results of such contact with highly organized civilization be understood. The whole problem of the Six Nations will resolve itself into finding a system of education which will help bridge the gap between their economic and cultural levels and the cultural and economic levels reached by their white neighbours, and to put this system into practice with such speed as is economically sound.

During the last year I have noticed many things and I would like to enumerate them to you.

First, the relationship of the number of pupils to the number of teachers in grades. The teachers' load should be reduced. Teachers should have better salaries. At the present time the average salary is \$1,500; the lowest being \$1,200 and the highest \$1,800. I understand that next fall they will receive a minimum of \$1,500 and a maximum of \$2,100, and with additions in the form of annual increases of \$100 each for six years.

Secondly, the lighting of the schools should be improved and provision should be made for manual training, home economics and agriculture for Grades VII and VIII and possibly Grade VI.

Everyone should have an opportunity to go to high school. Every year of extra education a pupil receives counts for something you cannot measure in dollars and cents, and the money spent is not lost.

The way you deal with an Indian family is different from a white family; therefore, I believe that all those connected with Indian education should have a good knowledge of Indian psychology. By having Indian teachers you will

get closer harmony between the instructor and the pupil. I believe we have the best rural education set-up in the province, but a purely academic course falls short of preparing the vast majority of our Six Nations' youth for the life which they must face. That is why I said provision should be made for manual training.

Some plan should be devised whereby school supplies could reach the reserves more quickly. We have teachers in the crafts, and they should be allowed to buy supplies as required. In the spring the teacher does not know the requirement for the next fall; for instance, she does not know the number of pupils or the number of projects that she may undertake. The teacher of No. 6 school this year made a fine display of handicrafts and she bought the supplies with her own money.

Last fall the children were given an I.Q. test and we found they placed on the same level as the children in Brant county.

I should also like to suggest that scholarships be offered. Offers of scholarships in the direction you want the student to go are always helpful; for example, a normal school scholarship.

I would like to emphasize to the n-th degree that the Six Nations are following the curriculum as prescribed by the province of Ontario because the background of the Six Nations' pupils is comparable to the background of the average rural pupil and they are able to assimilate the instruction given; and those who wish to obtain a higher education must meet the requirements of the province.

A word about history books. History books grossly exaggerate the violence of our forefathers and present the Indians in a bad light.

I believe that our health education should be improved. Health education is given by nurses. We have that now; but I believe they should serve extra nourishment, they should have hot lunches and pasteurized milk. And I believe pasteurized milk is the greatest need.

Next is the matter of sanitation; washbasins, tubs, soap, paper towels; and pails, water containers and we need better toilet facilities.

To the best of my knowledge at the present time there are no communicable diseases and few deficiency diseases. Most of the pupils appear to be well-nourished but there are a good many who are in urgent need of dental care.

There should also be some provision for the education of the parents in the home. I think the answer to most of our problems lies in education, not only of the children but also of the adult. Home conditions have a great influence on our children.

The CHAIRMAN: Thank you very much, Mr. Hill. We appreciate that. Now, if you gentlemen will kindly retire, we will call Mr. Sam Lickers.

Chief Sam Lickers, representing the hereditary chiefs of the Six Nations, called:

The CHAIRMAN: Mr. Lickers, I believe you represent the hereditary chiefs of the Six Nations?

The WITNESS: Yes, I do. Of course, we are not too badly off. The official representative for Six Nations has brought out most of the points in which we are concerned, but he speaks for this new council which we do not accept. There is one thing, however, which I would like to make clear, and it is this; that if it had not been for our forefathers much which you have and enjoy to-day would have been lost.

I have to ask you to make allowances for my limited education. I have some material here which I would like to read but I am afraid my English is not equal to it.

The CHAIRMAN: Do I understand that you have a brief which you would like to present?

The WITNESS: Yes. This deals particularly with the question of the status of our people. I thought we were to appear here to have a general talk.

The CHAIRMAN: Well, Chief Lickers, what would you like to do? Would you like to make your presentation, and then afterwards when we get through hearing the other witnesses we can call you back and ask you questions?

The WITNESS: Oh, I see.

The CHAIRMAN: Would you like to read this brief for the chief, Mr. Lickers?

The WITNESS: I am afraid my English would run out.

The CHAIRMAN: We will ask our counsel, Mr. Norman Lickers, to read it for you.

The WITNESS: All right.

Mr. LICKERS: The submission is as follows:

"SIX NATIONS,

Grand River Country,

May 22, 1947.

To the Parliamentary Sub-Committee on Indian Affairs,
Ottawa, Canada.

HONOURABLE SIRs, We, the Six Nations of Grand River country under the protection of the Haldimand Deed made between Sir Frederick Haldimand in His Majesty's name, King George III and Captain Joseph Brant, demand that you abolish the Indian Act.

It was never accepted by the Six Nations' Confederacy and was never registered. In 1869 the Indian Act was enacted by the dominion government. Before carrying it into effect the dominion government tried to get the Indians to agree to it. An assembly was held at Sarnia in 1871. The Six Nations sent delegates but when they understood why the meeting had been called, they left at once. In 1890, the Canadian government tried to maintain that the Six Nations were governed by the Simcoe Deed of 1793 and by the Indian Act. The Six Nations sent a delegate to London, who reported that the Colonial Office did not consider the Simcoe Act as valid.

On the 25th of October 1784 the Treaty between the Six Nations people and the British Crown was made which confirmed the Six Nations people an independent nation. The Charter of King George III which can be found in the House of Lords, the text of which reads as follows:—

'A Charter by King George III of England to the Five Nations Indians in North America.

1st Condition

The Five Nations Indians territorial government. Permanent independency.

2nd Condition

Conditionate permanent land of 12 miles wide on the Grand River from its mouth to its source, to the Five Nations Indians.

3rd Condition

Conditionate as long as the sun shall be moving in the heavens and grass growing and the waters flowing in the rivers, the Indians shall draw presents, blankets and other goods, etc.

4th Condition

Conditionate exemption of statute labour, toll bridges and toll ferries.

5th Condition

Conditionate that wherever land occupied by the white settler outside of the 12 miles wide of the land grant to Indians, it shall only be the depth of the plough that he has the privilege to use the land and the settler if he wants to build a cellar or to dig a well must first obtain permission from the Six Nations' Council.

6th Condition

Conditionate that certain trees standing anywhere in occupation by white settlers, holding fee simple, outside of the 12 miles wide land grant to the Five Nations, namely Basswood, Black Ash and Hickory Trees, shall be the property of the Six Nations Indians.

Games of all kinds, fish etc.—The Indians shall not be molested at any time to hunt, etc., etc.'

In 1867, eighty-three years after King George III had confirmed the Six Nations independency, Canada was created a dominion.

Honourable Sirs, has Canada to-day any authority to make such laws as 'The Indian Act' for the Six Nations people? In chapter 98, under the title 'Interpretation' in the alphabet I of the Indian Act, you will find the definition given of a 'person' of which the Six Nations people fail to understand. It reads as follows—

'Person means an individual other than an Indian.'

The year 1924, the Indian Act was enforced by the changing of our government by force of arms, abolishing our Confederacy and substituting councillors elected for stated terms, who are here today illegally representing the Six Nations people. In spite of the enforcement of the new elective system under the Indian Act, we, the people of the Grand River country have the majority under the Six Nations Confederacy. We would ask a question, gentlemen. In your democratic government where justice and honesty should prevail, when has a minority over-ruled a majority?

This, Honourable Sirs, is the Red Man's appeal for Justice.

Thank you."

The WITNESS: There is another piece there that I have to read.

Mr. LICKERS: This is a copy of sessional paper No. 151, dated Thursday, April 5, 1945.

The CHAIRMAN: What is that, again? It is a document of the Dominion of Canada. That is not your brief.

The WITNESS: That was more or less appended to the brief to confirm our idea.

The CHAIRMAN: Then I think it would be in order, to save time, if we had the sessional paper filed so that it could appear in our printed record. You will be prepared to answer questions in connection with it. I think that would be the will of the committee.

Mr. CASE: If it is not read we will not have it before us.

Mr. BLACKMORE: He may want to discuss it. We had better have it read.

The CHAIRMAN: It is a rather lengthy document; however, it is entirely up to the committee.

Mr. BLACKMORE: I would rather hear it read.

The CHAIRMAN: It reads:

SESSIONAL PAPER NO. 151

THURSDAY, April 5, 1945.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

Return to an Order of the House of Commons, dated 22nd March, 1945, showing:—

1. What is the text of the Haldimand Treaty under the terms of which the people of the Six Nations Indians were settled on territory on each side of the Grand River in Ontario.

2. What are the terms of the lease by which part of the territory, granted to the people of the Six Nations Indians under the Haldimand Treaty, was rented by Captain Joseph Brant and what were the rentals.

3. What is the total amount of money—the property of the people of the Six Nations Indians—now in possession of the Department of Indian Affairs and how is it used and administered.

The attached information has been received by the Secretary of State of Canada from the Department of Mines and Resources.

(S.) N. McLarty,
Secretary of State of Canada

Reference No. 10

Mover: Mrs. Nielsen

Dated: April 5, 1945.

DEPARTMENT OF MINES AND RESOURCES

Answer:—

1. The Haldimand Treaty referred to is a grant and not a treaty. A copy of the text of the grant is attached.

2. Joseph Brant, under authority of a power of attorney, from the Six Nations Indians, dated November 2, 1796, made a number of leases to whites who settled on the Grand River. The leases were issued for a term of 999 years at a nominal consideration.

In 1830, Sir John Colborne, Lieut. Governor of Upper Canada, appointed three trustees on behalf of the Six Nations Indians to investigate and report on the claims under the Brant leases. A report subsequently was issued to which was attached a schedule of these leases indicating those recommended for approval and others which were disallowed.

3. There is an account in the Consolidated Revenue Trust Fund of Canada known as the 'Indian Trust Fund' and in that account there is shown as at February 28, 1945, to the credit of the Six Nations Indian Band at Brantford, amounts as follows:

Capital account, \$708,452.32

Revenue account, \$45,891.69

The account is administered by the Department of Mines and Resources in accordance with the provisions of the Indian Act.

NOTE:—Interest at 5 per cent is credited to the account on the 31st of March in each year.

HALDIMAND GRANT

FREDERICK HALDIMAND, Captain General and Governor in Chief of the province of Quebec and territories depending thereon, etc., etc., etc., General and Commander in Chief of His Majesty's forces in said province and the frontiers thereof, etc., etc., etc.,

Whereas His Majesty having been pleased to direct that in consideration of the early attachment to his cause manifested by the Mohawk Indians and of the loss of their settlement which they thereby sustained that a convenient tract of land under his protection should be chosen as a safe and comfortable retreat for them and others of the Six Nations who have either lost their settlements within the territory of the American states or wish to retire from them to the British. I have at the earnest desire of many of these His Majesty's faithful allies purchased a tract of land from the Indians situated between the Lakes Ontario, Erie and Huron, and I do hereby in His Majesty's name authorize and permit the said Mohawk nation and such others of the Six Nation Indians as wish to settle in that quarter to take possession of and settle upon the banks of the river commonly called Ouse or Grand River, running into Lake Erie, allotting to them for that purpose six miles deep from each side of the river, beginning at Lake Erie and extending in that proportion to the head of the said river, which them and their posterity are to enjoy forever.

Given under my hand and seal at arms at the castle of St. Lewis, at Quebec, this twenty-fifth day of October, one thousand seven hundred and eighty-four, and in the twenty-fifth year of the reign of Our Sovereign Lord George the Third by the Grace of God of Great Britain, France and Ireland, King, Defender of the Faith and so forth.

FREDERICK HALDIMAND

By His Excellency's command.

R. MATHEWS.

Registered 20th March, 1795

WM JARVIS

Does that complete your submission?

The WITNESS: I have others to read.

The CHAIRMAN: Is it your brief or is it not your brief.

The WITNESS: It is more or less my brief.

Mr. HARKNESS: It is part of it, let us say.

The WITNESS: You must bear in mind that we have no education in the way of bringing up questions to you gentlemen. You must remember that there are two factions on the reserve.

The CHAIRMAN: Without getting into any controversy at the moment, what we would like you to do is to make your presentation any way you see fit and to submit such material as you may desire to bring before the committee.

The WITNESS: This is somewhat different.

The CHAIRMAN: You have your brief here?

The WITNESS: Yes.

The CHAIRMAN: Is this your complete brief?

The WITNESS: Just as I say, we have more material.

Mr. CASE: That is not his complete presentation.

The CHAIRMAN: Well, then, am I to take it that you have completed the presentation of your memoranda and that you now desire to make some extemporaneous remarks?

The WITNESS: Yes.

The CHAIRMAN: All right now, if you will just proceed we would appreciate it.

The WITNESS: Will that be O.K.?

The CHAIRMAN: Yes.

The WITNESS: I will try to give you the facts as they relate to the Haldimand grant that was made to us by the Crown. That was around the time of the war of the revolution. As you know, we have taken part in many wars on your side. The first war, I think you will recall, was the Seven Years' war. No doubt the committee know all about that war. Your people went in and solicited help from my forefathers and they promised it to them. I do not know whether they fulfilled it or not, but you got the consent of our people at that time to help you, and we formed the balance of power. And without that balance of power I may say, according to history, you would not have had Canada. Great Britain would not have had Canada if it were not for the balance of power. Even when they fought the French it was the same thing. We became the balance of power again. When the United States rebelled it was the same thing. That was the time when King George III instructed Sir Guy Carleton, who was afterward Lord Dorchester, to induce the Six Nations to be allies to the Crown, to stay with them at any cost. Sir Guy Carleton presented his case literally on his knees, and promise upon promise was made. I do not know that they have ever been redeemed or anything like that, but he had promised that for anything they would lose they would be recouped on the same tenure.

The history of the Six Nations is interesting no matter where and when told. When these promises were made by the representative of the King our forefathers had faith in the King because they thought that for every promise that he makes he keeps his powder dry for that purpose. They had faith. The Indians fought and died, shed streams of blood and tears, and there were many empty chairs. What did we get when the whole thing was over? They were going to make us allies. What happened? Take the letters of Lord Dufferin, which are plain as daylight. He visited our reserve in 1872, and he went back in the fall—

By Mr. MacNicol:

Q. 1882?—A. 1872 or 1882. Ten years would not make much difference. Lord Dufferin was here with Lady Dufferin. He wrote letters to our people, the Six Nations. I do not believe I have them with me at the present time, but it is not far from me. I can bring that up again. He said that the Six Nations were allies to the Crown, and that the friendship between Great Britain and our people, the Six Nations, is cemented with the blood of the good cause they were fighting for.

As I said a while ago there are many men who have put themselves on *Hansard* or on record that this is true, that the Six Nations hold a unique position in Canada, having a special treaty with the Crown. On pages 3646 and 3647 of *Hansard* of March 24, 1933, Mr. Elliott and Mr. Murphy as to the Six Nations of Brantford and Tyendinaga took the same position as that taken by the hon. member for Quebec south, namely that they were allies. All reserves in Canada have not the same status. All other Indians have a different status altogether.

At page 5181 of *Hansard* of June 26, 1925, the Hon. Arthur Meighen says:—

This tribe—the Six Nations—I think 'deserves better of us than any other in Canada having a special treaty with the Crown which this House should scrupulously honour and protect.

That is what he said. That is all we know. Of course, all that any of us know is what we have borrowed, begged and stolen. That is all any one of us knows.

At page 5180 of *Hansard* of 1925 Mark Senn says:—

The Six Nations are in a rather unique position.

He refers to the fact they were given their lands by the British Crown.

At page 1152 of *Hansard* of 31 March, 1930, Mr. Frank Smoke, M.P., says:—

It is only the Six Nations that occupy that peculiar position.

Land was ceded to them by King George III through Governor Haldimand.

I will not be long. I will not tire you. At page 2605 of *Hansard* of April 20, 1934 Mr. Frank Smoke, M.P., says:—

The Six Nations are allies of the British Crown.

The Hon. Frank Oliver, who was at one time superintendent general of Indian Affairs, says in *Hansard* of April 5, 1909:—

The Six Nations are on a different footing than any other reserve in Canada. They have a special treaty with the Crown and this House should always have that fact in view.

Then at page 4146 of *Hansard* of June 23, 1920, Mr. Meighen referred to the fact that the treaty rights affect property. It would take a long time to give all this because it is a very old matter, and these questions should be determined while we are living in the time when the wrong can be made right. Surely you gentlemen will work to that end because you can make our people happy. When your backs were to the wall we helped.

I might say here that *Hansard*, of course, is not the law, but at the same time it has been used to make the law, and it is the ideas of different men, different attitudes.

Mr. Frank Smoke has brought this question up more than once before the House of Commons. Mr. Bennett at that time thought that he knew this question pretty well. We may say here that the question has not been settled. The Haldimand question, or the status of our tribe has never been settled. Before it is settled why make amendments to the laws that concern other Indians in Canada? Why? Let us have an understanding first. Then we can make a long term agreement. Let us have an understanding first because the question has never been determined.

Take the Indian Act. It refers to bands. It is like a boy who has caught a coon twice. He says, "The coon must be mine because I caught it twice." We have two deeds. One is the Haldimand deed and the other is the Simcoe deed. The Haldimand treaty says "Under His Majesty's protection." The Simcoe deed says "Under our protection", referring to the Canadian government. You gentlemen were not so independent about that time, 1793. You are more independent now than you were at that time, but our people at that time would rather have taken protection from the Crown. The Indian Act says:—

"Band" means any tribe, band or body of Indians who own or are interested in a reserve, and so on.

The two grants that were given to us do not say that. It was given to a nation, a federated nation, so the definition of "band" does not concern my people. It goes on:—

—or in Indian lands in common, of which the legal title is vested in the Crown.

How in the heck can a man surrender his property and still be John Brown? It cannot be done, but that is your Indian Act. It is only when the land is vested in the Crown that the Indian department or government has any jurisdiction, and under no other circumstances. This grant was given to the Six Nations Indians, a federated nation.

As I said a while ago history is interesting. There are many times that your mother country has relied upon our arms, many, many times. Today it is all washed away. Since you have got fat and big you want to help to feed us and help us and tramp on our neck because you are helping us. I say do not do that because we are all human. One of the delegates said something about being a person. My mind goes back a little way on that question. We will call you gentlemen Gentiles. Before you came here we thought we were human, but when you used that word "discovery" that made us what? When any land or any country is occupied by human beings you cannot use that word "discovery", can you? It is not reasonable. The Simcoe deed—

By Mr. Reid:

Q. What is the Simcoe deed?—A. The Simcoe deed is the "giving and granting by these presents to the said chiefs, warriors, women and people of the Six Nations and their heirs, their full and entire possession of territory to be held and enjoyed by them in the most free and ample manner." That is the Simcoe deed.

By Mr. Castleden:

Q. What was the date of that?—A. That is 1793. There are two things which cause division on our reserves. It is these two deeds. It is a question on which a division of opinion exists. Some say it is only the Simcoe deed which gives them the right to make laws, but others say the Haldimand deed is an out and out deed. Some of my learned friends will say, "Oh, no, that means something else." It cannot mean anything else.

I was going to say this about the definition of the word "band." How can you use that, how can you make that thing applicable to our people? The Indian says it cannot be done.

Then we see that section 2(j) of the Indian Act reads:—

"Reserve" means any tract or tracts of land set apart by treaty or otherwise for the use or benefit of or granted to a particular band of Indians, of which the legal title is in the Crown, and so on. That is your Act. Taking the Haldimand deed I cannot see how you can apply the Indian Act to our people before the question is determined. That question should be determined for us. Who are we? Give us a break. I do not say you have never done it before.

I suppose I could stay here for a week to dwell on these things. I would say that we are divided on our reserve pretty badly because of these things. I do not know why that is. I was glad to see my learned friend, Lieutenant Colonel Randle. He has helped to dig a deeper ravine between our people. I do not know what that means. Is it to divide and rule? Some have taken that attitude, have they not, in times gone by? The first chance you get I should like you to call me back. I should like to have you question me on this matter because any argument that cannot stand criticism is no damn good.

The CHAIRMAN: Thank you very much, Mr. S. Lickers. We appreciate your presentation. If you will retire for a moment we will hear some other witnesses.

The WITNESS: I wish we could have another round table conference.

The CHAIRMAN: We will have that later on. The next witness is Mr. William Smith representing the defense council.

Mr. HARKNESS: What is the defense council?

The CHAIRMAN: The defense council has some Indian representation here. They are not official delegates from the Six Nations reserve.

Mr. HARKNESS: The Six Nations' defense council.

Mr. NORMAN LICKERS: That is not only from this reserve but from all the Iroquois both in Canada and the United States.

Mr. HARKNESS: Does it include the St. Regis reserve and the Caughnawaga, and so forth?

Mr. LICKERS: Partly, yes.

The CHAIRMAN: We will now hear Mr. William Smith.

Mr. SMITH: Mr. Asa Hill is the spokesman for the defense league.

The CHAIRMAN: You are William Smith?

Mr. SMITH: Yes.

Mr. Asa Hill, called:

By the Chairman:

Q. Have you a brief, Mr. Hill, and can you circulate it among the members?

—A. Yes, sir, I have.

Q. Can you let us have it?—A. First of all do you want to understand the constitution of this league? Do you want me to read the constitution?

Q. Have you a brief prepared? If you have we will circulate that among the members.—A. I am very sorry that we left our brief at the hotel. We were supposed to come at the end so we did not bother bringing the brief with us.

Q. You can let us have it later. Will you proceed now? How long is the constitution? Have you the whole constitution there?—A. It is a couple of pages.

Q. Can you tell us what it is without reading it?—A. My friend is more familiar with the constitution than I am.

The CHAIRMAN: Can you tell us, Mr. Lickers, what the defense league is?

Mr. LICKERS: They have the constitution there.

The CHAIRMAN: Can you tell us from your knowledge what the defense league is?

Mr. LICKERS: The defense league was an organization set up in 1925 under the leadership of Chief Clinton Rickard. Prior to that time there was some difficulty about Indians in Canada crossing to the United States, a right which was given them in the Jay treaty of 1794. To restore those rights to the Indians this defense league was set up. As a result of their work they were able to prevail upon the United States government to give Indians free passage as between the two countries. This league is merely for the purpose of seeing that that right is properly protected now and in the future; and also to protect any individual of the Six Nations Confederacy on either side in the event that they run afoul of customs regulations or that any hindrance is placed on them in crossing the border from one side to the other. They are an organization which are assisting the Indians in that regard.

The CHAIRMAN: Thank you, Mr. Smith. We would like to have this put on record. Is this your full contribution?

The WITNESS: That is the full constitution.

The CHAIRMAN: I think that should be in the record.

**"PART I OF THE CONSTITUTION OF THE INDIAN DEFENSE LEAGUE OF AMERICA:
THE PREFACE**

The constitution of the Indian Defense League of America has hereby been drawn up and approved by representative groups of Indians from the United States and Canada and is designed and constituted for the memberships of the Indians of America only. Therefore it seeks to offend none of our people but to work for the welfare of us, the Red Man, the aborigines of America; and to preserve to us and our posterity the good established for us by the leaders of our many tribes; and to honour the humanitarian and philosophic principles of many noble sages from among our people regardless of tribe.

We, therefore, in this league pledge to continue these fundamental principles in government and conduct the life of its members, that we in this present and modern age may never forget the nobler ideals of our ancient people and to glean from modern civilization all that is good and of interest to the needs of our people.

It is designed to unify all tribes or any members thereof for in unity of purpose, the welfare, rights, treaty guarantees and privileges once awarded to our various tribes may never perish and the blood of a great race might continue to run in the veins of a people that yet can live anew in a land of tolerance, justice and freedom, a land wherein we have a just claim to live unmolested and of which we are innately the first citizens.

In formulating the final rulings of this league from the minutes of previous meetings, we must in retrospect honour Chief Clinton Rickard who founded this league in 1925 on the democratic principles of our forefathers. As the great Sachem of this league Chief Rickard has taught its members the values of justice and equality to all, the principle of democracy, the virtues of our race and character which has long been misrepresented and perverted. Under his leadership this league achieved for the Indians of America the restoration of the unique privilege of free border crossing between Canada and the United States granted by the Jay treaty of 1794, which privilege was constantly challenged and finally jeopardized by congress in a bill designed to guard the United States from certain aliens.

This league therefore celebrates this event on the third Saturday of July commemorating the restoration of these treaty rights and may it perpetually be symbolic that all treaties and laws pertaining thereto for whatever tribe or member within the league will be upheld and sought out by this league.

The Indians of America have and are responding in greater numbers to the ideals of the league and a continual demand by all classes in America for a better understanding of the present and ancient Indian race sanctions the opinion, heretofore upheld, that this league shall be based on the governmental principles of the republic known to the ancient American as founded by Dekanahwideh and Hiawatha and to weave into its ritual those never forgotten ceremonies to the Great Spirit for thanksgiving and condolence.

Christianity in its full is sacredly recognized and upheld by this league.

Dekanahwideh, the law giver appeared unto certain tribes teaching peace, power and equality to all. With Hiawatha, Dekanahwideh founded on these eternal principles the great confederacy of peace known as the Six Nations under the sacred covenant before the Great Spirit and under His seal. This confederacy was purposely constituted with the view, that all tribes might be at some time an important nation within this league and its democratic ideals; "The Great White Tree of Peace" was planted. Its roots reach out in every direction that every tribe whatsoever, regardless of creed or language might follow to the bowl of the Great Tree of Peace, and there bury all weapons of war and sit at the council fire thereof, that the Red races might never rise against each other in deadly enmity and banish forever the evils and horrors of war, dissension and petty strife, that these tribes might honorably call themselves the Red Children of the Great Spirit.

This league therefore pledges to continue this League of Peace and promote this high purpose that its members may in unity and accord work for the welfare of the Indian and that all tribes may gather under the spreading Tree of Peace that the Red Man of America might be a blazing beacon for peace and a glowing escutcheon to the glory of our race, for in the power of peace is courage, faith and humanity, and the all conquering force of justice.

A great light came to our people when Handsome Lake taught our people to live pure and noble lives that our race might grow in stature physically and spiritually. He taught us our duty to the Great Spirit, the just Giver of Life

and to honour Him not only with most colorful rites and ceremonies with thanksgiving, but with our very lives. He taught charity among all, justice and honesty.

He taught us to be kind to the aged and to our children, and prophesied that from this purity of living a mighty race will grow.

This league honours this teaching, not disparaging the word of God but holds fast to these ideals as a compliment to the fulfilment thereof. This league therefore honours the ancient religion of our forefathers and demands of all members a tolerant view and urges a pledge to follow this teaching, that our race might grow in statute physically and spiritually."

Mr. REID: Mr. Chairman, I want to ask Mr. Lickers (Counsel) for some information. Speaking for myself, I do not know anything about these gentlemen or who they are representing, and I would like to know. Is this group representing the Six Nations, are they official delegates representing the Six Nations Indians.

The CHAIRMAN: No, they are not representing the Six Nations.

Mr. REID: I would like to have explained to us just who they are. I would like to know.

The CHAIRMAN: All right.

Mr. REID: I want the picture clear in my mind. I think it should be explained who these gentlemen are if they are not connected with the Six Nations; if they are separate and apart from them we want to know who they are and who they represent. I must confess that I find myself somewhat in the dark on this matter and I want to get a clear picture of it now.

The CHAIRMAN: All right, go ahead, Mr. Lickers.

Mr. LICKERS: The first delegation that you heard was the delegation—

The CHAIRMAN: We are concerned with this delegation.

Mr. LICKERS: I thought perhaps I could explain the whole picture to you.

Mr. REID: Yes, give us the whole thing.

The CHAIRMAN: Your time is my time, gentlemen. You have a long list and little time; so, go to it.

Mr. LICKERS: The second delegation was from the hereditary chiefs of the Six Nations, as Chief Lickers pointed out. When the Indian Act came into force and also when the hereditary council was abolished on the Six Nations reserves and the elected council was set up there was very great division of opinion as to what authority the government had to do that, so that you have at the present time a sharp cleavage between them; the elected council and the people of the Six Nations reserves who believe that the government had no authority to impose the Indian Act on them still carry on under the old hereditary chief system. They hold council meetings and everything else like that. The next delegation that you had was the hereditary council; and now you have before you the Indian Defense League of America which comprises people from both the hereditary council and the elected council who are interested in seeing that the Indians are properly protected in connection with border crossings from Canada to the United States and vice versa. They are all Six Nations.

Mr. BRYCE: They are all Six Nations Indians?

Mr. LICKERS: Yes.

Mr. BRYCE: But they are not all from the one reserve?

Mr. LICKERS: No. They are all Six Nations Indians, but the first two delegations that you heard come in full from the Six Nations reserve.

The CHAIRMAN: Yes, but to become a member of the defense league you do not have to be a member of the band; it does not matter where you live.

Mr. LICKERS: No, no.

The CHAIRMAN: You mean it is only for the Six Nations?

Mr. LICKERS: Only for the Six Nations.

The CHAIRMAN: I understood there are members from St. Regis on it, and others.

Mr. LICKERS: They are all Iroquois, Six Nations.

The CHAIRMAN: But they do not have to live on a Six Nations reserve?

Mr. LICKERS: No, but you have to be a member of the Six Nations Indians, or the Iroquois Confederacy, whichever you want to call it.

The CHAIRMAN: But not of necessity a Six Nations reserve Indian?

Mr. LICKERS: No, not of necessity. This is an international organization covering all the Iroquois confederacy, as it was at one time.

The CHAIRMAN: All right now gentlemen; if you will proceed, please.

The WITNESS: Mr. Chairman, may I say at the outset that we of the Indian Defense League of America are supporting the old system of the Council and Confederacy of the Six Nations.

The CHAIRMAN: Let us get along with the brief.

The WITNESS:

INDIAN DEFENSE LEAGUE OF AMERICA

Post Office Box 305

Niagara Falls, N.Y.

To the Members of the Joint Committee
House of Commons, Ottawa, Canada

HONORABLE SIR,—As an international Indian organization we are asked to submit the general decisions of its members and after many meetings, the following was passed and adopted as the knowledge of the Indian Defense League of America and general among the Indians especially of the Six Nations as hereunder endorsed.

We hereby present this brief summation in the good faith of a democratic Indian organization avowed to the principles of democracy and in denunciation of any form of "ism" or dictatorship. In the present confused world condition democracy is in need of every bulwark dedicated to the preservation of freedom in every form. We hope that the outcome of this brief letter will serve our white brothers to better understand our people and that the God-given principles of freedom and justice for which so much was given and for which so many died, including our own youth, will be manifest in the future dealings with our people not only in Canada but throughout America in full accordance with the Atlantic Charter.

We assume that the committee dealing with the Indian question are well versed in all Indian treaties especially of the Six Nations who have been a treaty-making people since 1530. In the Cayuga Arbitration of 1912 (Vol. I Memorial to His Britannic Majesty's Government) the status of the Six Nations was again emphasized and the Cayuga funds now held in trust at Ottawa is testimony to the validity of the many treaties involved. The generation that concluded these treaties respected the Six Nations and sincerely felt that their forbears would forever hallow these treaties and we hope that this generation of Canadians too will take the same consideration in the respect and we surely know that morality and sense of justice has increased and not deteriorated with passing generations and that this is the beginning of a broader outlook for our people.

The Indian Act which is herein under consideration and to be revised or already revised has been criticized not only by the Indian people but any one privileged to read it.

The purpose of the Act has been in the eyes of the Indian, not one of protection as stipulated by treaty but one of domination and coercive, inasmuch as it centralized authority in the Superintendent General. Its purpose seemed to be to coerce self-respecting natives into accepting enfranchisement which act many Indians repented, for they still found themselves Indians and third-rate citizens at best, off the reservation regardless of the vaunted privilege to vote. A man's children of minor age were victims of this unjust law as they were taken off the band without their individual free will which is the corner-stone of democratic justice.

The progressive Six Nations people who have counted themselves among the most free and most democratic minded people found the Indian Act accompanied by seemingly civil police the Royal Canadian Mounted Police to whom it was an end to treaty obligations and the right of a superior power to dominate minor people without respect for the elementary professes of democracy. It was a covert act about which the Canadian people knew nothing. Before the advent of the Indian Act the Six Nations were well on the way to better education and improvement but the act brought forth leaders who had no respect for their own history, traditions and self-respect and national pride; leaders who if they were not true to their own people can surely be true to no principle but graft and false vanity that this Act instituted. Our self-respecting Indians have remained adamant against the Act, the majority silently resisting by having no traffic with the law that would destroy their self-respect. Many left their farms to better conditions even without the borders of Canada with faith and hope that we could still remain Indians. The minority favoured by the Indian Act have long posed for the Indian Dept, tutored by the Indian agent. We hope that this minority will not solicit more favoritism by outright forfeiture of their own people.

The Indian Act does not protect the lands of the Indians or attempt to provide for the recovery of lands belonging to the Indians either by primordial fee simple or lands held by treaty, nor does it attempt to persecute just claims against companies or organizations who have taken advantage of the generous Indians unmercenary philosophy. It seems to the Indian that this is the first duty of a government and a people to justly protect, what little remains to the Indians by treaty, and to the people they call wards. It is a small duty when compared to the vast resources now called crown property by conjured naive phrases such as by right of colonization. We hope that public statements of this tenor do not inspire such foreign power to assume this right and start colonizing in parts of our uninhabited dominion.

The Indian department, has in no way encouraged our qualified Indians. Many of our better educated Indians have fled the country to better positions when they should be holding responsible positions as agents or guardians of their peoples' welfare throughout the dominion instead of those with pull qualification only. A disagreement with the Indian Act is tantamount to disqualification to any civil position and counted a civil misdemeanour. If the department practises this discrimination in civil liberty what chance has any Indian if he became enfranchised in competition with whites off the reserve where the same discrimination would be practised. A few paragons among our people have succeeded, the adverse is far more evident, they are those who would gladly enjoy the refuge of the Indian lands in adversity.

Our Indian women enjoyed for centuries political equality with men and to-day outnumber men in arts and education, but have no place in the Indian Act. In our present organization, our women enjoy this privilege and many are the real leaders in the community.

The argument that the Indians are backward because of being left on reserved lands is false and more rational objection to justify confiscation of Indian property. It is natural for peoples of common ancestry or race to want to live in communion with each other, hence you have your Chinatowns, Italian sections in your cities etc. There are Doukhobor settlements, German and Russian settlements, and even whole towns are national; in World War I a town called Berlin was renamed Kitchener; also vast slum districts, and back hill countries prove that the worst does not exist on Indian reservations. It is not this natural segregation that kills enterprise, it is the ever present shackling of the individual that hinders progress and crushes the morale of any people.

From the vast natural resources of this country a substantial allotment could better the condition of the Indian in health and education. A restoration of his national spirit of freedom would give a new impetus to progress. This new idea of involuntary enfranchisement which is contrary to the principles of democracy means little to the Indian as it does to a vast number of citizens, inasmuch as his citizenship to this country is one that cannot be purchased or prescribed on paper. This new idea of enfranchisement to become a full pledged citizen is superficial to a man native to the country especially when his taxes are paid for generations to come by the loss of his vast domain. This is difficult for our white brothers and immigrants to understand and we cannot believe that they are envious of the Indians unique status. We, in other words want to be Indians, self-respecting, self-governing Indians whom the Canadian people can justly be proud of as their Indians; Indians are as natural to this country as its physical features. We cannot believe that just Canadians with a sense of historical values would tolerate an overnight education of the Indian people (The Marois of New Zealand enjoy their primidorical rights and have their own representative in parliament.)

We believe in the gradual fusion of races, a gradual erosion of borders, a broadening spirit of freedom that was written into the Jay Treaty, that for them there is no border between Canada and the United States. An ideal is futuristic as the "One World" prescribed by Wendell Wilkie.

Under the leadership of the chiefs we were willing to sink or swim with the British, we stood our ground at Moraviantown when Proctor fled. We stood at Vimy Ridge and were even at Iwo Jima and Dunkerque. We have fulfilled in every way our obligations as Allies and brothers, yet on the floor of Geneva we were called "Savages". We would have our white brothers remember that through the course of our history we have never been savage enough to disown our treaties and obligations.

We hope that if there must be an "Indian Act" that it will be called by the "Indian Bill of Rights" and will be the rebirth of the old freedom once enjoyed by Indian people throughout America.

Respectfully Submitted,

MELVIN M. JOHNSON,
Grand Secretary.

The CHAIRMAN: Thank you very much. Gentlemen, is it your pleasure that we meet at 4 o'clock?

Mr. MacNICOL: I cannot be here at 4 o'clock. I am very much interested in this delegation. For twenty-five years I have been a student of Iroquois history. I cannot come at 4 o'clock because we have another very important committee meeting at 4 o'clock. I wonder if we could sit in the evening once in a while.

The CHAIRMAN: We have met on several Friday evenings. We have met on some Tuesday evenings.

Mr. MACNICOL: What does that mean?

The CHAIRMAN: We will have to give it thought. We might meet again this afternoon. There is a large delegation still to be heard and we may have to sit to-night.

Mr. BLACKMORE: I wonder if we could not find it convenient to sit this evening.

Mr. FARQUHAR: It was agreed that we would sit again this afternoon at four o'clock.

The CHAIRMAN: All right, then, gentlemen; we will meet this afternoon at four o'clock, and if necessary, again this evening, if it is convenient.

The committee adjourned at 1.07 p.m. to meet again this day at 4.00 p.m.

AFTERNOON SESSION

—The committee resumed at 4.00 o'clock p.m.

The CHAIRMAN: We will proceed with our business. The next witness we will have will be chief William Meawasige. Will you come forward, please.

Mr. FARQUHAR: Mr. Chairman, if you will allow me I should like to say in introducing the chief to-day that he is representing some ten different bands on Manitoulin Island and vicinity which includes the "Soo" line. There is also Mr. Peltier here who would probably like to sit beside the chief.

The CHAIRMAN: I think that would be quite all right if he would.

Mr. FARQUHAR: Mr. Peltier represents one of the largest reserves on Manitoulin Island, the reserve of Wikwemikong. While we are only allowed one representative by the committee he has been sent here by the other bands in that section.

The CHAIRMAN: Other bands or reserves?

Mr. FARQUHAR: I suppose we would call it reserves, but they have different bands. I have much pleasure in introducing these two gentlemen to the committee to-day. Beside the briefs on which they have all agreed they have separate briefs from some of the different reserves on the Manitoulin Island and along the "Soo" line.

The CHAIRMAN: Thank you very much, Mr. Farquhar.

Chief William Meawasige, called:

By the Chairman:

Q. Chief, you are a resident of Manitoulin Island and you are chief of what reserve?—A. I am not a resident of Manitoulin Island. I am from the Serpent river band on the north shore.

Mr. FARQUHAR: He lives at Cutler just off the main line running to the island.

By the Chairman:

Q. You are chief of one of the reserves?—A. The Serpent river reserve.

Q. How long have you been chief?—A. Six years.

Q. Were you elected?—A. I was elected.

Q. Six years ago?—A. Six years ago.

Q. You were re-elected when?—A. I do not know about re-election. I have been chief for six years next September to be exact.

Q. Do you have an annual election or a bi-annual election?—A. In three-year terms.

Q. You were re-elected three years ago?—A. Yes.

Q. How old are you?—A. I will be 50 next month.

The CHAIRMAN: Are there any other preliminary questions that the members of the committee would like to put to this witness? Will you proceed, chief.

The WITNESS: Mr. Chairman and gentlemen: First of all I wish to thank the committee in the name of all the Indians of the northern territories whom I am here to represent. I feel that it is an honour to appear before you on their behalf and sincerely hope I may be of some assistance to the committee in the difficult task of considering what are the best changes that may be made in the Indian Act.

To the parliamentary committee for the examination of the Indian Act,

HONORABLE GENTLEMEN,—In response to an invitation extended to us to send a delegate to Ottawa to speak before your committee on our behalf, we, some thirty-two chiefs and delegates from ten bands of the Manitoulin Island and North Shore District, held a meeting in Little Current, Ontario on May 19.

As ours is a very large territory and the problems to be discussed are many and intricate, it is well-nigh impossible for one man alone to do justice to our cause, wherefore we have duly elected two delegates to go to Ottawa for us—Chief William Meawasige of the Serpent River Band on the North Shore and Lawrence Peltier of the big Wikwemikong band on the Manitoulin Island. The expenses of the latter are being defrayed by ourselves.

These men carry with them a general brief which we have all drawn up together in assembly, and which we hope they will read and discuss with you. They will also take to you various briefs from individual bands and associations, namely: Mississauga, Serpent River, Sheshegwaning, Sucker Creek, Spanish River, West Bay, Whitefish River, Wahnapiatae Bands, and Wikwemikong War Veterans' Association. Sheguiandah reserve although represented at the meeting had no individual brief. These briefs we would like to see printed as appendices to your minutes of proceedings and evidence.

In regard to the procedure at our meeting, we read through all the briefs a section at a time, commented on them sometimes in Indian, sometimes in English, and then had motions regularly moved and seconded and voted upon as to what we thought should be put in the general brief. Much of the matter of the individual briefs will, therefore, be found in this general brief, but there were other ideas, too, which were brought in by the different speakers and they will be recorded here. As our time was limited, we didn't dwell long upon some problems which concerned, perhaps, one band alone; that's one reason why we want all the briefs published so that you could read them afterward and take suitable action.

1. *Treaty Rights and Obligations*

It was the opinion of all that there had been far too many failures on the part of the Indian department to abide by the treaties solemnly entered into with the Indians, and the Indian department is notoriously lax in protecting the Indians' rights guaranteed by solemn treaty. If they are short of money, they seek ways to escape the annual payment of the Robinson Treaty money by striking off the list all classes of people, e.g., women who had received it all their lives until they married an Indian who didn't receive it. The mere fact of their marriage could never alter this fact, namely, that they still were descendants of the original signers of the Robinson Treaty, to which signers and to their *descendants* the annual payments were promised.

Whether it was well organized tourist organizations that wanted to deprive the Indians of their treaty-guaranteed hunting and fishing rights, whether it was game-wardens and small-town magistrates that wanted to browbeat the Indians; whether it was provincial governments that desired to wrest from the Indians rights set up by treaties made before the provinces themselves came into exist-

ence; whenever, in short, it was a case of white man against Indian, in practically all cases the Indian department was spineless enough to flout the treaties, sell the Indian down the river, play ball with the white man. They neglected their trust.

We wish to see these treaties restored to their former vigour, we want long-established abuses corrected, and we pray for a more courageous and honest Indian department in the future.

Let our Robinson Treaty, especially, be abided by hereafter in all its clauses. Let commercial fisherman and white trappers move off our hereditary preserves pledged to us by solemn treaty, let "sportsmen" seek their sport elsewhere than on our reserves, let our people get their daily food of game and fish without being arrested, fined, imprisoned at the whim of every petty official in the country.

2. *Band Membership.*

It was felt by everybody that the band councils themselves should have much more say in the matter of who is to be taken or excluded from the band. The Indian department usurps too much power to itself, and tackles more work than it can properly handle, hence endless irritating delays in transacting business. The policies in regard to band membership don't necessarily have to be the same across the entire width and length of Canada. Let each band make up its own mind on the subject, or at least have more authority in the matter than it has at present.

3. *Taxation.*

Everybody present appeared to be against the payment of income taxes and indeed taxes of any kind. The Sheshegwaning reserve were not in favour of such indirect taxes as radio licences, and the Sucker Creek reserve thought that all money derived from licences sold to Indians, e.g. to hunt and fish should go to the Indian department rather than to the province.

4. *Enfranchisement of Indians both voluntary and involuntary.*

All were opposed to any idea of compulsory enfranchisement. We are Indians and wish to remain so. But it was generally felt that if an individual wished voluntarily to enfranchise that it was his own affair and he should be permitted to do so. However, some thought that children should not be taken out of the band by their father when he enfranchised but that they should be left as members of the band until they reached an age to decide for themselves.

5. *Voting.*

Most of those assembled were in favor of voting at least in the Federal elections, and some, too, in the provincial, as long as all their present rights and privileges were fully protected and nothing had to be traded in for the privilege of voting.

The Sucker Creek Reserve and North Shore reserves developed the idea of working up gradually to the position where the Indians would have their own member(s) in parliament to protect their interests.

The Whitefish River delegation did not want to touch the vote in any way, shape or form. They feared it as the opening wedge of a process whose results they could not foresee, but thought it wise to have nothing to do with. The Mississauga band agreed with them in not wanting to vote.

6. *Old Age Pensions, Relief etc.*

The delegates agreed that our old people were not being sufficiently well taken care of. The Indian is often destitute in old age. While he might have cheaper housing than the whites, that was balanced by the fact that he had often

to pay much more for his food, since he lived in remoter areas and transportation increased the cost. All agreed we should have old age pensions, mothers' allowances, relief, on an exact par with the whites and not be discriminated against.

7. Encroachment of Whites on Indian Reserves.

This was a matter in which several ideas were brought out. Present regulations in regard to non-Indians coming into the reserve to fish and hunt should be strictly enforced. They have been getting away with murder, especially in the shooting of deer. They coax the Indian also far too often to kill deer and supply them with cheap meat. Indian agents should be asked to check up closely on this, and game wardens could well devote some of their time and energy to this, and leave the Indians alone. It's the whites get the Indians into trouble, by tempting them to kill game for them etc.

White people shouldn't be allowed to set up as squatters on Indian reserves.

An important point is that when white men, business firms and so on come to do business on Indian reserves, the Indians should be fully protected. Sometimes firewood, cattle, timber are sold by the Indians at excessively low prices.

Since the Indians are really being victimized by some dealers, for instance in barkwood, it might be well for the Indian department to investigate the marketing of these commodities.

Care should be taken that the natural resources of a reserve aren't sold too cheaply without thinking of future generations. Some reserves give up pulp and timber rights too easily.

8. Education.

The views of the delegates were very decided about the continued necessity of denominational schools and residential schools. These bands are made of Christian Indians who well realize the importance of religion in all phases of everyday life, and especially in education. They definitely don't want public schools.

But much more has to be done to make our schools better. The teachers are oftentimes a poor lot, just leftovers from the whites. The Indian schools should pay as much in the way of salaries as the white schools, or even more, if necessary, so as to get the best in the way of good, qualified teachers. The equipment of the schools should be improved in every way, and the schools well supplied with all they need.

The West Bay delegation emphasized a good point; namely, that in primary schools where the children in the lower grades speak Indian only, then oftentimes an Indian-speaking teacher would be more successful and accomplish more than an English teacher who might have a better certificate.

Greater efforts should be made by the Indian department to push on Indian children for higher education; the girls to become teachers, nurses and so on, and the boys to go through high school and even further. There is no reason why we should not have Indian doctors, lawyers, skilled craftsmen and so on. The department has been very backward in this matter, and has kept back the progress of the Indians.

Our residential schools should be developed in every way, and plenty of money spent on them to make up for the money that wasn't spent on them in the past years, and to make them modern in every way. They should be able to teach high school, on an equal footing with white schools.

As regards studies, books and so on, the day schools on Indian reserves should follow the course of the Ontario schools, so that children transferring from an Indian school to a white one, as often happens, won't lose a year or two.

9. *Medical Care, etc.*

Some doctors are very devoted and really self-sacrificing in their attendance on the sick, but others because of old age or natural laziness don't give the Indians very good service. The Indian department should be quick to change or discharge a doctor when continued protests of the Indians show he isn't doing his job. The Indian agent, also, should check up on the way his Indians are being treated, and see that they get the care and attention they need.

Public health nurses should visit Indian schools. They are needed there more even than they are in white schools, and they should visit round the reserves more.

Dentists and eye-specialists should be supplied by the Indian department as a regular service.

Old age homes should be established wherever possible. They should be small so that the Indians won't have to leave their own reserves and their friends to go out among strangers.

On large reserves with much live-stock, some provision should be made for securing the services of a veterinary.

10. *Relations With the Indian Department.*

Some agents are very good and are genuinely trying to do a good job. Many of the difficulties existing at present are due to the fact that some of these men have far more work than they can handle. They should have plenty of office assistance, so that important documents and letters won't lie on their desks for weeks unattended.

They should be free to a certain extent from too much office work, so that they can visit round the different reserves in their agency and see things for themselves and remedy matters, giving advice where needed and correcting abuses.

It would help matters a great deal, if the council itself could do more work of its own accord and make its decisions in ordinary matters. Far too much business is handled in Ottawa, that could be handled by the local council. Often-times the local council would make a better job of it. Sometimes in matters of public decorum and morality they have a clearer insight into things than Ottawa seems to have. Many clear abuses could easily be corrected by the chief and councils, that Ottawa seems never to be able to correct or even want to correct.

The two agents we have to deal with—Mr. Ross Johnson of the Manitowaning Agency and Mr. D. Lawrence of the Sault Ste. Marie Agency—seem to be very honest, hard-working, fair-minded men. If the department would help them out a bit, they could really do a good job.

It is felt that when the time comes to actually draft the new Indian Act, that the Indians themselves should assist in the drafting of it.

More and more Indians should be prepared to take an actual part in the work of the Indian department. It shouldn't be composed so much of white men. Indians could be trained for this work.

May we say in conclusion, honourable gentlemen, that we are very happy to have had the privilege and honour of appearing here before you, and to have obtained so sympathetic a hearing. Already in the minds of the Indians, your committee has obtained a great reputation for fairness and square dealing. There

is a noticeable uplifting in the mental attitude of the Indians in general, and a decided improvement in morale, because at long last it does begin to look as if they are going to be treated as human beings, as men. We thank you.

Signed by

Chief Chas. Obossaway,
 Chief Wm. McGregor,
 Chief Dom. Migwans,
 Chief Simon (name not clear),
 Councillor Jacob Bondy,
 Chief Arthur Jones,
 William (name not clear),
 Wm. (name not clear).

The CHAIRMAN: Thank you very much, Chief. We would ask you to file the brief so that it may be incorporated into our records. Have you briefs from other reserves that you want to submit?

The WITNESS: We have individual briefs here.

The CHAIRMAN: Would you like to just file them and they will be incorporated into the records of our meeting?

The WITNESS: I think that would be best.

The CHAIRMAN: That will be fine. We will have them incorporated into the Minutes of Proceedings of this committee. We acknowledge them and we will have them incorporated into our record.

Mr. CASE: Mr. Chairman, would you like to put this on the record: "He also presented the following briefs?"

The CHAIRMAN: Yes, that would be as well. For the purpose of the record it will be noted that the following briefs were presented by Chief Meawasega:—

Brief of the War Veterans' Association of Wikwemikong Reserve, Manitoulin Island, Ontario.

Brief of the Whitefish River Reserve.

Brief of the Serpent River Band, Ontario.

Brief of the Wahnapiatae Band, Ontario.

Brief of the Spanish River Band, Ontario.

Brief of the Sheshegwaning Reserve, Manitoulin Island, Ontario.

Brief of the West Bay Reserve, Manitoulin Island, Ontario.

Brief of the Sucker Creek Reserve, Manitoulin Island, Ontario.

Brief of the Mississauga Indian Reserve, Ontario, (already sent in and published in 1946).

Added proofs of statements made in briefs from Wikwemikong.

The brief of the Mississauga Indian reserve has already been published in our record, so I do not think there is any purpose to be served by having it duplicated.

Now, we thank you very much, Chief, for the presentation. We will call upon you later for questions.

The witness will retire.

We will now call Mr. Henry Jackson.

Mr. Henry Jackson, representing Robinson Treaty and James Bay Indians, called:

The CHAIRMAN: Have you someone you would like to have sit with you?

The WITNESS: Yes, my son.

Mr. CASE: I might say by way of introduction that I visited the reserve on which Mr. Henry Jackson is and saw him while there. He is a member of the council. Their chief is Robert Mander, but he is not able to be present to-day.

By the Chairman:

Q. Who are the members of your delegation, Mr. Jackson?—A. Well, I represent the Union of Ontario Indians.

Q. Who are the members here with you to-day?—A. Chief Twain; and there is my son, Louis, here.

Q. Where is he from?—A. Christian Island.

Q. You represent the Union of Ontario Indians?—A. Yes.

Q. When was that organization formed?—A. It was formed last August.

Q. August 1946?—A. Yes.

Q. How many members have you?—A. We have about 6,000 members. Do you want the number of reserves represented at the meeting?

Q. Your membership, is it an individual membership or a band membership?—A. It is a band membership.

Q. How does a band become a member of this union?—A. They pass their own resolutions and send a delegation to the convention.

Q. What initiation fee do they have to pay?—A. They have no initiation fee.

Q. What annual membership fee do they have to pay?—A. They have none.

By Mr. Case:

Q. It is an Indian organization?—A. Yes.

Q. What official position have you in the organization?—A. I am the president.

Q. What reserves are members of your organization?—A. I can give you a list of them.

Q. Will you do that, please?—A. Yes. The list is as follows:—

List of the bands who are members of the Union of Ontario Indians.

Chapleau Indians	47
Chippewa Band	40
Rama Reserve	349
Christian Island	342
Nipissing Island	432
Temagami	107
Parry Island	175
Shawanaga	123
Moose Point	51
Gibson Reserve	238
Alnick Reserve	209
Mud Lake	333
Spanish River—1	368
Spanish River—2	55
Walpole Island	837
Chippewas of Sarnia	337
Chippewas of Kettle Point	371
Hendy Inlet	108

Mr. FARQUHAR: What is the name of your organization?

The WITNESS: The Union of Ontario Indians.

By the Chairman:

Q. Do you say you represent all the Indians of Walpole Island?—A. Yes, we have two gentlemen here who are appearing with us.

Q. I think what you mean is that you have a man from Walpole Island, but you are not representing all of the Indians on that island?—A. He was supposed to represent them.

Q. He was not appointed. I do not think he was appointed. Mr. Adams could probably tell us.

Mr. CASE: Are the Indians of Walpole Island members of your organization?

The WITNESS: Yes.

The CHAIRMAN: Some of them are, but not all.

The WITNESS: I do not know about that.

The CHAIRMAN: This 837 represents all the Indians on Walpole Island.

Mr. FARQUHAR: What makes you think they are not?

Mr. CHAIRMAN: The reason I say that is that I have had many representations made to me to the effect that they are not represented by the organization.

The WITNESS: I believe you had better have Mr. Sands here.

By the Chairman:

Q. He is not the chief there, is he?—A. He is not the chief, but he was sent here by the band.

Q. By the council, was he?—A. Yes.

The CHAIRMAN: Were you sent here by the band, Chief Sands? Did the council at Walpole Island send you here?

Chief SANDS: Me?

The CHAIRMAN: Yes.

Chief SANDS: No. I am on the executive committee of the North American Indian Brotherhood. I had a meeting to attend and I went.

The CHAIRMAN: That confirms what I have said. When you say that you have 5,320 as a total that really is not quite right, is it?

Mr. CASE: However, that is his statement.

The CHAIRMAN: Yes. You are a delegate and a representative of the northern Indians. Now, we would like to hear you. Will you go ahead with your brief, Mr. Jackson, please?

The WITNESS:

BRIEF OF THE UNION OF ONTARIO INDIANS' ORGANIZATIONS IN THE PROVINCE OF ONTARIO

SUBMITS:—

To the Chairman, honourable members of the joint committee, Senate and members of the House of Commons, especially appointed to investigate treaty rights and to consider the revision of the Indian Act.

Before I go on I must say one thing. I want to thank the chairman and the members of this committee for recommending and passing the old age pension bill for the old Indian people. That has been appreciated all over the country, and the decision was a noble one. Thank you.

The CHAIRMAN: I must say that we have recommended it, but that has not yet become law, as you know.

The WITNESS: Of course. I did not say that.

The CHAIRMAN: I know. I want you to know that while it may be passed we do not like to get too enthusiastic.

The WITNESS: Yes, I know.

By and under the direction and recommendation of the Resolutions Committee of the Union of Ontario Indians, an organization of Ontario Indians assembled in conventions at Parry Island on August 19 and 20, 1946; Rama Indian reserve, October 20, 1946, and at Sudbury, Ontario, February 24, 1947; accredited delegates from various parts of the province attending and took part in the deliberations on the issues vital to the welfare of the Indian race. These conventions were being held in an effort to organize the entire population into one body, and in order to speak with one voice. As suggested by the Honourable Mr. Glen on December 14, 1945, speaking in the House of Commons:

I am satisfied that unless we get some united representation of the Indians throughout this country we shall not be very successful. I believe that isolated expression of opinion coming from individual bands or groups of Indians will not meet the situation.

Therefore, on the strength of that statement we made an attempt to organize and, under great handicap, as the territory is large and to cover the scattered Indian communities has been difficult and one of the main drawbacks is the financial situation amongst the Indians generally.

We have made a good start. The Union of Ontario Indians is the only organization that represents a large percentage of Indian population of Ontario southwest, the central and the middle north comprising the Robinson Huron and Superior treaties are largely represented, and treaty No. 9 among the Crees in the James Bay region having representation in this union; in order to carry on effective work the government must give some assistance and grant each band sufficient funds for travelling expenses from the band funds, and to give authorization to the banks to pay such expenses to a band representative, or its delegates attending provincial conventions. Similar to the old Grand Council of Ontario which was recognized as an institution of Indian official organ, or body, whereby Indians of Ontario approached the government for redress.

Under Dr. McGill this financial arrangement of the Grand Council of Ontario was entirely cut off. Consequently this organization immediately dissolved.

The Union of Ontario Indians demands the recognition of this organization on the same basis as it was before McGill's stoppage of grant. You find that the Indians will co-operate in every way possible. We grant guidance and sane aid.

We had no money. You cannot go on with an organization without money.

The CHAIRMAN: It is difficult.

The WITNESS: This is a short brief. I do not want to take up too much of your time with a long brief, but I want to make clear the position of the Indians and the Indian department.

CONCLUDING STATEMENT WITH THE PRESENT STATUS OF THE INDIANS

By authority given it by the "Indian Act" the Department of Mines and Resources, Indian Affairs Branch, governs the Indians of Canada.

Section 2, Subsection (b) defines the responsibility of the "Government and the Indians in that Section. It also defines the position of Indian Council when action is being taken by the Band as such means the Band in Council. Yet in Section 99-A the power of the Indian Agent overrides Indian Council."

Section (1) defines the meaning of a person. "It appears under the present Act, Indian is not a person. Therefore in this respect the civil and military laws of the country are not applicable to Indians; in Peace, Indians do not possess the qualifications of a person or man—See Dominion Elections Act."

The Indians are subject to the ruling of the Department of Indian Affairs, presided over by the political head, the honourable Minister of Mines and Resources, and from his decision there is no appeal. The department acts on all matters on the report of the Indian agent, under section 99A of the Indian Act. An agent is appointed through the recommendation of the Department of Indian Affairs and he presides over all meetings of Indian councils and controls all proceedings. He has sovereignty power to govern as he sees fit. The Indians are not at liberty to deliberate over and discuss their own domestic problems. They are tied down to a helpless condition and cannot move unless and until the Indian agent so directs. The fact is, under the present law, the Indians of Canada are unable to legally speak for themselves. They are a subjected race, held down and made helpless by the very Act which is supposed to help and protect them. The Indians cannot go direct to the Department of Indian Affairs for redress of any grievance. All communications must go through the Indian agent, who, in many cases is the direct cause of a grievance. The agent has power to veto any resolutions of the Indian council, and any effort on their part to go over his head will be totally ignored by the Department of Indian Affairs. Expenditures on public health, education and police cannot be made unless recommended by the Indian agent. Under the present administration, council are under the exclusive control of the Indian agent, and the Indian councils are no longer considered as the controlling body of any Indian community. The Indian agent's duties are becoming more and more like a commander of an internment camp of a defeated enemy. That was not meant to be and was not the intention of the British government.

Now, I wish to quote from an old document of April 28, 1792.

The CHAIRMAN: What document is that?

The WITNESS: It was sent to me in this shape. I do not know where they got it from.

The CHAIRMAN: What is written on the outside of the document?

The WITNESS: This is the report of the executive conference of the North American Indian Brotherhood.

The CHAIRMAN: This was printed recently, was it?

The WITNESS: Yes. May I go on?

The CHAIRMAN: Oh, yes.

The WITNESS: I am not an experienced speaker. If you will allow me to go on I think we will get on better. I am not a politician and I cannot speak when I am interrupted. I want to have my own way about it, if you do not mind.

The CHAIRMAN: We want you to feel free to present whatever you want to present; feel that you can do it freely and easy; but what I am asking is what you are reading from. I thought you said you were reading from a document dated 1790.

The WITNESS: It must have been taken from a document.

The CHAIRMAN: I was trying to identify what you are reading from.

The WITNESS: It says:—

April 28, 1792. To the Lords of Trade, re Indians: Britain and France have always considered the Indians as free nations. I further state that the Indians can in no way be deprived of their rights. Their territory and their hunting shall be fully protected.

There is another part on July 9, 1799.

Downing Street, London, England. Requisition for presents to keep the Indians in a happy state of mind: 600 silver arm bands, 400 silver broaches. To Sir George Arthur from Lord Glenelg: With this in view I should propose that at the first meeting of the Indians an assurance should be conveyed to them, in a most formal manner, that Her Majesty's Government will protect their interest and respect their rights in regard to the lands on which they settled.

You know it appears to me that the government at that time and the parties in power had as their only object and concern to pacify the minds of the Indians.

In early days the Indians were very suspicious of the injustice which was their lot, and not knowing the value of silver arm bands and broaches, were an easy prey of the ever cunning white man.

The country and all its untold wealth in natural resources were the heritage of the Indians and before the white man came the Indian was free and happy. The white man came with his religion and relieved the Indian of his means of living, and left in its stead trinkets, firewater, diseases of every description, poverty and no future. Education and cultural advancements are almost stationary at the starting point. We are centuries in the rear.

I might say who is responsible for the sad plight of the Indians to-day? That is the question. We want a better system of education and adjustment of treaty obligations to meet present-day conditions.

Many a brave lies buried on foreign soil and many an Indian mother's heart has been broken for the freedom the white man has. They returned as heroes but were soon forgotten. In the second great war many again have joined the fight for the same cause their fathers fought for in 1914-18. They were with Canada's forces at every scene of action fighting for freedom and justice, for the very thing they've never had themselves.

I want to present a memorandum that was adopted at the Sudbury convention.

Moved by Elijah Tabobondong of Parry Sound and seconded by Douglas Sissinah, Spanish River.

Be it resolved that Union of Ontario Indians duly assembled in the City of Sudbury, Ontario, this 24th day of February, 1947.

That by virtue of treaty rights and obligations of the responsible government, we the Union of Ontario Indians do hereby respectfully demand under clause of the following paragraphs.

The said William Benjamin Robinson on behalf of Her Majesty, who desires to deal liberally and justly with all her subjects further promised and agrees that should the territory ceded by the parties of second part (Indians) at any future period produce such an amount as will enable the government of this province without incurring loss to increase the annuity hereby secured to them and in that case it should be augmented from time to time and further to allow the said Chiefs and their tribes the full and free privilege to hunt over the territory now ceded by them and to fish in the waters thereof as they have heretofore in the habit of doing.

No. 61. September 9, 1850, at Sault Ste. Marie. That the conveyances of the natural resources of the province did not include hunting, fishing, trapping and water rights. These were reserved for the sustenance and livelihood of the Indian nations and the provincial game laws is not effective on the Indians whatsoever. And furthermore the federal nor

the provincial governments have no jurisdiction to legislate any treaty out of existence unless the representatives of the signatories to the treaty so desires and give consent thereto. In view of the stipulations under the Treaty of 1850, we demand that Indians' exclusive rights to trapping, hunting and fishing be returned to them and that no white man be allowed to trap fur-bearing animals in the territory covered by the Treaty and that all streams, rivers and lakes be made available and accessible to the Indians exclusively to provide them with a livelihood in accordance to the written provisions of the responsible government as set out in the Treaty.

That all licences paid by the Indians and fines on conviction for infraction of game laws be refunded to them as being in contravention of the rights reserved to the Indians under the terms of the Robinson Huron Treaty and the restoration of the aboriginal rights is hereby demanded in the light and terms of the Royal Proclamation of King George III on which the foundation of all treaties are based.

We further demand that the benefits agreed upon under the Robinson Treaty be now raised to a level high enough to meet present-day conditions viz.,

The proper care of the indigent Indians,

The proper care of the aged Indians

The proper medical care of the sick

The supplying of proper hospital facilities

Assistance to Indian agriculturalists

An immediate housing program be inaugurated to generally improve Indian communities which are sadly neglected.

Assistance to be given to commercial Indians in fishing and in industry.

Special consideration be given Indian veterans. Furthermore, we demand that all islands being and lying on inland lakes covered by the Robinson Huron Treaty and in the Georgian Bay not reserved by the Indians for use as reserves be sold forthwith for the benefit of the Indians and the accounting of the Department of Indian Affairs of all moneys derived from the sale of said islands.

Carried unanimously

ALFRED TABOBONDONG,
Vice Pres. and Chairman

ELIJAH TABOBONDONG,
Assistant Secretary

HENRY JACKSON,
*General Secretary Union Ontario
Indians and Secretary of N.A.I.B.*

Education

Since education is one of the prime needs of the Indians immediate steps should be taken for a full survey of the needs of the Indians as to the available schools now used and steps taken to see that additional schools are provided as soon as possible so that every Indian child would have an opportunity of acquiring an education according to his capabilities. Assistance should be given to those who are capable of acquiring higher education. Vocational guidance and training should be made available to those children who are unable to attend secondary schools. A system of adult education should be instituted and this may well be accomplished in conjunction with the schools by evening classes or other projects and this would tend to make a more harmonious relationship between the parents and the teachers which would lead to better attendance by children.

Increased per capita grants should be made to the residential schools. Where there is any farming land in connection with residential school near a reserve, provision should be made in connection therewith for instructing the Indians both attending school and those on the reserve in farming, dairying, poultry raising and other farm pursuits.

The curricula in the schools should be the same as those in the province with special instructions in the handicrafts originally carried on by the Indians attending that school.

All teachers should be duly qualified teachers and on the same standard as teachers teaching in the public schools of the province and at a salary at least equal if not larger than those ordinarily paid to provincial teachers. All teachers should be civil servants. Indian teachers should be hired wherever qualified.

Crowding in the schools should be done away with and be prevented in the future.

Hot meals with milk should be provided at all the day schools at noon. Such could be done as a practical basis to teach the pupils household duties, etc.

Health and Welfare

Proper medical facilities should be available to the Indians. In the more remote districts central public health units should be set up within a reasonable distance of the reserves so as to be available to the Indians in that district. Dental clinics should be also made available to the Indians. Central hospitals should be made available for Indians who need hospitalization.

The Indians should be given guidance in setting up their own sport and athletic associations for the young people.

Public health nurses should be supplied to the reserves.

Powers of Band or Council of the Band

The band or council of the band on every reserve should have full authority over their own local affairs. The Indian Act should be amended so that the band or council of the band would have the same authority as has any municipality in the province in which the band or reserve is situated.

Trust Funds

The Department of Indian Affairs should immediately give an accounting to each band, the position of their trust funds and each year should place to the credit of band or council of the band, the 5 per cent interest on such trust funds with authority to the band or council of the band to expend same as they saw fit.

Enfranchisement

There should be no compulsory enfranchisement of the any Indian but it should be entirely voluntary by any individual Indian. However, greater safeguards should be taken as to the qualifications of the applicant and the same should not be granted indiscriminately. Minimum qualifications should be established and the applicant should have assets owned by him to an amount of say \$1,000.00.

As far as we know a lot of Indians went off the reserves, and they would like to get back.

Taxation

Under the provisions of the Indian Act, Indians were not to be liable to be taxed for any real or personal property and this should cover all the property including income earned by Indians and the Act should be amended and clarified to carry out that intention. This should also be made to include custom tax on any property bought for the Indian's personal use by an Indian and brought in from the United States.

The next section is social security and pensions. I do not think I need to read that. It has already been passed as to old age pensions. I will pass that.

Agriculture and other Industries

Competent instructions by competent instructors should be made available to the bands engaged predominantly in agriculture so that the Indians may be taught the best methods to utilize their own lands and thus help them to become self supporting throughout the year.

Due to the Indians' inability to borrow money to start any projects in an industrial way, loans at a nominal interest rate should be made available to them to get them started with farming, for sawmills for the northern Indians and any other industries suitable for the locality in which the reserve is situated.

Administration and Personnel

The persons administering Indian affairs should be competent men, and only those with a sympathetic understanding of the Indian mentality and who are willing to co-operate with the Indians should be appointed and especially if an Indian is qualified he should be appointed to the positions available. They should all be made civil servants but the Civil Service Act should be amended so that competition for such positions would be on a provincial basis rather than on a local basis as at present. Ministerial appointments should be abolished. Greater care must be taken in the appointment of Indian agents because of the important and influential positions held by them.

There is a complaint from the Spanish River reserve. The chief, who was at the Sudbury meeting with his associate, brought this complaint. I hope the officers of the Indian department will listen to this.

The council of the band have passed resolutions asking for an appointment of an Indian constable to police the reserve as well as a truant officer for the reserve and such requests have been ignored by the Department of Indian Affairs.

The children are out of control and many will not attend school.

Bootlegging operation on the reserve is at its height. Indians are drunk on the reserve nearly every night, fighting and disorderly with no respect for law and order. Conditions are growing worse. The mounted police cannot handle the situation as the nearest mounted police station is at the Soo, nearly 100 miles away, and when they are summoned to come, everything is over when they arrive.

The only solution is by an appointment of a local Indian constable with powers to arrest offenders of the law and to protect the interest of the inhabitants.

Inspector Arneil was on our reserve and he was informed of the situation.

The Indian agent is not taking steps to remedy the conditions.

The ladies' organization on the reserve are also joining in this protest for remedial action.

This is the situation as presented to the convention with a request for representation.

Moved by Elijah Tabobondong and seconded by Leonard Monogue that whereas the representatives of Number Nine Treaty Indians are aggrieved by the treatment under the provincial game laws by not being allowed to fish for food for their own use and most of the trapping territory now is being occupied by foreign trappers under licence, the Indians hereby complain that their interest has been neglected and hardships have arisen, we the Union of Ontario Indians demand that the living conditions of those Indians be investigated within the limits of the said treaty and some remedial action be taken immediately as it is urgently needed.

Mr. Chairman, I have one or two more items to present to the committee if I have the time. There is the question of the Timagami band at Lake Timagami. That band has no reserve. When the treaty of 1850 was signed at the Sault they were not informed of that convention. They were ignorant of the treaty that was being signed. From time immemorial they have occupied Lake Timagami and the surrounding district. I could not say from what part of the country they came, but ever since they can tell they have been there. When the treaty was made in 1850 they included that territory. They ceded their territory including their own aboriginal home. The ancestral home was ceded by the parties who did not know they were there. I suppose if they had known these people were there they might have sent an invitation, but these people were ignorant of the fact that this was done. These people have lost their reserve, the place selected for their permanent home. The consequences are that some years afterwards they found out they had no home.

By Mr. Lickers:

Q. What tribe do they belong to?—A. The Chippewa tribe. This is what Alec Paul says:—

I, Alec Paul, a member of the Timagami Indian reserve, aged 74, was born the 22nd day of December, 1873. My father, whose name was Big Paul, and his ancestors occupied the land around Austin Bay as their permanent home. We occupied the whole area and the surrounding lands of Lake Timagami. We have from time immemorial derived our livelihood in this territory. No other Indian, so far as Indian history goes, has ever occupied this area. My father and his family and other members of the band selected the said Austin Bay reserve as their permanent place of abode. When the treaty of 1850, September 9, was signed at Sault Ste. Marie our chief and band were not notified and were ignorant of the treaty making convention as stated before, and therefore we are not a party in any shape or form to the surrender made that covered our territory as well and also included in that surrender our ancestral home. We have always considered up to the present that not at any time have we made treaties with the Crown to relinquish our reserve. The territory covering the rivers, lakes, forests, streams and outlets in the district of Timagami was never surrendered by our people.

He goes on to say:—

Some years after the treaty of 1850 an official of the government arrived in that district and began to take names and pay them treaty money. The following year after that an Indian agent by the name of Walton of the Parry Sound district visited the reserve and paid treaty money at the Hudson's Bay post at Bare Island for the convenience of all parties concerned, and the question arose at that time as to our permanent home. It was then discovered by the Indians that there was no provision made for their reserve. Dr. Walton asked the Indians to make out a map of their reservation. The chief made a draft of a reserve selected and then at that time occupied by our people. At Austin Bay several houses and clearings had already been made and homes established, and the boundary line east and west across the lake is shown in the enclosed sketch.

He had a sketch of the reserve they had really selected. They made a map of it.

Dr. Walton had taken down to show the department what they wanted, and since that they never heard anything about it until recently when the Indian department tried to purchase or did purchase the Bare Island point.

I visited Bare Island point personally twice, and I know from what I saw that there is nothing but rock, thistles and a few willows on that point. If the Indian department has an interest in the welfare of the Indians they should see to it they have their own choice of their home. Bare Island is really the true name—b-a-r-e—nothing but rock. Mr. Arneil has been there. He would bear me out on that. I think that is the end of my presentation on behalf of the Timagami band. There is one more thing here. They have been prosecuted for the infraction of game laws, and something must be done to remedy the situation.

Some of this chief's nephews pay fines as high as \$30, \$40, \$50, for taking animals for their own livelihood. It was not so in the treaty. Their rights must be protected and I appeal to you hon. gentlemen for serious consideration of this matter. I have one or two other briefs but I will file them to-morrow if it will be satisfactory to you.

The CHAIRMAN: There is no objection to that. I do not think the committee will object to you filing those briefs to-morrow. That will be quite all right. Thank you very much for your presentation to-day. If you will now retire Chief Tom Roy is here.

Mr. Tom Roy, representing the Northwest Angle Treaty Indians, called:

By the Chairman:

Q. Are there any others with you in your delegation?—A. No, I am all alone, presenting the brief.

Q. First, Chief; you reside, where?—A. On Whitefish Bay reserve.

Q. Where is that?—A. That is between Kenora and Fort Frances.

Q. How long have you been chief?—A. I am not the chief of any band.

Q. You are not a chief?—A. I am not a chief. I have been referred to as chief, but I have to qualify that.

Q. How old are you?—A. Twenty-seven.

Q. Did you attend an Indian school?—A. Yes. I attended the Whitefish Bay day school on the reserve.

Q. How far did you go?—A. Fifth grade, and then I went to the sanitarium in Fort William and while there for two years I took a bookkeeping and correspondence school course and learned a little history.

Q. That is interesting. How long were you there?—A. Two years.

Q. What do you work at now?—A. Prospecting.

Q. Are you getting any good leads? Are there any other preliminary questions members of the committee would like to ask? If not, would you proceed with your brief.

The WITNESS: Yes.

Mr. Chairman, honourable members of the committee: It is an honour for me to be given this opportunity to present to you some of the grievances that are most urgently in need of correction by this committee. I can only speak in general terms to cover all of Treaty No. 3. I had called a meeting of my Indians for the 26th of this month when we were going to prepare our brief, but since I got your invitation and the date of my appearance here was set, I cancelled the meeting and I am not able to give you a full report, such as I had wished to present. I was unaware that I would be appointed to represent Treaty No. 3. According to the minutes of your proceedings, there were to be six from Ontario, but their names were not known.

Being a prospector, I know a little about agreements. If a mining company and I had signed an agreement, we both would have to consult each other if we should amend or cancel some terms of our agreement. I could not at my own free will change my contract; the other party would have to give his consent. A treaty is the most solemn contract. A law is an entirely different thing because legislators are over the law and can amend or abolish it at their own free will, but cannot change a treaty without consulting the said party on the agreement.

I shall deal first with the treaty and guarantees on avocations of hunting, trapping and fishing.

This Treaty was signed by representatives of Her Majesty the Queen on one part and representatives for the Indians on the other, in which both parties were bound together by their own signatures. This treaty is known as N. W. Angle Treaty No. 3 and was made on the 3rd day of October A.D. 1873, and the tract surrendered comprised some 55,000 square miles as described in the treaty. I want to remind you that a treaty is a most solemn contract between two parties. No one party can from his authority alter or cancel the said contract unless both parties should at their own free will cancel or abolish the treaty.

We, the N. W. Angle Treaty Indians, contend that the terms of this treaty were violated or abrogated by the Federal Government on or about April 16 1894, when, without notifying the Indians, the federal government transferred the natural resources to the provinces, with whose laws we have to comply since then. The Indians have tried to protest against this; they have made trips here to Ottawa asking the Indian department for protection. The answer has been: "This comes entirely under the provincial governments, and there is no authority whatever vested in our department to change their laws". That of course is true. I appeared in court once for two Indians as interpreter some two years ago at Kenora, who were charged with violation of the game laws of the province. They were caught commercial fishing outside of their licensed territory, and while lifting their nets a game overseer arrested them and seized their equipment—nets, boats and motors. These nets were set alongside Indian reserve, Whitefish Bay, where I reside. These Indians of the Whitefish Bay band have had a commercial fishing licence for several years and there are 36 heads of families fishing on this licence, members of this band. The lake for which the licence is given is small for the number of Indians trying to make a living on it. Now when a white man has a licence, his fishing waters are the same size as given to a band of 36 Indians. Some of the Indians sneak outside this lake to fish, as it is so crowded; and when they are caught they are arrested and found guilty in court; some are thrown in jail if they cannot pay their fines. These two men I referred to were found guilty and were fined. I contended they were fishing alongside the reserve and, according to the terms of our treaty, they, the said accused, claimed it was their right to fish anywhere outside any reserve, as promised in the avocation guarantee contained in our treaty. The presiding magistrate found the boys guilty under violation of the Game and Fisheries Act, and that the treaty no longer existed or was recognized by provincial authorities. Due to the sympathy of this magistrate, through my efforts, the boys in question were given back their equipment and were allowed to continue their fishing. I just mention this as an instance to show the effect of the changes of the one-sided alteration of Treaty No. 3. Several of our nets have been confiscated time and again by the provincial game wardens. I do not need to go into full details; this is just to let the committee know and ask that some protection be given to these Indians of their aboriginal rights which were guaranteed to them by Her Majesty the Queen.

It is the same with trapping and hunting: we have to comply with the provincial game laws. We are not law breakers and we are not against conservation of game, fur and fish, but since it is, as we claim, our right as guaranteed to us in a treaty, we ask you that you correct this wrong as it is a violation of the white man's word. Also that when you come to a conclusion, you notify us. We ask that some settlement or agreement be made which will be binding. We want to have a voice in this matter and not be represented by the Indian department, but to have their help and co-operation. We ask that we be given adequate compensation, with royalties or percentage interest of the natural resources given to us by treaty, and that we the Indians surrender these rights only on mutual agreement, and we will reserve some areas where we will hold our trap lines and fishing grounds. For the time being, before this settlement be made, we ask that some protection be made for these Indians to fish nearby their reserves.

You will note in the submission sent in from the Treaty No. 3 Wabigoon band, dated the 10th of July, 1946, that their main problem is hunting and fishing. I support their statement where they say in the last line of the first paragraph: "It is plain to see that nearly all of our treaty agreements have been violated." (Page 857—No. 21 (1946) appendices.) And this letter from our former Indian agent will also verify my statement:—

Kenora, Ontario,
March 4, 1940.

Chief Bob Roy,
Whitefish Bay, Ontario.

DEAR CHIEF,—I have received a letter from our inspector in Winnipeg, regarding the question of violation of the provisions of the Game and Fisheries Act, and in some cases the special fishing regulations, Act, and in some cases the special fishing regulations, and I have been instructed to advise all Indians that they must comply with the law relating to either game or fishing matters and under no circumstances must they obstruct a game or fishery officer in the execution of his duties.

Misconduct by our Indians will only tend to tighten the regulations and make living conditions more difficult. Kindly instruct all your Indians to do what is right.

Yours truly,

FRANK EDWARDS,
Indian Agent.

Liquor

In the matter of liquor for the Indians, we suggest that we be given the same privilege as the white people. The same laws should be applied. In this way a lot of trouble would be prevented. An Indian will get his liquor regardless, but from a bootlegger, or he will get poisonous stuff such as lemon extract, rubbing alcohol and a number of other things, for which he will pay a considerable price. Depriving anyone of anything only makes one worse. During the time liquor was rationed, the liquor stores were full all the time; now when the rationing is off there is hardly anyone in these stores. Even the white people are that way too. So, since we are debarred altogether, it only makes the Indians worse. When they get hold of a bottle, they drink the liquor down as fast as they possibly can, in fear that the police will catch them with a bottle on them. Some may try to keep away from towns, being afraid they might get picked up; they wander off, probably fall asleep on a railroad track and get run

over. Some may go in a canoe, which probably will capsize and they will be drowned: that has happened time and again. Just before I left Kenora I went to see the police regarding this matter and they agreed that it was a good suggestion to make, that we be given this privilege. In the town of Kenora alone last year, the Indian fines on liquor were \$1,500, which all went to the federal government. The town solicitor is preparing a brief to ask that half of these fines go to the municipalities. In my opinion, this will make conditions worse for the poor Indians because the local police will be after them more. Not only when they do anything wrong, but if the police even smell anyone who has been drinking, he will be arrested. I have noticed several times the police talking to an Indian so closely that I thought he was trying to find out if he had been drinking.

In the matter of some of the Kenora citizens discriminating against the Indians, I took it up with the police and they said that it was out of their jurisdiction and could not do anything. The Indians are not allowed to occupy rooms in any of the hotels. I cannot even get a room myself. The information I got from the police was that the Indians are filthy, and some would get a room and would raise some trouble drinking. But why should I get blamed just because my fellow-Indian did something wrong? I have seen white lumberjacks filthy and raising a lot of trouble in rooms, more than I ever do or ever will do. So filthiness is not the reason. It's because we are Indians. Some of the restaurants would not serve Indians for the same reason. I was told once to get out; they told me that, being an Indian, they would not serve me. At the Palace theatre the Indians are given the farthest section of the theatre to watch the show. We are not allowed to sit with the white people or pick out our own seats. At the Bijou theatre we are not allowed to go in at all. Now our money is just as good as yours. This has been practised too long and I ask you that you put a stop to it.

Education

We ask we be given the same education you white people get. It is our opinion that we should get state education or a public school system. This is another of our treaty promises. I will read the paragraph from the original document, which is 74 years old.

And further, Her Majesty agrees to maintain schools for instruction in such reserves hereby made as her government of her Dominion of Canada may deem advisable when the Indians of that reserve so desire.

Q. What document is that?—A. This is the Northwest Angle Treaty No. 3.

Q. Is that the original treaty?—A. This is a copy of the original which was signed by the then Chief.

Q. You have it there?—A. Yes.

School teachers' salaries should be raised so that good or qualified teachers will be attracted. Modern day schools should be built on at least three reservations that I represent. I have received a lot of complaints against the residential schools but I cannot bring them up without sufficient evidence. I wanted to investigate further but could not find time after I received your invitation.

Since the Lake of the Woods Joint International Water Control Commission came into the picture, the water levels in the Lake of the Woods have caused damage to the wild rice fields by flooding them. The Indians used to make good living on harvesting this rice. If there was rice now, some of the Indians could make a ton of rice, and the price is at least \$1.25 per pound.

Medical Care

There should be a full-time doctor for each agency so that he could give all his time to attend to the Indians. A part-time doctor is just a waste of time and money, although I am not complaining against our doctor, who is a very fine man.

Islands between Indian Reserve on Dinorwic Lake, Wabigoon reserve No. 27

This matter should be considered whether these islands belong to the Indian reserve or not.

That is the end of my brief. I do not think that I could add anything more because I am not prepared.

The CHAIRMAN: Thank you very much, Mr. Roy. We appreciate it very much and we will hear from you again a little later, if that is agreeable to you.
Witness retired.

Chief C. L. Big Canoe, Georgina Island Reserve, called:

The CHAIRMAN: Gentlemen, before Chief Big Canoe proceeds, I presume it will be necessary for us to meet this evening. To-morrow afternoon we must vacate this room by one o'clock. As you know, the sittings of the committee are usually from eleven o'clock to one o'clock, two hours, and usually there is only one two-hour session in a day. We have extended that to-day. So far we have had two sessions, and if it is your pleasure we will meet again this evening and then sit to-morrow morning, but we will have to be through by one o'clock.

Mr. FARQUHAR: I think we should see how we get along to-night and to-morrow morning before we decide whether or not to sit to-morrow afternoon.

By the Chairman:

Q. You are a chief, are you?—A. Yes, I am.

Q. When were you elected?—A. In February of this year.

Q. For what reserve?—A. Lake Simcoe.

Q. How old are you?—A. Forty-three.

Q. Did you go to an Indian school?—A. I went to the school on the reserve and then to a continuation school at Lindsay and got my matriculation at Albert college.

The CHAIRMAN: That is fine.

Mr. FARQUHAR: How many Indians do you represent?

The WITNESS: A hundred and fifty-three.

The CHAIRMAN: Are there any other questions, gentlemen? All right, Chief.

The WITNESS: This brief was addressed to Mr. Lickers, but if it is your wish I will address it to you.

The CHAIRMAN: Fine.

The WITNESS: It reads as follows:

Georgina Island, Ont.

April 28, 1947.

Mr. Chairman and gentlemen: The circular letter sent to us in June, 1946 has been discussed (belatedly) in council and the following comments submitted, in a general way. However, we would appreciate the privilege of sending a delegate or delegates to attend one of the committee's meetings at any time you may deem convenient, so that our economic plans and suggestions for better health, better education, a higher standard of living, etc., as regards our own particular reserve may be more specifically outlined.

We are submitting hereunder comments under the various headings as suggested by your circular.

1. *Treaty rights and obligations.*—We suggest that all treaties be reviewed as to terms and obligations of parties concerned and new interpretations devised to coincide with present-day conditions.

2. *Band membership.*—That band concerned be notified of any applications for membership so that they (the band) too, may have some authority as to who should or should not be admitted.

3. *Liability of Indians to pay taxes.*—That taxes on income or on real and personal property be not at the present time introduced, excepting those recommended by council as bylaws in accordance with the Indian Act.

4. *Enfranchisement of Indians.*—That voluntary enfranchisement be the rule as heretofore, but that band concerned be given some authority in recommending applicant for enfranchisement.

We strongly urge that some provision be included, in any changing of the Act, whereby a newly-admitted member cannot in the course of a short time enfranchise and take out his share of capital funds. To prevent the transaction becoming a "racket" we suggest that one must be a member for a stipulated number of years so that he shall have had time and the privilege of becoming an asset to the reserve which has admitted him.

5. *Eligibility of Indians to vote at dominion elections.*—That the members of our band are eligible to vote because we feel that we have sufficient education and understanding of questions of the day to vote intelligently. We also feel that due to the splendid war record, and sacrifices of our soldiers, and to the fact that we do pay indirect taxes in our daily transactions outside the reserve, we are entitled to a voice in our country's affairs.

6. *The encroachment of white persons on Indian reserves.*—That any encroachment of a demoralizing nature be not tolerated. We have considerable amount of labour on our reserves. On these jobs we ask that only Indian labour be employed wherever such can be handled by Indians.

7. *The operation of Indian day schools.*—That the system of using missionary teachers be abolished. We would like to see our day school system supervised by a school board, as in white communities, so that a properly qualified teacher will always get the appointment. We suggest we elect one member from the reserve to sit in with the school board of one of our adjacent white communities and supervision to issue therefrom. We would appreciate too, some financial aid in advancing some of our children through high or technical school, when certain ones are deserving of such. We cannot urge too strongly the need for better education for the new generation. We believe it is the key to the ultimate solution of the so-called Indian problem.

8. Education will, of course, show its results in the next generation, but for the present generation any ways or means that can be arranged to increase the individual income of our people will automatically raise our standard of living, that is, under proper supervision. To that purpose we submit the following suggestions with regard to our own particular reserve.

(1) The introduction of old age pensions and mothers' allowances.

(2) The construction of two suitable docks, one on our island and one on the mainland. A large part of our reserve is well situated, not far from the mainland for summer cottages. Transportation is our problem. If we had suitable wharves and a government boat, as supplied for some reserves, we believe that we can greatly increase our individual as well as our collective income, when we consider the revenue derived from a summer tourist business.

(3) A telephone connecting the island with the mainland would be a great convenience. It is a necessity at times of the year when we are isolated.

(4) We would like to see a medical dispensary or small hospital built on our reserve. We have a splendid trained nurse, and there are times when one patient in a family needs isolation to prevent the spread of some contagious disease. It would be a place, too, for one during convalescence when one needs nurse's care. It would also be used for the doctor's clinic.

It must be said that it is a credit both to our people and to the people of the white communities round about us that we suffer no race discrimination, except in one or two isolated circumstances. We meet with and discuss news of the day with our white neighbours, it seems, on an equal footing. There are times, however, when we feel a sense of inferiority complex due to the fact that we do not enjoy some of the privileges enjoyed by our white brothers.

In the last two great wars our reserve holds a splendid record of voluntary enlistments per capita and we are proud of the part our men played for the Dominion of Canada.

We greatly appreciate the efforts of the government in appointing a committee to review the position, and to recommend a new deal for the Indian race. We see at last a hope that many of the injustices suffered by our race will be corrected. That equality with other Canadians will become a reality, and that the fight for freedom and justice for which our men so proudly fought will not have been in vain.

This short memorandum has been written by unanimous approval of our council and is respectfully submitted.

(Signed) C. L. BIG CANOE, *Chief*.

(Signed) WELLINGTON CHARLES, *Councillor*.

(Signed) LESLIE McCUE, *Councillor*.

The CHAIRMAN: Thank you very much, chief.

This evening we will hear Mr. Telford Adams, and Chief William Pine of the Garden River reserve. In addition to that this evening we will continue with the questioning of Mr. Reginald Hill and the representatives of the other delegations who have appeared before us to-day. We will adjourn until 8.30 o'clock this evening and sit until 10 o'clock p.m.

The committee adjourned at 6.05 o'clock p.m. to meet again this day at 8.30 p.m.

EVENING SESSION

The CHAIRMAN: We will now come to order. The next witness is Mr. Telford Adams. Mr. Adams will you come forward? Have you anybody else with you?

Mr. ADAMS: No, I have not.

The CHAIRMAN: All right, will you just come forward.

Telford Adams, called:

By the Chairman:

Q. You are I believe from the Indian reserve at Sarnia?—A. Yes, sir.

Q. And you are a chief of that reserve?—A. I was a chief until last June when my term expired.

Q. Near the Sarnia reserve there is Walpole Island?—A. Yes.

Q. And then in the other direction there is Muncie and there is Kettle Point, so around you there are four reserves?—A. Kettle Point and Stony Point are one. There were two reserves but there is only one there now.

Q. Now you have a brief to present before us here. Would you like to present that brief now?

Mr. CASE: Mr. Chairman, just before he commences, I would like to ask Mr. Adams on what authority he speaks for the Indians.

The CHAIRMAN: He was appointed.

The WITNESS: I speak because of being a member of the Union of Ontario Indians.

Mr. CASE: A member of the Union of Ontario Indians, thank you.

By the Chairman:

Q. Would you like to proceed Mr. Adams?—A. Yes.

Q. You may sit down if you care.—A. Honourable members of the special joint committee of the Senate and the House of Commons. We are exceedingly thankful to the members of this parliament who made it possible for the Indians of Canada to be able to introduce their wishes to the investigating members of parliament. I am sorry that I have not got the brief here that I was supposed to present to the committee but the party who was doing it is sick. He claims it will be ready in a few days and he will send it down for the file.

The Southwestern Indians of Ontario have the honour to present for your earnest consideration the within brief. The subject matter thereof considers Indian administration in general, and in particular the matters specified and numbered one to eight in the Orders of Reference of both the Senate and the House of Commons made on Thursday the 13th day of May, 1946, at Ottawa.

The representations, respectfully submitted of the Southwestern Indians of Ontario are as follows:—

1. *Treaty Rights and Obligations*

It is the wish of the Indians that Treaty rights and obligations be honoured and respected by the Canadian Government.

2. *Band Membership*

Regarding band membership, it is the sincere wish of various bands that the powers of the Department of Indian Affairs in respect to admission and expulsion be abolished, and that the right of membership, both as to admission and expulsion be placed under the jurisdiction of the bands, who are the undersigned owners of the land and money, which the admitted would participate.

3. *Liability of Taxes*

The contention of the Southwestern Ontario Indians regarding income and custom tax is that they should be exempted by virtue of their treaty rights, but if the government has the right to impose taxation on the Indians, then such social benefits that are enjoyed by other than Indians, should be granted to the Indians, such as:

- (1) Old age pensions
- (2) Mothers' allowance
- (3) Home for the aged and blind
- (4) Social welfare

4. *Enfranchisement of Indians*

Regarding enfranchisement, it seems unfair when an Indian becomes enfranchised, he must relinquish his birthright merely for a vote.

We recommend that they retain their birthright, and if any children, they remain as members of that band until they become of age and decide for themselves regarding enfranchisement.

5. *Question of Voting is Undecided*

6. *Encroachment*

Indian reserves were reserved for Indians only, according to our Treaty Rights and such should be respected. There are cases where the Indian agent upholds white people residing on reserves, and carrying on commercial business, which leads to a lot of trouble.

7. *Re Schools*

Answered in (Sec. 9) of Indian Act.

8. *Other Matters Pertaining to Social Welfare of Indians and their Advancement*

We have poor conditions in housing, so we are requesting assistance for the unfortunate. The medical attention and hospitalization is very unsatisfactory. We request a particular attention on Housing and Health, dental examination and care for children, such as vaccination and inoculations.

The health care of the Indians has recently been taken over by the National Department of Health and Welfare, and as it is explained to us by our agent, Mr. McCracken, that since February, a new ruling has been issued by the Health and Welfare department and is very unsatisfactory.

That all existing health facilities be available to the Indians.

9. *Roads*

This year there were \$250 allotted to cover some 13 miles and others than Indian are travelling on this road.

Mr. CASE: What page is that on?

The WITNESS: I just inserted that. Now here is the article that I got from the Kettle Point band of Indians.

1. *Treaty Rights and Obligations*

Have we any treaty rights left, and are there any obligations?

In recent years Mr. Mindy Christianson, Inspector from the Dept. of Indian Affairs Branch at Ottawa stated at Walpole Island Reserve that our old Treaties were not worth the snap of a finger any more. Was he a competent authority on Indian Treaties made by the Crown with the Indians? Perhaps he was, otherwise he wouldn't be hired by the Government to interpret the present day feeling of the Canadian Government's policy towards its native population. Mr. Mindy Christianson also stated that the only Treaties recognized by the Canadian Government were the "Treaties of Surrender."

We the inhabitants of Kettle Point Band of Indians suffered as great a humiliation as any country in Europe which was occupied by the enemy insofar as Sovereign Rights are concerned. We thought that our "treaties of surrender" were still good as stated by the official sent by the Dept. of Indian Affairs to Walpole Island and our Reservation in recent years. When the Dept. of National Defence wanted our former Reservation which was known as Stoney Point for a Military Camp in 1941, they came to us as gentlemen and asked us to vote on the proposition in the good old democratic way by ballot. The majority which was 57 said no, the minority which was 13 said yes. What a relief it was as we felt that our little handful of land some 2,600 acres reserved by our forefathers would remain intact. What a sorry and humiliated group we were to think that our great White father had let us down. They removed the pitiful remnants of our Reservation from Stoney Point Reserve along with their belongings, then the Military Machine moved in.

They claimed that the War Measures Act was invoked against us. No one knows better than us that it was. Canada was at war. We moved with very little resistance yet with broken hearts from the place we knew as home for centuries. Some of the very boys that resided thereon volunteered previously to defend our Country, our little portion of land which we often boasted was our portion of Canada, Stoney Point.

While they yet shouldered arms and fought on the bloody battlefields of Europe for freedom for liberty for the belief that "right makes might" they learned that our little Reservation was lost not to the enemy but to our great White Father.

Two of our lads paid the supreme sacrifice. Again you ask us to-day to ascertain the views of our band of Indians in regard to treaty rights and obligations.

As chief of Kettle Point Band of Indians, my reply to question (1) Treaty Rights and Obligations is this:

We still feel that our treaties are still good as the day they were made. If the word of the Crown has been any good in the past in dealing with other people and other countries, then just as sure as the Government is pulling the wool over our eyes to-day, "I maintain they are still good."

Give me the support of the majority of the Canadian Indians with the finances necessary plus an International Court of Justice and I will prove that the Crown's treaties with the Indians are still good. Sure you know they are good. They have never been abrogated by the Indians in majority. Perhaps portions of certain Reservations have been sold by trickery of shall we say a superior mind, a mind which knows the fundamentals of finance?

We the people of Kettle and Stoney Point Band of Indians demand that our former Reservation which is now Camp Ipperwash be restored to us, pay us the rent which is due to us along with damages for same.

Yours truly,

CHIEF FRANK BRESSETTE

for Kettle Point Band of Indians.

I now come to the Walpole Island brief which I will read.

In response to the request of the Joint Committee and having in mind that there are general problems pertaining to all reserves and that to each particular reserve there may be special problems all the members of the band of Chippewas and Pottawattomies on Walpole Island, St. Anne's Island, Bassett's Island and the islands adjacent thereto with rivers, creeks, marshes and low lands surrounding and including our reserve submit:

That this band of Chippewas and Pottawattomies say this reserve in all its boundaries has not been surrendered to the Crown and that therefore there are no crown lands on this reserve. That this band has full confidence in His Majesty, our King and in our government at Ottawa.

By the Chairman:

Q. Would you like me to read for a while?—A. Yes.

The CHAIRMAN: That it welcomes the investigation now being held and desires to in our own way present the things that bother us, the things that hold us back, and the things that we think in all fairness are due to us. The Joint committee has, it seems, wide powers. We believe it wants to know what this contry wants to do with us and should do for us. In the opinion of

this band the committee seem to ask us frankly what we think of the present administration of us and our affairs. With great respect to the Crown and government in Ottawa we state our case:

Walpole Island was set aside as a reserve according to treaty 6 dated September 7, 1796.

The treaty surrendering Lambton County was completed on July 10, 1827 by Treaty No. 29 made with the bands of Sarnia Reserve, Kettle Point and Walpole Island reserve. This surrender did not include Walpole Island and it was not then nor has it since been surrendered to His Majesty Our King nor to our government of Canada. This band has never received any payment or token from the Crown for the surrender to the Crown of its original ownership or control of these lands as provided in the treaties.

We do not consider this as in any way that our government has broken faith with us. . . but we consider it important as affecting our own relationship on this reserve, and our dealings with other people, and the welfare of the members of our own band.

In 1882 our people consented to the lease of St. Anne's Island. . . The Indian dept. called it a surrender of all our rights on this island. . . A lease was drawn up and we were given \$750 a year. . . the lessees had a ten year lease and they still have that lease. . . Our chief and council have never been consulted about any terms of renewal. Each renewal has been more harmful to us and more beneficial to these people who call themselves the St. Anne's shooting club. Every condition of this original lease has been broken. Each additional lease has taken from us more of our rights. The department has engaged to deal with this part of our reserve as if we had no ownership. . . and with or without their consent the lessee or someone under them has used the territory covered by the lease for the purpose of commercial fishing and has received many thousands of dollars for fish sold illegally and contrary to the provisions of our original lease. The members of our band were entitled under the terms of the original lease to fish, hunt and trap on the territory included in the lease. This right has been denied to them and in later renewals the Department has forgotten those terms and helped the lessee rather than us.

Mr. Edward Pinnance a member of our band was charged by this club with trespassing and shooting on the St. Anne's lease held territory and only after great expense was he able to prove that he was not shooting on lease held land. . . whereas by terms of original lease every band member had that right.

We ask that all leases held for this reserve be cancelled and all future leases be for four years only and that no renewals be given by the department without the consent in general council of the band. We ask that compensation be given to this band for the improvident renewals of leases given without our consent. We ask for a survey of our entire reserve and request that Orville Rolfsen, Dominion Land Surveyor and Ontario Land Surveyor be directed to do this because Mr. Rolfsen in connection with the aforementioned case of Edward Pinnance spent some time on the reserve and obtained the statements of many of our old and chief men which statements would greatly assist in determining the bounds of our reserve. We ask a complete revision of the Indian Act. We also ask that when our band agree to giving a lease their rights be safeguarded. We ask that granting a lease for ten years or any term of years be not construed as meaning that the Indian department can continue renewing this lease for fifty years at the same rental. . . and upon each renewal, changing the original terms. We ask a more democratic allowance in handling our own affairs and the things done by chief and council be not subject to revision, rejection or recommendation of the Indian agent. We ask why having made treaties as men with our rulers now dead and with past governments. . . we are now regarded as wards. . . Did these treaties make us wards, and irresponsible persons and if so why in time of war are

we British subjects? Why when we wear a uniform can we be permitted to drink whiteman's ale and when war in over and uniforms off are we Indians and children of the government? It seems to us that the British ambassadors who negotiated the treaties with our people and paid us in the way set out in the treaty... then decided to eliminate us as a race. Would it be too much to ask that we be allowed to live and for that purpose to have

(a) An equitable and just Act governing our affairs and our relations within ourselves and towards other citizens of Canada.

(b) Government aid in establishing fishing, trapping, farming industry within the limits of our reservation. More liberal education and some assistance so that our own people can become competent in the things which will promote comfort and well being in developing our own natural resources on this reserve.

(c) To that end we ask some limitation be put upon provincial privileges so that persons having a licence to hunt or fish from the province of Ontario may not be permitted to hunt and fish upon our reserve as our department has stated certain waters entirely within our reserves are called navigable waters.

(d) When in 1882 our fathers voted for the St. Anne's lease we submit they had no intention of forever surrendering their and our rights... as this document shows only a ten-year lease. We wish a just and equitable interpretation be put upon these Acts. It is submitted that his reserve being near the international border cannot be governed by the terms of the present Act. We request financial help, care and hospitalization for the members of our band so as to give them the equivalent of all social legislation. The members of our band in general council have answered the questions contained in the letter of instructions in this way

2. Band membership should be in the sole control of this band and council.
3. Taxes—no.
4. Enfranchisement—Voluntary.
5. Voting rights—no.

The band has added the following covenants as a result of the general council meeting.

As we pay taxes indirectly on all community purchases we feel we should be granted old age pensions.

We feel for the benefit of our children that a larger central school should be built on the reserve and transportation provided. We feel with a population of over nine hundred a resident nurse should be employed by the department. The following treaties have relation to this and adjoining reserves—

Moore Township	Page 128 Vol I
Islands	Page 278 Vol I
4,000 Acres	Page 221 Vol II
Upper Canada	Page 19 Vol I
Canadian Club	Page 7 Vol II
Wallaceburg	2 acres of land on mainland
Jays Treaty	Page 880 (No 21)
Treaty of Peace	Book No. 9 Page 428

The CHAIRMAN: Would you like to read the next page?

The WITNESS: Yes.

Capital and interest funds

We are thankful to the government for the five per cent interest we are receiving on our capital funds, but we request that we be given the right to spend our interest money, where we consider it a credit to any individual or band.

River frontage

At a band meeting a resolution was passed that individual band members be permitted to purchase river frontage to beautify and build breakwaters to keep our banks from washing away. This resolution was turned down by the Indian department, the results being that the banks of our valuable land are now washing away, so we request the right for individuals, members of the band to purchase the river frontage.

Matters specified and numbered one to eight, in the orders of reference of both the Senate and the House of Commons made on Thursday, 13th day of May A.D. 1946 at Ottawa.

A question was, do your band wish to pay delegates' expenses?

On August 9th 1946, Sarnia Band held a meeting to consider and answer the above mentioned, therefore it was moved by James B. Williams, seconded by Lloyd Williams that this band of Sarnia reserve pay expense of the delegate out of band funds for the purpose of attending the meeting at Ottawa; also moved by Leonard Plain and seconded by Lloyd Williams that the band set aside the sum of one hundred and fifty dollars (\$150.) from band funds to pay delegates' expenses. Carried unanimously.

INDIAN ACT

Section 4 Part 1—to be abolished.

Reason—Indians being deprived of their rights.

Section 9—Part 1—(a), (b), 2, 3, 4, 5, & 6 unsatisfactory.

Education of Indians at present is the sole responsibility of the federal government; education, health, and welfare have been in the hands of the Indian department at Ottawa.

(a) It is our contention that the results of this policy has been that the Indian population of southwestern Ontario has received a far lower standard of education, health, and welfare service, than the other citizens of southwestern Ontario, and that much of the deplorable conditions under which the Indians are living to-day can be traced to these low standards.

(b) Greater facilities and opportunity for education opportunity to obtain high school, and university education should be available more generally for the Indian youth.

(c) Since the present school system has been a failure, we recommend that education of Indians be committed to regional boards, upon which Indians in the district shall be represented by Indians.

(d) That the responsibility of administering the education for the southwestern Ontario Indians be placed in the hands of the provincial government, and that the dominion reimburse the provincial government for all expenses incurred in the provision of an educational standard, which shall be equal to that of the other citizens of southwestern Ontario.

Section 13—regarding loss of membership through residing in a foreign country without leave.

We recommend the jurisdiction be left entirely to the band, chief and council.

Section 48—(2), (3) and (4).

We oppose to this section by virtue of our treaty rights, where large territories have been surrendered and the small portions of lands which we now possess or was reserved according to our treaty rights, for our own exclusive right and enjoyment, and our posterity. We wish this section to be abolished.

Section 50 (S.S. 2) (A-B).

Lease and licenses to prospect for minerals, which reads that the Governor in Council may make regulations enabling the Superintendent General in respect of any reserve, (a) & (b) as follows:

We recommend the band, chief and council be given the authority to lease property for minerals, providing the band, chief, and council consider necessary.

Section 52—S.S. 2, 3, 4, 5, 6, 7, 8.

Expropriation Act.

Inquiry and report by Exchequer Court as to removal of Indians.

For years back, the southwestern Ontario Indians have appealed to the Department of Indian Affairs to abolish section 52. We request the honourable members of this joint committee to recommend at once this section 52 be abolished. We regret very much to acknowledge that such law as section 52 was issued to be applied to the natives of this country, more so after the natives surrendered large territories and reserved small portions of land for their own exclusive use and enjoyment, and their posterity, as the government agreed to by treaty, and a pity for the Indians to realize that there are laws made whereby the Indian is deprived of his birthright, so we feel we are justified in requesting the members of the joint committee to recommend this section 52 be abolished.

Section 91—Reduction of purchase money due on sale of Indian lands.

We consider this section unjust, unfair, to the Indians to have his bargaining price cut down to suit the purchaser, we recommend this section be abolished.

Section 93.

We request this section be abolished reason being we are the undersigned owners of land and money referred to in this section, so we therefore request to govern the lands and money referred to in this section.

Section 99 (A).

Duties of agent at meetings of council rather than the Indian agent having full control of council meeting, as at times the agents do not recommend resolutions passed by chief and council, yet these resolutions passed are a credit to an individual or band, so we request that the chief and council have full control of meetings and send resolutions direct to the Indian department.

Regarding the revision of Indian Act.

The Maoris of New Zealand are generally spoken of by Indians throughout Canada. It is wondered why the same laws can't be made for the Indians of Canada.

We feel justified to recommend there be Indian representation to assist in revision of the Indian Act, and also legal counsel be employed as well to represent the Indians.

The CHAIRMAN: Do you want me to read the next section?

The WITNESS: Yes.

The CHAIRMAN:

Re—Surrender to the Dominion Alloy Steel Co. by the Sarnia Band of Indians on December 13, 1919.

I will read in full, if requested by the honorable members of this committee, but I wish to call your attention to a particular portion of the agreement which reads as follows:

The company agreed to move our public buildings, or put up ones as good on a site selected by the band.

Here I am explaining the situation eleven years after, some of the Indians patience got exhausted on account of the company not fulfilling their agreement, so some Indians approached the company officials stating they would move the

church for a certain sum of money (\$1,000) which the company agreed to. A resolution passed to the Indian department by a small number of Indians requesting the same be approved, followed by other resolutions, which was finally approved by the department, yet contrary to the original agreement, and the Indian Act which calls for majority before approved. Up to date we have no church, as we were requested to tear it down by the company. Finally there was a resolution passed voting the sum of \$20,000 from our band funds to build a church, majority not present, so a petition was passed around receiving 56 names in favour, followed by a protest petition which the Indian department favored. I wish to refer you to section 93 of the Indian Act, which reads in portion—

The Governor in Council may direct the expenditure of any capital money standing at the credit of such band in the construction of permanent improvements upon the reserve.

(S.S.) 2—In the event of the band refusing to consent to the expenditure of such capital moneys as the superintendent general minister may consider advisable for any of the purposes mentioned in S.S. (1) of this section and it appearing to the superintendent general minister that such refusal is detrimental to the progress or welfare of the band, the Governor in Council may without the consent of the band, authorize and direct the expenditure of such capital for such of the said purposes, as may be considered reasonable and proper.

I estimate there wouldn't be a more permanent improvement than a church in any community.

Re Agreement—Alloy Steel Co. regarding Council House

A special meeting was held at the Indian office, with the Indian agent, Mr. McCracken present and Chief T. Adams, and councillors, Russell Bird, Jas. B. Williams, and a committee Clarence Plain and Kenneth Plain present.

The purpose of the meeting was to discuss the moving of the Council House. Mr. B. H. McCreath on behalf of the Dominion Steel Co. was present at the meeting.

The deadline for the removal of the Council House be Sept. 1st 1945, that the entire balance owing for all lands which was surrendered by the Indian Band, be paid by February 15, 1945.

One hundred and fifteen acres of land including at least 1200 feet of river frontage and including land in which Dominion Alloy Steel buildings and equipment are situated shall be held by the Department as a guarantee that the Council House will be built by Sept. 1st 1945, and that if the said Council House is not completed by that time on the new site, the above mentioned property, namely 115 acres, plus the Alloy Steel Buildings shall be returned to the Indian band and shall be their property.

The Dominion Steel Corp. agree that any alterations in the plan of the new Council House will be made at the request of the band, also that the Alloy Steel Co. comply with the terms of the original surrender dated Dec. 10, 1919, that the Alloy Steel Co. pay \$500.00 to the band to be used in rebuilding the Fair Grounds. Carried.

At a band meeting held April 11th 1947, a resolution passed that the Sarnia band of Indians foreclose on Mr. McCreath who represented the Dominion Alloy Steel Corporation, failing to fulfil the agreement of Dec. 13, 1944.

Carried unanimously. After the Indian department refused to foreclose on the company this same property which was given to us for security was sold for \$232,500, we consider we are justified in getting an explanation on this.

After this property was sold the Indian department ordered the company to complete the Council House within 60 days, if not completed in the specified time they would be penalized \$100. per day.

The Council House was not completed within the specified time, Inspector Arneil okayed the hall so the company wouldn't be penalized. The Sarnia band had to wait 28 years to have the Council House completed.

Does that complete your presentation?

The WITNESS: Yes.

The CHAIRMAN: Thank you very much, Mr. Adams, you will be here for questioning a little later. I am sure many of the members of the committee desire to ask you questions.

Mr. LICKERS: I should like to point out that, at the beginning of his presentation, Mr. Adams said he had another presentation to make which will be following later. At that time, I suppose he could make it an appendix to the minutes.

The CHAIRMAN: Have you another presentation you desire to make now?

The WITNESS: No, I have not.

The CHAIRMAN: You have one coming?

The WITNESS: I have one coming, but I will probably have an opportunity of telling you about it to-morrow.

The CHAIRMAN: Yes.

Mr. LICKERS: I have a brief here from the Grand Indian Council of Walpole Island signed by H. B. Williams and Wallace Soney which I should like to file as appendix FJ.

The CHAIRMAN: Is it agreeable to the committee that this brief be filed and made a part of our record?

Mr. CASE: Agreed.

Mr. REID: How many more witnesses are to be heard? Will we have some time left to-morrow to question those who have spoken?

The CHAIRMAN: Yes, it is proposed to have a question period not only to-morrow, but this evening. We have to be out of here by one o'clock to-morrow. We have one or two more of whom I know who have presentations, and there may be others. Then, we will proceed with the questioning immediately. Is that agreeable?

Mr. CASE: You are going to try to have all the briefs presented to-night?

The CHAIRMAN: Yes. Chief William Pine of the Garden River Reserve? Is there anyone here from the Garden River Reserve?

Mr. BRYCE: Was he here to-day?

The CHAIRMAN: Yes, he has been here to-day. I spoke to him. Our counsel tells me he checked in at the hotel this morning.

Mr. CASE: Have we anyone else from whom we can hear?

The CHAIRMAN: Yes, William Smith is here. Before Mr. Smith commences his presentation, is there anyone else amongst the Indian delegation present who desires to present a brief? If there is no one else who desires to present a brief to the committee then, after Mr. Smith has completed his presentation, we will proceed with the questioning of the witnesses.

**William Smith, representing the Hereditary Council,
Six Nations, called:**

By the Chairman:

Q. Who are you representing?—A. The Hereditary Council of the Six Nations.

Q. Mr. Sam Lickers, whom does he represent?—A. He was spokesman for the organization called the Red Men.

Q. You have a brief, have you?—A. Not for presentation. We will have it ready in the near future.

Q. You just want to make a few remarks?—A. Yes.

Q. Roughly how long will it take you?—A. I would have liked to have an hour, but perhaps I can condense it into half of that time.

Q. We have to be through here to-night by ten o'clock. It is now a quarter after nine and we have all these witnesses to question. Would it be convenient, as I suggested to you before dinner, if you let our counsel ask a few questions, then you could answer them. You see, if it is going to take you as you say, half an hour or at least an hour, it would use up all our time?—A. Perhaps, Mr. Chairman, the questions would not coincide with what I desire to say.

Mr. BRYCE: I think he asked for half an hour and he said he could cut it down.

Mr. BLACKMORE: I think we should let him make his remarks.

The CHAIRMAN: You gentlemen know what you are doing. We have to be out of here to-morrow by one o'clock and, therefore, you know the amount of time we have left. If we have not enough time, it will be your responsibility.

Mr. CASE: It seems to me the examination of witnesses is secondary. We want to hear the Indian's side of the story. If we have not time to complete our examination, then it is too bad for us. What position do you occupy in connection with the Hereditary Chiefs?

The WITNESS: Assistant secretary.

By Mr. Case:

Q. Then, it is an organization, is it?—A. It is the legal government of the Six Nations.

Q. It is so designated by the reserve? What authority do they have for calling themselves that?—A. I should like to explain that in my talk, but I may say this: they are the descendants of the Confederate Council which originated in the state of New York about four centuries ago.

The CHAIRMAN: All right, proceed, Mr. Smith.

The WITNESS: Mr. Chairman and members of the committee; I wish to express my pleasure in having the opportunity of saying a few words here. I had the intention of covering a good deal of ground in the Six Nations history, but I will try to condense what I had to say within the short period of half an hour.

The Six Nations Confederacy was the outcome of a welding into one confederacy of these different war-like nations—Mohawks, Oneidas, Onondagas, Tuscaroras, Cayugas, Senecas and Delawares. This confederacy, created long before the white man arrived in this country, was one of the noblest organizations the world has ever seen. There are several things that I would like to go into more fully, but I will stress one main point: they were chiefs from the different nations who created this confederacy, and in the creation of these chiefdoms the women held the power to have the final say as to who was to be chief. That was a noble rule, and I do not think that this world will ever really see peace until we follow the principles of this Iroquois confederacy.

At the outset I would like to go into some of the evidence that was presented to the committee a year ago by the officials of the Indian department. First, I will start with the title to the soil. Now, I shall quote some extracts from the evidence presented by Mr. MacInnes, of the Indian department. He read into

the record the proclamation of 1763. What I shall read will be found at page 54 of the minutes of evidence of the committee, No. 2, 1946. I shall read this statement:—

So, what has been recognized as Indian aboriginal interests in the soil is not ownership of the land in its entirety but usufructuary and roving rights over it.

He also wrote into the record the proclamation of 1763. I think you gentlemen are well enough versed in law to realize that a proclamation issued by a sovereign can only have authority within the confines of the dominions of that sovereign and covers only the people who are subjects of that sovereign. The Six Nations being an independent people on their own land owned the title to the soil, the fee simple or allodial title, which is actually higher than the fee simple to the soil. There was an explanation that this had a tendency to make the Indians subjects of Great Britain. The Six Nations refute that argument strongly. Possession rests with the first occupant. Grotius asserts that corporeal possession entails title; Vattel tells us that possession rests with the first occupant; Puffendorf states that title rests in him first to occupy, not first to see it. Blackstone, the British authority on international law, explains that allodial title is higher than fee simple and it is that which a man owns in his own right without owing any rent or service for it, wholly independent being held to no superior at all. So I would like to make it clear that the Indians were owners of the land and they held the fee simple and allodial title. That is important because all Indian treaties are based on the principles of 1763.

Now, the Six Nations Confederacy became involved in the wars between the different contestants in early colonial days. First there was difficulty with the Dutch, later with the French and still later with Great Britain and the revolting colonies. As a result of the Six Nations allying themselves with the British in the American revolution they migrated to lands on the Grand river under the Haldimand Treaty. This was in fulfilment of Sir Guy Carleton's pledge. Under the establishment of the Six Nations along the Grand river on lands allotted to them under the Haldimand Treaty which was a direct cession from the Crown, the Crown at that time attempted to make replacement with a simple deed. The Six Nations under the leadership of Captain Joseph Brant refused to accept the exchange and refused to confirm the Simcoe deed. The Simcoe deed was made in 1793. As a result of that the Haldimand deed was registered in 1795.

Now, the basis of all the land deals between the Six Nations and outsiders had been based on the Simcoe deed. The basis of the Indian Act is laid on the Simcoe deed, followed up by the British North America Act. In 1867 there was, through the joining of the four provinces here, the Union of Canada. Under the British North America Act Queen Victoria through Her Majesty's government transferred to the Canadian government authority to legislate for Indians. The Imperial government at that time exercised no authority over the Six Nations. Therefore it was impossible to transfer to another party obligations which they never had. Only last August the Imperial government in preparing a memorandum on India dealing with paramountcy there made this startling declaration, that it is impossible to transfer treaty obligations to a third party without the full consent and knowledge of the second party. Now, that is the position of the Six Nations. They had no knowledge and never consented to this transfer. Shortly after confederation there was a bill passed in the House of Commons called the Indian Act. I believe at the beginning this Act contained only eight sections. The eight sections did not harm the Indians very much, but it was the amendments and additions and other later introductions that became harmful to the Six Nations and other Indians in Canada. The Six

Nations withdrew from the conference at Sarnia in 1871 when the government called the Indian conference for the adoption of the Indian Act. Consequently they never became a party which gave their approval to this law.

Then later on, in 1924 the Canadian government, with the use of force of arms, dissolved the Six Nation government. That was one of the blackest acts in Canadian history. That was a type of government foreign to us, which was called the elective council. Our people have never supported this change and I do not think they ever will. And now, when coming down to this present committee and the dissolution of the chiefs and the appointment of the elective council I have to say this. It was the result of an investigation by the Canadian government through Colonel Andrew Thompson, and his report to the government. He was authorized to inquire and investigate into the affairs of the Six Nations Indians, including matters of education, health, morality, election of chiefs, powers assumed by the council. Administration, and soldier settlement were also included.

By the Chairman:

Q. What are you reading from now?—A. Colonel Thompson's report on the investigation of the Six Nations.

Q. What is the date of that?—A. 1923.

Q. Does it state the department who issued it, so that we can have it for record purposes?—A. It was issued by the Department of Indian Affairs.

Q. All right.—A. He was authorized to investigate the Six Nations on seven points but the most important point was omitted, that is the status of the Six Nations, who they are and what they are. He had no authority to investigate the most important point and he makes this remark on page 13.

For some considerable time past there has been strong agitation to have the Six Nations constituted as a separate sovereign people. Those supporting this course allege that in the wording of several earlier treaties the Six Nations are not subjects but are allies of the British Crown. The investigation of the merits of this condition was not one of the duties assumed by me and I merely mention it in connection with the powers assumed by the council.

As the result of this investigation with limited powers we had a change in government of our people without the consent or the feeling of the people. Now the Six Nation Indians, as I have said, have refused and have always maintained that they never legally came under the Indian Act. And I further cannot say whether they will accept the revision of the Indian Act. You will ask me why, gentlemen. Let me put it this way. Supposing we were allowed to appoint thirty or thirty-five Indians to a committee, would any of you gentlemen be willing to place the future destiny of your people in the hands of a committee of thirty Indians? Now I have tried to make clear the position of the Six Nations. I think what I have said here speaks for itself. I have many other articles here of how the Six Nations have been used. Take for instance, the national registration. These are the instructions issued by the national registration department, issued to all deputy registrars.

Mr. CASE: What is the date of that?

The WITNESS: 1940, the 15th of July.

By the Chairman:

Q. What document is it again?—A. Pardon?

Q. What document is it?—A. Instructions issued to deputy national registrars.

Q. Under what act?

Mr. CASE: I suppose it is under the National Registration Act.

The WITNESS: Yes. On page 7 it has this to say. "Registration officers will abstain from attempting to advise or settle whether registrants are or are not British subjects. The registrant must decide that question for himself". No Indian had that privilege under this national registration. They were forcibly registered as British subjects. Now I hate to take up your time in other small matters but I would like to bring to the attention of this committee one other glaring instance. I have here a summons issued to one Raymond Leslie Johnson.

Mr. CASE: Is he an Indian?

The WITNESS: Yes, a Six Nations Indian from Six Nations' territory. It is dated February 8, 1947. This young man of about thirty years of age has worked out for several years and saved his money. He came back home to a deserted and dilapidated farm and tried to build it up. He built a tremendous new barn about the size of this hall. He bought a tractor and implements and began to farm. This winter, desiring to erect another building, he got some logs off the territory and took them up to a sawmill with the intention of bringing back the lumber to erect this building. The Mounted Police in consultation with the Indian superintendent issued this summons. As a result of that he was fined \$100 and costs, a total of \$155. This man had done more to improve our Indian reservation than our Indian agent and all the Mounted Police put together, yet he was fined on the Indian reserve. He was, of course, brought under the Indian Act.

Mr. MACNICOL: In what way?

The WITNESS: He drew logs off the reserve to a sawmill in order to bring them back as lumber.

By Mr. Little:

Q. Had he the right to take the logs in the first place?—A. He was not selling them.

Q. Had he the right to take them in the first place?—A. Not according to the Indian Act.

A short time ago this House was very magnanimous to a British war-bride who was fined \$25 under the Indian Act. That fine was reduced to \$1. Gentlemen, this is a much more worthy cause than the second one that I have cited.

I would have liked to take more of your time, gentlemen, but I said I would try to be through in half an hour. I would have liked to have gone into more of what the Indian department officials have said and it is my desire to change our brief and add a lot more to what I had intended to say. In the near future we will make a presentation of the brief.

The CHAIRMAN: Thank you very much Mr. Smith, I appreciate the effort you have made.

Now, is Chief William Pine here? Chief William Pine not being here, then I presume we will proceed with the questioning of the witnesses. Is it your wish, gentlemen, to take them in the order that they have been heard? Is that agreeable?

Agreed.

Mr. Reginald Hill, would you come forward please.

Mr. REGINALD HILL: If it is in order I should also like to have the questions put to the other delegates who have come with me.

The CHAIRMAN: I was going to suggest that you and your delegates go to the centre table and be seated there. The reason for that is we want everybody to hear, and especially the official reporter. Shall we limit the time of the members in asking these questions? Is it agreeable to say ten minutes? We only have twenty minutes left.

Mr. BLACKMORE: Would it be in order to suggest Mr. Lickers ask questions first?

The CHAIRMAN: I think probably we will let Mr. Lickers have the rest of the time. We have twenty minutes. To-morrow morning the members can continue.

Mr. CASE: He is familiar with them. Let him proceed.

The CHAIRMAN: Mr. Lickers, would you carry on?

Mr. LICKERS: How many schools have you on the Six Nations reserve?

Mr. JOSEPH HILL: There are eleven schools with sixteen rooms.

Mr. LICKERS: How many pupils are attending those schools?

Mr. JOSEPH HILL: For the last quarter there were 679.

Mr. LICKERS: And how many pupils are there to each teacher?

Mr. JOSEPH HILL: There is an average of 43.

Mr. LICKERS: Do you think that is an adequate staff?

Mr. JOSEPH HILL: By no means.

Mr. LICKERS: How many more schools do you require?

Mr. JOSEPH HILL: Offhand I would say two or three.

The CHAIRMAN: How many classes are there under each of these teachers?

Mr. LICKERS: Are all these just single-room schools?

Mr. JOSEPH HILL: No, there are at present four two-room schools.

Mr. LICKERS: So that you actually have sixteen classrooms?

Mr. JOSEPH HILL: Yes, sir.

Mr. LICKERS: And what about the teachers? Are they all qualified?

Mr. JOSEPH HILL: We have fourteen qualified teachers. Two are qualified in the sense that they have the academic standing.

Mr. LICKERS: They are qualified but not certified? Can we put it that way?

Mr. JOSEPH HILL: Correct.

Mr. LICKERS: Are they Indians?

Mr. JOSEPH HILL: All of them.

Mr. LICKERS: How long has the teacher with the longest service been teaching there?

Mr. JOSEPH HILL: I would say to the best of my knowledge this is her thirty-eighth year.

Mr. LICKERS: Is there any antagonism on the part of the residents or parents to their children being taught by Indian teachers?

Mr. JOSEPH HILL: No, sir.

Mr. LICKERS: Do they have any school boards?

Mr. JOSEPH HILL: No, sir.

Mr. LICKERS: What jurisdiction has the council over the operation of these schools?

Mr. JOSEPH HILL: None.

Mr. LICKERS: Do they contribute towards the support or expenses of the operation of those schools?

Mr. JOSEPH HILL: No. Prior to 19—

The CHAIRMAN: You can answer if you like Mr. Reginald Hill.

Mr. LICKERS: Whoever has the information.

Mr. REGINALD HILL: Prior to 1927 until the matter was brought up here in parliament by Mr. Franklin Smoke, M.P., I think the expenses were borne

entirely by the Six Nations and to the best of my knowledge they built the existing schools. Since that time I believe the department has taken over the operation and the upkeep.

Mr. LICKERS: Those are all day schools, are they?

Mr. JOSEPH HILL: That is correct.

Mr. LICKERS: Can you break down the number of pupils in each grade?

Mr. JOSEPH HILL: Yes, I have that information.

Mr. LICKERS: Would you mind giving it to us?

Mr. JOSEPH HILL: In grade I, there are 135; grade II, 131; grade III, 71; grade IV, 94; grade V, 84.

Mr. MACNICOL: How many?

Mr. JOSEPH HILL: 84; grade VI, 57; grade VII, 51; grade VIII, 52, and there are 4 in grade IX.

Mr. LICKERS: Is grade IX being taught in any of the schools?

Mr. JOSEPH HILL: These four pupils are attending to more or less keep up in their work that they may go on next year. They were financially unable to attend this year.

Mr. LICKERS: You say they were financially unable to attend?

Mr. JOSEPH HILL: That was the excuse the parents gave me.

Mr. LICKERS: Grade IX is the first year collegiate, is it not?

Mr. JOSEPH HILL: That is correct.

Mr. LICKERS: Can you give me any figures as to the numbers of graduates who graduated last year from grade VIII?

Mr. JOSEPH HILL: I cannot answer that right now.

Mr. LICKERS: Do you know how many pupils from the reservation are attending collegiate or some secondary school?

Mr. JOSEPH HILL: Yes. At present there are 43 receiving a grant from the federal government. Then there are several for whom the council is paying the tuition. Then there are a few for whom the parents are paying, plus those in the United States of whom we have no record.

Mr. MACNICOL: You say "plus those in the United States". What do you mean by that?

Mr. JOSEPH HILL: There are a great many of our people living in Buffalo, Niagara Falls and Rochester, who are going on with their education.

Mr. LICKERS: All those you mentioned were on the reservation?

Mr. JOSEPH HILL: In the three high schools surrounding the reservation, the Brantford collegiate, Caledonia high school and Hagersville high school.

Mr. REGINALD HILL: The numbers that were just quoted represent the pupils in attendance at the day schools on the reservation. The breakdown showing the different grades represents the pupils in attendance at our own Six Nations schools.

Mr. LICKERS: And can you give the committee any idea as to how the pupils after they attend secondary school compare with the whites?

Mr. JOSEPH HILL: In what way?

Mr. LICKERS: As far as their academic standing.

Mr. JOSEPH HILL: They compare very favourably.

Mr. LICKERS: Do all the graduates from public school have the opportunity to continue on to secondary education?

Mr. JOSEPH HILL: Not all.

Mr. LICKERS: Why would some of them not have that opportunity?

Mr. JOSEPH HILL: Those attending high school now receive a grant on the approval of the provincial inspector.

Mr. LICKERS: Are all your schools down there inspected by the provincial school inspector?

Mr. JOSEPH HILL: That is correct.

Mr. LICKERS: What curriculum do you use?

Mr. JOSEPH HILL: We follow the Ontario curriculum.

Mr. LICKERS: Is that working out satisfactorily?

Mr. JOSEPH HILL: Quite satisfactorily.

Mr. LICKERS: What about handicrafts and things like that being taught in the schools?

Mr. JOSEPH HILL: There are a few schools which carry on work of that kind where the teacher is particularly interested.

Mr. LICKERS: Is that a part of the curriculum of the schools?

Mr. JOSEPH HILL: Yes.

Mr. LICKERS: It is part of the curriculum?

Mr. JOSEPH HILL: Well, our curriculum is very broad and they may include anything of that nature.

Mr. LICKERS: You are the supervising principal on the reserve?

Mr. JOSEPH HILL: That is correct.

Mr. LICKERS: Is there anything in connection with the curriculum you would suggest should be approved?

Mr. JOSEPH HILL: Yes. The history books; there also might be an improvement in English literature.

Mr. LICKERS: In what way?

Mr. JOSEPH HILL: I believe that our pupils are more interested in stories of Indian lore and the accomplishments of Indians in years gone by.

Mr. LICKERS: Are these schools non-denominational?

Mr. JOSEPH HILL: That is correct.

Mr. LICKERS: Have you knowledge of the results from any of the residential schools in the neighbourhood?

Mr. JOSEPH HILL: No, I haven't that information.

Mr. LICKERS: Are there any others of the delegation who have any knowledge as to the residential schools?

Mr. REGINALD HILL: I take it that the information that you are requesting is as to the number attending, the number graduating and the per cent of efficiency?

Mr. LICKERS: Is there a number of children who are attending the residential school on that reserve?

Mr. JOSEPH HILL: That is correct.

Mr. LICKERS: What residential school is it?

Mr. REGINALD HILL: The Mohawk Institute.

Mr. LICKERS: Do you know what the enrolment there is?

Mr. JOSEPH HILL: Offhand, I would say between 150 and 160.

Mr. LICKERS: There is provision in the Indian Act for the Council to inspect residential schools. Perhaps Chief Councillor Maracle can give me this information; have council ever inspected the residential school in Brantford, the Mohawk Institute?

Mr. MARACLE: They have in previous years.

Mr. LICKERS: They have not recently?

Mr. MARACLE: No, they have not recently.

Mr. LICKERS: Then you do not know what the relationship as to the academic results of a child going to the public school on the reserve is as compared to one attending a residential school?

Mr. JOSEPH HILL: No, we do not.

Mr. LICKERS: Can anybody get me some information on that from their own knowledge? You see, there has been evidence given here as to the merits and demerits of a residential school as compared to public schools.

Mr. JOSEPH HILL: They attend the residential school for only half a day at a time and that means that they are about eighteen or nineteen before they pass into high school. They should be through high school before that time.

Mr. LICKERS: I think, Mr. Hilton Hill, that you were the clerk at the Indian office in Brantford, how long?

Mr. HILTON HILL: For forty years.

Mr. LICKERS: When did you retire?

Mr. HILTON HILL: It will be two years this coming January.

Mr. LICKERS: Would not the applications for grants come through the Indian office there as to grants for pupils both in public school and in residential school?

Mr. HILTON HILL: Yes.

Mr. LICKERS: Did you at any time see those?

Mr. HILTON HILL: Oh, yes.

Mr. LICKERS: Perhaps then you can give us some information as to the results of the pupils attending the day schools as compared to those attending residential schools?

Mr. HILTON HILL: As far as I know there is none going to high school.

Mr. LICKERS: I mean, after graduating from the residential school.

Mr. HILTON HILL: I do not think it is allowed for them to stay at the Mohawk Institute to go to high school.

Mr. LICKERS: How do the children on the reserve get to school?

Mr. JOSEPH HILL: They walk.

Mr. LICKERS: Do you think that is a satisfactory method of going to where the schools are situated?

Mr. JOSEPH HILL: Are you referring to day schools or high schools?

Mr. LICKERS: To day schools.

Mr. JOSEPH HILL: They walk, or go on bicycles.

Mr. LICKERS: How far are these schools apart?

Mr. HILTON HILL: Brantford is about ten miles from the centre of the reserve.

Mr. LICKERS: I am asking about the reserve itself.

Mr. JOSEPH HILL: The schools average two concessions apart.

Mr. MACNICOL: That would be two miles or two miles and a half.

Mr. JOSEPH HILL: The concessions are a mile and a quarter to a mile and a half.

The CHAIRMAN: That would mean no child would have to walk more than a mile and a half to get to school.

Mr. MACNICOL: School children are doing that all over the province.

Mr. REGINALD HILL: Taking it diagonally across to the school it may be much further.

The CHAIRMAN: If there are two schools, one school on one concession and the other two concessions further over that would mean that they would have two and a half miles to walk.

Mr. REGINALD HILL: Speaking now particularly of No. 10 school, of which I am the teacher; I do know that pupils definitely do cut across the reserve to the school, there being no school north of No. 10 school; No. 10 school being one concession in from the northern limit.

The CHAIRMAN: What I am talking about is as the crow flies.

Mr. CHARLTON: That would be?

Mr. REGINALD HILL: Two and a half to two and three-quarter miles at certain points. Two and three-quarter miles would be a maximum distance.

Mr. LICKERS: On page 3 of your brief, under education, 4(b), you say:—

(b) A salary scale be set up with provision for a minimum and maximum salary.

Have you seen this scale which the department has set up which it proposes to put into effect as of September first of this year?

Mr. JOSEPH HILL: I have.

Mr. LICKERS: Is that a satisfactory schedule in your estimation; or, does it compare favourably with, say, the salary scale of Brant county?

Mr. JOSEPH HILL: It does not compare favourably with what is paid in that county. I understood it did.

Mr. LICKERS: Is it lower, or higher?

Mr. JOSEPH HILL: The schedule is lower than that of Brant County.

Mr. LICKERS: Are any of the teachers on the reserve civil servants at the present time?

Mr. JOSEPH HILL: None.

Mr. LICKERS: Then, under the heading education 4 (d) you say this:

“That required standings be reduced.”

What do you mean by that, what standings?

Mr. JOSEPH HILL: Up until a few years ago the pupils were required to make an average of 65 per cent on their entrance examination before they were eligible for the grant. In recent years the authorities have been more lenient, and the pupils have been able to qualify on the recommendation of the provincial inspector. What we desire is that all children, so long as they pass, be allowed to go to high school.

Mr. LICKERS: You mean by, “being allowed to go”, being assisted financially by the department?

Mr. JOSEPH HILL: That is right.

Mr. LICKERS: You have a school nurse, I believe, you said at the present time?

Mr. JOSEPH HILL: That is correct.

Mr. LICKERS: Is she a graduate nurse?

Mr. JOSEPH HILL: Well qualified.

Mr. LICKERS: You have a hospital too, have you not?

Mr. JOSEPH HILL: Yes.

Mr. LICKERS: Just one more question in connection with education. On page 3, item 4 (g) of the brief, you say,

“Adequate supplies of books to be provided.”

Would you just explain that to the committee?

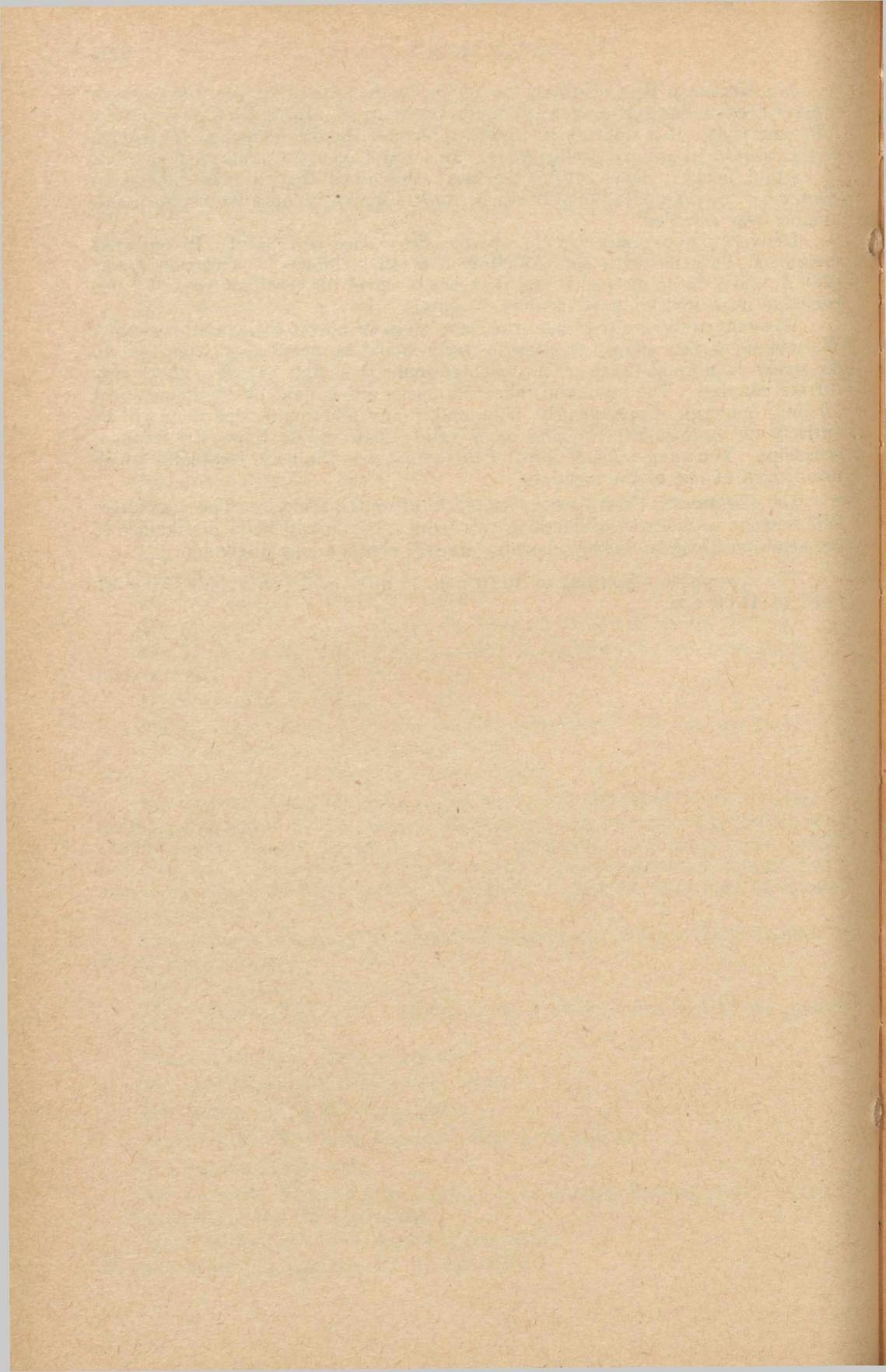
Mr. REGINALD HILL: I think the answer to that would be this; the teachers are required to send in a requisition for books as of March 31st to cover the following year. It is difficult, at times, to forecast the attendance at the school, or the number in any particular grade. As a result, you may find yourself short of certain books. Some of the teachers complained that it was difficult in September to secure additional books because, apparently, only the requisitioned number was supplied.

Deliveries were made by the truant officer once each term. In one case mentioned, he came with approximately 5 dozen scribblers of a certain grade, type A, and 5 dozen of type B and that was to cover the teacher's needs for one complete term with an enrolment of 45 pupils.

You can readily see that one issue completely exhausted the available supply. We will say a new supply of exercise books would be required in from four to six weeks in normal usage. The teacher would then find herself without any further supplies. The man who takes the books out is paid by the department for only one trip. Consequently, if he makes any additional trips they will be entirely at his own expense and he is rather loath to do it on too frequent occasions. You cannot blame him. I think that was the main complaint which was lodged at one of the meetings.

The CHAIRMAN: Now, gentlemen, it is after ten o'clock. The committee will convene to-morrow at eleven in this room. If you will be in attendance in the same positions to-morrow morning we will continue our discussion.

The committee adjourned at 10.10 p.m. to meet again on Friday, May 23, 1947, at 11.00 a.m.



LIST OF APPENDICES

- APPENDIX EZ—Brief of the Veterans' Association, Wikwemikong, Manitoulin Island, Ontario.
- APPENDIX FA—Brief, dated May 12, 1947, of Whitefish River Reserve, Ontario.
- APPENDIX FB—Brief (undated) of Serpent River Band, Ontario.
- APPENDIX FC—Brief (undated) of Spanish River Band, Ontario.
- APPENDIX FD—Brief (undated) of Wahnapiatae Band, Ontario.
- APPENDIX FE—Brief, dated May 18, 1947, of Sheshegwaning Band, Ontario.
- APPENDIX FF—Brief (undated) of Sucker Creek Reserve, Manitoulin Island, Ontario.
- APPENDIX FG—Two letters, dated 12 May and 16 May, 1947, signed by Mrs. Dorothy McLeod, addressed to Canon Haines, Little Current, Ontario.
- APPENDIX FH—Brief, dated 11 May, 1947, of West Bay Band, Manitoulin Island, Ontario.
- APPENDIX FI—Three statements (undated) in support of representations contained in briefs from Wikemikong, Manitoulin Island.
- APPENDIX FJ—Brief of Grand General Indian Council, Walpole Island, Ontario.

APPENDIX (EZ)

BRIEF OF THE VETERANS' ASSOCIATION OF WIKWEMIKONG,
MANITOULIN ISLAND, ONT.

To the Special Joint Committee of the Senate and the House of Commons, appointed to examine and consider the Indian Act, House of Commons, Ottawa, Ont., Canada.

HONOURABLE GENTLEMEN,—The War Veterans' Association of Wikwemikong consists of over one hundred members. We are all Indians living on the Wikwemikong Reserve where the Band membership is now about 1,600, one hundred per cent Catholic. In two full and lengthy sessions of deep discussion we have prepared this Brief for your careful consideration and action. As we threw open these sessions to all members of the Band and allowed them to vote on everything we discussed; this Brief, while presented in our name, really reflects the opinion of the entire Band.

1. *Treaty Rights and Obligations.*

We feel most strongly that all these treaties should be observed by all parties to them, and that the Indian Department has no right whatsoever to break them both in letter and in spirit of its own initiative and on its own responsibility.

We refer specifically to the fact that Indian women deriving benefits from the Robinson Treaty have been deprived of those rights upon marrying members of our Band who refused to accept that Treaty. The Indian Department is altogether too arbitrary in depriving us of our just privileges.

Since the black day July 24, 1863 when Mr. Gibbard, a commissioner of fisheries, landed at Wikwemikong with 22 constables to take away our fishing privileges, we have suffered greatly from whites coming onto our reserve to fish and hunt; and we wish that the laws in this regard be stringently enforced.

We desire that all the hunting and fishing privileges given to us by the Robinson Treaty be retained by us, no matter how much pressure is brought to bear by the various tourist associations.

2. *Band Membership.*

It is our general opinion that if any Indian woman legally married a white man, and was subsequently deserted by him, then she and her children should be re-admitted to her original band.

3. *Taxation of Indians.*

We feel that all Indians should be exempted from the payment of income tax.

4. *Enfranchisement.*

We are against any enforced enfranchisement of any band of Indians as a whole unit; but we will permit any Indian to enfranchise individually if he so desires. In case he does enfranchise, however, we desire that the children of the said Indian should not be enfranchised until they come of age and can choose for themselves.

5. *Right to vote.*

It is our considered opinion that all Indians should have the right to vote in Federal elections; but on no account should they be forced to surrender any of their present rights and privileges in order to be able to vote.

6. *Old Age Pensions, Relief, etc.*

We believe and we desire that all Indians should be placed on an equal footing with white people in regard to Old Age Pensions, Mothers' Allowances, etc., without at the same time losing any of their present rights or privileges.

We believe that in these years when Canada is giving billions of dollars scotfree to foreign countries, it is criminal and disgraceful to starve and malnutrition the original inhabitants of this country by giving them only a few dollars of relief each month.

8. *Education.*

We Indians are naturally very religious. It was as far back as 1648 that the Jesuit Poncet came to this island and spent seven months with us teaching us the Catholic religion. We love our religion and mean to resist any attempts by minority groups to deprive us of it. For this reason we are very much opposed to the public school system of education being foisted upon us. We want to keep our Catholic denominational schools and we wish to keep religion in our schools as we have always had it from the beginning.

However, we desire that the standard of education in our schools be improved as much as is possible by greater efforts being made by the Indian Department to secure first class teachers, with a higher salary paid to them if necessary.

In the spring of 1946 a strong complaint was lodged on our behalf verbally with Mr. Doucette of the Indian Department about the lack of training given to our children in the Kaboni day school. This complaint was backed up by statistics e.g. not a single boy in school was pass Grade III. Mr. Doucette made a gesture of taking notes about the matter, but no action was ever taken, or anything done to remedy matters as far as we have been able to learn. This is typical of the indifference the Indian Department shows when we try to advance ourselves.

Their excuse for this inactivity is that they can't get teachers. The true reason for the lack of teachers is that they wouldn't educate our own girls to be teachers. About ten years ago two girls put through school by the department (Mary Wabigijik and Mary Kinoshemek) taught only one year, and then got married. The department used this as an excuse not to send any more on for training. Actually four married Indian girls are teaching on our reserve right now, and two married girls from here are teaching on nearby reserves, so it is clear that marriage didn't stop their teaching. In fact one of the two girls the complaint was made about is teaching on a reserve on the Soo line. The Indian girls from this reserve have always shown great aptitude for teaching. The school records for the past ninety years show that they have always been teaching. On July 28, 1857, two Indian teachers from here (Mary Mishibinejima and Margaret Itawegijik) went to the convent of the Sacred Heart, Montreal, to complete their education at their own expense.

Some sixty or seventy children from this reserve are separated from their families every year to go off to a residential school. There is no need for this, whatsoever, as sufficient of them live close enough together that day schools could be erected for them with at least 25 children in each. That there is lumber available for this is evident from the fact that a large tourist establishment on the edge of our reserve has been able to find plenty of lumber to increase their accommodations both last spring and this spring—and ironically enough have been employing Indian carpenters and labour, while our own schools go unbuilt. We earnestly ask the members of the Committee to investigate this situation.

In order that our children might get equal education with white children, we ask for a full Ontario school course, such as is had in the Separate Schools, to be introduced into our schools.

We prefer day schools, when we can get them from the Indian Department, but we realize that the residential school has a definite place in our school

system and can't be eliminated. We think highly of the two residential schools we have at Spanish, Ontario, and wish that they could be given all possible help in the way of good teachers and equipment. A high school and vocational training school should be established there with all possible speed. Eight children from this reserve are finishing Grade IX this year, and they should be encouraged to continue their studies.

9. Medical care

We appreciate the service being rendered to us by Doctor Simpson, our medical officer, and are fully satisfied with him and with the T.B. hospital at Manitowaning.

The dental care of our people has been sadly neglected in the past. We respectfully request that immediate dental care be furnished them through the visit of a dental clinic, and that provision be made for regular visits to the Reserve proper by a qualified dentist. We ask that the present practice of pulling out all ailing teeth indiscriminately without trying to save some by means of fillings be abandoned.

In 1933 at Wikwemikong, of the first twelve deaths, no less than eight were children of one year and less; in other years the proportion is always unreasonably high. We have two hospitals within a radius of 35 miles of this reserve, and we ask that all expectant mothers be taken to a hospital for safe delivery of the child and post natal care of both mother and child. We lose too many mothers and babies.

We further ask that Doctor Simpson be authorized to secure the services of a qualified eye-specialist as the need arises.

In view of the relatively large number of old people living alone on this Reserve without proper attention, we ask that a modest old peoples home be established as soon as possible.

We would like to have our main roads snowplowed in winter, because:—

- (1) We are a very large community and it is an unnecessary hardship to be cut off from the outside world during winter by snowblocked roads;
- (2) We have forty cars and trucks which cannot be operated unless roads are cleared of snow;
- (3) Five stores need a constant stream of supplies and unplowed roads hold these up too much;
- (4) Our daily mail service is constantly being thrown off schedule by snow storms leaving the roads impassable;
- (5) Our many sick are deprived of proper attention, due to difficult travel. Last winter we had to put a dying man, bed and all on a sleigh, build a tent around everything, and thus transport him eleven miles till we got out to the white man's land where we could secure a car and plowed roads to get him to the hospital. He recovered despite it all.

Re building anew of dock destroyed by ice years ago.

Formerly we always had a good dock. In 1861 a dock was built to supply passing steamboats with wood; in 1865 a dock was built for the oil companies; later, a dock was built for steamboats.

Now, however, we have no dock of any description and one is badly needed:—

- (1) For the importing of farm machinery and feed for our 125 farms in actual operation, our 280 working horses, hundreds of cows, pigs, sheep, poultry;
- (2) For the bringing in of supplies to our stores and people;
- (3) For the development of the tourist trade;
- (4) For the convenience of our fishermen.

Re use of liquor.

It is felt that Indians should be put on a par with Whites in regard to the use or abuse of liquor, that the same laws should apply equally to all, and that the Indian Act be amended to that effect.

We thank you for the courteous attention you have given to this brief, and hope that you will see fit to publish it as an appendix to your Minutes of Proceedings and Evidence.

Signed on behalf of the Veterans' Association:

In the absence of the Chief and some councillors away working, signed on behalf of the Wikwemikong Unceded Indian Band by:

- JOHN J. WAKEGLJIG, *Pres.*
- ANDREW TRUDEAU, *Vice-Pres.*
- ONEZIME BEBAMEKAIE, *Second Vice-Pres.*
- JOHN T. OSSIWIER, *Secty.*
- JACOB BONDY,
- B. W. ANDY, *Councillors.*
- DAVID MANITAWAK, *Con.*
- DOMINIC OLLZIG, *Con.*
- MATTHEW PETWANKWAL, *Secty. M.I.U. Band.*

APPENDIX FA

WHITEFISH RIVER RESERVE

MAY 12, 1947.

THOMAS FARQUHAR, M.P.
House of Commons,
Ottawa.

DEAR SIR,—The following is in reply to a questionnaire which deals to the eight points dealt with in the questionnaire.

1. *Treaty Rights and Obligations.*

That our treaty rights and obligations be recognized and respected by both the federal and provincial governments.

2. *Band Membership.*

That the chief and council be given the power to adopt or not to adopt any person into the band.

3. *Liability of Indians to Pay Taxes.*

That Indians should not be liable to pay taxes.

4. *Enfranchisement of Indians both Voluntary and Involuntary.*

That Indians should not be enfranchised unless he so desires.

5. *Eligibility of Indians to Vote at Dominion Elections.*

Indians should not vote at Dominion elections.

6. *The Encroachment of White Persons on Indian Reserves.*

That encroachment of white persons on Indian reserved lands be prohibited.

7. *The Operation of Indian Day and Residential Schools.*

That operation of Indian day schools be continued and that qualified teachers be employed who are capable to teach at least second form high school or higher so that Indian children can obtain higher education.

8. *Other Pertaining to Social and Economic Status of Indians.*

That we require more assistance in the way of financial assistance by way of grants to Indians in establishing business enterprises or in farming; also that a certain area around off the reserves be allotted to Indians for the privileges of hunting and fishing.

Jonas Shawanda.
Mike Pegoneasang.
Daniel McGregor.
Wm. Migwaneki.
Franklyn Paibomesia.
Gus McGregor.
Chief Wm. McGregor.

APPENDIX FB

BRIEF OF THE SERPENT RIVER BAND, ONTARIO

The Indians of the Serpent River band(s) have the honour and pleasure to present the within brief for the consideration of the Joint Committee on Indian Affairs. The subject matter follows the headings and numeration as set down in the Orders of Reference of the House of Commons, Monday, May 13, 1946.

The representations, respectfully submitted, of the band(s), are as follows:

1. *Treaty Rights and Obligations*

Wherever there are treaty rights and obligations, these should be strictly adhered to by all parties of the treaty. These rights and obligations should bind and be respected by both Federal and Provincial Governments, nor should they be abrogated without the consent of both parties. Moreover, where any infringement upon these rights has occurred, such infringement should now be corrected and the treaty restored to its original force.

One case in point is the loss of trapping and hunting rights as provided by the Robinson Treaty. Whereas this treaty provided that all Indians of the seventeen bands along the north shore of Georgian Bay should have exclusive access to the fur resources of that section of Ontario lying south of height of land between Penatanguishene and Batchewana, it is the sad fact that now all Indians are required to obtain permits for hunting and trapping in this section, and it is even true that recently many Indians have lost their traplines and townships in favour of white trappers. There will be some suggestions on this point in Section 8, under "Industry".

2. *Band Membership*

Illegitimate children should be admitted to or excluded from the band at the decision of the Band Council.

3. *Liability of Indians to Pay Taxes*

Indians should be exempt from taxation whether Provincial or Federal.

4. *Enfranchisement of Indians*

In this agency enfranchisement has been very fairly handled. However, when a woman is enfranchised she should be given a fair share of the band fund. On the other hand if she returns to the band she should not have any right to the capital fund until the money drawn from the band has been repaid in full.

5. *Eligibility of Indians to Vote in Dominion Elections*

Indians should have someone in Parliament to represent their interests. Therefore Indians should have the right to vote in Dominion elections. However to vote intelligently there is great need of better education among the majority of Indians. We accordingly urge that education be advanced as speedily as possible so that Indians may take up their responsibilities as soon as possible.

6. *Encroachment on Indian Reserves*

Steps should be taken to prevent the squatting of whites on Indian reserves. Provision should be made that the resources of the reserves be not drained for future generations by the too free concession of pulp and timber rights to non-Indians.

7. Day and Residential Schools

Education is of prime importance in the development of Indians as morally responsible citizens. It should therefore be raised to the highest possible standard. To achieve this end we submit the following:—

(1) Indian schools both day and residential, should be denominational. Education is not worthy of the name of education if it does not extend to the moral training of the person to be educated. Moreover, true moral training apart from religious training is impossible. This fact has at last been recognized in Ontario in the ordination that religion shall be taught in all schools of the Province, whether public or separate. It is furthermore a fundamental tenet in the constitution of our country that everyone shall be free to practise his own religion. Therefore, since there is no such thing as non-denominational religious instruction, opportunity should be given to all to attend schools, whether day or residential, of their own particular faith.

Moreover, it is not enough that religion be allowed to be taught in the schools, but the teachers themselves should be of the particular faith of the pupils, since the practice of religion enters into every field of education and instruction, consciously or unconsciously.

(2) The courses to be followed in all schools should be in every way equal to the courses taught in non-Indian schools. In Ontario they should follow the full Ontario curriculum, so that marks and credits obtained in our schools should be recognized in any school in the Province. There is no reason to do otherwise since Indian students have proved time and again whenever they have been given a fair chance, that they are fully capable of competing on an even footing with any children anywhere.

(3) In order to bring the Indian schools up to the standard of the public and separate schools of the Province, we must have fully qualified teachers. In order to ensure qualified teachers our schools must offer salaries and living quarters fit to attract the best. This means that the grants to residential schools be large enough to allow for higher salaries. Because of the special difficulty of teaching Indian children in the lower grades because of the fundamental difference of language and even of thought formation, our schools should be in a position to choose their teachers with care, rather than be forced to accept whatever is left over from the Ontario schools.

(4) There should be provision to compel attendance at day schools, especially of children between the ages of twelve and sixteen. The family allowance is effective for younger children but too often parents will withdraw their children from school as soon as they are able to earn more than the amount of the family allowance.

(5) There should be adequate opportunity and encouragement for children to go on for higher education. Where possible, the day schools should be developed to provide for the first two years of high school. Besides this, certain central residential schools should be equipped to provide opportunities for all who are not near day high schools. These opportunities should be open to all without discrimination no matter what their location or background.

These high schools should also be equipped for vocational training equivalent to any schools in the province.

If a student shows aptitude and inclination for studies beyond the scope of the day or residential schools, he should be given opportunity to pursue them, not excluding preparation for the most intellectual professions.

8. *Other Matters Pertaining to the Social and Economic Status of the Indians and Their Advancement*

(a) WELFARE:

(1) Medical care: On some reserves it is rather difficult to obtain the services of a doctor, sometimes because the doctor is simply tremendously over-worked, but sometimes also because he simply does not care to come.

(2) Dental care: Under the present arrangement there is no adequate provision for dental care. When an Indian has a toothache the doctor pulls out the teeth. When the Indian has no more teeth he may go to a dentist for a set. That could hardly be called care. There should be regular dental clinics on each reserve.

(3) Old age pensions: These should be the same for Indians as for whites. The same can also be said for mothers' pension and relief. An Indian eats just as much as a white man and his food costs him just as much if not more since he generally lives in a more isolated district where store supplies are more difficult to obtain.

(4) Home for the aged: There should be established homes for Indian aged where they can be given proper regular care. A person who has a large family can generally find a place among his or her children. But old people who have no children are passed around from one family to another, well cared for by some and abused by others, and made to suffer a continual series of humiliations. If they are finally put in a home they may find themselves among total strangers with whom they cannot even converse. On the other hand a small home could provide them with trained attention and congenial companionship.

(b) APPOINTMENTS TO THE INDIAN DEPARTMENT:

These should be open to properly qualified Indian candidates.

(c) INDIAN DEPARTMENT:

There should be a separate Department of Indian Affairs in Ottawa with its own minister in charge. To this department Indian agents should be directly responsible.

(d) SELF GOVERNMENT:

Self government in directing the affairs of the village should be more fully in the hands of the councils. Where it is the unanimous opinion of the village or band concerned to spend money out of the band funds for the improvement of village life, the Indian agent should not exercise his veto power.

(e) COMMITTEE TO REVISE THE INDIAN ACT:

There should be Indian representation to assist in framing and drafting the actual amendments deemed necessary.

(f) INDUSTRY:

One of the main industries of the Indians in this area is trapping. Due to the shelving of the provisions of the Robinson Treaty, the Indians are in danger of being excluded from this industry entirely. It may be said that if the Indians are given free scope to hunt and trap as they wish, game would soon be exhausted. Under the present arrangement that may be true because of the feeling of antagonism and injustice which exists. But if exclusive rights were given back to the Indians as outlined in Section 1, the preservation of the industry would be their own responsibility and could be provided for through the Indian department and its officers. Moreover, if the Indians see that they are preserving the fur and game for themselves and their posterity, and not for the white trappers whom they necessarily regard as poachers, the game laws will be observed.

All of which we respectfully submit.

To be added to the Brief from the Serpent River Reserve.

Under *Industries—Fishing*—That the Indians of this reserve have rights to fish on the inland lakes on Crown lands—It seems to us that the rights to fish on the inland lakes has been reserved to tourists since we understand that it is not possible to have a licence to fish there. We understand that one of our reserve lost his nets as a penalty for fishing on such lakes. We believe that this is against the agreements whereby an Indian may fish anywhere, if such an agreement is not clearly defined and respected then steps should be taken that such an agreement be made and respected, the amount of fish taken from these lakes by an individual Indian for his family certainly could do no harm.

2. That the Indians of this reserve have water rights to protect them from the encroachment of the whites. Serpent River and Cutler Bay front on our reserve. We have no protection from the white fishermen who set their gill and pond nets not more than fifty feet from the shore of the lake or bay. This spoils any chance of our getting fish from these sources. We ask the committee respectfully to have this matter investigated and that means be given to the Indians on the reserve to set up their own fishing equipment and make the water rights such that the Indians will be sure of having these fishing locations strictly theirs. Some amount of fishing industry could be carried on, by the Indians themselves. We ask that a definite limit be set so that a trespasser may be specifically prosecuted for coming beyond that limit. If an area is not decided on then we shall have no definite means of legal prosecution.

3. Trap lines—That eighteen townships back of this reserve be reserved for the use of the people of the Serpent River Band. This is not too much for a reserve of at least forty-five families. The young men of our reserve are more than willing to learn to trap, they have no grounds (trapping grounds) on which they can learn. This reserve has men who are very experienced in trapping and this reserve needs trapping as there is no full time industry on the reserve. We ask that trapping rights and grounds therefore be given to us so that we may make a better living and not be dependent on odd jobs in the near towns. It seems shameful to us that we have no grounds and that so many whites from the nearby town of Spanish and from other places are surpassing us at trapping which could be and should be our special industry here.

Brief presented to the Joint Committee on Indian Affairs by the Indians of Serpent River Band.

Addition to Section 6.

(b) It should be understood no reserve boundaries can be changed or concessions of land for highways or telephone or power lines can be made without the agreement of the band council.

In particular: On the Serpent River Reserve the present highway number 17 has taken a strip of land 120 feet wide and some five miles long from the inhabited section of the reserve. It cannot now be found that there has been any settlement made to the band fund, or any agreement of any kind made with the band council either directly or through the Indian agent. We therefore respectfully submit the petition that this matter be investigated and, if it be found that there has been no agreement reached or due compensation made, that the error be corrected and provisions made that a similar mistake may not occur in future.

APPENDIX FC

The Indians of the Spanish River band have the honour and pleasure to present the within brief for the consideration of the joint committee on Indian Affairs. The subject matter follows the headings and numeration as set down in the Orders of Reference of the House of Commons, Monday, May 13, 1946.

The representations, respectfully submitted, of the Spanish River band are as follows:—

1. *Treaty Rights and Obligations*: Wherever there are treaty rights and obligations, these should be strictly adhered to by all parties of the treaty. These rights and obligations should bind and be respected by both Federal and Provincial Governments, nor should they be abrogated without the consent of both parties. Moreover, where any infringement upon these rights has occurred, such infringement should now be corrected and the treaty restored to its original force.

One case in point is the loss of trapping and hunting rights as provided by the Robinson Treaty. Whereas this treaty provided that all Indians of the seventeen bands along the North Shore of Georgian Bay should have exclusive access to the fur resources of that section of Ontario lying south of height of land between Penatanguishene and Batchewana, it is the sad fact that now all Indians are required to obtain permits for hunting and trapping in this section, and it is even true that recently many Indians have lost their traplines and townships in favour of white trappers. There will be some suggestions on this point in Section 8, under "Industry".

2. *Band Membership*: Illegitimate children should be admitted to or excluded from the band at the decision of the Band Council.

3. *Liability of Indians to Pay Taxes*: Indians should be exempt from taxation whether Provincial or Federal.

4. *Enfranchisement of Indians*: In this agency enfranchisement has been very fairly handled. However, when a woman is enfranchised she should be given a fair share of the band fund. On the other hand if she returns to the band she should not have any right to the capital fund until the money drawn from the band has been repaid in full.

5. *Eligibility of Indians to Vote in Dominion Elections*: Indians should have someone in Parliament to represent their interests. Therefore Indians should have the right to vote in Dominion elections. However to vote intelligently there is great need of better education among the majority of Indians. We accordingly urge that education be advanced as speedily as possible so that Indians may take up their responsibilities as soon as possible.

6. *Encroachment on Indian Reserves*: Steps should be taken to prevent the squatting of Whites on Indian reserves.

Provision should be made that the resources of the reserves be not drained for future generations by the too free concession of pulp and timber rights to non-Indians.

7. *Day and Residential Schools*: Education is of prime importance in the development of Indians as morally responsible citizens. It should therefore be raised to the highest possible standard. To achieve this end we submit the following:—

1. Indians schools, both day and residential, should be denominational. Education is not worthy of the name of education if it does not

extend to the moral training of the person to be educated. Moreover, true moral training apart from religious training is impossible. This fact has at last been recognized in Ontario in the ordination that religion shall be taught in all schools of the Province, whether public or separate. It is furthermore a fundamental tenet in the constitution of our country that everyone shall be free to practise his own religion. Therefore, since there is no such thing as nondenominational religious instruction, opportunity should be given to all to attend schools, whether Day or Residential, of their own particular faith.

Moreover, it is not enough that religion be allowed to be taught in the schools, but the teachers themselves should be of the particular faith of the pupils, since the practice of religion enters into every field of education and instruction, consciously or unconsciously.

2. The courses to be followed in all schools should be in every way equal to the courses taught in non-Indian schools. In Ontario they should follow the full Ontario curriculum, so that marks and credits obtained in our schools should be recognized in any school in the Province. There is no reason to do otherwise since Indian students have proved time and again whenever they have been given a fair chance, that they are fully capable of competing on an even footing with any children anywhere.

3. In order to bring the Indian schools up to the standard of the public and separate schools of the Province, we must have fully qualified teachers. In order to ensure qualified teachers our schools must offer salaries and living quarters fit to attract the best. This means that the grants to residential schools be large enough to allow for higher salaries. Because of the special difficulty of teaching Indian children in the lower grades because of the fundamental difference of language and even of thought formation, our schools should be in a position to choose their teachers with care, rather than be forced to accept whatever is left over from the Ontario schools.

4. There should be provision to compel attendance at day schools, especially of children between the ages of twelve and sixteen. The family allowance is effective for younger children but too often parents will withdraw their children from school as soon as they are able to earn more than the amount of the family allowance.

5. There should be adequate opportunity and encouragement for children to go on for higher education. Where possible, the day schools should be developed to provide for the first two years of high school. Besides this, certain central residential schools should be equipped to provide opportunities for all who are not near day high schools. These opportunities should be open to all without discrimination no matter what their location or background.

These high schools should also be equipped for vocational training equivalent to any schools in the Province.

If a student shows aptitude and inclination for studies beyond the scope of the Day or Residential schools, he should be given opportunity to pursue them, not excluding preparation for the most intellectual professions.

8. Other Matters Pertaining to the Social and Economic Status of the Indians and their Advancement.

(a) WELFARE

(1) Medical care: On some reserves it is rather difficult to obtain the services of a doctor, sometimes because the doctor is simply tremendously overworked, but sometimes also because he simply does not care to come.

(2) Dental care: Under the present arrangement there is no adequate provision for dental care. When an Indian has a toothache the doctor pulls out the tooth. When the Indian has no more teeth he may go to a dentist for a set. That could hardly be called care. There should be regular dental clinics on each reserve.

(3) Old Age Pensions: These should be the same for Indians as for whites. The same can also be said for Mothers' Pension and Relief. An Indian eats just as much as a white man and his food costs him just as much if not more since he generally lives in a more isolated district where store supplies are more difficult to obtain.

(4) Home for the Aged: There should be established homes for Indian aged where they can be given proper regular care. A person who has a large family can generally find a place among his or her children. But old people who have no children are passed around from one family to another, well cared for by some and abused by others, and made to suffer a continual series of humiliations. If they are finally put in a home they may find themselves among total strangers with whom they cannot even converse. On the other hand a small home could provide them with trained attention and congenial companionship.

(b) APPOINTMENTS TO THE INDIAN DEPARTMENT

These should be open to properly qualified Indian candidates.

(c) INDIAN DEPARTMENT

There should be a separate Department of Indian Affairs in Ottawa with its own Minister in charge. To this Department Indian Agents should be directly responsible.

(c) SELF GOVERNMENT

Self government in directing the affairs of the village should be more fully in the hands of the council. Where it is the unanimous opinion of the village or band concerned to spend money out of the band funds for the improvement of village life, the Indian Agent should not exercise his veto power.

(e) COMMITTEE TO REVISE THE INDIAN ACT

There should be Indian representation to assist in framing and drafting the actual amendments deemed necessary.

(f) INDUSTRY

One of the main industries of the Indians of this area is trapping. Due to the shelving of the provisions of the Robinson Treaty, the Indians are in danger of being excluded from this industry entirely. It may be said that if the Indians are given free scope to hunt and trap as they wish, game would soon be exhausted. Under the present arrangement that may be true because of the feeling of antagonism and injustice which exists. But if exclusive rights were given back to the Indians as outlined in Section 1, the preservation of the industry would be their own responsibility and could be provided for through the Indian Department and its officers. Moreover if the Indians see that they are preserving the fur and game for themselves and their posterity, and not for the white trappers whom they necessarily regard as poachers, the game laws will be observed.

All of which we respectfully submit.

APPENDIX (FD)

BRIEF OF THE WAHNAPIITAE BAND

To the Special Joint Committee of the Senate and House of Commons, appointed to examine and consider the Indian Act, House of Commons, Ottawa, Ontario, Canada.

HONOURABLE GENTLEMEN—In two special meetings held on this 19th day of April, 1947, we the members of the Wahanpitae Band, gathered in council under the leadership of our chief William Tahagawenene and councillors Andrew Tahagawenene, Alex Joe Recollet and Norman Recollet drew up this brief which we are happy to submit to you for your consideration.

1. *Treaties and Obligations*

We wish to be allowed to keep our rights of going anywhere we please even outside the Reserve to hunt and fish, like the Robinson Treaty promised us, without being put in jail or fined.

We think that the Indian Department should be made to keep strictly all the treaties it made with Indians, and shouldn't send men round every year breaking them, taking people off the Robinson Treaty list and things like that.

2. *Band Membership*

At present most of us are living on different Reserves from our own, and now many would like to move back to our own Reserve at Wahnapiitae. We wish that the Department will help us to move back and get settled there, without however forcing any one to go back who didn't like to go. We want the Department to help us build houses and start farms again at Wahnapiitae.

3. *Taxation*

We are opposed to the payment of income taxes.

4. *Enfranchisement*

We want to remain as Indians, keeping all our rights intact. We don't want to be forced to become white people, but we feel if any member of our band wants to enfranchise individually, he can do so.

5. *Vote*

We aren't anxious at all about voting, as we might lose some of our privileges.

6. *Old Age Pensions, etc.*

Our old people are too poor altogether and are starving to death through lack of proper care and nourishment. We don't get enough fish and meat any more, and canned food is very expensive, so we need more money for our old people and those on relief. This is a serious matter.

8. *Education*

We are a Band that is completely Catholic and our religion means a good deal to us. We are glad to be Catholics like over half the Indians in Canada are, and we want to stay that way.

That's why we don't want to have the slightest thing to do with any kind of cheap public school. We insist on denomination schools and Catholic ones at that.

But we want our school children to get the best kind of an education, so we want the classes to be run like the Separate Schools in Ontario as far as books and things studied are concerned.

We are proud of our nice Residential Schools at Spanish, Ontario, and want that the Indian Department be told to make them as good as can be got. Tell them not to be afraid to spend money. Our children deserve the very best. We want high schools and training schools at Spanish as quick as can be. Our children shouldn't stop school at grade four or five, and the Indian Department should be made to get us good teachers. Lots of Indian girls would be real good, if only they had a chance to learn. And our boys, too, should be given every chance to go ahead.

9. *Medicine*

The Doctor Simpson that we have at Wikwemikong is real good, and we're glad to have him, but the Doctor Young at Birch Island is too old to do good work and we would like a young man soon. The two hospitals at Manitowaning (T.B.) and Little Current do good work, and our people should be sent there whenever they are sick, and not have to stay in the homes where sometimes they don't get good care.

We want a dentist and an eye-doctor to look after us, and another doctor for our horses and cows. Too many die with no doctor.

If any of our women going to have babies want to go to the hospital to have them, well then let them go. Sometimes they are too sick and die in our houses. Too many kids die, too. Should be something done about it.

Thanking you very sincerely for attending to this, we hope you'll print it in your book like you did those from the other Reserves.

Yours truly,

Wm. Tahagawenene,
Chief Wahnapiatae Band

Alex Joe Recollet,
Councillor Wahnapiatae Band

Norman Recollet,
Councillor Wahnapiatae Band

Andrew Jacko (Tahagawenene),
Councillor Wahnapiatae Band.

APPENDIX (FE)

SHESHEGWANING, Ontario,

May 18, 1947.

The Joint Committee of Indian Affairs,

HONOURABLE GENTLEMEN,—At this meeting of the Sheshegwaning Band at which a little better than two-thirds of the members are represented we have the honour to present to the Joint Committee on Indian Affairs the following comments and suggestions:—

1. As far as we at Sheshegwaning are concerned, we have no complaints about Treaty Rights. We were promised a Doctor, School and a road and we have all those and the boundaries of the Reserve have been kept.
2. We do not like Indirect Taxation such as Radio License on the Reserve.
3. As for enfranchisement we wish individuals to be left free to accept full citizenship when ready to do so.
4. We would like the right to vote in Provincial, as well as Federal Elections.
5. We ask for Old Age Pension, the same as accorded the Whites.
6. We are Anglicans and Catholics at Sheshegwaning, and we wish to keep our Denominational Schools.
7. We would like Residential schools to have a High School Course as well as their present course.
8. We have no complaint against Medical care given us.
9. We think we should not have to pay for a license to trap on or off the Reserve. We object also to pay for a fishing license.

On behalf of the Members of the Sheshegwaning Band:

Signed:

CHIEF SAM SIMON,
ALBERT NEGONAWINA,
PATRICK TURKEY,
ADAM EMDANAWAS,
LEVI WABEGIJID,
JOSEPH NIGANIWINA,
JOSEPH CADA,
ALFRED CADA,
THEODORE SIMON,
NOEL DOMENIC.

APPENDIX (FF)

BRIEF OF THE SUCKER CREEK RESERVE, MANITOULIN ISLAND,
ONTARIO

1. Freedom of Indians to be allowed to live and "mix with" the white people. So that in time there will be no class distinction etc.
2. Old Age Pension wanted for the Indian the same as for white people.
3. They want the Department to improve the Agriculture for the Indian. That is give him some help in buying farm machinery etc.
4. The Indian Department to look after all Indian Property. That is all licenses for fishing and hunting should be paid into the Indian Department instead of the Provincial government.
5. The Indians want the right to vote.
6. Teachers urge that supplies being sent to the school should be at the school in September. The school supplies are so slow in coming that the work is held up a good deal.
7. Salaries paid to teachers of Indian schools should be on an equal standing with that of white schools.
8. Also the salaries for caretaking of the school be definitely increased. Good work will not be done at such a low salary as fifteen dollars (\$15) per quarter.
9. Residential schools considered satisfactory.
10. Chief Chas. Abotossaway has been chief here at Sucker Creek for sixty years and had done a great deal of good work among the Indians. He feels that now he is too old (age 87) to work that the Indian Department should give him a monthly allowance to live on, equal to that of the old age pension received by the white people.

Signed,

CHIEF CHAS. ABOTOSSAWAY.

APPENDIX FG

Sucker Creek, Ont., Little Current,

May 16, 1947.

DEAR CANON HAINES,—1. The Indans want the right to vote.

2. Chief Chas. Abotossaway has been chief here at Sucker Creek for sixty years and had done a great deal of good work among the Indians. He feels that now he is too old (aged 87) to work that the Indian Department should give him a monthly allowance to live on, equal to that of the old age pension received by the white people.

3. Teachers urge that supplies being sent to schools should be at the school in September. The school supplies are so slow in coming that the work is held up a great deal.

4. Salaries paid to teachers of Indian schools should be on an equal standing with that of white school.

5. Also the salaries for caretaking of the school be definitely increased. Good work will not be done at such a low salary as fifteen dollars (\$15.00) per quarter.

6. Residential schools considered satisfactory.

MRS. DOROTHY McLEOD.

Signed: Chief Chas. Abotossaway.

May 12, 1947.

DEAR CANON HAINES,—The people here want a representative from each reserve to meet at a council on Manitoulin Island and pick out the one delegate to go to Ottawa. This will have to be held sometime this week. You and Father Dwyer would have to be present at it.

The people here have chosen the Chief to represent them at the general meeting on Manitoulin. This meeting would have to be held at some central place for all reserves.

Here are the things they want mentioned from this reserve:

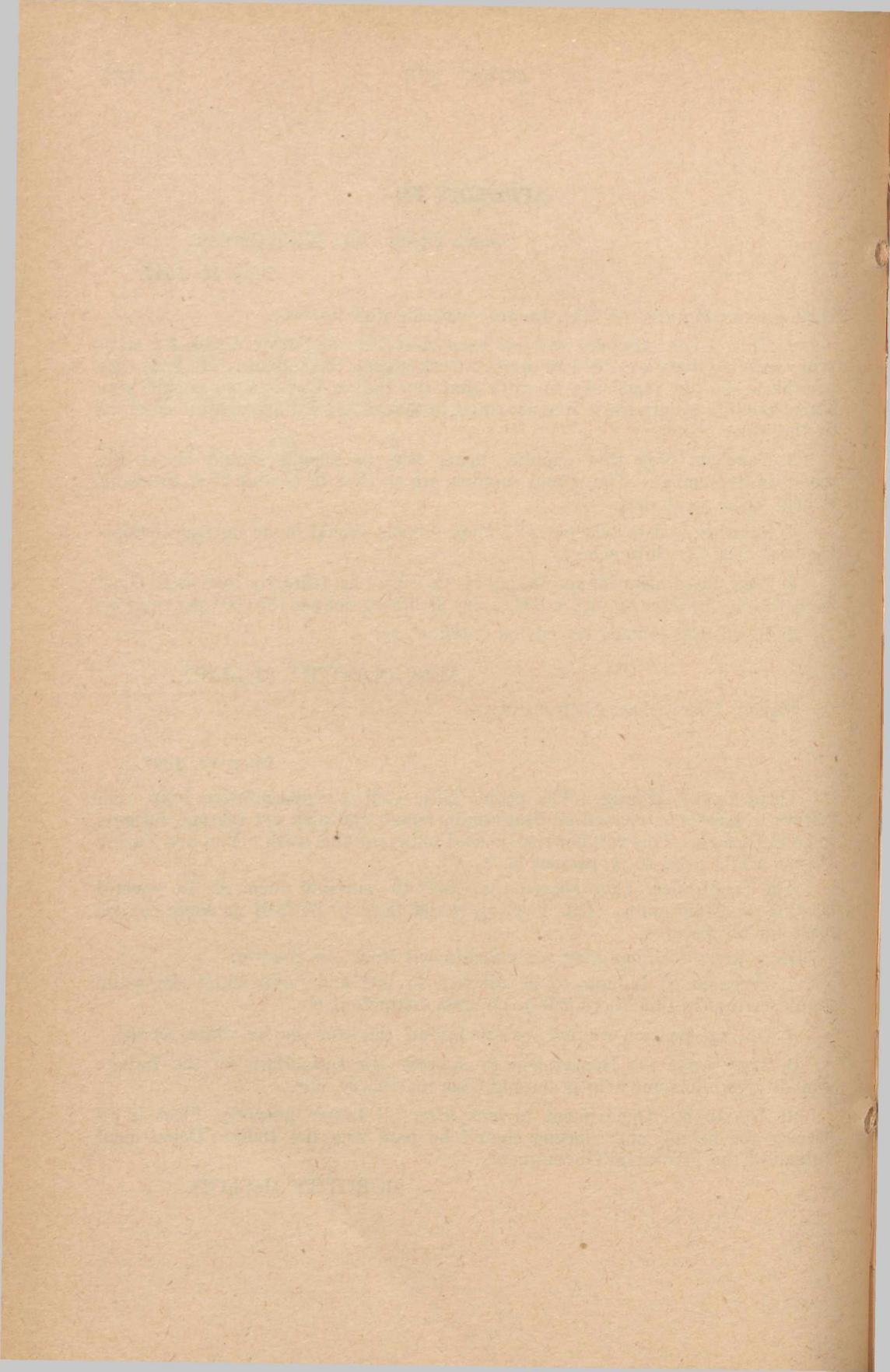
1. Freedom of Indians to be allowed to live and "mix with" the white people, so that in time there will be no class distinction, etc.

2. Old age pension wanted for the Indian, the same as for white people.

3. They want the Department to improve the agriculture for the Indian. That is give him some help in buying farm machinery, etc.

4. The Indian Department to look after all Indian property. That is all licences for fishing and hunting should be paid into the Indian Department instead of the Provincial Government.

DOROTHY McLEOD.



APPENDIX FH

West Bay, Excelsior P.O., Ont.

May 11, 1947.

The Joint Committee on Indian Affairs:

HONOURABLE GENTLEMEN:—The West Bay Band of the Manitowaning Agency, at a well-attended meeting, having freely discussed for three and a half hours, points suggested by the Honourable J. A. Glen, and other matters concerning this reserve in particular have the honour to present their opinions and suggestions to the Joint Committee on Indian Affairs.

- (1) We wish to keep the membership of the band as it stands at present.
- (2) As to the right to vote, some desire it and others are afraid to request it lest they lose some treaty rights.
- (3) Some favour enfranchisement some will not ask for it until they have a better understanding of the responsibilities entailed.
- (4) All present at the meeting urge their request for old age pensions such as whites enjoy.
- (5) We wish to keep the Ontario Catholic School system, but request that separate school inspectors see to it that teachers follow the schedule carefully so as to teach the full course.
- (6) While we favour fully qualified teachers we would like teachers of primary grades to speak Indian even though they hold a lower certificate. We think that such a teacher succeeds better with children who know no English when they begin school.
- (7) We would like to have authority to change a doctor if he does not do his duty.
- (8) A private phone line to the doctor's office would be desirable as at present long delays occur in getting through, even in emergencies.
- (9) We would welcome some small industries such as boat-building, machine-shop, garage, etc.
- (10) In a short time there will not be enough arable land to support our increasing population. We ask aid in buying land off the reserve from farmers who wish to sell. An extension of the reserve boundaries would not serve the purpose as it would include too much rock and useless territory.
- (11) We would rather the Indian Agent had less power to interfere, and would like to be able to act for ourselves in some matters where the agent's interference is more a hindrance than a help.

Chief Dominic Migwans
Councillors: Ambrose Pleasant
Ivan Paul

APPENDIX FI

STATEMENTS IN SUPPORT OF REPRESENTATIONS IN
WIKWEMIKONG BRIEFS .*General Brief*Section 1. *Treaties*

In the early days all the islands around the Wikwemikong Reserve (Lonely Island, Fitzwilliam Island and so on) belonged to the reserve. They had been given by treaty to the Indians before there ever was a province of Ontario, and were in actual fact lived upon and used by the Indians. Then they were taken away from the Indians and given to the province. Your Indian department officials can supply the dates and so on.

Priests' Diary—Jesuit Journal

In 1836 begins the day by day record by the priests of all the events of each day. From reading it we get an inside story of the Head treaty, McDougall treaty, Robinson treaty itself.

From various entries we see a constant fight on the part of the Indians to protect their fishing rights and so on, and a gradually losing of those rights.

Commercial pond nets set up by Killarney fishermen in Wikwemikong Bay and James Bay (Wikwemikonsing).

Fishing Rights, July 20, 1859

A Mr. Gibbard, Commissioner of Fisheries requests Father Hanipaux to inform the Indians that henceforth they will have to secure by auction whatever fishing grounds they would wish to keep. The chiefs protest against this infringement on their rights, but superintendent will not listen to them.

Arrest of John Cooper for picking up dead deer.

Women losing Robinson treaty money.

Catherine Flamand wife of Matthew Pitawanakwat, Sarah Shawana, wife of Jacob Bwandy, and many others.

Batchewana Band

Treaty in treaty book shows that they surrendered their lands in a two-fold proposition: (1) a lump sum of money; and also (2) land elsewhere.

(Find treaty in book about 1849).

The money was given.

The land was never given—Davis, senior lawyer of department, frankly admitted this to Father O'Flaherty in a conversation in 194?, at Ottawa.

The Batchewana Band went to Garden River Band as squatters sort of.

In late 1930's the Garden River Indians wanted to get rid of them as they had grown too numerous. The Batchewana Band needed a new reserve. The Ranlein location between Garden River and the Soo was available, price about \$17,500 (check on this). The department wouldn't or couldn't get this money from the government, bluntly said "there's a war on and we need it elsewhere" (Davis), although they should have done so to fulfill part two of the treaty.

The Batchewana Band had to buy the new reserve out of their band funds. (This should all be easy to check on).

Section Six—Relief

Relief about \$4.60 a head. (Jacob Bwandy councillor. Homes most miserable, no money for cloths, etc., secondhand handouts.

Cummings prices for birch bark, etc.—Cronin's, Cummings' payment of guides.

*Veterans' Brief**Section Eight—Education*

About the Kaboni day school.

It was Father O'Flaherty in charge of Kaboni that spoke to Mr. Doucette in the presence of the Indian agent at the time that Mr. Doucette visited the reserve to talk to the veterans, spring of 1946.

Actually teaching now: my sister in West bay, my wife in Baswa, Mrs. Adam Corbiere in Wikwemikong, Mrs. Joe Trudeau in Wik, Mrs. John Wakegijik in Rabbit Island, Mrs. Henry Fox (Rose King) in Birch Island, Mrs. Napons (Mary Kinoshemeg) Mississauga, Mary Wabigijik ? Whitefish Lake, Christine Wakegijik up the T.N.O.

APPENDIX FJ

GRAND GENERAL INDIAN COUNCIL

Walpole Island, Ont.

May 3, 1947.

Mr. Norman E. LICKERS
 Liaison Officer,
 Joint Committee of the
 Senate and House of Commons
 Ottawa, Ontario.

DEAR SIR,—A Grand General Indian Council of Ontario meeting was held on Walpole Island Reserve on April 30, May 1, and 2, 1947, for the purpose of drawing up briefs as desired by the Joint Committee of the Senate and House of Commons, which are as follows:

No. 1. *Treaty Rights and Obligations.*

They be maintained; the Indian Reservation lands be exempt from the crown as stipulated in the original treaties and also the Gunshot Treaty, No. 96 Anno 1792 in regard to water shore rights which are to hold good as long as the grass grows and as long as the water flows.

No. 2. *Band Membership:*

Any illegitimate child with Indian blood be admitted into the band which his or her father and mother is a member.

(a) Any Indian woman shall have the same status as provided for a male member of any reserve with the exception her land will be retained as band land after she is through with it or dies.

No. 3. *Liability of Indians to pay taxes:*

Indians be exempt from paying taxes and income taxes when working outside of an Indian reservation.

(a) Whites having summer cottages on Indian reservations, paying taxes on said cottages be paid to an Indian Agent for public purposes on the reservation rather than, as at the present, to the adjacent Townships.

No. 4. *Enfranchisement of Indians, both voluntary and involuntary:*

We do not want enfranchisement, but this matter be left to each Indian to use his discretion.

No. 5. *Eligibility of Indians to vote at Dominion Elections:*

We do not care for the right to vote, but if the Government wishes to grant us this privilege it should not become a reason to encroach upon our treaty rights.

No. 6. *Encroachment of White Persons on Indian Reserves:*

We believe that Indian Reserves are strictly the property of Indian Bands, and that no white person should be tolerated on any of them; The Department of Indian Affairs should also expel immediately all white persons who have homes on Indian Reserves and who are conducting business thereon

No. 7. *Operation of Day and Residential Schools:*

That the curriculum on Indian Schools be the same as that of the Public Schools, and that teachers on Indian Schools be paid a salary on a par with the salaries of teachers who are teaching in Public Schools anywhere.

No. 8. Any other matter pertaining to the social and economic status of Indians and their advancement which in the opinion of such committee should be incorporated in the revised Act.

(a) Indian women be given the right to vote at Indian elections and any public matters of their reserves.

(b) Hospitals be erected within convenient reach of Indians in the isolated reserves.

(c) Aged Indians be given pensions.

(d) The word "SQUAW" be put out of use from the English language. N.B. SQUAW; the meaning of this word is of a private nature and applies to all females regardless of nationality.

PAPOOSE is not an Indian word and has no place in the English language. These two words are an INSULT to the Indian race.

(e) Section 91, sub-section 24 of the British North America Act was up for considerable discussion, but no conclusion was arrived at. It was finally decided to leave this matter to the assistant secretary, James Fox to use his discretion as to the way it should be brought to the attention of the Joint Committee of the Senate and House of Commons which is as follows:

The above said section 91, subsection 24 of the B.N.A.A. should be abolished as I believe this is the root of the Indians' downfall.

(Sgd.) JAMES FOX

A motion was carried that President H. B. Williams, Walpole Island, Ontario, and Chief Joseph Wahbegeshik, Wikwemikong, Ontario were appointed to present the above briefs to the Joint Committee of the Senate and House of Commons at Ottawa, Ontario.

(f) *Indian Act 126... Intoxicants:*

Motion was passed that liquor restrictions in the Indian Act be revised.

(g) That we request the Parliamentary Committee recognize the Grand General Indian Council of Ontario as a body of Indians from Ontario dealing with the Indian Act questions and other matters pertaining to Reserves.

(h) In regards other briefs drawn by individual bands and were reported by delegates by their respective bands were not discussed, but affirmed by the Grand General Indian Council for their respective briefs to be presented to the Joint Committee, Ottawa.

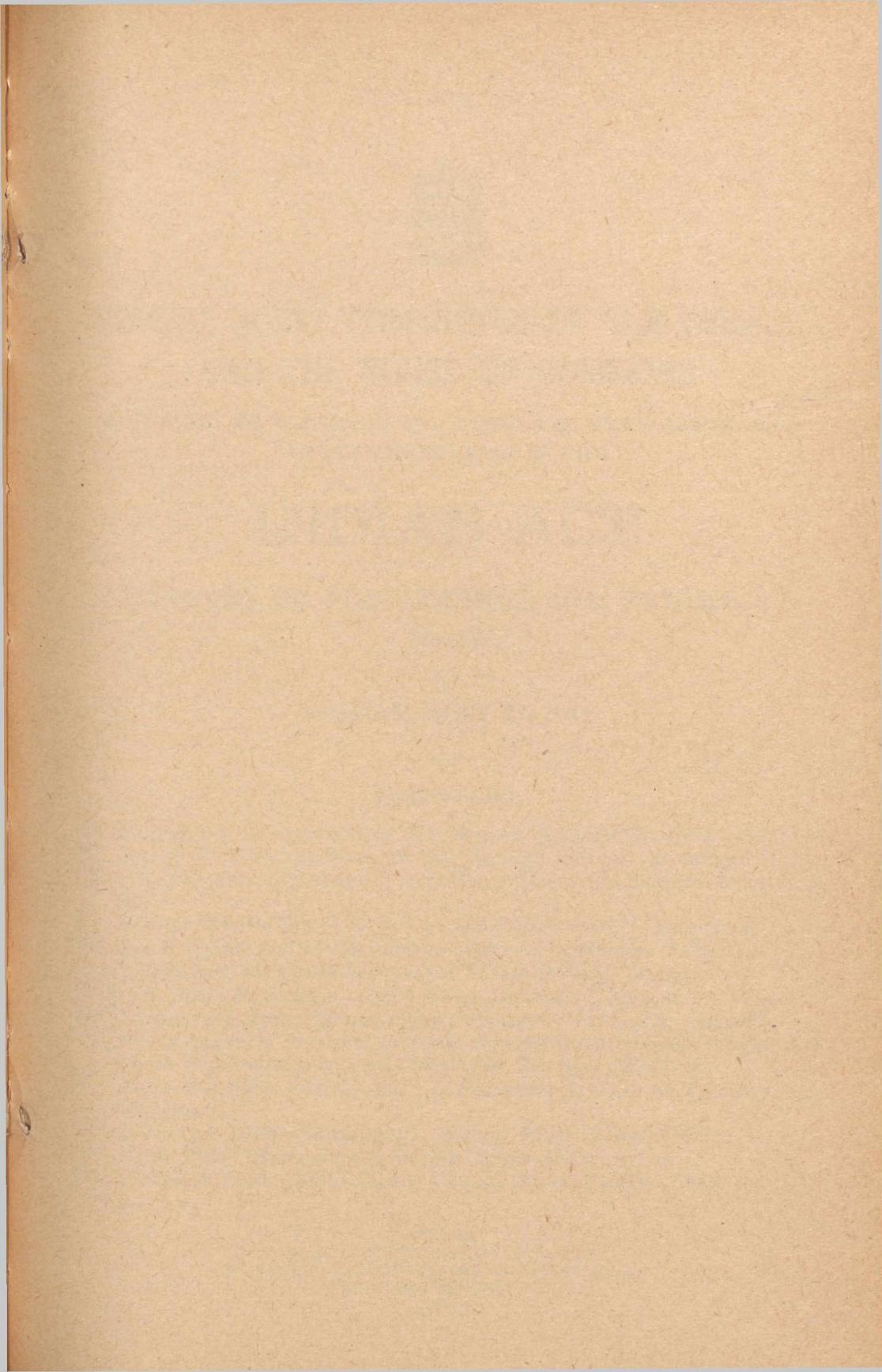
We therefore beg and submit to your honourable Sirs, our general outline and in sort, briefs as stated.

(Sgd.)

H. B. WILLIAMS
President

WALLACE LONEY
Secretary

Walpole Island, Ontario.
R.R. No. 3.



SESSION 1947



SPECIAL JOINT COMMITTEE OF THE SENATE
AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION
AND CONSIDERATION OF THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 26

FRIDAY, MAY 23, 1947

WITNESSES:

- Mr. Reginald Hill, representing Six Nations' Council, Brantford, Ont.;
Mr. Joseph C. Hill, representing Six Nations' Council, Brantford, Ont.;
Chief Sam Lickers, representing Hereditary Chiefs, Six Nations, Brantford,
Ont.;
Mr. William Smith, Six Nations "Iroquois" Confederacy, Brantford, Ont.;
Mr. Asa Hill, Indian Defence League of America, Niagara Falls, N.Y.;
Chief Tom Roy, for Northwest Angle Treaty Indians, Ontario.
Chief William Meawasige, representing Indians of Manitoulin Island;
Mr. Lawrence Peltier, Wikwemikong Reserve, Manitoulin Island;
Mr. Henry Jackson, Midland, Ontario, representing Robinson Treaty and
James Bay Indians, and spokesman for Temagami Reserve;
Mr. Telford Adams, Sarnia, Ont., representing Indians of Southwestern
Ontario;
Chief William Pine (Shingwauk), Garden River Reserve, Ont.;
Mr. Mark Pine, (Shingwauk), Garden River Reserve, Ont.;
Mr. Frederick Pine (Shingwauk), Garden River Reserve, Ont.

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY

1947

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,
Friday 23rd May, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

Present:

The Senate: The Honourable Senator Blais. 1.

The House of Commons: Messrs. Brown, Bryce, Blackmore, Case, Castleden, Charlton, Farquhar, Little, Matthews (*Brandon*) (Vice Chairman) MacLean, MacNicol, Reid, Richard (*Gloucester*)—13.

In attendance: (From Indian Affairs Branch): Messrs. R. A. Hoey, Director; T. R. L. MacInnew, Secretary; B. F. Neary, MBE., Superintendent, Welfare and Training; H. M. Jones, Supervisor, Family Allowances; W. S. Arniel, Inspector for Ontario; Lt.-Col. E. P. Randle, Superintendent, Six Nations; G. Patrick, V.L.A.; also, The Rev. Canon H. A. Alderwood, D.D., Supt., Indian School Administration, Missionary Society, Church of England in Canada; Rev. Father J. A. Brachet, O.M.I., Principal, Indian Residential School, Fort Alexander, Manitoba; Rev. Fr. G. Laviolette, O.M.I., Editor, Missionary Record, Lebrét, Sas.; J. C. Forward, MSCC; also, Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer; also, the witnesses to be questioned this day (See Minutes of Evidence) and the following other Indians: Walter Sands, Walpole Island; J. B. Tootoosis, President, Union of Saskatchewan Indians; John Twain, Temagami, Ont.; William E. Pine (Shingwauk), Garden River; Daniel Pine; Mark Pine, Fred. Pine, all from Garden River; E. D. Tabobondung, Parry Sound; Chief C. L. Big Canoe, Georgina Island; Lewis Jackson, Christian Island; D. MacKenzie, Temagami; Alex. Paull, Temagami; Phillip McDougall, Temagami; J. A. Burnham, Six Nations; Gordon Martin, Six Nations; Chief J. A. Martin, Six Nations; David Thomas, Six Nations; John Henhawk, Six Nations;

The Chairman read into the record a letter authorizing Mr. Lawrence Peltier to appear before the Committee as a representative of the Wikwemikong Reserve.

Questioning resumed of witnesses representing Indians of Ontario.

Messrs. Reginald Hill and Joseph C. Hill, from Six Nations; Chief Sam Lickers, representing Hereditary Chiefs, Six Nations; Mr. William Smith, of Six Nations 'Iroquois' Confederacy; Mr. Asa Hill, from Indian Defence League of America.

The Committee adjourned at 1 o'clock p.m., to meet again at 4 o'clock p.m. to-day.

AFTERNOON SESSION

The Committee resumed at 4 o'clock p.m.

Presiding: Mr. D. F. Brown, M.P. Joint Chairman.

Present:

The House of Commons: Messrs. Brown, Brunelle, Bryce, Blackmore, Case, Castleden, Farquhar, Little, Matthews (Brandon) (Vice Chairman)—9.

In attendance: as at morning session.

Questioning resumed of witnesses.

Messrs. Tom Roy, for Northwest Angle Treaty Indians;

Chief William Meawasige, representing Manitoulin Island;

Lawrence Peltier, Wikwemikong Reserve, Manitoulin Island;

Henry Jackson, representing Robinson Treaty and James Bay Indians and also as spokesman for Temagami Indians;

Mr. Telford Adams, Sarnia, Ontario, representing Indians of Southwestern Ontario;

Chief William Pine (Shingwauk), Garden River Reserve;

Mr. Mark Pine, Daniel Pine and Fred. Pine, all from Garden River Reserve.

The Chairman thanked the delegates for the valuable assistance they had rendered to the Committee and advised them that if there were any other matters which they would like to put before the Committee and which they had overlooked, or had not the time to present, that they should send written briefs covering such matters to the Clerk of the Committee "within the next few days".

All witnesses were excused from further attendance and withdrew.

The Committee adjourned at 6.05 p.m., to meet again on Tuesday next, 27th May, at 11 o'clock a.m.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

HOUSE OF COMMONS,
May 23, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11.00 a.m. Mr. D. F. Brown, (Joint Chairman) presided.

The CHAIRMAN: Before we proceed with the minutes of the meeting, I want to present first a brief from the Wikemikongs of Ontario.

If you would permit this to be filed it can be added to the minutes of the proceedings of this committee.

Agreed.

WIKWEMIKONG, ONTARIO
May 20, 1947.

Mr. R. A. HOEY,
Director Indian Affairs Branch,
Ottawa.

DEAR SIR: Mr. Lawrence Peltier of this Reserve was duly elected at an assembly of Manitoulin Island chiefs and other delegates held last night to represent us at Ottawa together with Chief Meawasige at the hearings of the Special Joint Commission.

We wish Mr. Peltier while he is in Ottawa to do all that he is able to further the best interests of this Reserve, and we would be most appreciative of any assistance that you yourself and the Department could give him in the way of furnishing any information, records etc. that he might desire.

A brief was forwarded to Ottawa by our Agent Mr. Johnson that had been made up last year. We have lost track of its whereabouts and don't know if it has yet been brought to the attention of the Special Joint Committee. If you are aware of its present whereabouts, we would be grateful if you could arrange that Mr. Peltier be given an opportunity to read the said brief, in order that he might be in a position to bring before the Committee any thing from it that he might want to discuss with them.

We thank you very much for your courtesy in this matter, and in the absence of our Chief and several councillors out loading pulpwood, we sign ourselves

Yours truly,

JACOB BWANDY, *Councillor.*

MATTHEW PITAWANAKWAT, *Secretary.*

Now yesterday we were questioning representatives of the Six Nations and the first two witnesses were Mr. Reginald Hill and Mr. Joseph Hill. Now if it is your pleasure we will continue with the examination. Mr. Lickers was examining the witness.

I might draw to the attention of the committee, before we proceed further, that this room must be vacated early to-day. Yesterday I told you that it would have to be vacated by 1.00 o'clock but the meeting can go through until 5.00 o'clock. We have an extension until 5.00 o'clock this afternoon but it must be vacated at that time.

Mr. REID: May I ask why it must be vacated, for what reason?

The CHAIRMAN: Because there is a larger meeting to take place here.

Mr. BRYCE: What kind of a meeting?

The CHAIRMAN: I believe it is a caucus.

Mr. BRYCE: Are you positive that it is a caucus or is it a social gathering?

The CHAIRMAN: It is not a social gathering.

Mr. FARQUHAR: If we have until 5.00 o'clock that gives us a good extension.

Mr. BRYCE: Well let us get on with it then.

The CHAIRMAN: Well is it agreeable to the committee?

Agreed.

Now, Mr. Lickers will you go ahead?

Mr. LICKERS: I have just one further question on education and I believe Mr. Hilton Hill, that you obtained a copy of the report of the local council of women at Brantford in connection with the Mohawk residential school.

Mr. HILTON HILL: Yes, I have it in my hand.

Mr. LICKERS: Rather than read it, would you mind just filing it as an appendix to the report. (Appendix FK)

The CHAIRMAN: Thank you very much Mr. Hill.

Mr. LICKERS: Who was that copy prepared by, do you know?

Mr. HILTON HILL: Miss Willoughby, the secretary of the local council of women.

Mr. LICKERS: And you obtained that from her?

Mr. HILTON HILL: That is right.

Mr. LICKERS: Now, Mr. Reginald Hill, in connection with the powers of the council, what actual authority have they on the Six Nations reserve?

The CHAIRMAN: May I ask if it agreeable to the committee that the report of the local council of women of the city of Brantford be appended to the minutes of this meeting?

Agreed.

Mr. REGINALD HILL: What was that question again, Mr. Lickers?

Mr. LICKERS: I would just like to know what the authority of the Six Nations council is on the reserve?

Mr. REGINALD HILL: Their authority is comparable to that of a municipal council off the reserve, with the exception however, that their decisions are subject to approval of the Indian Affairs Branch.

Mr. LICKERS: All of their decisions?

Mr. REGINALD HILL: Yes, I think I can safely say all of their decisions.

Mr. LICKERS: Then if they hold a meeting we will say, and pass a resolution to-day in connection with local affairs, would that resolution have to be sent down to the department here before any action could be taken?

Mr. REGINALD HILL: That is correct.

Mr. LICKERS: And how prompt is that approval?

Mr. REGINALD HILL: We generally get approval before the following council meeting.

Mr. LICKERS: And how long is that?

Mr. REGINALD HILL: That is not always correct, there are hold-ups, because the council meets monthly.

Mr. LICKERS: Is that a satisfactory way, as far as you are concerned, of governing the Six Nations? I am speaking of local affairs.

Mr. REGINALD HILL: In our brief in various places, on page 6 for example, subsection 2; we say: "The decision of the band or council of the band shall be final and conclusive, subject to an appeal to the superintendent general". That would undoubtedly eliminate this delay and vest real power in the councils located on our reserves.

Mr. LICKERS: Does the council carry on any schemes for improvement on the reserve?

Mr. REGINALD HILL: The upkeep of roads, for one thing, is directly under their control. They have a roads committee. The local agriculture society conducts farming improvement schemes and also conducts a swine club. They receive grants from the council to assist in the carrying out of the project.

Mr. LICKERS: Is there any project on the Six Nations reserve to help the young people after they have left school? I am talking of those between sixteen and twenty-two or twenty-five?

Mr. REGINALD HILL: There is a young people's organization which meets twice a week and my colleague here, Mr. Joseph Hill is in charge of that and I would much prefer that he give you the details.

Mr. LICKERS: Would you care to do that Mr. Joseph Hill?

Mr. JOSEPH HILL: The young people meet twice weekly. Do you want me to give a report of their activities?

Mr. LICKERS: Just briefly please.

Mr. JOSEPH HILL: We carry on with such activities as tumbling, pyramid building, group games, stunt games, basketball, volleyball or hockey, and we are publishing a newspaper known as the Pine Tree Chief. There are other minor things that we are carrying on but those are the major activities.

Mr. LICKERS: How are they financed?

Mr. JOSEPH HILL: The council supply the hall, the heating, and the lighting.

Mr. LICKERS: And what about the purchase of equipment?

Mr. JOSEPH HILL: To begin with, the young people themselves undertook to purchase the equipment that we have. We did receive some aid two years ago and we were able to get parallel bars and a horse.

Mr. LICKERS: But at the present time the young people are financing that themselves, are they, with the exception of the rental of the hall?

Mr. JOSEPH HILL: Yes.

Mr. LICKERS: Now then, I notice also in your brief that you mentioned that you would like to have authority to spend up to \$1,000; absolute authority in the council to spend up to \$1,000 at any one time. Now does that include not only the interest on your trust funds but also the principal itself.

Mr. REGINALD HILL: The interest from our trust funds was what they had in mind. They had no intention of touching the actual principal.

Mr. LICKERS: Then would it be safe to say this? Do you want full control of the interest on your trust funds?

Mr. REGINALD HILL: We do not want to withdraw it from its present deposit but we do want to have the final say and complete say as to how it shall be spent.

Mr. LICKERS: That is on the interest, but what about the capital?

Mr. REGINALD HILL: I think we mention in our brief on page 2, subsection 3, something which would answer that. "While we approve of our funds being held in trust by the government"—I think that answers your question.

Mr. LICKERS: You do not want to have control of the capital?

Mr. REGINALD HILL: Only to the extent that no moneys will be expended without our knowledge and consent as mentioned further along.

Mr. LICKERS: Do you not think it would be a simpler procedure if, each year, the interest on your trust funds were transferred to the bank account at Brantford to the credit of the band so that the band by its representatives could draw cheques on that for the running of your local affairs?

Mr. REGINALD HILL: That was discussed at some considerable length and it was felt by leaving it with the government here in Ottawa we would realize more interest on it than could be gained were it withdrawn and placed in a chequing account in Brantford.

Mr. LICKERS: So you would rather leave it here in Ottawa?

Mr. REGINALD HILL: That was the final decision and it was for that reason.

Mr. LICKERS: I think that is all I have to ask, Mr. Chairman.

The CHAIRMAN: Now that Mr. Lickers has finished his examination what is your pleasure with respect to examination by the committee? Shall I limit it to a definite time?

Mr. BLACKMORE: Mr. Chairman, I would be very well pleased, personally, to see Mr. Lickers carry on with the other gentlemen and then after that we could divide up the time.

The CHAIRMAN: What is the pleasure of the committee?

Mr. REID: I think there should be continuity of examination.

The CHAIRMAN: Is it the pleasure of the committee to permit examination by members at this stage?

Mr. BRYCE: The questions will be much similar whether one man asks them or another. If one of us asks them there is no need to have them asked over again.

Mr. REID: You would have continuity with respect to the witnesses who are now here.

The CHAIRMAN: All I want to do is to find out the pleasure of the committee. Is it your pleasure now for members of the committee to submit questions to the witness?

Carried.

Q. Is it your wish to limit the examination by any one member of the committee to ten minutes?

Carried.

Mr. CHARLTON: Mr. Chairman, I have just a few questions I would like to ask. Mr. Hill, you intimated in your statement yesterday that teaching on the reserve did not follow the same curriculum as that taught in the county schools. That may have been a misunderstanding on my part and I just wanted to ask you if that was true?

Mr. JOSEPH HILL: I believe you must have misunderstood, because we do follow the provincial curriculum.

Mr. CHARLTON: And the Brant county inspector inspects your schools?

Mr. JOSEPH HILL: That is correct.

Mr. CHARLTON: And you are acting in an advisory capacity to him?

Mr. JOSEPH HILL: Yes.

Mr. CHARLTON: I believe that you applied for an appointment to the Mohawk Institute at one time?

Mr. JOSEPH HILL: That is right.

Mr. CHARLTON: For the position of principal, or Indian agent, or something like that?

Mr. JOSEPH HILL: That is right.

Mr. CHARLTON: And did your application have the support of the agent?

Mr. JOSEPH HILL: That is right.

Mr. CHARLTON: What about the council?

Mr. JOSEPH HILL: They also supported my application.

Mr. CHARLTON: For what reason did you not get the job, do you know?

Mr. JOSEPH HILL: I cannot answer that.

Mr. CHARLTON: Is there any other member of the delegation who would be able to give an answer to that question? There is no obvious reason, it was just that you did not get the position?

Mr. JOSEPH HILL: The only reason that I can give would be that the church concerned wanted to retain their right to the appointment of officials.

Mr. CHARLTON: Well, I understand that the department is paying the entire cost of the operation of that school now.

Mr. JOSEPH HILL: To the best of my knowledge.

Mr. CHARLTON: And the church has not contributed anything to that school for some time and does not contribute at the present time?

Mr. JOSEPH HILL: I do not know.

Mr. CHARLTON: Probably Mr. Hoey could answer that question.

Mr. HOEY: I do not know of any contribution on the part of the church at the present time or at any time since I came to the department.

The CHAIRMAN: That institute is maintained by the Anglican church, is it not?

Mr. CHARLTON: It was previously, Mr. Chairman; but apparently in the last few years it has been taken over by the department entirely.

Mr. HOEY: Mr. Chairman, it is a quite involved story. It is one of the oldest residential schools in North America and the property of the New England company.

The CHAIRMAN: Your ten minutes is fleeting, Mr. Charlton.

Mr. HOEY: Briefly, the Anglican archbishop of the diocese insisted on appointing the principal. That is really the crux of the whole matter; and the department took the stand that a trained educationist, a layman, might well be put in charge; and the archbishop was extended the right to appoint a chaplain but he was not satisfied with that and negotiations went on for years with the result that the principal is an Anglican clergyman. The buildings are owned by the New England company while the farm land is owned by the Six Nations. The school is financed by the department and the principal is appointed on the recommendation of the archbishop. That is one of the most confused administrative set-ups I have ever run into in a long experience.

Mr. CHARLTON: Referring to page 5 of your brief, "reinstatement of enfranchised minors"; I understand there have been cases where minors have been enfranchised by their parents.

Mr. REGINALD HILL: That is right.

Mr. CHARLTON: Do you know of many cases of that kind?

Mr. REGINALD HILL: We have discussed these two cases on the Six Nations.

Mr. CHARLTON: And these minors now having become of age it is your desire that they be restored to active membership in the band? I understand they have made applications to that end.

Mr. REGINALD HILL: In one case they actually placed the money on the table, their share of the band funds.

Mr. CHARLTON: And they were refused?

Mr. REGINALD HILL: Because there was no provision in the Act; they could not be accepted and reinstated. It was for that reason that we made the recommendation which we did there in section 10 because we felt an injustice had been done and that the best way to rectify it would be to give them the privilege of regaining their membership if the council saw fit.

Mr. CHARLTON: Mr. Maracle, last night I understood you to say that the Indian council had not been to the Mohawk Institute for some years, I believe.

Mr. MARACLE: I didn't say that. I think I said "two years"; I said they had not visited it last year.

Mr. CHARLTON: Why did they not visit it last year, could you tell me that?

Mr. MARACLE: Well, it was laxity on the part of the council.

Mr. CHARLTON: Laxity on the part of the council; they could have visited it had they wanted to?

Mr. MARACLE: Yes.

Mr. CHARLTON: Now, on page 3 of the brief, section 3, you have a reference to agriculture. You now have an agricultural supervisor on the reserve, have you not?

Mr. JOSEPH HILL: An inspector, yes.

Mr. CHARLTON: Is he an Indian or a white man?

Mr. REGINALD HILL: He is a white man.

Mr. CHARLTON: Has there ever been an Indian apply for that position?

Mr. REGINALD HILL: There has been.

Mr. CHARLTON: Have you any reason for his not getting the position?

Mr. REGINALD HILL: We know of no reason for him not to. I may say that he is a graduate of O.A.C. and the present holder of the position is not a graduate.

Mr. CHARLTON: Are his services satisfactory as far as the Indian reserve is concerned?

Mr. REGINALD HILL: Not being a farmer perhaps I should not answer that. Probably someone else could. Mr. Maracle informs me that his services have not been entirely satisfactory.

Mr. CHARLTON: You have stated in your brief that you wanted an agricultural agent there provided with sufficient funds to increase considerably the development of progress of agriculture on the reserve and to cooperate with the provincial department of agriculture; do you mean to say that he should work directly under the provincial department of agriculture, or under the Indian agent?

Mr. REGINALD HILL: In the discussion, when this matter was brought up, we had in mind making a recommendation. Up to the present time the Ontario department of agriculture has been most generous with us and made available all the various courses in this particular program. For instance, at the present time we are receiving a grant from the Ontario department of agriculture and we felt that we were dependent entirely on the goodwill of the province of Ontario, that there should be provision made for aid coming from the federal department as well and then we would be more in a position to ask for this rather than to beg for it.

Mr. CHARLTON: In other words, in a cooperative capacity rather than having the Ontario department actually in charge.

Mr. REGINALD HILL: That could be settled after the set-up is arranged. That would be fine.

Mr. CHARLTON: Do you not think it would be a satisfactory arrangement to have the agricultural agent on the reserve more or less an assistant to the agent, or an assistant agent?

Mr. REGINALD HILL: Do you mean, to the agricultural representative?

Mr. CHARLTON: No, to the Indian agent, assistant to the Indian agent.

Mr. REGINALD HILL: To a great extent I believe that that is the case now.

Mr. CHARLTON: And more or less be raised to the position of Indian agent on the reserve as Indian agents are retired or superannuated.

Mr. REGINALD HILL: That might be fine, particularly after he had gained considerable experience.

Mr. CHARLTON: But it would be a good training for an Indian agent, would it not?

Mr. REGINALD HILL: I do not know any reason why it should not be excellent.

The CHAIRMAN: Sorry, Mr. Charlton, your ten minutes have long since expired.

Mr. REID: So much attention has already been given to the subjects of education and schools that I am going to pass that over for the moment and proceed to other topics. My first question is this; from the answers given yesterday there was one, I think, in which it was said that there are 1,195 aboriginals on your reserve. My question—what about the Indian religion, is it still practised?

Mr. REGINALD HILL: Very definitely, yes.

Mr. REID: Have any questions been asked regarding farming?

The CHAIRMAN: A number of questions have been asked on that.

Mr. REID: All right, then; how about dependents' allowances, are they of benefit, has it resulted in the better attendance of the children?

Mr. JOSEPH HILL: It has increased our attendance ten per cent.

The CHAIRMAN: What is the question?

Mr. REID: Have dependents' allowances been of benefit and has it resulted in better attendance?

Mr. CASE: Dependents' allowance; what do you mean by that?

Mr. REID: I am sorry, I meant family allowances; take out the word "dependents'" and put in the word "family", please.

What type of farming is done?

Mr. REGINALD HILL: Mr. Joseph Hill could answer that better than I could.

Mr. JOSEPH HILL: At the past census there were practically 1,000 acres of wheat; 5,000 acres of oats; 500 acres of barley; 3,100 acres of hay and 450 acres of garden.

Mr. REID: Then, turn to social services; would you suggest that health and social service, including the administration of old age pensions, be under one department of government instead of, as at the present time, having health administered by one department and the other affairs connected with Indian administration administered by the Indian Affairs Branch? I am asking you, would you suggest one department all under one head?

Mr. REGINALD HILL: It would have advantages.

Mr. REID: You do not find any difficulties yet, or any interference or any conflict between the various officials of the one department and the other; at present health is being looked after by one department and Indian Affairs looks after the rest of it. We have had some complaints of conflict and interference due to lack of cooperation between officials of one department and the other.

Mr. JOSEPH HILL: There has been none, to my knowledge.

Mr. REID: Then turn to page 3 of your brief, subsection (c) on education; do you mean there that the present pupil grant should be continued to assist high school pupils at any of the day schools?

Mr. JOSEPH HILL: That is correct.

Mr. REID: What do you mean by subsection (d); that required standings be reduced? What does that mean?

Mr. JOSEPH HILL: Mr. Chairman, that question was asked last night.

The CHAIRMAN: I did not get the question.

Mr. REID: I asked a question regarding subsection (d); that required standings be reduced, and then, (b) (g) an adequate supply of books be provided.

Mr. JOSEPH HILL: Yes.

Mr. REID: Then, on page 6; just what have you in mind in your recommendation in section 14:

Section 14 should be amended by adding thereto "and any property held by such Indian woman shall be sold by her within one year from her marriage and if not sold, to be purchased by the band or council of the band to which she belongs at a price to be determined in such manner as the band or council of the band may direct, based on reasonable prevailing values."

Mr. REGINALD HILL: The difficulty is this. There are one or two cases I have in mind where an Indian woman was married to a person outside of the Six Nations and still holds land and is making improvements on it although she actually has no legal right to remain on the property. Her only right is the right to the annuities or interest paid each year; and this suggested amendment would provide for her removal. Otherwise, you would get considerable encroachment by people who are no longer Six Nations remaining on the reserve.

Mr. CASTLEDEN: Do I understand from your brief that a good deal of the educational work on the reserve is carried on by Indian teachers?

Mr. JOSEPH HILL: That is correct.

Mr. CASTLEDEN: How many Indian teachers have you?

The CHAIRMAN: That has really been answered, Mr. Castleden; if you don't mind.

Mr. CASTLEDEN: Have you got a breakdown of the teachers in the various grades?

The CHAIRMAN: That has been answered.

Mr. CASTLEDEN: Have you technical schools on the reserve?

The CHAIRMAN: That has been answered.

Mr. CASTLEDEN: I think that is all I wanted, Mr. Chairman.

Mr. BRYCE: Have you any livestock on the reserve; you told us in your brief about the crops, could you tell us about the livestock, about how many head of cattle you would have; do you do principally cattle-raising, or is it mixed farming?

Mr. REGINALD HILL: I would say it is mixed farming. The figures fluctuate so rapidly that it would be difficult for me to give you anything reliable on that.

Mr. BRYCE: I just want an average figure, you know.

Mr. REGINALD HILL: Of course, we have horses, cattle, swine and poultry.

Mr. BRYCE: Do you produce much cream, or is it all beef cattle?

Mr. REGINALD HILL: We are largely dairy, and sell our cream almost entirely.

Mr. BRYCE: Have they said anything about trapping or fishing rights about which we have heard so much from other reserves?

The CHAIRMAN: I don't know.

Mr. BRYCE: Have you any problems regarding trapping and fishing; do you run up against licences by the provincial government?

Mr. REGINALD HILL: Fortunately we are not in a position where we are dependent on such for our maintenance.

Mr. BRYCE: You do not have any grievance that way?

Mr. REGINALD HILL: A few have been chased from fishing on the Grand river.

Mr. REID: Can you tell us why they were chased; were they being chased by the police or, do you think they were chased because they should not have been there; or, do you think they should not have been chased?

Mr. REGINALD HILL: That is strictly a legal problem and possibly Mr. Lickers would be better qualified to answer that.

Mr. BRYCE: I don't care about his views. I can get them any time. I want your views as representing the reserve.

Mr. REGINALD HILL: Actually there have been no complaints lodged with us or brought to our attention and our discussion.

Mr. FARQUHAR: Mr. Chairman, most of the questions that I was going to ask have been answered, but there are one or two that I would like to ask. You referred to voluntary enfranchisement. Do you know of any cases other than minors which you have mentioned where it has not been voluntary?

Mr. REGINALD HILL: I do not think there have been any compulsory enfranchisements on our reserve, but we resent feeling that the provision still exists there, and we are in the position of having something hanging over our heads by a thread, like the sword of Damocles, without knowing how long the thread is going to hold.

Mr. FARQUHAR: To what provisions do you refer?

Mr. REGINALD HILL: To the provisions of the existing Indian Act which were mentioned in our brief; that would be on page 9 of the brief, and refers to sections 110 to 114 of the Act.

Mr. REID: Section 110 deals with enfranchisement and the other sections deal with the disposal of land and Indian cemeteries.

Mr. FARQUHAR: I would like to have that cleared up.

Mr. LICKERS: Do you want to read subsection 14; that is the subsection which has reference to enfranchisement.

I am reading from subsection 14 of 110:

14. In respect of an Indian or Indians of any band who has not or have not made application for enfranchisement under this section or under section one hundred and fourteen of this Act, the Superintendent General (Minister) may appoint a board to consist of any judge of any superior court or any judge of any circuit, district or county court, an officer of the department and a member of the band to be selected by the band to which the Indian or Indians under investigation belongs or belong, or, failing the selection of such member for a period of thirty days after the date of notice having been given to the Council, the member shall be appointed by the Superintendent General (Minister), to make enquiry and report as to the fitness of any Indian or Indians to be enfranchised.

Mr. FARQUHAR: Does not that apply where they have made application?

Mr. LICKERS: No.

Mr. FARQUHAR: You do not know of any cases where that has been put into effect?

Mr. REGINALD HILL: Not as far as the Six Nations are concerned.

Mr. FARQUHAR: You say that the ministerial appointment should be abolished in connection with appointing the agents. Do you know of any cases where agents have been appointed to your reserve by the department other than through the Civil Service Commission?

Mr. REGINALD HILL: No.

Mr. FARQUHAR: I wonder why you put that in your brief.

Mr. REGINALD HILL: Just what section are you referring to?

Mr. FARQUHAR: It says here that ministerial appointments should be abolished.

Mr. LICKERS: That applies to farm instructors.

Mr. FARQUHAR: Oh, does that apply to farm instructors? I thought in your remarks that you referred to the agents. You have not any knowledge where any agent has been appointed to your reserve in any other way than through the Civil Service Commission?

Mr. REGINALD HILL: We only have one, and that appointment, I think came through the Civil Service Commission.

Mr. CASE: Could I ask who prepared your brief?

Mr. REGINALD HILL: Yes, sir, a committee was named by the council, and we met weekly for some considerable length of time and formulated the brief that has been presented.

Mr. CASE: And when the brief was finally ready for presentation, whom did you consult? Did you consult members of the band or just have the council pass upon it?

Mr. JOSEPH HILL: We consulted just the council.

Mr. CASE: Now, are you gentlemen elected members on the reserve?

Mr. REGINALD HILL: With the exception of three of us who were merely appointed to come down here; the remaining three are members.

Mr. CASE: And when you gentlemen were appointed to come down here, who appointed you?

Mr. REGINALD HILL: The elective council.

Mr. CASE: So, your delegation at the moment does not recognize the hereditary chiefs' council?

Mr. REGINALD HILL: That is correct.

Mr. CASE: And would you say that that has led to considerable discord on the reserve?

Mr. REGINALD HILL: At the outset, I would say back in 1934, there was considerable discord when the new system was introduced.

Mr. CASE: But you think that situation has improved now, do you?

Mr. REGINALD HILL: We sincerely hope so.

Mr. CASE: That you are really accepted now, and you believe that as time goes on this will be accepted as the best democratic process?

Mr. REGINALD HILL: I sincerely hope that we will some day achieve unanimity.

Mr. CASE: Now, do you pay income tax on the money you earn on your reserve?

Mr. REGINALD HILL: No, we are exempt there. We pay income tax on money earned off the reserve.

Mr. CASE: When you ship your farm products or your dairy products—cream or milk—to an outside dairy you are dealing then between the reserve and the outside community; will you have to pay income tax on that money, or is that considered money earned on the reserve?

Mr. REGINALD HILL: That is considered money earned on the reserve.

Mr. CASE: Do you believe that the feeling is general that the whites enjoy advantages that you do not enjoy?

Mr. REGINALD HILL: I would say that feeling is quite general.

Mr. CASE: There is also a feeling that the Indians enjoy advantages that the white people do not enjoy.

Mr. REGINALD HILL: In other words, you envy us to some extent also?

Mr. CASE: We are in this position that we could not join in your process because someone would have to pay the taxes whereas you are in the happy position that your land is not subject to taxation and you are not subject to taxation on money you earn on your reserve, for income tax purposes. So that you can always step onto your farm and enjoy all the privileges you feel we enjoy.

Mr. REGINALD HILL: Let me answer that, sir. The taxes you pay are to a large extent entirely municipal taxes and are spent for the improvement of your own locality. We do not find it necessary to pay such taxes because by the sale of our lands we were fortunate enough to accumulate sufficient funds to pay for the running of our reserve. Outside of that one point we do pay the taxes that you pay, but we do not enjoy all of the advantages that you enjoy.

Mr. CASE: What advantages do you not enjoy, for instance?

Mr. REGINALD HILL: Old age pension.

Mr. CASE: That is one.

Mr. REGINALD HILL: The right to enjoy as a citizen the privilege to purchase liquor; mothers' allowances; securing of loans in banks. That last item makes it well nigh impossible for a young man to get started in any program. To get money he must work and by the time he accumulates sufficient money to start on any venture he is then too old to make a success of it.

Mr. CASE: Now, of course, you understand that the whites suffer from the same disability: a man cannot borrow money unless he can pledge securities. Now, in the main your securities cannot be attached. If your land could be attached or if your goods or chattels could be attached then there would be no reason why your credit would not be as good as the credit of a white man. You are immune from seizure.

Mr. REGINALD HILL: I appreciate that fact, and I feel that with the aid of the department plus the wise usage of the funds that we have that gap could be bridged.

Mr. CASE: If you are able to accumulate a bank account?

Mr. REGINALD HILL: Yes, that is correct.

Mr. CASE: And if you purchase a victory bond, as many have done, you could pledge that to borrow money on without question. In the main that is a disability which gives you a certain protection. The whites who have the advantage also pledge security, and their goods, etc., are subject to seizure and they are subject to being sued, and so on. Now, I am going to conclude by asking a question about liquor. You say that "Sections 126 to 137 should be deleted and the Indians should be governed by the liquor laws and regulations in each province and they should have the same rights and privileges of buying and consuming as the ordinary resident of the province in which each band is situated". Now' do you think it would be a good idea—and this suggestion was made by the Indian delegation from Saskatchewan—that a vote might be taken somewhat in a local option sense on the reserve? In other words, if there were three-fifths of the people on the reserve who thought that you should enjoy the privilege of purchasing liquor, it might be determined in that way rather than

determined in an arbitrary way if this committee were to say that you should have this right when maybe scores of your people might feel you should not have the right.

Mr. REGINALD HILL: That, I think, would be fair enough; but at the present moment there would be no point in conducting such a referendum because it would have no result; the privilege must come from this government. You could make that provision.

Mr. CASE: If that provision were made, not necessarily to establish sales outlets on the reserve but rather giving you the privilege of having liquor permits, permitting you to enjoy the advantage that your white brothers enjoy, how would that do?

Mr. REGINALD HILL: May I ask this question? There are certain areas that are under the control of the old Ontario Temperance Act. Now, are the residents living in those municipalities barred from purchasing liquor outside of the immediate locality by the decision of the majority of that community, or are they free to go outside of that community and purchase liquor? In other words, for the sake of argument say I wanted to purchase liquor, but the Six Nations had voted against giving me that right, would that automatically bar me from purchasing liquor outside the reserve?

Mr. CASE: On the reserve? In other words, would it be considered an advantage if when you are off the reserve there was no disability; that is to say, you could go to a beverage room or a cocktail lounge and enjoy a drink, but the vote would be whether you would have the privilege of taking liquor back on to the reserve or not?

Mr. REGINALD HILL: I can see a weakness if you could not take it back on the reserve. If you purchase a bottle of liquor you would have to consume it there and then.

Mr. FARQUHAR: How do the religious leaders feel about the removing of these liquor restrictions?

Mr. REGINALD HILL: I think you would get a division of opinion there as you would in any community, but I think the majority would think that prohibition failed in Ontario and in the United States, and I think it has its disadvantages among our own people.

Mr. FARQUHAR: You have not discussed that question with leaders of your churches?

Mr. REGINALD HILL: They were not on the committee.

Mr. FARQUHAR: I understand most of them are opposed to removing these restrictions?

Mr. REGINALD HILL: I think the leaders of your church in Ontario are likewise opposed to the establishment of bars and cocktail lounges.

Mr. CASE: I suppose what brought this matter to the fore was the fact that the Indian boys had that privilege while they served in the army. Do you suppose that was the reason?

Mr. REGINALD HILL: There is that feeling that there was a sharp line drawn. Our people were sent to serve overseas; in other words, to assume the responsibilities of citizens but in return they were not given all the privileges of citizenship. It seemed to us decidedly unfair. If we had the right to purchase liquor there is no guarantee we would; but we would like to feel that we could if we so desired.

Mr. FARQUHAR: You mentioned that the churches among the whites also think the same way. Is there any possibility that they might be right?

Mr. REGINALD HILL: There is always the possibility that the other side is correct.

Mr. REID: I have this question to ask: Is the asking for the removal of this bar due to the fact that the Indians themselves feel that they are placed in a rather inferior position, rather than that they are being denied liquor?

Mr. REGINALD HILL: I would say very definitely, no. There are ample supplies of liquor. It is not a question of obtaining liquor. Rather it is the inferior position in which this law places the Indian.

Mr. MATTHEWS: You mentioned the case of a young Indian wanting to start up in business for himself and that he could not go to the bank and get a line of credit as a white man can do. I want to ask you whether he could go to the band and get credit from the band, get certain advances of money, to start up in business?

Mr. REGINALD HILL: There was some provision made for loans, I believe, but I believe it is inadequate. Perhaps Mr. Hilton Hill could answer that question.

Mr. HILTON HILL: The old council of chiefs, some fifty years ago—

The CHAIRMAN: Will you just speak a little louder?

Mr. HILTON HILL: The old council of chiefs, some fifty years ago established a loan system on the Six Nations reserve whereby an Indian could borrow from band funds to an amount of \$500. That was entirely under the control of the Six Nations council. They had a standing committee of six chiefs from each tribe and they passed on those loans and I think the loan system worked very well. I do not think the council of the Six Nations lost very much money on that old system. Some years ago that privilege, for some reason, was taken away from them. I have known cases where the Six Nations would make application for a loan of \$500 and in ten days they would have the money in the office to pay their bills. Conditions have changed, and they can only get a loan of \$150, and the Six Nations council have nothing whatever to say. They have no committee to pass on the loan. They used to pass on it in the first instance and then I understand there is a set-up in the department of some kind and it may take from one to five years to pass on a loan. I know of one case in particular of a man who, when this loan was re-established, made application for a loan of \$150 and he said he wanted to reshingle his barn. That was in April. He wanted to have it ready to put his hay in. This is all under the new system. I understand the loan has not gone through yet and it is nearly five years ago and the barn stands uncovered to-day. The barn is rotting, with no roof on it.

Mr. MATTHEWS: This then was discontinued by the department and not by the band itself.

Mr. HILTON HILL: That is right.

Mr. MATTHEWS: About how long ago?

Mr. HILTON HILL: About five years ago.

Mr. MATTHEWS: Can you give any idea of the amount of the loans that were made and the amount of the losses resulting from those loans? Could you give it approximately?

Mr. HILTON HILL: Well I could not tell you that without going to the records.

Mr. MATTHEWS: Do you feel that the record was good?

Mr. HILTON HILL: Yes, absolutely. There was considerable improvement made on the Six Nations reserve with regard to buildings, fences, wells and so on. There were numerous wells sunk, fences built; barns and houses were also repaired. As you know, \$150 will not go very far to-day.

Mr. MATTHEWS: I want to ask the other witness some questions?

The CHAIRMAN: Mr. Reginald Hill.

Mr. MATTHEWS: Have you a post-office on your reserve?

Mr. REGINALD HILL: Yes, the post-office, two rural routes issue from there, and another place over at Hagersville.

Mr. MATTHEWS: Are these advertisements which are issued by the civil service commission posted in the post-office?

Mr. REGINALD HILL: You mean for a general competition? I have not noticed them.

Mr. MATTHEWS: You have not?

Mr. REGINALD HILL: Not in the post office.

Mr. MATTHEWS: Who is your postmaster?

Mr. REGINALD HILL: Major C. E. Styers.

Mr. BRYCE: Is he an Indian?

Mr. REGINALD HILL: Yes.

Mr. MATTHEWS: He is an Indian?

Mr. REGINALD HILL: Yes, sir.

Mr. MATTHEWS: I think those notices are sent to all other postmasters and I think I am correct in saying that they are supposed to be accepted and posted on the walls of the post-office so that all can see them. Now assuming that were done I want to ask this question. Have you any knowledge of qualified Indians who made application to the civil service for a position, or to write an examination in a competition for a position, who have been refused permission to enter the competition? I would like to get that straight.

Mr. REGINALD HILL: I know of no case where they were refused. I would like to qualify the answer and say that the majority of educated people, who would be interested, except for the teachers, have all been taken away from the reserve as there is no livelihood, no means of livelihood with the exception of farming. We have two graduates from O.A.C. on the reserve, and a third took a post in New Zealand. Our doctors are scattered throughout the United States. At the present time it is to their advantage to move there.

Mr. CASTLEDLN: Do you know of any cases where doctors have tried to get appointments on the reserve and were not allowed to do so?

Mr. REGINALD HILL: There was Doctor Jamieson, I believe.

The CHAIRMAN: I am sorry we cannot hear a thing.

Mr. CASTLEDEN: I was following up the question of whether he knew some doctor on the reserve who was unable to get appointed by the department to a position.

Mr. REGINALD HILL: My recollection was that a Doctor Jamieson made such an application.

Mr. MATTHEWS: You spoke of having two graduates of O.A.C. on the reserve, I presume they are Indians?

Mr. REGINALD HILL: Correct.

Mr. CASE: How many of your teachers are Indians?

Mr. REGINALD HILL: Pardon me, may I make a correction? Mr. Hill has just pointed out there are three graduates, one is a girl.

Mr. MACNICOL: Even better.

The CHAIRMAN: Mr. MacNicol, you came in late. Now you may have ten minutes.

Mr. MACNICOL: That will be all I need. My questions will be answered by yes or no. Is your agent an Indian?

The CHAIRMAN: We did not get your question.

Mr. MACNICOL: My first question is, is your present agent an Indian or a white man, on the Six Nations reserve?

Mr. REGINALD HILL: My answer was that he was not an Indian.

Mr. MACNICOL: Your answer was no. Has an Indian ever been an agent on the reserve?

Mr. REGINALD HILL: My answer again is in the negative.

Mr. MACNICOL: Would you recommend or favour that the agent be an Indian?

Mr. REGINALD HILL: I think there would be considerable satisfaction if such an appointment were made.

Mr. MACNICOL: I agree. And you would have many men who would be competent. I have one in mind, Mr. Martin, the magistrate in Toronto, and there may be a number of others, perhaps our counsel here, Mr. Lickers. He would be qualified to act as an Indian agent.

The CHAIRMAN: Perhaps he would not be anxious.

Mr. MACNICOL: Have you any fire protection on the agency?

Mr. REGINALD HILL: Fire fighting equipment?

Mr. MACNICOL: Yes.

Mr. REGINALD HILL: None whatever.

Mr. MACNICOL: And what about water supply, have you a water supply?

Mr. REGINALD HILL: There is no water supply whatever. There are numerous wells and that is the only available source.

Mr. MACNICOL: This reservation, Mr. Chairman, is perhaps the leading reserve in Canada and they should have both of these services I have asked about, that is fire protection and water-supply.

What is the present set-up in reference to education? I am not quite clear. You say you have a dozen schools, and is there one superintendent over the whole dozen schools?

Mr. REGINALD HILL: Mr. Joseph Hill is the supervising principal.

Mr. MACNICOL: Over all the schools? Someone said something yesterday about the council should have the power to expend without being beholden to anyone, funds up to \$1,000. What could they do with funds as small as \$1,000?

Mr. REGINALD HILL: The council, of their own accord placed that restriction. It is felt that if a larger sum were expended it perhaps might be wise to go into consultation with the department and possibly have a vote of the band or the department as to whether any large amount was being rightly expended.

Mr. MACNICOL: I agree, Mr. Chairman. I think this band should have that, and that a start should be made to give them the privilege of spending some of their own funds without restriction up to \$1,000 and we can see what happens. Somebody asked yesterday about a few minor taxes that you were not paying. What are those minor taxes?

Mr. REGINALD HILL: Well one is income tax. Where an individual is employed on the reserve and the income derived from such work.

Mr. MACNICOL: Income tax is the most vicious tax which I have to pay.

Mr. CASTLEDEN: I would be glad to join you in that.

Mr. MACNICOL: Another question in reference to education. Your brief has been fairly emphatic in favour of undenominational schools. Why is that?

Mr. REGINALD HILL: Well I think I will answer jointly. I will take one phase of it. We specified undenominational residential schools largely for the protection of those children whose parents still believe in the original teachings of our people. We feel that it is entirely unfair to take these children and expose them to a different religious training from that which their own parents followed. I do not think any of you who are Roman Catholics would consent to have your children sent to a Protestant school and likewise I think the Protestant parents would object to having their children sent to a Roman Catholic school. I therefore feel that it is only fair that those who believe in the so-called Long House religion should likewise have that same privilege.

Mr. MACNICOL: In other words you are in favour of the ordinary public schools?

Mr. REGINALD HILL: No, not entirely. I think there is still a place for the residential school providing it is divided from the church.

Mr. MACNICOL: Are there any Indians employed in the Indian agent's office at Brantford?

Mr. REGINALD HILL: At the present time there is only one.

Mr. MACNICOL: What is his service there?

Mr. REGINALD HILL: I believe he looks after land and estates.

Mr. MACNICOL: How many government employees are there in the Indian agent's office or the department of Indian Affairs for the whole reservation outside of teachers? I am speaking of stenographers and bookkeepers and so on.

Mr. LICKERS: There are six.

Mr. MACNICOL: Six.

Mr. REGINALD HILL: I am informed that it is six but Mr. Moses' appointment is not permanent.

Mr. MACNICOL: Is there any reason why all of those positions should not be occupied by the Indians?

Mr. REGINALD HILL: We feel that there is no reason.

Mr. MACNICOL: I agree. A number of times reference has been made in your brief to the expression "band or council". Are the two identical?

Mr. REGINALD HILL: There would be a difference. The band would imply the entire membership, in our case, the entire Six Nations people. The council would be the governing body.

Mr. MACNICOL: I will just read one of the clauses. Page 6, "Section 13 should be amended by deleting the words 'with the approval of the superintendent general' and substituting therefore 'band or council of the band'." My question is about the expression "band or council of the band". Do those mean the same thing, the band or council of the band?

Mr. REGINALD HILL: I would say that they do not mean the same thing. If the question was sufficiently weighty we would call upon the entire group for a decision. If it was not so serious then I think the elective council or the governing body of the reserve could make the decision.

Mr. MACNICOL: Well then at present apparently the superintendent general makes the decision but the brief suggests substituting for "superintendent general" the "band or council of the band".

Mr. REGINALD HILL: The words "with the approval of the superintendent general" would be deleted so that it would read "with the approval of the band or council of the band".

The CHAIRMAN: I am sorry, Mr. MacNicol, your ten minutes have expired.

Mr. MACNICOL: Well I have one or two more questions.

The CHAIRMAN: I have cut off the other members of the committee at the end of their ten minutes and I must be consistent.

Now, gentlemen, you may be excused. We appreciate your evidence very much but we will have to call on the other witnesses.

Mr. REGINALD HILL: I think I am safe in saying that I would be expressing the view of the delegates if I thanked you for the delightful manner in which you have dealt with our delegation.

The CHAIRMAN: On behalf of the members of the committee I want to express our appreciation to your delegation for the way you have handled your presentation. You have been very helpful to us and very cooperative. We appreciate it very much.

The next witnesses will be: Mr. Sam Lickers, Mr. William Smith, and Mr. Asa Hill. Will you gentlemen come forward please?

Mr. BLACKMORE: I suggest, Mr. Chairman, that we have our counsel, Mr. Lickers, question these gentlemen first and after that we can divide up the time.

The CHAIRMAN: The suggestion that we have is that Mr. Lickers examine the witnesses first and then the committee members will be allowed perhaps five minutes. Otherwise, as you know, we will not be able to get through. We have several others who must be examined. Is it agreed that the members shall have five minutes?

Agreed.

Mr. LICKERS: Now perhaps first I could get a clarification on the question of what the elective council are asking for in connection with improvements on the reserve?

Mr. SAM LICKERS: They are in accord with that.

The CHAIRMAN: You will have to speak a little bit louder.

Mr. LICKERS: Are you in accord with what they are asking for in connection with improvements to be made on the reserve?

Mr. SAM LICKERS: Yes, more or less. In the first part of our brief it reads "The status of the Six Nations; (a) Your committee is requested to clarify the status of the Six Nations for the following reasons. (b) The position of the Six Nations is unique in that, in the wording of the Haldimand Deed they were clearly named as 'allies' of the British, rather than subjects."

Then it says "(c) It is of the utmost importance that this point be cleared up by the committee, as being named as allies, would grant the said Six Nations certain rights and privileges which may not be granted to subjects, some of which may be outlined as follows:"

Mr. LICKERS: Would you agree then to stop at the end of the word "subjects" and agree with them as far as they go there giving only different reasons?

Mr. SAM LICKERS: Yes, to "allies". They have asked this committee to clarify the status of our people and that you do that before you go on to . . . what would I call it—

Mr. CASE: A review of the Act.

Mr. SAM LICKERS: On to a review of the Act. I believe I better give it another name because the fact is this, we are really dealing with the result. Before we can do that we have to determine the status of our people which you have not done and that is what the councillors have asked. How can you deal with the rest of their brief until you decide their status? That is the question they are asking and that is what we are asking. How can you do that? You really have got the cart before the horse.

Mr. LICKERS: You mean what this committee should try to do is to have the cart and the horse together.

Mr. SAM LICKERS: That is what they will have to do. They want this committee to make the point clear who these people are; who are we? That is what they are asking and you have not done that and unless you do that I cannot see how we can go on.

Mr. CASE: That is fair. We might as well dismiss this witness. He cannot go on until we clarify the Act and we cannot clarify the position to-day.

The CHAIRMAN: Is that agreeable to you? Could I have the consensus of opinion?

Mr. SMITH: The Six Nations "Iroquois" Confederacy have objected to the introduction of the Indian Act, using as a basis the strength of the Haldimand Deed and their unique position in Canada.

The CHAIRMAN: Sorry, we cannot hear you.

Mr. SMITH: The Six Nations confederacy have always objected to the imposition of the Indian Act upon the Six Nations due to their unique position as allies of the British crown. Their relationship is with the British crown and it is an international issue and cannot be a domestic issue at this time. Therefore it is not our desire to discuss any portion of the Indian Act, but we would be willing to answer any questions in relation to this matter or contention of the Six Nations on that subject.

Mr. CASTLEDEN: Our purpose is to revise the Indian Act.

Mr. SMITH: Yes.

The CHAIRMAN: That is our purpose, so I don't see where we will get to if that is your position.

Mr. CASTLEDEN: They do not recognize the Indian Act.

Mr. CASE: I think we have reached a stalemate in regard to this particular delegation. They are not going to recognize the Act, nor will they recognize our revision of the Act, because they say it is a matter which is international and cannot be settled domestically.

Mr. CASTLEDEN: I would like to point out, I think these gentlemen have a grievance with regard to their treaty. They feel that their treaties have not been lived up to and that the imposition of the Indian Act as a governing criterion, as a manner of governing the Six Nations, is not right because they claim under their treaties, the Haldimand treaty and the Simcoe treaty, they were granted the right to govern themselves and that those treaties have been set aside. I think this committee should hear their representations with regard to their particular situation.

The CHAIRMAN: We have heard their brief.

Mr. CASTLEDEN: I heard that yesterday, but they can still be questioned on it.

The CHAIRMAN: As I said, we have heard their brief, and now if we confine questioning to a period of five minutes for each member, if any members of the committee wish to ask questions on this particular matter that privilege will now be extended.

Mr. S. LICKERS: First of all, I would like to say—

The CHAIRMAN: Just a minute now. We have only an hour and twenty-five minutes left at our disposal provided there are enough here for a quorum this afternoon.

Mr. CASTLEDEN: How do you figure that, Mr. Chairman?

The CHAIRMAN: We have twenty-five minutes now until one o'clock, and then this afternoon we have between four and five. As you know, we must be out of this room by five o'clock.

Mr. FARQUHAR: And we have other delegations.

The CHAIRMAN: That is why I am suggesting we should get along and not have any speeches.

Mr. MACNICOL: One question, Mr. Chairman.

The CHAIRMAN: Just a minute, now, Mr. MacNicol. Shall we give Mr. Lickers from now to quarter to one. Mr. Lickers is going to ask some questions from now to quarter to one and then the members will be given five minutes each.

Mr. S. LICKERS: With regard to the status of the Six Nations reserve—

The CHAIRMAN: Let us settle this point once for all. Mr. Norman Lickers here is our counsel and he is the liaison officer between us and the Indians. The committee still govern who is going to ask questions. It is not up to the chairman. It was agreed that Mr. Lickers would ask questions first. That was agreed to this morning. It is now your intention to change that? If not, Mr. Lickers will proceed with his questions. It is not the chairman who is making these rules, it is the committee itself. It was agreed this morning that Mr. Lickers would ask questions first and that he would be given ample time in which to do so, but that the committee members would be limited.

The CHAIRMAN: All right, Mr. Lickers.

Mr. LICKERS: You want the status of the Six Nations clarified, is that correct?

Mr. S. LICKERS: That is it, and the council have that in their brief.

Mr. LICKERS: Would you also want a treaty?

Mr. S. LICKERS: Yes.

Mr. LICKERS: So then, in connection with the governing of the Six Nations reserve you want the hereditary council to be the governing body?

Mr. S. LICKERS: Let the people rule.

Mr. LICKERS: Yes, all right, you want the people to rule; and now, to clarify the situation as far as the Six Nations is concerned, would you be prepared to stand by a vote at the present time as to whether the reserve of the Six Nations—would you agree to a referendum on the Six Nations of all the people over twenty-one, to decide whether or not the elective council or the hereditary chiefs would rule?

Mr. SMITH: This Haldimand document (the Haldimand treaty) does not require either a referendum, or a minority or a majority.

The CHAIRMAN: Could you answer that question, yes or no?

Mr. SMITH: I would say, go by the Haldimand treaty.

The CHAIRMAN: Is that yes or no?

Mr. SMITH: It does not require either a minority or a majority.

Mr. LICKERS: You are not willing to risk a vote to determine what the people want?

Mr. SMITH: We know what the people want.

The CHAIRMAN: Would you answer the question yes or no. In the United States they have the same problem as we have here. Could you answer Mr. Lickers' question as to whether you would be willing to abide by the decision of a majority in a vote to be taken among the people on your reserve? Would you answer that question, yes or no. Did you say, yes you would; or no, you would not.

Mr. SMITH: I have not power to say that.

The CHAIRMAN: Would your partner (Mr. S. Lickers) say yes or no; without any responsibility to anybody else.

Mr. SMITH: Well, I would say no.

The CHAIRMAN: All right, that is final.

Have you any questions, Mr. Blackmore?

Mr. BLACKMORE: I would rather hear the Ontario members.

Mr. CHARLTON: Were any members of your delegation ever connected with the elected council?

Mr. SMITH: Yes.

Mr. CHARLTON: Which ones?

Mr. SMITH: Mr. Sam Lickers and myself.

Mr. CHARLTON: Well then, at one time apparently you were agreeable to the elective council, were you not?

Mr. SMITH: I went into the elected council when I was twenty-nine and I began at that time to study Indian affairs and I threw myself into Indian work as a service to our people. When I found I was on the wrong road I turned around and took the other path.

Mr. CHARLTON: You resigned from the council?

Mr. SMITH: No, I withdrew.

Mr. CHARLTON: You withdrew from the council?

Mr. SMITH: Yes, withdrew for seven years.

Mr. CHARLTON: You apparently feel there is much the same feeling now as there was at the time in 1924 when the council was set up; obviously so, or you would not have said "No" to the question asked you a few minutes ago.

Mr. SMITH: The gentleman said that I would be binding my people, and I stated that I had no authority to do that, then he asked me to give my personal answer, and going by the Haldimand treaty I say that it does not require a majority or a minority.

Mr. CHARLTON: Let me ask the question this way: do you feel that there are as many people in favour of the hereditary council now as there were back in 1924?

Mr. SMITH: A good deal more now. In fact, the great majority of our people are backing the hereditary council of the Six Nations.

Mr. CHARLTON: And still you would not care to say whether you would stand a vote on the Six Nations?

Mr. SMITH: That is not our type of government, by vote.

Mr. MACNICOL: I was going to ask, Mr. Chairman, what the result would be supposing the Six Nations Indians go back to the old system?

Mr. SMITH: It would remove a lot of discontent among our people, that would be one result; and with dissatisfaction we will never make any progress. Our reserve during the last twenty-five years has gone backward rather than forward.

Mr. MACNICOL: What result would that have on the government here?

Mr. SMITH: None. I might say, with the exception of improved roads.

Mr. CHARLTON: If you went back to the old way of doing it and you are opposed to the Indian Act, then what association would the Six Nations have with the government here at Ottawa?

Mr. SMITH: It never had any.

The CHAIRMAN: Will you address the chair, please? We cannot hear you.

Mr. SMITH: It never has had any legal association, there never has been any legal association between the Six Nations and the government of Canada. The whole thing is based on assumption.

Mr. CHARLTON: Well, then, in what way would you carry on the affairs of the reserves if you were not associated with the government here?

Mr. SMITH: We have our own government which ought to be quite capable of carrying on its affairs.

The CHAIRMAN: Mr. Bryce.

Mr. BRYCE: I do not know what to say or what to ask. This is quite a new situation for me, but I, in my humble way, have tried to do something for the Indians and if the Indians won't agree among themselves, what more can I do? I do not know even what to ask them. You have these gentlemen here and they are not prepared even to meet and have a vote. In a modern world like this people should be able to determine for themselves what they want to do, and the only way I know of doing that in a democratic set-up is by voting; and if your people will not agree to have a vote to agree among themselves I do not know whether I can help you.

Mr. S. LICKERS: Might I say this?

Mr. BRYCE: Yes.

Mr. S. LICKERS: Why didn't you take that attitude when the old hereditary system was put out for the elective system? Why didn't you take that attitude then? There wasn't a vote taken. Do you call that a democratic way of doing things? There was no vote taken. They were selected.

Mr. BRYCE: I am only one of those men, Scotsmen, who came here as an immigrant a number of years ago. The only things I ever knew about the Indians were the things I had read in the story books, and it is only in recent years that I have been connected with the Indians through the reserves in my constituency. So my knowledge of Indians goes back only a few years; so I had nothing to do with that.

Mr. S. LICKERS: That is what I say; if it didn't happen at that time, why should it happen now? A little history helps.

The CHAIRMAN: Mr. Farquhar.

Mr. FARQUHAR: I think these gentlemen understand that our function is to revise the Indian Act. They do not recognize the Act.

Mr. S. LICKERS: You have on your agenda about treaty Indians and all that stuff, haven't you?

Mr. FARQUHAR: Yes, but you do not recognize the work we are doing. I am just going to ask you this question; how many Indians do you represent?

Mr. S. LICKERS: I will be different from Smith, I would not be afraid to call a referendum. That is my opinion. To do that would be falling in line. Just like my taking your hat or you taking mine—you might find mine a bit bigger for you. But, supposing that happened and I came to you about it and you came to me about it and we said; here, let's have an arbitration about your hat. You agree. I get some of my friends to sit on the arbitration board—I would get your hat, wouldn't I? You bet your life.

Mr. SMITH: I would like to say that I am not afraid myself of a referendum or a vote. I can vouch for what the result will be; it will be definitely greatly in favour of the hereditary council.

The CHAIRMAN: You want to vary your previous answer? Your previous answer was, when I asked you—not speaking for those you represent here officially, but just speaking personally—I asked you would you personally favour a referendum or the taking of a vote and letting the majority rule; and your answer was, no. Do you want to change that now?

Mr. SMITH: No. I still stick to my answer; but I am stating that I am not afraid of the result. It is deviating from our principle of government.

Mr. BRYCE: Well, Mr. Smith, you can understand the position of the members of this committee.

Mr. SMITH: Yes.

Mr. BRYCE: We listen to you and we listen to the other fellow and we are trying to decide in the main how to make the Act better than it is, better than

it ever has been before. This is the writing of a new Magna Charta for the Indians, and we do want to do a good job; something that will excel anything that has ever been before; because I think most of the honourable gentlemen on this committee agree that the Indian has not had a square deal. We are neutral on it and we are all trying to do the best we can for everybody.

Mr. CASE: I just want to ask Mr. Smith a few questions. He appears to have some knowledge of the reserve and its progress. You say it has gone back during the last twenty-five years? Can you tell me what your population was twenty-five years ago?

Mr. SMITH: I was not referring to it in the matter of population. I think twenty-five years ago there would have been about 5,000 members approximately.

Mr. CASE: It has a relation to my question. I am not looking at it that way, either. I am looking at it from the standpoint of real progress. Twenty-five years ago how many schools did you have?

Mr. SMITH: I would say about eleven or twelve.

Mr. CASE: Not the same number as you have now?

Mr. SMITH: No, we have about sixteen now. Quite a few of them are double schools. The single-room schools were made into double school rooms.

Mr. CASE: A few moments ago your friend from the elective council gave us a review of the production on the reserve. You heard the information he gave?

Mr. SMITH: Yes.

Mr. CASE: How would that compare with twenty-five years ago? Did you produce more grain, livestock and all that sort of thing twenty-five years ago?

Mr. SMITH: I could not give you a definite answer in figures, but I can illustrate the section in which I live. My late father often said that when the threshing machine came into our section on any quarter lot, it took about two months to complete the threshing operation in the area. Nowadays it takes about two days.

The CHAIRMAN: Improved machinery.

Mr. CASE: That may be accounted for by the use of modern machinery, as far as that goes. I just want to get some idea of your appreciation of progress. You said that you lived on the reserve twenty-five years ago, didn't you? Would you say things have not improved?

Mr. SMITH: Well, that has definitely improved.

Mr. CASE: That has definitely improved; and, twenty-five years ago were your people receiving family allowances?

Mr. SMITH: I do not think family allowances were in then.

Mr. CASE: So that after all you must admit there has been some progress made in twenty-five years. The Six Nations is a noted reserve. We look to your people to give us a sense of leadership. In answer to Mr. MacNicol's question you said that there was no common bond between yourselves and the dominion government. You have said to us that you want separate autonomy. How are you going to tie in with some governing body? You are asking us to set up a separate state.

Mr. SMITH: I am not in a position to answer that question. Only the council of chiefs can answer that. History alone will answer that for you.

Mr. CASE: I know, but progress is a different thing; that is to say, it seems to me that you must be tied up with some central authority or some governing body. We would not think of a municipality setting itself up as a separate entity within the state.

Mr. SMITH: I might explain that this way; Canada itself has only approximately 11,000,000 people—

The CHAIRMAN: Twelve million.

Mr. SMITH: —which is considered a small nation in relation to population.

Mr. CASE: Yes.

Mr. SMITH: Would they tie themselves up with the United States or some other country like that just because it was larger?

Mr. CASE: No, we don't tie up, but we associate ourselves with them economically and so on and so forth. You made a statement here yesterday; you said, would we be willing to leave our affairs in the hands of thirty-five people—

Mr. SMITH: I refer to our future destiny.

Mr. CASE: —and reference was also made to the thirty-five members of this committee representing the people of Canada. True we do not all enjoy a majority of voters in the constituencies from which we come, but we were elected by a majority of the votes cast in our respective constituencies and we have the support of 300,000 people, or more, who voted for us. Not only are we the elected representatives of our constituencies, but on this committee are included members who come from as far west as Vancouver and Vancouver Island, and from as far east as the maritimes. What I am getting at is this; if you go back to the hereditary system, how would you pick out the one or two who are to form your council? Would they be selected on the basis of heredity, blood ties, irrespective of qualifications or educational standards?

Mr. SMITH: If the Six Nations desire to change that is up to them.

Mr. CASE: You heard your colleagues of the elective council say that they believe it is more acceptable to-day than it was in 1924, that there has been a change of feeling about it; you don't agree with that?

Mr. SMITH: No. In the figures that they presented yesterday they stated there were 571 votes cast.

Mr. CASE: Yes.

Mr. SMITH: Each voter had two votes, therefore that figure has to be cut in half to determine the number of voters.

Mr. FARQUHAR: I think we would be well advised to reconsider this question of coming under the revised Act.

Mr. CASE: You will have to have some governing authority. I don't want to be personal, but are you, Mr. Smith, yourself an Indian?

Mr. SMITH: My mother was Cayugan, and my father was a Mohawk.

Mr. CASE: You are then a full-blooded Indian?

Mr. SMITH: Yes.

Mr. CHARLTON: You are not a full-blooded Indian, are you?

Mr. SMITH: Well, I take it there is a lot of blood mixed in. In the other days when the Indians took prisoners and the Indian captives were released many of them refused to return to their own people and they intermarried with the Indians.

Mr. CASE: So that when you were on the elected council you retired, you were not defeated?

Mr. SMITH: Oh, no. I withdrew.

The CHAIRMAN: Mr. Lickers.

Mr. LICKERS: Supposing, I do not know what the committee is going to do, supposing they place your status as an ally of the British Crown, will you then be satisfied if the council or whatever the governing authority there was on the Six Nations reserve had, say, full powers the same as any other municipality in governing their local affairs; would you be agreeable to that?

Mr. SMITH: I think your question is complicated there in some manner. Did you say, if the council—?

Mr. LICKERS: Whatever council there was.

Mr. BLACKMORE: Let us assume it is the hereditary council.

Mr. LICKERS: If they were given full authority in connection with the governing of their own affairs. Supposing the committee says, it is all right, we will place you in position as allies and you set up your hereditary chiefs as the governing authority; would they then agree, say, to a referendum as to what the form of government should be; or would the hereditary chiefs say, here now, we have power and we will not grant a referendum?

Mr. SMITH: That would not be within my power to decide.

Mr. LICKERS: I am just trying to get your idea on it. We want to get this whole thing clarified because it is something which has resulted in a cleavage which has continued for some twenty-five years or so. I am just trying to get some basis on which we can work so that we can get both sides together again. Just give us your own frank opinion as to just what you think could be done.

Mr. S. LICKERS: If you restore us to our former state we could give you an answer, but now we cannot say very much about it. I was going to talk about mixed blood and all that stuff, there are not very many of us who are fully pure-blooded, and that goes for the whites too.

Mr. LICKERS: Haven't you worked out some plan by which you—I mean you are asking for your status to be clarified: then, supposing your status is clarified, what plan have you evolved by which you would get away from disagreement on the reserve?

Mr. SMITH: I think the thing could be worked out to the satisfaction of most parties.

Mr. LICKERS: How? Could you give us some idea as to how it can be worked out?

Mr. SMITH: I have not very much freedom to suggest, but I personally would favour an arbitration between them.

Mr. LICKERS: Would you not have a cleavage then as to those who wanted to come under the hereditary chiefs and those who wanted an elective council?

Mr. SMITH: You would have that in any country where you have minority parties.

Mr. S. LICKERS: I may say that has been tried. Charles Stewart in the west tried that thirty years ago. He suggested to the council having an arbitration board but he wanted to have it so that judges would be appointed. We would have to appoint a judge and the department and the government would appoint the other judge and then those two would appoint a third judge but that would not be arbitration, you know that.

Mr. CASE: You can decide on arbitration but you cannot decide on such a thing as this.

The CHAIRMAN: Would you be content if you named one judge, the elective council named a judge, and the Canadian government named one, would that be agreeable?

Mr. SMITH: No.

The CHAIRMAN: Well what is your form of arbitration?

Mr. SMITH: The Six Nations could name one and one could be made a representative of the Canadian and the Imperial government.

The CHAIRMAN: Who would nominate that man?

Mr. SMITH: That would be between those two parties.

The CHAIRMAN: You are talking about the Imperial government and the Canadian government?

Mr. SMITH: Yes.

The CHAIRMAN: The Six Nations would nominate one, the Canadian and Imperial governments would nominate one, and who is the third?

Mr. SMITH: Those two would have the privilege of appointing the third.

The CHAIRMAN: All right, the Six Nations would appoint one, the government of Great Britain and Canada would appoint another, and those two would appoint a third. Now is that agreeable?

Mr. SMITH: Well, as I have stated, I have no authority to say.

The CHAIRMAN: No, but we are discussing this around the table. Would that be agreeable to you personally?

Mr. SMITH: I think it would be fair.

The CHAIRMAN: Well you have made the suggestion so I presume that it is agreeable. Now that arbitration board would make its findings. Would you be content with those findings?

Mr. SMITH: I have not authority to answer that.

The CHAIRMAN: I am asking you personally, would you or would you not be content with that finding?

Mr. SMITH: I have not authority any more than you have.

The CHAIRMAN: I have absolute authority to say what I think.

Mr. BRYCE: As a member of the band would you be personally agreeable to that?

Mr. SMITH: No, I would prefer not to answer that.

Mr. CASE: As an individual, just giving your personal opinion, and not as a member of the band would you be satisfied? Let us suppose you are one of the individuals on the Six Nations reserve. This goes to arbitration. Will you, as an individual, be satisfied with the award and accept it?

Mr. SMITH: That would depend on how the thing went. Not the report, but I mean the committee.

The CHAIRMAN: I am afraid, Mr. Smith, we would have grave difficulty in coming to any satisfactory conclusions so far as you are concerned.

Mr. S. LICKERS: Before we are through, let me say one word. In a sense, as a committee of the parliament of Canada, is not your power limited by the British North America Act? Are not your powers curtailed by the British North America Act? Can you deal with foreign questions? You have a Governor General here. I would say if you have the authority which you are trying to show here—we are all asking only for that one thing, to have the status of our people determined. That is all we want, and that is all you would want, in our place.

The CHAIRMAN: My dear man, when you have already said you will not abide by the finding of the arbitration board unless that finding is favourable to yourselves—and that is what you have said—

Mr. SMITH: No one said that.

The CHAIRMAN: You said it depends entirely on how it goes.

Mr. SMITH: I said it depends on how the arbitration committee is formed.

The CHAIRMAN: I asked you specifically—members of the committee will bear me out and the official notes will also bear me out—whether you would be content to comply with what was decided upon.

Mr. SMITH: I said I could not give an answer to that.

The CHAIRMAN: That is not what you said.

Mr. SMITH: Oh yes, it is.

The CHAIRMAN: Then, will you answer the question now?

Mr. SMITH: No, that is something upon which I cannot give an answer.

The CHAIRMAN: Why can't you give an answer?

Mr. SMITH: I said it would depend on how this arbitration board is formed.

The CHAIRMAN: I am asking you, supposing it is formed, supposing it hears evidence and supposing it comes to a conclusion and makes findings; what would you do then?

Mr. SMITH: If I agreed to it, I would have to abide by it.

The CHAIRMAN: In other words, if the award met with your approval you would agree to it. If it did not meet with your approval, you would not abide by it.

Mr. SMITH: Not in the results.

The CHAIRMAN: I am talking solely about the results.

Mr. S. LICKERS: You must not forget this. Since the status of our people is as it is, what right have you got to appoint an arbitration committee?

The CHAIRMAN: My dear man, I am not appointing an arbitration committee. It was your suggestion, not my suggestion at all.

Mr. S. LICKERS: Arbitration could be undertaken by the interested parties.

The CHAIRMAN: There are none so blind as those who will not see.

Mr. S. LICKERS: If your powers are limited by the British North America Act, you cannot deal with the question; that is all there is to it.

The CHAIRMAN: We will meet at four o'clock providing there is nothing that interferes with that arrangement. We will sit until five o'clock and the next witness will be Chief Tom Roy. He will be followed by the other chiefs who are on the list.

The committee adjourned at 1.10 p.m. to meet again at 4.00 p.m.

AFTERNOON SESSION

The committee resumed at 4.00 p.m.

The CHAIRMAN: Gentlemen, we shall open the meeting. The first witness will be Chief Tom Roy. I am sorry to be late, but I thought the meeting would commence, in any event.

Mr. Farquhar, will you take the chair; I have been called out of the meeting for a moment.

At this point Mr. Farquhar took the chair.

The ACTING CHAIRMAN: Will you go ahead, Mr. Lickers?

Mr. LICKERS: Mr. Chairman, at this time, Mr. Roy would like to add to his submission clause 4 of the agreement between the province of Ontario and the Dominion Government which was dated April 16, 1894. It was an agreement concerning the natural resources and covers the land in the northwest angle. Mr. Roy desires to read this clause into the record.

The ACTING CHAIRMAN: Will you read that into the record, Mr. Roy?

Chief Tom Roy, Northwest Angle Indians, recalled:

The WITNESS: Yes. This will be in support of the clause I put in the record last year, in June. This is from Indian Treaties and Surrenders, Volume 3.

No. 4. That in case of all Indian Reserves so to be confirmed or hereafter selected. The waters within the lands laid out or to be laid out as Indian Reserves in the said territory, including the land covered with water lying between the projecting headlands of any lake or sheets of water, not wholly surrounded by an Indian Reserve or Reserves, shall be deemed to form part of such Reserve including islands wholly within such headlands and shall not be subject to the public common right of fishery by others than Indians of the Band to which the land belongs.

The ACTING CHAIRMAN: That is all you wish to read into the record?

The WITNESS: Yes.

By Mr. Lickers:

Q. Mr. Roy, you represent the Indians who are covered by the Northwest Angle Treaty?—A. Yes.

Q. What is the main occupation of the Indians in that territory?—A. Mostly fishing, hunting and trapping. In the summer, they act as guides. Not all of the Indians are guides, only those who have experience handle that job. They work for the tourist camps.

Q. What about hunting and fishing rights. Do they do that under licence from the provincial government?—A. Yes, they procure a licence from the provincial government to fish. I stated in my presentation yesterday just what the conditions are and the difficulties they have in their occupation of fishing. There are strict regulations against the Indians.

At this point Mr. Brown resumed the chair.

Q. Are those regulations enforced on the reserve?—A. On the reserve, yes. They are not enforced on the land, of course, but nearby the reserves we are not even allowed to set a net for our own use. These are the provincial regulations or restrictions.

Q. Do they have licences which cover a definite area for a particular Indian?—A. That is for the band, not an individual. On my reserve, it would be for a band of 36. It is the same thing for the two or three bands under treaty No. 3. The two bands of Shoal Lake Indians have one commercial fishing licence under the provincial game licence regulations. I do not know the actual number of members in those bands, but there would be about 40 members fishing on this one licence. The Assabaska band also have a commercial fishing licence. There would be about 30 families fishing on that licence. In my own band there are 36 families on the one licence.

Q. Is there a sufficient area covered by the licence so the Indians can make a fair return from the produce of the hunt?—A. No, there is nothing whatever on the reserve from which to make their living so far as hunting and fishing are concerned.

Q. I mean, the area covered by the commercial licence, is that large enough?—A. No, the acreage in the fishing grounds given to these bands of Indians is not sufficient to make a living. There are 36 families trying to make a living from it and it is the same size as the area given to one white man.

Q. Do you mean to say one white man will get an area the same size as that allotted to 33 Indians?—A. Yes, the same amount of water as a band of 36 Indians, 36 to 40.

Q. What would be the average income per Indian from the produce sold as a result of the commercial fishing?—A. Last year the whole band of 36—I just forget now, but it was around \$3,000.

Q. Around \$3,000 for the whole of the 33?—A. Not for all, some made an average of \$300 and some just barely made a living from it.

Q. Would you say that would be a fair average?—A. The fishing grounds are not sufficient to make a decent living from it.

Q. Would you say that \$300 is a fair income for a family from fishing?—
A. Yes, that would be the answer to that.

Q. What about hunting?—A. In the reserves, you mean?

Q. Yes.—A. Of course, there is no income from hunting on the reserves. That is for the Indians' own use, for food.

Q. Do the Indians receive any income at all from trapping and selling furs?—A. Very little.

Q. How much?—A. I would not be able to say.

Q. You could not give us an estimate of that?—A. No, I do not know.

Q. What about schools? Have you got sufficient schools out there?—A. We have only one Indian day school under treaty No. 3; that is, on our reserve.

Q. Are all the rest residential schools?—A. There are three residential schools, two Catholic schools and one Protestant school.

Q. What is your opinion as to whether you get better results from the day school or from the residential schools?—A. I think we would have better results from the day schools if we had good teachers.

Q. What about hospitalization? Have you got any hospitals?—A. Yes, not on the reserve. We have a part-time doctor, as I mentioned in the submission I made. He comes only once a year unless we call for him for emergencies.

Mr. LICKERS: That is all the questions I have.

The CHAIRMAN: Thank you very much. Gentlemen, we have 35 minutes left and we have five more witnesses. If it is your pleasure I am going to ask that this witness retire and that we permit the questioning to be done by Mr. Lickers and allow five minutes each.

Mr. CASE: Five minutes for each witness?

The CHAIRMAN: Yes.

Mr. CASE: I think that is a good idea.

By Mr. Bryce:

Q. I should like to ask this witness as to the fishing licence that he mentioned. Do you get that fishing licence from the government of the province of Ontario?—A. Yes.

Q. What do you pay for it?—A. \$40 a year.

Q. And any number of Indians can participate?—A. Yes.

Q. On that licence?—A. Yes, sir.

Q. But you are limited to a certain area?—A. The same amount of area as one white man.

Q. Can you tell me if you have applied for additional licences?—A. Yes, we have.

Q. And have you been refused?—A. We have been.

Q. Did the department give you any reason for refusing you?—A. You mean Indian Affairs?

Q. No.—A. The Department of Fisheries?

Q. The Department of Fisheries of Ontario.—A. There is a lot of tourist business around there, and they clamped down on these commercial fishing licences. They put a stop to it.

Q. So you have no opportunity?—A. No opportunity to procure additional licences.

Q. I do not want to get mixed up with the tourists coming in there. Are these white men who have these licenses tourists who are visiting the area on a fishing trip?—A. Yes, that is what I mean.

Q. You do not mean outfits fishing?—A. Not commercially, no; they are just fishing.

Q. I am glad I asked you that because I was not clear on that. Are there many children on the reserves you represent who are not getting an education and who should be getting one? We will say between the age of 7 and 15, something like that?—A. I do not think there are any.

The CHAIRMAN: Thank you very much, Mr. Roy. We appreciate your evidence very much. The next witness is Chief William Meawasige of the Manitoulin Island. If you have any others with you who would like to come forward we would appreciate it if they would take the stand now.

Mr. FARQUHAR: Gentlemen of the committee, I might introduce these gentlemen. Chief Meawasige is from Cutler in my constituency and Mr. Pelitier is from Wikwemikong reserve on Manitoulin Island, one of the largest reserves in my riding. They have already presented their brief. They are coming back for questioning.

Mr. LICKERS: On the Manitoulin Island what is the main occupation of the Indians?

Mr. PELITIER: On our reserve it is mostly farming.

Mr. LICKERS: Have they a farm instructor?

Mr. PELITIER: Now and again he will come around. There is not one there all the time but now and again he will come around. There have been several times we have had a man come around.

Mr. LICKERS: Can you tell me the average income the Indians earn from their farming?

Mr. PELTIER: No. I would have to make a rough guess on that.

Mr. CASE: Would you say they make a good living?

Mr. PELTIER: They make a good living, yes, sir.

Mr. LICKERS: They make a good living?

Mr. PELTIER: They make a fairly good living.

Mr. LICKERS: Is there any provision made by the band or by the department by which young people can get a piece of land and set up farming?

Mr. PELTIER: Not that I know of.

Mr. LICKERS: Has your band got any trust funds?

Mr. PELTIER: Band funds?

Mr. LICKERS: Yes.

Mr. PELTIER: Yes, they have.

Mr. LICKERS: Do they use the interest from the band funds to improve their reserve?

Mr. PELTIER: They do get loans from the band occasionally.

Mr. LICKERS: Do you know of any deserving Indians who have not been able to get loans?

Mr. PELTIER: No, sir.

Mr. LICKERS: Suppose an Indian wanted to borrow some money how would he go about doing it?

Mr. PELTIER: He would make an application to the band council for the loan. Then he has to put up his property for security for the loan.

Mr. LICKERS: Have they got sufficient land for everybody?

Mr. PELTIER: Yes, I think so. It is a big reserve. I think there is sufficient land.

The VICE-CHAIRMAN: (Mr. Matthews): A little louder, please.

Mr. LICKERS: Who gives final approval for the loans, the band or the department here at Ottawa?

Mr. PELTIER: The Indian Affairs Branch.

Mr. LICKERS: Does it take very long to put these loans through?

Mr. PELTIER: Not very long.

Mr. LICKERS: Are there any children on your reserve of school age who have not an opportunity to go to school?

Mr. PELTIER: I did not catch that,

Mr. LICKERS: Are there any children of school age who have no school to go to?

Mr. PELTIER: Yes, quite a few of them. I would say around 75.

Mr. LICKERS: About 75 children out of how many? How many children have you there of school age?

Mr. PELTIER: I would say there are about 75 who cannot go to any school on account of living too far away.

Mr. LICKERS: How many do go to school?

Mr. PELTIER: Pardon?

Mr. LICKERS: Do you know how many do go to school?

Mr. PELTIER: No, I could not say.

Mr. LICKERS: What sort of schools do you have? Do you have residential schools or day schools?

Mr. PELTIER: Day schools.

Mr. LICKERS: Are they denominational? Are they run by the church?

Mr. PELTIER: No, I do not think so.

Mr. LICKERS: And how far do these children who have no schools to go to live from the nearest school?

Mr. PELTIER: There is one portion of the reserve known as South Bay village. That would be about 16 miles from the village of Wikwemikong. There is no school down there at all. I would figure there are 25 children in that section of the reserve and they have no school.

Mr. LICKERS: Where they have schools are the schools over-crowded.

Mr. PELTIER: They are all day schools, not residential schools.

Mr. LICKERS: Are any of them over-crowded?

Mr. PELTIER: No.

Mr. LICKERS: So that these 25 children you speak of could be taken to the schools say by bus?

Mr. PELTIER: Yes, sir.

Mr. LICKERS: Sixteen miles?

Mr. PELTIER: Yes, sir.

Mr. LICKERS: Are there roads to be able to go by bus?

Mr. PELTIER: Yes, there is a fairly good road into South Bay.

Mr. LICKERS: Have the council asked the department to provide a bus or assist in providing a bus so that these children can go to school?

Mr. PELTIER: No, sir.

Mr. LITTLE: Do you not consider sixteen miles is too far even if they did have a bus?

Mr. PELTIER: Yes, it is too far.

Mr. CASE: Do any of your children go to the regular white schools?

Mr. PELTIER: No, they do not.

Mr. BRUNELLE: You spoke of a farm instructor. Does he come to your reserve when you invite him or does he come only when he sees fit?

Mr. PELTIER: It is quite a few years since he has been there, and I think he was called there by the Indian council.

Mr. BRUNELLE: He was invited.

Mr. PELTIER: Yes.

Mr. BRUNELLE: Does he usually come only when he is invited?

Mr. PELTIER: As far as I know.

Mr. FARQUHAR: I should like to ask Chief Meawasige if their trapping licences at Cutler are interfered with much?

Mr. MEAWASIGE: Yes.

Mr. FARQUHAR: By the provincial authorities?

Mr. MEAWASIGE: Yes.

Mr. FARQUHAR: Have any of the whites been given any of the traplines owned by the Indians in that section?

Mr. MEAWASIGE: Yes.

Mr. FARQUHAR: Any in recent years?

Mr. MEAWASIGE: Yes.

The CHAIRMAN: Sorry, gentlemen, the time has expired for these witnesses. Do you mind, Mr. Farquhar?

The next witness is Henry Jackson.

Thank you very much, gentlemen; we appreciate your coming here. We will have more to say about that later.

Mr. Henry Jackson, recalled:

By Mr. Lickers:

Q. You presented a rather full brief yesterday, Mr. Jackson. I have just a couple of questions to ask you. Are you in favour of having denominational schools or public schools?—A. Public schools.

Q. That is what you have now?—A. Yes.

Q. Have you got any residential schools in your reserve?—A. On Christian Island we have two schools, yes.

Q. Are they both church schools?—A. Yes. The teacher of the Protestant school is actually a preacher of the United Church.

Q. Have you any residential schools in that area at all?—A. No.

Q. I think you said the only Protestant school was a children's school?—A. Yes.

Q. Are there any children on your reserve who have no school to which to go?—A. Well, you see the village is so situated that we haven't very far to go, about half a mile or a mile.

Q. And they all have an opportunity of going to school?—A. Yes.

Q. Have any of them been able to go to high school there?—A. Yes.

Q. Do they get assistance from the department?—A. I believe they do.

Q. Now then, I do not think that you covered the question of the sale of liquor; are you in favour of the Indian being able to buy liquor?—A. From

my investigations into that subject in Ontario, and I have visited pretty near every reserve in the province of Ontario, except the small ones, it seems to me that the people would like to have liquor.

Mr. CASE: Did you say they would like to have liquor; or would they like to have the privilege of purchasing it the same as anyone else?

The WITNESS: The same as any other class of citizen.

By Mr. Lickers:

Q. Are there any farms on your reserve?—A. There are a few farms.

Q. Have you a farming instructor?—A. No.

Q. What about timber rights?—A. We have two islands opposite Christian Island which have timber on them and most of our livelihood is in the cutting of timber.

Q. Have you your own mill?—A. We have a sawmill, I should say we had a sawmill, but it was an out-of-date affair and we haven't got very good lumber, so we have not been getting the market price for our product.

Q. How much timber did you sell last year?—A. I would say about nearly a million feet.

Q. How much did you get for it?—A. I think we are getting \$25 for the maple, beech, birch and that type of timber; and then I believe that for the rest of it we got around \$10.

Q. Was that divided up among the people on the reserve?—A. No. Supposing I have a permit—I had a permit—and I go and get one or two to work with me and whatever we make that is our money.

Q. That is your own money?—A. Yes.

By Mr. Farquhar:

Q. Who sells your lumber?—A. We have to operate on the island in the winter time and we have to get a permit from the Indian department and on that form we put in the name of the buyer.

Mr. CASE: In other words, you sell by contract?

The WITNESS: Oh, yes.

The CHAIRMAN: I am very sorry, but that is all the time we have. Thank you very much.

Mr. Telford Adams, will you come forward please. Have you anyone with you, Mr. Adams; and I understand you represent the Indians from Walpole Island and Kettle Island.

Mr. BRYCE: Pardon me, Mr. Chairman; I think Mr. Little was under a little misapprehension about the questioning. He is particularly interested in this delegation and I think he wanted to ask some questions.

The CHAIRMAN: I am sorry, but that was the agreement concurred in by the committee, whether you like it or not.

Mr. BRYCE: We didn't start until after quarter past four.

The CHAIRMAN: I am sorry. I would be glad to give you five hours, if anyone wants to take it, and we can find a room in which we can carry on; but you all know that we must be out of this room by five o'clock.

Mr. MATTHEWS: I would suggest that Mr. Little be allowed to ask his questions.

Mr. BLACKMORE: We might hear Mr. Adams, and then if there is time after that you can recall Mr. Jackson.

The CHAIRMAN: Will Mr. Adams come forward, please.

Mr. Telford Adams, recalled:

Mr. BRYCE: The whole arrangement is rather unsatisfactory, Mr. Chairman.

The CHAIRMAN: I agree with you about its being absolutely unsatisfactory; but, what are we going to do about it? I have made it plain all the way through that we are on a time limit and we have already extended it by one hour.

By Mr. Lickers:

Q. Mr. Adams, you were to present a further brief?—A. I haven't got it at hand.

Q. I think you told us you were going to get out another one, a supplementary?—A. We will send it to you, if that is satisfactory.

Q. And you want it put on the record?—A. Yes.

Q. You have had some difficulty there in connection with the amalgamation of the reserves?—A. Yes, at Stoney Point.

Q. Has that not been satisfactorily fixed up yet?—A. Not to my knowledge. That is one of our complaints and we have been trying to get it settled.

Q. Do you want to tell us about that at the present time?—A. I gave an outline of that to you yesterday. Stoney Point, Kettle Island and Walpole are concerned. We take in twenty-five reserves there altogether, embracing some 2,200,000 acres of land held for our exclusive use and enjoyment. As far as Stoney Point is concerned, I read to you yesterday that they were asked to surrender that piece of ground and the government went in an undemocratic way about it.

Q. So what you want at the present time is a safeguard so that the council will have the full say in connection with the sale of their lands and the keeping of their lands?—A. It is the wish of these people of Kettle Point and of Stoney Point to demand the return of this reservation and to have the rent which is due paid to us, along with damages.

Q. Are there any children on your reserve or any reserves in southwestern Ontario for which you are speaking that have no school to go to?—A. Well in Kettle Point the senior class has not had a teacher since last June and I think it was only this last week that a teacher came.

Q. That is all the schooling that they have had during this term?—A. That is all.

The CHAIRMAN: There is a letter here from the Walpole Island Indians, signed by Wallace Soney, H. B. Williams, and Frank Blackburn. It states that Mr. Adams apparently was appointed by this committee to represent that reserve. I want to correct that. Mr. Adams was chosen because of his geographic location. We do not appoint any person to represent any group of persons. Groups of persons appoint their own representatives but what we had to do was to name somebody who could help us in our deliberations by explaining as accurately as possible the conditions in that area. With your permission I would like to file this letter from these people. I do not think it is necessary to put in the clipping of the Windsor *Star*. Is that agreed?

Agreed.

Hon. Don F. BROWN, M.P.
Chairman of the Joint Committee,
Senate and House of Commons,
Ottawa, Ontario.

Hon. Sir: I am enclosing a clipping from the Windsor Star which was taken from an issue dated May 15, 1947. This clipping is self explanatory in so much that it states that Telford Adams an ex-chief of Sarnia Reserve has been named to represent several Reserves before the Parliamentary Committee at Ottawa.

One of the reserves mentioned is Walpole Island, and it is about this matter that I am writing; I as one of the elected councillors of the reserve, my other councillors have approached me, to state this matter before your honourable body, that the above mentioned does not represent Walpole Island, but merely represents that portion of the Reserve, affiliated with the North American Brotherhood, and making this statement as a member of the Walpole Island Amalgamated Band, that no General Council ever was called to deal with the matter of a representative to your Committee, and that therefore the claims set forth in the enclosed clipping are not true.

Dated May 20, 1947.

Signed,

Wallace SONEY
Councillor

H. B. WILLIAMS
Councillor

Frank BLACKBIRD
Councillor

Mr. CASE: You heard Mr. Henry Jackson speak yesterday about the organization of the Indians of Ontario and he handed in a list of those members. Are you people members of the Union of Ontario Indians?
The WITNESS: Yes.

By the Chairman:

Q. What is the name of the man who is with you?—A. Walter Sands.

Q. Is he a member of the Union of Ontario Indians?—A. Yes he is.

Q. Thank you very much Mr. Adams, we will now have Chief Big Canoe.

Mr. CASTLEDEN: Is there not to be any questioning of these gentlemen?

The CHAIRMAN: What we had agreed on before you came in, Mr. Castleden, was that Mr. Lickers would put all the questions on behalf of the committee, in view of the fact that we have to be out of this room by 5.00 o'clock. We wanted a certain amount of questioning of all the remaining witnesses.

Mr. BRYCE: Is it really necessary that we be out of this room here at 5.00 o'clock?

The CHAIRMAN: It is necessary that we leave this room at 5.00 o'clock.

Mr. BRYCE: The next meeting that takes place in this room is at 6.10 p.m.

The CHAIRMAN: I am informed it is about 6.00 p.m.

Mr. BRYCE: 6.10 p.m. We could give these representatives the time to which they are entitled if we stayed until 5.30 p.m.

The CHAIRMAN: I am sorry but I have given my solemn undertaking that this committee will vacate this room at 5.00 p.m.

Mr. BRYCE: I move the motion that you go and tell them that we will not be out of here until 5.30 p.m.

The CHAIRMAN: I am sorry I cannot do that.

Mr. BRYCE: These witnesses cannot come here every day.

The CHAIRMAN: We should have thought of that when we were putting those useless questions. I am not referring to you, Mr. Bryce or to any individual, but there has been a lot of repetition and a lot of useless questioning.

Mr. BRYCE: You have to sift it down to find out whether you have any meat.

Mr. BLACKMORE: Could we not go on with the plan that we have undertaken and if there is some time left afterwards we can devote it to questioning.

Mr. CASTLEDEN: I only want to say this. There are 36,000 Indians in the province of Ontario and it is unfortunate that we cannot give them the time.

The CHAIRMAN: We have given them the equivalent of five days now.

Mr. CASTLEDEN: Pardon?

The CHAIRMAN: This is the fifth meeting we have had with these Indians from Ontario.

Mr. CASTLEDEN: In dealing with the other meetings which we have had, if you will allow me to continue, one of the principles was that all the Indians would be given a full opportunity to present their case to the committee, and the committee in turn was to be given full opportunity of questioning the Indians. I would like to suggest, Mr. Chairman, if possible at all, that we extend the hearings to some other time if we cannot get through today. We could extend it over until tomorrow or next week in order to see that the voice of the Indians from Ontario be heard properly by this committee.

Mr. CASE: I think that is all very fine and we are getting in a lot of evidence but I think Mr. Castleden we must all agree that we could stay here until doomsday and never have it all. All we can get is an outline. A lot of the reserves in Ontario have been visited and we are trying to do our best to give them an opportunity of saying what they wish but there is no limit to this. We could hear every Indian in Ontario.

Mr. BLACKMORE: Could we not get on with what we have already decided? We are wasting time here with talk.

The CHAIRMAN: The committee is the governor of its own actions.

Mr. BLACKMORE: I wish that Mr. Lickers would go on.

Telford Adams, called:

By Mr. Lickers:

Q. Mr. Adams, you told me yesterday you would like to make some further remarks. Would you like to do that now or would you like to have me ask questions instead?—A. I would rather invite questions but there is a particular matter on treaty number 18 of volume 1.

Q. All right, go ahead and tell us about it.—A. I have no facts and I would like to make reference to the treaty to which we were a party on the 17th of October 1818. It is found in volume 1 of the "Treaties." There is a clause there under which our people were supposed to have been given £1,200 of currency in goods at the Montreal prices forever. We are not very clear on that and we hope to get it cleared up.

Q. What number treaty was that?—A. Volume 1, number 18.

Q. I suppose we could make a note of that and go into it.

The CHAIRMAN: The subcommittee on treaties could look into that.

Mr. CASTLEDEN: I think there is a copy of that in the library and I think he should be given an opportunity to read the clause in that treaty to which he refers. What is the number again?

The WITNESS: Volume 1, number 18.

Mr. FARQUHAR: Have you that on the record?

The CHAIRMAN: No. Have you any other statement you would like to make, Chief Big Canoe?

The WITNESS: There is another treaty that we would like to have reviewed. It was in 1923, with regard to fishing rights in the waters adjacent to our reserve. There has been a little trouble at times with the provincial game warden going in and taking a net, say within a mile or half a mile of the reserve. We are not very clear on whether we have any rights, or whether at the time of the treaty the waters adjacent to the reserve were surrendered. We want to know whether when the lands around the reserve were surrendered it included the waters adjacent to the reserve.

Mr. BLACKMORE: Could we have that treaty read now?

The WITNESS: Do you want me to read the whole thing?

By the Chairman:

Q. If you will address the chair we will know what is going on, otherwise it will be of no value.—A. It is at the bottom of the page.

Q. What are you reading from?—A. Treaty number 18, page 47.

Q. What volume?—A. Volume 1.

Q. Of what?

Mr. LICKERS: "Indian Treaties and Surrenders."

The CHAIRMAN: "Indian Treaties and Surrenders."

And the said William Claus, in behalf of His Majesty, does hereby promise and agree to pay to the said Nation of Indians inhabiting as above mentioned, yearly and every year for ever, the said sum of twelve hundred pounds currency in goods at the Montreal price, which sum the said Chiefs and Principal People parties hereunto acknowledge as a full consideration for the Lands hereby sold and conveyed to His Majesty.

Q. What you want is an accounting of that?—A. Yes.

Mr. HOEY: I may save a little discussion if I make this statement that that was capitalized later on by agreement and formed the present basis of the trust fund of your band. It is all on record.

By Mr. Lickers:

Q. When was that other treaty made?—A. I believe it is October and I believe it is 1923.

Q. And whom was that made between?—A. The Chippewas of the Georgian, Snake Island, Christian Island and Rama reserves.

Q. You want that matter looked into?—A. Yes.

By Mr. Case:

Q. Are you Indians members of the Ontario Union of Indians?—A. No, we are not.

By Mr. Blackmore:

Q. That was a dominion treaty to which reference was made in 1923?—A. Yes.

Q. An Indian department treaty?—A. Yes.

The CHAIRMAN: Thank you. Now, who is the next delegation?

Mark Pine (Shingwauk) called:

The WITNESS: I am accompanied by Chief William Pine. The tribal name is Shingwauk. And we are accompanied by Daniel Shingwauk and Fred Shingwauk.

By the Chairman:

Q. Apparently you were not here yesterday?—A. Yes, we were here yesterday.

Q. When I called your name you were not here.—A. That was last night. We did not know there was a meeting last night.

Q. Were you not here when the meeting adjourned at 6 o'clock?—A. We were here at 11 o'clock.

Q. Were you here at 4 o'clock in the afternoon?—A. No.

Q. Were you here at 1 o'clock when we adjourned?—A. Yes, today.

Q. No, yesterday at 1 o'clock?—A. No.

Q. Where did you go to; because we called you last night and would have been glad to give you an opportunity to present any material you wanted to present. You are not one of the delegates who have been named to attend this committee. Have you a brief to present?—A. I will place these things on the record.

The CHAIRMAN: I have sent a messenger to find out if there is some other room we can get in which to continue our meeting.

Mr. CASE: The chief has handed me some medals, and I would like to have him explain these medals because I am sure he does not want to leave them with us.

The WITNESS: I will pass the medals around to the members so they can see them.

The CHAIRMAN: The medals are all described on this sheet of paper here which will become part of our record. The chief has presented for inspection medals that are described here and we also have the credentials of these men and we have a brief from the Garden River band of the Ojibway tribe situated in the Garden River reserve, which is presented by the chief and council.

**THREE MEDALS IN POSSESSION OF CHIEF WILLIAM E. SHINGWAUK
AND HIS BROTHER DANIEL SHINGWAUK OF THE GARDEN
RIVER BAND OF OJIBWAY INDIANS, SAULT STE. MARIE.**

1. Issued by King George III to Chief Shingwauk. This represents the recognition by the Crown of services rendered to the English cause in the war of 1812. Chief Shingwauk's name is included in the list of "Renowned Chippewa Chiefs" who served in this war. The Indians have rested their confidence in the representation of an Indian head on the King's breast, which promises them that he has taken them under his protection and will provide for their needs.

2. *Queen Victoria*. This medal was struck in 1848 and issued to those members of the British Army who served in the long war of 1793-1814. The inscription on the rim of the medal shows that this medal was awarded to Chief Shingwaukonce for his military aid. The Indians have regarded this medal as a sign of the gratitude of the Great White Mother to her Indian children and her promise of protection and care.

3. This medal was issued to the Chief in 1860 after the signing of the Robinson Huron Treaty in 1850. It is a symbol of the promise of the Crown to fulfil the conditions of the Treaty.

GARDEN RIVER, ONT.
May 21st, 1947.

To whom it may concern:

This is to certify that William E. Shingwauk (Chief), Mark Shingwauk, Daniel Shingwauk, Frederick Shingwauk have been appointed delegates by the Chief and Council of the Garden River Reserve in session to appear before the Special Joint Committee on Indian Affairs.

Signed, WILLIAM E. SHINGWAUK,
Chief.

MARK SHINGWAUK
FRED SHINWAUK
BOB BELLEAU

THE INCORPORATED SYNOD OF THE DIOCESE OF ALGOMA
SYNOD OFFICE

Rev Canon F. W. Colloton, B.A., B.D.,
Secretary-Treasurer

SAULT STE. MARIE, ONTARIO,
19th May, 1947.

To Whom it may Concern:

The bearers of this letter, Daniel Pine and Mark Pine, brother and son respectively of Chief William Pine of Garden River Indian Reserve, are visiting Ottawa in connection with the meeting of the Joint Committee of the Senate and the House of Commons appointed to consider the Indian Act.

They are direct descendants of Chief Shingwaukoons ("Little Pine"), who was Chief of the Ojibways early in the last century, and served with distinction in the defence of Canada in the War of 1812-14.

Any courtesies extended to them will be deeply appreciated by them and by the authorities of the Diocese of Algoma.

Fred W. Colloton,
Secretary-Treasurer.

(4, 5, 6 pasted)

If it is your pleasure we will adjourn to room 497 immediately and continue our investigation.

The committee resumed in room 497.

The CHAIRMAN: Would it be in order to take this brief as presented, since these delegates are not official delegates? Then, we could let Mr. Lickers question the delegates. Is that agreeable?

Mr. CASE: Agreed.

BRIEFS OF THE GARDEN RIVER BAND OF THE OJIBWAY
TRIBE SITUATED ON THE GARDEN RIVER RESERVE,
ONTARIO.

PRESENTED BY THE CHIEF AND COUNCIL

Delegates: William E. Shingwauk, Chief; Mark Shingwauk, Daniel Shingwauk, Frederick Shingwauk, direct descendants of Chief Shingwaukoons, who signed the Robinson Treaty in 1850.

We the treaty members of the Garden River band of the Ojibway tribe having made a study of the Indian act together with the different treaties made with our forefathers, especially the Robinson treaty, do hereby present our findings.

We do not ask for the impossible. We ask only that truth and justice be accorded us in keeping with the feelings of God and humanity. In the words of the greatest Teacher who ever lived we ask that our white brothers will "Render unto Ceasar the things that are Ceasar's and unto God the things that are God's" and unto the Indian the things that are the rights and properties of the Indian.

Part One. Treaties and Leases.

There exists a feeling amongst us that our treaties are not being discharged by the government in the way they were meant to be. Our treaties were made in good faith but in various ways our privileges and rights have been encroached upon or set aside completely. Along with the treaty the case history should be studied. The purpose of the treaty was to promote progress. We should have full assurance by word and deed that our full rights will not be molested.

We would ask, therefore, that you consider the following points and incorporate them in your findings.

Extracts from the Robinson Huron Treaty September 9, 1850.

The parties of the second part also agree, that in the case the Government of this Province should before the date of this agreement have sold, or bargained to sell, any mining locations, or other property on the portions of the territory hereby reserved for their use; then and in that case, such sale, or promise of sale shall be perfected by the Government if the parties claiming it shall have fulfilled all the conditions upon which locations were made, and the amount accruing therefrom shall be paid to the tribe to whom the Reservation belongs.

The reservation at Garden River is the largest and perhaps of most value, but as it is occupied by the most numerous band of Indians, and from its locality (nine miles from the Sault) is likely to attract others to it, I think it was right to grant what they expressed a desire to retain. There are two mining locations at this place, which should not be finally disposed of unless by the full consent of Shinguacouse and his band; they are in the heart of the village and show no indications of mineral wealth, they are numbered 14 and 15 on the small map appended to Messrs. Anderson and Vidal's report. I pledged my word on the part of the Government that the sale of these locations should not be completed, and as the locatees have not, I believe, complied with the conditions of the Crowns Lands Department there can be no difficulty in cancelling the transaction.

(1) That there be a full investigation of leases on this reserve. Especially the Rankin location which was to be a tract of 196 acres and sold for 40 cents an acre in 1865 which was fifteen years after the signing of the Robinson treaty. This tract now embraces 4,000 acres which is being settled by white people. Why were we not paid for it? We feel that this extra acreage should revert to our reserve. At what time was Squirrel Island sold and to whom and for how much? Locations were leased to certain parties on conditions which specified the employment of Indians and therefore improvement of conditions on the reserve. In several instances the promises made by the lessee have never been fulfilled. Lands have been stripped of timber and left. Mills were burnt and abandoned. In this connection we have in mind the Marble Quarry, Victoria Mine and the Fry location.

(2) That the Gunshot treaty be recognized and a copy of it sent to each provincial game warden.

(3) That the Jay treaty be recognized and authorized copies be sent to immigration officials at border points.

(3) That there be enforcement of No. 34 of the Indian Act. The reserve was set aside for the use of the treaty Indian of the Garden River band. Here we have non-treaty and non-transmissible Indians and white people all availing themselves of the same privilege as to hunting, fishing, lumbering, small farms as should be allowed only to a treaty Indian.

4. We maintain that the only white people who should be allowed to reside on the reserve are the missionary or teacher and his family.

Part Two. Education, Health and Welfare.

(1) That there be an investigation of school buildings. Some are poorly lighted, heated and ventilated. Every school should have a basement where children could play on rainy days. It should have indoor toilets of the semi-flush type such as we see in the country schools around.

(2) Teachers should be fully qualified and should be required to submit themselves for periodic medical examination.

(3) The home conditions of the children should be studied so that children will be better fed, clothed and housed than at present. This is the foundation of education.

4. That vaccination and inoculation be made compulsory for every school child and all doctors should be forced, by law if necessary, to see that this is carried out.

5. No child should be allowed to attend school or mingle with other children if he has any communicable disease and more especially tuberculosis.

6. Hospitalization of tubercular patients should be compulsory and it should be the duty of the doctor and agent to enforce the law.

7. Indians should be allowed to choose their own doctor. We are in a position here where the doctor will not come when he is called. He holds his job and draws his salary whether he works or not. He has too many city patients who pay better therefore he has no time or patience for those of us who are sick.

8. There should be increased rations for aged or sick Indians. The weekly amount now given we find is quite inadequate to supply a menu for a failing or capricious appetite.

9. The teachers who dispense drugs should be given a course in first aid, medicine and home nursing. When we are sick we have to depend on the dispenser as the doctor will not visit.

10. Projects should be encouraged on the reserve. Tourist camps, snack bars, market gardening, small fruits, small factory, or sawmill. This reserve is admirably situated for any or all of these projects.

11. The land is suitable for farming only in small strips and areas. This would have to be done on a small scale and we would need help in the purchase of machinery, horses and some grade stock.

12. Encouragement should be given in the growing of a garden by each family. Grants to cover cost of seeds, and wire for fencing should be granted each family annually especially to a family where there are children. A community root cellar should be built where those who have no cellars could store their root crops.

13. Race prejudice must be eliminated. This would have to be done by the teachers and missionaries. In very few instances the teachers

and missionaries do not show any superiority over us. It is usual for them to encourage us to cultivate an inferiority complex in childhood which is hard to eradicate when we are older. More publicity should be given to the work being done on the reserves and the people should be encouraged to show a Christian attitude toward the Indian.

Part Three. General.

(1) There should be a changed status and attitude of the Indian agent. We know that the business between the Indians and the Crown must be transacted through an agent. We feel, however, that the position of agent here is more of a dictatorship rather than the agent of a department of a democratic government. At different times resolutions passed by our council have never reached Ottawa. Our chief and councillors should conduct the government of the reserve. They should have the say as to who should get relief, grants, loans instead of the agent. At the time of the making of the treaties our forefathers were considered capable of self-government. There should be more reason now, owing to years of education, why they should be capable of handling their own affairs.

The Indian agent should be a man who can prove that he knows the rudiments of farming. He should have a pleasing helpful personality and know how to get along with people. Above all he should be sympathetic to the Indian in his aims and aspirations to a place in life such as is enjoyed by his white brethren.

(2) We should have some way of presenting our grievances direct to Ottawa. When they are forwarded through the agent, which is now the law, they are not dealt with. If we do not get a square deal from the agent how can we report it if we have no recourse except to the agent himself. The system borders on tyranny of the middle ages.

(3) The department should make an annual financial report to our chief and council. We have no report or record of moneys collected in land dues, timber dues, or rent. And no report of money expended by the band; therefore we have no idea how we stand financially. The modern Indian is no longer a child. He knows that large companies and organizations have an auditing or an accounting once a year.

(4) Dues are being charged here where no government scaler is in evidence. Company scalers operate and no report is ever received as to the amount of dues collected by the Indian department. We believe we are entitled to know the results of this part of our business.

(5) Indian veterans should have the same privileges as white veterans. They were ready and willing to give their lives side by side with the white men therefore they should be given the same gratuities and favours as the white veteran with no strings attached as to loss of treaty rights, etc.

(6) The amount now paid to chief and councillors should be raised. If they were paid a little more it would be an incentive for them to spend more time attending to the affairs of the reserve.

(7) We would ask that the chief and councillors be allowed to choose their own reserve constable. At the present time the constable is a junior officer of the mounted police and appointed by the Civil Service. We have nothing to say as to his actions after he is appointed. We would ask for your consideration.

By Mr. Lickers:

Q. You come under the Robinston and Huron Treaties, do you?—A. Yes.

Q. I notice on page 2 of your brief you are asking for a full investigation of the leases on your reserve. How many leases have been signed without your

consent?—A. With regard to this particular location, shortly after the treaty was made in 1850, it seems there were 196 acres out of these 4,000 acres sold. Then, the balance of that, we have to-day. We own that particular portion.

Q. You want that particular question investigated?—A. Yes.

Q. What about the Gunshot treaty? When was that made?—A. Just a minute. There is another one connected with this, particularly the Fry location. The Fry location has been surrendered years ago, but on this particular point there is a white man has built a cottage, and we believe it is on the Indian reservation.

Q. Do you know this white man's name?—A. Mr. Chambers.

Q. You want that question looked into as well?—A. Yes.

Q. What about the Gunshot treaty? When was that?

Mr. DANIEL SHINGWAUK: We bring this up because we want our full rights. We are original treaty Indians. We want our rights and privileges according to our treaties.

Mr. LICKERS: That is your hunting and fishing privileges?

Mr. DANIEL SHINGWAUK: Yes. We have so many different members who were admitted into the band that it takes these privileges away from us.

Mr. LICKERS: Who admitted them into the band?

Mr. DANIEL SHINGWAUK: I do not know.

Mr. CASE: Are they Indians?

Mr. DANIEL SHINGWAUK: Half breeds. They are being brought in there not through the chief and council and members. I do not know how they are being brought in there. We want to find out.

Mr. LICKERS: Have you any trust funds with the government here?

Mr. DANIEL SHINGWAUK: Yes.

Mr. LICKERS: Do they share in them?

Mr. DANIEL SHINGWAUK: Yes, they are taking the largest share of that. The treaty Indian is being pretty nearly left out.

Mr. LICKERS: Have you a list of all the Indians who belonged to your band at the time the treaty was signed?

Mr. DANIEL SHINGWAUK: The original treaty was burned. Those medals went through the fire. They were burned, too. The home burned and our treaty was destroyed. We have those original members who belonged to the band at the time the treaties were made.

Mr. LICKERS: I am trying to find out how long ago it was that these people who have been put on the band membership were first put on?

Mr. DANIEL SHINGWAUK: That is since ten years.

Mr. LICKERS: The last ten years.

Mr. DANIEL SHINGWAUK: The last ten years.

Mr. LICKERS: Did any of those members at any time apply to the chief and council to be admitted?

Mr. DANIEL SHINGWAUK: No.

Mr. LICKERS: Who notified the chief and council they were members of the band? Who told you that?

Mr. DANIEL SHINGWAUK: After they got in the band we found out they were in the band.

Mr. LICKERS: Who told you that?

Mr. DANIEL SHINGWAUK: They had treaty cards. That is how we came to know that.

Mr. LICKERS: From where were the treaty cards issued?

Mr. DANIEL SHINGWAUK: The Indian office in Sault Ste. Marie.

Mr. LICKERS: The Indian office at Sault Ste. Marie?

Mr. DANIEL SHINGWAUK: Yes.

Mr. LICKERS: You have not yet given me the date of the Gunshot treaty. You say on page 2 of your brief:

"That the Gunshot treaty be recognized and a copy of it sent to each provincial game warden."

I want the date of that so that we can check it.

The CHAIRMAN: Can Mr. MacInnes help us there?

Mr. MACINNIS: We will have a copy of the book of Indian treaties and surrenders. It is volume one. As a matter of fact, I might say to the best of my knowledge the Gunshot treaty does not relate to this group. There is nothing on this hunting question in the Gunshot treaty. I think it is the Robinson treaty of which they are speaking. I think it is not the Gunshot treaty they have in mind.

Mr. LICKERS: They referred to it here and I am trying to get that information.

By Mr. Lickers:

Q. Have you the privilege of crossing over to the United States?—A. Yes, we have that privilege of going across and working there say at Ford's. Sometimes we have a little trouble going across or getting work over there. We have the full right to go back and forth and work over there.

Q. You claim that right under the Jay treaty, do you?—A. Yes, the Jay treaty.

Q. I guess you had better ask the defence league if you cannot get into their organization. Are there any children on your reserve who have no school to go to?—A. Not to my knowledge. We have two schools on the reserve, one an Anglican school and one a Catholic school. I could not give you the figures as to how many children are going to school, but what I was going to say is where we live it is six miles from the reserve. It is a reservation, but it is six miles away. There are only three or four families there and there are only four children that go to school. They have to walk three miles to a white school. That is all I know about the children. I believe the children all go to school. The schools are in the central part of the reservation.

Q. Are there many people on your reserve who still adhere to the old original beliefs?—A. Religion?

Q. Yes?—A. Yes, we all do. In fact, there are two groups of us there, Roman Catholic and Anglican, so we all believe in that faith that was taught us.

By Mr. Case:

Q. Your original faith?—A. Yes.

By Mr. Lickers:

Q. Do the parents object to sending their children to either one of the two schools?—A. To my understanding each denomination has its own day school so the two parties will not be mixed up. That is why there are two schools there.

Q. Would you rather have your schools under the church?—A. What I would like to see is school trustees and higher paid teachers, high class qualified teachers.

Q. How about taking the schools away from the church; do you want that?
—A. I would not go into that very strong. I think the church is doing very good work, so far as my knowledge goes.

Q. You still want to have the church run them but you want higher quality teachers?—A. Yes. I would like for us to have better education for the children. I am right behind that one hundred per cent.

Q. Once they get out of the public school does the department help them to go to high school?—A. Not to my knowledge. This last summer I noticed that one of our boys started to go to high school. That was just this last summer. That is all I know that is going.

Q. Is the department helping him?—A. I do not know.

Q. So there is only the one person on your reserve going to secondary school, high school?—A. To my knowledge.

Q. How many children have you got attending at the school?—A. That is pretty hard to say. There quite a few children, twenty-five or thirty.

Mr. CASE: How many families are there on your reserve?

The WITNESS: Oh, it is a big reserve.

Mr. BLACKMORE: Mr. Chairman, I am not sure that these people understood to what Mr. Lickers referred when he asked them about their native religion, whether they understood what he meant by the term he used, "aboriginal beliefs".

The WITNESS: You meant Indian religion?

Mr. LICKERS: Yes.

The WITNESS: No, we don't follow that.

Mr. LICKERS: Have you any people who belong to the Indian religion?

The WITNESS: No, we all belong to churches.

The CHAIRMAN: In other words, you are all Christians?

The WITNESS: Yes, we are all either Protestants or Catholics.

By Mr. Lickers:

Q. What about family allowance on your reserve? Is everybody getting that?—A. To the best of my knowledge they are.

Q. Does that help the attendance at school, do you know?—A. It helps a great deal in getting clothing, provisions and that sort of thing. That is pretty hard to get.

Q. Have you any doctors up there?—A. Yes, we are supposed to have a doctor but he doesn't come very often; we don't see him very much. We have a lot of trouble with our doctor. I had a case the day before I left. I tried to get a doctor for an old lady who is very sick and she didn't want to go to hospital. Between the three of us we tried to get the doctor to come up to Garden, and we brought him up to where I live—

The CHAIRMAN: Where do you live?

The WITNESS: Echo river, that is on the Indian reserve.

The CHAIRMAN: How far is it to the hospital?

The WITNESS: It is nine miles from Garden, and fifteen miles from where I live.

The CHAIRMAN: I mean, from where she was.

The WITNESS: Nine miles. The doctor did not respond and come down. He told us to take her to the hospital so that is where she landed, in hospital.

By Mr. Farquhar:

Q. You have no hospital on the reserve? That is the Soo hospital you would go to? What is the name of the doctor?—A. I don't know.

Q. Is he a full-time doctor for the Indians or a part-time doctor?

Mr. DANIEL SHINGWAUK: He is full time, as far as I know.

The CHAIRMAN: You only had 384 altogether, according to the 1944 census, on your reserve.

Mr. LICKERS: He is only a part-time doctor isn't he? On page 9 of your brief you say "he has too many city patients who pay better therefore he has not much time or patience for those of us who are sick." I assume he must be a part-time doctor.

The WITNESS: I can explain that. It costs a good bit of money for a poor Indian to take a bus and go down to the Soo to see the doctor; and if they have to stay there four or five hours to try and see the doctor—sometimes you have to go home without seeing him. I have had that experience myself. I went there a couple of times to see the doctor,—and you have so many white people who have appointments ahead of you that you have no time; and you have to pay for the bus; and if you miss the bus it costs you \$2.50 for a taxi to take you back home. That is the trouble we have with our doctor. The only time you can see a doctor is when you are in hospital and you have to take a bed there and stay there and you see a doctor in the morning, I suppose.

By Mr. Lickers:

Q. What do you do on your reserve to make a living?—A. Our living is mostly mixed; a little bit of farming, labour and lumbering.

Q. Have you got some timber on your reserve?—A. Yes.

Q. Does the band sell it?—A. We cut it individually. Each member gets a permit to cut so many logs. The number that we are allowed to cut is indicated on our permit and then we sell it to a buyer.

Q. And the individual gets the money for it?—A. Yes.

Mr. CASTLEDEN: I see on page 7 you have a reference to the fees being charged where no government scaler is in evidence: "Company scalers operate and no report is ever received as to the amount of dues collected by the Indian department. We believe we are entitled to know the results of this part of our business." Just what do you mean by that?

The WITNESS: It is quite true, if there are several buyers.

The CHAIRMAN: Buyers, or what?

The WITNESS: Buyers of our timber and lumber and so on. They come there on thier own and we believe that where we are paying dues we should have a government scaler in connection with that, so that he would make a direct report to the agent.

By Mr. Castleden:

Q. You say that is not reported to the band?—A. No.

Q. What happens to the money, as far as you are concerned?—A. I don't know. I do not know anything about the report or anything.

Mr. CASE: Do you make a pretty good living?

The WITNESS: Well, just ordinary labour, you know.

By Mr. Lickers:

Q. Are any of you members of the council?—A. Yes, I am a councilman.

Q. How long have you been on the council?—A. Sixteen years.

Q. Has the department ever sent an annual report to the council showing the amount of moneys that you have and the amount which is expended?—
A. No, never to my knowledge.

Q. Have you ever asked for a financial statement of that kind?—A. Yes, we have.

Q. When was the last time you asked for it?—A. The first time I went into the council I tried to get one. We tried to get it when we first went there.

Q. When you say "we" whom do you mean?—A. Dan Shingwauk here and myself. He was also elected at that same time sixteen years ago. We were very young men at that time and, you might say, ambitious, so we thought we would investigate this question of finances and see how they stood, the band funds. We didn't get any results and we never found out right until to-day. I do not know how much we are getting. We don't know whether we have got \$1 or 15 cents. We don't know how much is being spent on such matters as relief or anything like that. We have no knowledge of that.

Q. And you say that you have been after that for the last sixteen years?—A. Yes.

By Mr. Case:

Q. Is your chief and council elected?—A. Yes.

Q. Are you members of the Ontario Union of Indians?—A. No.

Mr. CASTLEDEN: The Ontario union was only started last year.

Mr. CASE: I know. I just wanted to check the list handed in. On page 6 of your brief, clause 3, you say:—

There should be a changed status and attitude of the Indian agent. Are you a member of the council, Dan?

DANIEL SHINGWAUK: No. I mean that the Indian agent should have a little more relationship with the band. He is neglecting us. We do not see him and he does not forward the briefs and resolutions made by the council and he does not come down to see what we are doing. In the first place when he was first being appointed as Indian agent, Mr. Christenson was the man who was representing him.

Mr. BRYCE: May I ask how far away the agent lives from your reserve?

DANIEL SHINGWAUK: Nine miles.

Mr. BRYCE: And how often does he visit you in a year?

DANIEL SHINGWAUK: Once a year.

Mr. BRYCE: You do not see him every week?

DANIEL SHINGWAUK: There is a lot of people who would say they had never seen him except when he is walking along on the reserve.

Mr. BRYCE: I do not want you to think that he should visit you personally, but on your reserve do you see him every week?

DANIEL SHINGWAUK: No.

The CHAIRMAN: Of course he could be on your reserve and you would not see him, is that not a fact?

DANIEL SHINGWAUK: Yes.

Mr. LICKERS: Does he ever attend a council meeting?

DANIEL SHINGWAUK: Very seldom.

Mr. LICKERS: Have you ever complained to the department about that and if so what result did you get?

DANIEL SHINGWAUK: That is another thing. When you try to communicate with the department you do not get any answer when you go through the agent because I suppose that is as far as it goes.

The CHAIRMAN: Who is your member of parliament?

DANIEL SHINGWAUK: George Nixon.

The CHAIRMAN: Why do you not get hold of your member of parliament?

Mr. BLACKMORE: Did you ever try to get hold of your member of parliament?

DANIEL SHINGWAUK: I do not know.

The CHAIRMAN: Why I ask is because Mr. Farquhar, who is in the next constituency, and right next to your reserve has given evidence or at least made statements that he has had many representations from the reserves in his constituency and he has been able to get reasonable and fair response and action from the department.

Mr. FARQUHAR: I have always found the department very cooperative and I have worked with them a great deal. My Indians come to me very often and I think many of you gentlemen make a mistake that you do not contact your own member of parliament. He always has access to the department and I think you will find he will be cooperative so that you do not have to depend upon the agent to get information from the department.

The CHAIRMAN: Would you just speak in my direction so that the reporter can hear when you are making an answer. It will then be put on the record.

The WITNESS: I got a little mixed up which way I should talk.

The CHAIRMAN: We are discussing members of parliament.

The WITNESS: We did not know that. We always had to deal direct through the agent as is stated in the Indian Act. It says there in that section that we will have to deal through the agent and it never mentioned anything about the member of parliament, but I am glad to know that.

Mr. CASTLEDEN: They should have put it in the Act.

The CHAIRMAN: We are not trying to create any more work than the members now have but I am sure that if you will get in touch with your member on these things you will get action.

Mr. FARQUHAR: I think the agent will be very glad to cooperate as well.

By Mr. Castleden:

Q. I noticed you said you believe the chiefs and councillors should conduct the government of the reservation. That is you feel you should have more say in the governing of the affairs of the reserve. Can you outline some of the things that you think the band could deal with for the betterment of the reserve?

—A. We think we are capable of handling our own business in our own reserve among ourselves. We can transact our own business. We know the conditions of the people and what should be done and who we should have and so forth like that. I believe there would not be any mistake if chiefs and councillors have that much privilege of doing their own business and governing on the reserve. I think that would be one of the best things that ever happened.

By Mr. Lickers:

Q. Would you go so far as to say they should look after their own money as well?—A. We should get a report anyway and I would suggest that they have the privilege of looking after their own money by voting so much out. We would leave it up to the department so far but we would ask \$1,000 through the chief and the council and that could be used for any project.

Q. Would you want any safeguard on it so that they could not spend all of the money?—A. That would be up to the chief and the council and they would have to look after that.

Q. Would you want to put some check on them so that they could not spend all of the money in a short period of time?—A. We would leave that to the government.

Q. That is what I say, you would want some check as to how much money they could spend?—A. Yes.

Q. But they should have the authority to spend up to a certain amount?

—A. Yes.

Q. And they have not got that now? Would you say that should be given to them each year?—A. No, no. Sometimes, take for instance road building—

Mr. CASE: If you had planned a project and passed it in the council you think the Indian Affairs Department should back you up?

The WITNESS: Yes.

By Mr. Lickers:

Q. I notice that here on page 7 "The Indian veterans should have the same privileges as the white veterans". Have they not got the same privileges there?

FREDERICK SHINGWAUK: It does not seem so. I put in for a grant not so very long ago. My business is very badly run down.

The CHAIRMAN: What business are you in?

FREDERICK SHINGWAUK: I am in farming. My fences are down. I have been away five years in the service and I had to pick up a little money and I put in for a grant and the Indian department turned it down.

Mr. FARQUHAR: Are you a returned man?

FREDERICK SHINGWAUK: Yes.

Mr. CASTLEDEN: Of two wars.

The CHAIRMAN: Were you overseas in this war?

FREDERICK SHINGWAUK: I was not overseas this time, I was in the veterans' guard.

The CHAIRMAN: You were overseas in the first war?

FREDERICK SHINGWAUK: Yes.

The CHAIRMAN: You were in the veterans' guard during the last war?

FREDERICK SHINGWAUK: Yes.

Mr. LICKERS: Have you applied for your re-establishment credit? Each veteran is allowed so much money, have you applied for that? Have you not got any money at all?

FREDERICK SHINGWAUK: Not a cent.

Mr. LICKERS: And you applied for some money to the department for the fences and they turned you down on it?

FREDERICK SHINGWAUK: Yes.

Mr. LICKERS: And how long ago did you do that?

FREDERICK SHINGWAUK: In April I think it was. I wanted to use this money to buy seed and stuff.

Mr. LICKERS: Did you apply to the Indian department or the Department of Veterans Affairs?

FREDERICK SHINGWAUK: The Indian department. When you go to the Legions they say go to the agent.

Mr. BRYCE: Did you apply to your agent?

FREDERICK SHINGWAUK: Yes.

Mr. BRYCE: Exactly what reason did the agent give you?

FREDERICK SHINGWAUK: He said "you are too much of a man, you are able to earn your own money".

The CHAIRMAN: I think the matter could be well left and investigated.

Mr. CASE: You have had your gratuities, your discharge gratuities? You say you have not got a cent but you have had some money?

FREDERICK SHINGWAUK: Yes, but I bought stock with that.

Mr. LICKERS: How much money did you get?

FREDERICK SHINGWAUK: \$490. I got close to \$1,000 altogether but I bought stock with that.

Mr. LICKERS: How much land do you own?

FREDERICK SHINGWAUK: At the present time I have almost twenty acres but where I am I could get all the land I want.

The CHAIRMAN: I think the matter could well be investigated. If you will, make a note of it, Mr. McEvoy; and perhaps you could do so as well, Mr. Hoey.

Mr. CASTLEDEN: On page 3 you say "We maintain that white people should not be allowed to reside on the reserve with the exception of the missionary, the teacher and his family". Do I understand from that that other white people are living on the reserve?

DANIEL SHINGWAUK: Yes, there are some white people.

Mr. CASE: How did the white people get on the reserve?

DANIEL SHINGWAUK: They just came in and they stayed.

Mr. CASTLEDEN: Without permission of the band?

DANIEL SHINGWAUK: Without permission of the band.

Mr. CASTLEDEN: What are they doing on there?

Mr. DANIEL SHINGWAUK: They are living there and they have a piece of land and they put in a garden. I suppose they are there to dodge around the taxes which they would have to pay outside.

Mr. BRYCE: How long have they been there?

Mr. DANIEL SHINGWAUK: Twenty-five years.

Mr. CASE: The witness speaks of dodging taxes. Now, may I tell you that if a white person is living on an Indian reserve and has land he has to pay taxes to the municipality. The Indians up our way rent their land but the municipality there seldom collects taxes, but they know that the land is rented to a white person.

Mr. LICKERS: Providing the reserve is in the municipality.

Mr. BLACKMORE: In order to get some idea of how we are going to use the remaining fifteen minutes, may I ask if we are going to spend it examining this gentleman?

The CHAIRMAN: Mr. Henry Jackson is here and Mr. Little, not recognizing that he was representing the Timagami reserve, wishes now to ask him some questions. If it is your pleasure I shall ask Mr. Jackson to come up now.

Mr. LITTLE: I might explain that Mr. Jackson has been chosen by the Timagami Indians to represent them here.

The CHAIRMAN: Are there any other Timagami Indians here?

Mr. LITTLE: Yes, but he is going to speak for them.

The CHAIRMAN: That being the case may I say to Chief Pine and his delegation that we appreciate their attending this committee and assisting us in this matter of the revision of the Indian Act. We want to make you feel sure that we will do everything in our power to relieve the situation so far as legislation is concerned. In due course we will come to the revision of the Act.

The WITNESS: I thank you and the members of the committee for the privilege of permitting us to present our views, and we hope and trust that the Lord will hear our plea.

The CHAIRMAN: Thank you very much, Mr. Pine. We will now call on Mr. Henry Jackson.

Henry Jackson, recalled:

The CHAIRMAN: There was a presentation made by Mr. Jackson in connection with the Timagami reserve. That was made yesterday. Now, is there anything you would like to add to that, Mr. Jackson?

The WITNESS: Yes. In reference to game and trapping it has been very much curtailed on the Indians up in that region by the Ontario game laws. Now, I have here a letter that was written to our director, Mr. Hoey, from our legal adviser, Mr. Murdock. I believe that is already on file. I am referring to these people who have been arrested and fined, and one of them was fined \$54.50 and the other \$23.50 for being in possession of meat killed upon their own reservation. And they have asked me to put on record that they are very much aggrieved by the way they have been treated. The Indians up in that particular region are deriving their livelihood from game and fish, and any curtailment on their livelihood is a hardship and a distress to them. So we want to ask the committee for a recommendation to lift those restrictions against these Indians.

By the Chairman:

Q. Are they provincial regulations?—A. Yes.

Q. You have had advice from your lawyer Mr. Murdock?—A. Yes.

Q. Is he the same Mr. Murdock who has something to do with the North American Indian Brotherhood?—A. Yes.

Q. Are you all affiliated with the North American Indian Brotherhood?—A. Yes, the Ontario organization is affiliated.

Q. That is, the Union of Ontario Indians is affiliated with the North American Brotherhood?—A. Yes. We have the same aim and purpose. That is one of the points that I wish to bring out. I have already presented my brief on behalf of these people in regard to Austin Bay settlement. I was very brief in my presentation, and I would like to make a further explanation on the subject if I may be permitted to do so.

Mr. BLACKMORE: I should like to hear him speak further on this matter.

The CHAIRMAN: We have just five minutes left.

Mr. FARQUHAR: Mr. Little would like to ask some questions.

By Mr. Little:

Q. Mr. Jackson, do you have to have a provincial licence before you can trap on your own reserve?—A. Yes.

Q. I might explain that this Austin Bay, as I understand it, was owned by the Indians a number of years ago and they were moved from there to Bear Island?—A. Yes.

Q. I know I have written several letters in connection with this and I have been told that the department cannot deal with the provincial government. The dominion cannot make any arrangement with the provincial government to allow them to go back to Austin Bay. That has been the answer. They would like to go back to Austin Bay, their original ground. Is that your idea?—A. Yes, that is the attitude of the people there. Bear Island point is occupied by the Ontario forestry people—the best part of the point; and at the other end of that reserve is a settlement—I do not call it a reserve—has been occupied by the Hudson Bay Company, and in all those years they occupied that point they have cut all the firewood and everything that is worth while cutting. As I said yesterday, there is nothing but willows and thistles grown in that portion of the reserve, and there is only one little piece of ground where they can bury their dead. There is nothing there to grow. So they ask your serious consideration that this matter be fully investigated and if possible that they be given back their original reservation.

By the Chairman:

Q. Now, Mr. Jackson, you understand that as far as this committee is concerned we have no authority to do anything; all we can do is recommend to the department that certain things be done, or recommend to the government that certain things be done?—A. Exactly.

Q. Now, we will take your recommendation into consideration when we come to the revision of the Act. If there is anything we can do in connection with the revision of the Act which may relieve that situation we shall be glad to do it. In any event, the director of the Indian Affairs branch is here and probably he could make a note of that matter and have some action taken.

By Mr. Little:

Q. What are the conditions, as far as you know, as to how the people are looked after—the old people?—A. The old people out in that settlement are not looked after as they should be because the Indian agent lives in Sturgeon Falls, I believe, and that is pretty nearly 100 miles away from that reserve and it is very difficult for these people to get into communication with the agent should anything happen in the way of sickness. Of course, I believe there is a doctor residing in that community. I understand he went up there on his own hook and I do not think he has any pay, as I understand. He goes out to help the Indians. I understand he has recommended that a small hospital be erected in the community.

Q. It is true that the Indians there have never relinquished their right to Austin Bay?—A. It is true. There never was a treaty.

By Mr. Lickers:

Q. Just while you are on that point. Alec Paul is a member of that band?—A. Yes.

Mr. LICKERS: This is a letter signed by Mr. Paul and I should like to file that as an appendix to the minutes.

The CHAIRMAN: If that is agreeable to the members of the committee, it will form a part of the minutes. (Appendix FL.)

By Mr. Little:

Q. Can you tell me how long it is since the Indians occupied Austin Bay?—A. Mr. Paul is around 80 years of age, and his father and his grandfather before him had occupied Austin Bay.

Q. That is my understanding, too.

The CHAIRMAN: If that is all, Mr. Jackson,—

Mr. LITTLE: I think this committee should recommend to the government that something be done for these Indians.

Mr. BLACKMORE: Are we to understand that the Ontario government removed these Indians from Austin Bay?

Mr. PATRICK: The Ontario government refused to grant a reserve after the survey was made because there was no provision for it in the treaty.

Mr. BLACKMORE: They refused to grant what reserve?

Mr. PATRICK: The Timagami reserve, not the Bear Island.

Mr. BLACKMORE: Because there is no provision in what treaty?

Mr. PATRICK: In the Robinson and Huron Treaties.

Mr. BLACKMORE: When were they signed?

Mr. PATRICK: 1850.

Mr. LICKERS: That is because this particular band were not—

Mr. PATRICK: Were not represented. There were 17 reserves set apart under the Robinson and Huron treaties, and the Timagami band is not on the schedule of reserves. The reserve we proposed to set up for them was numbered 18 in the negotiations with the Ontario government, but we were unable to get title to the reserve for the Timagamis.

Mr. LICKERS: Yet the land which they occupied was land within the treaty?

Mr. PATRICK: Yes.

Mr. CASTLEDEN: Has the department tried to move these Indians or give them another reserve?

Mr. PATRICK: There was not another reserve to be had in that part of the country.

The CHAIRMAN: Are they not now on a reserve?

Mr. PATRICK: They are on Bear Island.

The CHAIRMAN: It would not be considered to be a reserve?

Mr. PATRICK: Not that to which they are entitled under the treaty.

Mr. BLACKMORE: Has the department attempted to buy a stretch of land?

Mr. PATRICK: There has been much correspondence about this matter over a long period of years.

Mr. BLACKMORE: How many Indians are affected by this condition?

The WITNESS: About 120.

The CHAIRMAN: Mr. Jackson, we appreciate very much your coming here.

The WITNESS: Thank you very much for giving me that privilege because I know there are things that need to be done.

The CHAIRMAN: As to those who have come from Ontario on behalf of this committee I want to say we appreciate very much not only the delegates but all of those who have come to listen and take part in the deliberations of this committee. As you probably know Ontario has the largest Indian population of any province in the Dominion of Canada. It is regrettable that we have not all the time necessary to hear everybody. As you can realize probably every Indian in the province of Ontario, and for that matter in the Dominion of Canada, would like to appear before this committee to give evidence and present his views.

What we are trying to do is to revise the Indian Act in such a way that it may help the Indians to help themselves, if that can be done by legislation. It is regrettable that we have not all the time that might seem to be needed to hear everybody as fully as he would like to be heard, but that is one of the things with which we must contend. It is impossible. Members of parliament have many other duties besides the work of this committee, and we do not have the time to hear everybody who would like to be heard.

From the delegates who come here we can only get the main thoughts and ideas they may have to contribute to this committee. We have done the best we could with the time at our disposal. As a matter of fact, usually the committee devotes two hours in any one day to any one subject. That, of course, is considered to be one session. We have devoted five sessions to the Indians of Ontario which is the equivalent to five days' work. Unfortunately that is all the time we have left. I think that is about the maximum that we have allowed to any one province. I am informed that Saskatchewan also had five sessions.

If there are other briefs that you think would be of help to us in our deliberations leading to the revision of the Act I think you would be quite at liberty to file those with our clerk within the next few days. If there is nothing further

the meeting will be adjourned. The committee will convene again on Tuesday, the 27th of May at 11 a.m. in room 277. The Roman Catholic Church delegation will be here to present a brief and make its presentation.

The committee adjourned at 6.05 p.m. to meet again on Tuesday, May 27, 1947, at 11 o'clock a.m.

LIST OF APPENDICES

Copy

- Appendix FK—Report re Mohawk Institute, given at Local Council of Women, Brantford, Ontario, 1946.
- Appendix FL—Letter from Alex. Paul, Temagami Indian Reserve.
- Appendix FM—Submission from Unceded Band, Manitoulin Island.
- Appendix FN—Brief from Big Trout Lake Band, Ontario.
- Appendix FO—Sarnia Indian Reserve, dated August 9, 1946.
- Appendix FP—Submission by Lac Seul Band, Ontario.
- Appendix FQ—Brief from members of Couchiching Reserve, Rainy Lake, Ontario.
- Appendix FR—Brief from The Progressive Association of the Chippewas, direct descendants of the Chiefs and Principal Men who signed Treaty of 1827.
- Appendix FS—Brief from Chippewas of Sarnia, dated January 13, 1947.
- Appendix FT—Brief from Chief and Councillors, Chippewa Indians, of the Thames, Caradoc Reserve, Ontario.
- Appendix FU—Brief from Chief, Councillors and members of Nippissing Band, Ontario.
- Appendix FV—Brief from Chief and Councillors, Georgina Island, Ontario.

APPENDIX FK

Mrs. G. R. WILLOUGHBY
173 Sheridan St.,
Brantford.

Reports re Mohawk Institute given at Local Council of Women meeting in Brantford January-February 1946.

Explanation:

After a thorough examination by myself and other officers of the Local Council of Women a full and comprehensive report of conditions existing at the Mohawk Institute was made to the Council Jan. 25/46.

Following this meeting, Miss Milne, Convenor of Health, and myself as Convenor of Education, were asked to meet Mrs. Zimmerman and determine the specific and immediate needs of the children.

Reports on these needs were read by Miss Milne and me at a meeting of the Council Feb. 15/46.

A special meeting was called Feb 21 in order that Ross MacDonald, M.P., might hear these reports.

As a direct result of this meeting another special meeting was called for Feb. 26/46 at which Mr. Phelan attended.

The following condensed report of the original report is the one read at the meeting attended by Mr. Phelan.

Findings:

1. Any Indian child may attend the Institute, though of late years only the more destitute have gone.

2. There is accommodation for 140 children. At present there is in the neighborhood of 120. If there is need the children may be taken when 3 or 4 years old and kept until they are 16-18.

3. When the children leave the school they go back to relatives; or employment is found for them, if possible.

4. There are 2 teachers of elementary subjects. Recently a young man has been added to the staff as boys master. As far as I could ascertain he does no teaching, but acts as boys supervisor. He lives out.

5. There are 2 classrooms.

6. The teachers salaries compare favourably with rural teachers salaries. They have the proper certificates and are inspected by the rural School Inspector.

7. The children attend school one-half day.

8. High school work is not taught.

9. There is no sports master or mistress.

10. There is no Household Science teacher.

11. There is no Manual Training teacher.

12. There is no proper library nor steady flow of good reading material.

13. There is no study room.

14. There is no warm, equipped recreation room.

15. The classroom equipment is poor.

16. There is very little—if any—music taught.

17. Very few go on to High School because they are not well enough trained to enter when they should.

18. Indians are not appointed as teachers, in spite of the fact that there are many from the Reserve well trained and suited for such positions.

Recommendations:

1. The addition of highly trained domestic science teacher to the staff so that young girls might receive training in home making, child training, home nursing and kindred subjects. In other words, the girls to be fitted for good homemakers and in the case of those not going on to High School would be much in demand as home aides, or domestic workers.

2. The addition of highly trained instructors for the boys so that they might be taught woodwork, handicrafts, good farming methods and the basic principles of trades—again with the thought in mind of fitting the boys to make a living.

3. The addition of music and art teachers to the staff.

4. The installation of physical education facilities, a recreation room and proper supervision of such.

5. The addition of a well equipped library.

6. The addition of a quiet supervised study room.

7. The addition of proper classroom equipment. NOTE: A large staff would provide the proper supervision which is sadly lacking at work, play, during meals and in the dormitories.

NOTE: Because of certain statements and implications made by Mr. Phelan in a most insulting manner at the conclusion of this report, I and others, reported verbally much more that had been learned about the Institute. Mr. Ross MacDonald asked me to put some of these verbal statements in writing.

LETTER TO MR. ROSS MACDONALD, M.P.

Feb. 26/46.

Dear Sir: You asked me to make in writing the same clarifying statements regarding the clothing requirements for the Mohawk Institute as I gave verbally at the meeting of the Local Council of Women at the Red Cross Headquarters on Tuesday, Feb. 26.

This statement would have appeared in my first report, but at that time I did not wish to implicate Mrs. Zimmerman, as I thought it might react unfavourably to her and this I hesitated to do. In the light of recent revelations I think I need not worry. Has as much honesty been used when speaking to Mr. Phelan as was used to the L.C.W. when financial help was expected from us, I think much misunderstanding would have been avoided.

As the President of the L.C.W., Mrs. George T. Cockshutt stated, we only went to the Institute after we heard that help was needed. We had in mind the furnishing of a recreational room from furniture returned to us from service rooms that we had furnished at No. 20 I.B.T.

However, among our members were several highly trained women who could see at a glance, or by very little questioning, what a layman might never see, and what has evidently escaped the notice of the Department investigator for the past several years.

On the first visit, and a following visit were:

- (a) Three former teachers, one of whom had specialized in domestic science and one in child psychology.
- (b) A trained nurse who is also matron of a childrens' institution.
- (c) The Chairman of the Board of the Victorian Order of Nurses.
- (d) A member for over 20 years of the House Committee of the local Childrens Aid Society.
- (e) Two graduates of MacDonal Institute.
- (f) Several former business women.
- (g) Three child and family Welfare workers.

From these visits and subsequent reports it was obvious that the immediate need, and the one in which the L. C. W. could give the most aid was Children's clothing.

With this in mind, Miss Margaret Milne, Convenor of Health, and the writer—Mrs. George F. Willoughby, Convenor of Education, were appointed at a Council meeting on Jan. 25/46 to go out to the Institute and confer with Mrs. Zimmerman. We went out by appointment on Jan. 31 and were graciously received by Mrs. Zimmerman. Mr. Zimmerman was not present at this meeting as he was convalescing from an illness. We saw him in the hallway and I feel sure he was fully aware of the purpose of our visit.

We told Mrs. Zimmerman that we had come out to find how best we could help them in the matter of clothing. She answered that she was glad that we had come about clothing—that both she and Mr. Zimmerman had hoped that we could offer to help in that way. Explaining that we had no idea yet how much help we could obtain, nor whether it would come in the form of work or money, we asked her what the children needed. The following is the complete list as given to us that day by Mrs. Zimmerman.

For 57 boys:

- Hand knit heavy long socks
- Dress trousers
- Oxfords
- Shirts (for good wear)
- House slippers (when the boys remove their heavy boots at night downstairs they go upstairs in their bare feet and remain thus until bedtime)
- Night shirts (2 apiece)
- Wash trousers for summer
- Overcoats (for both boys and girls).

For 63 girls:

- 2 tunics
- 3 blouses
- 2 slips apiece
- 2 bloomers
- 2 skirts
- Night gown (one each—the girls generally come with one night gown from home)
- Dresses for summer
- Shoes
- Socks
- Blazer
- Sweater
- Bedding (urgent)
- Sheets
- Pillow slips
- Quilts
- Blankets (preferable to quilts)
- Bedspreads (not urgent)
- Mattress ticking (to be filled with fresh straw which could be burned *when necessary*).

Miscellaneous:

- Towels
- Wash cloths
- Table cloths
- Tea towels.

On that same visit we asked if the girls were taught sewing and knitting, having in mind the great need for these accomplishments for the future and the present need for them in the school in the re-making of old clothing and the making of new. Mrs. Zimmerman told us that the girls could mend and darn beautifully but could do no knitting or fine sewing. In fact, she said, "they could not even turn up a hem on their own skirts."

We asked that if we could get some qualified person to volunteer to give classes in sewing and knitting would such a person be welcomed.

The idea was apparently new to Mrs. Zimmerman, but after thinking it over she said "Yes" and we discussed a room for such teaching. However, she would make no final decision on this matter until she had spoken with Mr. Zimmerman.

The morning of our next Council Meeting, which was Feb. 15th, I called Mrs. Zimmerman to find out what decision had been reached regarding a sewing and knitting instructress. She said that she and Mr. Zimmerman thought it would be quite feasible, and to go ahead with it; but as he was right there in the room she would speak to him again about it. She turned from the telephone and talked with him, then returned to say that such a teacher would be welcomed—that papers had just been found sent out by the Department for use in Indian Schools setting forth twenty-two swing steps to be taught, for which badges would be given.

I asked for volunteers at that Council meeting and Mrs. L. Lievers, President of the Kith and Kin, and Mrs. Frank Milligan, Rep. of the L.C.W. on the Advisory Board of the Can. Nat. Inst. for the Blind, offered their services.

You have heard how they made an appointment to go to the institute on Fri. Feb. 22nd, to meet Mrs. Zimmerman, and how when they arrived there they were met by Mr. Zimmerman who told them there was no need for a sew-

ing teacher. To prove his point he showed them girls in a sewing class and work that had been done. At the same time he showed them a small class being taught a cooking lesson with a young woman in charge.

Hoping that this letter gives you the information you need, I am,

Yours truly,

Appendix FL

Copy

I, Alex Paul, Member of Temagami Indian Reserve. Age 74 years. Born 22nd day of Dec. 1873.

My father name was Big Paull and his ancestors occupied the land of Austin Bay as their permanent home. We occupied the whole area and surrounding lands of Lake Temagami.

We had from time immemorial derived our livelihood in this territory. No other Indians, as far as Indian history goes, has ever occupied this area. My father and family and other members of the Band selected the said Austin Bay Reserve as a permanent place of abode.

By treaty 1850-9th of Sept. signed at Sault Ste Marie, our chiefs and Band were not notified and ignorant of the treaty making convention. As stated above, and therefore we were not a party in any shape or form to this surrender made that covered as well our territory which also included in that surrender our ancestral home. We always considered up to the present and we never at any time made treaty with the Crown to relinquish our home Reserve, neither the territory we occupy. Rivers, lakes and forest tributaries and outlet in the district of Temagami.

Several years after the treaty of 1850 my parents told me that an official of the Government came and paid the annuity to the Indians of Temagami. Year after that Dr. Walton, Indian Agent of Parry Sound district visited our Band and paid the treaty money at the Hudson Bay Post at Bear Island for the convenience of all parties concerned and then the question arose at that time as to our permanent home. It was then discovered by the Indians there was no provisions made for their Reserve. Dr. Walton asked the Indians to map out their reservation. Chief Tonini made a draft of a Reserve selected was then at that time occupied by our people the Austin Bay with several houses and clearances had already been made and established homes the line commencing boundary line East and West to Cross Lake. As shown in the enclosed sketch, Mr. Walton I am informed took the sketch of the Reserve to the Headquarters with his signature on it.

We have never claimed no other lands as our Reserve other than Austin Bay. We never authorize Indian Department or other Branch of the Government to purchase Bear Island.

Bear Island has no future for our people. Most of the timber has been cut for firewood and for other purposes by the Hudson Bay Company and others that occupied the point, which is full of rock willows, thistles. There is a bit of soil, enough to bury the dead. We are demanding that our Reserve at Austin be recognized.

Signed,

ALEX PAUL.

APPENDIX FM

WIKWEMIKONG, ONTARIO,
July 3, 1946.

Mr. NORMAN A. LICKERS,
Liaison Officer,
Joint Committee on Indian Affairs,
Ottawa.

Dear Sir: At a special meeting of the Indians of Manitoulin Island Unceded Band held this third day of July, the following brief was drafted to be submitted for representation to the Joint Committee on Indian Affairs.

Health.

That efforts should be made to promote the education of Indian doctors and nurses; that adequate medical staffs with equipment should be established on the reserve. Electricity would be needed but this is quite possible, since the Hydro comes now to Manitowaning at the edge of the reserve; we should have electricity anyway.

Agriculture.

That we should appreciate having an agricultural instructor to conduct night classes and promote modern methods of farming; That we request a suitable threshing machine for a reserve of this size (100,000 acres). At present our threshing is done by whitemen from the surrounding countryside and naturally our turn must come after all the white farmers have been served, hence, our crops are often impaired through exposure to late fall rains, etc.; The council could control this outfit and collect fees for work done, hire a man to run the thresher and pay him by the day, the balance of the proceeds from fees to be expended toward the upkeep and repair of the outfit which is a separator and tractor.

That a visiting veterinary man be had to visit and look after the health of the livestock, these visits may be arranged conveniently for all concerned.

That we consider the amount of money at present allotted for loans to farmers as inadequate and the requirements as regards security for loans to be too strict, so that the small farmer is unable to procure a loan; We therefore request an additional five thousand dollars of our Band funds to be set aside to be loaned to men desiring to start farming, to enable them to procure horses, farm implements, livestock, housing and clearing land with easier terms of security.

That our fine Agricultural Society be encouraged in its work by having an agricultural representative to look after their activities as formerly.

Education.

We have day schools at Buswa, Kaboni, Rabbit Island and Wikwemikong: We are requesting the erection of schools at South Bay and Maiangowi Settlement and an additional classroom at Wikwemikong where there are over sixty children in the primary class; We request a continuation school to be located on our reserve for advanced pupils; The council should have powers to dismiss from the schools any teacher failing to teach well in these schools.

Indian Act.

That Sec. 126, etc., pertaining to intoxicants be repealed and let the Indians enjoy the use of liquor on a par with other Canadians; under the present system they make a brand of home brew very prejudicial to their health; also far too much money is paid in fines which could be used for their families instead.

That the regulations for succession of farms under Sec. 26 should be changed so as to prevent the splitting up of farms into such small portions among the heirs, that no one has a share big enough to farm properly.

Treaties.

That a treaty woman marrying a member of the Unceded Band should not lose her right to Robinson Treaty money or other annuities, as at present is the custom; these women should continue to receive this treaty money during their lives even though their husbands don't, because the treaty obligations say the money should be paid *perpetually*, not only until such time as they marry a man who doesn't get this money. This applies particularly to Kikwemikong and should be cleared up now and arrears paid to these women who have been defrauded of their just claim all these years, for the reason the Unceded Band members are of different status than the Indians who receive government annuities and this Band do not draw any annuities.

Survey.

That by virtue of clauses 7 and 8 of the Manitoulin Treaty No. 94, which exempt us from survey and which also exempt us from deriving any benefits from the surrender of the said Island, but which gives us the right to decide for ourselves whether or not we should in some future time accede to the terms of the said surrender, and which we have not yet done, and because it was the wishes of our forefathers that this territory be set aside for their children to occupy, use and live peacefully thereon, enjoying the freedom of the exemptions accorded them in the treaty, THEREFORE, we respectfully submit to the committee that we and they (the Indian Department) adhere faithfully to treaty stipulations and we request the cessation of the present survey in our territory which is being conducted in violation of treaty obligations and we further request that Sec. 20 of the Indian Act be revised so that no surveys may be made unless the Indians concerned be willing.

Fishing.

That there be restored to us the exclusive rights to fish in the waters adjacent to our territory and that the practice of commercial fishing by setting pound nets in bays on our reserve be discontinued. That if the fishing rights of our waters were wrongfully turned over to the provincial government, we request that the revenue derived from them in the past be given to us and that the question of adjacent islands, whether they were originally included in the unceded portion.

Oil Wells.

That because the present holders of oil well leases on our reserve have done nothing to bring these wells into production, that these leases be cancelled and opportunity given to other companies to come in and operate these wells.

Hunting.

That our treaty privileges to hunt and fish for food at all times of the year be respected by all authorities and that no government, provincial or otherwise, be permitted to deprive us of our just rights, merely because they can make money from tourists by so doing.

Old Age Pensions.

That the dominion government be reminded of what their officials said at a great council at Drummond Island in 1846, when they put themselves on record that no Indian should ever be in want, as a recognition of their services with the British against the Americans in 1812 and that this keeping of our aged Indians from want and suffering can best be accomplished by granting them old age pensions; Remember also the aid granted by the Indians to the Crown in the first and second great wars; this reserve had some one hundred soldiers.

Islands.

As aforesaid we claim a right to the adjacent Islands of our territory, those within the boundary of the fishing grounds allotted to us at the time of the surrender of 1862. At which time a sketch of the area of the aforesaid fishery was given us, which our chiefs deposited with the resident Missionaries for safe keeping.

So far the said Missionaries have refused to give up the said sketch, saying it may have been transferred to their headquarters in Toronto, or to their other establishments at Spanish, Ontario. We strongly urge that the Government take measures to restore to us this sketch.

Revenue.

Should any of these islands have been sold or leased for timber cutting, which we claim they were, then, if the Government is of the opinion that the revenue derived therefrom, was wrongfully given to the wrong party, it should be restored to us, along with the right to claim the islands.

Tourist Trade.

For the purpose of acquiring a little income for our individual needs that we be given the right and privilege to operate an institution or institutions for the accommodation of tourists, in our unceded lands during the tourist season each year.

Status of Unceded portion of Manitoulin Island.

That the Government establish our status by which we shall be recognized as owners in future. The Government by virtue of clause seven of the Manitoulin Treaty No. 94, deprives us of our right to a share of the proceeds of land sales which our forefathers had a right to claim. Whatever funds we have are the result of our earnings. Governments pay us no annuities nor money of any kind. Nevertheless he puts us under the Indian Act, which undermines our rights. We think we are entitled to Government annuities same as other Indians by rights of our heritage as first occupants of North America.

CHIEF JOSEPH WAHEGJIG
DOMINIC ODJIG
DAVID MANITOWAB
SAM OSAWAMICK
JACOB BONDY

APPENDIX FN

BIG TROUT LAKE,
C/O C. P. Airlines,
Sioux Lookout, Ont.,
July 29, 1946.

Mr. Norman E. Lickers,
Liaison Officer,
Joint Committee on Indian Affairs,
Box 63,
Ottawa, Canada.

DEAR SIR: Our Indian Agent, (Sioux Lookout Agency) explained to us your letter of June 17th a few days ago inviting suggestions for the amendment of the Indian administration in general.

We have discussed this matter at a Council meeting. The Indians of this district are primitive and not very familiar with the constitution of administration except where it affects them personally. They therefore do not feel

prepared to make bold recommendations for the constitution as a whole but desire to make a few suggestions which we feel would very much improve conditions in our own district and possibly might apply to some others.

Regarding your eight points of inquiry,—

1. We are most anxious to continue in the present status of Treaty Indians, i.e., wards of the Government under the direct supervision of your appointed Indian Agent.
2. We are also content with the present system of Band membership.
3. We do not wish to come liable to pay taxes.
4. As yet none of our members have expressed a desire to be enfranchised, nor has the Government requested enfranchisement of any members.
5. We do not expect the privilege of voting at Dominion elections.
6. "Encroachment of white persons on Indian Reserves" hardly applies as we have not got our Reserves in this district yet, but we are very glad that an effort is being made to keep white men from encroaching on our trapping and hunting grounds.

We would remind the Government regarding the Reserves proposed for us. While they will be adequate for our buildings and gardens, they will not provide the trapping and fishing and hunting which have up to now been our mode of livelihood. This not being an agricultural district, we wonder where we shall find support for our families if the hunting and fishing grounds are to be surrendered.

7. We are very urgently in need of the erection of Day Schools; one at each of the principal villages of the Trout Lake Band. So far not one has been granted although promised in the signing of Treaty 9. We are also very much in favour of boarding schools where the more promising pupils could be sent.

8. We require a hospital where serious cases can get adequate medical treatment; also a trained nurse or matron at each Trading Post or principal village on account of the great distance from a doctor.

Game as well as fur is not so plentiful as it used to be, and it has been very noticeable how the decline in health and stamina comes after prolonged meatless periods, and this could be prevented because meat can be raised in this district if properly supervised. The Indians should be taught how and made to prepare the wild hay for winter consumption.

The raising of cattle, musk-ox, mountain sheep, reindeer, etc., should be studied for this district, also the conservation of Beaver and all other wild life and fish should be superintended by some responsible officer resident in the district.

The above would be our idea of helping the Indians help themselves with what they have.

CHIEF DAVID MORRIS

Councillors:

SIMEON McKAY
 GEORDIE WANAPETONG
 SAMSON BEARDY
 ALEX PARKMAN
 JOHN BIGHEAD

Per Rev. LESLIE GARRETT

APPENDIX FO

SARNIA INDIAN RESERVE,
August 9, 1946.

A general Band meeting was held on the Sarnia Reserve for the purpose of discussing revision of the Indian Act.

The meeting was opened by Chief Kenneth Plain who requested the secretary to read the minutes of the previous committee meetings and also part of Treaty No. 29 dated July 10, 1827.

The first subject was concerning this Treaty and it was approved by the Band that this Treaty be recognized by the Government of Canada and be upheld and also request the Government if the Sarnia Band has been paid according to the agreement of the Treaty.

The next item discussed was Band membership and it was approved by the Band that the powers of the Department of Indian Affairs in respect to admission and expulsion be abolished and that the right of membership both as to admission and expulsion be placed under the jurisdiction of the Band.

The next item was about liability of Indians to pay taxes. It was voted by the Band that the Indians be exempted from paying income tax and custom tax by virtue of their Treaty rights.

The item of enfranchisement of Indians voluntarily and involuntarily. It was voted by the Band that they approve of the resolution prepared by the committee whereby they disapprove of Indians being enfranchised. If the enfranchisement of Indians be upheld by the Government, it was recommended that the Indian children be left in as members of the Band from which their parents were enfranchised, until such children become of age and decide for themselves what to be, also to retain their Treaty rights.

It was moved by James Plain and seconded by Fred Rogers that members of this band of Indians be given a vote both in Dominion and Provincial elections and still retain their Treaty rights. This was approved by the Band.

The item of encroachment of white persons on Indian Reserves was a lengthy discussion. It was moved by Alfred Rodd and seconded by James Plain that section 118 of the Indian Act be exercised on the encroachment of white persons or other than members of the Band and this was approved by the Band.

The operation of Indian Day and Residential Schools. It was voted by the Band that they accept the resolution prepared by the committee on this subject whereby denominational schools be abolished and the education of Indians be committed to Regional Boards, upon which Indians in the district shall be represented by Indians and that the school teachers and doctors be given a higher salary.

It was moved by James B. Williams and seconded by Aylmer Plain that the word "Persons" in section 94A in the Indian Act be eliminated and changed to eligible Indians.

That the Sarnia Band desire that the administration of Indian Affairs be decentralized and administered by Provincial Regional Boards under a Federal Government or Board responsible to Parliament.

(a) That the administration of Indian affairs should be such that qualified Indians should be employed in all departments in the administration of Indian Affairs.

(b) That the local Indian Council and Band be given full authority in the management of their local affairs.

(c) That the Band be given full authority in policing their own Reserve.

(d) That our aged Indians receive the Dominion Old Age Pension.

It was moved by James B. Williams and seconded by Fred Rogers that section 52 of the Indian Act be abolished.

All these briefs in item No. 8 were approved by the Band by vote.

Moved by James B. Williams and seconded by Russell Bird that the Sarnia Indian Reserve Band be granted a larger subsidy for the upkeep of the roads on the Reserve.

It was moved by Russell Bird and seconded by Fred Rogers that the Sarnia Indian Agriculture Society be given a larger grant.

Moved by Russell Bird and seconded by Lawrence Williams that the Council and Chief along with ex-Chief T. Adams act on behalf of the Band as our representatives to the Members of Parliament who may come to inspect our Reserve.

It was moved by James B. Williams and seconded by Lloyd Williams that this Band of the Sarnia Indian Reserve pay the expenses of the delegate out of Band funds for the purpose of attending the meeting in Ottawa.

It was moved by Leonard Plain and seconded by Lloyd Williams that the Band set aside the sum of one hundred and fifty dollars (\$150) from Band funds to pay delegate's expenses.

It was moved by Aylmer Plain seconded by James Plain that a delegate will be appointed by the Band when notice is received by the Chief and a general Band meeting will be called by the Chief at that time.

CHIEF KENNETH PLAIN
COUNCILLOR ALFRED RODD
COUNCILLOR JAMES B. WILLIAMS
COUNCILLOR RUSSELL BIRD
COUNCILLOR ALBERT OLIVER

LAC SEUL, Ontario,
September 16, 1946.

Mr. NORMAN E. LICKERS,
Liaison Officer,
Joint Committee on Indian Affairs,
Box 63,
House of Commons,
Ottawa.

DEAR SIR, Our Indian Agent recently called a meeting to explain the purposes of the joint Committee and as a result, hereunder are our recommendations, suggestions and observations which would help our Band.

1. The Lac Seul Band is in Treaty No. 3, which was made in 1873 and also known as the Northwest Angle Treaty. We are satisfied with our conception of the original agreement and want it to continue; the terms to be carried out as promised and as it was first explained to our representatives who signed the Treaty for the Indians.

At the time of the signing of the Treaty there were many things that our Indian representatives were unable to foresee as they were not educated and had known very little of the white man's ways. There are certain things which have affected our mode of life and we believe that the Indian Act should be changed to take care of these. We understand that the first Treaty did not mention hospitals or medical attention for Indians. We wish to have this written into the Treaty or covered fully by the Indian Act.

Our understanding of the original Treaty was that we could hunt and fish without hindrance in the territory ceded by us. The Indians who signed the Treaty could not possibly anticipate any future Government regulations which would change this, as Game and Fish laws were unknown to our fore-

fathers. It seems reasonable to suppose that the white man who arranged the Treaty must have known something about Game and Fishery regulations even in those days of long ago. We believe if this had been fully explained to the Indians the Treaty either would not have been signed or would have contained a positive statement giving the Indians full right to hunt and fish without restrictions. Since we made the Treaty with the Government of Canada we believe we should not be forced to have any dealings with the Province of Ontario.

The Chiefs were promised uniforms every three years and medals, at the signing of the first Treaty. The uniforms are not received regularly and we would recommend that the Chief and Councillors be supplied with a badge showing rank and name of Band instead of a medal that is so heavy it would tire any but a strong man to wear it for a day.

2. Many of our people have left the Reserve and never intend to return. We do not wish these people to share in our Interest (Timber) money. It is recommended that these people be transferred to other Bands with which they are now living. On the other hand we are willing to transfer Indians who are now living in our vicinity to the Lac Seul Reserve. We do not want anyone transferred to our Reserve unless approved by the Chief and Councillors.

3. According to our understanding when the first Treaty was signed, we were not liable for Taxes and we feel that we still should not have to pay taxes of any kind. Most of our people do not understand the reason or purpose for all the Taxes except that they go toward paying for the expense of operating the Government in peace time and toward the expense of war when the country is at war. Our Band does not receive any of the benefits of Public Services such as roads, Old Age Pensions, etc., yet we are expected to pay Taxes the same as those who are receiving all the benefits.

4. We are of the opinion that all our Indians should remain in Treaty and that they should not become enfranchised which would deprive them of the benefits of the Treaty. We believe that the regulations concerning enfranchisement should remain as they are at present.

5. We feel that any of our educated Indians should have the right to vote at the Dominion elections if they wish, but do not want this to be compulsory in any way.

6. The encroachment of Whitemen and non-treaty Indians on our Reserve has not been a problem to us and as long as the present laws continue in this regard it will be quite satisfactory to the Lac Seul Band.

7. We do not wish to discontinue the present Residential Schools in this Agency but we should like to have a Day School on the Reserve where we could send our younger children say for two years in order that they might remain at home for a while longer before going away to Residential Schools. This arrangement might enable the Residential Schools to have a high school class for the older pupils as they would not be so crowded with young children. We have been considering the idea of the Government taking over the Residential Schools instead of the Churches. Before making any definite recommendations in this matter we wish to discuss this more fully among ourselves and will make a definite recommendation at a later date.

General.

It is suggested that more attention should be paid to the health of our people. Here at Lac Seul we are situated about thirty miles from the nearest doctor and when sickness strikes it is almost impossible to get a doctor to the Reserve. It is strongly recommended that we have a nurse in residence on the Reserve who could care for those who are not sick enough to go away to hospital. The nurse could also advise us on matters of health and how to prevent the spread of disease at all times. It is also advocated that we be provided with an up-to-date hospital at Sioux Lookout where we could send

our sick and where those suffering from T. B. could be taken care of without having to send them to far away places in Manitoba and Eastern and Southern Ontario.

We strongly urge that our children in school should be taught more technical or vocational subjects such as mechanics and carpentry for the boys—and for the girls such things as nursing, first aid, cooking and household management. We would like provision made to send any of our competent students to high school or college where they could qualify for a profession if they are capable. We recommend that the children at Residential school be properly fed and clothed at all times and that the Agent should accompany a Committee from our Band, consisting of the Chief and at least two Councillors, to inspect the Residential school where most of our children attend. This should be done twice each year.

We urge the Department to give us more help with our housing problems. If the Department will supply the windows, lumber, roofing and hardware we will do our part by putting up the logs and attending to the clearing. This help should be extended to the young married couples as well as to the older people.

We are not farming Indians. We have only small gardens and potato patches. Our main livelihood is from trapping and fishing. During the fishing season we have to move around the Lake to the various fishing grounds which might partly explain why we are not gardeners. All our trapping has been done around Lac Seul—some of us are now trapping in the territory where our great grandfathers trapped and hunted, mostly within fifth miles of the Lake (Lac Seul). We wish to take this opportunity to lodge a protest as strong as we can make it concerning the white trappers coming into our trapping grounds and crowding us out. These trappers are licensed by the Ontario Government after they swear that no one is already trapping in the area they apply for. After they get their License they chase us out of their area, sometimes threatening to shoot us if we remain. As mentioned before we have no agreement with the Province of Ontario. Therefore we feel it is the duty of our Department to correct this deplorable situation. From the viewpoint of our future economic status and that of our children not yet born, we present this as one of our most serious problems.

Another thing which causes us considerable concern is the situation at Hudson, our nearest town, on the main line of the Canadian National Railway. To this place, many of our young people and all the fishermen go to visit and sell their fish. At Hudson there are many bootleggers and undesirable characters who seem to prey on our people and take advantage of their weakness for strong drink. This also applies to our women. It is recommended that the Government station a R.C.M.P. officer at Hudson who could look after the Indians while in town and also police the Lac Seul Reserve including Frenchman's Head. From Hudson the R.C.M.P. could also take care of Red Lake where we understand there are also many bootleggers preying on the Indians.

During the war years, as a patriotic gesture and as a humble contribution from the Lac Seul Band for the cause of Democracy, arrangements were made through our Agent with the Department to reduce the amount of our Annual Interest (Timber) payment to two dollars per head. It was our understanding that this was in the nature of a loan to the Government and the Interest would continue. Now, the majority of our Band would like to have Interest payments in full and it is believed that the Interest built up during the war years should pay us four dollars per head. It is recommended that we be paid at this rate if it will not reduce the capital fund, also that arrangements be made to have a separate Interest (Timber) payment in the Fall.

We would like to send two delegates to meet the Committee in Ottawa at a later date or when called upon. We would be prepared to pay our own expenses if no provision was made by the Government to do so.

The foregoing is our idea and our recommendations as to how conditions could be improved also how the standards of living, health and happiness can be raised for the Indians of our Reserve, all of which is respectfully submitted.

Your very truly,

Chief:

JOHN ROSS.

Councillors:

JOHN LITTLEDEER,
CHARLES THOMAS,
SIMON THOMAS,
RICHARD BUNTING.

Witness and Interpreter,
ROBERT WESLEY.

APPENDIX FQ

December 16, 1946
RAINY LAKE, Ontario

To NORMAN E. LICKERS,
Liaison Officer,
House of Commons,
Ottawa, Ontario.

DEAR SIR: We members of Couchiching Reserve, held several meetings to discuss the subject of your letter of June 13 last and following are our contentions of this matter.

We the Member of Couchiching Band resolve that we retain our treaty rights as stated and promised in the North West Angle Treaty of 1873.

We members of this band further resolve that we should be given the liberty and rights to control in regards to enfranchisement is concerned of any of our members and that section 18, paragraph 2, of the Indian Act be amended.

And we further recommend that our avocation of fishing and hunting rights be retained so that we may fish and hunt at any time without the purchasing of licences and the interference of any white man.

We further resolve that said band hold their rights as has been practised in the past in regards to other treaty Indians wishing to transfer from one band to another and that we have full control over whether said Indian be accepted or not without first having to obtain the approval of the Superintendent as stated in the Indian Act.

Free liberty to be given to the band to elect their chief or councillors at any time, it is deemed necessary to the band. It is further recommended that the chief be paid a salary of \$300 and councillors \$200 annually.

We further ask that taxation on treaty Indians should be abolished and our general feeling to this matter is, that no Indian should be liable to any taxation.

In regards to voting, the opinion of this band is that no treaty Indian should have any interest whatever in any Dominion or Provincial election.

Encroachment of white men on Indian reserve should be more rigidly enforced such as carrying of guns and hunting, in such cases, full penalty should be meted to all trespassers.

And be it further resolved that no white man or township should be able to collect taxes on reserve, be it leased land for purpose of power line, a summer resort or otherwise.

The opinion of this band concerning our present school is that our children receive proper education but lack manual training, and, for the said reason, the band ask the Department to increase the school grants to a more appropriate sum, so that said school will be more able to provide qualified teachers in manual and vocational training and better school facilities.

It is further resolved that liberty be given to us to elect a school board to see into the maintenance of our school.

It is further resolved that all children attending residential school, should be given full rights and privileges regarding family allowance. It is strongly recommended by this band that said children receive their full family allowance the same as children attending day school.

Regarding day or residential school, it is our opinion that a semi-residential school would be approved by all concerned so that our children could go home from school on week-ends and in regards to all Indian children wishing to obtain a higher education should be given the opportunity to do so, and all tuition, and transportation fees be paid by the Department.

It is also further recommended by this band that a old folks home be built on our reserve. Old age pensions and mothers' allowances should be given to our old folk and widows the same as given to the white people.

It is further recommended by this band, considering the fact that our reserve is situated near a town also a border town, tends to lead our boys and girls, more or less astray, therefore, the opinion is that the Department erect a recreational hall on our reserve with all modern equipment, and to be managed by the Indians with the view of creating more of a family spirit, and have our own recreational centre.

It is further resolved by the band, and they also wish to stress the fact to the Department, that in their opinion, the Indian agent has too much authority in administering his information and refusals to his Indian subjects' demands which he more often times uses his own personal opinions in matters pertaining to the welfare of Indians.

A further request is being submitted by the band towards their personal health and that a full-time doctor be given to them. And, also, in case of sickness of the male member of a family, therefore depriving his family of a proper living, the Department to instruct the Indian agent to see that said member receive adequate provisions covering his illness and proper care. Whereas in such cases now he is allowed something to the amount of \$10 or thereabouts. We know that this is not enough for one alone to exist on for a month, let alone a family as it is meant for.

Liberty to be given to all parents wishing to send their children to any day school without it being compulsory to enter them in a residential school.

We would also recommend that we be provided with modern lighting system. In other words we would like to see electric lights provided on our reserve.

It is also the opinion of the band to suggest to the Department of Indian Affairs that we be provided with modern farming implements so that we may be able to encourage our members to take an interest in farming.

Owing to the fact that one of our main livelihood, which is a sawmill operated by I. A. Mathie, Ltd, will cease to operate in a not far distant future, in fact just one more year, we wish to express our opinion that a portable sawmill with driving equipment and planer would be a very convenient project on our reserve as the majority of the men are experienced loggers and sawmill workers and therefore would be well qualified to operate the mill. Timber is still plentiful on our reserve which we are sure will supply the mill for many years. This would also help out the housing problem on our reserve and also provide useful work for many.

Owing to the fact that we are the original North American Indians, and, according to the Robinson Treaty, there is no boundary line for the Indians and we are at liberty to go and come across the boundary between the United States and Canada at any time, this same liberty should apply to any Indian purchasing any merchandise of any sort and should be free from paying any duty, be it the United States or Canada where the purchases are made. As it is to-day a tourist from the States comes to Canada and stays 48 hours or more is allowed to go back to the States with merchandise to the value of \$100.00 duty free. This should more apply to the North American Indian—duty free at all times.

We would also like to draw the attention of the Indian Department to the fact that we lost a large portion of our reserve land through floods caused by a dam built by the paper company at Fort Francis where, as we have notified our local Indian agent from time to time, that we were losing a lot of our land by washing away. But realizing no results through him, there has been some rip rap work done on this shore line some years ago. But this is gradually sinking, therefore is no more good. We are asking the Department to look into the matter, and have the paper company do the rip rap work over again which we are in need of to protect us from any further loss of our land and also that this work be done at the expense of the Company.

It is also the opinion of the band to suggest to the Department that there should be some sort of a beneficial fund provided for the Indians in case of a depression such as the one experienced after the first World War. Some system that would be given as relief in such times. At the conclusion of our meeting with the committee, one of the members brought up a subject which is very hard to settle—the question that was brought up deals with a clause in the Indian Act which is being very strongly enforced and to our opinion is being too strongly enforced for the Indians' welfare. The question deals with liquor. A lot of comment was made on this matter amongst the Indians, not that the Indians feel that they are being deprived of an necessity, but the general feeling of all is that there is good and bad in all races. Therefore, when an Indian feels like indulging in liquor, he will get his liquor regardless of the law contained in the Indian Act. The Indian is not permitted to enter into a public bar-room to purchase any drinks especially in our town, but nevertheless he gets it and has to take it to some back alley to drink and he must dispose of it as quickly as possible for he dare not carry it in his pocket or in a parcel for fear of an R.C.M. Police seeing it which to our opinion they are always doing. As, aforesaid, the Indian has to consume his liquor as quickly as possible, and, therefore, results in the poor Indian being drunk quickly. And in many cases he tries to go home in this state probably enters his canoe, capsizes and is drowned. And in other cases where he tries to walk home he may fall down on the road and falls asleep there. Probably a motor vehicle or locomotive hits him and he is killed. This happened many times in the past. As we have stated the Indian will always obtain his liquor when he wants it—he has to get it from a bootlegger and often times has to pay 10 to 15 times the original price. Yet he'll buy it—not even knowing what he buys. Bootleg liquor in many cases is poison to the system of any person. This may often be the cause of the dreaded disease prevailing in many of the Indians to-day—the disease known as 'T.B.'. Whereas, were an Indian to be given a quota or a permit to make his purchase in a liquor store, and allowed to take it home and use it as he should, a lot of these untimely deaths and 'T.B.' cases would be eliminated.

Our opinion in this matter is that great thought and consideration should be given both by the Indians and the Department for the welfare of all Indians.

Briefs and recommendations submitted by the Couchiching Indian Reserve Band of the Fort Frances Agency with the wish that each individual subject thus submitted receive due respect and consideration by the Joint Committee appointed for this purpose.

Signed and sealed with approval by chief and councillors of this band

(Chief) Thomas JOURDAIN
 (Councillor) Rod BUNQUE
 " Paul JOURDAIN
 " Joe MAINVILLE

APPENDIX FR

SARNIA, ONTARIO,
 January 13, 1947.

To The Special Joint Committee of the Senate and the House of Commons,

Honourable Gentlemen of the Senate and the House,—The direct descendants of the Indian Chiefs and principal men who signed the Treaty of 1827, between the British Crown and the Chippewa Indian Nation, respectfully submit for careful consideration and study, the attached brief which has been prepared at the meetings of a recently formed organization on this Indian Reserve whose objectives were suggested by Hon. J. A. Glen, Minister of Mines and Resources, in a speech made by him to the House, in which he said in part, "The Indian, as I see it, should retain and develop many of his native characteristics and should ultimately assume the full rights and responsibilities of democratic citizenship".

Studying our history, we find that our people were happiest along about the time the Indian Act was brought out to protect them in their simple life and to guide them in their advancement towards the modern way of life. Their attitude to the governing authorities was marked by a very high respect which is revealed by the term "Great White Fathers" for the Supt. General and his agents. The Chiefs, Councilmen and aged Indians also received the respect due them; their presence in any gathering being considered a favour. The Department of Indian Affairs had no trouble looking after the Chippewa Nation of Indians because of the mutual co-operation of the Indian leaders.

We find then, in this study, that, with the rapid progress of civilization on this continent and the attempt of our race to keep pace with the white brothers that our people in this generation have become increasingly unhappy. Therefore, we, the Chippewas of Sarnia have made as objectives in this organization the following:—

1. To acquaint ourselves in the duties of citizenship.
2. To perpetuate the Indian race and their language.
3. To study the provisions of our Treaty which was drawn up in the light of other days.
4. To promote agricultural development, industrial life, and encourage Indian handicraft on our reserves.

As we go further in our studies, the realization comes that the present "Indian Act" is, in a manner of speaking, like childhood clothes put on an adopted child for his protection from the elements (Indians as wards of the Government), and as the child grew into adolescence, the clothes that first fitted him may have been altered and let out to suit his size (amendments to the Indian Act), the time

has now come that the foster parent suggests new clothes for the adopted child who has now grown to manhood; (a new revised Indian Act). This time, he is asked what he would like about his new clothes (the invitations to bands, organized groups and individual Indians to submit briefs outlining recommendations). The foster parent suggests a consultation also (the Joint Committee instructed to visit different Indian Reserves).

As this group delves further into this matter, they find cause for rejoicing that, the Indian is at long last considered as having reached maturity and that his judgment to have merit in the preparation of a "Magna Charta", and hope arises in their breasts that a sufficient number of the recommendations submitted by progressive-minded Indian groups throughout the Dominion shall be included in the new Indian Act that the Indian nations shall be satisfied and the same measure of co-operation shall exist between them and the Government of Canada that existed formerly, guaranteeing a new era of happiness, prosperity and contentment for a nation that has been too long down-trodden. With this hope, this organization respectfully submits a few suggestions pursuant to the suggested plan sent out by the Liaison Officer of the Joint Committee, signed:—

"The Progressive Association of the Chippewas, descendants of the Principal Men and Indian Chiefs who signed the Treaty of 1827."

NICHOLAS PLAIN, President,
ALBERT OLIVER, 1st Vice-President,
CHIEF KENNETH F. PLAIN, 2nd Vice-President,
AYLMER N. PLAIN, Secretary.

APPENDIX FS

Copy

SARNIA, ONTARIO,
13th January, 1947.

We, the Chippewas of Sarnia; members of the newly formed organization do hereby humbly suggest a few amendments to be incorporated in the revised Indian Act,—

(1) *Treaty rights and obligations*

We find, that our Treaty, as well as many others like it, provides for an annual payment, in goods, of a certain sum, as recompense for a surrender of over two million acres; and after careful and thoughtful consideration, have come to the conclusion, that, in lieu of the specific provisions of the treaty made with our forefathers, our tribe has received in services and gratuities, many benefits in our home and reserve life. Therefore, we suggest that provision be made in the revised Act for a continuation of these services and gratuities, in perpetuity, following the words of our Treaty.

(2) *Band membership*

We suggest, specific provision be made in the new Act, for exclusion from membership, of illegitimate children when one parent is proved to be white, but allowed to become members if both father and mother are full-blooded Indians. The common experience in all Indian Reserves is that half-breed illegitimates are generally trouble-makers.

(3) *Liability of Indians to pay taxes*

Suggestion: That sections 102, 103, 104 of the present Act be retained in the revised Act.

(4) *Enfranchisement of Indians, both voluntary and involuntary*

We suggest, that an amendment be made in section 110 to read: "Upon the application of an Indian of any band, or upon the application of a band on a vote of seventy-five per cent of the male members of such band of the full age of twenty-one years".

(5) *Eligibility of Indians to vote at Dominion elections*

Suggestion: The Indian having attained the status of civilized persons, carrying a Dominion registration card, liable to the payment of income taxes and military service, should have the right to vote.

(6) *The encroachment of white persons on Indian reserves*

We find, after careful inquiry, that, where Indians possessing white blood in their veins have been permitted to hold public office on any reserve, they have not contributed much to the good-government of that reserve, but rather, their tenure of office has shown a deterioration; therefore, we suggest that a definite provision be made in the new Act that, "Any half-breed to be classed in that category, as encroachment of a white person, therefore, not eligible for public office".

(7) *The operation of Indian day and residential schools*

After exhaustive study, the conclusion has been reached that the residential school has lost its effectiveness in this modern day. Therefore, we recommend that the plans of the Joint Committee include the provision for erection of more modern day schools which shall include quarters for the teachers. We very earnestly recommend the inclusion of a plan to employ a married man as one of the teachers in each school whose wife shall share the responsibilities for community activities. We feel that the first essentials is the development of an adequate water supply. Around this water supply should be developed a school structure which supplies:

(1) The necessary number of class-rooms to care for children in groups of approximately 30;

(2) A kitchen for the preparation of a noon meal to supplement the often inadequate lunch that the children carry to school;

(3) The installation of Hydro electric power in all class-rooms and more especially, in a work-room which should be well equipped with sewing machines and other facilities for home-making instruction, and used by both children and adults of the community;

(4) Community shower baths; for, on many reserves, facilities for regular bathing of children are very limited;

(5) A community laundry to which the women may come to launder the family clothing;

(6) A community work shop where general repair work may be done by the men of the community and for instruction of boys in the use of power tools.

Around the school should be developed a school garden, for it is felt that where children learn to compete with one another in their individual school plot, the program trains them for responsibilities around their homes.

(8) *Any other matter or thing pertaining to the social and economic status of Indians and advancement*

We have several suggestions to make, for study and careful consideration by the Committee with regard to several matters which we feel should be incorporated in the revision of the Act.

(1) As a guarantee for certain rights and privileges of home rule to the Indian people, a charter should be granted to any group or organization for municipal government with no vested rights, to be under governmental agency and convenience and that charter may be altered or repealed at any time by act of Parliament. We are very earnest in our belief that reserve home rule would do much to control its own destinies in matters of the reserve or local in significance. Such a charter would provide for election of overseers of the poor, a school committee, trustees of the reserve library, constables, road masters, fence viewers, milk inspectors, field-drivers of power implements and other officers in the management of public affairs. This general participation in the business of government of the reserve will contribute greatly in the development of the younger generation of Indians into wide-awake and progressive citizens.

(2) We request the Committee to include in its recommendations, a provision to include Indians in old age pension laws, blind persons allowances and mother's allowances. As first citizens of Canada, liable to the payments of income taxes and military service, we feel that such social security measures as apply to other Canadians should also apply to the Indians.

(3) As members of a band whose reserve holds great possibilities for agricultural development, we deeply appreciate the efforts of the governing powers to instruct our children and young men in agricultural pursuits. We are agreed, however, that the wording of sub-section 3 of section 93 and also of section 94A which effectually bars the employment of competent Indians as farm managers or instructors is a definite hindrance to progress in any reserve. We therefore recommend an amendment to the aforementioned sections to read thus:

Section 93, subsection 3:—

“or may employ such persons and or competent Indians”.

Section 94A:—

“employing such persons and competent Indians”.

The reason for such a recommendation will be found in definition (i) in section 1 of the present Act.

We are confident that the approval of such an amendment will open up new possibilities for advancement to the younger generation of Indians who have received special training, and to older Indians who are, by experience, competent to fulfil the duties of instructors and farm managers.

And finally, Gentlemen, we humbly request that a thorough investigation be recommended by your committee into a matter concerning only our reserve, namely;—the refusal of the Dominion Alloy Steel Corporation to fulfil a part of the bargain entered into between the Department of Indian Affairs and the Corporation to rebuild new churches for our reserve. Conditions which will be found in the surrender of over eleven hundred acres of our heritage in the year 1919. The facts about the whole matter are in the hands of Hon. W. H. Bryce.

We feel that the unauthorized use of our band funds to pay for the demolition of our last place of public worship of our Creator surely bears investigation. We are,

Respectfully yours,

THE PROGRESSIVE ASSOCIATION
OF THE CHIPPEWAS

SARNIA, ONTARIO.

January 13, 1947.

APPENDIX FT

Copy

CHIPPEWAS OF THAMES
CARADOC RESERVE,
Feb. 21, 1947

Mr. Norman E. Lickers,
Liaison Officer,
Joint Committee on Indian Affairs,
Ottawa, Ont.

DEAR SIR,—We, the undersigned, elected Chief and Councillors of the Chippewa Indians of the Thames, Caradoc Reserve, present hereunder a brief for submission to the Joint Committee on Indian Affairs.

1. *Treaty Rights and Obligations*

That the Committee look into the treaty of March 9, 1819 and the treaty of July 8, 1822, or any other treaty that might have been entered into concerning the Chippewa Indians of the Thames, Caradoc Reserve, and to have the obligations fulfilled.

2. *Band membership*

No illegitimate child to become a member of the band without first getting the consent of the Band in Council.

3. *Liability of Indians to pay taxes*

That no tax be paid by this Band because to pay taxes would be contrary to our treaty rights.

4. *Enfranchisement of Indians both voluntary and involuntary*

Any Indian male or female owning land in a reserve must first dispose of his or her land in the reserve to a treaty member of his or her band or to the band he or she belongs before being enfranchised either voluntary or involuntary.

5. *Eligibility of Indians to vote at Dominion Elections*

That this band do not desire to vote at Dominion elections.

5. *The encroachment of white persons on Indian reserves*

Any government lease for pasture or for other purposes in the reserves, applied for by a white person such tender or application must first get the approval and consent of the Council of the band, and that notices for tender for lease be made public at least two weeks before the sitting of the council in any month.

7. *The operation of Indian day and residential schools*

Schools should all have good drinking water, wells and pumps. Paraphernalia for the different sports. Finished students should be placed in positions, and providing students are capable of filling clerical and other positions in the Department of Indian Affairs, they should be placed in these positions.

8. *Social and Economic status*

- (a) In view of the taxes on the commodities of life and merchandise paid by the Indians, sick and aged monthly relief of \$4.50 be raised to a standard to those existing among the white race.
- (b) A fair share of car license and gas tax be made available for road improvement on the reserve apart from roads taken over by the government.
- (c) Concerning agriculture on the reserve we want better co-operation from the Indian Agent.
- (d) For better housing, farming implements and stock that funds be available by special appropriation furnished by the Government.
- (e) Two delegates from this Band be appointed to attend the Joint Committee meeting, and that their expenses to be paid from the funds of this Band.

APPENDIX FU

PROVINCE OF ONTARIO

NIPISSING RESERVE

April 7, 1947.

Mr. NORMAN E. LICKERS,
Liaison Officer,
Joint Committee on Indian Affairs.

We undersigned Indians, member of the Nipissing Reservation in the Province of Ontario, we herein submit our suggestions and viewpoints on the following matters in accordance to your letter of June 17, 1946.

Questions

1. Treaty rights and obligations.
2. Band membership.
3. Liability of Indians to pay taxes.
4. Enfranchisement of Indians both voluntary and involuntary.
5. Eligibility of Indians to vote at Dominion Elections.
6. The encroachment of white persons on Indians Reserves.
7. The operation of Indian Day and Residential Schools.
8. And any other matter or thing pertaining to the social and economic status of Indians and their advancement, which, in the opinion of such a committee, should be incorporated in the revised Act.

Answers

1. The rights and privileges of the Royal Proclamation of 1763 and all the Treaties which concern the Indians we want to see them respected.
2. Indians only must be member of the Band.
3. We must be free from all kind of taxation impost in this Country.
4. No Indian must be enfranchise against his own will.
5. The Indians must not be allowed to vote at the White man Elections.
6. We don't want to see white persons reside on Indian Reserves and no Indian Territory sold away.
7. The education of the Indian children must be taught in their own school on their Reservation to safeguard their Indian mode of life and the teaching must be given in their own language.
8. For the social and economic Status of the Indian Nation advancement we must have our freedom by being Govern by a National Indian Government with his own Constitution Law; this is the only way that the Indian Nation will be sure that their rights and privileges will be protected and respected.

This request is signed by Head Chief, councillors and the members of the Nipissing Band.

BERNARD COMMANDA, *Chief, Band No. 146.*

ALEX GOULAIS, *Councillor Band No. 95.*

DAVID COMMANDA, *Councillor Band No. 136.*

And 23 members of the Band.

APPENDIX FV

GEORGINA ISLAND, Ont.,
April 28, 1947.

Mr. NORMAN E. LICKERS,
Liaison Officer,
Joint Committee on Indian Affairs,
Ottawa, Ont.

DEAR SIR,—The circular letter sent to us in June, 1946, has been discussed (belatedly) in Council and the following comments submitted, in a general way. However we would appreciate the privilege of sending a delegate or delegates to attend one of the committee's meetings at any time you may deem convenient, so that our economic plans and suggestions for better health, better education, a higher standard of living, etc., as regards our own particular reserve may be more specifically outlined.

We are submitting hereunder comments under the various headings as suggested by your circular.

1. *Treaty rights and obligations.*—We suggest that all treaties be reviewed as to terms and obligations of parties concerned and new interpretations devised to coincide with present-day conditions.

2. *Band Membership.*—That Band concerned be notified of any applications for membership so that they (the Band) too, may have some authority as to who should or should not be admitted.

3. *Liability of Indians to pay taxes.*—That taxes on income or on real and personal property be not at the present time introduced excepting those recommended by Council as by-laws in accordance with the Indian Act.

4. *Enfranchisement of Indians.*—That voluntary enfranchisement be the rule as heretofore, but that Band concerned be given some authority in recommending applicant for enfranchisement.

We strongly urge that some provision be included, in any changing of the Act, whereby a newly admitted member cannot in the course of a short time enfranchise and take out his share of capital funds. To prevent the transaction becoming a "racket" we suggest that one must be a member for a stipulated number of years so that he shall have had time and the privilege of becoming an asset to the Reserve, which has admitted him.

5. *Eligibility of Indians to vote at Dominion elections.*—That the members of our band are eligible to vote because we feel that we have sufficient education and understanding of questions of the day to vote intelligently. We also feel that due to the splendid war record, and sacrifices of our soldiers, and to the fact that we do pay indirect taxes in our daily transactions outside the reserve, we are entitled to a voice in our country's affairs.

6. *The encroachment of white persons on Indian reserves.*—That any encroachment of a demoralizing nature be not tolerated. We have considerable amount of labour on our reserves. On these jobs we ask that only Indian labour be employed wherever such can be handled by Indians.

7. *The operation of Indian day schools.*—That the system of using missionary teachers be abolished. We would like to see our day school system supervised by a school board, as in white communities, so that a properly qualified teacher will always get the appointment. We suggest we elect one member from the reserve to sit in with the school board of one of our adjacent white communities and supervision to issue therefrom. We would appreciate too, some financial aid in advancing some of our children through high or technical school, when certain ones are deserving of such. We cannot urge too strongly the need for better education for the new generation. We believe it is the key to the ultimate solution of the so called "Indian problem".

8. Education will of course show its results in the next generation, but for the present generation any ways or means that can be arranged to increase the individual income of our people will automatically raise our standard of living, that is under proper supervision. To that purpose we submit the following suggestions with regard to our own particular reserve.

- (1) The introduction of old age pensions and mothers' allowances.
- (2) The construction of two suitable docks, one on our island and one on the mainland. A large part of our reserve is well situated, not far from the mainland for summer cottages. Transportation is our problem. If we had suitable wharves and a government boat, as supplied for some reserves, we believe that we can greatly increase our individual as well as our collective income, when we consider the revenue derived from a summer tourist business.
- (3) A telephone connecting the island with the mainland would be a great convenience. It is a necessity at times of the year when we are isolated.
- (4) We would like to see a medical dispensary or small hospital built on our reserve. We have a splendid trained nurse, and there are times when one patient in a family needs isolation to prevent the spread of some contagious disease. It would be a place, too, for one during convalescence when one needs nurse's care. It would also be used for the doctor's clinic.

It must be said that it is a credit both to our people and to the people of the white communities round about us that we suffer no race discrimination, except in one or two isolated circumstances. We meet with and discuss news of the day with our white neighbours, it seems, on an equal footing. There are times, however, when we feel a sense of inferiority complex due to the fact that we do not enjoy some of the privileges enjoyed by our white brothers.

In the last two great wars our reserve holds a splendid record of voluntary enlistments per capita and we are proud of the part our men played for the Dominion of Canada.

We greatly appreciate the efforts of the Government in appointing a committee to review the position, and to recommend a new deal for the Indian race. We see at last a hope that many of the injustices suffered by our race will be corrected. That equality with other Canadians will become a reality, and that the fight for freedom and justice for which our men so proudly fought will not have been in vain.

This short memorandum has been written by unanimous approval of our council and is respectfully submitted.

C. L. BIG CANOE,
WILLINGTON CHARLES,
LESLIE McCUE,

Chief.
Councillor.
Councillor.

SESSION 1947



SPECIAL JOINT COMMITTEE OF THE SENATE
AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION
AND CONSIDERATION OF THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 27

TUESDAY, MAY 27, 1947

WITNESSES:

- His Eminence James C. Cardinal McGuigan, Archbishop of Toronto;
His Excellency Mgr. A. Vachon, D.D., Archbishop of Ottawa;
His Excellency Mgr. H. Belleau, O.M.I., D.D., Vicar Apostolic, James Bay;
His Excellency Mgr. G. C. Murray, C.S.S.R., D.D., Archbishop of Winnipeg;
Reverend J. A. Brachet, O.M.I., Principal, Indian Residential School, Fort Alexander, Manitoba;
Reverend Fergus O'Grady, O.M.I., Principal, Indian Residential School, Kamloops, B.C.;
Reverend J. McKay, S.J., Indian Missionary, Sault Ste. Marie, Ontario;
Reverend Gérard Forcade, O.M.I., Indian Residential School, Grouard, Saskatchewan;
Reverend Gontran Laviolette, O.M.I., Editor, *Indian Missionary Record*, Lebret, Saskatchewan;
Reverend Adrian Charron, O.M.I., Principal, Indian Residential School, Cluny, Alberta;
Reverend J. O. Plourde, O.M.I., Superintendent, Indian Welfare and Training Commission, O.M.I., Ottawa.

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY

1947

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

TUESDAY, 27th May, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

Present:

The Senate: The Honourable Senator Blais—1.

The House of Commons: Messrs. Brown, Blackmore, Case, Castleden, Charlton, Farquhar, Gariépy, Gibson (*Comox-Alberni*), Harkness, Little, Matthews, (*Brandon*) (Vice-Chairman), MacLean, Raymond (*Wright*), Reid, Richard (*Gloucester*)—15.

In attendance: (From Department of Mines and Resources): Mr. W. J. Ford Pratt; (From Indian Affairs Branch): Messrs. R. A. Hoey, Director; B. F. Neary, MBE., Superintendent, Welfare and Training; P. N. L. Phelan, Training; T. M. Jones, Supervisor, Family Allowances; Dr. P. E. Moore, Indian Medical Services; Dr. O. Leroux, Department of National Health and Welfare; also Mr. E. D. Fulton, M.P.; also Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

The Chairman extended, on behalf of the Committee, a message of welcome to the delegation headed by His Eminence James C. Cardinal McGuigan, Archbishop of Toronto.

Cardinal McGuigan introduced the members of the group appearing with him representing Catholic Indian missionaries.

Reverend Father J. O. Plourde, O.M.I., Superintendent, Indian Welfare and Training, Oblate Commission, was called to read the brief representing the views of the Catholic Hierarchy of Canada and of all the Catholic Indian missionaries. The brief was also presented in the name of Catholic religious orders of women giving their services to Catholic Indian missions, and was questioned thereon.

Other members of the delegation who were questioned were: His Excellency Mgr. A. Vachon, D.D., Archbishop of Ottawa; His Excellency Mgr. G. Murray, C.S.S.R., Archbishop of Winnipeg; His Excellency Mgr. H. Belleau, O.M.I., D.D., Vicar Apostolic, James Bay; Reverend Father J. McKay, Indian Missionary, Sault Ste. Marie, Ontario; Reverend Father A. Charron, O.M.I., Principal, Indian Residential School, Cluny, Alberta; Reverend Father F. O'Grady, O.M.I., Principal, Indian Residential School, Kamloops, B.C.;

The Committee adjourned at 1 o'clock p.m., to meet again at 4 o'clock this afternoon.

AFTERNOON SESSION

Presiding: Mr. F. D. Brown, M.P., Joint Chairman;

Present:

The Senate: The Honourable Senator Blais—1.

The House of Commons: Messrs. Brown, Brunelle, Blackmore, Case, Charlton, Farquhar, Gariépy, Harkness, Matthews (*Brandon*) (Vice-Chairman) MacNicol, Raymond (*Wright*), Reid, Richard (*Gloucester*)—13.

In attendance: as at this morning's session and, in addition, The Honourable Paul Martin, Minister of National Health and Welfare; Mr. T. L. Church, M.P., and Very Rev. Canon H. A. Alderwood, Superintendent, Indian School Administration, Church of England in Canada.

The following members of the delegation were questioned: Reverend Father J. O. Plourde, O.M.I., Reverend Father Fergus O'Grady, O.M.I., Reverend Father A. Charron, O.M.I., Reverend Father Gérard Forcade, O.M.I., Indian Residential School, Grouard, Alberta.

Cardinal McGuigan thanked the Committee for their courtesy and for the "kindly reception" given to the presentation of the brief.

The Chairman expressed the appreciation of the Committee for the help given to the Committee in its deliberations.

The Committee adjourned at 6.10 p.m., to meet again on Thursday next, 29th May, at 11 o'clock a.m.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

HOUSE OF COMMONS,
May 27, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11 a.m. Mr. D. F. Brown, M.P. (Joint Chairman), presided.

The CHAIRMAN: This morning we are honoured in having with us and on behalf of the committee I extend a welcome to Cardinal McGuigan, of Toronto, representing the Roman Catholic Church in Canada. Associated with him are a number of church dignitaries. In due course I will ask to have them introduced to the committee. You have their brief in front of you. If it is your pleasure, when the brief is being presented, as is our custom, no questions will be put to the person reading the brief. After the presentation of the various briefs by the delegation questions may be submitted to the witnesses. All members of the committee will be given that privilege. I presume you are aware of that. If there are no preliminary matters to be brought up I am now going to ask Cardinal McGuigan if he will kindly introduce the delegation.

Cardinal MCGUIGAN: Mr. Chairman, honourable members of the Senate and House of Commons, gentlemen: I am happy to present to you the members of the group present here representing the workers of the Roman Catholic Church among our Indian and Eskimo people. To my right there is His Grace Archbishop Vachon, Archbishop of Ottawa. To my left are Rev. Father Plourde who will read the brief; His Grace, Archbishop Murray of Winnipeg; His Excellency, Bishop Belleau of James Bay. Then we have with us Rev. Father Brachet, principal of the Fort Alexander (Manitoba) Indian residential school; Rev. Father Fergus O'Grady, principal of the Kamloops (British Columbia) Indian residential school; Rev. Father John McKay, Indian missionary of the diocese of Sault Ste. Marie; Rev. Father Gérard Forcade from the Grouard Indian residential school in Alberta; Rev. Father Laviolette, editor of the *Indian Missionary Record*, of Lebftet, Saskatchewan; and Rev. Father Adrian Charron, principal of the Indian residential school at Cluny, in southern Alberta.

May I add I am happy to associate myself with the group here present and to underline the interests of the Catholic Church in our work among the aborigines of our country. History records that at the very beginning of Canada's history missionaries accompanied the early explorers to plant the cross of Christ and to bring the glad tidings of the gospel and Christian civilization to the Indian people. The story of Jean de Brebeuf and his companions is written in the colours of blood, zeal and the all consuming love and hopes of these earlier missionaries for the people whom they came to serve. Their successors of to-day are first of all interested in the spiritual welfare of the people confided to them, but they are nevertheless also deeply interested in everything that pertains to the civic, social, health and educational welfare of the people among whom they work and whom they love. I therefore ask all to give full consideration to the various topics and points of view presented by this Catholic group.

The CHAIRMAN: Thank you very much, Your Eminence. Father Plourde would you prefer to sit over here or to remain where you are?

Mr. CASE: I think we might hear a little better if he would come over here.

The CHAIRMAN: The reason for sitting over here is so that the official reporter will get everything on the record and so that the members of the committee may hear clearly what is being said. If you so desire you may be accompanied by other members of the delegation.

Reverend Father J. O. Plourde, O.M.I., Superintendent, Indian Welfare and Training, Oblate Commission, called:

The WITNESS: The brief which will be read to you this morning represents the views of the Catholic hierarchy of Canada and of all the Catholic Indian missionaries. It is also presented in the name of the Catholic religious orders of women who are giving their services to Catholic missions.

SHORT HISTORICAL SKETCH

It was in the year 1615 that the Franciscans opened their first mission and school among the Indians. The Fathers of the Society of Jesus arrived in Canada in 1625 and the Sulpicians in 1627. From the conquest of Canada by England, in 1763, after the signing of the Treaty of Paris, until 1818, which marks the arrival of the first Catholic missionaries in the Northwest Territories, little was done for the Indians, except in the province of Quebec and the maritimes.

With the return of the Reverend Jesuit Fathers to our country in 1842, and the arrival of the Reverend Oblate Fathers in western Canada, in 1845, a new era of civilization dawned for the Canadian Indian. The newly formed Indian Affairs Branch decided to enlist the co-operation of the Christian Churches in educating and civilizing the Indian people. This partnership has continued until the present day.

As at least 65,000 of the Indians of Canada are members of the Catholic Church, constituting over 52 per cent of the total Indian population, we feel that it is our right and duty to present to your committee our views on education, on health and general welfare, of this large Canadian group of citizens who now total 125,686 (1944 census).

EDUCATION

As the education of the Indian child is of paramount importance we have decided to give this our first consideration.

The family, the church, and the state are the three responsible agencies entrusted with the education of Indians.

The family is the source and origin of life. The parents are the natural teachers. The family is the first school where children learn to think and act, and family education is therefore a fundamental element in the life of the child.

To the beneficent action of the family the church adds her spiritual support. It is her desire to advance the cause of the education of our Indians to the highest degree. To this end and in closest co-operation with the government she devotes her spiritual and material resources. We are most anxious, therefore, that the teachers in our schools have all the academic qualifications required of teachers in our provincial schools. Lack of such qualifications in the past may have hindered to a degree in some cases the progress of our Indian children.

The church cannot fulfill her educational vocation adequately except with the harmonious co-operation of the state. Christian educators, therefore, are fortunate that the government of Canada, respecting the Christian heritage which our forefathers held sacred has consistently maintained a policy upholding Christian ideals before her people. The Prime Minister, The Right Honourable,

W. L. Mackenzie King, clearly stated the government's policy when in his London speech on May 11, 1944, he said: "We are fighting to defend Christian and democratic ideals".

The Canadian Indian was a wartime partner in the fight for Christian ideals, and we are sure that the government will continue to support his claim, and his right for his children to denominational schools. For our part, the moral and intellectual training given through the Christian schools is a guarantee to the Canadian government, that our Indians will maintain themselves individually, and socially, in proportion to their native ability, as trustworthy citizens of our great democracy.

We would not wish, therefore, any change in section 10, paragraph 2, of the Indian Act, which reads "such schools shall be the nearest available school of the kind required and no Protestant child shall be assigned to a Roman Catholic school or a school conducted under Roman Catholic auspices, and no Roman Catholic child shall be assigned to a Protestant school or a school conducted under Protestant auspices".

For nearly a century these schools have given proofs of their worth, and generally speaking, our Indian fellow-citizens have been satisfied with the results obtained. Of course, this system is not perfect and the improvements which can be suggested and implemented are numerous enough. We sincerely believe, however, that the Indian Affairs branch, with the close co-operation of the various churches employed in this educational task, has rendered a fair service to our Indian brethren.

However, one must not forget that many of the improvements which are now suggested would have been put into effect a long time ago if the people of Canada had been aware of their necessity, and if the Canadian government had been more generous in appropriating funds for Indian education.

DAY AND RESIDENTIAL SCHOOLS

DAY SCHOOLS

We may be asked what kind of educational institutions we prefer in the present system. There are day schools and residential schools.

Broadly speaking, we may say that we make no particular choice as to the kind of schools that the department provides for our Indians. In some localities, the day school seems well fitted to give our Indian children the kind of education needed. In other parts of our broad country, with its unsettled wildernesses, the residential school is more suitable.

We have in mind, as regards day schools, such reserves as the Six Nations, Caughnawaga, Oka, Lorette, Pierreville, St-Régis and some sections of British Columbia, and we are inclined to the opinion that in such places day schools have proven sufficient to attain the ends required.

Our neighbours to the south are still groping for the best methods to be adopted in the education of American Indians. From personal observation their improved day schools with transportation facilities by bus for all children, a substantial hot meal at the noon-hour, well laid out dining-rooms in the basement of the school buildings, comfortable homes for the teachers, have not resulted in raising the daily attendance average to the point where it could compare favourably with that of white schools. We are informed that the average in some districts is very low, in fact, lower than our Canadian figures. In 1939 the average attendance in our Indian day schools was 60.5 while for the fiscal year ended March 31, 1946, it was 70.19, which shows a betterment of a little more than 10 per cent. Possibly this was due to the payment of family allowances.

We may be pardoned if we do not refer to the present deficiencies of Indian day schools on isolated reserves and in unsettled districts. We believe that members of your committee realize that many of our school buildings leave much to be desired and the living quarters provided for our school teachers, when there are any such quarters, are certainly uninviting as far as the comforts of life are concerned. However, these are matters of which the Indian Affairs branch is fully aware and we are promised that measures are now being taken to remedy the defects in our day schools.

RESIDENTIAL SCHOOLS

It is often stated that residential schools do not provide the educational advantages that Indian children require and exception is taken to the separation of the parents and children for several months each year. We seriously doubt the validity of this opinion.

When we see the sons and daughters of our rich families, here in Canada, being placed in residential schools so that they may receive a more thorough training and when again the parents of such children are willing to deprive themselves of their company during their formative years, it is very difficult for us to condemn such institutions as being unfit and unsuitable to train these children in the ways of our common civilization and in the attainment of Christian ideals and principles.

Our own Indian brethren are gradually appreciating more and more their residential schools. Recruiting, which in past years was one of the main problems of school principles, has now become, with very few exceptions, a matter of having to refuse applications. Some schools have a yearly increasing waiting list. The best proof of what we have just said can be found in the allocation and payment of family allowances. It was thought, when this legislation was adopted, that enrolment at our residential schools would decrease, but the contrary has taken place. Moreover, our reserve Indians who only a few years ago, were not even thinking of Residential schools, are now begging for them.

This has all come about, we believe, because the educational and general training imparted in these institutions has been far superior to anything which could be given to pupils of Day schools, with very few exceptions.

In appendices DO and DP (pages 340 and 341, 1947 Minutes) submitted by the Superintendent of Welfare and Training, you will find figures which may be of interest to you in passing judgment on the relative merits of both systems. For the year ending March 31st, 1946, with an enrolment close to four hundred children less for Residential schools than for Day schools, you will notice that Residential schools pupils from grade four up to grade nine, are considerably higher in numbers than in Day schools:—

	Residential Schools	Day Schools	Difference in Favour of Residential Schools
Grade 4	1120	957	163
Grade 5	1130	720	410
Grade 6	705	458	247
Grade 7	416	270	146
Grade 8	228	188	40
Grade 9	78	33	45

In those six grades that is a difference of 1,051 more in the residential schools than in the day schools.

We are of the opinion that the daily discipline in force in our Residential schools, which calls for rising at a given hour, spiritual exercises also at a stated time, plus breakfast, dinner and supper, intermingled with hours of class-work and recreation, have in themselves more power to stabilize the nomadic habits of our Indian brethren than any other system of education.

With an experience of over one hundred years the foregoing considerations incline us to favour the residential schools. It may prove interesting to the members of the committee to read the following extract from the commission appointed by the United Church in 1936 to study the relative merits of residential and day schools. Their conclusion was: "The Commission believes that, properly officered, the residential school on the reserve has nearly all the advantages."

However, in the case of both residential and day schools, additional funds must be made available in order to provide increased accommodation and to make it possible for those actively engaged in the work to keep abreast of modern educational requirements.

The committee may be interested in knowing the percentage of Indian children, by province, who are unable at the present time to attend any school, whether day or residential, because of want of class room space. These percentages, according to province, are as follows:

	Per Cent
Alberta	37
British Columbia	41
New Brunswick	30
Nova Scotia	15
Manitoba	38
Ontario	40
N.W. Territories	70
Quebec	60
Saskatchewan	29
Yukon Territory	50
Prince Edward Island	60

The percentage for the whole dominion is 42 per cent. These figures may vary a little because they are based on the 1944 census as far as Indian population is concerned, and on the 1945 Report of the Indian Affairs Branch. Nevertheless, even if there are slight alterations in the percentages, due to the influence of family allowances, they present a picture which all Canadians will wish to improve.

To attain this end we are told by the superintendent of welfare and training that at least four hundred class rooms should be provided immediately. It may not be possible to build that number of class rooms in one year, but the program should be accelerated so that within five years, our Indian Affairs Branch could proudly state that every Indian child in Canada, wishing to secure an education, had a school close enough to his home where this laudable ambition could be realized.

It is very difficult at the present time to find qualified teachers for all our Indian day schools and even our residential schools have had to grapple with this problem and have accepted teachers who were not always fully qualified. If the teachers, in both residential and day schools, were to become civil servants, with superannuation provision and the payment of salaries by the Indian Affairs Branch, it is possible that most of our personnel difficulties would disappear.

We often hear criticism of the residential schools on the grounds that they are more expensive to operate than day schools. This is to be expected, but we would like to remind the committee that the family allowance is not paid when an Indian child is in a residential school and, therefore, the government of Canada which provides the funds for all expenditures is saving the annual amount of family allowances which is paid when an Indian child is attending a day school.

For the additional per capita cost the children at residential schools are provided with clothing and other advantages not received at day schools. May we specially instance the direct physical care that is given to each child in a residential school.

SPECIAL RESIDENTIAL SCHOOLS FOR GIRLS SIXTEEN TO EIGHTEEN YEARS OF AGE

There is one last recommendation that we wish to make on the subject of education.

As provided by the Indian Act the compulsory age for attending school is from seven to sixteen and at the latter date, most Indian parents expect their children to return home.

The missionaries engaged in Indian education agree that this is too young an age to discharge most girls. From the moral standpoint alone, we feel that the government of Canada would be justified in providing in each province, special schools for girls of sixteen to eighteen who have previously attended residential or day schools. Special educational courses could be provided to fit them for their future life and over and above that, it would provide a real opportunity to inculcate moral principles during these transitional years. By so doing their moral stamina would be strengthened and much trouble and expense would be avoided, thereby helping them to make a real contribution to Canadian citizenship.

As provided in the Indian Act, Indian schools are denominational in character. The church approves this system of education and urges that it be continued in the amended Indian Act. In this matter, it wholly approves the opinion of Very Reverend E. Ryerson, Chief Superintendent of Education of the province of Ontario from 1844 to 1876, a member of our present United Church, as found in a memorandum on Indian Education, forwarded to George Vardon, Assistant Superintendent General, Indian Affairs, Montreal, from Toronto, on May 26, 1847:—

I conceive religious instruction to be absolutely essential, not merely upon general Christian principles, but also upon the ground of what I may term Indian economics, as it is a fact established by numerous experiments, that the North American Indian cannot be civilized or preserved in a state of civilization (including habits of industry and sobriety) except in connection with, if not by the influence of, not only religious instruction and sentiment but of religious feelings. The theory of a certain kind of educational philosophy is falsified in respect to the Indian; with him nothing can be done to improve and elevate his character and condition without the aid of religious feeling. This influence must be super-added to all others to make the Indian a sober and industrious man. Even a knowledge of the doctrines and moral precepts of orthodox Christianity, with all the appliances of prudential example and instruction, is inadequate to produce in the heart and life of the Indian, the spirit and habits of an industrial civilization, without the additional energy and impulsive activity of religious feeling. The animating and controlling spirit of each school establishment should, therefore, in my opinion, be a religious one.

As a church, we endorse the above views and express the hope that the members of this committee will urge the continuance of the present educational policy of the department.

HOSPITALIZATION

Considerable progress from a physical standpoint has been accomplished by the branch of Indian Affairs, and since 1945 by the Department of National Health and Welfare, in the care of the health of our Indians. From an expendi-

ture in the year 1879 of \$3,901 to an estimated budget for 1947-1948 of \$4,103,390, there is written a history of humanitarian endeavour which does honour to our Canadian government. The church has only praise and commendation for such services.

The religious aspect of the hospitalization program of our Indians falls necessarily within the scope of the Christian churches, and with this aspect the archbishops and bishops of Canada are deeply concerned.

As the Department of National Health and Welfare provides our Indians with full hospital facilities, and in turn obliges them to enter such hospitals when in need of medical treatment, we would request that the department safeguard a civic right for the Indian which is enjoyed by the white citizen of Canada, viz., freedom of choice in hospitalization. From the earliest days the Christian church has fulfilled her obligation of ministering to the sick, especially to the poor and to the outcast. The department will, no doubt, wish to support a continuation of this time honoured tradition.

It is a special glory of the church in Canada that she has maintained this ancient tradition. The truly magnificent effort of the religious communities of women in supporting, staffing, and maintaining hospitals throughout the length and breadth of our land is an eloquent testimony to the undying spirit of Christian charity. Moreover, the fact that Catholic hospitals are maintained to serve citizens of Canada no matter what their religious or irreligious convictions, proves that the work of hospitalization is undertaken in no narrow partisan spirit. The recognition of this fact is of paramount importance when we realize that the work of this committee is to extend the existing benefits enjoyed by our white population to our Canadian Indian.

We, therefore, most urgently request that the Canadian government grant to the Catholic Indian population the right to Catholic hospitalization. The teaching of the Catholic church is, that the most important moment in life, that on which hinges one's eternal salvation, is the hour of death. That is why she deems it of the utmost importance that she be able to minister to her children in that supreme moment.

In order, therefore, that the religious needs of our Indians be adequately attended to during hospitalization, we would request that, when and if it is found impossible to maintain a Catholic or denominational hospital, the department guarantee proper chaplaincy service, and provide on a pro rata basis Catholic nurses, without prejudice to the rights and privileges of other Christian denominations. We would, moreover, express the sincere hope that officials of our government hospitals offer a full measure of co-operation to our chaplains in the discharge of their duties, that the best possible understanding and harmony may be maintained to the continued benefit of our people.

Furthermore, we would suggest that the government provide a chaplain service for undenominational hospitals in order to care for the mental and moral well-being of the patients in accord with their religious beliefs. Experience has shown that this spiritual benefit tends to advance the physical recovery of the sick. The church on her part will provide chaplains adequately trained to fulfill this particular work in wholehearted co-operation with the government's requirements.

As, at present, there exist Catholic hospitals provided by our church, we present this final request to the government, that it give its stamp of approval to these institutions, and permit an increase of such institutions when and where they are deemed necessary for the continued spiritual and physical welfare of our Indians.

Our present request regards only the principle of freedom of religious choice and not the appropriation of public money for the complete constructions of hospitals to be placed under the care or management of our bishops. Neither do

we wish this liberty of choice to be a source or cause of extra expense to our government. In the discussion of this problem with the department, we have often stated that we are prepared to meet all competitive costs as to the per diem rates either established by non-government institutions or those of the hospitals built and maintained by the Department of Indian Affairs.

GENERAL WELFARE

Welfare being defined as the organized community or corporate efforts for the social betterment of a class or group, we claim that in the Indian Affairs Branch, with its Ottawa staff, its provincial inspectorates and its many agencies, we have that community or corporate organization which, if properly directed, can effect for our Indians reforms which will better their lot and improve their general standard of living.

Reverend Thompson Ferrier writing some years ago on the subject: "Indian Education in the Northwest", very pertinently said: "To make any real advancement the Indian must have a home wherein will centre all his interest, hope and ambitions. The refining and ennobling influences of family life will be his greatest boon."

With the above in mind we advocate every social program for the betterment of family life among the Indian people.

We direct special attention to the following:—

1. *Indian Housing*

This has been neglected on too many reserves. We do not criticize the Indian Affairs Branch but we urge in the strongest possible manner that every possible means be taken to improve the conditions which on some reserves are really appalling.

The houses which our Indians are longing for are not pretentious and need not possess, at least for the present, the conveniences of our city dwellings. We believe that a house 20' by 24', divided in two, with a lean-to kitchen, and a second floor that could, in time, be used for sleeping quarters, would meet with the approbation of almost all our Indians.

On some reserves, where lumber is available, small sawmills have already been erected by the department to provide lumber for such homes; but this initiative should be extended to all reserves so that within a short time, at most four or five years, all our Indians would have a comfortable home.

2. *Treaty Rights and Obligations*

In world history the British nation has been outstanding in its recognition of the rights of minorities and in its scrupulous fulfillment of promises made to such groups. To the Indian, the treaties represent a decision of the British Crown and therefore we believe that agreements contained in the treaties should be carried out to the fullest possible extent.

3. *Old Age Pensions*

It appears to us both fair and desirable that this phase of social legislation should be extended to the aged Indian who would thus be assured of a definite amount for his declining years of life.

INDIAN AGENTS AND FARM INSTRUCTORS

Indian agents are possibly the most important official body of our Indian administration as they come directly and daily in close contact with the Indians. It is, therefore, most important that fully qualified persons be chosen for these positions. The present situation of limiting choice to the electoral division in which the agency is located does not always allow the extent of choice which the importance of the position demands.

We definitely recommend that when advertising for Indian agents the Civil Service Commission be directed to open the position to candidates resident in the province where the agency is located and, if no suitable candidate can there be found, to candidates elsewhere in Canada. By so doing we believe that the opportunity of obtaining better officials would be increased.

What has been said regarding Indian agents applies also in the case of farm instructors and we make the same recommendation regarding their selection. It should not be overlooked that the farm instructor on an agricultural reserve is a very important person. If he is not capable or alert, co-operative with the Indian and anxious to do his very best for those under his charge, the reserve would be better without him. A competent farm inspector can also do considerable follow-up work with male Indian graduates from our residential schools, as these should be encouraged to make practical use of the training they have already received.

INDIAN CO-OPERATIVES

Our missionaries were instrumental in setting up three co-operatives for the benefit of the Indians. One is situated at Nootka, Vancouver Island, B.C., the second at the Indian residential school of Cowessess, near Grayson, Saskatchewan, and the third at Grouard, Alberta.

Reverend Father P. J. Sheahan, O.M.I., after describing the difficulties in acquainting his Indians with the principles of co-operation, summarizes the history of the establishment of this cooperative in the following words: "In 1943 money had been coming in for a couple of years due to increased wages and prices on fish. Boats became easier to get when the Japs left the coast. Some of our boys attended a meeting at Cape Mudge. They saw there how the Indians had built up their reserves through co-operation. When they returned, they got together to tell their stories of what they had seen and followed through with meetings, planning a co-op. of their own.

At the first of the year they began getting out logs to build a fishfloat. A small company in Vancouver staked them to the lumber to build the ice-house on the float. By the first of April they were ready to buy fish. They sold the fish to this company on a commission basis. In 1944 they sold \$29,000 and in 1945, \$23,000 worth of fish."

He adds: "I must say that our organization is as yet in its experimental stage. We have our committee with its president, secretary, and two advisors. We buy the fish from the individual fishermen, the daily catch is taken, weighed and iced on the camp. When the packer come in each week, we are paid for the fish and then statements are made out for each fisherman. We pay regular prices for fish and receive one cent per pound commission, from the purchasing company.

As a result of this co-operative movement, our Indians are gradually building up their fish fleet and hope to have quite a good one in a relatively short time. They are also planning on building new homes and repairing old ones which have been neglected for quite a number of years, due to the fact that they had to work in the canneries and did not make enough money to improve these homes."

The second co-operative was founded in 1940 at the Indian residential school of Cowessess, near Grayson, Saskatchewan. It is only a store but one which is owned by the Indians to the extent of 51%. There are ten half-breeds and seven white shareholders, besides the Indian group. The Indians last year received \$288.10 in dividends, the half-breeds \$71.32 and the whites \$38.04. The total turn-over in 1945 was over \$20,000. The manager is a white man. The most significant result of this co-operative has been a marked reduction in the consumption of alcoholic beverages. Formerly, Indians went either to Grayson or Broadview to purchase their merchandise. Very few go, at the

present time. They like their store, openly boast of it, often make the statement that the prices obtained are lower than in other stores and are particularly proud of the dividends which they receive yearly.

The third co-operative is located at Grouard, Alberta. It was founded in 1943 by Reverend Father Forcade. As now functioning, it is made up of a co-operative store, a credit union, a small manufacturing plant and a post office. It employs at times as many as thirty Indians and half-breeds who are engaged as clerks in the store, the post office, the credit union and as help in the manufacturing plant. The slippers which are now on exhibit, were made under Father Forcade's direction by the natives, as it has been his objective to employ only such labourers in the manufacturing of these slippers, as well as in the management of the store, the post office and the credit union.

The Edmonton *Bulletin* of November 24, 1945, under the heading of: "Birth of Indian Slipper Industry", by A. C. Ballantine, has this to say about this co-operative: "On February 1, 1943, the first co-operative general store was opened with \$15 worth of merchandise. To-day it handles a monthly turn-over of close to two thousand dollars in grocery, dry goods, men's, women's, children's clothing.

The slipper factory was opened on March 17, 1944 on the same co-operative basis and the credit union, the Wall street of Grouard, on March 1st, 1945. These various activities are housed in one two-storey log building, 30' by 50', over whose door is a sign which says: GROUARD INDIAN CO-OPERATIVE."

Reverend Father Forcade may be able if time permits to tell you later on, what the establishment of this co-operative has done for the Indians and half-breeds of the Grouard district.

Considerable help in the form of a loan from the Indian revolving fund was given to Father Forcade.

These co-operatives have done a great deal to inspire Indians who are either shareholders or workers, with a sense of responsibility, of ownership, of management which it is difficult to appreciate unless one knew the conditions that existed on each of these three reserves before the establishment of these co-operatives and we believe that there may be in this special method of approach to our Indian problem, something worth developing more fully.

If we mention these activities to the committee to-day, it is in the hope that some form of help, along these lines, may be made available to our Indians through necessary changes in the Indian Act.

POLICE PROTECTION

Wherever possible we believe that large Indian reserves should be under the protection of the mounted police. The Indian, generally considered, has almost a reverential feeling for the members of that police force. David Laird, Special Indian Commissioner, who negotiated the Blackfoot treaty in the year 1877, used the following words to convince the Blackfeet of the advantages which they would have from their treaty: "When bad white men brought you whiskey, robbed you, and made you poor, and, through whiskey, you quarrel amongst yourselves, she sent the police to put an end to it. You know how they stopped this and punished the offenders, and how much good this has done. I have to tell you how much pleased the Queen is that you have taken the police by the hands and helped them, and obeyed her laws since the arrival of the police. She hopes that you will continue to do so, and you will always find the police on your side if you keep the Queen's laws."

The above shows that the Indians over seventy-five years ago, had a reverential fear and great deal of friendship for the mounted police. We believe that the same sentiments actuate the Indians to-day and that the presence of

a mounted police detachment on each large reserve would help to keep law, prevent excessive drinking, regulate morals, temper the waywardness of young women and young men.

We are informed that the city of Ottawa spends annually over \$500,000 for police protection. This is equal to \$3 per head, per year. If an amount equal to that expenditure were authorized for the police protection of our Indians, nearly all the excessive drinking, foolish expenditure, taxi cab driving, would almost automatically cease and our Indian brethren would be the first to thank the government for giving them the police protection which their white fellow citizens enjoy.

RESERVES

Several projects regarding Indian reserves have been submitted to your committee. Some of these submissions contemplate in time the complete disappearance of the Indian reserves. The claim is made that the reserve segregates our Indian fellow citizens from the rest of the population, that it keeps them somewhat in bondage and prevents them from acquiring those habits of self-reliance which will conduce to make of them useful citizens of Canada.

We cannot agree with most of these sweeping statements. It must not be forgotten that the reserves were granted to our Indians in most cases by bi-lateral treaties and that they can be dispossessed of their lands only if they agree to surrender them. From reports received in connection with this present enquiry it does appear that the Indians are very firm in their determination to keep their reserves intact for themselves and their children. They do wander away from the little homes which they have on these reserves, either for hunting, fishing or trapping, or again for finding gainful work but they look upon their reserves as their home and are always glad to return to them. We believe that a sentiment of this nature is good and should not be done away with for the possible illusory gain of an acculturation which at best is very far distant.

The perpetuation of ownership by our Indian bands of their reserves can certainly be compared to the great land holdings of our English aristocracy which no court has ever put in doubt. The wealth of those landed estates is in most cases due not to the administrative ability of the owner, but to the astuteness and business ability of his estate agent. The Indian in this country should also possess qualities which a large landowner in the old country always expects his estate agent to possess.

As far as we can view the future of our Indians, we believe that all that civilization can give them, can be acquired by each individual living on his reserve. Brig. Martin, once a treaty Indian of the Six Nations reserve, ended his testimony before your committee with the following words: "I want to go to the Six Nations reserve sometime". That, in our opinion, expresses a longing of all our Indians and we fail to see why such noble aspirations should be taken away from them.

VOCATIONAL TRAINING

A great deal of discussion has taken place about the most suitable curriculum to adopt in our schools. Some favour the half day system, others the full day class work. We cannot give to the Indian child both the full day class curriculum and also adequate vocational training at the same time. For most Indian children it seems that the half day system, completed by properly organized and practical vocational training would be satisfactory. In vocational training we give our boys lessons in gardening, carpentry, shopwork, poultrying, etc., while the girls receive a full home economics training. Vocational training in our schools should be planned according to local needs of the Indian population, and should be given by competent instructors.

There is a regrettable lack of organized effort in continuing on the reserves the training given in the schools. It is absolutely necessary that, in order to assure results from vocational training, the Indian Affairs Branch organize a practical follow-up system for the school graduates, in co-operation with the school officials.

HIGHER STUDIES

In the management of our day and residential schools, we think the church can truthfully say that it has done its utmost to give every child, whether boy or girl, who wished it, a chance of advancing in his studies from the last grade to high school and from high school to the university. As a result, both our clergy and our sisterhoods have as their members, a few who are either treaty Indians or have considerable Indian blood. Whilst it is impossible for us to give you, at the present time, the names of the young girls who have become members of our religious orders, we can point with pride to Reverend Father Michael Jacobs, from the Caughnawaga Indian reserve, a member of the Society of Jesus, now in charge of the St-Régis Catholic Mission and to Reverend Father George M. White, an Oblate Father from the St-Régis reserve. We believe that more young men and women from our various schools will eventually reach the university and complete their studies if given sufficient help from the department and we are glad to say that this has never been wanting.

We are, therefore, very much in favour of higher education and we believe that in time, a sufficient number of our young men will attain the professions to take the place, for their own people, of our present nurses, teachers, lawyers, and doctors.

LIABILITY OF INDIANS TO PAY TAXES

This is a matter on which Indian treaties have a direct bearing. Some claim that their reserves should at all times be tax-exempt and that all personal property held by Indians on these reserves should equally be non-taxable. We must not break faith with our Indian brethren. If in their treaties there is anything to prove their contention we fail to see why we can abrogate their rights by legislation which they, themselves, will not have previously accepted.

Our Indians, of course, are at the present time exempt from real estate taxes only, as everything they buy in food, clothing, ammunition, and fishing tackle, is subject to the ordinary taxes which Canadian white people are paying.

SOCIAL SECURITY

As no advancement in religion, morality, culture and social life can be made by any group of people unless there is a certain degree of comfort and prosperity achieved in the community, it follows that our Indian brethren have a right to that degree of comfort which will render possible the practice of these civic virtues. This temporal comfort can be attained only through their own personal labour. That is the opinion of our missionaries and that has been their aim ever since they set foot among this people. We all believe that the Indian can learn to be a practical farmer, can become a capable worker in practically every trade and adapt his mode of living to a few methods of gainful commercialism. But for the present we submit that it may be the duty of the government to supply our Indians with gainful work.

For the time being, it is possible that farming on our large reserves, both east and west, where the soil is rich, could be promoted by the Indian Affairs Branch to a greater degree than heretofore.

The suggestion on several occasions has been made to our officials that co-operative farming under the leadership of trained agriculturists might be tried on one or two reserves and if proven successful, extended to other sections. Such a farm might consist of 1,200 acres and be provided with suitable buildings for the staff. It should be well stocked with milch cows, beef cattle, hogs,

and poultry. The Indians taking part in this co-operative farming project would be paid a weekly salary. That part of the grain crop, not essential for feeding the cattle, could be sold and the revenue employed for the payment of salaries. Milk, butter and eggs could be sold to the workmen. A general training in the use of power machinery for farms could be given those who would be interested in taking such a course.

This mode of farming has proven satisfactory in many parts of our country among our white population and in some cases has made money for its owners and therefore we cannot see why it could not be tried on our reserves for our Indian fellow citizens where, among other advantages, there would be no taxes to pay. We seem to be afraid of the investment necessary to launch such a scheme, but we are dealing with human beings in this affair and the investment of \$25,000 to \$30,000 in a project which does seem to offer great opportunities to our Indians, should, at least, be tried. If officered by well trained agriculturists, accustomed to dealing with men, and with large farm operations, we are unable to visualize anything but success.

The agriculture department of the Dominion of Canada has established such farms for the benefit of our white farmers and settlers, in every part of Canada. Why then could not such a scheme be attempted for our Indian brethren? Originally, and as found by our discoverers, many Indian tribes were agriculturists, and thus earned part of their living from the soil. Would not a scheme of this kind awaken in them at latent atavism rich in promise?

Principals of the Indian residential schools conducted under our auspices, as well as several of our missionaries, have given the Indians practical demonstrations for many years past in cultivating land and thereby encouraging the Indians to use arable land for growing gardens.

It may be interesting to you to know that we have cultivated land successfully as far north as Albany on the west coast of Hudson Bay and Fort George on the east coast of Hudson Bay and in Northern Alberta at Vermillion and in the Northwest Territories at Fort Resolution and even at Aklavik.

FUR CONSERVATION

The various projects of fur conservation established by the Indian Affairs Branch are worthy of very special commendation and we hereby wish to give it our sincere approval. Among its definite advantages, as far as the Indians are concerned, is the way or manner in which the pelts are gathered, sold and the proceeds distributed among the participants, by monthly instalments.

If the same method of sales and money distribution were adopted for all furs for the whole Indian population of Canada, it is possible that we would have in that new departure from old established customs, something which would make our Indians more provident, independent, and prosperous. In other words, it would be a help in their gradual ascent to civilization.

ADMINISTRATION

From 1880 to December 31st, 1936, the Indian department was a separate one under the control of the Minister of the Interior. Its chief officer had the title of deputy superintendent general. As such he had the powers of a deputy minister and could, at all times, have direct approach to the minister and personally formulate policies. As a result, all major problems affecting the education and general welfare of our Indians could be discussed with him and decisions arrived at on which we could generally rely.

It is the sincere wish of our missionaries, and they hereby respectfully submit it, that this administration policy be restored.

We thank the joint committee of honourable Senators and members of the House of Commons for the opportunity afforded us to present this brief.

It is also our very sincere desire to thank the Minister of Mines and Resources, the Honourable J. A. Glen; the Minister of Health and Welfare, the Honourable Paul Martin, with all the Ottawa officials concerned with the

training, health and welfare of Indians, principally the Director of Indian Affairs branch, Mr. R. A. Hoey; the Director of Indian Health Services, Dr. P. E. Moore; together with their doctors, nurses, provincial inspectors, and their agents, for their assistance to our church in her missionary work among the Indians. We have, at all times, benefited by their co-operation and their advice, and we have tried to deserve their friendship.

INDIAN DAY SCHOOLS CONDUCTED UNDER
CATHOLIC AUSPICES

Prince Edward Island

Lennox Island

Nova Scotia

Afton

Eskasoni

Middle River

Millbrook

Salmon River

Shubenacadie

Sydney

Whycocomagh

New Brunswick

Big Cove

Burnt Church

Eel Ground

Eel River

Kingsclear

Oromocto

Red Bank

St. Mary's

Tobique

Woodstock

Quebec

Caughnawaga

Rupert's House

Ontario

Attawapiscat

Birch Island

Burwash

Cape Croker

Christian Island

Dokis

Garden River

Garden Village

Golden Lake

Goulais Bay

Gull Bay

Kaboni

Lake Helen

Lower French River

Long Lac

Mississauga River

Mission Bay

Mobert

Pic

Rabbit Island

Sagamook

Seine River

Serpent River

Sheshegwaning

West Bay

Whitefish Bay

Whitefish Lake

Wiwemikong

Manitoba

Berens River

Cross Lake

Ebb and Flow Lake

Hollowwater River

Island Lake

Jack River

Lake Manitoba

Nelson House

Little Grand Rapids

Pine Bluff

Valley River

Waterhen River

Saskatchewan, Alberta,

N.W.T. & Yukon

Big River

Long Lake

St. Francis

Fort Simpson

Fort Smith

Burwash Landing

British Columbia

Anaham Lake

Chehalis

Shesley

Fort Babine

Homaleo

Inkameep

Katzie

Moricetown

Okanagan

Pemberton

Penticton

Prophet River

Seabird Island

Skwah

Songhees

St. Catherine's

Squamish

INDIAN RESIDENTIAL SCHOOLS CONDUCTED
UNDER CATHOLIC AUSPICES

School	Government Owned	Church Owned	Pupilage
<i>Nova Scotia—</i>			
Shubenacadie, Sec. Clergy.....	x		160
<i>Ontario—</i>			
Fort Frances, Oblate Fathers.....	x		85
Kenora, Oblate Fathers.....	x		85
MacIntosh, Oblate Fathers.....	x		110
Fort Albany, Oblate Fathers.....		x	80
Fort William, Sisters of St. Joseph.....		x	95
Spanish, Jesuit Fathers.....		x	250
<i>Manitoba—</i>			
Cross Lake, Oblate Fathers.....	x		120
Fort Alexander, Oblate Fathers.....	x		120
Pine Creek, Oblate Fathers.....	x		120
Sandy Bay, Oblate Fathers.....	x		130
<i>Saskatchewan—</i>			
Beauval, Oblate Fathers.....	x		80
Cowessess, Oblate Fathers.....	x		90
Duck Lake, Oblate Fathers.....	x		175
Guy, Oblate Fathers.....	x		125
Muscowequan, Oblate Fathers.....	x		105
Qu'Appelle, Oblate Fathers.....	x		280
St. Phillips', Oblate Fathers.....	x		90
Union Lake, Oblate Fathers.....	x		120
Thunderchild, Oblate Fathers.....		x	120
<i>Alberta—</i>			
Blood, Oblate Fathers.....	x		165
Blue Quills, Oblate Fathers.....	x		140
Crowfoot, Oblate Fathers.....	x		100
Sacred Heart, Oblate Fathers.....	x		65
Ermineskin, Oblate Fathers.....		x	165
Holy Angels, Oblate Fathers.....		x	80
Grouard, Oblate Fathers.....		x	90
Joussard, Oblate Fathers.....		x	125
Sturgeon Lake, Oblate Fathers.....		x	90
Vermilion, Oblate Fathers.....		x	65
Wabasca, Oblate Fathers.....		x	110
Youville, Grey Nuns.....		x	160
<i>British Columbia—</i>			
Kamloops, Oblate Fathers.....	x		295
Kootenay, Oblate Fathers.....	x		100
Kuper Island, Marist Fathers.....	x		100
Lejac, Oblate Fathers.....	x		175
Sechelt, Oblate Fathers.....	x		90
Cariboo, Oblate Fathers.....		x	135
Christie, Oblate Fathers.....		x	110
Mission, Oblate Fathers.....		x	210
Squamish, Sisters of Jesus.....		x	65
<i>Northwest Territories—</i>			
Aklavik, Oblate Fathers.....		x	40
Ft. Resolution, Oblate Fathers.....		x	80
Providence, Oblate Fathers.....		x	65
<i>Quebec—</i>			
Fort George, Oblate Fathers.....		x	20
Indian Residential Schools—Government Owned:	25		
Indian Residential Schools—Church Owned:	20		
Total pupilage.....	5,380		

THE GROUARD INDIAN CO-OPERATIVE ASSOCIATION LTD.
OF GROUARD MISSION, ALBERTA

The why and wherefore

The Grouard R.É. residential school has an old pupils' organization which is now known under the name of "The Grouard Indian Co-Operative Association Ltd.". It is incorporated within the laws of the province and it has been registered with the board of public utilities. The aim of the association is to sponsor activities that will tend to congregate the Indian people into an Indian community.

Our Indians have no communities of their own: no towns, no villages, no hamlets. They have no civil, no social life at all. They are either isolated members of a reserve or lone wanderers in No-Man's Land, seeking a livelihood in the forests, on the lakes or in the white man's employment. Nowhere can they share in a community life in which they are at home. They are lost sheep. Scattered and isolated as they are, it becomes impossible for any institution or any individual to follow them up in their after-school life and to do anything worthwhile for them by way of promoting their physical, economical and moral welfare. Until such time as they have communities of their own, well organized and well established, it would be fantastical to hope that they will become self-supporting, free and progressive citizens of Canada. Wilderness will always breed wilderness; civil life civilizes.

The Grouard school considered it of paramount importance, therefore, to build an Indian community where these people, like ourselves, could live together in close bonds of nearness, recognizing each other as associates, friends and acquaintances and pursuing their common interests with unity of purpose and action.

Method of Approach

The real problem was to find what method of approach would appeal to them and induce them to unite together by common consent; what system would establish among them the rights, duties and privileges of a social life; what economical set-up would invite them to submit willingly to the order, rule and administration of an activity that would give them a livelihood.

This system was not hard to discover. History has witnessed time and again the phenomenon of the birth of a nation. It tells us that our forefathers, centuries ago, were more primitive than the Indians of this country have ever been. The Druids speak of human sacrifices. Yet we glorify ourselves to-day with what we call our western civilization. How was this civilization brought about?

In any event, in our day, the church is very explicit in this matter. Its teachings on social order advocate the co-operative system. Our diocesan authority advocates it also even for the Indians. It was on the bishop's orders that the Grouard school went to work.

The Consumers' Co-op.

Meetings were called—calling all Indians to hear of the new project which would lead them to a "happier hunting ground". They came, few in number. Meeting after meeting was held in the school. The co-op. principles were expounded but this abstract pounding of principles was not nearly so appealing to their ears as the pounding of the Indian drum. One day, an old medicine man who was bored to death with these classes, suggested that this co-op. business be turned into a little Indian pow-wow,

A pow-Wow! Ye gods! That was the trigger! Now we were really getting somewhere. An Indian drum was produced, the circle was formed and we danced and danced and danced, while the old fellow pounded the drum and howled and howled and howled. The meeting was a huge success and the co-op. was "tops". The following meeting had a big attendance. After a little pounding and a bit more expounding it was agreed upon that a consumers' co-op. was the primary need of the people and, therefore, the first activity the association should attempt. That store would be their own, and in it, they would manage their own business. Members would buy shares at the par value of \$1 per share. These shares, it was explained, would have little babies (surpluses) and according to co-op. principles, these little ones would be refunded to the member-purchaser at the end of the year's operations. The enthusiasm was high and shares were sold while the going was good. After the meeting, the money was counted with feverish interest. Stocks amounting to the fabulous sum of \$15 had been sold! The store opened for business very shortly after, on the 1st of February 1943, in the school itself. A barrel of coal-oil was purchased at the price of \$10.30. The balance of the capital stocks (\$4.70) was invested in cigarettes. Sales girls canvassed the nearest huts in the nearest bush to peddle the cigarettes and high-pressure the tenants to buy co-op. coal-oil. The returns of the sales were immediately reinvested in the store. The interest of the people grew. Other shares trickled in. The co-operation that these people practised has built our present community. Each one felt that by co-operating he was actually lending a helping hand to his kinsmen. He realized at the same time that he was helping himself by shaking off his century-old bond of serfdom. His dignity grew and so did the co-op.

At the end of the year, the co-op. had done \$9,000 worth of business. The surpluses were voted towards the erection of a building of their own in which all their co-operative activities could be pursued. A two-storey building with full basement was erected by the Indians themselves. It was 30 x 50 feet, roughly hewn out of logs. No compass was required. It was simply aligned with the polar star to the north and with the waning moon southeast to the south. Primitive it is but it will exhibit for years the standard of civilization which our people had then reached. Yet it is a sturdy building of which they are proud and which has been used, since, as the centre of many an educative gathering and lucrative activity.

A Producers' Co-op.

In 1944, in this same building, a producers' co-op. was organized, namely, a slipper factory.

A consumers' co-op.—though a general service to all interested members, created the spirit of a community but it could not afford a living to all those who sought the advantages of social life in this new Indian community. A producers' co-op. of some kind which could produce and supply the Canadian people with some one of its needs could employ more hands.

Bedroom slippers found a ready market in Canada. This industry meant something to the Indian who had already made a pair of moosehide moccasins. Equipment was purchased: power-driven sewing machines, patterns, lasts, dies, etc. These people had never touched an electrical sewing machine; they had never cut slippers on patterns; they had never fitted them on lasts, yet the first pair they made was sold on the market and none of them has ever been returned. The demand for these Indian-made slippers grew far beyond the supply.

The factory is equipped to produce 3,000 pairs of slippers per month. The Grouard Indian slipper is the highest priced slipper of its kind in Canada. Sixty Indian families could live on the product of this factory as it is organized. Actually, there is only an average of twelve families getting their living out of it. Our output is only 700 pairs per month. The lack of working capital accounts for all this.

A Credit Union

The need for a co-operative banking system was soon felt for the Indians of this new and growing community. The activity was organized and chartered under the name of: "THE GROUARD INDIAN SAVINGS AND CREDIT UNION LTD." Its purpose—to practice saving and to lend money to the needy. No institution could contribute so much to raise the morale of a people who, down our way, had been classified by the white man as "coyotes".

Firstly, the importance of co-operation was taught as it applied to the financial sphere. Saving was the order of the day as being the road to independence. And savings readily found their way into the credit union. The first savings deposit was sixteen cents. The second, was the price of a horse's tail. White horse hair sells well. The idea struck one of our promising members who had a white horse. The following day he brought his horse's tail for which he got 35c. With this, he was proud to open his savings account. Later, family allowance cheques were deposited for the newly born that thereby, he too, might receive a higher education. We needed more educated people for the co-op. That is now evident to the members.

The day the Grouard Indian Savings & Credit Union Ltd. had a savings deposit fund of one hundred dollars made up by the most destitute people imaginable, it began to extend credit; it began to make loans to those who needed money—little loans, of course, but they were helpful and the borrower, who was endorsed by another member of the credit union, felt he was not begging. He was making an honourable financial transaction upon which he was staking his word of honour that he would repay the borrowed money, capital and interest, on the promised date. The credit union is now two years old. It has done \$12,000 worth of business and has not lost a cent.

A Co-op. Housing Project

Our new community laid its corner stone in a carrot field which the mission kindly gave the association. A housing project was organized to lodge and take care of these isolated people, these dwellers of the bush who would join in our social life. Houses were moved from the bush into the co-op settlement. Through the co-op housing project, three new homes were erected and immediately occupied. They were sold—interest free—on a monthly rental basis. Even Indians like social life—a social life of their own—if they are able to find a livelihood in that environment.

Co-op. Miscellanies

The co-op organized a fur-trading post. According to one of its principles, it operates at cost, even in fur. The trappers no longer have to pile beaver pelts muzzle-high, to get a blanket and a pound of tea. The results have been that competitive fur-buyers raised their prices.

Our community has an amusement hall, privately owned. Our Indians can play pool and amuse themselves without fearing the unpleasant remarks of an unsympathetic white man.

The co-op has its ambulance service, its public sweat bath and, above all, its own post office, the Grouard Mission P.O., Alta.

CO-OP. RESULTS

Morally

And that is the story of the co-op.

A co-op is not a reserve, it is not a trap-line, it is not a ration, and to be sure, it is anything else but a "one hoss shay". All for each and each for all is one of the first principles of a co-op. Our Indians are proud of their institution. They realize that they have accomplished jointly that which they never could have realized single-handed. They are proud to think that their individual share has been a personal contribution to the happiness of the entire community.

The members have to conduct the entire business themselves, bearing the full weight of the responsibilities. Having to live up to the rules and regulations of the co-op, they have submitted themselves willingly to the disciplinary procedures of the organization and this has taught them order, rule and administration.

A common interest in the co-op, though merely financial at first, has brought them closely together. This fellowship has very noticeably improved their manners and morals.

Thousands of visitors have driven all the way along the shores of Slave Lake to visit this curious little institution which stands like a lone wolf in the forest primeval. This consideration from outsiders has given our people pride and self-confidence.

Economically

The co-op has been a profitable enterprise. Last year, it did \$45,000 worth of business. It has already credited its member-purchasers with dividends which it will refund as soon as it is debt free. The co-op gives the poor man a chance. The poor man cannot invest money in the C.P.R.—nor can our Indians. Yet, poor or rich, every one must live. He must spend money to feed his family. A co-op member receives dividends, not on the amount he has invested but rather on the sum of his purchases in the co-op. The surpluses of the co-op are distributed to the members proportionately to their patronage.

The co-op sells for cash only. That is another principle of salvation for the Indian who had always mortgaged his future. Our Indians have bought for cash. They have paid no more than anywhere else for their commodities, and they themselves have reaped the profits over the bargain. This cash business has made free citizens of our Indians; it has eventually rescued them from the clutches of other merchants who had imprisoned them in debt until they almost owned them, body and soul.

Physically

Physical assistance is of primary importance to the Indian. The co-op has taken care of it. It has always supplied them with good foods for their table, making it a point to handle at all times, fresh fruit and vegetables. Those who have been employed in the co-op have been more fortunate than others. Having more purchasing power, they have been able to afford more and better foods which Indians can also enjoy. Through the Credit Union Study Club, by means of lectures and films, lessons in diet, hygiene, housing, gardening, etc., were received with real interest and profit. The co-op has sold fruit, vegetables, furniture and paint galore. Striking examples could be given to show the improvement in the health and the homes of our people.

Future Hopes

The hopes for the future of the co-op are only bittersweet. The story which has just been told may convey the impression that everything has been accomplished. In reality, the operations of the co-op are on a very small scale as compared to the needs of the population.

We have not been able as yet to organize co-op employment for the men. That is a very sad state of affairs. Serious attempts were made to organize a co-op lumber mill but our efforts were stillborn. The co-op is not debt free. It would be unwise for it to entangle itself into greater liabilities.

It stands to reason that a business institution which just four years ago began with an initial capital of \$15 should still be under-capitalized. This under-capitalization is seriously boycotting our development. We have a happy community, but it is far too small. There are others who would like to "enter into the fold"; they must wait for the day that the co-op will expand and offer them a livelihood.

A co-op with an efficient staff usually grows rapidly. Such is not the case of the Grouard co-op. Owing to the nature of the people we are working with, the co-op business is not as profitable as it could be. They will require more and more training. Then again, our employees are often tempted to listen to the "call of the wild". The number of employees in the co-op ranges anywhere, at anytime, from two to twenty. They love to run and sing like the babbling brook:

"I come from haunts of coot and hern
And make a sudden sally,
To sparkle out among the fern
And bicker down a valley."

Fortunately the co-op is organized so as to take care of this feature. Employees are on piece-work. "They may come and they may go but the co-op goes on forever."

There is also something very sweet and hopeful about Grouard co-op organization. It has given faith to its members; it has improved their lives; it has created an atmosphere of happiness all round; it is leading its members on the upward march to a higher civilization by affording them the means of a livelihood in a community life.

The CHAIRMAN: Thank you very much for your very interesting and informative brief. Are there any other briefs to be presented?

The WITNESS: There is no other brief.

The CHAIRMAN: Is there any other presentation you would care to make.

Cardinal McGUIGAN: There is no other presentation.

The CHAIRMAN: I presume it would be your pleasure to answer questions?

Cardinal McGUIGAN: Yes, we will answer any questions. We are ready to answer any questions that you put to us.

The CHAIRMAN: Is it your pleasure to submit questions not only to Father Plourde but to any other member of the delegation?

Mr. CASE: I think first of all we should cross-examine the witness who presented the brief. When that question period is over if there is anyone else who wants to make any observations all well and good.

The CHAIRMAN: Before doing that we should decide how many hearings we are going to have. If I know the members of this committee I feel sure they will take up not only the remainder of this period but probably several other periods in cross-examining one witness alone unless we are limited as to time. May I ask Your Eminence if it is your desire or intention to remain here this afternoon? We have arranged a hearing for this afternoon from 4 till 6.

Archbishop MURRAY: His Eminence can remain but some of us cannot. I think the missionaries can.

The CHAIRMAN: Might we ask who cannot?

Archbishop MURRAY: I could not. All the others can remain.

The CHAIRMAN: Probably we might ask you some questions.

Archbishop MURRAY: I think those actively engaged in the work will handle the questions.

The CHAIRMAN: What is your pleasure, gentlemen? Shall we proceed to examine Father Plourde or would you like to ask questions of other members of the delegation?

Mr. REID: I was wondering if the other members of the delegation would not care to make a presentation because the presentation we have listened to is a general outline of the activities.

The CHAIRMAN: I know how you try to look after British Columbia's interests.

Mr. REID: I must admit I am anxious to hear Father O'Grady tell you about the residential school in Kamloops. I will admit that right now.

Mr. CASE: Mr. Chairman, I submit again that it seems to me the proper procedure is to find out the meaning of the brief we have before us before we ask anything of anyone else. I think it is a very complete brief. I have only three or four questions.

The CHAIRMAN: Is it agreeable that we shall proceed with the examination of Father Plourde on the brief that has been presented? Shall we limit the time of each member, as has been our custom, or shall we leave it wide open?

Mr. CASTLEDEN: I would suggest that we proceed and then if we find we are running short of time we can limit it then.

The CHAIRMAN: You understand that. I hope there will be no complaining at a later stage of the proceedings as to the procedure that has been followed. The last time we went clockwise. This time we will go counter-clockwise.

By Mr. Matthews:

Q. I was going to ask if you would care to make any comment regarding the request on the part of many Indians for the use of liquor to be permitted on the reserves the same as among white people?—A. We had quite a discussion among ourselves last night—and the night before—on this liquor problem. As you know we are all, of course, members of the Catholic Church, and the Catholic Church has never preached prohibition. The Catholic Church preaches moderation in drinking. There were some facts that the missionaries had to admit as far as liquor is concerned, that is, that the Indians do drink whiskey, and when they cannot get whiskey they drink almost any concoction that money can buy. Whilst none of our group would favour the sale of liquor on the reserves I think that the consensus of opinion was that they would favour an amendment in the Indian Act permitting Indians, when off the reserve, to go into a beer parlour or to buy a bottle of whiskey at government stores.

Q. Mr. Lickers makes a suggestion which I might follow up. He asks where are they going to drink it?—A. They could drink it at home on their reserve, if allowed to buy it. If they cannot drink it except somewhere off the reserve we will have quite a population at times living off the reserve.

By the Chairman:

Q. I gather what you are saying is you approve of the purchase elsewhere but not from a liquor store on the reserve?—A. Not any sale on the reserve.

Q. No sale on the reserve?—A. No sale.

By Mr. Case:

Q. In other words, you are suggesting Indians should have the same privileges as the white man?—A. It would not be quite the same privileges. If you have a big estate comparable to a reserve in size, and so forth, you might take liquor that you wanted on to that estate and you could have a store there, and so forth, but the Indian would be allowed to take on to the reserve only whatever he could purchase legally outside.

Q. I mean it would be the same except for the establishment of the store. You think he should have a permit and should keep within the law. Then if he is not capable of handling it he should be cut off the same as a white man?—A. Yes.

Bishop BELLEAU: I believe the members of the committee have enough experience and knowledge of the Indian mentality to know that in different degrees this applies, that the will power of the Indian may not be as strong as that of other citizens of Canada. That is probably due to his lack of training and that certain cool decision when put in the presence of liquor. I think that applies also to different elements of the white population, but it is quite noticeable among the Indians, and it is fairly universal. Consequently while not advocating total prohibition as it actually exists under the Indian Act I believe the missionaries would want the government to enforce a very severe application and policing of the law, if liquor is to be put at the disposal of the Indians by legal purchase. On some reserves I think the lack of opportunity and temptation is such it would mean a very radical change.

In our district of James Bay the influence of the mounted police and the remoteness of temptation is such that it would mean a very radical change if the sale of liquor were permitted there. If the Indians there have to go out of their territory to buy liquor it would mean, that very few of them would buy liquor, and I do not think it would result in any abuse. In the districts where the Indians are in contact with white people and where temptation and the opportunity for illegal purchase is very frequent I still believe that not only should we try to educate the Indian to be moderate but the policing of the law should be more severe, not by way of penalty but as a protection against his own temperament and disposition. It is not to despise the Indian that I say this, but it has been noticed that the cool decision is not easily taken by an Indian when he is in the presence of some incentive, and that he is prone to follow his inclinations and not take the decision that prolonged education and favourable atavism would help the white man to take in the way of making a cool decision and governing his own actions in the use of liquor.

What Father Plourde has said concerning the intrinsic morality of the use of liquor is the universal view among all missionaries. They do not claim that liquor in itself is immoral. It is the abuse which is immoral. The Indians so far have been given a protection which has been a real protection in some districts of Canada. In other districts this protection is becoming practically useless and impractical because the occasion is there, the temptation is there, and the law has become ineffective.

Mr. HARKNESS: May I ask a question on that while we are on the subject? Do you think that the prohibition of liquor for the Indians is presently having a bad psychological effect on them and tending to increase their feeling of inferiority as compared with the white man?

Bishop BELLEAU: I am not prepared to answer that question with regard to the Indians of all Canada. I do not think the James Bay Indians are impressed in that way at all. They realize it is a proper protection.

Mr. HARKNESS: I was thinking more particularly of Indians whose reserves are in the more settled parts of Canada.

Bishop BELLEAU: I think they believe there is discrimination. I do not know if they view it from that angle, but some of them certainly would like to

enjoy the privilege of buying a bottle of liquor. I do not think they would resent a very severe application of the law because they realize that it would be a step forward in their emancipation towards citizenship.

The CHAIRMAN: I wonder if some other member of the delegation might care to comment on that question of liquor?

Father McKAY: Unfortunately I was not able to be here any earlier than this morning so I was not able to attend the discussion which took place previously among the Fathers of the delegation. I do not think myself that the time has yet come for any change or amendment in the Act in this regard. To my mind any change on the liquor question would depend on two things, first on more complete education, and therefore the more complete moral development of the Indian so that it would depend largely on the other section of the brief on education. Secondly, any change would depend on better police protection on the individual reserves.

There is this to be said. I am from the north shore of the Georgian Bay. In my district the illegal sellers of liquor have taken a terrible advantage of the Indians, especially in the last two years. In Blind River alone there are at least 53 different men who practically live on the sale of illegal liquor. That is next to one of my reserves, the Mississauga reserve. In Massey by actual count there are 29 illegal sellers of liquor.

Mr. MATTHEWS: Are those white men?

Father McKAY: Those are white men. The reserve at Blind River is only six miles from Massey. Indians must go there at least every Saturday to buy their supplies. The Indians themselves maintain that since it is prohibited the Indians make the worst showing when they do drink because they have to buy their bottle under cover, and before they appear in public again they have to get rid of it, obviously by drinking it, so when they appear again they are pretty well drunk. Therefore when you go to town you see a large number of Indians who are drunk. I think greater police protection would itself take care of that, and the protection should extend more directly against the white sellers than against the Indians themselves because in Massey I know from my own experience that men are so anxious to sell their liquor that they will follow the Indians along the street urging them continuously until they finally give in and buy a bottle.

To go back to my original point, what the Indians need is first of all greater moral training so that they will be able to decide for themselves and take up for themselves this question of whether or not they are going to drink temperately. At the present time I would waive the question of making any amendment to the Indian Act.

The CHAIRMAN: By the way, Father McKAY, are there any provincial police in that area?

Father McKAY: There are, and they have been making a concerted effort to stop such sales. To my knowledge in the last four months there has been one mounted police, one provincial police, the Indian agent and his secretary, present in Massey or in Spanish almost every weekend, but when the police are coming in from outside everybody knows before they get there that they are coming. So that protection from outside is of little or no use. The sellers are well advised, and they know perfectly well who the police are and how to dodge them.

The CHAIRMAN: You said that if these gentlemen in the sale of their wares follow the Indians along the street trying to practise their salesmanship on them. Would that be possible in a small community with all these police officers around?

Father McKAY: Not all those police officers. They are there only one night a week.

The CHAIRMAN: Archbishop Vachon, I wonder if you would care to comment on that. You live in Ottawa.

Archibishop VACHON: Mr. Chairman, there are not any Indians in my diocese. I am with the delegation because I support the general principles that are expressed in this brief. I would not like to make any comment on any particular subject because I do not know the conditions in the different reserves. I did know something of what took place on the Lorette reserve, but I would not like to make any statement. I know that the authorities were very severe about allowing any sale of liquor on that reserve or in the surrounding area because they knew that the Indians did not always follow the principle of temperance when they bought their bottle of whiskey. Here in the diocese of Ottawa we have no Indians. Maniwaki is not in my diocese. I know that the principles just expressed by Bishop Belleau and Father McKay are those that are held by anyone who knows how very difficult it is to allow the sale of liquor to Indians. Of course, there may be special conditions I do not know, but I subscribe to anything that is said in that respect by the majority of our delegation.

The CHAIRMAN: Thank you very much.

Mr. HARKNESS: I wonder if any member of the delegation would care to give a specific answer to my question as to the extent to which this prohibition does give a feeling of inferiority to the Indians and tends to perpetuate that feeling, and also a feeling on their part they are being unjustly treated and discriminated against?

Bishop BELLEAU: In the James Bay territory they have not come to that point where they have the ambition of being equal to the white man on that ground because their civic activities are very limited. I do not claim the right to speak for any other district, but that applies practically from the terminus of the O.N.R. well up into the Hudson Bay territory.

Father CHARRON: I should like to say there are different opinions on the reserves. Some of them want to drink. Others do not want it. If you understand the Indian, you will know that the law was made that way because when the Indian gets a drink he has the urge to fight. It is not there when he is sober but as soon as he gets a drink he has the urge to fight.

The CHAIRMAN: It is not only the Indian.

Father CHARRON: It is stronger in the Indian. I know some reservations which are scared of the liquor question. They see it coming, but they have not pronounced themselves because they do not know as yet to what extremes it may go. It will be up to the committee to decide on the liquor question. As we say, once the door is open it will be hard to close. Of course, this committee will be making the law. If at all possible I would suggest that it should be a question of trial and error before it is conceded to them. I would be of the opinion that it should be given a trial so as to see their reaction and what happens. I can say that on the Blood reserve and on the Blackfoot reserve the thinking Indians are very scared of that question of liquor.

The CHAIRMAN: Would you favour putting it to a vote of the Indian reserve?

Father CHARRON: I think so.

The CHAIRMAN: Thank you very much.

Mr. GIBSON: As long as one were certain that the women also had a vote.

Mr. FARQUHAR: From the representations we have had I do not think there is any question as to how the vote would go. Most of the Indians who have appeared before our committee have favoured the removal of the restrictions regarding liquor. Did I understand you to say that the provincial authorities were not making an effort to enforce the liquor laws at Massey or Blind River?

The CHAIRMAN: I do not think that was said. I think what was said was that the provincial authorities were not able to cope with the illegal sellers.

Mr. CASE: There could be greater effort.

Father McKAY: What I said was that although the efforts had been quite concerted, since they were directed from outside they could not be effective because their effectiveness was vitiated long before they even arrived in the town since everyone that was concerned knew they were coming.

Mr. FARQUHAR: You have no mounted police in the Massey area?

Father McKAY: Not in Massey. The closest is at Sudbury or Sault Ste. Marie. The provincial police are at Blind River and Espanola.

Mr. FARQUHAR: But they do not go on the reserves?

Father McKAY: That also is a disputed question. The provincial police have been able to secure convictions of Indians for offences committed on reserves. Some of the Indians disagree with that as to whether they have jurisdiction, but in practice it has been carried out.

Mr. FARQUHAR: I always understood the provincial police had no authority to go a reserve?

Father McKAY: That is a legal matter which is out of my scope, I am afraid.

Mr. REID: This liquor question is an important one. Father O'Grady has many Indians congregated in Kamloops. I wonder if Father O'Grady would care to express any view on the liquor question from his knowledge of that district.

The CHAIRMAN: Would you care to answer that?

Father O'Grady: From my knowledge of the district of Kamloops I would say if they were given a chance they would certainly vote to have all restrictions removed. The reserve is only a ten minute walk from town and, of course, there are illegal sellers of liquor in the district and in the town of Kamloops also. As I say, if it were put to a vote no doubt the Indians on that reserve would certainly ask that the restrictions be removed. I think it would be a good suggestion to leave it to the local band and council from each reserve to decide whether they wanted the restrictions removed, and have it apply only to that reserve. Then the responsibility would fall upon the voting band and council.

Mr. CASE: That is a good suggestion.

The CHAIRMAN: Thank you very much.

Mr. CHARLTON: I should like to ask one question. Would you say if the restrictions were removed by the band or by the members of the band that they could also be replaced if it were thought desirable or would you say that once the restrictions were removed they should always be removed?

Mr. CASE: They would have the power to put them back on.

The CHAIRMAN: I think that would be a matter of government policy. Would you like to comment on that question, that if the restrictions were now removed from the Indian reserves would you favour later, if it did not prove satisfactory, the re-establishment of the restrictions?

Father O'Grady: Yes. I think that would be the responsibility of the local band and council.

Mr. CASTLEDEN: Would you be willing to recommend along that, as an experiment, the granting of power to a local band to place under interdiction any one of their members who was not exercising proper restraint.

Father O'Grady: Certainly.

Mr. CASTLEDEN: I think that might assist.

Father O'Grady: Yes. I would recommend that the band have the power of imposing very severe penalties, because if you grant that liberty they would expect severe penalties upon infringement of the law.

Mr. FARQUHAR: It was said that you did not wish to have the sale of liquor on the reserves. If you allow the sale of liquor off the reserve do you think you can control the sale of it on the reserve?

Mr. CASE: That is a matter of administration.

Mr. FARQUHAR: I am asking these gentlemen.

The CHAIRMAN: Father O'Grady, would you care to answer that?

Mr. CASE: I might say that in the city of Owen Sound we have no liquor facilities and the sale is pretty well controlled. It all comes in from outside. It has been dry since 1905. The people are all dried up there, but there is lots of liquor. I think it would work the same way on the reserve. They could come in and bring it in.

The CHAIRMAN: May we pass on to the next question? We have taken half an hour on this one question.

Mr. FARQUHAR: I should like to have an answer to my question from some of the delegates who have had experience.

The CHAIRMAN: Apparently there is nobody cares to comment on it.

Mr. CASE: They did comment on it. Rev. Father Plourde said if they bought it off the reserve they would have the right to consume it on the reserve.

ARCHBISHOP MURRAY: I do not think Father O'Grady got the question exactly.

Mr. FARQUHAR: It has been stated that you do not wish to have the sale of liquor on the reserves, but it was thought that it might be well to allow Indians to buy liquor off the reserves. My question is if they are allowed to buy liquor in the quantity they wish off the reserve can it be controlled on the reserve? Can enforcement be controlled on the reserve?

FATHER O'GRADY: I should think it would be possible to control liquor on the reserve. It does not really matter where they consume it. It would be better if they would come home to consume it rather than doing so in towns and cities. Then if they become intoxicated on the reserve the local Indian council and band can punish them. In that way also they would come in closer contact with them because they would come home to consume it whereas if they were not allowed to bring liquor to their homes then it would be all the more difficult to control them.

Mr. CASE: They would be just as badly off as they are now.

The WITNESS: This matter all boils down to police protection. If we had the mounted police on our reserves I think a good deal of this liquor abuse and liquor extravaganza would disappear by itself.

By Mr. Gibson:

Q. Would you not say that the native Indian policeman on a reserve has very little authority, that he does not seem to be able to handle the situation?—A. It is the mounted police that we want on our reserves.

Q. The native policeman cannot do it?—A. No, the mounted police are the men who command respect. When the Indian sees a red coat he feels the fear of the law in his bones right away.

Mr. CASE: We all do.

By Mr. Castleden:

Q. It is more fear than friendship?—A. It has been both. It is friendship on the part of the good element on the reserve and it is fear on the part of the bad ones.

Q. I think they should go together?—A. Yes.

By Mr. Gariepy:

Q. If you had proper police protection on the reserves what would be your opinion as to the use of liquor or introduction of it on the reserves?—A. I began by enunciating a general principle, and I thought I had the general opinion of our missionaries with me, but I find that Father McKay, who has a very good case, is not in favour of my method.

By Mr. Richard:

Q. I think Father McKay would advocate better policing against the white people who are feeding liquor to the Indians?—A. That is all right, but if those reserves of which Father McKay speaks had the protection of the mounted police not just an ordinary visit, a weekly visit or tri-weekly visit—but a permanent home for the mounted policeman and his family, a residence and transportation facilities, and so forth, I think the abuses that he speaks of would disappear almost over night.

By Mr. Farquhar:

Q. I cannot see how if you allow the Indian to buy liquor legally off the reserve you are going to control it on the reserve?—A. We are all allowed to buy liquor and we do not all get drunk. We do believe that it will be the same with our Indians. It may not be over night, but we believe that little by little it will be the final result of a policy of this kind. If the Indian looks upon liquor as something that he cannot touch that he is not allowed to touch, that he is not allowed to drink...

Mr. CASE: By law.

The WITNESS: ...there will be an incentive there for him to get it wherever and whenever he can. He will pay twice and three times as much as the regular price for a bottle of whiskey or a bottle of beer, but if he has the right to buy it whenever he wants it and takes it home and drinks it he may leave the bottle of whisky half empty. At the present time he does not do that. If he gets a bottle of whisky he drinks it to the bottom because he knows if he is caught with it on his person he will receive a jail sentence.

By Mr. Farquhar:

Q. Would he not resent these restrictions on the reserve as well as off the reserve?—A. We all resent restrictions. We are all liberty loving. I am speaking of restrictions against our personal liberties. We are all of that opinion, but the Indian like the white man must submit to some restrictions. I do not believe that the Indian feels that he is set apart, that he is thwarted in his ambitions to become as the white man because of the liquor question. I do not believe that at all. I believe the Indian is the same as the white man. He wants to enjoy certain liberties. If he is denied them he does not feel he is a man. We had total prohibition in this country for several years. I do not think any one of us thought our liberties were thwarted. We had voted for it.

Q. Why should he not have these liberties on the reserve?—A. I gave you my personal opinion before that he should have it on the reserve. He should be allowed to drink it on the reserve, but I am opposed to the sale of liquor on the reserve.

The CHAIRMAN: Gentlemen, may I ask your indulgence and co-operation. We have now spent forty minutes on one question alone and we have not started questions on the brief at all. Provided there is no vote in the House this afternoon, we have two hours left. There has got to be some restriction and control. I am going to suggest that we take the questioning in some order. If you look at the brief there are certain headings given on the index page.

Mr. CASE: May I ask some questions on the brief?

Mr. REID: I thought we were going to start with that.

Mr. HARKNESS: I thought Mr. Matthews had started but we got on to this liquor question and we have been on it ever since.

Mr. REID: You are running the committee, Mr. Chairman.

The CHAIRMAN: I am not running the committee. I am only a tool of the committee. Whatever the committee wants is what is going to be done.

Mr. REID: You are not only that. You are the guide of this committee. You are the chairman of this committee, and a chairman sees that the proceedings are run properly.

The CHAIRMAN: As I understand the duty of a chairman it is to carry out the wishes of the committee and not his own wishes. I would suggest to the committee that we follow the headings on the index page and allow each member one question. I do not know how I am going to control that.

Mr. CASE: You cannot do that.

Mr. REID: I object to that.

Mr. CASE: Let us ask some questions on the brief.

Mr. HARKNESS: I would suggest that Mr. Matthews continue.

The CHAIRMAN: I will allow each member of the committee a certain stated length of time to ask questions on this brief. Is that agreeable?

Mr. BLACKMORE: May Mr. Matthews proceed?

Mr. MATTHEWS: I have finished.

Mr. RAYMOND: We can start at 4 o'clock. It is now 1 o'clock.

Mr. REID: This is one of the most important briefs this committee has had. It is also one of the most important delegations that have come here. In all our meetings we have always had ten minutes each for asking questions and now you say five minutes. First of all you said one question but now you say five minutes.

The CHAIRMAN: I am awfully poor on mathematics.

Mr. GARIPEY: I would suggest that we make a start taking the matter of education, for instance. I suggest that we let Mr. Case ask his questions. He is ready. Let him put some questions.

The CHAIRMAN: We have been over that and it has been decided that each member will be allowed to put questions on the brief whether he wants to talk about education, treaty rights or old age pensions. Is it your pleasure that Mr. Lickers should lead off?

Carried.

By Mr. Lickers:

Q. Can you give us any figures as to how much the church has invested in connection with schools in Canada?—A. We have pictures here, but there are 20 residential schools built by the church with, in some cases, a small grant from the department.

Q. When did the church last build a school totally from their own funds?—A. To my knowledge the last school built with church funds is the Holy Angel school at Fort Chippewayan in northeastern Alberta.

Q. How long ago would that be?—A. It was started prior to the war and finished during the war. I understand from Archbishop Breynat that the vicariate spent \$110,000 not counting the work of the brothers of the order who erected the building.

Q. Can you tell me when the last school was built totally by the department and then put under your jurisdiction?—A. We have no school totally built by the department. There were schools repaired like Cross Lake. Cross Lake had been burned down, destroyed by fire, but the walls were still standing, and the department supplied funds to finish that school, to rebuild it.

Q. How long ago was that?—A. That was during the war, not quite during the war. It was started before the war.

Q. Are you given any assistance from the department for the upkeep of the schools which your church owns absolutely?—A. We are. We are given the same per capita grant for church-owned schools as we receive for government-owned schools.

Q. How much does that average a year per pupil?—A. The basic per capita grant runs from \$165 to \$200. A few years ago it was increased by \$15 as a general increase over all. Then on January 1, 1947, the department increased the per capita grant on a sliding scale according to the needs, distances, transportation difficulties, and so forth, of each school.

Q. Have you sufficient funds to allow the church to operate the schools efficiently?—A. Catholic schools are operated by priests, as you know, as principals with the co-operation of communities of nuns and some lay brothers. If we did not have this almost free help we could not operate on the present government per capita grant.

Q. Are all the teachers in these schools appointed by the church?—A. They are appointed by the church but their appointment is submitted to the Indian Affairs Branch for approval.

Q. Are most of them qualified, certified teachers?—A. I think it is 139 teachers we have in our residential schools. Of those one has an M.A. and a B.A. Nine have the B.A. Thirty-seven have normal school training.

Q. How many in that last category?—A. Thirty-seven have normal school training. A few—I cannot say how many—have Bachelor of Education degrees, and the balance have 12th, 11th and 10th grade high school training.

The CHAIRMAN: Gentlemen, it is 1 o'clock. We will assemble at 10 minutes to 4 o'clock and then we will be ready to proceed by 4 o'clock.

The committee adjourned at 1.05 p.m. to meet again at 4 o'clock p.m.

AFTERNOON SESSION

The committee resumed at 4 o'clock p.m.

The CHAIRMAN: At the adjournment for lunch we were submitting some questions to Father Plourde. Mr. Lickers was examining Father Plourde. Before we proceed probably we should have some understanding on the procedure that is going to be followed. Is it your pleasure that each member of the committee shall be allowed a stated time?

Carried.

Is it agreed that the time allowed will be ten minutes?

Carried.

Each member of the committee will be permitted ten minutes within which he may ask questions of the witnesses.

Rev. Father J. O. Plourde, recalled:

By Mr. Lickers:

Q. Are your teachers all members of some order or are some of them laymen?—A. Generally speaking they are members of the order of women who are in charge of the school under the guidance and managership of the principal.

Q. Have you more women teachers than you have men?—A. Yes, many more. We have men teachers for such schools as Kamloops and Mission in British Columbia; Cardston, Alberta and Duck Lake, Saskatchewan. In fact, we have men teachers in schools where the number of boys above 14 and 15 years of age is large enough to warrant engaging or hiring a male teacher.

Q. What curriculum do you follow in your schools?—A. We follow the curriculum of the province in which the school is located.

Q. And what sort of inspectorate do you have inspecting the schools?—A. We have a provincial inspector in every case.

Q. Who supplies the textbooks?—A. The textbooks are supplied by the Indian Affairs Branch in Ottawa.

Q. I notice in your brief that you want the provision of the Indian Act in section 10, paragraph 2, maintained?—A. Yes.

Q. Do you think there should be some provision for those people who believe in the old Indian religion?—A. That is a rather puzzling question to answer. Canada is, I believe, a Christian nation, and its desire and aim is to have all its citizens belonging to one or other of the Christian churches. Under such circumstances I cannot see why we should foster aboriginal beliefs.

Q. The Indians claim there is as good moral teaching in their own religion as you find in other Protestant or Catholic religions, and that is why they object.—A. There are actually less than 5,000 aboriginal believers, you might say, in Canada out of 125,000 or 126,000 Indians. Whether the department wants to establish schools for that very small minority is more than I can say. I do not believe that we would object to such schools being established by the Indian Affairs Branch if there were places in Canada where those schools would be justified by the numbers of those who would ask for them.

Q. Do you take anybody in any of your schools who is not an adherent of your faith?—A. We have a very few of what we would call aboriginal believers.

Q. Attending your schools?—A. Attending our schools, very, very few.

Q. In any of your schools do you have a mixed population of some Indians and some whites attending?—A. I did not quite catch that question.

Q. Are there any of your schools in which you have a mixed population with some Indians and some whites attending?—A. No. They are exclusively for treaty Indians. I might correct myself there and say outside of the North-west Territories where the schools do not belong to the Indian Affairs Branch and where some half-breeds and a few white children are accepted, not because we want them but just because we do not want to see them grow up in ignorance.

Q. Does the church assist any of its graduates from public school to go on to higher learning?—A. We assist those who wish to join the clergy, either the secular clergy or a religious order.

Q. You do not assist anyone who wants to go on and receive training for commercial life?—A. We have no particular fund for that purpose, but I would not deny though that some have been assisted by the church.

Q. Suppose there is a graduate from a residential school who wants to go on to a collegiate. Do you allow them to remain in residence at the residential school and go out to attend another school?—A. We allow them only in so far as it is permitted by the Indian Affairs Branch. Our schools are government

owned and church owned, but whether government owned or church owned they are governed by the same school regulations promulgated by the Indian Affairs Branch.

Q. Do you not think it would be a good idea to use that as a residence in some cases in view of the parents of some of these children not being able to pay their board in the city or town in which they have access to a high school?—A. I have no instance where it has been refused, but on the other hand I could not give you an instance where it has actually taken place. I doubt very much that our schools would refuse that assistance to any deserving pupil who would want to attend a high school, convent or university.

Q. In connection with residential schools do they have a certain amount of land for farming?—A. Yes, all our schools have large farms.

Q. What part of the school day do the pupils attend school?—A. Well it all depends on the age of the children. Leading a team of horses, pitching hay, or gathering grain, and so forth, cannot be done up to a certain age when the boy is possessed of certain physical characteristics which he only acquires say at 15 or 16 years of age.

Q. Does the church depend mainly on the boys in residence in these schools to do the farm work?—A. Farm work is done by our boys as a training. It is not done by them as a means of farming or to avoid hiring other help. It is a training that we give our boys in these schools.

Q. Do they not usually hire a farm foreman and perhaps a helper, and all the other work is done by the boys?—A. That is done because the Indian Affairs Branch wants that. The Branch wants us to train all our boys where there are farms in the art of farming. That can only be done by putting them to work, but they must be of a certain age before doing that.

Q. I presume those who have to work would attend school only half a day?—A. I beg your pardon?

Q. I presume the boys who have to work on the farm would attend school only half a day?—A. That is the system followed in nearly all our schools.

Q. Do you think that is a good system?—A. It is a good system if we want to continue training our boys as we have trained them up to the present time. I do not think it is a good system if you want to bring them up to high school and later on to university training. After all whilst we concede that the Indian child is intelligent he cannot do in half a day what the white child does in a whole day.

Q. So you think there should be some differentiation between the two, and those who have the possibility of going on to higher education should be given more schooling in the class room.—A. Higher education for our Indians is not a matter that you can take up wholesale. It is just the same as for our white people. Out of a class of say 20 boys in grade 8 who are just finishing up you may have 3 or 4 who want to go on to high school or take up high school work. The rest do not want it, and you cannot force an unwilling pupil to stay in the class room.

Q. I was thinking about those 4 boys. Do you not think it would be a good idea to give them a little more class room work?—A. I am informed by Father Laviolette that is done generally speaking in all schools where such boys are to be found.

Q. Where you have a residential school near a reserve is there any provision made by which men from the reserve may be instructed in farming in connection with the school?—A. I do not know of any school where farm instruction is given outside of maybe Lebret in Saskatchewan, but on that particular point I stand to be corrected. My information may not be up to date.

Q. You also mentioned a school for girls between the ages of 16 and 18. Are you suggesting that such a school be set up by the department?—A. As a church we cannot set up schools with what I would call church money. We

cannot go out in the country and take up a subscription for \$500,000 or \$600,000 and say we are going to use that to put up a school for Indian girls in Saskatchewan or Alberta or Manitoba. So my suggestion is so far as that school is concerned that it should be a departmental affair.

Q. Denominational or non-denominational?—A. The undertaking of the building or setting up of the building. The undertaking of it should also be a departmental affair.

Q. I have one more question. Would that be a denominational school?—

A. Yes, denominational; as far as our church is concerned that must be carried right through.

By Mr. Case:

Q. I should like to ask Rev. Father Plourde this question. In your brief you say that you have been ministering to about 52 per cent of the Indian population?—A. Yes.

Q. And that has been going on for a century or more?—A. I would not say that 52 per cent existed a century ago.

Q. But in any event your church has had a very close association with this work?—A. Yes.

Q. For over a century?—A. Yes. I think in the historical sketch I said that the Franciscan Fathers came to Canada in 1615.

Q. You have enumerated on page 23 a number of Indians—I presume they are Indians—who have given their lives to the church work, that is, they have been taught religious teachings and are now associated with the Indian work, so that you have been in a position to observe fairly well the progress the Indians have made?—A. To a certain extent, yes.

Q. Are you fairly well satisfied with the progress they have made under the system that you have adopted?—A. I think to answer that question one would have to know what the condition of the Indians was at that time—

Q. In a general way?—A. Yes, but one would have to know what the condition of the Indians was at the time we arrived, their state of civilization, their methods of housing, their welfare work, and so forth, and compare it with what they have now where we have had a chance to implement our teaching and to work along with them.

Q. With the number of Indians you have been associated with in your work you would know quite a number of rather brilliant individuals, ones possessed of considerable ability?—A. Yes.

Q. The reason I am asking you that is I want to know if in the preparation of this brief you consulted any of the Indians in order that they might collaborate with you—A. No, I did not.

Q. You held no meetings on any of the reserves to get any reactions from the Indians themselves?—A. No, but our missionaries were all consulted and they in turn had consulted their Indians.

Q. They consulted the Indians?—A. Yes.

Q. So that you are quite satisfied that the brief you are presenting here now also represents the viewpoint of the Indians? I am not going to say the majority of the Indians, but it represents the viewpoint of the Indians themselves?—A. We are definitely of that opinion as far as schooling is concerned and as far as hospitalization is concerned.

Q. That is a very interesting comment because I think you have attended quite a number of the hearings here and you have heard many comments about the school situation. Mr. Lickers has dwelt considerably on that, and I have one further word. You want to retain in the Indian Act section 10, paragraph 2. My question is would you deny the right to the Indians to decide for themselves what type of schools they would feel they would prefer?—A. This is rather—I won't call it a tricky question—but it is hardly possible, I think, to

have Indians pronounce themselves on matters of this kind. As far as the religious side is concerned, it is one thing; as far as the denominational schools are concerned, it is another thing.

Q. We have had, as you know, certain definite expressions of opinion from both Protestants and Catholics about the schools. That is to say, they have a high appreciation of the advantage of religious training attached, but there have been definite expressions of opinion why it should not be associated with the schools; that the religious factor should be left outside the schools.—A. May I speak off the record for a moment, please?

The CHAIRMAN: If that is the wish of the committee.

(Remarks off the record.)

By Mr. Case:

Q. I want to go a little farther. You have spoken quite highly of the residential schools, and I have had an opportunity to observe them myself and I feel that they are filling a need; but in your brief you state it is important for the child to have the advantages of the home. You say that is where religion begins, in the home, in the early part of your address on education. You say, "The family, the church and the State are the three responsible agencies entrusted with the education of the Indians. The family is the source and origin of life. The parents are the natural teachers." When you have residential schools you are taking the children away from the influence of the home.—A. We are not taking them away up to the point where the home does not continue to have its influence on that child.

Q. No, I can appreciate that, except that he is away from home for a considerable length of time.—A. He is away from home, but he is home for over two months during the summer, and if most of our missionaries have their way I think he would be home in the future at Christmas time. The parents are allowed to visit their children as often as they wish.

Q. On page 10 you quote from a letter sent to George Vardon, assistant superintendent general, Indian Affairs, Montreal, from Dr. Ryerson in Toronto on May 26, 1847. Now, that is just one hundred years ago. Do you suppose you could get a more recent reference as to the opinion of someone, say, in the last ten years?—A. I cannot do that personally right now.

The CHAIRMAN: Would you refer that matter to some of the other members on the delegation?

Mr. CASE: It might be a thought to be kept in mind.

The WITNESS: May I say this, that religion is something which does not change from day to day; what was true one hundred years ago is just as true to-day.

The CHAIRMAN: May I say that it may be that other members of the delegation would like to add something to what Father Plourde has said in answer to one of the questions. If so I hope they will feel free to come forward.

Mr. CASE: Would it not be better to make a note of those matters and proceed with the witness and then afterwards proceed with the others? What I am getting at is this: Father Plourde has presented this brief and I take it he is responsible for the brief, and I am questioning him on the brief. When we want somebody else to assist him that will be a different thing. I think that is fair.

The CHAIRMAN: Whatever the committee wants is all right with me.

By Mr. Case:

Q. Now, Father Plourde, there is this question with respect to hospitals, because there is an inference that you would like to have the same disposition

with respect to hospitals as you have with respect to schools. Now, would you not be satisfied if the hospitals were public institutions so long as the patients had access to their spiritual advisers?—A. I wonder if I could answer that by asking you a question?

Q. Well, if I were going to be a witness I would be perfectly satisfied to answer you. However, go ahead.—A. Suppose you took sick to-day or to-morrow and the doctor came along and said to you, "Mr. Case, you are sick and you need to go to the hospital, so I am sending you to a hospital on Rideau street." Suppose you said to him, "No, I do not care to go to that hospital." The doctor says, "I am sorry, but that is the hospital you have been assigned to and you will have to go to that hospital." Now, then, supposing instead of your own family doctor, some other doctor in whom you would not have confidence were to come along and say, "Mr. Case, you are sick." You say, "What are you doing here?" He says, "I am the doctor; I am the state doctor." You say, "You are the state doctor but you are not my doctor." And you would very likely send him about his business, both as far as his own personal services are concerned and as far as the hospital services are concerned. You say to him, "I want to go to a hospital of my own choice and I want to have my own doctor." Now, we all feel that way about doctors and about hospitals.

Q. Now, if I answer that question I shall do so briefly. At the present time I should be very glad if I could get into any hospital. I know that I should want a doctor in whom I had confidence. However, we are dealing with the Indian. Do you suppose they take that view of the hospital situation—not that I am objecting—but it is going to be very difficult to set up two sets of hospitals; we will do well if we can get one set of hospitals.—A. You ask about the Indians. Our Catholic Indians—I cannot say anything about the others—do want Catholic institutions and hospitalization.

Q. Then, your point is well taken.

Mr. CASE: Mr. Chairman, there is only one thought I have to express as I hand over and that is that I hope before we conclude that the reverend gentleman from James Bay will be given an opportunity to say something about the James Bay Indians.

The CHAIRMAN: I hope so. It is now 4.35. Mr. Gariepy, have you any questions to ask?

Mr. GARIEPY: I will pass for now.

By Mr. Richard:

Q. The brief has been very clear. It is a general brief. I do not know that I have many questions to ask. Something was mentioned about the government grant. Do you feel that it is—both for the residential schools that you own and those that you do not; those that are kept up by the government—do you feel that the grants are adequate to-day?—A. No, we do not. When I say that may I say that the churches engaged in this Indian work have over the past six or seven years met the various cabinet ministers we have had and we have asked for an increase in the grants, and the last meeting that we had was last November when we met the Hon. Mr. Glen and asked that an increase of \$90 per pupil be applied to all schools. We were notified about four or five months later that the increase would not be equal for all schools but would be based on the ability, as it were, of a school to meet its own expenses through proximity to large centres or farming or through some other source of revenue; and instead of \$800,000 which we thought was necessary to keep up the schools we were allowed around \$265,000.

Q. Do you mean by that that the government took into consideration whatever means you had yourself in certain schools to decrease the grant?—A. Yes; not to decrease the grant but to decrease the amount.

Q. And the increase?—A. Yes.

Q. That is not quite fair, is it? If you have put your own money and your own effort into a school and have reached a certain condition in certain places why should that be taken into consideration in denying you the increase which is necessary?—A. I think I quite agree with you on that point. I do not believe there can be any argument.

Q. In other words, you are really contributing something yourself for which you are not compensated?—A. The greatest cause for complaint—I will not say criticism because criticism is a harsh word in a sense—but our great complaint with the set-up of the Indian Affairs Branch at the present time as it relates to our residential schools is this, that the church as a church has put up twenty residential schools at considerable expense. Most of them are not up to the best government schools but they are good schools just the same. The financial set-up in the department is so awkward, it is so entangled that it is almost as hard to get the money voted by the department for those schools as it is to get it voted by the government. In other words, the government does not take into account at all the fact that the church has put up twenty schools with its own funds and is running them just with the per capita grant allowed to schools that were put up by the government itself.

Q. You get the same grant?—A. The same amount.

Q. There is no consideration in the matter of rental for the school?—A. Nothing like that. We are not the only church in that category. The Church of England has also put up a certain number of schools—I cannot say the exact number—and they are treated in exactly the same way as we are.

Q. Nevertheless, if those schools are residential church-owned schools or government-owned schools they have to be run under government regulations, the same regulations, and the same control by the department?—A. Yes.

Q. But yet nothing is taken into consideration of the fact that some of these schools have been put up at your own cost and you get no rental for them at all?—A. I might add a correction to what I said. In some cases during the number of years that these schools have existed certain amounts have been granted, say, for the installation of a water system, for general upkeep, new water tanks, for instance, new desks, new beds and so forth. Certain amounts have been granted by the department for these schools, similar to amounts granted to schools owned and built by the department.

Q. Has it ever been contended by the department that some of these schools which you built are not necessary or would not have been built by the government if you had not done so?—A. I never heard any such statement by a responsible official of the Indian Affairs Branch. I think what schools we put up are upheld, I mean, are given grants because of their necessity as such.

Q. Therefore, if you did precede the department in the building of these schools which you now own, you assumed an obligation which, eventually, the department would have had to assume?—A. I think so.

Q. You mentioned something about the residential schools and the home atmosphere, the influence of the home on the Indian child. I presume the same surroundings are thrown around the Indian child, considering his age, in the residential school as would surround him at home? I mean, you make it not only a school but a home to the Indian child?—A. That is the purpose of education and I think it has been carried out in our residential schools.

Q. You have to take into consideration the age of the child. If he is 7, 8 or 9, first of all, you have to make him like the place and, therefore, you certainly have to surround him with the affection of the teachers so he will like the place?—A. That is right. He would not, if there was not that home atmosphere and home surroundings in these residential schools, have any children.

By Mr. Case:

Q. How young are the children when they first come to the residential school?—A. They are 7 years of age.

By Mr. Richard:

Q. If you had a strict discipline, such as you would have in another school for older children, it would be a little difficult to keep the children of that age in school. They would have to feel at home?—A. I might say in this connection that last year, this last Christmas, the department authorized two schools in Saskatchewan, the Labret or Qu'Appelle school which is a large one because it has 300 pupils and the File Hills school, to send their children home for Christmas holidays. I cannot speak for the File Hills school because it is not one of ours but I can speak about the Qu'Appelle school. One hundred per cent of the pupils came back. The parents paid the railroad fares for them to go home and paid the railroad fares for them to come back without any compulsion whatever on our part. So, it shows that these Indian children really loved their schools otherwise they would have stayed home.

By Mr. Farquhar:

Q. No doubt the questions I was going to ask have been rather fully answered, but there is one further question which I have. We were discussing at the morning meeting, the liquor traffic as it affects the Indians. Special reference was made to some of the towns in my constituency, namely, Massey and Blind River, where a great many men were making a business of selling liquor to the Indians from the reserve. I should like to ask Father McKay if he has any suggestions to make as to how we could better conditions there, especially in those places in which he was working amongst the Indians. Possibly Father McKay would make some suggestions as to how we could better conditions there.

The CHAIRMAN: Father McKay, would you care to answer that?

Father McKay: At this time, as I said this morning, I would sooner not bring up the question of liquor at all. However, since the question has been brought up there are two possible solutions. The most important, which I have been urging among the Indians themselves on every occasion when I have a chance, as I mentioned this morning, is education, a more complete education for all. The other point which is within Mr. Farquhar's jurisdiction more, I think, is the matter of policing.

As I said this morning, the main difficulty was controlling the liquor traffic on the reserve, especially the Spanish River reserve. There is a lack of any adequate means of policing.

The police coming in from the outside are impeded by the fact everyone knows that they are coming long before they arrive and by the fact it is only a partial policing. I would suggest therefore, that a mounted policeman be resident, either on the reserve at Spanish River or close to it. It is a large reserve with close to 70 families. I believe it would merit the support of a mounted policeman specifically assigned to that reserve. I know that this has worked very well in the case of the Wikwemikong reserve when the policeman was stationed at Manitowaning. I have heard Father Dwyer speak of that with great satisfaction. I believe some success would be attendant upon the appointment of a mounted policeman at the Spanish River reserve.

Mr. FARQUHAR: I might just say I spent two or three years in an effort to get a mounted policeman permanently settled at Manitowaning close to the Wikwemikong Indian reserve. I think Father McKay's suggestion is a good one. We should have a permanently appointed mounted policeman on the Sault

line. There are several reservations there which would come under his jurisdiction. There would be a great deal of work for one man. I just wish the department to take note of that because I am coming around to follow this matter up.

By Mr. Raymond:

Q. In a brief presented by the Church of England on March 28 before this committee, that church filed a financial statement showing its deficit in the administration of Indian schools. Do you have any similar statement to file?—A. We have no similar statement because we have no similar centralized book-keeping in the Catholic Church. In our church organization each diocese is independent and each religious province is also independent. For instance, there are four schools in the Northwest Territories which are under the direction of Bishop Trocellier. There is one school near Prince George, on the Canadian National, under the direction of Bishop Jordan. There are seven schools in B.C. under the direction of the Very Reverend Father Scannell. We have eight schools in Alberta under the direction of the Very Reverend Father Boucher and five under the direction of His Excellency Bishop Ruthier, and so forth. Each provincial group or bishop has his own upkeep to determine. This is a common practice in the church. We never know what deficits or surpluses there may be in the administration or the financial condition of a diocese. Therefore, it would be impossible for me to answer that question.

I would say this: when we have deficits, we try to meet them by offerings from the people. When I say, "the people", I am talking about the people in general. When the deficits are too great, we go into debt and wait for better years to meet the principal obligation and interest on that debt.

Another factor which should be mentioned is this upon which I touched this morning: We have religious communities of women. We have lay brothers and we have religious priests who are not working for a stated salary and who are giving their time free of charge to these missions. If we had to pay all these salaries, we would be like the Church of England, very much in the red.

Mr. RAYMOND: I have no other questions, Mr. Chairman, but may I take this opportunity of congratulating Father Plourde for his fine presentation on behalf of the Catholic Church.

By Mr. Brunelle:

Q. You spoke of the training you give the young Indians in agriculture. Do you have the assistance of some government instructor, some expert?—A. Not in our residential schools, but if the school is built on the reserve and there is a farm instructor on that reserve, the farm instructor will come to the school upon request. However, I do not think it is the part of a farm instructor's duties to give lessons to school pupils in a residential school.

Q. You stated a while ago that you did put up about 20 residential schools. When these schools were built, did you receive any grant or any money for maintenance or repairs?—A. We receive a certain amount of money every year, at the present time, for general repairs and replacements. I cannot say how far back that practice goes. I have not been with the church authorities long enough to state, for instance, what was given to the Williams Lake School in B.C. when it was put up some 65 years ago. Just what amount of money the Department of Indian Affairs contributed to that school I would not know. I know in other places such as Grouard and Jouvassard, a fairly large amount was received by way of a grant towards the building.

Q. Do you think the grants you received for those schools which you built yourself are the same as those which are given to the schools put up by the department?—A. Yes, the same grants.

Q. Are those schools you built yourselves, those 20 schools, for instance, run according to the regulations of the department?—A. Absolutely.

Q. Do you have any difficulty finding teachers?—A. Our system of finding teachers for these residential schools is simplified by the fact we have religious communities in charge of each school. In these religious communities there are certain numbers of women who devote their lives to teaching and certain numbers who devote their lives to nursing and so forth. When we are in need of a school teacher, we write to the provincial or perhaps to the Mother General of the Order saying we need three, two or five teachers for such a school of which you are in charge for next September. The Sister Superior or the Provincial General finds them for us. If she does not succeed she writes in and says she has been unable to find those teachers for which we asked. Then, we look around for a lay teacher and hire a lay teacher at whatever salary she may demand.

Q. Do you have difficulty in securing the services of these lay teachers?—A. Lay teachers for the far away schools are difficult to obtain.

Q. As I could not be here this morning, I hesitate to ask any more questions because I think someone else may have asked the same questions.

Mr. HOEY: I believe the government a number of years ago, before I entered the department, under Mr. Stewart, followed a policy of gradually purchasing the church-owned schools. We know that schools were purchased during Mr. Stewart's regime. Supposing the government decided now to purchase back all the church-owned schools. Personally, I think the government should. Would the government encounter any difficulty from the Oblate Order. Would the Oblate Order be prepared to do now as they did then? What would your attitude on that proposal be?

The WITNESS: It is difficult for a subordinate to speak for his superiors. You know that, I suppose, so I could not answer this with authority. My impression is this, though, that the various Bishops who have schools built with church money would be glad to dispose of them to the government at a given price to be arrived at by investigation to ascertain the cost of replacement and so forth. I think that would be quite in order.

Mr. HOEY: Would you personally be in favour of that?

The WITNESS: I negotiated the sale of the four schools you mentioned. I do not know if that would answer your question or not.

By Mr. Richard:

Q. Did you make a good deal?—A. I think so.

By Mr. Reid:

Q. I have quite a number of questions, but I will try to confine myself to the ten minutes allotted. First of all, Mr. Chairman, I do not want to appear to be hypercritical but I should like to make one slight correction on page 1 of the brief. My ancestors having been with Wolfe on the Plains of Abraham, I should like that word, "England" changed to "Britain". There was no conquest of Canada by England. Scotland and England joined in the year 1707. My ancestors having come with Wolfe I am a little particular on this subject.

My first question is, on page 1 of the brief, you say the census figures on the population of the Indians shows there were 125,668 Indians. I note you say that at least 65,000 of the Indians of Canada are members of the Catholic Church. In the same census which you quote for the total population you will find that it gives the number of Roman Catholics as 63,115. I am wondering how you arrive at that 65,000 because it might be important when we come to talk of percentages later on.—A. If you look up the census, the population for

Alberta, under Lesser Slave Lake agency you will find there are 2,967 Indians in that reserve, and that its Catholic population is not mentioned. If you go back to the 1939 census you will find that the difference between this, taking this figure—

By Mr. Gariepy:

Q. Which figures? You had better make that clear.

Mr. REID: He means the 63,115.

The WITNESS: 63,115 plus the Lesser Slave Lake agency population where they are nearly all Catholics will give 65,000. When I say nearly all I would correct myself and I would say they are 90 per cent Catholic.

By Mr. Reid:

Q. On page 4 of your brief you speak of the system in the United States as compared with Canada. I should like to ask this question. Does the attitude of the parents not have a considerable bearing on the education of the children? I mention that because since family allowances have been in effect in Canada I think it is generally conceded that attendance at schools has increased. The parents get the family allowance, and naturally they have an interest in their children going to school. I am asking if the fact of the parents having an interest in the children does not have an effect on the children attending school?—A. That is why I say our figures of attendance are 70·19 which shows a betterment of a little more than 10 per cent, and I say that possibly that is due to the payment of family allowances.

Q. On page 8 you say that teachers in both residential and day schools should become civil servants. My question there is would you suggest that the department should appoint the teachers and make them permanent civil servants?—A. Some scheme would have to be found whereby our religious teachers would become civil servants. I do not think there is any difficulty in that point. Our sisters are civil servants in Ontario and they are civil servants in other provinces where after some 25 or 30 years of teaching they draw a pension.

Q. We had complaints here of schools being closed for lack of teachers due to one church or the other not taking teachers who were not favourable to that church, and the question arose whether the teachers should not be appointed by the government in the various provinces. That is the reason for my question to you in the light of your statement on page 8. You are definite that they should become civil servants?—A. We cannot see any difficulty at all in that point. I do not think it would reduce the number of our teachers. I think it would increase them.

Q. I was rather interested in the statement you made to Mr. Case as to the representation made by the British Columbia Indians. My question to you is this. I met the chiefs and members of various tribes in British Columbia. I will mention one, the meeting at Chilliwack. The group there was as to religion, mixed 50-50. All those Indians had a chance to express themselves. My question is would I be wrong in assuming that in presenting the brief they gave me that it did not present the views of the Indians assembled there?

Mr. FARQUHAR: Did not which?

By Mr. Reid:

Q. I am asking if the brief I presented here emanating from that gathering of Indians, who were 50 per cent Protestant and 50 per cent Roman Catholic, was not representative of the Indians gathered in that assembly?—A. I would ask Father O'Grady of British Columbia to answer that question.

The CHAIRMAN: Would you answer that Father O'Grady?

Mr. REID: To repeat my question was, at the meeting I had with the Indians at Chilliwack 50 per cent of them were Protestant and 50 per cent were Roman Catholic. I want to know if the brief presented to me at that time was not representative of the Indians gathered there on that occasion? There were a great number of tribes, and probably 100 Indians were gathered in the hall. We discussed their problems all day. Then they presented the brief to me which was agreed to by all the Indians present. I am wondering about the statement made by Father Plourde in answer to Mr. Case when he stated that the views coming from British Columbia did not represent the viewpoint of the Roman Catholic Indians of British Columbia.

Mr. RICHARD: Did Father Plourde mean that brief was the one they presented here?

FATHER O'GRADY: I think that question was referred to in the brief presented by the Native Brotherhood of British Columbia who stated they represented all of the Indians of British Columbia including the Catholic Indians. I understand there are about 14,000 Catholic Indians in British Columbia out of 25,000 Indians in the province. From what I know and what I have been told I do not think that the Native Brotherhood was representative of those 14,000 Indians in the province of British Columbia although they stated that they had representatives on their council who were Catholics. I have been told that the briefs presented by the local Indians and local tribes in the Fraser Valley are representative of the Catholic Indians who do not belong to the Native Brotherhood.

Mr. REID: The brief I presented to the committee was not from the Native Brotherhood. It is a brief which is on file, and which the Indians at that gathering gave to me to bring to the committee. It is entirely apart from the brief presented by the Native Brotherhood.

FATHER O'GRADY: I am referring to the remark of Father Plourde and his answer to Mr. Case where it was stated that those representing the Native Brotherhood did not, Father Plourde said, represent all the Indians of British Columbia. No doubt the brief which was presented to you at Chilliwack was representative of the Indians in that locality. I do not know who wrote that brief, but if it was signed by all of the local Indians it would be representative of that local gathering.

Mr. CASE: Of course, Mr. Chairman, the point there is we cannot tell whether they are Catholics until they are certified by the Bishop or some church dignitary. We had one declare himself a Catholic here and they say he is not a Catholic. Therefore you could not tell whether there are 14,000 Catholics.

By Mr. Reid:

Q. Do you believe, Father Plourde, that there should be a follow-up system after the boys and girls leave either the day school or residential school?—A. We certainly believe in a follow-up system of some kind. It is certainly very sad to see boys and girls at 16 years of age leaving a school where they were well clothed, well fed, well taken care of, and going back to a reserve without anything to do and without any prospect of being able to settle down. I have heard several of our missionaries mention the fact that in their opinion the Indian problem was one that was economic in this sense, that the Indian is not a lazy fellow by any means. He will work for his living. He is not a dissipated man either. He will behave properly if given a chance, police protection and so forth. He is not an immoral man. He is a family man. He likes his wife and children. In other words, he is what I would call, at least in prospect, a very good Canadian citizen, but the man has no job. The man has nothing to do on the reserve. In order to earn an honest dollar in most cases he has to travel 15 or 20 miles. If some

economic scheme could be devised whereby work on the reserve could be made available to these men I think they would be just as good as any white man that we have around our small towns and in districts of our larger cities.

Q. I have one more question I should like to ask. I know my time is up.

The CHAIRMAN: With the unanimous consent of the committee it will be quite in order.

By Mr. Reid:

Q. Perhaps I am more concerned with my own problems in asking this question. What do you have to say regarding Indian children mixing with white children in provincial public schools as they do in British Columbia? As you know we had the Japanese come and to their advantage mix with our children. They sat with them and were taught in the same class rooms. We thought that was the best way to bring them up. I am wondering if you would care to express a view on that because in British Columbia we think that is the best way to do it.—A. It is very difficult for us to express an opinion, especially to go on record, that would be straight forward and sincere. Could I say this off the record?

The CHAIRMAN: Yes.

(Off the record).

By Mr. Charlton:

Q. Most of the questions that I had in mind have been answered but there is one I should like to ask Father Plourde. It has been mentioned quite considerably by the various delegations who have had denominational schools on their reserves that for some reason or other when the children go home for their summer recess they are more or less out of the control of the parents, that they will not do what the parents tell them, that they have no discipline over them. What would your comment be with regard to that?—A. A child of one of our residential schools who goes back home and is not obedient to his father or mother has certainly not imbibed the lessons received in that school. That there should be some is not out of the ordinary because there are bad boys and bad girls all over the world. You cannot make a child a good child by sending him to a religious school. There is no doubt about that. You can better his state of mind. You can teach him the right principles, and so forth, but if he is inwardly bad you cannot do anything with him.

Q. Do you think that the discipline in the residential school is up to the standard of the day school?—A. I think it is better.

Q. There is one other question that was brought up here by one of the delegations. I forget which one it was. They said that when there are two schools of the two different denominations, one Protestant and one Roman Catholic, on the same reserve that when the children go home for the recess they do not intermingle one with the other during that time. Have you any evidence of that?—A. I have no evidence of that, but I think it is quite possible. I was brought up in a city where we had Irish schools and French schools. I went to a French school, and a lot of my little friends went to an Irish school, and we often had a lot of real good fights at recess time.

Q. I have one other question. As you know, Father Plourde, it has been suggested that the present denominational residential schools be taken over by the state, made non-denominational and turned into vocational schools for Indian children past the age of the day school. Obviously if that were approved you would not be in accord with it, but do you think where the day schools are doing a fairly good job that there are a certain number of these denominational schools that could be taken over and used as vocational schools?—A. Do you mean run as non-denominational?

Q. Yes.—A. I do not think so. When I say “I do not think so” I mean by that our Catholic Indians would not want that.

By Mr. Harkness:

Q. On page 2 of your brief you state:

We are most anxious, therefore, that the teachers in our schools have all the academic qualifications required of teachers in our provincial schools.

In reply to Mr. Lickers I believe you said you have 137 teachers all told ranging in qualification from grade 10 to M.A., but of those I think you said there were only 39 who had normal school training. Maybe I have the figures mixed.—A. 37 is right for normal school training.

Q. And 139 altogether?—A. Maybe I should have been more explicit. I received answers as to the qualifications of teachers from a number of schools. I forget the exact number, but the total number of teachers in those schools was 137.

Q. My question is why is it that such a large proportion of your teachers have not attended normal school and had teacher training?—A. We are dealing with Indian education. It is very hard for Indian schools to attract competent normal school teachers. It is very difficult. The surroundings are not what they like. They are far away from home. The cost of travel is very high. Generally speaking we have taken the best that we could get, and the best that we can get are summarized in this list I have given you. I would say this though that if the suggestion that I have made in the brief is adopted that the teachers become civil servants and be paid adequate salaries that we would in time—I cannot say how long it would be—have certified or certificated teachers in all our schools.

Q. Do you think that the very marked difference between the number of Indian children who pass even out of public school, let alone high school, as compared with white children is due to any very considerable extent to the fact that the great majority of the teachers in the Indian schools are not properly trained?—A. Personally I do not think so, but I would not want my opinion to be accepted as very definite on a subject as vast as that. You must remember you are dealing with a very primitive race, and education for them is not looked upon as it is by the white people. When any white couple marries they know they will have children. They begin almost right away to prepare for the time when those children will have to go to school. Sometimes they are people of means. They will choose the school ahead of time. Otherwise they get close to a school and they see that the child at the age of 6 or 7 is registered in a school, and they follow that child. If it is a girl they want to see her first in the class and that she reads well and plays music, and so forth. You do not have that attitude towards education among our Indian people. You are dealing with a very primitive race, and you cannot compare them with white people at any stage of their education.

Q. However, you would agree that it would be desirable that all teachers teaching Indian children should have better training?—A. We are definitely of that opinion.

Q. To me it is somewhat the same thing as a man going out to practise law if he has only a B.A. degree without any training in law. To send somebody out to teach if they only have a B.A. degree without any training in teaching is much the same thing. It certainly would not work in law and I do not think it works in education.—A. We are very very much in favour of normal school training for all our teachers.

Q. As to the matter of day schools and residential schools the general opinion that I have gathered from the Indians who have appeared here, and a

lot to whom I have talked in my own province of Alberta, is that the residential school in the more settled areas has now to a large extent outlived its usefulness, and the Indians would prefer to have day schools in those areas whilst retaining residential schools in the less settled areas for the more nomadic tribes. Do you think that is sound? Would you agree with that? What would be your opinion on it?—A. I am being questioned on matters which some of my confreres might be in a better position to answer, but I will answer this particular question that you are asking. Indians are not of the same calibre, as it were. They are not of the same intellectual development. They have not the same material means. Take the Blackfoot and the Blood Indians in the southern part of Alberta. The Blackfoot are a rich band. They have two residential schools on that reserve. They are not asking for day schools.

Q. Some of them are.—A. I would admit that you cannot have unanimity of opinion in any group of men. You might have three, or four, or five, families asking for day schools. I will not deny that, but I am talking about the majority on that reserve. They are supporting in great part their educational facilities on that reserve, and if they did not want residential schools they would certainly do away with them. There are briefs from those two large reserves, and they state very definitely that they want their residential schools kept up and developed. The Blood Indians on that big 70-mile long reserve say that day schools are out of the question because communications are impossible.

Q. As a matter of fact, on that particular reserve and also on the Blackfoot reserve the opinion I gathered was that they wanted a combination of residential and day schools.—A. They want a combination in this sense, that they want their children to go home oftener than they are doing at the present time. I believe the principal of the Cardston school has been allowing Christmas holidays to his children without the full knowledge of the Indian Affairs Branch.

Q. As far as the general proposition is concerned though you are really not prepared to express an opinion, that the day school should gradually take the place of the residential school to a large extent in the more settled and civilized parts of the country?—A. We are not bound in any shape or form to residential schools. We believe that, for the present, the residential school is the best method of educating our Indian children and bringing them up to a state comparable to that of our own civilization, but we are not bound to that. The day that we think we can do away with residential schools or replace them with day schools I think we will be the first ones to say to the government, "Please replace this school with a day school; the time for this residential school has passed."

Q. The point I was getting at is we have had a lot of representations that in the more settled areas the residential school should give place to the day school. I wanted to get your idea or reaction on that. I gather you do not think the day has yet come when that should happen?—A. I will not say that there are absolutely no places where that time has not come, but I do believe that 95 per cent of our residential schools should still be maintained.

By Mr. Case:

Q. That is a big percentage.—A. It is a big percentage because it is in proportion to the needs.

By Mr. Harkness:

Q. On page 7 of your brief you give by provinces the percentage for whom there are no schools. What is the source of your figures?—A. The published reports of the Indian Affairs Branch.

Q. I was wondering particularly about Nova Scotia, New Brunswick and Prince Edward Island. When a part of this committee was down there last fall as a commission we did not find that there were any children without schooling, as I remember it. We had no complaints from the Indians or from the departmental officials or from the church officials that that was the case. I was wondering about those three provinces particularly and the percentages that are given. That is the first indication I have had that in those three provinces there were very considerable numbers of children for whom no school facilities were provided.—A. These figures were compiled by taking the number of children registered in the schools and the number of children of school age.

Q. I think that perhaps later we can get something from Mr. Hoey or Mr. Neary in connection with that. I do not think we had better get it now.

The CHAIRMAN: Are you finished?

Mr. HARKNESS: No.

By Mr. Harkness:

Q. On page 12 in connection with hospitals you deal with the hour of death, and so on, and you say:—

That is why she (the church) deems it of the utmost importance that she be able to minister to her children in that supreme moment.

Are there any hospitals or have you had any cases in which it was not possible for the church to minister to any of your own congregation at such a time? In other words, have there been any actual, practical difficulties along these lines?—A. There are a few cases which are very important in themselves, but I do not think they should be put on the record here, of men dying without the presence of a priest. What we mean by this statement as found in the brief is that, the time of sickness is the most precious time in the life of any Catholic. It is particularly important, if he is at the time of death, that he should have a visit often by the priest. Facilities for those visits should be given to the clergymen or priest.

Q. That was really my question. Is there any difficulty in the priest's doing that at the present time?—A. There are ways and ways of assisting a sick man. I am a priest. For instance, I am supposed to live a fairly decent life.

Q. I am sure it is not a supposition.—A. If I were told to-day that I am going to die, say, in two weeks. I have cancer and I am going to die in two or three weeks. I would want to go to a catholic hospital where I could see a priest every day, even several times a day. I would want to receive communion every day. I would want the nursing sisters around my bed to offer prayers so I might end my life as I want to end it, in union with God.

Now, this is a doctrine which may be foreign to some of you who are not of our faith. That is what we believe and that is what we want in our catholic institutions.

Q. I see your point, but I gather there is really no bar to a priest going to see any dying Indian?—A. No, I have not said that.

Q. That was the point I wanted cleared up.—A. I did not accuse doctors or nurses in state hospitals of interfering whatever with the ministry of the priest. I do not think it is in the brief and, if it were, I would be the first one to want it out.

Q. On page 22 of the brief, near the bottom of the page, you say,

For most Indian children it seems that the half day system, completed by properly organized and practicable vocational training would be satisfactory.

Personally, I think the Indian children should be on the same basis as any other children. We certainly do not consider the half day system of education is satisfactory for the white children and, as a result, personally I do not see why it is satisfactory for the Indian children. Personally, I take very strong objection to that statement in your brief. I think it is the type of thing which is likely to propagate and continue forever what you might call discrimination between white and Indian—A. We do not advocate the system as a perpetual system. We advocate it for the present time. We certainly are, as you might say, in the hands of your government officials who can say to us to-morrow, "This half day system is not wanted any more; please do away with it and keep the children in class just the same length of time as the white children." We were asked for information. We have had 100 years' experience in this Indian work. We know the Indian mind. We know the Indian child. We know the health of the Indians. We know the Indian's general reaction to education, to three hours in front of a desk in the morning and three hours in the afternoon. We know how the Indian child reacts to such compulsion. We say the time has not come yet for that compulsion. We may be mistaken. It is up to the Indian Affairs Branch to state right away, to-morrow if they so desire, that this system is not wanted any more.

Q. I am not just saying this— A. Pardon me, we are the obedient servants of the state in these residential schools as well as the day schools. We are working with the government. We are not working against the government. We have no scheme of any kind which we want to inculcate into the school system of the Indian Affairs Branch. There is none of that. We want to work with the department and if they say this is the end of that system, well and good. We will be their obedient servants.

Q. I should like to say in that connection, the reason I hold these views so strongly is that on the Blackfeet reserve in Montana around Browning, there are exactly the same type of people as are on the Blood Reserve and Blackfeet reserve in Canada. In the United States a considerable number of Indian children graduate from the high school every year. More than a score of these pupils have gone through university as doctors, lawyers and so forth. The only reason I can see for this tremendous difference between the state of affairs in Canada and the Indians of the Blackfeet reserve in Montana is the difference in the educational system. In the United States, they have a full day of education and I can see no other reason for the fact that our Blackfeet are so much behind the American Blackfeet in education.

Father CHARBON: If I may, I should like to answer this statement. I believe you will find the Blackfeet Indians in Montana are mostly half-breeds. Secondly, if you go and visit Star School in the United States, you will find a striking difference. If you go to Star school you will find the Indian children attending do not go beyond the eighth grade. Miss McCready, along with the acting agent of the Blood reserve visited Star school in Montana and found it was far below the standards of our school. Therefore, you would have two different sets opposed to one another. You are calling them Indians, but they are mostly half-breeds. In the town of Browning, they receive more education than our Indians because the United States started schools away ahead of ours. Therefore, you have different sets opposing one another and you are not comparing entirely Indian population, but mostly a half-breed population.

By Senator Blais:

Q. Some delegates complained here that in the residential schools the boys were expected to do too many chores. Is there any foundation for that statement?—A. It is very hard to answer that question thoroughly because we have 45 schools. The 45 schools are situated from the Atlantic to the Pacific and

conditions vary in each of them. To run those 45 schools, we have 45 principals and we have 45 religious orders. One principal may well think, for instance, boys of 14 can and should do a certain amount of work. He may insist on their doing it. Another principal may say, "no, that boy is too young; we won't let him do this kind of work." Some principal may say, "Well, I have so much hay to bring in. I have so many potatoes to harvest. They have to be harvested before the frost comes". He cannot hire anyone around the school, so he asks these boys at times, not always though, to do a certain amount of hard work. I do not think the remark could be applied to all our schools. I do not think it could be said that these boys are made to work harder than their physical capacity permits.

The CHAIRMAN: I believe that terminates our questions.

Mr. CHARLTON: If I may, I have one more question I should like to ask.

The CHAIRMAN: Is that agreeable to the committee?

Carried.

By Mr. Charlton:

Q. You made a statement a few moments ago suggesting that the ability of the Indian child to absorb education was far lower than that of a white child?—A. Did I say "far lower"?

Q. Well, lower. Would you not say that, if given the same opportunity the Indian child is just as capable as the white, if both are taken from the same district?—A. I would say that the Indian child, by itself, has that intellectual capacity, but I would say he has not the physical capacity to stand the daily grind of six hours of school per day for 8, 9 or 10 years.

The CHAIRMAN: Gentlemen, it may be that you would like to examine some of the other delegates who are here.

Mr. REID: No one has been heard who is a principal of a residential school. I believe we should hear someone who is.

The CHAIRMAN: Not only that, but we have Father Forcade, present who is responsible for the display of slippers made by the Grouard Indian Co-operative Company. Many of the members have expressed a desire to have a word from him. We might very well hear from Father O'Grady who has been operating a large residential school, if that is your pleasure.

Father Plourde, I should like to thank you on behalf of this committee for the able presentation of your brief and for your co-operation in answering questions on the material contained in the brief. The committee now asks that you stand aside while some of the other delegates come forward to be heard.

Father O'Grady, would you come forward.

Father Fergus O'Grady, O.M.I., Principal, Indian Residential School, Kamloops, B.C., called:

By the Chairman:

Q. I believe you are the principal of the largest residential school in Canada?—A. Yes.

The CHAIRMAN: Mr. Reid, have you any questions you desire to put to Father O'Grady?

Mr. REID: No, I should like to have the Father tell the committee what he is doing and show some of his school pictures.

The CHAIRMAN: Would you proceed, Father?

By Mr. Case:

Q. What is the name of your school?—A. It is called the Indian residential school at Kamloops, British Columbia. I should like to make a few remarks concerning Indian residential schools. I have been the principal of two of the largest residential schools for the past eleven years. I was the principal of the Mission residential school, at Mission, British Columbia, and have been principal at the Kamloops residential school for the past 8 years. From some of the remarks, I gather that some of the members of the committee may feel that children at residential schools do not feel at home. I think our Indian children find a very homelike spirit in the residential school. We have love and affection for the Indian children. As soon as they come to the school we try to make them feel very much at home. We treat them very kindly and make them comfortable, clothe and feed them well. I have found, when the time comes for holidays many of the children are reluctant to leave their association with the residential school. They find I think, a remarkable home where they are well treated, where they have happy companions whom they will miss as soon as they leave school.

Another point I should like to stress is that I think our Indian children have done very well, remarkably well, under the half day system in our residential schools. It is surprising what a degree of education and knowledge these children obtain in the residential schools. Recently, we had a test with five white schools and our Indian residential school. The results in the language and arts department were that our children, in grades six and seven, were ranked first. Mind you, these children had been in attendance only half a day all that time.

There is another point which I should like to stress with reference to vocational training. When a child goes to residential school we give him vocational training along with his classical studies. These children not only acquire the same knowledge as the white children but very often acquire, as we see by testing them in school, a proficiency in vocational training. The boys learn carpentry and mechanics. They learn the care of animals and the planting of seeds in the garden. This is so much a fact that the Kamloops high school pupils come to our school for their lessons in animal husbandry and agriculture, as you may see by some of the pictures we have. This class comes regularly to our school in their school bus. Our Indian boys teach them things about carpentry and about the care of animals. I think that is quite a credit to the residential school. We do not separate the white children from the Indian children and that in another point I wish to stress.

The Indian children join the white children in their games in town. Our boys won the championship in baseball in a league with white boys. We have a brass band of 32 pieces which plays frequently with the white boys and the white boys from the town will come with their brass band and join with ours. They will play for concerts and put on displays. Our Indian children join the parties of the white people. They mix with them, I would say quite frequently. There is not that inferiority complex which is sometimes found among the Indians who do not associate with white people very much. Our children do not seem to have that inferiority complex at all.

I have put several pictures at the disposal of the committee. The one point which I came here to explain is this question of vocational training. I think the residential school can add very much to the activity and spirit of a reserve through vocational training projects. I am sure we are all agreed that the breakdown in education among the Indians takes place in that period immediately after school, whether it is after attendance at a day school or residential school. There are several years during that period when our children seem to drift away and put their education to no use whatever. I think we

should try to make an effort to establish a post-school program for our Indian graduates from the residential school. I have worked on this question for several years and I feel that if we can establish our graduate pupils in little homes of their own on the reserves and keep in constant touch with them, we can add to the education which they receive. The education which they have received in the residential school would be put to good use.

With that in mind, we established a sawmill at the school. We now have cut 10,000 feet of lumber which is sufficient for the building of comfortable, suitable homes on the reserve for graduate pupils. As you can see in the pictures we have sufficient lumber prepared to build a home for every graduate pupil from our school. There are, roughly, about thirty, fifteen boys and fifteen girls who graduate each year. We have the lumber ready now to build 30 homes for these graduate pupils.

By Mr. Case:

Q. On the pupils' home reserve?—A. On their home reserve, yes. I would start this as a vocational training project under the direction of the manual training teacher at the school. We have a large technical school building which the boys built themselves. In that technical school the boys learn carpentry and become proficient in that art. Under the direction of the manual training teacher, these boys could very easily build their own homes on the reserve. I would not have it completely constructed by the manual training instructor because I think the boy should feel he is building his own home. Let the boy finish his own home. I think, under the guidance of the instructor, it should be started and built by the boy himself.

In our school, we have boys making articles of furniture in the manual training shop. They have made desks, chairs, tables and things of that nature which they mark and take home with them when they graduate from school. Likewise, the girls have made articles of clothing and furnishings for the home, tablecloths and things of that nature which they also may take home when they leave school. If we can proceed in the direction of a home on the reserve and have it furnished with the furniture made by the boy in school, I think we will establish a necessary contact between the school and the home, between the school and the reserve. We must establish that link, otherwise the graduates from the school have nothing to which they can look forward when they leave school. Consequently, the Indian graduates look for positions or work in the United States and they do not return, sometimes for several years. Consequently we must complete the contact with them and their education, which contact we have lost.

Those are the viewpoints which I wished to state. If any of the members wish to ask questions concerning these projects, I would be glad to answer them.

The CHAIRMAN: Since we only have a few minutes and several of the members have asked that we hear Father Forcade, I think we should proceed with him.

By Mr. Case:

Q. Your school is a government-owned project?—A. Yes.

The CHAIRMAN: Would it be agreeable, then, to hear from Father Forcade in connection with the Indian Co-operative?

Agreed.

Mr. CASE: I think Father O'Grady is certainly entitled to commendation for that very fine discourse.

The CHAIRMAN: I thank you for reminding me of that, Mr. Case. I want to thank you very much for your assistance here. Unfortunately, we are cramped for time and I am trying to rush things along as much as possible. I want you to know the committee appreciates your efforts.

Father Gérard Forcade, O.M.I., Grouard Indian Residential School, Alberta, called:

By the Chairman:

Q. Father Forcade, you direct, I believe, the Grouard Indian Co-operative. Would you care to tell us something about it? I see your display here?—
A. Gentlemen, you will find the full story of it at the end of the brief. I will not go into all those details. If you wish to ask direct questions, it will be very easy for me to answer. You will note that the purpose of organizing it as a co-operative was to build up the community and the school. The principal idea was to build up the community. It was very hard to follow up the pupils in after-school life. We worked and studied and we found the co-operative system, the co-operative organization to be the set-up to build the community. As the result, we have been running it now for four years. We have a community of about 25 homes in this new settlement. I might just point out that in the brief it was stated that it was organized and built up into a mission. There were no homes there at the beginning, and it has been built up into a community. The co-operative system is not only an economic system but an educational system as well. This project has done our people a great deal of good.

Q. How many people do you employ there?—A. The brief says from 2 to 20. When we are dealing with Indians we have to organize it in such a way that they can live according to their own feelings and still the co-operative will run. One day we may have two, another day we may have ten and another day we may have twenty. We have had as many as thirty. They are on piecework.

Q. How long has it been organized?—A. The Co-operative Store has been organized for four years. The Co-operative Slipper Factory has been in operation for three years. The Co-operative Credit Union and the other organizations such as the Post Office, Amusement Hall and Fur Trading Post have been running for two years.

Q. Do you just manufacture slippers?—A. We just manufacture slippers.

Q. How many pairs of slippers did they turn out in 1946?—A. They turned out an average of 700 pairs a month.

Q. 700 pairs?—A. 700 pairs a month. As we are organized the possibility is for 3,000 pairs a month.

Q. Where do you merchandise these slippers?—A. We have a representative in almost every large city of Canada, Vancouver, Calgary, Edmonton, Winnipeg, Hamilton and Toronto. I think that is as far as we go. They can take away more than we will make for a long time because we have had many many demands from the United States and we have never touched them. I am not ashamed to say that the reason for that is that they have made probably the best slipper of that kind so far in America. I am not going to go into detail to tell you why. There are reasons. They are represented on the slipper such as, for instance, the braid that is used for the seam. In the east here they use what they call piping made out of oilcloth. We do not use that. We use that silk braid for the seam. That is made for us. It is something worth while. It will hold that slipper for a long time.

The CHAIRMAN: I hope that the members of the committee will avail themselves of the opportunity to examine the display over there. I may say, too, that when the members of the commission visited Lorette last fall they were all given a pair of slippers. Nothing is suggested, of course.

Mr. CASE: There were not so many in that party. Do not be misled by the chairman. There were only a few who went to Lorette.

The CHAIRMAN: It is after 6 o'clock.

Cardinal McGUIGAN: Mr. Chairman, honourable members of the Senate and House of Commons, gentlemen: Having introduced this delegation I should like to avail myself of your kindness to thank you for your great courtesy and also for the kindly reception you have given to the brief presented by our missionaries, your attentive hearing of the brief, and your frank and keen interest in and understanding of the viewpoints of the missionaries, conscious that you wish to obtain the fullest information and knowledge in order to better our Indian brethren. Now, may I say frankly that there are viewpoints of Catholics on certain matters such as education and spiritual care of the sick which stem from our faith and belief which we realize are not easily understood by those who are not Catholics. Nevertheless, we feel in such matters which touch on religion you will be generous in safeguarding that spirit of religious liberty and the liberty of the individual conscience which is one of the glories of the country in which we live.

We sincerely hope that the interest aroused by the examination and consideration of the Indian Act, in spite of the many different points of view and the many angles which must be considered, will bring about what everybody desires, and that is, the fullest possible benefits for the furthering of the educational, social and civic welfare of these people who are the descendants of the original settlers of this great land. Thank you one and all.

The CHAIRMAN: Thank you very much, your Eminence. We appreciate very much your kindly words. I think you may see from your observation of the workings of this committee that the members have a sincere desire to help the Indians to help themselves. I think this spirit prevails regardless of any party affiliation of any member of the committee. We appreciate very much your coming here and honouring us with your presence. Your delegation has helped us in our deliberations. This is a rather serious matter. There has been no revision of the Indian Act for many years and we, as a committee, are trying to be fair to all classes and all bodies of the Canadian people generally and the Indian people in particular. We are endeavouring to raise the standard of the Indian and, for that reason, we appreciate very much that you and your delegation are here with us to-day.

Thank you very much.

The committee adjourned at 6.10 p.m., to meet again on Thursday next, 29th May, at 11 o'clock a.m.

SESSION 1947



**SPECIAL JOINT COMMITTEE OF THE SENATE
AND THE HOUSE OF COMMONS**

**APPOINTED TO CONTINUE AND COMPLETE THE
EXAMINATION AND CONSIDERATION OF THE**

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 28

THURSDAY, MAY 29, 1947

WITNESSES:

The Very Reverend J. W. Woodside, D.D., LL.D., Past-Moderator, The
United Church of Canada, Ottawa, Ontario;

The Reverend Lloyd Smith, D.D., Chairman, Board of Home Missions,
The United Church of Canada, Montreal, Quebec;

The Reverend George Dorey, D.D., Secretary, Board of Home Missions,
The United Church of Canada, Toronto, Ontario.

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CONTROLLER OF STATIONERY

1947



SPECIAL JOINT COMMITTEE OF THE SENATE
AND THE HOUSE OF COMMONS

APPOINTED TO INVESTIGATE THE
OPERATIONS OF THE

INDIAN ACT

REPORT OF THE COMMITTEE

IN SENATE

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MINUTES OF PROCEEDINGS

THE SENATE,

THURSDAY, 29th May, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

Present—The Senate: The Honourable Senator Blais.—1

The House of Commons: Messrs, Brown, Blackmore, Castleden, Charlton, Farquhar, Gariépy, Harkness, Matthews (*Brandon*) (Vice Chairman), MacLean, MacNicol, Raymond (*Wright*), Richard (*Gloucester*).—12.

In attendance: (From Indian Affairs Branch): Messrs. R. A. Hoey, Director; B. F. Neary, MBE., Superintendent Welfare and Training; H. M. Jones, Supervisor, Family Allowances; W. S. Arniel, Inspector for Ontario; Dr. P. E. Moore, Indian Medical Services; K. Balderston; also, Reverend Fathers Plourde, O'Grady and Brachet.

The Chairman extended a welcome to the following members of a delegation from the United Church of Canada:

The Very Reverend J. W. Woodside, D.D., LL.D., Past-Moderator, The United Church of Canada, Ottawa, Ontario;

The Reverend Lloyd Smith, D.D., Chairman, Board of Home Missions, The United Church of Canada, Montreal, Quebec;

The Reverend George Dorey, D.D., Secretary, Board of Home Missions, The United Church of Canada, Toronto, Ontario.

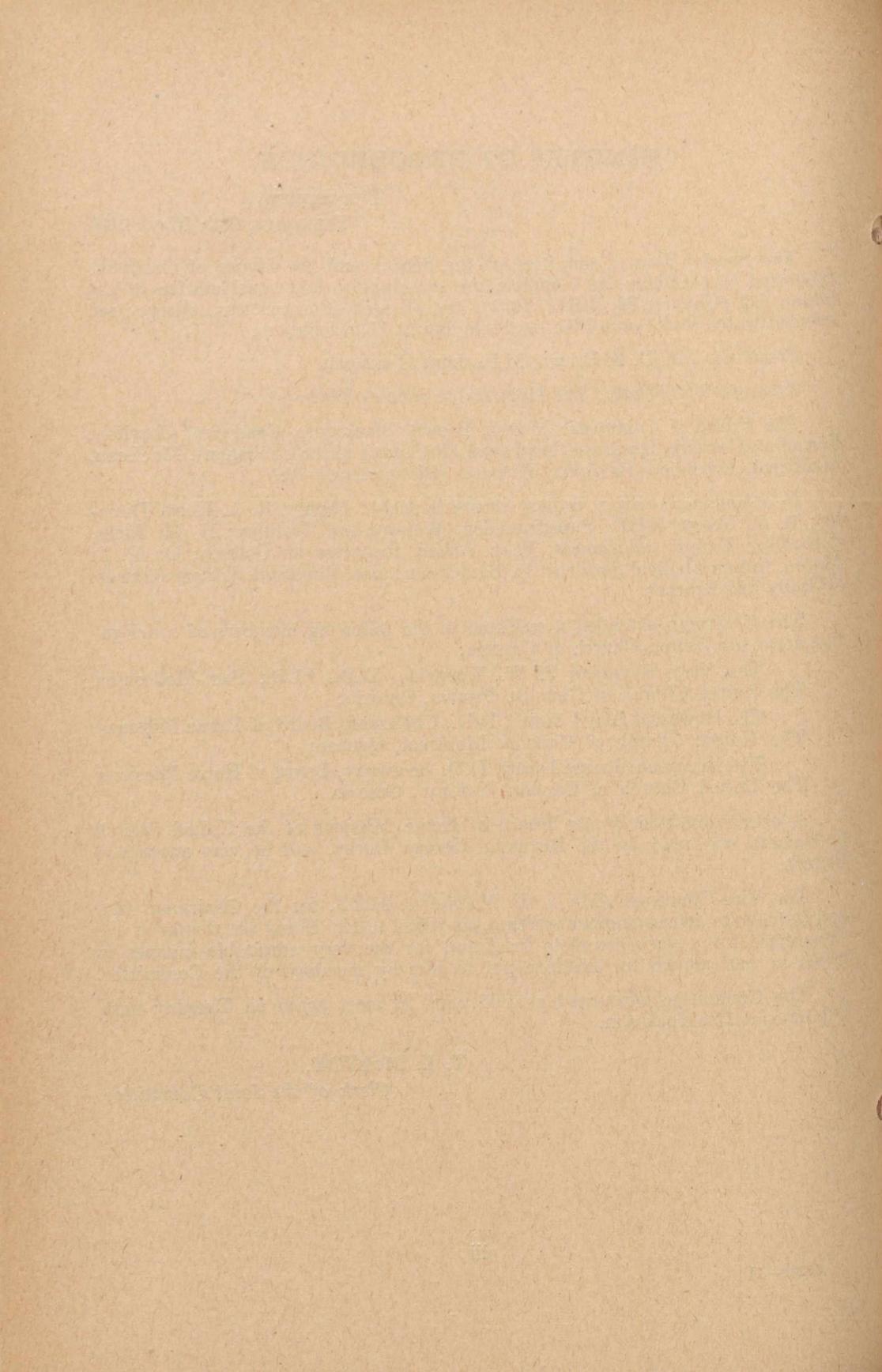
A brief submitted by the Board of Home Missions of the United Church of Canada was read by the Reverend George Dorey, and he was questioned thereon.

The Vice-Chairman (Mr. J. E. Matthews, M.P.), for the Chairman, who had to leave to attend another meeting, conveyed to Dr. Dorey the thanks of the Committee for a very complete brief and for the very admirable manner in which he had replied to questions put to him by members of the Committee.

The Committee adjourned at 1.05 p.m., to meet again on Tuesday next, 3rd June, at 11 o'clock a.m.

T. L. McEVOY,

Clerk of the Joint Committee.



MINUTES OF EVIDENCE

THE SENATE,
May 29, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11.00 a.m. Mr. D. F. Brown, M.P., (Joint Chairman) presided.

The CHAIRMAN: Gentlemen, we will come to order, now. The report of the subcommittee on procedure and agenda will not be presented until the next meeting. This morning we are honoured in having a presentation to be given on behalf of the United Church. The delegation is composed of the Very Reverend J. W. Woodside, D.D. LL.D., Past-Moderator, the United Church of Canada; the Reverend A. Lloyd Smith, D.D., Chairman, Board of Home Missions; the Reverend George Dorey, D.D., Secretary, Board of Home Missions, the United Church of Canada.

Now on behalf of the committee I would like to welcome this delegation to this meeting and assure them that we will do everything we can to give consideration to their views on this matter, that is with respect to the revision of the Indian Act when the same is up for revision. In the meantime this committee is fact-finding in an attempt to learn all it can of the Indian life and the administration of the legislation affecting Indians in Canada. We are doing this with a view to revising the Indian Act in order to accomplish the best that we can for the Indian welfare.

I would like at this time to present to you Dr. Woodside, Past-Moderator of the United Church of Canada, who is a resident of Ottawa and is here before you. Dr. Smith will be here very shortly and then we have Dr. George Dorey, the Secretary of the Board of Home Missions, who will be reading the brief

The Reverend George Dorey, D.D., Secretary, Board of Home Missions, called:

The WITNESS: Mr. Chairman, may I first of all say that we welcome the opportunity of putting our views before the committee. I am sorry that Dr. Smith's train is not yet here but he will be along shortly.

The United Church of Canada is grateful that in the Providence of God it has, through its parent churches, been privileged to serve the native people of Canada ever since its members have been in contact with the first inhabitants of this country. The work began through neighborly friendliness. Its development became the inspiration of the church. It is a matter of justifiable pride that the Cree syllabic alphabet was the invention of a Methodist missionary at Norway House—the Rev. James Evans, and that the first Indian residential school—Mount Elgin—was opened by the Methodist Church over one hundred years ago.

However, we do not feel that any church has to justify its missionary work. In spite of failures, we believe that the change from paganism to Christianity is such that we can let the work speak for itself.

At the invitation of the committee, we desire to present the opinion of the Board of Home Missions of The United Church of Canada on the matters now being studied by your committee.

I. ADMINISTRATION

(a) *General Considerations:* We believe that the time has come for the people of Canada, acting through parliament, to set forth clearly what is intended for the native people. The present policy has been to keep the Indians on reserves; to hold them in what has been described as "wardship"; to look after their interests in a decent, paternal fashion. There is no desire on the part of the church to cast stones at the past, but simply to note the facts as objectively as possible. The reasons why certain policies were adopted in the first instance were on the whole good, and it is possible that without the reserve system the generality of the Indian people in Canada would have been worse off economically, and might even have disappeared altogether. Nevertheless, the fact remains that the policy has been a hindrance to one of the main objects both of Christianity and the democratic system—that is, to promote the development of personality through the exercise of judgments of value. In making these judgments, individuals and groups make mistakes, and learn from them and gradually advance; but a group which is held in paternal care does not grow up and develop. That has been the history of the Canadian Indian.

The Indian philosopher, Rabindranath Tagore, says— "He who builds a wall around his house, is not kind to his house." If it be intended that the Indian people should take their place with the rest of the population, then an Indian Act must be devised which will give increasing responsibility, not only for government, but for all the consequences of the acts of the individual and of the group, and which, while helpful, will not shield any individual from the consequences of his acts or of his failure to act.

In devising any system of education, medical services, social security, and self-government to apply to the Indian people, there should be close approximation to the best that the other Canadians amongst whom they live have devised for themselves; and care should be taken that the system be not so inelastic that new methods and practices which have been adopted by the other Canadians cannot easily be applied to the Indian people.

(b) *Administration:* We hope that in the revision of the Indian Act provision will be made to bring all matters affecting Eskimos and Indians under the administration of one department of government, with a minister of the Crown in charge of the department and the usual official set-up of a Deputy Minister and other officials under him. The present arrangement, whereby Indian affairs are administered as part of a department which looks after Mines, Natural Resources, etc., with another department caring for Indian health, is illogical. There should be a consolidation of responsibility under one minister of the Crown.

We think that the people should know that, on the whole, the Indian department is to-day served by a staff of competent, hardworking officials, who are really interested in the welfare of the native people. We do believe, however, that certain changes, if not in law, yet in regulation and custom, would greatly improve matters.

Inspectors and superior officers generally ought to be selected from the whole service and the choice should not be restricted to any Province or district. The same is true of agents.

Further, no part of the service should be part of the patronage system. If the ways of the Civil Service Commission and its regulations make the filling of a minor position a matter requiring long delays, then other methods should be devised, giving responsibility to the senior officials.

Devolution of responsibility in general administration should be carried out and decisions on routine matters should be made by the man on the ground rather than as at present have to be referred to the officials at Ottawa.

II. EDUCATION

The interest of the United Church in the education of the Indian people goes back many years. The first Indian residential school in Canada was built by the Methodist Church at Mount Elgin over one hundred years ago, with funds supplied from the Motherland. At Alderville, a training institution was developed about the same time; and it is scarcely necessary to remind this committee that Indian education was the sole concern of the churches long before the government took hold of the matter.

The United Church holds the view that, whilst it has been and still is ready to co-operate with the government, education is the responsibility of the government, and that no church should be asked to expend directly any of its missionary funds on Indian education to make up that which is lacking in the provision which the government makes for this purpose. The churches should not be asked to make available for Indian education funds entrusted to them through the generosity of their members, in order to make amends for the parsimony which has hitherto characterized government grants for the education of the Indian people.

It is the view of the United Church that not only should the government bear the cost of Indian education, but it should make up its mind as to whether there is value in education for the Indian people. One can only doubt whether the government is serious about education when one reads the report on one school building on an Indian reserve, made by an inspector, as follows:—

The condition of the building is very poor. The building is old, built of logs, and lined with V-joint. The lining is warped, buckled and shrunk, and the loss of heat through the walls and ceiling must be very great. The building was cold and most of the younger students were blowing on their hands in an effort to warm them. Snow on rubbers under the stove had not melted by recess. Outside wraps were all worn in school.

Such a condition is, in our judgment, the result of failure on the part—not of the officials of the department,—but of the members of the House of Commons to realize that Indian education is a serious matter and to provide the funds which are necessary.

The United Church believes that the government should provide education facilities for all Indian children between the ages of seven and sixteen. We, and the other churches which co-operate with the government in Indian education, have drawn the attention of the responsible officials to the great discrepancy between the need and the provision made to meet it, and this has been admitted by the director in his evidence, given last year (Minutes of Proceedings and Evidence, page 15). We note that on this page, Mr. Hoey says that there are 28,429 Indian children between the ages of seven and sixteen, and that there are approximately 12,000 for whom no education facilities have been provided. He goes on to say that these children reside in the northern section of the provinces, in the Yukon, and in the Northwest Territories. Whilst it is true that the great majority of these Indian children live in that section, yet a careful study would indicate that there is scarcely any part of the dominion in which Indian people live where there are adequate facilities; and included in the area described by Mr. Hoey as the northern sections of the provinces are large groups of people who are coming into closer contact with civilization almost day by day and who need educational facilities.

(a) *Curriculum*: It is the judgment of the United Church that the government should make a study of the type of education to be given to the Indians of Canada. The general policy is to assume that the provincial curriculum

should be carried out. Modifications are allowed, but, even so, there is a grand opportunity to provide for Indian children a modern system, devised with sufficient elasticity to meet all their needs.

We should like to call the attention of the committee to a report made by Dr. Andrew Moore to The Canadian Social Science Research Council on the subject of a curriculum for the people of the Mackenzie district. He is discussing the value of education for the people of the Mackenzie district and the criticisms made by certain residents. Dr. Moore says about the curriculum—

This curriculum should have two main objectives. First, it should include as much of the white man's knowledge and behaviour as will assist them to enjoy a more abundant and efficient life in their own environment. Secondly, it should equip them to cope satisfactorily with the impact of the white man's civilization upon their lives not only at the present moment but also with the long-range objective of gradually enabling them to utilize as much of his civilization as will function satisfactorily in their changing world. It is essential that they become, ultimately, self-respecting and self-supporting Canadian citizens no longer under the tutelage of the government. The fundamental principle cannot be too strongly emphasized that all educational and social-improvement programs in this area must be directed toward re-establishing the native in his own self-esteem and self-sufficiency which will in itself go a long way toward removing that attitude of superiority which some white people display toward him.

The principles here enunciated seem to us to be capable of application to Indian people everywhere, and, indeed, with certain modifications, it would seem that education in general should be such as to enable all who benefit from it to enjoy "a more abundant and efficient life in their own environment;" and also that education should equip all to cope satisfactorily with the problems which they have to meet in their daily living.

(b) *The Church and Education:* The United Church of Canada regards as unsound the principle of the Act, whereby children are segregated according to religion. The provision in the Act is as follows:—

Such school shall be the nearest available school of the kind required, and no Protestant child shall be assigned to a Roman Catholic school or a school conducted under Roman Catholic auspices, and no Roman Catholic child shall be assigned to a Protestant school or a school conducted under Protestant auspices.

We believe that this principle tends to make the schools less effective,—especially on small reserves, and the application of the rule makes for constant trouble.

It is the considered judgment of the United Church that the time has come seriously to consider the establishment of Indian education on a completely non-sectarian basis, making provision at the same time for the missionaries to be given a limited amount of time each day for religious instruction, on the same basis as this privilege is granted in a number of the provinces. We recognize, however, that changes in matters of such long standing and which touch the religious faith of so large a proportion of our fellow-citizens are not likely to be made in a day; and, in the meantime, the United Church is ready to cooperate with the government in carrying out its educational policy, provided, as has already been stated, that this cooperation will not be at the expense of the missionary funds of any church which does not insist on the maintenance of the status quo.

Specifically, the United Church resents being criticised for failure to provide adequate food and clothing in residential schools, and for not engaging highly qualified staff in sufficient number, when the failure arises from the lack of grant provided by the government and the House of Commons,—which has consistently starved the educational department of the Indian Affairs Branch. We do not insist on retaining our schools as denominational schools, but we are saying that so long as the law makes this necessary, then the government which “calls the tune should pay the piper.”

The United Church would welcome the establishment of a “pilot” residential school by the department to establish costs to be paid to all schools. We are of the opinion that the monetary contributions of the churches throughout the years in maintaining residential schools would then be discovered to have been enormous; and, whilst it is perhaps too much to hope that the country would make adequate returns to the missionary societies for these expenditures, yet the discovery of the hundreds of thousands of dollars that have been paid might place the action of the churches in maintaining these schools in a more favourable light.

(c) *Residential Schools and Day Schools*: Whilst we believe that the day school is the normal method of education for Canadian children generally, and might therefore be the normal method for the education of Indian children, we recognize that educational methods are changing and always must change, and also that the life which the Indians live is not the normal life of the average Canadian. We would therefore suggest that the needs of Indian children in the various sections of Canada be studied by competent educationists, with a view to determining the type of education best fitted to meet these, and that any new school built be of the type—day or residential—best fitted to meet the situation.

With regard to existing schools—particularly residential schools,—the same study should be carried out, so that renewals and replacements may be made with a view to meeting the needs of the people to be served rather than the protection of seemingly vested interests.

We believe that in the establishment of any new residential schools, either to replace those which have been destroyed by fire or in the development of future policy, more study should be given to determine how a residential school can provide the home atmosphere which is essential to the normal development of a child rather than with the idea of building up a large institution. We believe that such a study might indicate: (1) that, instead of having large dormitories, such as existing schools possess, there should be a cottage system; and (2) that these schools might be established in proximity to centres where the children could be housed together but receive their education in the ordinary schools of the communities.

This would necessitate compensation from the federal government to the local school board, which should not be beyond the possibility of working out.

We urge very strongly that immediate steps be taken to provide education beyond what is at present given in either day schools or residential schools. We recognize that in some places provision has been made for pupils to attend secondary schools, but, in general, comparatively few Indian children go beyond grade VIII.

We do not approve of the suggestion of setting up residential schools designed to provide secondary or vocational education, thus continuing the segregation of Indian pupils from other members of the community. We believe that the need for the higher education of Indian people is very great but we think that children should obtain this, as far as possible, in schools where they will come in contact with children of other races.

This will present many problems and bring many heartaches, but we believe that only in this way can we come to understand one another. Our faith in the capabilities and possibilities of Indian children is such that we think that free intercourse in educational institutions will eventually prove their capacities to themselves.

We would suggest that rather than building separate residential schools for secondary and vocational education, hostels might be established in certain towns and cities, to which Indian children might be sent, and we believe that the churches could render a useful service and make a worthwhile contribution if they would agree to provide the persons who would supervise such establishments for the government. It might be that as a step towards a better system of education the churches would be willing to cooperate among themselves, so that as a beginning it would only be necessary to have two sets of these hostels—one Catholic and one non-Catholic.

(d) *Day Schools*: Whilst the United Church does not believe that, for the present at least, only one type of school can meet the educational needs of the Indian people, yet we would urge on the government the extension and improvement of the day school system.

1. The buildings should be modernized as speedily as possible. Some of the new buildings which have been erected by the department in recent years are models of their kind; but far too many of the day schools on Indian reserves lag behind the rural public school buildings of the provinces and are really no credit to the department.

2. The United Church thinks that the time has come for the department to study the possibility of co-operating with the provinces so that some way may be found of teachers being allowed to maintain their pension standing with the provincial educational system whilst they teach in the Indian schools. We recognize that this is a very difficult problem, and we commend the department for the proposal to set up its own pension system for teachers; but, at the same time, with the limited number of schools which the department operates, we believe that it will be very difficult to get the best teachers under this system; and, further, that it would be greatly to the advantage of teachers in Indian schools if they could have a period of teaching in the ordinary schools of the provinces from time to time. There should be free interchange of teachers rather than segregation as at present.

III. HEALTH

The United Church would like to take the opportunity of saying that the extension of services by the department, looking towards the better hospitalization of Indians and the eradication of tuberculosis is greatly appreciated, and we would earnestly hope that this policy will be extended.

The fact is that the development of health services for the generality of the population of Canada is becoming a recognized function of government rather than being left to private enterprise, and it should be a matter of satisfaction that the Indians were the first to receive this service.

The United Church hopes that when such institutions, i.e., hospitals and sanatoria, are built they will be operated by the department without any question of denominational affiliation. Our request is—

1. That the department build and equip as speedily as possible hospitals and sanatoria in all parts of Canada where such are needed for the adequate care of Indian patients.

2. That it staff these institutions with the best possible staff, chosen without regard to their religious affiliations and solely on the basis of professional capacity.
3. That it continue the policy whereby free access is allowed to representatives of all religious denominations to visit the patients of their respective communions, thus bringing the help of spiritual agencies to the healing of body and mind.

May we point out that leaving this matter to the churches leads to unnecessary duplication. We should like to call the attention of the committee to a report made by Dr. G. J. Wherrett to The Canadian Social Science Research Council, and particularly to the part of his report dealing with hospital services. We would quote from this report as follows:

One is amazed at the number of hospital beds which are to be found in the Mackenzie River area and appalled at what little use is made of them. In the Yukon and Northwest Territories, the ratio of hospital beds per 1,000 population (30.1) is four times that of British Columbia, which has the highest hospital bed complement of all the provinces. But in the Territories there are, on the average, at least 150 beds, or two-thirds of the total, unoccupied every day of the year. When these hospitals were visited, they were practically empty. As an example, at Aklavik, where the two mission hospitals provide seventy-five beds, there were only five patients under treatment. It is true that it was the period of the year when the hospitals have the fewest number of patients, but a study of the records show that only on rare occasions, such as the influenza epidemic of last year, are the beds at anything like full occupancy. One feels that there has been a lack of overall planning in the construction of these hospitals, and certainly duplication in the case of Aklavik. On the other hand, the writer feels that the missions have been sincere in their efforts to bring hospital services to the people, and the department has been singularly lacking in providing leadership and advice in location, construction, services rendered, and equipment.

The duplication to which Dr. Wherrett refers arises from the fact that hospitals are in some cases considered as part of the missionary efforts of the church, and one church cannot afford to allow another to get ahead of it in this matter. The only solution to this is the setting up of department hospitals with the right of the churches to visit the patients in them. We would associate ourselves wholeheartedly with the section of the brief submitted by the Church of England in this regard.

IV. SOCIAL SERVICES

The United Church is of the opinion that there is no reason why the Indian people should not participate in any old age pension scheme set up by the Dominion government; and is of the opinion that, in the administration of the scheme, the same conditions should apply as in respect to the old age pension scheme generally, with such modifications as may be necessary to meet the difference in status of the Indian people—that is to say, without provincial contributions.

V. CITIZENSHIP

The attention of the committee has already been drawn to certain phases of the reserve system and the part which it plays in retarding the progress of the Indian people. The United Church believes in principle that the rights and responsibilities of citizenship should be extended to the Indian people—especially

to those who have manifested a desire for the same and who are obviously ready for full participation in the rights and responsibilities of citizenship.

We further request the government to give special attention to the possibility of enfranchising, not only individuals, but whole bands, where the general progress indicates that the people are ready for it, and where the majority of the people express a desire for enfranchisement. As a step towards this we would recommend that the rights of self-government on the reserves and the duties devolving upon the council be extended until the members of a band, through their council, operate in general along the same lines as the council of a rural municipality.

Finally, the United Church would again express its appreciation of the services which the officers of the department try to render to the Indian people. Frequent contacts with the officers in Ottawa and with the members of the department on the reserves leave the impression of a group of people who are sincerely trying to serve those committed to their care, and we think that the people of Canada as a whole should know of the service which the officers of the Indian department are rendering.

We would also place on record our appreciation of the courtesy with which the ministers who have been in charge of the Department of Indian Affairs from time to time have received the representations of the churches, even though they have not always been granted sufficient funds to meet what we considered to be the reasonable demands which have been made.

All of which is respectfully submitted.

Mr. GARIÉPY: In connection with the school building which was very poor, I would ask which school that was.

The WITNESS: It is one of the northern Manitoba schools.

By the Chairman:

Q. Well thank you very much Dr. Dorey. Now are there any other briefs to be presented by your delegation?—A. No, sir.

Q. Now we adopt the policy in the committee of hearing the briefs and then permitting questions to be submitted to the witness. If it is your pleasure, now, gentlemen, we will have a period of questioning by the members of the committee. Can we, on the first round, limit ourselves to say ten minutes as has been our custom. Since we went counter-clockwise the last time I think we should go clockwise this time.

Mr. MACNICOL: Are there to be any more witnesses?

The WITNESS: No.

The CHAIRMAN: Dr. Dorey did introduce Dr. Smith to us while he was reading the brief and I presume he and Dr. Woodside will be able to answer any questions.

The WITNESS: Yes, they will be able to speak for themselves.

The CHAIRMAN: Well, you will be first Mr. Castleden.

By Mr. Castleden:

Q. I have a few questions. With regard to secondary education, how many of the pupils who go through your schools, take work in grade IX? I mean what is the percentage? Have you the figures for the United Church schools?—A. I could not answer that. The department could probably give the figures.

Q. They have lumped the figures together for the various residential and day schools but I wondered if you had the figures for your own church organization?—A. No.

Q. With respect to the matter of inspection, how are your schools inspected?—A. It all depends on the province.

Q. Are they inspected by the provincial inspectors?—A. Not in British Columbia. In British Columbia the inspection is by the department inspector and in the other provinces it is by the provincial inspector.

Q. What happens to the inspector's reports? Are they received by the principals of the schools to be acted upon or are they sent to the department, in which case you do not see them at all?—A. I understand all reports go to the department and are considered then as public documents.

Q. Considered public documents?—A. I understand all reports of the inspectors and of auditors go to the department and are public documents and are not available for circulation.

Q. They would be government documents then and not available?—A. Well I do not know the difference.

Q. Perhaps Mr. Hoey could explain that.

Mr. HOEY: They are official documents.

Mr. CASTLEDEN: Official documents?

Mr. HOEY: Yes, and they are made public only by a motion of a member of the House and the motion is debatable. That has always been the situation with respect to government documents.

Mr. CASTLEDEN: Does the teacher in the school not have a copy of the report?

Mr. HOEY: No. What really happens is the school inspector reports to the department and excerpts are extracted from the reports relating to the work of the teacher and sent either to the Indian agent or to the teacher or both. Very frequently, as Dr. Dorey knows, they are sent to him drawing his attention to good work or poor work as the case may be.

By Mr. Castleden:

Q. Now with regard to secondary education, how are pupils chosen? How do they select which pupils shall go on to high school work?—A. In the residential schools pupils who are recommended go on just the same as in the ordinary schools and when they get beyond the grade which is taught in that school a request is made to the department to send them to a secondary school, as is the case in Brandon. The department cooperates very readily and very quickly.

Q. How are the expenses paid at the higher schools?—A. By the department.

Q. On what basis?—A. I understand the department pays the same per capita rate as when they are living in the school, which makes it possible for them to meet whatever expenses are needed outside.

Q. Some of the Indians have complained to us that they have difficulty in getting students through. First of all I believe there has to be a recommendation from the Indian agent on that particular reserve. Have you been able to provide facilities for all students who desire to take higher education?—A. We have never been refused by the department the necessary help for pupils who have been recommended by the principal for further study.

Q. Students who have been recommended by the principal in what schools?—A. Residential schools.

Q. But what about day schools?—A. Day schools are really government schools and we have very little to do with them.

Q. Students coming from day schools might want to have high school training in a residential school?—A. That is not the concern of the church, that does not come under our purview.

Q. Those students from day schools might not have the opportunity of taking high school?—A. They all go through the agent and the request would not come to us, as a church, except that the missionary might say "There is a child on that reserve going to day school who might be a good subject for

further education", and we would take it up with the department and give them the names, and I must say that we have always had cooperation from the department.

Q. With regard to staffing your high school, do you have a salary scale and a superannuation scheme?—A. Our salary scale is limited by the amount of money which the government gives us as a per capita grant. If the total amount necessary to operate a residential school is not sufficient through the per capita grant and whatever comes from the fund, then we have to make up the difference. That is our objection and that is why we say the government ought to assume full responsibility.

Q. You say you are not able to carry on and provide the facilities that you would like to have because you need more money?—A. We cannot provide them.

Q. That is the point I wanted to bring out.—A. May I say, Mr. Chairman, the four churches which have cooperated with the department in the operation of residential schools, have again and again pointed out their difficulties to the minister and I find in the appendix to the brief submitted by the Church of England, that our joint representations are shown there.

Q. Now with regard to hospitals, do you operate any hospitals at all as a church?—A. Yes we do.

Q. How many and where are they?—A. We operate four hospitals in British Columbia mainly for Indian people.

Q. And you are of the opinion hospitalization should be made non-denominational?—A. That is our opinion, yes.

Q. I agree with that. And how about Aklavik, have you any in the Northwest Territories?—A. No, the work in the Northwest Territories and the Mackenzie district, as far as the Protestant churches are concerned, is solely in the hands of the Church of England.

The CHAIRMAN: Now, Mr. MacNicol it is your turn. I might say that it is 11.50, just so there will be no question, about time.

By Mr. MacNicol:

Q. Mr. Dorey, on page 3 you make the statement "No church should be asked to expend directly any of its missionary funds on Indian education to make up that which is lacking". Are funds collected for education as well as missionary work?—A. Not as far as we are concerned. It is all part of the missionary funds of the church. The church raises a certain amount of money for its general interests, outside of the local congregation, and we allot a certain amount for these different things. As a member of the home missions, when we come to our residential schools, we have, in some cases, to make fairly substantial grants because of the limited scale on which they are operating. The per capita grant is not enough and the churches together have conferred on the matter and we have discovered that what is true of our church is also true of the other churches.

Q. Well if the government takes over the whole cost of education, on what would the church expend the money?—A. On missionary work and social work on the reserve. We could find plenty of use for the money. I might say, for example, if the chairman will permit me, that we have spent nearly \$5,000 at the Morley school. That school is not in an area where there is a productive farm and if the government paid the whole cost of education, as we think it should, then we would have \$5,000 to provide social services for example. A social worker could be obtained and various other kinds of work could be done.

Q. You made reference to the condition of the Indian school houses?—A. Yes.

Q. I have quite a good idea what you mean. Would you favour the government setting up plans for a standard school and sending out prefabricated schools

for the use of the various reserves?—A. I do not know, Mr. Chairman, that such action would be feasible because reserves differ in size and location and the type of work that should be done. For example, the department is making an experiment with the Muncies on the Caradoc agency. Those Indians live in a certain environment in Ontario and their education should be of a certain type. On the other hand, let us say, the Indians at Oxford House or Cross Lake may require a different type of school and a different type of education. If Mr. MacNicol means the standard pattern for an ordinary one-room day school that might be possible.

Q. That is what I had in mind. On page 4 you made the observation "the government should provide education for all Indian children between the ages of 7 and 16". Beyond 16 what happens?—A. Well we have gone on to say that as far as higher education is concerned they should be beyond that. We would favour continued education up to eighteen and beyond that, if the Indian child shows the capacity. However, seven to sixteen is the age which the department is following, in line with the pattern of the general provincial requirements which say that a child should attend elementary school.

Q. In the schools under the direction of your church on Walpole Island and at Moraviantown and at Muncie, the teachers have done an excellent job according to my observation. They pass many children through those schools to high schools. Do your children go on in the other reserves?—A. I understand that some of them do.

Q. And make good too?—A. Certainly. There is no difference in the intellectual equipment of a child just because he happens to be born with a certain pigmentation in his skin. That is my observation and I have visited most of the Indian reserves on which we operate. I have not visited some of the far northern ones but I have been in close touch with this Indian work for ten years.

Q. Do any children from your school at Norway House go away for higher education?—A. A few of them go to Brandon, but not very many.

Q. And from Brandon what do they do?—A. There are always a few from Brandon that go to high school or to the Brandon Collegiate Institute.

Q. Do they pass from there to teachers or do they enter the professions?—A. We have had one or two teachers. One teacher, Ewart Monias came from one of those northern reserves. I am not sure whether it was Norway House but he returned to teach at Nelson House.

Q. Is the school at Fort a la Conne under your jurisdiction?—A. No, I think it is the Church of England.

Q. It does good work no matter what church it is under. I have only a couple more questions Mr. Chairman, and I will finish on time.

The CHAIRMAN: Did you say you were through?

By Mr. MacNicol:

Q. No, I have one or two more questions. You are fairly emphatic that day schools should be under non-sectarian control?—A. That is the opinion we hold.

Q. And you think that clergymen of any other denomination should be permitted to enter those schools to teach their religious exercises after the day school has been closed or during school hours?—A. I understand in some of the provinces, I am not as clear on this as I should be, but I understand that it is part of the school day. In Ontario the Department of Education and the school boards allow clergymen representing different denominations to give a certain amount of religious instructions in the schools.

Q. In the room in which the members of that congregation go?—A. No, they arrange it cooperatively in a number of cases.

Q. Protestants and Roman Catholics together?—A. Well in Ontario you have a system of separate schools.

Q. Oh yes. Now with respect to your last observation I quite agree with you. Hospitals should be under the direction of the department entirely and here again you say, according to your report, that all churches should be allowed to send their church representatives into the hospitals to visit their own people.—A. I would go further than that. I would say, Mr. Chairman, it might have to be arranged that the department would pay the services of a chaplain where there was a fairly large hospital.

Q. You would not think that the chaplain would refuse the salary?—A. I beg pardon?

Q. You do not think the chaplain would refuse the salary?—A. I understand the question now and I do not think so, Mr. Chairman.

By Mr. Charlton:

Q. Have you any idea of the excess over the amount of the government grant you pay out on education in residential schools?—A. No, but I think the brief of the Church of England would give you an idea of what it cost that church. They are in a better position, probably, to answer that question than others because they have a central administration; and you will note in their brief that they have an overdraft of a very considerable amount. That is what it cost them over and above the grant. And that is to operate a residential school on a rather mediocre basis, and no provision is made for the superannuation or retirement or pension of the principal or anyone else.

Q. You have not any idea just what you would consider the grant should be to fully pay for the operation of these schools?—A. No, Mr. Chairman, that is why we have suggested in the brief that the department should set up a "pilot" school to find out how much it really does cost.

Q. Now, you have stated that there should not be any addition to the residential schools. In other words, you have intimated that rather than have residential schools, cottages should be built, for instance, for the children to live in when they attend schools in the larger centres?—A. No, the brief means this, that where a new residential school is going to be built, either replaced or in the extension of the system, that there should be a new system, a cottage system, rather than a big dormitory system. I do not see how you can take any existing residential school and make the change over night.

Q. I did not mean that. You say in the brief: "(1) That, instead of having large dormitories, such as existing schools possess, there should be a cottage system."—A. Yes.

Q. "(2) That these schools might be established in proximity to centres where the children could be housed together but receive their education in the ordinary schools of the communities."—A. Yes.

Q. Now, the question I want to ask you is this: Where there are existing residential schools would you be averse to changing them to vocational schools, where the residential school was thought to be no longer of any value?—A. We would have no objection; and we question the advisability of segregating Indian pupils any longer than is absolutely necessary.

Q. I quite agree with that. It would appear, however, with those schools that are there now that probably some good use could be made of them; and you would not be averse to using them partly for Indian vocational training, for instance?—A. No, not if that was the best thing that could be done with the schools and the best thing that could be done for the Indians. We will do everything we can to help the Indian children.

Q. I thoroughly agree with the second part—to let children go to the community schools. Now, with regard to enfranchisement, I see in another part of your brief you mention enfranchisement of all bands.—A. Yes.

Q. After a vote, of course?—A. Yes.

Q. Do you think that would be in the best interest of the Indians? What percentage or majority would you consider necessary in that case?—A. Well, I think that is a matter that would have to be considered by the bands who have made application. I would say that one of the main difficulties to enfranchisement is this: one individual or two individuals or 50 per cent of the band might want to be enfranchised as individuals, and they would go out and take with them their share of the band funds and then leave the land there as well, and there is always a reluctance to break up a band. My experience with the Indians is that they have a considerable feeling of solidarity. If you enfranchise them as a band all you would be doing would be saying that this is a township that is now ready to assume its place in the body politic. Some of the reservations are so small that they would not constitute a township.

Q. You would take that out of the hands of the government altogether? Now, would they be subject to land taxation according to that municipality, whatever they want to charge their land holders?—A. Why should they not be? They become part of the general body politic of that province. There might be an intermediate step; but ultimately that is what is going to happen.

Q. And the trust fund now would be turned over to them to be used as they wish?—A. I presume so. My judgment is that is the only way they will learn how to use their money; that they cannot learn how to use their money as long as father keeps hold of them.

Q. Some people are against that system; some of the Indians?—A. I would not force it on the Indians who did not want it.

Q. That is all.

By Hon. Mr. Blais:

Q. In your quotation from the report of Dr. Wherrett to the Canadian Social Science Research Council you said that this gentleman was absolutely surprised to find that all the hospitals which have been built along the Mackenzie River were almost empty when he visited them. Do you not think that the fact that these hospitals were empty was due more to the rigidity of the law of the service than otherwise?—A. I have read the report which Dr. Wherrett made. I assume that Dr. Wherrett is a competent observer of matters having to do with hospitalization and medical services. I would not like to say that the reason why the hospitals were empty was due to rigidity. I think that what Dr. Wherrett is pointing out is that where there are two hospitals in one place where one might do, if we had a departmental scheme there would be only one hospital in that place. I think that is all Dr. Wherrett's opinion can cover. To express my feeling, I think it might be well for the committee to discover what Dr. Wherrett himself thinks.

Q. In your residential schools do you receive pupils from all denominations?—A. No, sir, we are not allowed to.

Q. Do you teach your pupils religion in your school?—A. Yes.

By Mr. Harkness:

Q. Your brief is very good, clear and concise, and I would like to compliment you on it. As a result of that I have not many questions to ask you. I would take it from what you say with regard to general considerations of administration that you would advocate the removal of the permit system under which an Indian has to have a permit to dispose of his live stock or anything else he produces; is that correct?—A. Well, it would depend upon cases. I understand that at the present time that applies only to western Canada anyway.

Q. Your general attitude would be, however, that those restrictions should be removed as fast as conditions warrant it?—A. Yes.

Q. On page 4 under "Curriculum" you say: "The general policy is to assume that the provincial curriculum should be carried out," and so on. Now, do I take it from this that you would favour a curriculum to apply to the Indians across Canada rather than to have them continue to follow the provincial curriculum?—A. I would not suggest that they should have a dominion curriculum to replace the provincial curriculum, but I think there should be zones of administration of Indian matters and that in a certain area the type of curriculum would be, for example, the curriculum to suit the Indians, say, in northern Manitoba. The curriculum of the northern Indians, for example, would not be the same type of curriculum which would be used in the southwestern Ontario agencies. I think there would have to be a number of curricula.

Q. I agree with you. What I was trying to get at was: Do you think it is an advantage to follow the provincial curriculum as far as possible?—A. If it were modified very considerably. The provincial curriculum of Manitoba, as an illustration, is designed to meet the needs of the farming population and of the great city of Winnipeg. How you can reconcile the two, I do not know. I leave it to them. It is obvious it would not fit the needs of the northern Manitoba Indians. You can take the very basic subjects and apply them in both cases.

Q. We have had evidence presented here advocating that there should be a curriculum for Indians, you might say, across Canada with local modifications. I wonder if you would agree with that or whether you would think it better to follow the provincial curriculum as far as possible in order to make it easier for pupils who go on to secondary schools to fit into that system?—A. I certainly feel that the provincial curriculum, with all its weaknesses, is better than a dominion curriculum.

Q. On page 5, in regard to segregation according to religions, you say: "We believe that this principle tends to make the schools less effective, especially on small reserves, and the application of the rule makes for constant trouble." Can you elaborate on that a little? How does that come about? What is back of that statement?—A. Well, the difficulty is precisely in the definition of the term. It says: "No Protestant child shall be assigned to a Roman Catholic school." What is a Protestant child? We run into that difficulty, and their is always the question of people who think there is a certain advantage to be gained by shifting from one school to another. I do not think it is confined to either group, or that the change is a one-way street. There are constant difficulties of administration. I think that anybody who has to do with the administration of these regulations will give you many instances. As I understand it, a Protestant child or a Roman Catholic child is being defined as a child whose father is of that particular religion or whose guardian desires the child to be educated in that faith. Now, sometimes the father is not particularly interested and the mother takes a definite stand. That has happened.

Q. Do you think there is anything in the viewpoint put up to us by some Indians that a certain number of them actually still believe to a large extent in their own native religion and that they are denied freedom of religion in that regard to the education of their children they have to profess either Roman Catholicism or be members of the Church of England, the Presbyterian Church, depending upon what church happens to have a school available for their children to go to?—A. I think the best illustration of that will be found in the Six Nations reserves in Ontario. Probably these is a larger proportion of the Six Nations Indians who identify themselves as of aboriginal beliefs than on any other large reserve in Canada. I do not think there is very much difficulty there. I think the aboriginal peoples of the Six Nations, who belong to the Long House, as they call it—I do not know how far it is aboriginal, and I am not as sure as some people are about how much it is a belief.

By the Chairman:

Q. How much does it differ from Christianity?—A. I am not sure about that either. I do not think there is very much difficulty. I think this is something that has been conjured up. That is my belief.

By Mr. Harkness:

Q. You do not attach much importance to that?—A. Frankly, I do not.

Q. At the bottom of page 6 and the beginning of page 7 you say: "With regard to existing schools—particularly residential schools—the same study should be carried out, so that renewals and replacements may be made with a view to meeting the needs of the people to be served rather than the protection of seemingly vested interests." What do you mean by that?—A. I mean that if a school is destroyed or replacement or extension takes place, we all come to the place, Mr. Chairman, where we think that the school that we represent is the school that should be replaced, and it might be that there might be a change. I think the primary thing to remember is the needs of the Indian people; and anything that seems to be long standing might be disregarded.

Q. What you mean is that in building schools and making replacements of existing schools we should keep in mind the point of view of best serving the needs of the Indian people rather than protecting the needs of any particular church or the interests of any particular church?—A. Yes. I think there are cases where a church might very well be asked to make a change and to say, "We are quite prepared to allow this school to be used for some other purposes."

Q. In a case of that kind where a church owned the school, would you expect the church to be reimbursed by the dominion government for the money it put into that school? I think you would.—A. As far as we are concerned, we have no church-owned schools. We have sold them all to the dominion government.

The CHAIRMAN: You got good money out of them?

The WITNESS: Well, I do not know. It was long before my time.

By Mr. Harkness:

Q. What proportion of the teachers in the schools you operate are qualified teachers in that they have normal school training and so forth.—A. I could not say, Mr. Chairman, because the thing varies from time to time. We try, as a policy, in operating residential schools to have only normal school trained teachers; but I think every member of the committee knows that there are actually in Canada at the present time, in the ordinary public schools, thousands of teachers who are teaching on permits. I do not think my figure is too high. We have to do the best we can. But actually we are getting applications at the present time from teachers duly qualified for teaching positions in residential schools.

Q. Would you have any idea of whether half your teachers are qualified?

—A. More.

Q. Three-quarters?—A. I would say that in our residential schools we can show very many—about 75 per cent—who would be fully qualified teachers.

Q. Now with regard to the difficulties in financing which you mentioned, I know something about that as far as that matter is concerned. Mr. Staley did an excellent job, but he was always under a terrific handicap to go out and raise funds from whatever source he could get funds. Is that a sort of general thing?

—A. Mr. Staley never raised any money.

Q. My understanding was that he did; that he would be short several thousand dollars and he would at times have to go out to visit various people in Calgary and so forth to secure sufficient funds to meet expenses.—A. Well, Mr. Chairman, I would like to say to Colonel Harkness that that is the first I have

ever heard of that. It may be that Mr. Staley was referring to the fact that the principal of the school had to spend a good deal of time operating a farm so that he could make money.

Q. In that particular case there was no farm.—A. Well, he operated a mink ranch, and he fattened some hogs; I think that is what Mr. Staley had in mind—the amount of time it took him to do those things.

Q. I may say that Mr. Staley did not tell me this, but various other people told me about it and deplored the fact at different times.

By Mr. Raymond:

Q. At the bottom of page 3 you state: "One can only doubt whether the government is serious about education when one reads the report on one school building on an Indian reserve made by an inspector . . ." and so on. Do you refer to a day school or a residential school?—A. A day school.

Q. I wonder if there are many buildings of that kind that you have found?—A. I would be sorry to venture an answer. Well, I will put it this way: there are far too many, and some of the residential schools are far from what they ought to be.

Q. Now, Mr. Dorey, would you care to make any comments concerning liquor in so far as the Indians are concerned?—A. Well, I just make this comment that the Indians are human beings like anyone else and subject to the same temptations—probably a little more so. I have read in the newspaper what the representatives of our sister church said to you on Tuesday, and I think it was Father McKay who feels that the Indians should still be kept under pretty strict regulation—and I rather agree with him. But this is a matter of opinion. I think liquor is a very bad thing for anybody. Certainly it is particularly harmful to the Indian people who are in many cases still not far removed from the primitive. However, I would not like to make any comment except to say this, that I do not think much weight should be given to enfranchising the Indian and removing the restrictions just to see that he can have a drink. I do not think that that is very high ground for removing any limitations.

Q. Thank you.

By Mr. Farquhar:

Q. On page 2, Dr. Dorey, you refer to the administration arrangement whereby Indian affairs administered as part of a larger department. Just what is your main objection to having the health of the Indians administered by the Department of Health?—A. I think, sir, that that is one of the worst things that ever happened to the Indian Affairs Branch. I cannot understand why in a day when the whole tendency is to get things more or less streamlined we should go back to dividing things up. Anybody who knows anything about Indian administration knows that the Indian agent is the father and mother of the community. Now, he is employed by a certain department of the government. Then, along with that you have medical services, and presumably, according to the set-up, there would be nobody to centralize expenditures and that sort of thing—the general administration. Personally, and I think I speak for the church in this matter, and as far as I can gather all the churches are in agreement on this—it is one thing on which we are in agreement, and there are many others too—we may not agree on the services—but I can say we believe there should be a department of the government with the final set-up, with a deputy minister and so on, dealing entirely with everything that has to do with Indians so long as we are going to have Indians. If it is decided that all the Indians are to be enfranchised, of course that question does not arise; but I do not think any government is going to pass that kind of legislation. Therefore, in the meantime we think everything should be under one department. What department it is does not particularly concern us.

Q. We are very glad to have your comment on this because many of us feel the same way about it.—A. May I ask, Mr. Chairman, if I may enlarge on this?

The CHAIRMAN: Certainly.

The WITNESS: I think the time has come for Indian administration to have a certain number of commissioners appointed for certain regions. There was a time, as members of the committee may know, and some of us who are older will remember, that Indian Affairs, concerning Indians on the prairies, were in the hands of a commissioner who had under him a certain number of inspectors, and he had a certain authority. That system seemed to work very well. The present administration in British Columbia under Commissioner MacKay seems to be almost ideal; maybe because, if I may say, you have an almost ideal man to manage Indian work in that province. But if you are going to have that system you must give the man some authority.

Now, there is another thing I wish to refer to in regard to Indian administration, and this is based on experience: some way should be found whereby the commissioner and the senior officers should be relieved of a lot of routine so that they can travel around and see their constituents. I think, for example, that Major Mackay could do even a better job than he is doing—I hope he will pardon me for saying so—if he had more time to visit his agents and become acquainted with the local problems. He cannot do that with the kind of routine administration which he has to look after, and because of the fact that expenditures for travel are not looked on with too much favour because there is only a certain amount of money available. That is my feeling.

Q. On page 3 of the brief I see these words: "Devolution of responsibility in general administration should be carried out and decisions on routine matters should be made by the man on the ground rather than as at present have to be referred to the officials at Ottawa."

Q. Do you refer there to the Indian agent or to the band or band council?—

A. To the Indian agent, on matters of general administration. I think, sir, you ought to ask the officers here in Ottawa how many small matters having to do with minor details in the field have to be referred to them for an O.K.

Q. Some of the recommendations made to this committee have been that the Indian agent on the ground has too much responsibility and some of that responsibility should be placed on the band or on the band council. Would you give us your views on that?—A. I think as an intermediate step the agent might very well be a sort of reeve and the council and he should get together. At the present time the council has not a great deal of authority. I think it should have more authority with co-operation of the agent. Now, if you are going to do that you have to get the type of Indian agent appointed who is likely to make a success of it. I would like to say to this committee that I have been meeting Indian agents since I was first in the country, and that is a long time. Certainly I have met, in the last ten years, a great number of agents. They are, on the whole, good men. The old type of agent who is reported to have done certain things has pretty well passed. Your agents are now decent and responsible people but the agent happens to consider himself a representative of a policy and a system which will not allow the Indians to have very much responsibility. When we get a certain type of man attracted to the Indian service, who is, we will say, a university graduate, who has had some experience in affairs, then I think you will get a much better result. The possibility will then be that the Indians and the agent will learn to co-operate together even better than they do now.

The CHAIRMAN: Mr. Farquhar, I wonder if you would permit me to interrupt at this time. There are many members of the committee that have to attend another function which is at 12.30. They must be there then, and since we have made such good progress this morning I wonder if you would agree to come back at 4.00 o'clock? Would that be agreeable, Doctor Dorey?

The WITNESS: Well, Mr. Chairman, I suppose it will have to be all right.

The CHAIRMAN: I would not like to put it on that basis.

Mr. HARKNESS: I think we would be better off to complete the hearing this morning, there may be just a couple more members who wish to ask questions.

The CHAIRMAN: I was thinking that other members of the committee might have questions of the other witnesses.

Mr. FARQUHAR: As far as I am concerned I will be very brief.

The CHAIRMAN: There are others, and I am just wondering what the members of the committee think.

Mr. CASTLEDEN: Two of the members have already gone.

Mr. FARQUHAR: Well, possibly those who have gone have already asked their questions.

The CHAIRMAN: It is up to the committee.

Mr. FARQUHAR: I think we should try to continue.

Mr. Matthews, vice-chairman, took the chair.

By Mr. Farquhar:

Q. The only other question I was going to speak on and it has already been asked and answered fairly well, is in connection with citizenship. Do you find that there are any very general requests for enfranchisement among the Indians? Our experience here has been that there has been very little request for enfranchisement and that most of the Indians wish to retain all their treaty rights and remain wards of the government and I was just wondering if you had found any very widespread requests for Indian enfranchisement?—A. It would depend on what you meant by enfranchisement. If you mean enfranchisement as set out under the Indian Act whereby an Indian cuts himself away and becomes a white man, losing his rights on the reserve and everything else, I would say the demand is not widespread. If the demand is in the sense that an Indian should have certain privileges whilst retaining certain rights on the reserve I think the demand is widespread. I think generally our British Columbia Indians on the coast favour it far more than where they are on well-established reserves with fairly large agriculture holdings. I think in general the Indians want to have the right to vote but they do not want to give up certain of their rights. When we talk of enfranchisement we are thinking about what the Indian Act contemplates.

Q. I think that is all, Mr. Chairman.

The VICE-CHAIRMAN: You are next, Mr. Richard.

By Mr. Richard:

Q. You mentioned four churches, engaged in this work and I do not know which the fourth church was?—A. The Presbyterian church.

Q. The continuing Presbyterian church?—A. Yes.

Q. In the matter of cottages or the cottage system that you have suggested, do I take it that would mean in connection with the future construction of residential schools?—A. Yes, sir.

Q. Where pupils are attending residential schools or community schools you suggest the cottage system. What advantage would that have over the system now in vogue?—A. It approximates more closely the family life.

Q. It would be quite costly to organize.—A. Yes.

Q. We would really have to have someone in charge of every cottage to represent authority?—A. Yes, you would have to have a house mother in every cottage.

Q. That would be very difficult.—A. It is a system that they follow in the United States on a reserve not far from Buffalo, the Cataragus reserve.

Q. The only advantage you would say there is that it would be more home-like?—A. Yes. It is also in vogue in some other institutions, for example, there is a school up near here at Shawbridge, Quebec.

Q. I would say that would probably be practical in the case of older students but not with the younger ones.—A. They seem to have no difficulty at the Cataragaus school.

Q. In so far as non-sectarian schools or hospitals are concerned, where you have Indians on a certain reserve almost wholly of one denomination would you advocate non-sectarian schools in such cases?—A. Well I think I would.

Q. What advantage would that give you?—A. I think the advantage would be that you cannot have one system in one part of the country and another system in another. You cannot have denominational schools on one reserve and non-denominational schools on another.

Q. Well if you have a reserve where they all belong to one denomination and one church and the great majority of the parents wish to have a denominational school, do you not think their wish should be followed?—A. That might be, and I think it would probably work out as it has done in the public school systems in places where you have a whole bloc population. It tends, even in the non-denominational public school systems, to become pretty well what the people want.

Q. But even so, supposing you had a small percentage of people on that reserve not belonging to the particular church in the majority, their interest could be very well looked after could it not? No religion should be forced on people which they do not want.—A. No, and when we are discussing that it comes to a fundamental difference in philosophy.

Q. You pointed out or you gave us one reason for having non-sectarian schools because it would probably avoid certain friction that might come in cases where there is a difference of opinion between the parents whether a child should go to a Catholic school or a Protestant school. There may be friction there but to erase that difficulty you are over-ruling sometimes the desires of ninety per cent of the parents who wish to have a certain sectarian school there. It would be quite a sacrifice for them to make just to please those who have a little friction between themselves about where their child should go. Would it not be quite a sacrifice to people in certain areas to say "we cannot have a sectarian school because there is a certain percentage of us who cannot decide which school their children should attend".—A. I can see the point and I am quite prepared to admit it would have to be carefully looked at. Still, I think, on the whole, that education would not suffer if proper provision were made for religious instruction according to the desires of the majority of the people.

Q. Yes, if the parents feel that there is sufficient cause but sometimes they may not feel that way. My point is this. I think so far as religious instruction is concerned that their wishes should be respected very much and not be disregarded by the state who would say "This is best for your child". I think it is a continuation of the instruction they get at home as far as religious instruction in school is concerned.—A. Yes.

Q. This is quite a surprise to me and probably it will be to some of the members of the committee, to learn that some sections are over-hospitalized, if I may use the word. I would say I did not think that was true. I thought we had a lack of hospitals throughout every part of the country and I think we should probably look further into this and see why there is over-hospitalization in that particular section and it might be the fact that there is no one sick in that particular hospital or that they could not reach it.—A. The point I was trying to illustrate is so long as you have denominational hospitals the medical needs may not always be of paramount consideration.

Q. Well do you not think the churches, in that section, one, two, three, or four, as the case may be, should study the matter themselves? They are not going to launch into an expenditure which is not warranted just because another denomination is there?—A. Unfortunately our experience is that human nature operates even amongst representatives of the churches and sometimes they will do unwise things.

Q. I quite understand that. It would be all right if the church had so much funds and they were in every field and still had a surplus to set out in any territory where there was need but I would say that is not correct because there are so many fields where they should be. I do not see why they should be in a place where they are not needed now.—A. Dr. Wherrett is talking of what he saw at Aklavik.

Q. Yes, I know but it does not explain it to me why there is too much hospitalization there.—A. I would not say which church went in first or which went in second, but it might be interesting to the committee to study that. Then you might have the answer as to why the second church went in.

Hon. Mr. BLAIS: May I ask another question?

The VICE-CHAIRMAN: Certainly.

Hon. Mr. BLAIS: It may be a ticklish one but I would like to ask what is your stand on liquor and Indians?

The WITNESS: Senator, I do not think anybody should have too much liquor. The difficulty as I understand it in the first place is that the prohibition was put in at the request of the Indians themselves in the early days. Now our missionaries would feel, I think, that it would be helpful if it were continued. However, we all understand that it is very, very, difficult to enforce the law and I have not had the opportunity of going over the evidence given by the representatives of the Roman Catholic church but I think they were all motivated with the same desire as anyone else, that is to do the best for the Indians, and some of them felt that the prohibition should be continued. Others thought it might be removed. That illustrates the difficulty that very sincere men have in solving the question. I do not want to evade the question but that is pretty well what I want to say.

By Mr. Richard:

Q. I would like to ask a question in reference to that. I do not think I asked you before. I do not submit the white man has learned to handle liquor but does not liquor affect the Indian more than it does the white man. I recall in the old days when it was first introduced it was called "firewater".—A. I think it affects some people more than others but whether you can say it affects the white man less than the red man, by and large, or in communities or as individuals, I am not prepared to say.

Mr. GARIEPY: The angle in which the question was presented to us was not so much to give freedom of liquor to Indians but the point was that under the law the Indians cannot now get liquor. If they touch it at all they can be apprehended. That is a source of trouble especially now that some of the Indians are more than half civilized and go and do business in the larger centres. Second, when they get liquor in any quantity, fearing that they will be discovered, they drink it in a hurry and it has a terrible effect on them, especially when they go home and raise trouble. Now the point that was presented to us the other day was whether it would not be better to relax the law to some extent. Even on the reserves when liquor was introduced there would be more police protection and possibly in the end less abuses. What would you say if the problem was presented in that light?

The WITNESS: Mr. Chairman, I must say I am not an expert. I would like to hear what the missionaries would have to say. It is not one of the items that a man who is in charge of administration runs up against as do the missionaries on the reserves. I think you all agree that there are very grave difficulties as has been stated and how they are to be met is a very difficult question.

By Mr. MacNicol:

Q. Mr. Chairman, I would like to ask a couple of questions. I was very much interested in what Dr. Dorey said about the need for administration of the hospitals being under the Indian Affairs Branch. I just, so as to make it emphatically clear, will repeat that it is your considered opinion that hospitals for Indians should be under the Indian Affairs Branch?—A. Yes, as it used to be.

Q. I agree with that but I just wanted to be sure of what you said. I do not see how two departments can handle Indian Affairs.—A. I do not either.

Q. I would like you to tell us further about the Cataragaus school? Is there one big school, a four or five or six-roomed school, with cottages all about?—A. The Cataragaus reserve which is about thirty miles from Buffalo has a group of what they call cottages. They are really houses with sixteen to eighteen children in each, with a house mother. They are all around in a semi-circle. At one end is the school teaching room, the classroom, with everything up-to-date. At the other end is the residence of the staff and in the middle is the administrative building. It has a passage-way so that the children can go from one house to another and from the house to the school without being subject to the rain and snow in the northern New York weather. Now it is an expensive business but all things which are worthwhile cost money. It certainly costs a great deal more than is spent in Canada, there is no question about that.

Q. How many pupils would reside in each one of those cottages and are they in separate dormitories?—A. The seniors have separate rooms but the smaller children are grouped in large rooms.

Q. I spent several days at Aklavik and there are two rather fine hospitals there. They both do good work but I agree with you that they do only one-tenth of what they could do and that one hospital would be ample to take care of any possible present demand at Aklavik. As a matter of fact there was only one patient in one of the hospitals and that was an Eskimo. I suppose on a good many occasions the hospital would have more than one patient but Aklavik was one place you were interested in and I believe one hospital would be enough if it was operated by the department?—A. I am not prepared to say why there are two there.

Mr. GARIÉPY: Were they built with dominion funds?

The WITNESS: No.

Mr. GARIÉPY: By private sources?

The WITNESS: Yes.

Mr. MACNICOL: Supported by the Indian department?

The WITNESS: Yes.

Mr. GARIÉPY: Supported by a per diem allowance?

The WITNESS: Yes.

Mr. GARIÉPY: No patients, no money.

Mr. MACNICOL: They must be supported by the government because they are quite a size and they are well heated and that would be quite expensive. Perhaps Mr. Hoey could explain.

Mr. HOEY: Dr. Moore is here.

Mr. MACNICOL: How are the hospitals financed, Dr. Moore.

Dr. P. E. MOORE: I cannot say definitely about the capital cost of construction. I think the two institutions, like most mission hospitals, have received a grant towards the capital cost and the balance was provided from church funds. In case of those two hospitals in Aklavik up until very recently the government paid the salaries of two nurses in each hospital, they supplied drugs and dressings and other hospital supplies and paid a per diem rate for the maintenance of patients in the institution.

Mr. MACNICOL: What about the cost of heating them, did they advance anything toward that?

Dr. MOORE: No, that would be taken from the income paid to the hospitals on behalf of patients.

Mr. MACNICOL: Take the hospital at Winnipegosis, there is just one hospital there.

Dr. MOORE: Yes, at Winnipegosis there was a hospital not primarily built for the Indian population. A grant was made to the religious order that built the hospital at the time it was constructed. However, it is just another hospital in a Manitoba town where Indian patients are sent and where we pay a per diem rate for the maintenance of Indian patients when they go there.

Mr. MACNICOL: That was built during Mr. Crerar's ministry, but some patients come from the general population?

Dr. MOORE: Yes. At the Crerar hospital at Winnipegosis I think we have an average of about three patients per day the year round. There is a large half-breed population in that area—there are Indians and white people—they are citizens of the province of Manitoba, and either the municipality or the provincial government pay for the maintenance.

Mr. MACNICOL: You said it was operated by some religious order?

Dr. MOORE: Yes.

Mr. MACNICOL: You said there was a grant of \$25,000?

Dr. MOORE: I am not certain of the amount.

Mr. MACNICOL: It seemed at the time to be a large amount and there was a large grant at The Pas.

Dr. MOORE: There was a large grant made toward the construction of St. Anthony's hospital at The Pas.

Mr. MACNICOL: And that is operated by a religious organization?

Dr. MOORE: Yes; but that is a general hospital, and a per diem rate is paid for its maintenance.

By the Vice-Chairman:

Q. There are one or two questions I would like to ask Dr. Dorey. I would like to ask Dr. Dorey if he can give us some idea of the expenditures that would be made for education by the non-Catholic churches?—A. No, we have never totalled them up; but if you will refer to the brief which the Church of England gave you will find what it is costing them.

Q. Do they give it by provinces?—A. No, I do not recollect that they do.

Mr. HOEY: No, they have a central finance committee.

By the Vice-Chairman:

Q. Another question on which I think we practically all agree is the matter of giving greater responsibility to the councils of the bands; but would you think it wise to make that general or have it done by degrees? What I have in mind is

that some bands are less primitive than others. Some of those northern bands, according to the evidence we have received, would hardly be in a position to accept much authority, whereas others would be?—A. Some.

Q. Should that be adopted on a sliding scale; would that be practicable?—A. I do not see why it would not be practicable to devolve responsibility in various instalments. That has been done in other cases.

Q. That in itself would develop those bands?—A. I think so.

Q. In the matter of enfranchisement, we have had evidence from many witnesses among the Indian race that people were very much divided in that respect. Personally, I do not think it would be advisable to give the vote to the bands as a whole but only to individuals, because there seemed to be quite an objection raised in a good many cases. However, that is by the way. You spoke of competent educational studies being made. You have in mind studies such as have been made, I presume, by Dr. Andrew Moore. He has done a good deal of that work, has he not?—A. Yes, I think the department ought to be highly commended for having made a very serious study in recent years. Further, I would make the suggestion that there might be some value in having set up by the Indian department an advisory council such as obtained in Manitoba some years ago in which would be representation of the churches—so long as the present system obtains—and I am not saying that it is going to be changed over night—but the advisory council should be composed of educationalists and possibly one or two competent Indians, and should meet with the minister. I stress the minister because it will be necessary for him to confer with departmental officials from time to time and make recommendations, not about particular matters, but about matters of general policy.

Now, in Manitoba there were certain things that were definitely referred to this educational council. Mr. Hoey, who was the minister in the Manitoba government at that time, could tell you whether it worked or not. I think it might be very helpful to the department if in addition to having surveys made by competent educationalists there should be set up an advisory council.

Q. Now, there is one other point. Did I interpret your remarks correctly—because I think this is important? Is it a fact that if a regular teacher who teaches at any ordinary white school and leaves there and goes for a couple of years to teach in an Indian school he forfeits his right to a pension?—A. My understanding is that that is so; he forfeits his right under the pension scheme of that province for that length of time. It would depend on the province as to whether he could get back again.

Q. It seems to me to be a very important point.

Mr. MACNICOL: That is an important statement.

By Mr. Gariepy:

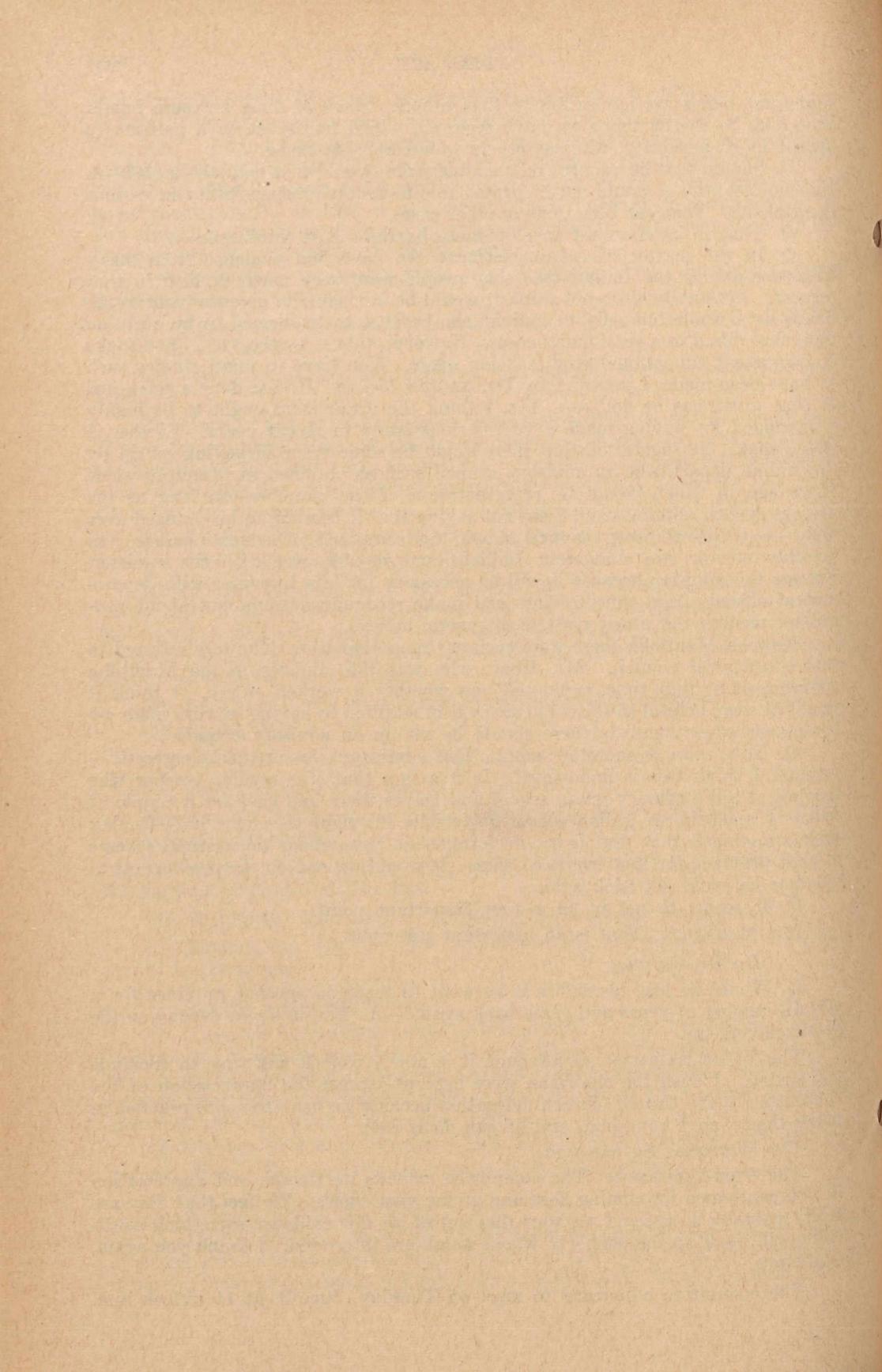
Q. Would he lose his rights if he went to teach in another province for a certain number of years and came back again?—A. Yes, it would depend on the provincial set-up.

The VICE-CHAIRMAN: Gentleman, it is now 1 o'clock and time to conclude our sitting. I wish the chairman were here to express the appreciation of the committee to the United Church delegation because he has had more practice in doing that than I have had, and he can do it well.

The WITNESS: So can you.

The VICE-CHAIRMAN: The committee extends its thanks and appreciation to you gentlemen for coming here and giving your views. We feel that they are really valuable to us, and we hope that out of all this evidence something worth while will result to the people in whom we all are interested. I thank you again, gentlemen.

The committee adjourned to meet on Tuesday, June 3, at 11 o'clock a.m.



SESSION 1947



SPECIAL JOINT COMMITTEE OF THE SENATE
AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE
EXAMINATION AND CONSIDERATION OF THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE
No. 29

TUESDAY, JUNE 3, 1947

WITNESS:

Mr. T. F. McIlwraith, M.A., F.R.S.C., Professor of Anthropology and head
of Department of Anthropology, University of Toronto.

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
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1947

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,
TUESDAY, 3rd June, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

Present: The Senate: The Honourable Senators Blais and Taylor—2.

The House of Commons: Messrs. Brown, Blackmore, Bryce, Castleden, Charlton, Farquhar, Gariépy, Harkness, Little, Matthews (*Brandon*) (Vice Chairman), MacNicol, Reid—12.

In attendance: Messrs. W. J. Ford Pratt; R. A. Hoey, Director, Indian Affairs Branch; T. R. L. MacInnes, Secretary; B. Russell; B. F. Neary, MBE, Superintendent, Welfare and Training; Dr. P. E. Moore, Indian Medical Services; also Mr. Norman E. Lickers, Counsel for the Committee and Liaison Officer.

The Chairman directed the attention of the Committee to errors made by the printer on page 1242 of the Minutes of Evidence. (*See Minutes of Evidence, for details.*)

Mr. T. F. McIlwraith, M.A., F.R.S.C., Professor of Anthropology and head of Department of Anthropology, University of Toronto, was called, made a statement and was questioned thereon.

The Committee adjourned at 1 o'clock p.m., to meet again this day at 4 o'clock p.m.

AFTERNOON SESSION

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

Present: The Senate: The Honourable Senators Blais and Taylor—2.

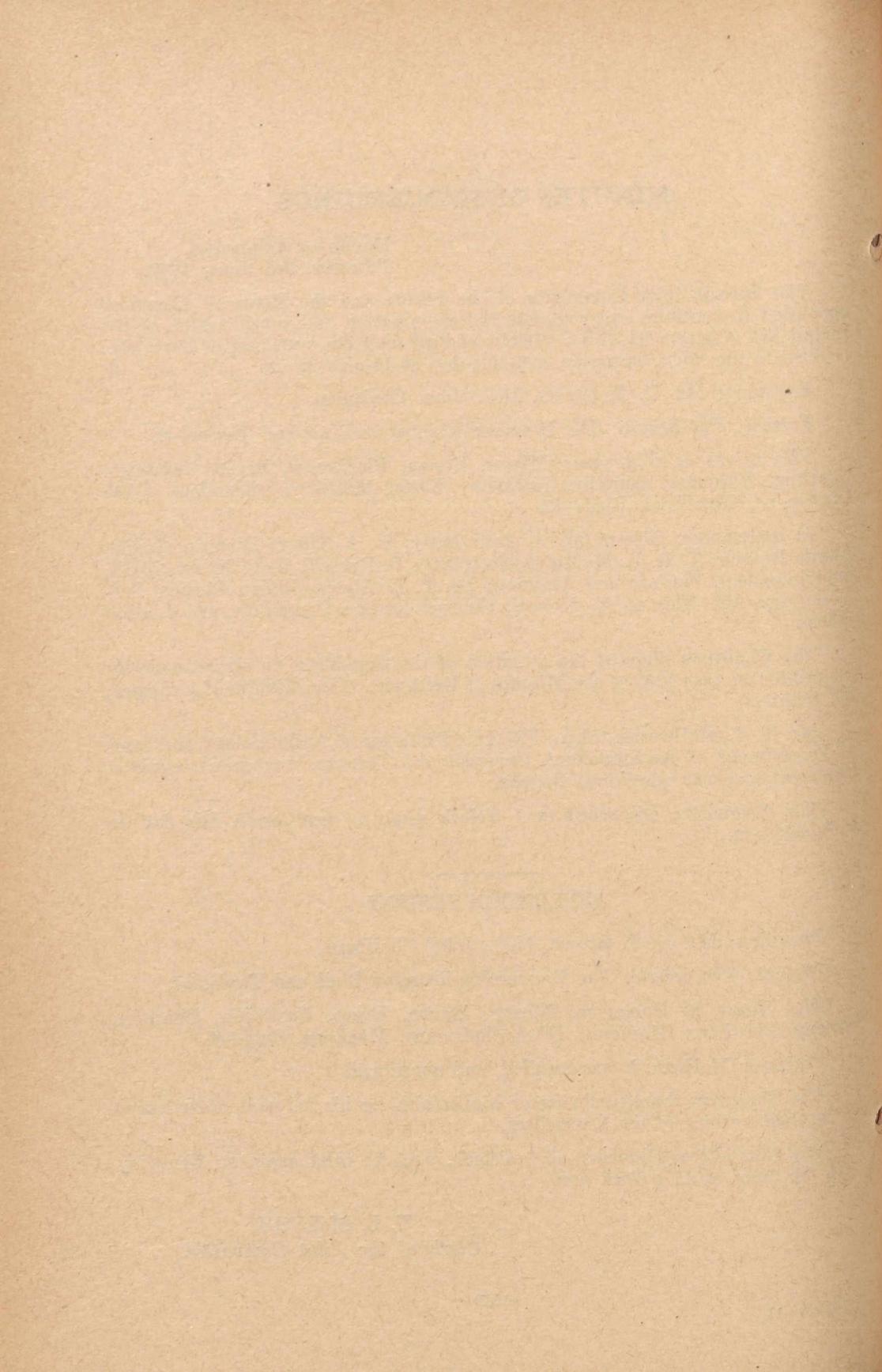
The House of Commons: Messrs. Brown, Bryce, Castleden, Charlton, Gariépy, Matthews (*Brandon*) (Vice Chairman), MacLean, Reid—8.

Professor McIlwraith was recalled, and questioned.

The Chairman thanked Professor McIlwraith for his valuable contribution to the deliberations of the Committee.

The Committee adjourned at 6 o'clock, p.m., to meet again on Thursday next, 5th June, at 11 o'clock a.m.

T. L. McEVOY,
Clerk of the Joint Committee.



MINUTES OF EVIDENCE

HOUSE OF COMMONS
JUNE 3, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11.00 a.m. Mr. D. F. Brown, M.P. (Joint Chairman) presided.

The CHAIRMAN: If we might have your attention, please, gentlemen.

First, I would like to make a correction in the Minutes of Proceedings and Evidence, Vol. 24, page 1242. In reply to a question Mr. Zimmerman, whom you remember is Assistant Commissioner of Indian Affairs in the United States, speaks of mineral "rights", surface "rights", head—"right". This was in reply to a question by Mr. Castleden. There are eleven cases in question and in each case although the spelling in the printed record is "rite" and "rites", it should obviously be "right" and "rights". This is an error on the part of the Printing Bureau as is shown by a review of the typescript of the report prepared by the committee reporters. I have the original material here before me and it shows that as it went to the Printing Bureau it was spelled correctly, "right" and "rights." If you will make a note of that and make the correction in your copy of the record please. It is evidently a mistake on the part of somebody at the Printing Bureau who took the original record and changed that particular wording. Obviously, the use of the word "rite" as they have made it, does not make sense at all.

We have to-day as our witness Mr. T. F. McIlwraith who is Professor of Anthropology and head of that department at the University of Toronto. If it is your pleasure, we will now hear Professor McIlwraith.

Carried.

T. F. McIlwraith, M.A., F.R.S.C., Professor of Anthropology and Head of the Department of Anthropology, University of Toronto; and Associate Director, Royal Ontario Museum of Archaeology, Toronto, called:

By the Chairman:

Q. Professor McIlwraith, it is the usual custom of the committee to submit a few preliminary questions as a foundation. May I ask you at this stage, if you would, are you connected with the University of Toronto?—A. Yes. I am Professor of Anthropology and head of that department, sir.

Q. How long have you been connected with the university in your present capacity?—A. I have been a member of the department since 1925. I became Professor of Anthropology in about 1935, plus or minus one or two years.

Q. And in the course of your work as anthropologist you have made a study of the Indian?—A. Yes. My field deals with man throughout the world. But if I may I would like to add that I am a third-generation Canadian, and my own specialty has been the people of North America; and, as a result, I have done field work in a number of parts of Canada and I have had students working on the Indian problem for a good many years. Perhaps it would be helpful, I brought along—I am not using this thing actually as evidence—but I brought along a volume on a study of the North-American Indian. It is a

report of a conference that we held in Toronto in 1939 on modern Indian problems. That conference was held under the joint auspices of Yale University and the University of Toronto. At it we had administrators from Ottawa and Washington, and we had Indians from Canada and Indians from the United States; missionaries from Canada and missionaries from the United States; and scientists from both countries. We sat down for two weeks for a discussion of problems of Indians in North America to-day with the hope and thought that it would need further studies and further exchanges of views. I believe very strongly in the desirability of men who are handling problems coming together, and the interplay between missionaries and scientists, between Indians and administrators of Indians. That, for instance, coincided with the outbreak of the war. It was the most difficult conference with which I have ever been associated on that score; and, naturally, we have done nothing since that time. We do aim at it as a further development.

Q. Have you studied Indian life on the reserve?—A. Yes. I have worked, particularly in British Columbia; I have also been around most parts of Ontario. I do not know the Maritimes at all well, although I have been on one or two reserves there.

Q. Are there any further preliminary questions, gentlemen?

Mr. CASTLEDEN: I wonder, Mr. Chairman, if Professor McIlwraith would care to give us the name of the book to which he has referred?

The WITNESS: It is titled "The North-American Indian To-day," published by the University of Toronto press and brought out by the late Professor Larum of Yale and myself. It is a series of essays on the problems of the Indian to-day, both in Canada and the United States.

Mr. CASTLEDEN: Thank you very much.

The CHAIRMAN: If there are no further questions, would you proceed, Professor?

The WITNESS: Mr. Chairman, gentlemen: I thought in appearing before you this morning I might say that my field of anthropology deals essentially with the manners and customs of men in all parts of the world, and more particularly of those people who are of non-European ancestry and by and large who do not use a system of reading and writing. I am particularly interested and always have been interested in the problems of adjustment between different groups of people. That is my field.

In reading over much of the evidence presented before this committee, sir, I have been struck by one fact. Perhaps the first and most obvious fact is that most of the witnesses recognize that there is not one Indian problem to-day but a series of Indian problems in different parts of Canada. On that we are all in agreement. But I have noted, as no doubt you have, that there has been a tendency to blame either the administration and say it is all the fault of the administration that the Indians have not progressed; or, on the other side of the picture, that it is the fault of the Indians, they are backward or they are slow or they have not taken advantage of their opportunities or something. It seems to me, sir, that any attempt to throw the blame for the existing problem either upon the administration or upon the Indian is fundamentally unsound, and I would like to take three minutes to explain my view in that respect.

If we go back to the time of the first European contact, a matter of roughly three hundred odd years—a little more in the east or a little less in the west—you had in all parts of Canada Indian tribes living a highly specialized life. If I may take an example from among the Huron Indians, and I have been doing archaeological work there for the last year particularly; one of the early French writers speaks of the fact that it was much easier to get lost in the cornfields of the Indians than in the forest. I don't suppose, as a matter

of fact, you or any other member of this committee have ever cut down a tree with a stone axe. I have not myself. But, with a stone axe you cannot get a sharp cutting edge, and the amount of labour involved in clearing a forest with a stone axe to the extent of having huge cornfields was a terrific amount of labour, and the Huron Indians must have worked extraordinarily hard to achieve that result. Or, if I take an illustration from British Columbia, I would remind members of the committee that some of the Indians with stone tools made dugout canoes and in these canoes went out in the open Pacific to harpoon whales with bone- or stone-tipped harpoons, and in some way or other managed to kill the whale then tow it back in to shore; call it big-game hunting, if you like, but it was the hardest, most rigorous type of work.

The CHAIRMAN: How long ago was that?

The WITNESS: At the time of the first European contact. If we follow the casual white man's writing there is the presumption that the Indian did not have a specialized type of industry, or perhaps did not work very hard. But I give just those two examples; from which, if we use our imagination, we can see the amount of labour involved.

Now, the coming of the white man, and the metal axe, and the white man's gun and the white man's tools generally made these specialized skills of the Indian practically valueless. With a metal axe you can do your work in a tenth of the time; and consequently, the Indian gave up his specialized skills in order to obtain the white man's axes; a perfectly natural and obvious thing. I know I would move heaven and earth to get something that would do my work in a tenth of the time. I think we all would. That meant a new situation with the white man's tools coming in and the old skills becoming practically valueless. It was useless to be a good canoe-maker with a stone axe when under the white man's regime you use motor boats to-day, or earlier types of craft in the last century. Nobody but a fool would harpoon a whale with a sharp tip of bone or stone. It would be just sheer madness. So that instead of a man having proficiency and skill and being a great man according to his own mode of life he had to start at the bottom of the ladder in terms of the modern white man's industry.

I would suggest to you, sir, that this meant from the viewpoint of the Indian in every part of Canada that instead of being a master of his own life he suddenly became in the course of two hundred years a mere follower of a new mode of life in a land which he had regarded as his own since time immemorial. And I suggest that that is the fundamental problem in the contact between the Indian and the white; that from the viewpoint of the white man he sees people who have lack of white or European industrial specialization; and from the viewpoint of the Indian the old skills and the old values are as nothing, and he has had to start at the bottom without the advantage of a rather technical skill and training. Therefore, instead of it being a question of throwing the blame on the Indian or throwing the blame on the administration it seems to me it is a particularly good illustration of the interactions between peoples in the realm of a slow and orderly historical development such as has been gone through in all different parts of the world. That is why I say it is not fair to blame anyone or any group for the development which we see to-day.

Unfortunately, there was little, if I may use the term, continuing value in these skills; that is, the man with the stone axe might be an extremely good stone axe man, but it is very difficult to change from a stone axe to a metal axe. You have got to use a different type of cutting entirely. It is just as if a person who was a good writer with a quill pen was suddenly expected to become a good *Hansard* reporter, or a good teletype operator. You have an entirely different set of skills, and the more specialized you are in the one the more difficult is the process of adjustment; and it seems to me that our problem in

Canada as Canadians is to see how we can bridge this gap between the old life of the Indian and the life of the Indian of to-day. And that, I know, is what you and your colleagues are working toward on this committee. And above all, I think we have got to build up a feeling of confidence between the Indians and the whites. After all, the Indian in different parts of Canada has tended—rightly—to look backwards to the old days of the past and to the life which he led in the past. I do not say that he has idealized it into a golden age; although I suppose we all tend to look backwards in a sense; but he feels a sense of the fact that the white man has come in, that the white man has taken everything and left him a pittance. And, on the part of the white man, there is the feeling that the Indian has not made full use of his opportunities; that we are looking after the Indian, that we do this, that and the other thing for the Indian; and, between the two groups, there is a fence or a feeling of tension, a lack of mutual confidence. Most of us have had very good Indian friends and many Indians have excellent friends among the white men. There is a feeling of lack of real mutual confidence and, perhaps, on the part of the Indian toward the administration, something of a feeling of lack of trust in the white man's way of doing things. Such a thing is, of course, extraordinarily bad.

Now, sir, if I may, I should like to take this up under a number of headings. The one under which I am going to speak first is, as I see it, the problem of wardship; the problem of the administration of a group of people, by and large, as wards. That practice, in the historical sense, has been I think entirely necessary. Some of you may have read a volume by one Forman, entitled, "The Last Trek of the Indians". It is a study of the Indian administration—perhaps I should say lack of administration—in the United States in the 1820's and 1830's. It is one of the grimmest records I have ever read of exploitation to a degree by self-seekers of all kinds. We have avoided that type of thing in Canada by the very wise principle of protection and wardship. Comparable work has been done in New Zealand and, to a certain extent, in West Africa. I should like to make it clear that I am not protesting against the principle of wardship at all, but I point out it has a number of really serious difficulties.

For one thing, it is obvious the world has changed since the 1860's, 1870's and 1880's and a system which was necessary for the expansion of Canada in the last century has to be revised and looked over rather carefully to-day to see whether it is the correct system at the present time, or for the future. As I see it, wardship has two great dangers on both sides of the picture. One, and this is the way the Indian would look at it; he would say, "Oh yes, under wardship you have a civil service; a Department of Indian Affairs growing bigger and bigger with fabulous salaries being paid to officials; a complete bureaucratic system." You know and I know that is not correct. I know Mr. Hoey very well. I do not know what his salary is but I doubt if it is a tremendously large one. Neither do I think of Mr. Hoey or his colleagues as bureaucrats. However, that is the viewpoint of the Indian. There is the danger if you have an administration, of the administration growing bigger and bigger and being regarded by those who are being administered as a concern run by millionaires. You know that point of view.

The other point, which is also from the viewpoint of the Indian is, if you have an individual or a group of individuals who are being paid something by the government, whoever the government may be, then it is human nature, I think, for them to want more and more. As an illustration, consider the white man under the same circumstances. Go back to the period of the depression and consider the white man on relief. He did receive something but

he immediately felt he should receive more. Perhaps I can put it still nearer home. Those of us who receive salaries from fairly large corporations have been known to feel that our salary might justifiably be rather larger than it is.

The CHAIRMAN: That would not apply to members of parliament.

The WITNESS: Splendid, I am glad to know there are exceptions. Joking apart, that is exactly the situation as I have met it among the Indians of northern Ontario. They say, "Yes, the white man has grown rich in our country. Look at the lumber; look at the hunting rights; look at the well-dressed officials; look at the number of tourists who come in and the wealth made by the hotel men, all in our country." I think it is a fact that if you accept responsibility for paying individuals on a community basis year after year, then they say, "You are responsible for looking after us and you are making a very bad job of it because if we were paid \$5,000 a year we would be infinitely better off than being paid \$60 or \$50;" whatever the amount may be does not matter. Human nature being what it is, if some were paid \$5,000 a year, they would want \$7,000. Is that not a reasonable inference?

I suggest the two dangers of wardship, are: one, the question of building up an administration which may be regarded as soulless, big and powerful. It is frequently so regarded by the Indians. The second danger is, if you start paying people for an indefinite period, you sap their initiative. They turn and say, "You have to do more for us. Look how poverty stricken we are."

How are we going to cope with this situation? Looking at it as an outsider—and please remember I am definitely an outsider—I have never had anything to do with administration but I am interested in Indians and my job is to look at problems of government and problems of non-European peoples. As I see it, we in Canada have a tremendous responsibility to bridge over this period of wardship because I regard it as a bridging factor. I would hate to think that the Indians of Canada are going to go on as wards of the dominion indefinitely. There is no reason why they should.

I am sure it is not necessary for me to say so, but an Indian is every bit as bright as anyone else. If I try to think of the three most intelligent men I have met anywhere, one of those three would be an Indian. He was, as a matter of fact, a great friend of mine. He was also a thoroughly bad egg, but he was extremely bright. One can take many, many other illustrations of men who are just as bright, only the Indian has had to start 300 years ago in roughly the same position our ancestors were in in Europe approximately 6,000 years ago. He has had to catch up on 6,000 years in 300; that is a terrific handicap. We have to use our responsibility, as I see it, to try to bridge this by proper Indian administration.

One of the major problems, and I raise it at the present time, is the question of field administration in the division of Indian affairs. The Indian agent who is on the spot in the different parts of Canada is so often looked to for advice and help by the Indians in every conceivable way. If somebody runs off with somebody else's wife, which happens among Indians as among whites, the Indian agent is the person to whom the appeal is made to try to straighten the thing out. If somebody is sick, go to the Indian agent. If somebody is having a fight with somebody else, go to the Indian agent. He is far more important as an adviser—I am not so concerned with his legal right as I am with his position of leadership in the community. I feel we, as white Canadians, have a responsibility to see that the very best type of man is sent to help the Indians during this period of transition. I want to say very definitely I give Mr. Hoey and his colleagues tremendous credit for getting as good Indian agents as they have in view, among other things, of the salary and social position. You have had the figures before you so I needn't go into them.

I know in my own university museum, I would find it extremely difficult to get second or even third rate men at the salaries which, at least formerly, were paid to Indian agents. Yet, there is a man off in the corner of British Columbia, or up in the Northwest Territories, or somewhere else who is mother and father, guide, counsellor and friend to several hundred or perhaps several thousand Indians. He cannot be effectively checked at every step all the way from headquarters in Ottawa. He has to be a good man. He has to have a lot of authority. There is where I claim we need to send the best men into our Indian service. It calls for a man with training. It calls for men with a sense of social responsibility. It calls for men with administrative experience and aptitude. Above all, it calls for men, not with a superiority complex, but men who are willing to recognize problems of adjustment; men who will sit down and be prepared to help, not for eight hours a day but, if necessary, for sixteen or twenty hours a day. The Indian agent, fortunately or unfortunately, must be like a doctor, on the job all the time to help his fellow men. It calls for training as well as for enthusiasm. We want the best men our universities can turn out, trained in the social sciences. I believe in men trained in the social sciences just as much as in physics or chemistry or any other of the natural sciences. I think there is where there is a good opportunity of bringing in trained men.

Then, I would suggest there is need for the Indian agents having what I think they call in the United States, in-training conferences. I am not sure of the term. I know, second-hand, what has been done in South Africa where, by and large, administrators have not been of the best calibre. I do not know whether I should have made that statement, but I believe it is true anyway. They have had difficulties in South Africa. They have done the best they could under a difficult situation. I know the situation has been helped by bringing these men together at such conferences. I should like to see facilities for increasing the training and experience of our own Indian agents, citing the advantages which have accrued in South Africa where you have had comparable problems although in a different field.

Another problem has been that the question of wardship has necessitated—I think it has been a necessity—centering so much of the administration in Ottawa. This has had an effect upon the Indians. Some difficulty crops up in Alberta, for example. The local Indian agent has to refer it to Ottawa. I am not raising the question of provincial rights versus dominion rights in that respect, but from the point of view of the Indian who says, "Why should this have to go up to Ottawa and then the decision come back several weeks later"? I think that has been necessary in the past owing to the type of man whom it was possible to bring into the Indian Affairs Branch. I hope it will be possible to improve the calibre of your men in the field and to increase the number of field instructors, thus making it possible to have more decisions made on the spot and less reference to headquarters. I have no idea of what headquarters would think about that, but I throw in my opinion of that as desirable for increasing the morale of the Indians.

In that connection, I should like to see an increasing number of Indians brought into the Indian administration. This has been done in the United States and it has been successful, by and large. Please do not think I am arguing that every Indian is a saint and if you put an Indian into administration, you will have success. You will not. You will have just as many failures from Indians as you will from white men. Once we get to the point of realizing we have the same problem, and cease to look at the Indian either as a down-trodden lord of the forest or a saint or sinner and realize he is a human being just like ourselves, then we shall have made a start on the problem. There are good Indians, many of them. There are also some bad Indians and there are

a great many intermediate ones just as there are in every other community. I do think that special training, where possible, to increase the Indian representation or Indian participation in our administration is desirable.

Above all, in this whole question of wardship, I should like to see an opportunity—a recurrent opportunity—for redrafting clauses in the Indian Act or for redrafting questions of obligations and rights. There is a great difficulty, as I see it, a great danger, once a thing gets into the law that it is practically impossible to alter it. You know the problem to which I am referring. You see it in every country. So often something which is perfectly desirable in an Indian treaty entered into honestly on both sides in the '70s or '80s, perhaps not in full honesty on one side or the other, becomes law and cannot be changed. In the redrafting of the Indian Act, sir, I hope it is going to be possible to allow for further adjustments and flexibilities, as conditions change.

Perhaps it is logical then to follow that up with certain thoughts in terms of enfranchisement. This is a sore spot. It is, I think, perfectly obvious to all of us. I am going to take enfranchisement and legal disabilities as a whole. I think we all recognize that the Indian, as was the case in the first great war and was the case in this last war—I know I remember in the first great war overseas meeting a number of Indians, I go back to the first great war—it is perfectly obvious if an Indian joined up and did his job overseas; and many Indians have been decorated for doing a thoroughly first rate job; then he comes back to Canada and finds he cannot vote; cannot go into the local beer parlour; or cannot do something else, because he is an Indian, he is going to feel sore about it. I would under the same circumstances and so, I think, would every member of the committee. It is not fair.

On the other hand, I am not sure that the whole question of enfranchisement is as insoluble as it has seemed to be. I do not think it is. I think what is needed is this: any Indian who wishes to be enfranchised and who has the necessary qualifications and the division of Indian affairs is agreeable to his enfranchisement and so forth—I am not concerned with the legal technicalities— is unfortunately in the position of having to cease to be an Indian when he becomes enfranchised. Again, I am not worrying about the legal attitude, but that is the way the Indian looks at it. The man who becomes enfranchised ceases, by and large, to be an Indian. I do not think that is necessary. It is going to require a good deal of clever and thoughtful legal work, but I am sure there are plenty of able lawyers here on the committee and elsewhere. Surely it is possible to devise a mechanism whereby an Indian with the proper qualifications can vote, can become a citizen of Canada without, in effect, having to give up his Indian background and his Indian heritage.

May I take an illustration from my own family. As you may judge from my name I am of Scottish ancestry, whether it be good, bad or indifferent. My grandfather came out from Scotland, settled in Canada, but continued to have a definite pride in Scotland and a certain liking for the bagpipes which may be good, bad or indifferent, I do not know. Now, why is there not some way by which an Indian can vote, can take his full part in the peacetime life of Canada as he can in the wartime life of Canada and still retain his position as an Indian with, perhaps, his rights on a reserve. The reserve could be a focusing point, a rallying point for the Iroquois or Blackfoot or Haida or Amalecite, from whatever part of the country he may happen to be. I am not arguing for any highly preferential treatment for the Indians. It may be proper that the land on the reserve should be subject to full taxation. This would be bitterly opposed by many Indians. It is something which would have to be worked out by a team of lawyers working with the Indians on the one hand and the administration on the other. I am no lawyer. I do not know how the mechanism for that could be worked out, but I do suggest, sir, it is desirable

to keep as a goal before us how the Indian can be a peacetime Canadian while retaining the pride of his Indian ancestry and certain rights on the reserve as a focus of the pride of his race and his background.

After all we are in Canada, to use a common word, hybrids. We like to use the term "melting pot". We have people of every nationality contributing to our Canadian life. Why should not the Indian be able to contribute his very significant quota without having to lose that when he becomes a Canadian? We have to give the Indian a thoughtfully worked out place in our Canadian life.

Speaking now of the disabilities of the Indian, one of the things about which the Indian feels very badly, and I sympathize entirely with him, is the question of what some call race prejudice. Many members of this committee have met the thing about which I am going to speak. I think of a frontier store up in Northern British Columbia. An Indian goes in and is being waited upon. A white man comes in and the Indian is brushed aside. The white man is dealt with first. The Indian must wait. If there is a question of reduced rates, the Indian is usually charged the higher rates. If there are any poor bananas or poor oranges, they are loaded off on the Indian. The white man gets the better share. This type of thing has been going on probably in every part of the dominion, but perhaps more seriously in terms of seasonal labour. If somebody has to be laid off, the odds are it is the Indian. The Indian feels this very strongly in I think every part of Canada. It is regarded as an example of race prejudice.

I suggest, sir, it is not race prejudice at all. I feel rather strongly on this. It happens to be a thing about which I have thought a great deal. There is no race prejudice when you come to such a man as Oliver Martin who, I think, gave evidence before your committee last year. He was a brigadier in the Canadian army and is a police magistrate in the county of York at the present time. I think a white man haled before him and fined for speeding might have a certain feeling, but it would not be based on race prejudice. In Toronto, at North Toronto Collegiate, the senior physics and chemistry teacher is Dr. Jamieson, an Iroquois. A couple of lads from North Toronto were in to see me at the university a few weeks ago. I do not know how the conversation swung around to the subject but I was asking where they came from and they said North Toronto. I said, "Did you do work under Jamieson?" "Yes". Further discussion back and forth brought us to the point where I said, "I know him as an Indian." They simply looked at me and said, "Is Jamieson an Indian?" I said, "Yes, moreover he is not even enfranchised. He is still—" I did not explain the fact that he could neither vote nor legally drink beer, but they said, "Well—", then they just stopped. There is a man who is not regarded as an Indian by successive generations of high school students who have gone through his hands. Over in the Department of Mines you have "Slim" Monture. I am not just sure what his position is at the moment. However, he is one of the senior officials in the dominion government Department of Mines.

I could give you illustration after illustration. There is no race prejudice as applied to the Indians. I do not think there is race prejudice from the viewpoint of the Indian as applied to the white man. I have a great many Indian friends. I have sat down and smoked and yarned with them and I have seen less evidence of race prejudice on their part than on ours. What there is is the fact that many Indians are not sufficiently trained or adjusted to our mode of life so that they can fit into it as a class. Oliver Martin, Monture, Jamieson and Mr. Lickers, your counsel, as well as hundreds of others can do so. Once that happens there is not the ghost of a trace of race prejudice. What we call race prejudice is merely the fact that many Indians are not fully adjusted to our mode of life. Why? Because they have to make up in three hundred years

what has taken our ancestors six or seven thousand years to do. Rome was not built in a day, and we cannot expect these sudden adjustments. So my thesis, sir, is that if the educational background of the Indians of Canada can be improved to the extent that they are working to meet the white man as an equal, then race prejudice disappears. By and large there was not race prejudice in the army, as far as I know. I certainly saw no trace of it among the Indian and white troops in the first war, and as far as I know there was no trace of it in this war which has just concluded. It is when you come to different standards in our social and economic life that you run into problems; that goes back to a question of training.

Now, what about training? I am engaged in the field of education and please do not think that I have any idea that by taking John Ojibway, or whatever his name may be, out of a wigwam up in northern Ontario or out of a house out in British Columbia and dropping him down into a school and teaching him reading, writing and arithmetic that that is education. It is not. By education I mean a process of slow adjustment into that way of life which is our Canadian way of life.

Now, I make that statement almost sadly because I know a great deal about the past of the Indian way of life, and I hate to see it disappear. Neither am I satisfied that our way of life is the ideal and best of all possible ways of life. Perhaps I should say that I come from Toronto. I do—

The CHAIRMAN: And you are proud of it?

The WITNESS: Well, I will go a little further back and say that I was born in Hamilton, which throws another picture onto my screen. But, after all, gentlemen, is it the most sensible way of spending one's life to live in a big city; to have to work twelve or fourteen hours a day and among other things read examination papers? I have been in Quebec for the last ten days, and I worked solidly on the train on examination papers, and I took a last swing at them at the hotel last night. The Indian would say that I was an absolute fool to do that sort of thing—perhaps he is right. Each of you in your own sphere does exactly the same thing. May I use an unparliamentary term and say: the same damn fool kind of things. We must do those things in our specialized way of life.

I recall a Cree Indian up in northern Ontario with whom I talked a number of years ago. It was a beautiful day in spring and we were sitting out smoking our pipes and talking, and he asked me, "How many rooms have you in your house? I told him. He asked me, "How much taxes do you have to pay on your house?" I told him rather ruefully. And he asked me, "How much time does it take your wife to keep the house approximately clean?" I could not answer him, and he laughed. He said, "Is it not better to live in a simple wigwam and not have to work so hard, not have to pay taxes on something you have to work so hard to keep up when you have got it?" I think he was right. I think we do an extraordinary amount of rather wasted effort.

Now, if we were logical we should argue that the proper thing to do would be to destroy universities and to destroy our houses and to go running around hunting and fishing—hunting the deer and the caribou—and living in a wigwam. I am not arguing for that for one moment. I should be extremely unhappy in the cold of the northern Ontario winter, and I do not think I should make a success of hunting the deer or of catching fish. Besides, I do not want to try it. For better or for worse, the white man's way of life is going to prevail, and I see no way in which we can, with the atomic age coming on, have a small group of our population going on as fishermen or hunters or as peasant farmers. It is a sad thought. Just as each of us, perhaps against his will, is drawn into the maelstrom of our modern atomic age, we have to work in order to be able to pay for this, that and the other thing in our modern society. So

I think with all the Indians of all parts of Canada. Slowly or rapidly they are going to be drawn into our way of life. There is no other expedient that I can see. I feel sad about it, but there it is.

In the highlands of Scotland the old clan system is breaking down. The world moves on. What I hope is that we recognize our responsibility in easing this process of change for the Indian and help to make the adjustment as easy as possible and give him the opportunity, which he warrants and deserves, of preserving as much as possible of his old life; and particularly of preserving the pride in the things that made him great in the past: his oratory, his relationship to his fellows, his loyalty to his associates—these are among the great characteristics of our Indians in Canada.

So when I speak of education I am not thinking of reading, writing and arithmetic; I am thinking of education in farming, education in hunting, education in fur conservation, education in the use of fur conservation, training in the realm of industry. Our canoes are derived from the Indians, and surely it is not beyond the measure of our intelligence to help the Indian to use modern machinery to turn out better canoes, retaining the pride of the old Indian in the industrial life of the present. It has been done in British Columbia to a certain extent in connection with the making of sweaters—a certain type of weaving.

Now, I am not arguing for handicrafts as being a great or significant factor in the life of a people. It is of importance to the Indian in this age of modern science to help him develop these things which are part of his old life; but he needs the opportunity of technical training. He needs the opportunity for a limited number of Indians to become doctors, lawyers, professional men. He needs the opportunity to enter the ministry. I do not refer to all of them; neither should every white man have the opportunity of going to the university or to receive higher training. I speak almost bitterly on this subject because at our great universities we always find the problem of the individual who has managed to get through matriculation but who is a misfit from the day he enters university, and has to be weeded out. That sort of thing is a waste of the student's time and a waste of our time.

Please do not think that I am arguing that every Indian should receive education all along the line, because I am not; but there should be opportunity for the gifted few, and a much wider range of opportunity than exists at present in the way of development in the technical training schools and the agricultural schools, and in other special types of training. I should like to see summer schools in which those who are working in fur, for example—trapping—should be brought together, not in a formal school but in an open air camp somewhere where Indians who are working in those things will have a large contact with men from the division of Indian Affairs—some of Mr. D. J. Allan's fur conservation men—contact with naturalists who know about the cycle and growth of fur—to receive help in the knowledge of conservation and the interactions of trade on a completely informal basis. That is education; and it is not a school in the technical sense of the word.

What about schools? Now, we get into this very vexed problem of the day school versus the residential school. Well, I am not going to sit on the fence; I am going to come right out and give my personal opinion. Again, remember I am speaking as an individual; I am not speaking for a group or for an institution. I will say that I think the residential school is necessary, and it is a fine thing, where we have orphans or broken down families, where the parents are drunkards or are otherwise incapable of looking after the children. Then somebody ought to step in. Now, the tragedy of it is that in the old days there was family responsibility among every Indian group across Canada. It existed among the Metlakatla Indians of northern British Columbia and it existed among the Eskimos, and by and large there was no such problem as an orphan child. The mother's brother or the father's brother or somebody else

always stepped into the breach. That condition has passed. That is one of the things that has been lost. We have to replace it; I think that is where the residential school comes into the picture. But I should like to say equally that I think the residential schools should be regarded only as an emergency in case of broken families, and that what are wanted to-day are day schools which will become the centre of a community and not a residential school where little John Ojibway is picked out of his environment and dropped two hundred or three hundred miles away into a different environment where the poor little devil is so homesick that he is completely at sea.

Now, I am not minimizing this problem of the day schools. How are we going to run a day school up in Patricia district in northwestern Ontario where we have hunting groups moving hither and yon? Are we going to have a peripatetic day school where the teacher is flown in my aeroplane? There are very real difficulties, particularly in the north; and as I see the problem what is more important than the school is the teacher. If it is humanly possible to get them you have got to have Indian teachers who will regard the bringing up of their people as the major responsibility and a reward in itself. The ideal person is one with the zeal of a missionary who regards education as his missionary activity. In the more settled parts of the country—and of course the bulk of the Indians do live in the settled parts of the country—we have to-day that kind of thing. That has been done.

I am going to mention the work of one man—I do not know whether his name has been mentioned here before—but I am thinking of Mr. Anthony Walsh who worked in the interior of British Columbia. Now, I think Mr. Walsh presented certain difficulties in a variety of ways. He is one of the most originally independent men that I know. He regarded teaching as a means of bringing out the interests of the Indian children. He had the Indian children drawing with mathematical figures and the totemic figures of their ancestors instead of the conventional things that children draw in kindergarten. That meant that the children had to go to their grandparents to get their ideas and that interested the grandparents. Then Mr. Walsh had to go to the children's parents and to the grandparents to get the dyes and colours and to get those in the right order. The next thing that happened was that the parents and the grandparents were coming into the school to see what these youngsters were doing. It became a joy to go to school rather than a chore. Then the white people of the community began to get interested and by and large Mr. Walsh developed a school of art, and he had Indians and white people studying designs and doing sketches and that sort of thing.

Now, perhaps I have oversimplified the matter; perhaps I have stated what might be a too eulogistic picture of Mr. Walsh and his work. Mr. Walsh is a Roman Catholic and when the war came along he went into war work with the Knights of Columbus recreational centres where, again, he followed his bent of interesting people in doing things. He served not only among the troops but among the civilians.

Now, that is the kind of thing which can be done if you have a person who possesses originality. In the United States that kind of thing has been done to a considerable extent; and what I would urge, sir, is that the residential school be limited and that the day school be strengthened as much as is humanly possible as a centre not only for the children but for their parents and grandparents. It is difficult, and you may say that I am asking for an impossibility. It can be done to a limited extent. It is something which I think can grow once you have the right attitude.

Now, of course, you run into all kinds of difficulties in education among Indians as you get into distant places. I am thinking of the influence of the group. Probably most Indians have a far stronger family sense, a clan sense of responsibility, than most white people. I can think of one very sad

experience to illustrate that point. I had an Indian student come into one of my classes a year ago last October. I asked him what he wanted to do. He said he wanted to study sociology and his ambition was to get into the division of Indian Affairs as a field representative doing social work among his people. I said that was simply splendid because I knew he would receive every encouragement and help from the division. He was an ex-service man studying at the university under the D.V.A. grant. We all tried to help him as much as possible. He was not a first-rate student and I knew something of his background and I realized the difficulties back of it. Toward the end of the year something went wrong and the next thing I knew he had disappeared from the university entirely. Well, a number of us got interested in him and I found out where his sister was living and I got word through to her. What had happened was simply that one of the brothers of this student was in trouble and needed money and this man stood by his brother and got into financial difficulties, and in so doing ruined his future. Now, you may blame that individual for allowing a family bond, a family claim, to take precedence over his future. I blame him for so doing, even from a clannish point of view. Among clansmen people tend to be extraordinarily individualistic; an Indian has a bond of family responsibility. I have seen that on the prairies. An Indian will start up a little store or a garage or something of that nature and somebody will come in and ask for some tobacco. Well, he has not got any money but, well, he is somebody's second cousin, therefore the storekeeper advances him credit and the next thing you know that storekeeper is ruined—ruined by his own relatives or ruined by the claims of his own fellows. The Indian is not as hardboiled as the white man in terms of economy or industrial life.

Now, that means that we have a slow process. You cannot expect the Indian to come out of the reserve and go right into something else; you have to build slowly and bring up the group. The activities of the Indian sometimes interfere with education; so do our own, for that matter. For instance, there is the influence of the sun dance which is still strong in certain communities. That is the influence of the old way of life. From the administrative point of view I would say that one would hate to see Indians interfering on account of their old religion or their old social practices. After all, we permit plenty of things to interfere with our activities, and I do not think we have a right to be too critical.

The CHAIRMAN: Will you tell us something about the sun dance which would interfere?

The WITNESS: Yes. In the old days when the sun dance was taking place it was the great centre of attraction and everybody had to go to it. Shreds of the sun dance still carry on. And when it is going on the youngsters at home hear the parents talking about it and then get thinking about it and it interferes with their studies and their thoughts, as far as school is concerned. If somebody tries to hold what might be called a sun dance, or parts thereof, you would have the Indian youngsters with their minds not centred on other things. You see how it works. In the old days the sun dances would last probably five days. Mr. Hoey and Mr. MacInnes will know the exact time better than I, but I would say five days; but the preparation for the sun dance may take weeks and weeks.

Mr. MACINNES: I would not say that there is to-day a set period or that the dates of the festivals are so clearly fixed as they used to be, but our experience has been that they seem to come just at the time when Indian labour is most needed in their own agricultural operations which suffer very much in consequence.

The WITNESS: Yes, that is the problem of the old and the new; there is the sentimental feeling of the old, and I think you have always to remember that it took a long time for our ancestors in Europe to become adjusted to modern life, and we cannot expect too sudden shifts.

Now, there is another question that is, perhaps, the most vexed one of all, and that is in terms of schools—the question of denominational schools. Now, in speaking on that matter may I say that I happen to be a Protestant, but my work for the last few years has been in the field of archaeology and I have had a great deal to do with the archaeology of the country of the Hurons. Naturally I have worked in close cooperation with the Jesuit Order and I have had occasion to study rather extensively the work of the Jesuit missionaries in Huronia. I mention that because I want to say that I have a tremendous admiration for the pioneer missionaries of the Roman Catholic faith. I think they were faithful to death to the extent that their co-religionists have every right to be proud and grateful, and as Canadians I think we all have reason to be proud of their example. I am very proud of their work and pay tribute also to the work of the missionaries of my own denomination. I want to say that in education we owe more than can ever be said to the churches, and the Indians owe much to the educational work of the churches which started the bulk of the educational work in Canada. I make that statement without the slightest qualification.

But what is the situation in the year 1947? We are considering to-day, and we are planning for the future; and I would like to raise the thought that in most countries of the world education has ceased to be the function of any religious group. Religion is becoming largely secular, and that is the experience of most countries, that the best education is handled not by religious denominations but by the state as a whole on a completely non-sectarian basis.

Mr. BLACKMORE: I wonder if the professor did not use a word which he did not intend to use? He said that religion has become secular.

The WITNESS: I beg your pardon, sir, I should have said "education". I apologize profusely for my mistake.

Mr. BLACKMORE: It is a simple slip.

The WITNESS: It was a very stupid slip. I think it is true that education is becoming more and more an affair of the state. Do we not owe it to the Indians of Canada and owe it to ourselves to see that the best type of education is offered to the Indians? And if it is the experience in other countries of the world that education should be an affair of the state then it seems to me that we in Canada have the responsibility of giving the very best in the broadest type of educational work and I would hope that that could be done without minimizing for one moment the work that has been done by religious bodies in the field of education. But let us think of the future and let us see to it that the highest possible standard of education is offered in Canada.

Now, finally, sir, there is just one other point I wish to mention. You have been extremely patient with me. The other question I would like to raise is that another of the major problems of the Indians is the question of health. I am not going to speak on it. Frankly, I am not a medical man. I do not know the exact figures. I will only say any health figures show that, in the past, the health of the Indians has not been on the same scale and is not as satisfactory as the health of the white people. I think that is due, again, to a variety of factors. Not that the Indian is a physically weaker specimen than we are, he is not. It is a question of education and a question of unfavourably economic conditions. It is a question of a lack of understanding of such gifts of the white man as measles, chickenpox, smallpox and probably venereal disease. We have brought in a number of diseases and the Indian has had a problem of adjustment to them.

to ask, but did not. I wish I knew a way of answering that. How are you going to compare, let us say your Iroquois whose ancestors were agriculturalists before the coming of the white man, who is more adjusted to group activities, and I use that term definitely, how are you going to compare his work in school with that of the Abenakis from northern Quebec with whom the largest group he ever came in contact would be twenty individuals. The background is so diverse, I do not know how to compare it. Neither do I know the ideal—there is not an ideal system of education which is going to work across the whole of Canada. It has to be flexible. It has to be a very carefully thought out series of studies. I use the word “studies” in the sense of a curriculum. Above all, there has to be the right kind of teacher. The kind of teacher who will be good in an agricultural area in the southern prairies, for instance, is going to be very different from the type of teacher who will work at a trading post with the seasonal coming and going of the Indians in northern Quebec or northern Ontario or even British Columbia, for example.

Q. Yes, I thoroughly agree with you, Professor. You spoke of the enfranchisement of the Indian. I have a sort of theory and I wanted to sound you out on it. I am wondering whether greater responsibility should not be given to the bands, the foremost bands? I am speaking of greater responsibility in self-government. Then, some process should be evolved whereby that responsibility would be increased as the bands showed themselves capable of taking on more responsibility from year to year, until such time they show they are perfectly capable of governing themselves. It seems to me when that time comes, that band should be given automatically the privilege of voting without ceasing to be Indians. I do not think you can hand out enfranchisement to all bands because they are not sufficiently developed, but make it more or less automatic. This, of course, involves the question of having some one individual or committee say when they are sufficiently advanced. Is that idea practicable in your opinion?—A. I think it is, sir. I think it would have a further effect of encouraging and strengthening the Indians. You have a tremendous feeling of frustration on the part of a great many Indians who say, in effect, “What is the use; we do not get anywhere. It just gets pigeonholed at Ottawa.” Some things do get pigeonholed at Ottawa, let us admit that quite frankly. On the other hand, this system of administration for which we, as Canadians, are responsible is centered at Ottawa in the division of Indian affairs. Therefore, there must be that element. However, if you had a process of development, a process of steps forward, it would encourage the Indian just as the work of the conservation of muskrat and beaver, one of the very successful steps in the division of Indian affairs, and would direct them into a course of active Indian participation. You have not to re-win the confidence of Indians in not only the good will of the white man and the administration, but there are active steps going on so that that good will is taking tangible form not as a government hand-out but as an active participation in which the Indians are playing their part.

By Mr. Charlton:

Q. I am in such hearty agreement with the professor that I have only a couple of questions to ask. One has to do with the franchise. I take it, professor, that your ultimate view would be to assimilate the Indians with the white people and do away with the reserves ultimately; or was that your idea?—A. Mr. Charlton, I cannot answer that because “ultimately” is a long time. As an immediate step I should like to see a legal mechanism whereby an Indian may vote and have the right to citizenship. Not all Indians; I am thinking of men who served overseas. You know the type of man. We are in agreement on that. I want to see him have the vote without sacrificing his rights on the reserve. Now, you may say that I want him to have his cake and eat it too. I know that criticism can be levelled, and I accept that.

By Mr. Blackmore:

Q. Why should he not?—A. That is what I feel, sir. I think that as long as he has a sentimental affection for the area from which his ancestors came and to which they belong, that matter should be considered. Remember that to most Indians the idea of owning land is a new and curious idea. Most Indians do not own land; they belong to the land. It is the land that their ancestors had from the beginning of time. I am thinking particularly of British Columbia and in varying ways in different parts of the Dominion. Land was not a saleable commodity; the Indian belonged to it rather than it belonged to the Indian. As long as we have that point of view I think that makes the strength of a group have a focus somewhere within the tribal area, and I see no reason why it is not possible to retain that while the individual Indian with adequate knowledge and so forth becomes enfranchised. Now, ultimately, in the future, it may be that these reserves would change their status, would become almost tribal centres. I see no reason why they should not be taxed in the same way, perhaps, as other parts are taxed. I do not think it is in the best interests of the Indians that extremely special privileges should be given, but whatever is done should be done not at the whim of the government to the Indian but at the wish of the Indians themselves in the future.

Q. May I suggest that that word "focus" be changed to "haven"—tribal haven. In many cases the Indians do not wish to lose their identity. I am in hearty agreement with what Mr. Matthews said regarding self-government, and I think that the ultimate view is to have a local government similar to that in any other municipality. In view of the fact that there are so many Indians who do not want to lose their identity they are fearful that we will take away their reserves and that might cause a lot of resentment.

MR. MATTHEWS: I was not advancing the idea of having the reserves taken away when I asked that question.

MR. REID: I listened to your remarks, Professor, and I was sorry I could not be here all the time you were speaking, but with most of what I heard I am in hearty agreement. I was particularly struck by the statement you made with regard to the melting pot. I do not know what experience you have had with melting, but I have had considerable; I was in former days a metallurgist. In the mixture of metals there are elements both good and bad, but they are all there when the metal solidifies. There are some elements there that should be out, and there are some elements that make for good strong metal. I am speaking particularly of steel. I want to say this before I ask you my question. Whether we like it or not and whether you agree with me or not, there are certain types of individuals—white men, black men, red men and yellow men. Why that should be and why that is so, we do not know, and I am not going to question you on that. I am thinking of the melting pot in the United States and in this country. All nationalities entered the United States and Canada and later became one distinct type; but in the United States there is one element that has not fused. True, they have contributed greatly to the American nation, but the racial barrier is still there. Some day the question may arise—that is the question of the blacks and the whites—and the contribution of both has been great to the making of the American nation. Now, I am thinking of the future of Canada, and here is the problem that is troubling me: Are we allowing in this country distinct groups to grow up for all time? I have held to the view, rightly or wrongly—although I have been accused of racial mindedness—that there are certain races that should not be in this land because they cannot assimilate with us. I have taken a strong stand regarding the Japanese. If you allow those groups to grow you allow them to develop their racial traits and characteristics. Now, you come to the Indians—and I am thinking of your speech this morning, which was splendid—are we for all time to keep the Indian in Reserves off by himself? What you said about

the Indians' life is true. I am not altogether sure, Professor, whether his life has not some advantage over ours. My question to you is this: What would you say to the fusing of the races; how can they become assimilated? I am not thinking of the present, I am thinking of the future. I am thinking of the impact over the years of the white man on the Indian. Should we allow them to stay as they are or should we mix them up with our own people, and if we do what will the result be? I do not know if I have made my question clear. I am wrestling with this question all the time, and so far I have not come to any definite conclusion.

The WITNESS: Well, sir, I welcome Mr. Reid's remarks. I am afraid that, perhaps, I failed to make myself clear on one or two of the points which Mr. Reid has raised. When I think of the future I repeat that rightly or wrongly I see no possibility whatsoever of different groups of Indians surviving in Canada or indeed of any other small groups anywhere else in the world surviving indefinitely without merging and mixing their traits and other characteristics. That cannot be in this atomic age. Sentimentally I regret, and perhaps otherwise, the fusing of Indian ways of life, but I think those ways are passing and are bound to pass.

Now, with regard to mixing and assimilation, may I say that I would question whether there are more than a handful of full blooded Indians anywhere east of the Rocky mountains. West of the Rocky mountains there is still a tremendous amount of biological intermixture. If you take eastern Canada—the Maritimes, Quebec and Ontario—in the early days there was a great deal of biological intermixture, and the children usually followed the mother's line and were brought up as members of this tribe or the other tribe. Biological mixture takes place and has taken place. May I use this illustration? If I look around this room I see a diversity of physical types among the members of this committee. There are fair haired people, black haired people, tall people, short people, fat and then people—yes, and people with no hair. We are actually a very mixed biological population sitting around this table. Yet I am perfectly sure that no member of this committee condemns his neighbour because he has dark hair or fair hair. There was a time when fair hairedness was a mark of the devil, when the Anglo-Saxons raided the British coast and the Jutes and the Danes came to Britain. Fair hair and blue eyes were the sign of the devil, and there was nothing else to it.

By Mr. Reid:

Q. I mentioned four distinct types. Is there any instance outside of Canada of intermarriage that has taken place between the Asiatics and the whites and if so has this not been to the deterioration of both?—A. No, I do not think so, sir. I would also say that as a biological fact I cannot agree with you that there are four distinct and different races of men—white, black, yellow and red. We have found every degree of intergradation between them, and every degree of intermixture has taken place between them. If you take the black and white people you can see a tremendous difference in the extremes, but along the shore of North Africa you have the intermediates. It is possible to go from the blackest black to white with every intermixture.

Q. We had an experience with the Japanese in British Columbia. You said we were a mixture, and that is true. I was speaking of your reference to the members of the committee. Our fear was that the mixture with the Japanese blood would lead to a development along one line only. The progeny of a white and Japanese marriage were considered oriental. Our fear was that the Japanese would assimilate us and we would not assimilate them, due to the fact the blood stream was more pure, if I should use that word, mongolian. Now, what marriages did take place out there prove that fact so far as the children

are concerned. You can take a man from Sweden, a man from Norway, a man from Germany and one from Scotland, England and Ireland, mix them all together and they would appear more or less the same. However, when it comes to the oriental, there is quite a difference. I am interested in this subject because it is a fear that I understand?—A. Yes, but I would repeat, sir, that so far as the Indians are concerned, there has been a great deal of intermixture in the past. There is no doubt that there is an appreciable amount of Indian blood in a great many families in all parts of Canada, whether it is generally recognized or not. They may know it or they may not. I would say quite definitely so far as the Indians I have known are concerned, that the intermixture of Indian blood has, in no sense of the word, been detrimental. I will not say it has been beneficial, that it has been one or the other. In the same way, where you have a marriage between English and French persons, if something goes wrong you do not know which side to hold responsible. In the same way, Indian blood has had no appreciable effect either for better or for worse upon the groups in which it has been found. This was particularly true in the early days. You had a great deal of intermixture in northern Quebec and Ontario as well as in the United States down the New England coast. It does not seem to have any either good or bad effect.

Q. From that answer, I take it you would leave the Indians free to mix with the whites of the country rather than keeping them on the reserve?—A. I do not think keeping the Indian on the reserve is either feasible or desirable in this day and age.

The CHAIRMAN: Mr. Reid, can you be back at four o'clock? We will meet in room 368 at that time, if it is agreeable, and we will adjourn now.

The committee adjourned at 1.05 p.m. to resume again at 4.00 p.m.

AFTERNOON SESSION

The committee resumed at 4.00 p.m., in room 368.

The CHAIRMAN: On my list of those who have yet to ask questions, I have the names of the following members: Mr. Reid, Mr. Harkness, Mr. Castleden, Mr. Bryce, Mr. MacLean, Mr. Matthews, Mr. Lickers.

Since Mr. Reid and Mr. Harkness are not here, it is your turn Mr. Castleden.

By Mr. Castleden:

Q. I was very pleased with your presentation this morning. I think you have placed our problem very clearly before us. I believe our duty is to bridge the way from wardship to full equality and still leave the Indian his right to those qualities which are inborn in him. You put a great deal of stress, I think rightly so, on the need for understanding, the need for mutual confidence and the need for us to create within the Indian his trust for the white man. Would you say that is not a matter of restoring his trust in the white man? Do you think the Indian ever had trust in the white man?—A. Yes, I think in the early days, definitely. If I may enlarge in answering that, sir, I would say that in the history of Indian-White contact along the frontiers in every part of Canada in the last thirty years of the last century and perhaps the first ten of this, particularly the period when, by and large, the frontier was expanding and people were pushing in, there was a considerable amount of pressure movement, exploitation and a rapid changing of attitude. The Indian did not

know where he stood. By and large the administration was handicapped at every turn by the necessity, upon which I touched this morning, for centralization in Ottawa. It meant a long period between the contact and the administration. I am going to make a rather dangerous statement but one which I will make very carefully. During that period and, indeed, later the white men who were in contact with the Indian were frequently of rather poor quality. Please do not misinterpret me. I am not saying every white man who did so was of poor quality, but around the edges of a country you get some pretty tough characters who, in many cases, do not lend distinction to the white people. Conversely, you had certain Indians who were tending to follow the white man's way, who were looking for whisky wherever they could get it. They, too, had broken away from the tribal attitude of both whites and Indians. In that situation the Indian inevitably lost confidence in the white man. Furthermore, you had among the hunting Indians of the north, the white man going in and cleaning up on the fur instead of the old safeguards of the wide hunting areas which were claimed by all Indian groups, not according to our standards of ownership, but still very definitely claimed in their minds. This broke down confidence. In the agricultural areas where you had Indians who had been farmers under the digging stick and stone age technique for generations, seeing the white people in the vicinity make money right and left with much superior agricultural implements, superior methods of marketing and so forth, the Indians said "the government promised us this and that and everything. Why isn't the government living up to it?" There was a break down of confidence.

I think one could expand that into terms of the fishing industries on the west coast. I am in no position to speak of the maritimes. I do not know the Indian problems there so have no opinion which is worth anything.

Q. Your study of the Indian would lead you to believe, I think you mentioned this morning, that basically he had a lot of very fine qualities. I think it was stated by one delegate here that there was so much christianity in the Indian's own religion he thought it should be preserved. The motto of the Indians in the west is "help thy neighbour". I think probably you know yourself the Indian will share what he has with others who are in need. He is, really, a good Samaritan. Do you think it would be harmful or good to permit these people to have the freedom of their own religion where they wanted it? Would you advise this committee, we will say, that we legislate so that where the Indians want it they should be allowed to practice their own religious beliefs?—A. I wonder if the best way of answering that is not this way? As I see it, with the spread of christianity in all parts of the world, christianity has undoubtedly been affected by existing beliefs in certain areas. Take the christianity of the highlands of Scotland, my downright presbyterian ancestors, and you had a different variety of christianity than there was, let us say, in the south of France or in the eastern Christian church and so forth. Think of the spread of christianity to-day in China, for example. The native Chinese christian church is not going to be a direct copy of the New England Missions which were there in the first place or any other denomination of christianity.

To me, christianity is big enough to embrace the points of view belonging to or incorporated from earlier faiths. Otherwise you would have a much more uniform christianity than we have to-day. I have put it rather bluntly, but I trust my meaning is plain.

To the Indian, this is true. Every Indian tribe about which I know anything in Canada, I would say among the older men and women with whom I have come in contact, from what they have heard from their parents and grandparents, religion was absolutely a dominating force in their lives. The greatest thing to the Eskimo was a person who had experienced a vision. The same thing was true of the different tribes on the plains and out on the west coast. I can give you one little illustration from an Indian whom I knew very

well and who, incidentally, was one of the best christians I have ever known. He took his religion extremely seriously and was governed by it. He told me one time when he had been in hospital down on the coast, a young Indian boy who had been injured in a logging accident was brought into the hospital. He was from another Indian tribe and he spoke no English. The hospital was manned by English speaking people. This Indian was called upon to go and speak with this boy. He found him obviously dying. He could not say much. My Indian friend said he wondered whether he had been saved. As I say, the man was a very good christian. He said, "As I looked at that boy, I looked up and I saw the Holy Ghost looking over the back of the boy's bed." I am afraid I rather blinked, not too obviously I hope, and asked what he looked like. "He was dressed in very high class white man's clothes."

What had happened was, my Indian friend who is a very devout Christian was in an extremely emotional state wondering whether this boy was going to be saved or not. Under that stress he pictured what one might very well call a vision. It was clear to him. He was not exaggerating. He had seen that or he believed he had seen it which amounts to the same thing. I give you that more as an example of the way supernatural experiences are close to the Indian people. In the old days, they had visions. They expected visions. They expected supernatural help at every turn. I always felt I never understood the Old Testament well until after I had worked among the Indians with whom contact with the supernatural was accepted, not as a thing apart, but as an integral part of their lives. Therefore, I think the faith and strength of the supernatural is a thing which the Indian can carry over from his own religion to a strengthening of his Christian attitude.

I would say further that is one of the things which has led to a feeling of breakdown and frustration of the Indian. The stronger his own religion was, when he found it was useless in the white man's world, the greater was his feeling of loss. He was like a ship without a rudder. I do feel one of our greatest problems to-day is to strengthen the religious attitudes and religious activities of the Indians, even though sometimes they take the form of group activities and group actions which are not easily translatable into our point of view and particularly into our economics. It is contrary to our economic principles to have a group of people going off for a religious ceremony for two weeks. The white man tends to say, "Well that is old-fashioned rubbish." It meant a great deal to the Indians. I am afraid that is a long-winded way of answering your question, sir.

Q. I gathered from your statements, too, that the Indian is a natural conservationist?—A. That is correct.

Q. Do you think then it is possible for us properly to reform the Indian Act so long as one of its clauses defines a person as being any individual other than an Indian? You would think we ought to give the Indian the status of a person. You probably know from your contact with the Indian that one of the things which has broken down his trust in the white man has been the fact that he feels his treaties have been violated under the Indian Act as it stands to-day. Indian representatives who came before us brought with them big medals which they had received from Queen Victoria. They constantly referred to their treaties. In trying to administer as best we could under the old Act we have placed the Indian Act over everything. What would you advise this committee to do with regard to Indian treaties so that we could fulfil what we think is our obligation to-day and restore the trust and confidence which you say the Indians must have in us, with which I agree?—A. In some cases, though not in all, it would be possible to enlist the co-operation of the Indians themselves in revising certain treaties. By and large the treaties—Mr. Hoey knows the history of them far better than I do—but most of the treaties go back to the

last century. Since then much water has gone under many bridges. What is called for, as I see it, is not an abrogation of treaties, but a revision of treaties in the light of changed conditions. If that is done entirely from above by an Act of parliament, by unilateral action, the Indians are going to say that they have been robbed: Human nature being what it is, I think they are going to say and would be justified in saying that, no matter what advantageous terms may or may not be given to them. If, on the other hand, it is possible to bring groups of Indians into a virtual round table conference to work out the adjustment of treaties in the light of modern times, that is the ideal way of doing it in my opinion.

You may say, sir, that is impractical, and I recognize the difficulty. I do not think it is hopeless. It has been tried in the United States with a fair amount of success in a number of cases. You would meet Indians who are definitely objectors to everything. You would meet Indians who wished to cooperate. You would meet everything betwixt and between. I would be afraid of unilateral legislation increasing in the Indian a fear that the white man is just administering for him without consulting with him. Needless to say, in political history, there is nothing more dangerous than one government legislating for others. The Boston tea party, etc., are cases in point.

It is worth, in my opinion, a tremendous amount of time and effort to bring the Indians into such a discussion, even though it may make the discussion much more long-winded and even though the final result may not be as perfect as if it were put through by a dictator. Dictators can often do extremely good things, but I think most of us are opposed to dictatorship.

Q. Another thing which I feel is causing distrust is the fact that inside the organization of administration the Indian has so little avenue of appeal against decisions which are made. He has never felt that he has the power to appeal on his treaty rights; and again we find Indians giving evidence before this committee stating that they want the rights which they thought were fundamental and belonged to them; that they had difficulty in having their cases heard properly and appeals against decisions made by arbitrary agencies. I thought you might be interested in saying something about that.—A. There, as I see it, is one of the great dangers of extreme centralization in Ottawa. I am not arguing against that as an historical necessity, but I think that can be obviated to a great extent by better-trained, more experienced administrators in the field, and perhaps by a larger number of, shall we say, travelling inspectors. I do not know the exact set-up,—the number of inspectors available at the present time,—but I had the opinion that it is too small. I make that statement without knowing the exact numbers. But I know many Indians feel, as you say, that the Indian may indeed only see his agent once or twice a year in some of the more isolated districts in the north; and he is mother and father and everything to them. He has a tremendous responsibility, and if he is the wrong type of man the Indians are in a thoroughly bad way. I am not saying for a moment that the Indian agents are a bad lot. Some Indians make that statement. But I do see the problem of administration in getting the right men for that position and it is one of the most difficult problems in our Canadian Governmental set-up because he is the person in contact with the Indians. If I might explain what we do and say in our form of society; the person who feels that he has been ill-treated or pushed around or something, has a variety of ways of making his grievances known. He may do it by going to see his local member, or the person whom he thinks should be his local member. There are a variety of avenues. The average Indian is definitely handicapped in contact with the white man, so he must go either to the Indian agent or to the missionary or in some cases to the resident trader. If he goes to the Indian agent he feels that immediately his case is biased. He is complaining against

the man who is in charge of it. If he goes to the missionary, he may perhaps be religiously opposed to the missionary. I do not say he is, he may be. The missionary is not in an ideal position to give disinterested advice. And the Indian continues to sit back and feel that he is being pushed around and there is no way by which he can get it out of his system. That is, I think, why you have among the Indians a feeling of irritation and a feeling of grievance and a feeling of dissatisfaction; not so much for the individual as with the system, and they don't quite know how to make themselves heard, to make themselves vocal. They have not had our experience in laying grievances before the courts, or this, that and the other thing; and all too often the person with whom they are in contact, the storekeeper or the trader, is not again a disinterested individual, and he is frequently the poorest quality of white man—again not always, but all too often. I keep hammering at that because to my mind it is vital to the whole thing; all the tremendous influence of the Indian agent over the people. I think there are very few individuals in Canada who have as great an influence over the lives of their fellow men as do the Indians agents, particularly in some of the more isolated districts. As I said before, he has to be guide, councillor and friend; and he has to keep a large amount of forms and documents going; he has to be an agricultural expert; he has to be a mechanic; he has to be everything; and it is a man-sized job that calls for a very high degree of skill in the handling of human beings in the process of transition.

Q. I think you are facing the fact that there actually is no proper machinery for the appeal of an Indian for redress against an injustice; whether he thinks there is one or whether there actually is one, it all amounts to the same thing. Would you not advocate or endorse some scheme whereby Indians themselves should have more self-government, should be trained in self-government, that the band and the council should be given wider powers?—
A. I would.

Q. And that they should be trained as to how to conduct meetings, and how to exercise powers similar, shall we say, to a municipal council?—A. I would agree on that, and that is certainly one of our goals in a democratic government; that is, to try and bring more and more people into it. And, I think that is perfectly feasible. May I take one illustration of that: the League of the Five Nations, later known as the Six Nations, established what was in effect a league of nations back in the stone age, and that league held the balance of power in North America for 250 years. Representatives meeting at Albany urged on the scattered settlers in New England, the English-speaking colonies, that they (the colonies) should unite with and enjoy the support of the combined strength of the union. It was the Indians who were well-organized and it was the British white settlers who were not. That was one of the strongest reasons for the formation of the United States of America. Now, I am using that illustration of the league of the Iroquois to show you that even among the Indians they have made great progress in governmental organization, and by that league they show that they had a skill in politics that few people ever attained. The league of the Iroquois was the only organization of which I have ever heard that lost in warfare more manpower than they ever had in their league, and they came out at the end stronger than they were at the beginning. That was done through the process of adoption of conquered people; prisoners of war and so forth. They were adopted into the Iroquois and became whole-hearted Iroquois. You had there a very strong skill in political organization. And another thing, you had a power of oratory that few white people have ever acquired. Our dependence on writing, of course, stops our ability to speak. Radio is perhaps going to help in some way in bringing that back. But you have undoubted abilities there, if an organization can be worked out between the different administrations in dealing with the

Indians. I think the situation is not by any means hopeless. It is idle to say that other steps should have been taken in 1870, in 1880 or 1890. Many things should have been done that were not done. And I think, sir, that your committee is opening up a completely new avenue, and one thing for which I would plead very strongly is to bring the Indian into whatever is done, even though that means a slower development and slower series of steps than perhaps you white men would like to take.

Q. You advocate the encouragement of the formation of Indian organizations provincially?

The CHAIRMAN: I might remark, Mr. McIlwraith, that our difficulty in bringing the Indians together is the question of which ones to bring in.

The WITNESS: I was just going to say, in answer to your question, Mr. Castleden, the one which you just raised, in regard to provincial organization; I was going to say that I would not advocate organization of tribes on a provincial basis. That is not in keeping with the old Indian attitudes. The provinces, after all, have nothing to do with geographical orientation of Indian tribes.

Mr. CASTLEDEN: The provinces, of course, are the white man's geographical distribution of land areas.

The WITNESS: What I would say is the rather—

Mr. REID: Locality certainly has something to do with the Indians. That is particularly true with respect to British Columbia. Under the British North America Act we gave them certain rights; and in British Columbia we have the proof that Great Britain has been most generous towards the Indians; so your statement is not altogether correct.

The WITNESS: Now, wait a minute; I am not just sure there, sir, whether my statement is inaccurate. I am not sure that I made myself clear, Mr. Reid. What I wanted to bring out was that the life of the Indian centred on a tribal basis which might or might not correspond to modern provincial bases, but usually did not. As I recall it you have in British Columbia, I suppose, eight or nine coastal tribes who differ greatly from the Indians of the interior. Further inland, where the prairie provinces now are, the tribal relations among the Indians had little or nothing to do with the geographical boundaries of the provinces as such. I would say that in bringing the Indians in and encouraging them in administrative work I would rather see it done on a tribal basis, with a feeling of pride in their own tribe and in their own tribal band than on a basis of provinces which are simply a white man's development. I feel that there is a tremendous scope for encouraging Indians to be proud of the thing their people had done, but that should be tribal rather than provincial.

By Mr. Castleden:

Q. Would you think then that it would foster unity among the Indians if their tribal organization was carried on; I mean, if their tribal organization had been carried on and there had been more tribal organization; that the Indians should be encouraged to come in and speak with one voice, say, for the whole dominion? I suppose there we would have the same difficulty as far as Canadian Indians are concerned when it came to the matter of the boundary between Canada and the United States; tribal affiliations would recognize no such boundary.—A. I do not like that point of view, sir. The differences between, let us say, the Eskimo in the north and the Iroquois in the south are so great; they are completely different in viewpoint. And my feeling is that for the development of tribal pride, tribal co-operation between the groups of Indians and groups of white men; that, of course, would stimulate a feeling of general Indian pride. And, remember, there was never anything approaching a united Indian group in North America.

Q. Outside of this league of nations of the Iroquois?—A. Outside of the Iroquois of old; and the Iroquois and the Algonquin hated one another in the same way, shall we say, that the Macdonalds and the Campbells hated each other in the western Highlands. I do not think there is anything to be gained in trying to foster or stimulate unduly a sense of Indian nationality as such. I would rather see pride of different Indian groups in their own tribal history and tribal skills, lore, and so forth. A suggestion that I throw out was given to me by one of my friends at one time was the possibility of Indian representation in the government of Canada in terms of one or more Indian senators. I am not advocating that scheme. I just throw it out as a thought that might be of some interest to your committee.

Q. I think the committee has thought also that perhaps a standing committee on Indian affairs could meet annually.—A. I do feel the desirability of flexibility in regard to Indian administration. I am frightened of an Act that was entered into in 1870 being like the law of the Medes and the Persians, without promise of any change in that law notwithstanding the fact that the background in which it was passed has in itself been changed.

Q. That is quite sound. But you do feel that the Indians themselves should be encouraged to develop in tribal groups so that each would be able to speak effectively in so far as the particular tribe is concerned?—A. So far as the tribe is concerned, yes. I have stressed the tribes rather than Indians as a whole, and I do not minimize the difficulty of discussion with the tribes, because it is going to be a slow business.

Q. Merging a lot of the old treaties and the records with regard to them is a difficult problem.—A. It is a difficult problem.

Mr. CASTLEDEN: I think that is all I have, Mr. Chairman.

By Mr. Reid:

Q. Mr. Chairman, I have one or two further questions I would like to ask the professor. One of the things to which he referred was the number of evils which the white man brought with him to the Indians. Did they not however bring some good things to the Indian as well? I think we all admit that the white man did bring a lot of good to the Indians over the years. For instance, where would the Indians be, especially some tribes, if they had not had the protection of the white man? I have knowledge of things that happened in my own section of the country, one of which came to my own attention—I am not a very old settler in this country myself, I came here in 1909—I remember the Indians in my own district not very long ago before I came kept constant watch over their habitations in case the Haidas came down and wiped them out. There was one occasion on which they were attacked by the Haidas who came down the coast hundreds of miles. Since the white man came he has brought them peace, at least. There are tribes who might have died out. A lot of them did die out for lack of food in the early days. If the white man did bring evils in the shape of certain forms of disease, one also has to admit that the white man brought great benefits, and that the Indians benefit from him a great deal more than they would have had they been left to themselves.—A. With the first part of what you say, sir, I would agree entirely; and I did say this morning that in respect to certain things in the Indian way of life that are desirable. I would also point out that any idea of a golden age was sheer rubbish. I personally have no desire whatever to spend a winter in northern Ontario in a birch-bark wigwam, getting my food through a hole in the ice. I say that does not appeal to me at all. And I would safely say that the white man has brought many advantages to the Indian. On the other hand, we white people must take responsibility for having brought a great many evils, and for having dislocated the Indian way of life, for better or for worse. And, with regard to warfare; I certainly would never dream of arguing that warfare did not exist

in North America at the time of the European contact. It did. But I think it is extremely doubtful if it ever existed on as large a scale, with anything like the equivalent of atomic bombs and high explosives and wholesale slaughter. One must remember, I think, that warfare increased tremendously after the white man came because the tribe which was in contact with the white man had a few better guns and a few better knives, and therefore was better armed than the other tribes. Well, it has been true in the course of history, as I see it, that any tribe or nation which is a little bit better armed than its neighbours has an absolutely righteous cause for going to war. However, I am not arguing the ethics of that statement, that has been true throughout the long course of history. The incoming of the white man and the coming in of new weapons increased warfare tremendously, I think there is no doubt about that. The Haida became wealthy through the sea otter trade and a lot of them got guns. Their tribal development was a matter of economics rather than philosophy. Their abilities increased tremendously over what they had before. Another effect of the white man on the Indian is shown by this. I was excavating in the Huron country recently, and it was apparent from the skeletons we found, and the condition of the teeth in them, that the people of that day must have had a tremendous amount of toothache. The Hurons certainly suffered in the early 17th century. It was apparent that the tooth structure had deteriorated in many parts of North America, no doubt due directly to the introduction of sugar and so forth among the northern tribes. We have countered that to a large extent by our dentists. It was a two-way traffic, we brought both good and evil.

Q. Do you know anything about this Metlakatla tribe?—A. A little. Off hand I do not think that I would be justified in venturing a statement. I would have to check up my dates. I do not know my dates well enough.

Q. I was going to ask you if the same progress in civilization could have been achieved by the rest of the Indians as was achieved by the Metlakatla band?—A. Oh, I would say yes. The Metlakatla, they were Haid, I think, were they not?

Q. Yes, they were Haidas.—A. And they went to Alaska in '46 or '48, under the leadership of a very powerful individual; but there is no doubt whatever that they were of the same group and had exactly the same background as other coastal tribes, not one whit better or worse.

Q. I realize that their development has had a direct relation to the fact that they live on the Pacific ocean and that they had the benefit of good food and plenty dependable food, in the fisheries, and so on, which placed them in a better economic condition than that of many of the others.—A. That is true, they had a dependable food supply and didn't have to keep running after it. It came up the rivers every year.

Q. I was wondering if you had had an opportunity of examining closely what has been done there and whether it could be applied to other groups of coastal Indians. I realize that you could not apply it to all Indians of the interior, but I think we could to the advantage of many tribes. Theirs is not an isolated instance. We have other instances of Indians who have done well. Not all of them are the worse for having come in touch with the white man.—A. Might I say, sir, that I could look up the references if you are interested? There was an article on the whole Metlakatla work which appeared in the *Journal of Applied Anthropology* about a year ago. That is a journal devoted entirely to the study of anthropology in administration; that is, how to use the knowledge in terms of adequate adjustment. This was a very thorough study of the Metlakatla from that point of view. The study was made by a specialist of the American school. I read the article but I am not familiar with the dates.

Q. Now, here is another point. The Indian Act defines the word "Indian." We have had considerable evidence as to what percentage of Indian blood a person should have to be entitled to be classified as an Indian. I wonder, Professor McIlwraith, if you would give us an idea as to what proportion there should be in a person for that person to be considered as being an Indian. I know in my travels, particularly last year, one could not help but come to the conclusion that there were certain persons apparently belonging to Indian tribes, children, who at least appeared to have very little Indian blood. I am wondering whether to classify them as Indians, or just where we should draw the line.—A. Well, you have put your finger on one of the most thorny problems of all. In the first place, sir, looking at it from the absolute biological basis, first of all I could not, and I think I am right in saying that no human being can look at an Indian and by any system of measurements or blood tests or anything else say whether that individual is 100 per cent Indian blood or 80 per cent Indian blood or 40 per cent or 50 per cent or what not. You may have intermarriage between an alleged full-blooded Indian and a full-blooded white in which the offspring are predominantly the one group or the other and in the next generation you may find a throwing back to something else. Just as in our own society you know how often among whites you will have a fair-haired blue-eyed child following the line of a grandparent or a great-grandparent. Actually, in my opinion, there is no way by which you can look at or measure a man and say he is 60 per cent Indian or 60 per cent white.

Mr. HOEY: I notice there are cases where the qualification is put at 50 per cent.

The WITNESS: As far as I know the only way they can get to determine that would be by having a knowledge of the pedigree of the individual concerned.

Mr. REID: Would it not show up by blood test?

The WITNESS: I do not think the blood test would work on that, as far as I know. I know Dr. Buck who is a Maori of New Zealand. He is an individual who has the background of being half Maori and half Irish.

Mr. REID: That is a good combination.

The WITNESS: He was appointed a minister in New Zealand and during the war he served with great distinction as a medical man, winning the D.S.O. in the field. He was really a very great man. A great deal of work has been done in New Zealand, but they have a much more simple problem of adjustment there than we have in Canada because the area is relatively small. They do not have the same wide range to their problem as we have here in Canada. You have one type in British Columbia and there is a wide variation between them and the type you find in, let us say, eastern Canada, and then you have almost the isolation of the Eskimo. I do not think that on strictly biological grounds it is feasible to define who is an Indian and who is not. Therefore it seems to me that this is a sociological rather than a biological problem; that it is the individual and their mode of life; what his sentiments are, what his thoughts are, and who he is. That determines who is an Indian stronger than blood does. I mean, you have got to have some Indian blood in his ancestry; or conceivably by adoption. I would not rule out the possibility of an individual becoming an Indian. There were a number of white people who became completely Iroquois-ized in the 18th century by the process of adoption. They became completely Iroquois. I had to use a term that does not exist, but it is truly a question of who is and who is not an Indian; and that is on the basis of those whose mode of life and thought and sentiment are Indian, rather than try to do the impossible and try to define it by terms of strict biology.

Q. May I ask this question then? I am very glad to be here this afternoon because I have been wanting to ask this question of some anthropologist, at this time particularly, because we are trying to find out who is and who is not an Indian. Is there any difference so far as blood is concerned between the children of an Indian woman marrying a white man—under our law her children are recognized as being white—and a white woman marrying an Indian—under our law her children are considered to be Indians, and she faces practical ostracism by so doing. Is there any difference between the offspring as a result of either type of marriage?—A. I would say that there is no difference whatsoever. And I would go further and say that I think legally we are in a very curious position when we say that when an Indian man marries a white woman the child is an Indian, and that when a white man marries an Indian woman the children are white. Most people viewing that objectively would just laugh at it and say that is a curious peculiarity of the law. I will give you a parallel from our own society. If John Smith marries Mary Brown the children are Smiths, although they are just as much Brown as Smith as far as blood is concerned; and, if the process is reversed you have the other side of the picture. The same argument holds in regard to mixed marriages of whites and Indians.

Q. I am very glad to have your opinion on that. That is just what my own views are on the matter; that is, that if by some process we recognize and allow the Indians of this country to go to our schools with the white children the result would be that in a generation or two or three you would not be able to tell them apart; and I am going to prove it just by what you have said.

I know of many cases in my own district where there are men and women whose father was a white man and their mother an Indian. They are accepted in society and looked upon as whites. They live exactly the same life as anyone else in the community. Now, if it had been the other way; had an Indian married a white woman, we would have ostracized her to some extent. I am glad to have your views, Professor, because I believe that the sooner we take the Indian out of the reserve and allow him to mix with our people and recognize him as such, the sooner the whole problem will be resolved.—A. I am not arguing against that. I think that is much the point I was trying to bring out this morning—the fact that we do not have any inherent race prejudice. This race prejudice occurs where one group or the other lives a different mode of life; but once the members of another group are living the same type of life and have the same attitudes you have no problem at all.

Q. From my reading of the history of the Indians I have noticed that when France took over the country she made no provision at all for the Indians, she simply took the attitude that they were a conquered nation and it is up to them to find their own reserves. Then after the battle of the Plains of Abraham the British came and as we know the British adopted a new and more humane policy. I have often wondered in my mind about the rights or wrongs of these two policies from the humane point of view. I have wondered if the Indians had been forced to mix with the white people from the beginning, if their place in the community would not have been as good if not better than it is to-day. I once thought that the treatment they received in the early days in Quebec was somewhat callous, but I am not so sure now that our treatment has been any less callous since we have put these people on the reserves. Because we have simply said, "There, you are an Indian, and you will have to be nothing else but an Indian all your days."

By Mr. Lickers:

Q. As far as the Northwest Territories are concerned, Professor, there are no reservations. Do you think it is a good policy to treat the Indians there as though they were any other inhabitant of the country?—A. Provided you have

the right type of administrator and the right type of school. I believe very strongly—I have said it before and I say it again—I am absolutely convinced that the Indian has just as much intelligence, capacity, capability, as anybody else. You get good Indians and bad Indians and you get good white men and bad white men; I think you have the same range of capacity and the reverse running throughout. Where you have to have a padding and a protection is where you have groups living side by side with a different standard of living which comes from a different background. Then inevitably you have a white superiority complex. It is one of the disagreeable characteristics of the white man that he does develop a superiority complex with a great deal of ease, whether it is in regard to Indians or anybody else—white or Indian; and where you get that you will find that an Indian child going to school would, I think, be looked upon as a dirty little Indian or as someone coming from the other side of the tracks, or something like that, and he would be in an inferior social position. What is needed is a sufficient safeguard and protection so that the Indian is able to take his normal part in the life of the Northwest Territories or the Arctic or wherever it happens to be, and once he is in that position Indian children and white children can and do get along perfectly well together. I think the separation of them in schools in the backwoods would be a very dangerous policy. It would lead to duplication and it would lead to a feeling of rivalry, a feeling of superiority and inferiority.

By Mr. Reid:

Q. Would you have the children going to the same school?—A. Mr. Lickers was speaking of the Northwest Territories where there are no reservations. Yes, I think that would be a desirable thing.

Mr. BRYCE: Mr. Chairman, I have listened to all these questions and answers and they do not leave me very much to ask about. I have enjoyed the evidence of the professor very much. Perhaps it is because the professor has ideas similar to my own that I am so pleased with his evidence. His ideas on enfranchisement are the same as mine. I think we have to show the Indian that we are not trying to take something away from him but we are trying to give him something better than he had before. When all is said and done, he is only getting \$5 a year and if he wants to hang onto it, let him do so. But we should be able to blend the Indians into the white man's life without making them give up everything they have ever had and of which they are proud as a race. There is no doubt I have my racial pride although I am a good Canadian to-day. The Indian wants to hang onto these things which he prizes and he thinks that by enfranchising him you are going to destroy all these things that he has had. Now, I come to my question. Do you think that the day school is of assistance to adult education?

The WITNESS: I would say that schools are of tremendous value to adult education. In many cases the place for such teaching should be in the day school, but it should take place in the evening. I am thinking of education, not in the formal curriculum of training; what I want to see is the day school acting as a centre say for dramatic work. The Indians like to act. So do most people, for that matter. In the old days in their religious rituals they had singing and they had dancing and they had group activities. Many Indians feel that the white man lives a cold, hard, individualistic type of life and has lost the group feeling that was so strong among the Indians. He is right. We do tend to be individualistic. We have broken away from it to a certain extent in the field of service clubs with their costumes and rituals and so on. It is an escape, perhaps, in a sense, from the drabness of our life. The Indian misses that sort of thing tremendously. That is particularly true, I think, of the plains Indians. I believe there is a place for the school to be the

centre for drama, for acting, for singing; yes, for education in the broadest sense of the word. I do not care whether that is done in a day school or, better still, in a community hall built by the Indians themselves for that purpose in co-operation with the white man. I think that is one of the things in which the tribe or band group can play its part in co-operation with the government.

Mr. BRYCE: I was rather looking at it from the point of view where the boys and girls come home to their parents every evening and repeat the happenings of the day and create an interest in the parents in the white man's way of life.

The CHAIRMAN: Do you mean something of the nature of the home and school club?

Mr. BRYCE: Yes, indirect adult education. Would you say, professor, from your experience, that the Indian is a natural co-operator?

The WITNESS: No. I would not say that any more than I would say that the white man is a natural co-operator. I would say that you get different degrees among Indians as among white people; but I will make this general statement that if you take Indians on the north coast of British Columbia, for example, the Haidas, you find a very, very strong clan feeling within the tribe. Now, the Haida clans were not of the same order as the Scotch clans, and you had to have a very strong bond in co-operation and friendship within the groups and within the tribe. Mr. Reid said that I did not believe that the Indian was always completely loving, charitable and so on. He certainly was not, but we have a very strong feeling of brotherliness to the members of our own clan, of our family, and we stick to one another tremendously. I think that is one of the reasons why they find the individualism of our economic life very different and why, in a number of places, group activities have, I believe, been very satisfactory. There is a group cannery on the Queen Charlotte islands I believe—I have heard this second-hand, I have no expert knowledge—but I believe it has been satisfactory. Where you can ensure a group of individuals working together, it helps tremendously.

I might, if I may sir, just suggest there is a volume which came out last year published by the Quaker Press in Philadelphia, written by an Indian woman describing her experiences as an Indian of the plains. She was in North or South Dakota and describes her experiences in terms of the problem of adjustment. Virtually everything she says is pertinent to our Canadian prairie problems, but her thesis was very much summed up in the feeling that group action which meant so much to the Indians, was lost in the individual struggles of our economic life. If you wish, I can give you the reference to that volume.

Q. You said you looked from a distance at this problem and did not take sides. Would you agree with me that one of the right and proper things for this committee to do, when it re-writes the Act, is to ask that there be an Indian Affairs Department with no other responsibility but the Indians, with one minister and a deputy minister instead of being a side line of another department?—A. The administration of Indians has as its responsibility the adjustment and welfare of, what is it, between 130,000 and 140,000 human beings. This is a major responsibility of us white people as a whole. I am in no position to say whether that could be handled more effectively by an Indian department under an independent minister. All I would say is wherever it fits into the government administration it is a responsibility of us in Canada as a whole to see that it is adequately staffed and that the goal and objectives are clearly laid down. Whether that is better as an independent department or whether it is better as part of another department, I do not know. I do think it is thoroughly bad to have a department which is too big so that the ultimate officials in charge have too great a variety of responsibilities. I have

seen that, if I may take a parallel, in certain problems in university administration. If you have too many things under one hat all of them suffer. I believe you would be in a far better position than I to say whether it should be an independent department or not.

Q. I had hoped you would have seen your way clear to agreeing with me to back up my argument. I think this Indian problem today is so important and the rectification of it so long overdue, it should have a department of its own.—A. It needs a great deal of help and aid. Whether that comes best from an independent department or not is a matter of government administration. I believe, as I say, you are in a better position to judge than I.

Q. There has been so much red tape. You have a director of Indian affairs. He has to go to the deputy minister before he can go to the minister. There is nothing but red tape. It is enshrouded in red tape. The only solution of the problem I see is to have a department of Indian Affairs which you can hold responsible for getting something done. I have not any more questions, Mr. Chairman; thank you very much.

By Mr. Matthews:

Q. You have been quoting from several, I presume, of the most recent scientific books along these lines. Can you give us just two or three minutes of the most recent thoughts as to how long the Indians have been in this country, from whence they came and how and where they first landed. This would give the committee the background material according to the latest ideas?—A. In the light of modern science?

Q. Yes.—A. I would be very glad to do that, sir. There is, I think, no doubt whatever that the ancestors of the American Indian came to the new world from Asia across the Bering Strait. This is supported by physical characteristics, by certain cultural characteristics and the fact that the same myths are current on both sides; certain similarities in the early tools and the whole evidence of linguistics, archaeological and physical characteristics, all join in that. In other words, we can say that the American Indian is a specialized mongoloid; that is, a person of similar ancestry to the Mongols of Asia.

Twenty years ago, one would have stopped at that. To-day, we know a great deal more about it. We know that the earliest Indians—this we know from skeletal material—reached this continent before the high development of Mongol characteristics. The Mongol head has been growing rounder and rounder in the last 20,000 years, let us say. The earliest Indians of whom we have knowledge tended to have a longer head. In other words, they came in before the development of the extremes of Asiatic or Mongol characteristics.

The clearest evidence of the antiquity of man in the new world was found at Folsom, a small locality in northern New Mexico.

Mr. LICKERS: That is just a recent find, is it not?

The WITNESS: It is a find of about ten years ago, Mr. Lickers. At Folsom, Indian remains including a particular type of spear point were found in conjunction with the bones of an extinct bison, not the buffalo of to-day but a bison which belonged to the last ice age. In other words, man was here at a time when the ice age bison were flourishing.

Since then, there have been other finds of these Folsom points, as they are called. They are a particular type of point. I do not know whether there are any in our national museum or not, but there probably are. They have been found quite widely on the western plains. We have a few in Toronto. A few have been found in Ontario. It is an early form of implement.

Then, in the state of Texas, there was found recently a cave in which there is a series of deposits. That is, man had gone into the cave and left burnt bones, rocks broken by fire and so forth. Then, there was a sterile layer

of sand which had drifted in and then another layer of this material and so forth. We found that man was living in that cave before the end of the period when musk-ox ranged that territory. Musk-ox bones were there. Now, it has been a long time since the musk-ox ranged in Texas. It must have been a period of extreme cold, yet man was there before that time.

Going down to the lower layers we found man was contemporary with a giant sloth which has become extinct and the North American camel which likewise became extinct a long time ago. To-day, we can say that the first ancestors of the American Indians must have reached this continent really before the last development of the last ice age and certainly were contemporary with the animals of the last ice age which puts him a very long way back indeed, twenty or thirty thousand years if you like.

On the other side of the picture, there used to be theories going around that man reached the new world from Polynesia, from Africa, from hither and yon. I think it highly likely a few canoe loads of people from the south Pacific reached the coast of South America, but they were too few in number to have any effect on the population of the new world.

Our American Indians came in from the old world in a series of small dribbles across the Bering Strait. This movement, in all probability, continued until the last couple of thousand years. Whatever they brought in from Asia tended to be sieved out by going through the Arctic. You could not bring domesticated animals, except a dog and you could not bring a knowledge of agriculture. The result was man had to start afresh in the new world without the advantages and developments in civilization in the old world.

I think that answers very briefly the rather large question which you put to me, sir.

—At this point Mr. Matthews assumed the chair.

Mr. HOEY: You see, Professor Mellwraith, there is a distinct difference between the prairie Indian or Cree and the Indians of British Columbia. Were the Crees here earlier? What is the explanation for that difference?

The WITNESS: Well, I suspect it is twofold. I do not know which came earlier, the coast people or the prairie Indians. Probably the prairie Indian is a bit later, but I do not know. What I do stress is that in every part of North America you have had tremendous differences. The differences, for example, between the French and the Hurons were tremendous at the time of the French contact in the 16th and 17th centuries. I think the difference between the Hurons and Eskimo, for example, was as great as the difference between the French and Hurons. You have not one Indian problem, you have a tremendous range of differences throughout North America.

Now, those differences are partly the result of environment. You would not expect the Eskimo to live in the same way as the natives of Mexico; that is a perfectly obvious situation. Over and above that, you have had time for biological and cultural specialization to take place. That is a clumsy term, but what I mean is that you have had long enough time for a man's physical appearance to be altered, modified and his whole mode of life to be altered and modified.

Along the coast of British Columbia, I think it highly likely there was a little bit of inter-mixture with the people we call the Ainu, who were aborigines from Japan. These people were a non-Mongol people and were akin to the north European. They were in Japan but were submerged by the Japanese. These aborigines were very hairy individuals with big frames and hairy features. It is significant that along the coast of British Columbia you have Indians sometimes with beards and sometimes with mustaches. Whether that is due to an early mixture with these non-Mongol aborigines of Japan is a thing we may never know, but it is certainly worth bearing in mind.

I was going to say, sir, I am afraid I must apologize for answering your question in terms almost of a lecture or thesis on the origin of the North American Indian.

The VICE-CHAIRMAN: So far as I am concerned, that is just what I was looking for.

The WITNESS: I may say I have just read a collection of first year answers to that question. I set a question, framed in virtually those words to my first year students.

The VICE-CHAIRMAN: Are there any other questions?

Mr. LICKERS: I have a few. When you were talking about enfranchisement, Professor, I presumed you meant the right to vote?

The WITNESS: Specifically, yes, but I also was thinking in terms of the right to have other privileges of Canadian citizenship such as the right to incur debts and the right to drink. I was thinking of a series of rights which, by and large, the Indian does not have at the present time.

By Mr. Lickers:

Q. But you would still, so far as the background of the Indian is concerned, as you say, maintain the reserve to a certain extent for some time?—A. So long as they serve as a rallying point for Indian tribal sentiment and pride which is a thing I think should be maintained if humanly possible.

Q. I think that is quite possible to do because over in Great Britain, you still have your Scotland, England and Wales. I believe that could be maintained in Canada at the present time?—A. I think it is perfectly possible. What I am afraid of particularly is, if enfranchisement should be put through en masse or without due safeguards, I am afraid of the danger of the Indian becoming enfranchised and feeling that to take that step he must lose all his Indian pride and Indian background. I think that would be a very real tragedy.

Q. From your study of the Indian's background would you say, so far as his culture is concerned, he certainly has something to contribute to the Canadian way of life?—A. Yes.

Q. I would presume, then, you would agree with me it is purely a question to solve the whole Indian problem?—A. It is primarily education so that the Indian, whose mode of life has become completely altered in the last 300 odd years—

Q. You mean education along the lines outlined this morning?—A. Education, so he is fitted to take his full part in the white man's world. It is rather peculiar that the Indian—I think this is a fair statement—has shown himself perfectly capable of playing a real part in our white wartime world in service in the army, but is still deprived and perhaps not fully adjusted into our peacetime world.

Q. That education, though, as applied to the Indians as a race should be a slow and gradual process?—A. Yes.

Q. Just going over your remarks would you divide them up into, say, three heads? One would be the maintenance of the Indian's culture as it was originally, at least, the best elements of it; then reading, writing and arithmetic, the three r's together with a training to suit his environment at the present time?—A. Yes, I think I would agree to that. I would also feel that in a specialized education use could be made of that which is in the background of Indian life in the different areas. I would say, for example, among the coastal people of British Columbia, where you have a long history of skill in wood carving and wood working, the manual arts, which is part of education, full use could be made of that. Among the Eskimo, you have skill in the use of bone and ivory, Eskimos, without any real training have repaired watches. I know of one Eskimo, in fact I saw a piece of his work, in which he fitted a tooth carved out of a piece of walrus ivory and made quite a good artificial tooth. Among the Iroquois, you have two great skills in government and oratory. I think you would agree on those two points?

Q. I certainly would.—A. Those are specialized skills of different groups which it should be perfectly possible to maintain and develop as the members of these groups fit into our modern Canadian life. I think it would be absolute madness to put down an over-all educational program in which the Eskimo was supposed to learn the principles of agriculture and the Iroquois to study walrus tusk carving, although I have heard of things just about as stupid being done on occasion in some parts of the world.

Q. In connection with the Indian's lack of confidence, would you say that has been partly as the result of the teaching of history as it applies to Indians?—A. I have not thought of it from that point of view, Mr. Lickers. Certainly, perhaps the Blackfoot and the Iroquois are the best illustrations of that. Our history has been written by the white man, that is perfectly true. We have misinterpreted an enormous amount of history. I do not know how much effect that has had on the attitude of Indian men and women growing up in the school. I would have felt a more significant thing in the lack of confidence was the business of the administrator, in the form of the Indian agent, having so much authority in the eyes of the Indians and yet everything having to be referred back to Ottawa and the fact that the treaties cannot be changed. It seems to me that would be a more significant factor.

I know the sentiment of the Iroquois particularly and you were perfectly right in saying that is a more serious cause of the lack of confidence than perhaps I would have tended to give it.

Q. Would you say this, that the white man's attitude in the majority of cases towards the Indian is as a result of history being interpreted wrongly, so far as the Indians are concerned?—A. It is a point which comes into the general picture. I quite agree on that. I meet in my own students' ideas that all Indians rode around on horses and armed with a tomahawk. I have never yet discovered what a tomahawk is. Incidentally, according to the white man, all Indians carried them. All Indians wore feathered head-dresses hanging down their back. If anybody thinks for a minute, how could he go through a patch of forest in British Columbia or even in our more open Ontario woods with a feathered head-dress. The thing is just absurd. It is a faulty generalization. I do think that both the whites and Indians have suffered from a faulty historical approach. How much that is a factor in the feeling of a mutual lack of confidence is a thing I would not care to say. It is one of the factors, undoubtedly.

Q. I was just thinking about the information in the newspapers as a result of the finding of a Huron village near Midland, and the reports in the press that two catholic priests were killed by the savage Iroquois, without giving any background material. Regardless of where christianity was being introduced, there were always martyrs. It certainly was not limited to the Iroquois. That is only one instance. It is also true in connection with the so-called slaughtering of villages by the Iroquois. People do not generally realize that the whites, at that time, were more or less invading people and we were merely fighting to protect our homes. It gives people a wrong slant as to why these things were done?

At this point Mr. Brown resumed the chair.

A. There is an illustration which I find most useful in that regard, Mr. Lickers. I am speaking here as a university teacher. This illustration is in regard to scalping. I find that most undergraduates assume that scalping was universally an Indian practice, whereas, as a matter of fact, the practice of scalping was spread far and wide by the traders in New England. It was a practice encouraged by the whites. I think it is fair to say that, without the white man, the practice of scalping would never have reached anything approaching the extent it did.

The histories have been written by the white man, that is perfectly true. It is only within the last few years that a number of good books have been written on some of these problems of contact between the white and Indian.

Q. It might be a good idea then to change some of our text books which are being used in some of our public schools and high schools?—A. I think it would.

Q. I just want to come down to the question of Indian administration. In your studies of the different tribes of Indians, I presume you found they all had a form of government within the tribe itself?—A. No, in some cases you really did not have a tribe as such. Among the Eskimo, for example, there was no tribal cohesion. You did have a very rigid set of ethics for behaviour which kept the individual acting along certain lines. The force of public opinion was an extremely effective mechanism for seeing everybody did that which was correct in the mores of the community.

Q. Then, suppose someone did contravene one of the mores of the community or of an Indian tribe, what sort of punishment was meted out? Was he ex-communicated?—A. If things got very bad, he ex-communicated himself. He had either to move out while—well, he just had to move out. In actual fact, there was very seldom a movement against tribal mores. I think the easiest way of understanding it is this: in our society, we have a doctrine of the locked door. The Englishman's house is his castle. You go home, lock the door and nobody knows what goes on behind that door. In virtually every Indian community the idea of the locked door was utterly unknown. The door stood open. Anybody passing not only could come in but was expected to come in. It was considered rather rude not to know what your neighbours were doing. If food was being had, you shared the food. It was rude to be an individual.

Now, under those circumstances the child grew up knowing what everybody else in the community was doing. Gossip was rife to a very great extent, whether for better or for worse. I do not know. It meant, from childhood, the individual was exposed to the force of public opinion. This was a force which we met only to a certain extent in the army; that is the only place where most of us ever lived like goldfish in a bowl. In an Indian community in the old days everybody knew what everybody else was doing. Therefore, it was very difficult for an individual to go apart from the mores of the community. It was not that there were any greater principles of ethics or morality. It was just that everybody knew what you were doing. In our society, I believe the thief always hopes he can get away with his plunder, otherwise burglary would not be worth trying. In a small Indian community, based on a relatively simple basis you had no hope of getting away with it. Therefore, the individual conformed to the standard of the community.

Q. I was just thinking of the fact that most of the tribes had a chief. In view of the fact, apparently, they knew how to govern themselves at that time, don't you think it would be a good idea now to give them that opportunity under whatever system they wanted?—A. I certainly feel very strongly that there is room for very much greater Indian participation in tribal matters. I repeat, I do not think it is necessary on the basis of all Indians throughout the province. Mr. Lickers would know better than I. I am not quite sure how the Iroquois and Algonquins would get along at the present time.

Q. I think we would get along quite nicely at the present time.—A. Certainly it would not have been the case a century or so ago. Incidentally, I throw in this remark, that I have met Algonquins who are still very suspicious of the Iroquois. However, if I might use an illustration from Scotland again the MacDonalds and the Campbells certainly did not love each other for a long period, but now they get along moderately well together.

Q. I have one question in connection with health. Knowing the background of the Indians and certain diseases they had before the coming of the white man, do you not think that greater stress at the present time should be put on preventive medicine rather than on curative?—A. I think that is right. I deliberately said very little about health this morning, partly because it is not a field with which I am familiar, and partly because my colleague, Doctor Brown, appeared before this committee on the development of a scheme for

investigation and action in northern Ontario dealing with health and economics. It is not merely a question of providing, let us say, the equivalent of vitamin pills to a people. You have got to do more than that. Health fits into the whole economic and educational framework and background of the people, and that is Dr. Brown's field much more than it is mine.

The CHAIRMAN: Mr. MacLean, have you any questions?

By Mr. MacLean:

Q. Take the Eskimos, the Algonquins and the Iroquois. Do they all really come from one particular stock?—A. They are all of Asiatic origin.

Q. Do you think they came from different tribes?—A. They probably came in at different times. Much of the differentiation took place in Asia before they reached the new world.

Q. I suppose climatic conditions had a lot to do with the physical characteristics?—A. Yes, and also what I would call the accident of history, the influence of one man. Look at the history in Great Britain and the influence of William the Conqueror, for example. If he had not happened to live the whole history of Great Britain might have been very different. To take a more drastic modern case look at the terrific influence of Hitler. One man can change the course of a whole people's actions and activities. A religious leader can change the whole course of a people's ideals and activities. Therefore, minor differences in Asia increased by isolation in the new world, increased by geographical isolation, subject to the accident of the rise of a great man, could send a group moving in one direction or another. Once they start moving in one direction that motion tends to be, if I may use the expression, a cumulative snowball. I am not sure that is the correct term, but I think it explains my point.

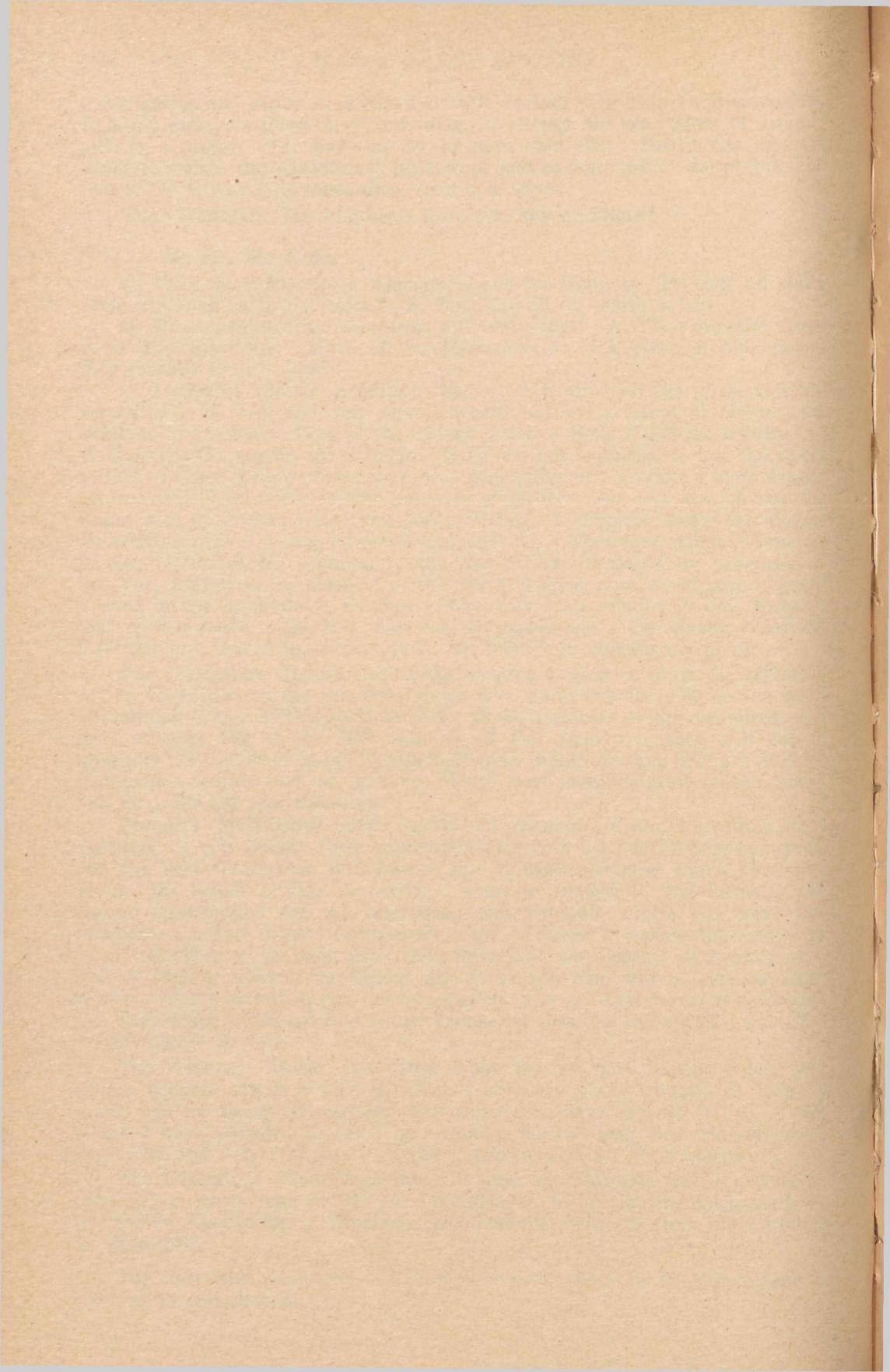
The CHAIRMAN: Before closing the meeting I want to draw the attention of the committee to the reference which was made this morning to the work of Anthony Walsh of British Columbia. If the members of the committee will refer to page 182 of the 1947 minutes of this committee they will see in appendix CB, the brief of the British Columbia Indian Art and Welfare Society, a reference to the work of Anthony Walsh, and more detailed matter about him at pages 192 and following.

Professor McIlwraith, many individual members of the committee have expressed to you already their appreciation for your attendance here before us, and the very interesting, informative and valuable evidence which you have given. On behalf of this committee I want to express to you formally our sincere appreciation for the interesting and valuable efforts you have put forward on behalf of this committee's work. I know I express the sentiment of all members of the committee who have had the pleasure of hearing you, and of various citizens throughout all of Canada who will be reading these reports, when I extend to you our appreciation and say that we want to thank you very much. I know that is the expression that the committee would like me to convey to you.

The WITNESS: Thank you. May I say for my part I came before you simply because this is a field in which I am very keenly interested. May I thank you for the great courtesy with which you have listened to me. I am afraid I have offended as usual by speaking far too long, but this subject is very vital and very real to me. I thank you, indeed, for your courtesy to me.

The CHAIRMAN: Gentlemen, we will meet on Thursday at 11 o'clock in room 277 at which time we will have the pleasure of hearing the delegates from the Indian Association of Manitoba and perhaps delegates from other groups in Manitoba.

The committee adjourned at 5.55 p.m. to meet again on Thursday, June 5, 1947, at 11 o'clock a.m.





SPECIAL JOINT COMMITTEE OF THE SENATE
AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE
EXAMINATION AND CONSIDERATION OF THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 30

THURSDAY, JUNE 5, 1947

WITNESSES:

- Mr. Harry G. Anderson, Fairford, Manitoba, President, Indian Association of Manitoba;
- Chief John Thompson, Pine Falls, Manitoba;
- Mr. Thomas G. Prince, M.M., Brokenhead Reserve, Manitoba;
- Chief A. James Murdoch, Fisher River Reserve, Manitoba;
- Mr. Boniface Guimond, Fort Alexander Catholic Association.

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,
Thursday, 5th June, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C. 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

Present:

The Senate: The Honourable Senators Horner, Robicheau and Taylor, 3.

The House of Commons: The Honourable Mr. Stirling and Messrs. Brown, Blackmore, Bryce, Case, Castleden, Charlton, Farquhar, Gariépy, Harkness, Matthews (*Brandon*) (Vice Chairman), MacLean, MacNicol, Raymond (*Wright*), 14.

In attendance: Mr. W. J. Ford Pratt; (From Indian Affairs Branch): Messrs. R. A. Hoey, Director; G. Patrick, V.L.A.; G. Armstrong, Welfare; A. G. Hamilton, Inspector, Indian Agencies, Manitoba; H. M. Jones, Supervisor, Family Allowances; Hugh R. Conn, i/c Fur Conservation; W. S. Arniel, Inspector, Indian Agencies, Ontario; M. McCrimmon, Trusts and Reserves; also, Reverend Fr. J. O. Plourde, O.M.I.; also, Mr. Norman E. Lickers, Counsel for the Committee and Liaison Officer.

The Chairman read a telegram from Chief L. Kewayosh, Wallaceburg, Ontario, protesting the contents of a brief of the Grand General Council of Ontario which appears as Appendix FJ, Minutes of Evidence, No. 25.

The Chairman read into the record the answer furnished by Mr. William Zimmerman, Assistant Commissioner of Indian Affairs, U.S. Department of the Interior, to certain questions put to him when he appeared before this Committee on May 19 and 20 last.

Mr. William Bryce, M.P. (*Selkirk*), introduced the delegates from the Indian Association of Manitoba.

The Chairman read into the record a list of briefs from various Indian reserves in Manitoba which have already been printed as Appendices to the Minutes of Evidence of the Committee.

The following delegates from the Indian Association of Manitoba were called, made statements and were questioned:

Mr. Thomas G. Prince, M.M., Vice President; who read into the record briefs or statements of grievances from various Indian bands in Manitoba;

(The Chairman directed the attention of the Committee to reports made to the Committee by members of Parliament from Manitoba: Mr. W. Bryce (*Selkirk*) at page 42, 1947 Minutes; and Mr. J. E. Matthews (*Brandon*) at page 89, 1947 Minutes and also at page 318, 1947 Minutes);

Chief James Murdoch, Fisher River Reserve, Manitoba;

Chief John Thompson, Fort Alexander Reserve;

Councillor H. G. Anderson, Fairford Reserve, and also President, Indian Association of Manitoba.

Mr. Boniface Guimond, Secretary, Fort Alexander Catholic Association, as representative of the Catholic Indians of the province of Manitoba, was called, read a brief and was questioned thereon.

The Committee adjourned at 12.50 p.m., to meet again this day at 4.00 p.m.

AFTERNOON SESSION

The Committee resumed at 4 o'clock p.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

Present:

The Senate: The Honourable Senators Johnston and Taylor, 2.

The House of Commons: Messrs. Brown, Bryce, Blackmore, Castleden, Farquhar, Matthews (*Brandon*) (Vice Chairman), Raymond (*Wright*), and Richard (*Gloucester*)—8.

In attendance: as at morning session.

The following witnesses were further questioned:

Messrs. Thomas G. Prince, M.M.; Chief John Thompson; Mr. Boniface Guimond.

Messrs. Hoey, Hamilton, Conn, McCrimmon and Patrick made statements.

The Committee adjourned at 6.05 p.m., to meet again on Friday next, 6th June at 11 o'clock a.m.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

HOUSE OF COMMONS

June 5, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 11 a.m. Mr. D. F. Brown, M.P., (Joint Chairman), presided.

The CHAIRMAN: Gentlemen, first of all may I say that Mr. Lickers has received a telegram from Chief L. Kewayosh of the Walpole Island reserve. Apparently, the Grand General Indian Council on May 3 sent a brief which is included in our minutes of evidence (1947) of this committee at page 1,363. The chief of the Walpole Island reserve forwarded this telegram to Mr. Lickers:

Wallaceburg, Ont., June 4, 1947.

Norman E. Lickers,
Liaison Officer of Indian Act,
House of Commons,
Ottawa.

Immediately check proceeding Walpole Island council meeting April seventh, nineteen hundred forty-seven, regarding Grand General Indian Council of Ontario. due to which you will find band objecting in the *Hansard* number twenty-five listing brief in the list appendix FJ listed as Walpole Island (brief) illegal.

Chief L. KEWAYOSH.

We will note the objection of Chief Kewayosh.

Now, when Mr. Zimmerman was here—he is as you will remember, the assistant commissioner of Indian Affairs in the United States—there were certain questions asked him which he said he would answer later on. Now, with the permission of the Committee I will file his answers to those questions, and they will be incorporated in the minutes of evidence.

Answers submitted by Mr. Zimmerman are as follows:—

“1. Has there been any progress in Indian education since the report in 1928 of the Meriam survey?”

Yes. While the facts reported at that time on academic achievement were very meagre and limited, there is now some basis for comparison. Marked progress has been made. Both the total number of students taking advantage of education as well as the reduction in percentage of retarded students show notable improvements. These can be shown by the following tabulation:

Status of children in Indian schools

	1928		1944	
	Number		Number	
Children ahead of their expected grade.....	264	2%	562	2%
Children at normal grade.....	1,043	6%	9,145	37%
Children retarded year.....	2,170	13%	6,044	25%
Children retarded 2 years.....	2,951	18%	4,196	17%
Children retarded 3 years.....	3,125	19%	2,349	10%
Children retarded 4 years.....	2,491	15%	1,167	5%
Children retarded 5 years.....	1,178	11%	481	2%
Children retarded 6 to 8 years.....	2,635	16%	425	1.7%
Total	*16,457	100%	24,369	100%

*This is not total enrolled, but total for which full figures were available.

In 1928 only 6 per cent of the students were in the grade which one would expect them to be on the basis of age, whereas in 1944, this percentage was 37, over six times as great. In 1928, nearly two-thirds of the students were more than one year retarded, whereas in 1944, about two-thirds of them fell into the category of favourable grade placement, i.e., ranging from advanced to no more than one year of retardation. This information is even more meaningful when one considers that with the increased numbers of students has come a more representative cross section, thereby including a greater proportion of students for whom the acquisition of an education is a relatively difficult task. Moreover, these data are distorted too by the fact that the Navaho reservation, with fifteen thousand and children between the ages of 6 and 18 for whom no schools are available, alone contributed each year enough over-age beginners to account for much of the over-ageness in the preceding table.

The increase in opportunities for an Indian child to obtain a high school education is significant: while only one school offered instruction through the twelfth grade in 1924, there were twelve schools in 1934, and thirty-seven in 1944."

We have with us this morning a delegation from the Indians of Manitoba represented by official delegates from the Indian Association of Manitoba. That delegation includes Harry George Anderson, Fairford, Manitoba, president; Thomas G. Prince, M.M., Brokenhead Reserve; Chief John Thompson, Pine Falls, and Chief James Albert Murdock, Fisher River. Now, I am going to ask Mr. Bryce to introduce the delegation.

Mr. BRYCE: Mr. Chairman and members of the committee, it gives me great pleasure to introduce these gentlemen who are here representing the Indians of Manitoba. On my extreme left we have Counsellor Harry George Anderson of the Fairford reserve; next to him we have Chief John Thompson of Fort Alexander, Pine Falls; next to him we have Chief James Albert Murdock from Fisher River, who is a delegate from the Indian Association, and next to him we have ex-sergeant Thomas G. Prince, M.M., who served four and a half years in the Canadian army overseas and wears the British military medal and the silver star medal of the United States. Sergeant Prince is from Brokenhead reserve and he is vice-president of the Indian Association of Manitoba. He will be the spokesman for the association. Another gentleman who should be here, I understand, is Alfred Flette of the Peguis band. He was to represent the unaffiliated Indians. I do not know what has happened to him, but he has not shown up as yet this morning. However, he may come later; we shall have to wait and see.

The CHAIRMAN: Is Boniface Guimond of Fort Alexander Catholic Association here?

Mr. BRYCE: If he is here I am sorry that I have not had the pleasure of meeting the gentleman. I am sorry if I have not met any gentlemen from Manitoba because I have a warm heart for anybody who comes from that fine province.

The CHAIRMAN: I may tell you, Mr. Bryce, that we all have. Now, we have in the room Mr. A. G. Hamilton, whom we have not met formally. He is the inspector of Indian Affairs in the province of Manitoba. Perhaps this is an opportune moment for me, on behalf of this joint Committee of the Senate and the House of Commons, to extend a hearty welcome to the Indians here present from the province of Manitoba.

Now I will ask Mr. Prince, who is the spokesman for the delegation, to come to the front.

Before Mr. Prince makes his presentation I wish to refer the committee to certain briefs that have been submitted to this committee on behalf of Manitoba Indians. I have before me a list of the briefs and where they may be found in our minutes of evidence. Those briefs were submitted at various times, and I shall ask that this statement indicating the place of the brief in the evidence be incorporated in to-day's minutes of evidence, as a means of ready reference.

Mr. CASE: Are these briefs which have been presented to this committee?

The CHAIRMAN: Yes, they are now incorporated in the minutes of evidence and they are all in connection with the Indian bands in Manitoba.

BRIEFS FROM INDIAN BANDS OR RESERVES IN MANITOBA

Already printed as Appendices

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CS	KEESEKOOWENIN Ban.....	5	237
CU	MOOSE LAKE.....	5	240
EJ	PINE CREEK.....	11	527

Thomas George Prince, M.M., Vice-President of the Indian Association of Manitoba, Canterbury, Manitoba, called:

By the Chairman:

Q. Mr. Prince, you are a resident of the province of Manitoba—on what reserve?—A. I am a resident of the Brokenhead band No. 4, Canterbury, Manitoba.

Q. Would you tell us your age?—A. I am thirty-two.

Q. Now, I believe you had a certain amount of schooling; where did you go to school?—A. At Elkhorn, Manitoba.

Q. What sort of school is that?—A. A residential school for Indians.

Q. How far did you go in school?—A. Grade VIII.

Q. Now, I understand also that you were in the Canadian army?—A. Yes, I joined the Canadian engineers in 1940 and I went overseas with the engineers.

Q. Over to Europe?—A. Over to England. I returned with the parachute brigade in 1942. In the latter part of 1942 I went to the United States of America with the parachute brigade—the 1st Canadian Parachute Battalion. In the latter part of 1942 I joined the special parachute service, the special service which was sent to Helena, Montana, and proceeded from Fort Benning

to Helena, Montana, in 1942. I went over to the northern Pacific area in 1943 with the special service. I returned in 1943. That same year I went over to Africa with the same special service force. In 1943 I proceeded to continental Europe—Italy and France. I returned to England in 1945. On the 24th of June, 1945, I returned to Winnipeg and got my discharge on August 21, 1945, from M.D. 10, Winnipeg.

Q. That is a very fine record. Yesterday you were telling me that in addition to the schooling which you got at the residential school you received considerable scholastic education and other education while in the army.—A. While I was in the army I attended special courses. I turned out to be one of the reconnaissance sergeants for a special service course. I took several courses whilst in this unit, and more especially on G-2 work, being a reconnaissance sergeant.

Q. What do you mean by G-2?—A. Intelligence service. I had to find out what the enemy was doing over on the other side. Our work was called G-2. I had to find out the particulars of the enemy on the other side, and so I had to have additional courses beyond those of the average soldier.

Q. Now, you entered the army as a private?—A. Yes, as a sapper in the Canadian engineers. That is the equivalent of a private in the infantry.

Q. And when you were discharged, what was your rank?—A. My rank was that of sergeant.

Q. Are you married?—A. I was married but I am divorced.

Q. Now, are you living on an Indian reserve?—A. Yes, I reside in the Brokenhead reserve now.

The CHAIRMAN: Are there any preliminary questions that other members of the committee wish to ask this witness?

By Mr. MacNicol:

Q. Where is the Brokenhead reserve located?—A. The Brokenhead reserve is located northwest of Winnipeg, approximately 42 miles, on the Grand Beach line.

Q. Is it on Lake Winnipeg?—A. The eastern region of Lake Winnipeg.

By Mr. Case:

Q. What official position have you with the delegation or with the provincial organization?—A. I am vice-president of the Indian Association of Manitoba and I have been selected as head spokesman for that association.

The CHAIRMAN: If there are no further questions I would suggest that you proceed, Mr. Prince.

The WITNESS: First, may I extend my appreciation to Mr. Bryce and to the Honourable Mr. Glen and to Mr. Lickers for making it possible for me to have this hearing before the joint committee. We, of the Manitoba Indian Association thank and express our appreciation to your members for making it possible for us to be here. I am, however, a new member in the Manitoba Indian Association. At the time I became a member of the Association there was a brief presented to our Minister by the Manitoba Indians in 1946 on February 22. It was my first trip to Ottawa when I met the Honourable Mr. Glen, our Superintendent-General. First I wish to put on your record our submission to the Honourable Mr. Glen.

THE INDIAN ASSOCIATION OF MANITOBA

WINNIPEG, MAN.,

February 22, 1946.

The Indian Association of Manitoba respectfully petitions His Majesty the King in the persons of the Government of the Dominion of Canada and the Members of the House of Commons to consider the matters herein set forth.

At Stone Fort or Lower Fort Garry, August 3, A.D. 1871, the representatives of the Crown, the late Queen Victoria, Governor Archibald and Indian Commissioner Wemys Simpson, contracted the terms of a treaty with the Indians and made solemn promises which were to stand fast forever, as long as the sun shines, grass grows, and the river streams flow, and that no other transactions or alterations to be made on the top of the treaty foundations made in accordance of the British Crown, even the Queen herself, or any other government, could not break those laws which were established at that day. Treaties Nos. 2, 3, 4 and 5 were made similar to that of 1871.

The chiefs herein assembled do hereby empower by appointment a delegation to Ottawa, to present our many grievances to the House of Commons.

Be it resolved that a royal commission be made to enquire into the deplorable conditions now existing in our reserves.

We wish to have our game, fish, and other items restored to us, that which were our God given rights, for we did not surrender those at the time of our treaty in 1871.

Consideration also should be given to schools, disputed lands, rations and our aged people in our reserves.

Be it resolved that the Indian Act be abolished and tax exemptions be restored to Indians.

Awaiting prompt attention, we remain,

R. ANDERSON,
Secretary.

I planned to have the Indian Association of Manitoba present a brief to this committee but my plans did not work out. However we have brought along this treaty book. I believe the House of Commons and the Indian Affairs Branch will have such a book as this. This particular one is in bad condition. It contains treaties of Manitoba and the western provinces. In conjunction with the treaty book we have a parchment concerning the revision of treaties Nos. 1 and 2. The former is the treaty of August 3, 1871.

The CHAIRMAN: I would just give you the name of the book, for the purposes of the record. "Treaties of Canada with the Indians of Manitoba and the Northwest Territories," including negotiations on which they were passed and other information relating thereto, by the Honourable Alexander Morris, P.C., late lieutenant governor of Manitoba, the Northwest Territories and Keewatin.

Mr. GARIPEY: What is the date of publication?

The CHAIRMAN: It is dated Toronto, March 1880. It is published, I imagine, by Rolfe, Clarke and Company, I can see the word "Clarke".

It has a front note by the author, a letter addressed to the Right Hon. the Earl of Dufferin, signed by Alexander Morris, the author, at Toronto in March, 1880. I think that will identify the book sufficiently for our purposes. We have a copy in the Parliamentary library.

The WITNESS: You will find the proceedings concerning the treaty made on August 3, 1871, in this book. As yet I do not refer to the actual terms in which the treaty was made. You will find that the revisions of treaties Nos. 1 and 2 are also in this book. They were made on April 3, 1875, by Order in Council. The clerk of that council at that time was W. A. Himsworth. With this document about the revisions of Nos. 1 and 2 treaties we have an attachment. The attachment is a copy of treaty conversations made at Lower Fort on August 3, 1871.

TREATY AGREEMENT AT LOWER FORT

Made the 3rd of August, 1871

Subjects of Treaty at the Stone Fort

By the commissioner said did you make your plans right. I told you yesterday. My heart was heavy yesterday when I went from back from here yesterday. But I glad to see you this morning. I hope you will put everything right to-day to ask the great Mother the Queen. She will give 3 dollars. If you take this offer just now that is 6 dollars that you will have this year. But after this year you will only have 3 dollars per head till sun shines and the great Mother the Queen she will pay you the school master herself from her own pocket. The great Mother the Queen she know you are poor and the great Mother the Queen she will assist you all when you settle and our great Mother the Queen she will give you one hundred and sixty acres of land per five of family when to be in your Indian reserve and no white man to be allowed to stop there inside the reserve and if the white man does anything wrong inside the Indian reserve I will punish him myself.

Wassaskooko with his partners said I am glad to hear about the goodness of our great Mother the Queen as you said and we are coming to ask our great Mother the Queen if she will accept of our wants. We will give this our country what she was asking from us but we will take the all what you mention in your last speech and we say in ever again to our want from the great Mother and we will take the 3 dollars and we will ask the great Mother the Queen to give us till the sun shines that in 3 dollars and one pair of fine clothing this spring and one pair clothing in the fall each head those two things we ask the great Mother the Queen to give till the sun shines and we ask the great Mother the Queen again to give us in the first season each family ploughs and harrows and a pair of each cattle per family and a pair of sheep and pigs and turkeys hens and other kind of fowls all that we ask of the great Mother the Queen to give us and to give our chief and spokesman and brave of each of the buggies and the horses with the complete one of each kind officers to give our great Mother the Queen never to shut up big store and shops when to find the living to our child in and to be always to get any time they wanted and we will agree about the lands allowed 160 acres of five in family and we ask the great Mother the Queen never to be taxes inside the reserve and no white man to be allowed to be intoxicating liquor inside the Indian Reserve commissioner said and took off his hat and he said I am glad to hear you are asking settle now. But I said I will do all what you are asking to our great Mother the Queen and I said already that no white man stops inside the Indian reserve I will settle with him myself by and by and if the white man does anything wrong inside the Indian reserve. I will punish him myself and again you understand this we shall not make anything again afterwards. Governor Archibald Simpson said if ever you tire of your reserve first of all chief and council and the band to be like one and the great Mother, the Queen, and the government the three minds to be like one if ever you leave your reserve you will get a reserve along the lake where there is lots of fish to make your living because you Indians done most wonderful things to give your great Mother Queen your country your great Mother Queen has you as her own children if he gets patent by lies if he should be a half-breed if he should be a white man, if he should give half cash and half trade or if he should build a brick building or a stone building your great Mother Queen has power from her crown for that buyer to be the loser, because your great Mother Queen making a

reserve for you to-day as long as the sun shines and river runs to be yours and your children forever. If there should be a different government even the Queen herself could not break those laws making according to her crown and power of her crown after the reserve was made. The treaty book was opened one hour to any man to speak, nobody spoke. When the hour expires the great man got up again and said, the hour is up now am going to close our treaty book, the book is closed and sealed no man under the sun will open the book except our great Mother Queen. If any man brings new things on top of this book he will sound like a negro talking away far off and we are enclosing this agreement and we are not putting down here small articles which we are now promising to you all, we shall have them one side of the paper we just put down the big articles what we are promising you. Our great Mother and all the white people with the Governor Archibald and Indian Commissioner Simpson and all the witnesses signs this agreement which is now made.

OUTSIDE PROMISES

*Treaty Made at Lower Fort by George Archibald with
Indian Commissioner W. Simpson*

Indian Chiefs	(Kakeekaypeenais)	(Kewelatigars)
	(Nasakeepenais)	(Wakoowash)
	(Osasawekwan)	(Waynawananan)

At the time of our treaty at the Lower Fort this is believed to have been agreed and we are contented. We Nettly Creek Indians desire your Excellency to represent our case to your ministers in the department we want a sub-chief for our part of our reserve. We do not want Henry Prince for our chief. We pray to your ministers, through you, to give us a sub-chief and separate councillors. Signed by all the Nettly Creek Indians through Miskopenais.

TREATY FOUNDATIONS OF 1871-1872

PROVINCE OF MANITOBA

Promises to Indians Included in all Treaties Nos. 1 and 2, 3, 4, 5, 6, 7, 1871.

1. Clothing of our chiefs and other head men.
2. Wagons complete, for chiefs and head men.
3. Farming implements with seeds for each family.
4. Carpenter tools for each family.
5. House furniture, inside and outside.
6. Warm clothing for the winter for each head man, and for women and children.
7. Lighter clothing for the spring for each head men, also women and children.
8. The furniture for men hunting.
9. Furniture for women hunting.
10. One pair of cattle for each family, being an ox and a cow.
11. One pair pigs for each family, being a boar and a sow.
12. One pair of sheep for each family.
13. One pair of hens for each family.
14. One pair turkeys for each family.
15. School in which to educate our children, paid from our Great Mother, the Queen.
16. Minister, to be paid by our Great Mother, the Queen.

17. A blacksmith on each reserve.
18. A carpenter on each reserve.
19. A Doctor to attend on each reserve, to be paid for by our Great Mother, the Queen.
20. Provision stores and goods, to take in our reserves.
21. Money payment of \$3.00 per head, forever.
22. Money to each chief.
23. Money to each head man.
24. School teacher to be paid by our Great Mother, the Queen.
25. That our reserves be our land as long as the sun shines.

See the reply from Commissioner Simpson to Lieutenant-Governor Archibald.

These are the questions to be answered, and also how many articles are on the old age rations each month, and on the sick rations.

This is the attachment that was made to the revision when treaties No. 1 and 2 were revised on April 30, 1875. It reads:

Copy of a Report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor General in Council, on the 30th April, 1875.

On a Memorandum dated 27th April, 1875, from the Honourable the Minister of the Interior bringing under Consideration the very unsatisfactory state of affairs arising out of the so called "Outside Promises" in connection with the Indian Treaties Nos. 1 and 2,—Manitoba and North West Territories concluded, the former on the 3rd August, 1871, and the latter on 21st of the same month, and recommending for the reasons stated:

1st. That the written Memorandum attached to Treaty No. 1 be contained in so far as they have not yet been carried out, and that the Indian Commissioner be instructed to carry out the promises therein contained in so far as they have not yet been carried out, and that the Commissioner be advised to inform the Indians that he has been authorized so to do.

2nd. That the Indian Commissioner be instructed to inform the Indians, parties to Treaties Nos. 1 and 2, that, while the Government cannot admit their claim to anything which is not set forth in the Treaty and in the Memorandum attached thereto, which Treaty is binding alike upon the Government and upon the Indians, yet, as there seems to have been some misunderstanding between the Indian Commissioner and the Indians in the matter of Treaties Nos. 1 and 2, the Government out of good feeling to the Indians and as a matter of benevolence, is willing to raise the Annual Payment to Each Indian under Treaties Nos. 1 and 2, from \$3.00 to \$5.00 per annum, and make payment over and above such sum of \$5.00, of \$20.00, each and every year to each Chief, and a Suit of Clothing every three years to each Chief and each Headman, allowing two Headmen to each Band; on the express understanding, however, that each Chief or other Indian who shall receive such increased annuity or annual payment, shall be held to abandon all claim whatever against the Government in connection with the so called "Outside Promises" other than those contained in the Memorandum attached to the Treaty.

The Committee submit the foregoing recommendation for Your Excellency's approval.

Certified,

(Signed), W. A. HIMSWORTH,
C.P.C.

From this the committee will see why we do not submit a written brief from the Indian Association of Manitoba. We take the treaties made with our ancestors by the British Crown. Further I wish to put on record briefs from the certain reserves which briefs were turned over to the Manitoba Indian Association. In turn the Manitoba Indian Association presents those briefs to the joint committee. I will now read them:

May 23, 1947

Brief from The Pas Indian Band

The following brief was submitted to the Manitoba Indian Association, which held a convention at Winnipeg on December 4, 1946, by the undersigned, and at this date have added a few more items to the said brief, for further discussion by the said association.

1. Why were the Indians of The Pas band fined for hunting ducks and geese for their own use out of season. They were fined \$10 each; they were prosecuted under the Migrating Bird Act. The Indian still believes that they were within their treaty rights.

I emphasize the fact that they were inside their own reserve.

2. That the treaty Indians should be allowed to fish for commercial purposes within their treaty boundaries.
3. That the old people on reserves be given old age pension—instead of the \$10 they receive from the band funds.
4. The residential schools should be improved to up to date conditions if they are still to be in operation. The pupils should get full time schooling, the half-day system should be done away with. We would ask the department to give full assistance by financing same, also to improve the day schools, that are located on the reserves.
5. We would urge the department to see that they have one of their own surveyors to re-survey the lines on our reserve. We have trouble with the white people concerning these lines.
6. In spite of all the planning the provincial government is making for the tourists regarding Clearwater Lake (known as Atikameg), we still say this lake should be preserved for the Indian of The Pas, as they have no fishing grounds.
7. Indians having funds held for them at Ottawa should be permitted to purchase farm tractors that they may have community farms, especially for The Pas band.
8. We would ask that the department see to it that we get satisfactory compensation for roads going through our reserve—as the compensation we have at present is not satisfactory.
9. Our hunting rights should be extended, and trapping grounds more favourable. Indian people complain that too many white men are being put to trap on the muskrat area. We don't like to mention this very much as we were told by the Provincial Fur Advisory Committee not to say anything about it, nor mention any agreement concerning same, for if we look too close to the agreement, we may arouse the sleeping dog. However we feel that we have a right to speak concerning these swamps for we made our living from them from time immemorial.
10. Childs allowances for widows with children.
11. That boarding schools be given a larger grant, as at present it is not enough.

12. Indian agent has too much work and should have more help.
13. The Moose Lake band requests that a 1½ mile road from the reserve to canoe and boat landing at Moose Creek be made. This is a swampy country. The transferring of freight from their boats and canoes is done over this road of 1½ miles by team and wagon. \$2,000 would make a fair road similar to Pemikan Portage to Cumberland House road.

CORNELIUS BIGNELL, *Chief.*
 DONALD LATHLIN, *Councillor.*
 JOHN YOUNG, *Councillor.*
 MATTHEW MCGILLIVARY, *Councillor.*

The next is the submission from No. 4 Brokenhead Indian reserve, which is the reserve where I reside.

No. 4 Brokenhead Indian Reserve
 April, 1947.

We, the undersigned band, beg to submit the following grievances to the Manitoba Indian Association, and the Senate and the House of Commons, concerning our treaties broken.

1. Hunting, trapping.

Why is it we can't trap muskrats in our trapping ground? Just west of the reserve has been our hunting and trapping grounds all our lives. Now not even an all-treaty Indian is allowed to trap here, just the white man can trap here.

I would point out that in 1947, this year, there has not been an Indian trapping on this particular area to which they refer and which is just immediately west of the reserve of band No. 4. There have been, however, five or six members of the said band trapping twenty miles southwest of the reserve. In the Brokenhead band there are cripples and older men who cannot go out twenty miles and sleep in the cold. It is all because of this fur conservation and rehabilitation block which is preventing the Indians from trapping on the said grounds.

2. Fishing.

We are having a hard time to fish for our own use. For instance, inside our reserve in the year 1946 four families' nets were torn by the game guardian's motor boat, George Longbotton, who is always in our reserve. This is an encroachment of white man in the reserve.

I point out that the said Mr. George Longbotton is the game guardian of the provincial government. He has travelled up and down the Canterbury and Brokenhead reserve tearing Indian nets inside the reserve.

I will refer to a report of one of the meetings of this committee. Your joint committee asked for letters from each individual reserve concerning treaty rights and obligations etc. You will find that there was also an item with regard to the encroachment of white men on the reserves. This particular employee of the provincial government of Manitoba, George Longbotton, is a pure white man and has not one ounce of Indian blood in him.

3. The promised farm implements and garden implements have disappeared, also the treaty oxen and cows, treaty bull, carpenter tools. All these have disappeared.

4. Education:

We wish to have our children given more education. In the past year we did not even have a school teacher for our day school, therefore our children haven't—are not going to school.

5. Disputed Lands:

Indian land fenced off by white man southeast of Sec. 25, same northeast Sec. 23. The amount indicates (I.R.). We wish to have it re-surveyed by the Indian department.

Names

Councillor—Mr. Joe X Williams
 Councillor—Mr. Edward X Passage
 Band —Mr. Alex X Raven
 Chief Richard X Chief
 Mr. Alfred X McDonald
 Mr. George Williams
 Mr. Henry X Starr
 Mr. William X Morrisoe
 Mr. Gordon Passage
 Peter Jones
 Harry Raven
 Mr. Eddy X Bran
 H. F. Sinclair
 Robert Olson
 Thomas Prince
 Sandy Grisdale

I am interested in this particular band, and the reason is obvious. I belong to the band. I returned to this band after I was discharged from the armed forces. However, I do not particularly make my living in this particular reserve as there is nothing there to make a living by. We have not a store on the reserve and I am forced to go outside the reserve to make my living.

I have referred to band No. 4. I shall do my utmost to help my band and I shall do everything I can to work with the government and to co-operate with the government for better living conditions in Manitoba as a whole. Therefore I myself am prepared to make a suggestion to the Indian Affairs branch. I referred this suggestion to our Indian agent before, on the 4th of June, 1947—a suggestion with regard to development of agriculture in Brokenhead band reserve No. 4. However, this is not a brief to be submitted; this is a suggestion I personally am bringing before the Indian Affairs branch but which I would like the committee to hear. If the committee wishes to have it put on the record it may do so.

This reserve No. 4 has ideal land for agriculture, real rich black soil.

In the fall of 1946 a large forest fire swept through the reserve destroying the best part of the timber area. This reserve is about five miles by six miles, and about one-third of the reserve is ready for breaking land.

I had three meetings with this band, both young and old generations. Now that the timber is practically all gone and the provincial government is rationing our muskrats, etc., we must get together and do something and do it fast. We, our band, should get a loan from the government of the sum of \$10,000 to \$15,000 to start an experimental farm on a five year base plan with repayment to the government. We can form a band association of three or four young men capable for the purpose. These men will look after the entire set-up. Now in this certain band we have a

lot of young men who went to the residential schools at both Brandon and Elkhorn and I must say they are capable of farming—even our inspector, A. G. Hamilton, can vouch for me on that subject since he trained some of them in Brandon school, Manitoba.

And we also have a few veterans who can really handle machinery. They showed it by holding their own in the army. I have the people of this band very interested in this project. We were ready to sign for this. Then our Chief, Chief Richard turned us down. He can't even read or write. I then took the matter up with the Indian agent, Mr. Frank Hughes, two times. I explained every detail and I mentioned the fact that if we set this example for the rest to follow I am more than sure the government and our people will never regret it.

And the only thing I can see now is to change our head men and then proceed with the project. I am sure the Indian Affairs branch will consider this suggestion.

The machinery we would need would be a complete tractor and breaker, one power disc, harrows, one power seed drill, one power binder, one threshing machine, one cultivator, about \$1,500 set aside for fuel oil and seed, first year.

I further suggest if any of this joint committee ever comes our way they look at our reserve and they will get the picture from my viewpoint and they will see that we, the people, must do something fast.

(Sgd.) Mr. Thomas G. Prince.

That is a suggestion I am placing before the government.

However, with regard to the treaty that was made on the 3rd of August, 1871, I say that I am not prejudicing my treaty, I am trying to better the living conditions of my fellow Indians. If we the people on the Brokenhead band reserve No. 4 could set a good example I am sure the rest of the people in Manitoba would follow.

The CHAIRMAN: Gentlemen, with the permission of the committee Mr. Prince is going to file certain briefs which will be incorporated in the evidence. There is a brief from band 39 and band 40 of Shoal Lake signed by Frank Kabestra and Arnold Mandamin, dated May 26, 1947. Then there is a brief dated May 28, 1947, signed by Chief N. Asham of the Peguis reserve. Then there is a brief from the Chemahawin reserve signed by Chief Geordie George. There is another brief from Poplar River, Manitoba, signed by Chief Nanawin, and there is another from the Long Plain reserve and still another from Shoal Lake, Ontario. May I say that No. 39 and No. 40 bands are in Shoal Lake, Ontario. The other Shoal Lake brief is from Manitoba.

"May 26, 1947.

Re—Day School on Reserves

On August 26, 1898, the following agreement between the Indian Agent at that time and the Shoal Lake Indians was written (as taken from Austin G. McKittrick's diary of 1900).

The Agreement as follows:—

We, Miscagesik Redsky, and Kichkab (or McNabb) who is one of Shogaces' headmen and speaks for him will send our children to such a boarding school as has been described *if it is not too far away*, and will do our best to get our people to send their children.

MISCAGESIK	X his mark
KECHIKAB	X his mark

August 26, 1898."

Thus started the matter of sending the children to school.

The school being close to the Reserves No. 39 and No. 40 everything went well for the Indians.

Then came 1929 which caused a change on all concerned. All the school children were removed to a school in Kenora, Ontario, which was named "Cecilia Jeffrey School". (Like the one which they had just vacated.)

The new school was located over fifty miles away from the Reserves. This caused the Indians infrequent visits to their children. Some did not see their children until July 15 of each year. An Indian would manage to accumulate some amount of money and would take a trip to Kenora and see his child (or children, as the case would be) and a few days in Kenora visiting would exhaust all his money. This procedure of visiting children from afar off was, and is still, a heavy burden on the Indian. All because the school was removed from near the reserve to a town 50 miles away.

To what advantage did the removal of the school bring to the white man or the Indian? To the white man it may have brought many advantages and on the other hand the Indian had to take the disadvantage, so far as travelling from the reserve to the school was concerned.

There were many complaints that the Indian has made and is still making to-day, concerning the distance of where the school is located.

Among a few of the complaints are as follows:—

1. The major part of the money the Indian who has a child in this school earns goes to financing his trip to Kenora to visit his child. In winter time or in summer time this trip costs money.

A detailed account of money spent on the trip would take too much time to write, and an average person would figure out himself how much a trip of this type would come to. (A trip would average a week or more.)

But here is the main point—had the school not been removed the money which the Indian earned would have gone in purchasing things for his home like clothing, food, etc. So much for that.

2. The children who ran away from school have always been a grave concern to the Indian. This may be caused by the loneliness of the child because his parents were unable to finance a trip for a visit.

3. While the school was near the Reserves the children never thought of running away and they seldom did.

We, the Indians of Bands Nos. 39 and 40 have been trying to obtain permission for a day school to be built on our Reserve, during the past few years.

And we are as a whole petitioning for a day school from the Department at Ottawa at this writing.

We have seen many articles in newspapers and in Indian newspapers concerning "Day Schools on Indian Reserves".

And we hope to realize and establish one at our Reserve with the permission and help from Ottawa in the very near future.

Signed by,

Chiefs

Frank Kabestra, Band No. 40

Arnold Mandamin, Band No. 39

Councillors

Geo. Chena X

Jim Chena X Band 40

Chas. Greene, Jr., X Band 39

Witnesses

Fred Greene, Ernest Fair.

When we first understood that the school was going to be removed to Kenora, Chief William Kesick and I (Jim Chena, Chief at the time) tried very hard to hold the school at Shoal Lake, but to no avail.

Part of the agreement was that the school could be in use continually as long as there were Indians living on the land, but to all indications it was the Agent who caused the removal of the school.

Signed,

Councillor Jim Chena X

Winnipeg, May 28, 1947.

To the Joint Committee of the Senate and House of Commons:

That the fishing, trapping and game promises be carried out and a portion of Fisher Bay be put aside for the benefit of the Indians of Fisher River and Peguis Bands, and the settlers thereon.

At the present time white fishermen fill the Fisher Bay with very big fishing outfits and crowding us out of the best places. This place asked for is from Birch Point to north end of Moose Island and across to west side to Mitchell's Camp. This to include the settlers.

Our wish is to keep the big companies out of these fishing grounds, who are mostly getting the biggest quantity of fish, of which the smaller fishermen have no show at all in the way of commercial fishing.

Coming to trapping rights, we have no place to trap in now—by a surrender in 1907 that was improperly obtained, the Dominion Government sold the trapping ground last fall, which leaves us without a place to trap in.

If our Treaty rights signed in 1871 were kept we would to-day have a trapping ground hard to beat anywhere.

(Signed) Chief N. Asham,
Peguis Reserve.

The people of Chemawawin reserve want:—

1. A resident nurse on the reserve.
2. It is proposed that our trapping licences will be taken from us, but we don't want this to happen, as we have places on our reserve where we can trap. If our licences are taken away from us when we leave the ranch, we will not be able to sell the rats we get from our reserve.
3. Regarding fishing: We are allowed only five nets to use in this work. This we feel are too few. We would like to be allowed another five nets, even if the fee for licence be increased.
4. That we be not stopped in our way of getting our living. We would ask to be allowed to kill ducks at all times.
5. It is now a long while ago since we were given implements for use on the reserve. There is nothing of them left now, and we would like to get some more for use on the reserve, as bob-sleighs, and other implements.
6. We want a new school where our children can go to school in comfort. The school in use now is very old and in bad repair. Snow drifts in at the door and windows in winter and it is very cold.
7. We do not have much hay land on our reserve, but what we need is a sawmill, houses with cement foundation.

(Signed)

Chief Geordie George,
Councillor William Captain.
Poplar River, Manitoba,
North 53rd Párallel.

The treaty people—what they want:

1. Wanted at Poplar River—Post office; also at Big Black River, between Poplar River and Big Black River, over sixty families.
2. Highway transportation from point to point. The care of public health.
3. Half fare on the boats—by any passenger boat on Lake Winnipeg for treaty Indians.
4. Also we want houses repaired from the government.
5. And we want new day school.
6. Also we want a team of horses to use on our reserve, and cattle.
7. Forms for chiefs, copies to fill out and signed from Ottawa, to control his people.

(Signed) Chief Nanawin.

Chief Chubby Nanawin,
Poplar River,
Lake Winnipeg,
Manitoba, Canada.

LONG PLAINS RESERVE,
Winnipeg, Manitoba,
May 27, 1947.

The demands from Joseph Yellowguil and Councillor J. B. Daniels to the Government at Ottawa, viz.:—

The desire of the said representatives of the band as aforesaid:

As the horses we have in the reserve are not sufficient power to break land. And it is the wish to ask for a Tractor. This is to be given from the band funds.

Houses also needed as regards to building material.

And cannot sell any produce without a permit, that the Agent sells our production and distributes to us not enough to buy anything to be useful for us.

A doctor was given to us but instead of attending to us he attends to the outsiders and rejects the Indians of whom he should look after.

Two years now I have demanded a school for our children, which I have been refused.

Destitute, old, aged have not been given enough rations to do them for a month. We want each of these aged people to be given them their rations.

Any man in sickness unable to work and cannot provide for his children not helped in provisions.

We request also a road to be built on our reserve to be granted from our land money and of which we were refused by the Department.

A part of our reserve we sold some time ago and just received a little amount of the money. We therefore request to be granted to us this land back again through the demand of the Chief council and band on account of non-payment by the Government.

May 26, 1947,
Shoal Lake, Ontario.

In a meeting held at Winnipeg last winter, by various bands in Manitoba and elsewhere, I was asked to write down what grievances I had from my Band and to present it on the next meeting at Winnipeg on May 27, 1947.

The following is what we are submitting to the meeting for consideration:

Before the Reserves were formed at the first Treaty the Chiefs were asked which locality did each prefer for their Reserves to be situated.

Our Chief Showanibinai chose for his Reserve site at the western most part of Indian Bay and Snow Shoe Bay. The reason was obvious. The locality was well situated for hunting, fishing and trapping, and a rice crop was harvested in Snowshoe Bay every season.

All went well until the Greater Winnipeg Water District built a railway and waterline. This caused many changes in the commercial fishing standpoint of the Indians.

Fishing with nets in Indian Bay was prohibited. This was one of the best fishing grounds on the Indians' Commercial Fishing License. Since the prohibition came into effect the Indians had to crowd their nets around Snow Shoe Bay. The whole fishing ground is so limited in size and depth. The question of obtaining more ground is necessary.

At the offset the Indian was given his Reserve, so he can derive and make his living for it, but it happened that the above mentioned Railway and Waterline was built which caused many changes in the Indians routine.

Did not we the Indians surrender much land to the white man, so he could make his living from it also without disturbing our Reserves in any way?

The way it looks (figuratively speaking) is that our Reserve is like a house and the white man has stepped into it for his own use.

There were many places from where he should have obtained his water.

Signed at Shoal Lake Reserve No. 39 and 40 by
FRANK KABESTRA, Band 40,
Chief.

GEORGE CHENA,
Councillors.

The above was written and translated from the Indian to the English language by F. Greene. The translator wishes to remain neutral on all opinions arising from the above or foregoing document.

Then there is a brief from the Fairford Indian reserve, which is in Manitoba, and another from the Little Black River reserve. Then there is the constitution of the Manitoba Indian Association. These also will be included in the record.

Fairford, I.R., No. 50,
Fairford, Man., May 28, 1947.

The following is our Brief, from our Reserve, which we have prepared for presentation to the Joint Committee personally by our Delegates:

1. *Roads or Highways:*

It has been our earnest desire for many years now to have our road graded through our Reserve, making it accessible for the necessary motor traffic, ambulance service, etc. The cost should be met by the Department of Indian Affairs, and not from the funds of our Band.

2. *Cattle Raising:*

Our Reserve is most suitable for cattle raising; there is good pasture land and wild hay is plentiful.

We have decided to ask the Department to assist us in commencing cattle raising. We would ask the Department to give to each family, to those who are physically fit, and those knowing how to handle cattle, at least eight (8) cows.

3. *School and Education:*

We want our "Lower Fairford" day school to be opened in September; it has been closed for over three years now. Regarding the services of a school teacher during July and August, we do not want to have the school opened during those two holiday months.

4. *Hunting and Trapping:*

We want to be free to hunt and trap on all unoccupied lands, as we were promised in our Treaties of 1871; this is a natural occupation for us and we can do it perfectly well.

(Signed) Chief Edwin Woodhouse.

(Signed) Councillor Chas. Jno. Anderson.

(Signed) Councillor Harry G. Anderson.

Winnipeg, Man., May 27, 1947.

BRIEFS FROM THE "LITTLE BLACK RIVER RESERVE"

We, Chief Frederick Sayer, Council and Band, herein make the following requests:

We herein demand our privileges of hunting, and the natural resources of every description, fishing rights; and for these we are to pay no license whatsoever.

No garden seed has been given us, and it is our desire that we should be supplied with the same.

A sawmill was brought into our Reserve by Captain Robinson, who has placed it in the hands of another Company, by name Brown & Rutherford, of Winnipeg. They promised the Chief to give us the privilege of sawing lumber at the rate of Four Dollars (\$4.00) per thousand feet, but they have not fulfilled their promises. We therefore desire the Government to look into this matter in order to obtain a proper settlement.

The Anglican Church site has taken more land than the size of that allotted them.

Rations of the destitute are very small; not enough is given them to do them monthly. Formerly the Indian Agent came with provision to pay our annuity money, but this has now been stopped with the practice of giving rations to the Indians.

No clothing of any kind has ever been given to us; we would like the government to also investigate this need.

(Signed) Frederick Sayer,

(Signed) Moses Bird.

Manitoba Association

Contents, Part I

Rights Under the Indian Treaties

Constitution of the original Treaty, which was not fulfilled by the Government.

The Governor then took his hand and said: "I accept your hand and with it your lands and will keep all my promises in the firm belief now the Treaty to be signed, will bind the Red Man and the White together as friends forever."

A copy of the Treaty was then prepared and duly signed, after which a large amount of presents, consisting of pork, flour, clothing, blankets, twine, powder, shot, etc., were distributed to the several Bands represented on the ground.

Page 94: (Morris)

You are the subjects of the Queen, you are her children, and you are only a little Band to all her other children. She has children all over the world and she does right with them all. She cares as much for you as she cares for her white children. And the proof of it is that wherever her name is spoken, her people, whether they will be red or white, love her name and are ready to die for it because she is always just and true. What she promises never changes.

Page 72: (Morris)

Promised by the Queen that her ear would always be open. This has not been approved by the authorities at Ottawa, on many complaints and reports which have been submitted to them.

It was also stated that she would deal with her servants who did not do their duty, but this has never been perfected to follow up this obligation.

Page 92: (Morris)

What the Queen and her Councillors would like is this—she would like you to learn something of the coming white man. When the fish are scarce and the buffalo are not plentiful, she would like to help you to put something in the land. She would like that you should have some money every year to buy things that you need. If any of you should settle down on the land, she would give you cattle to help you, she would like you to have some seed to plant, she would like to give you every year.

Page 95: (Morris)

The Queen wished us a good success and blessing, of which the representatives have sanctioned on behalf of our Great Mother and her High Councillors from Ottawa, also the presiding Governor, of which they did not claim they were traders, neither are they in that spirit.

The late Queen has been faithful unto all her promises but the Dominion Officials and Indian Department have debarred the Indians in cutting our rights of enforcing the Indian Act, which gradually takes away our privileges and abolishes our rights of the Treaty.

As to the spirit of the representatives, that the Indians would have to look for themselves regarding their livelihood in general, they did not give any chance to the Indian through neglect; when a grant is given by the Government many of them receive nothing, consequently they become discouraged and abandon all efforts to better themselves.

Page 122: (Morris)

The Indians—Crees, Saulteaux, Ojibways, and the rest—were ready to make a Treaty. The Treaty was written out and was signed by the leaders of the Band, and a copy was written and presented to them, considering it was time we did something. Now, I would ask are the Crees and the Saulteaux and the other Indians ready to make the Treaty with us. Since we went away we have had the Treaty written out, and we are ready to have it signed and we will leave a copy with any Chief you may select; and after we leave we will have a copy written out on skin that cannot be rubbed out and put up in a tin box so that it cannot be wet, so that you can keep it among yourselves, so that when we are dead our children will know what was written."

Mr. CASTLEDEN: Have we copies of these?

The CHAIRMAN: No. They will become part of the record.

Mr. CASTLEDEN: It is going to be difficult for us to question on these matters when we have not any information.

The CHAIRMAN: The presentation is being made by this association, and they have not brought a prepared brief.

Mr. CASE: In a sense the presentation is being made by a third party, and I suppose the briefs will have to speak for themselves.

The CHAIRMAN: That is right.

Mr. CASE: Will there be any way of finding out the average number of Indians on each of these reserves?

The CHAIRMAN: We have all that information in the official census for 1944.

Mr. HOEY: Yes, that is so.

The CHAIRMAN: Now, I also have here a list of the offices and officers of the Indian Association of Manitoba and the names of those who were present at the meeting of the Indian Association of Manitoba, May 28, 1947, including the ladies. This document will appear as an appendix to to-day's report.

(See Appendix FW)

Now, I may advise the witness that we have a subcommittee on treaty rights and obligations, and it may be that when we come to the revision of the Act we will make certain recommendations, going into all of those treaties. That, of course, has not been considered by the committee up to the present time.

Mr. CASTLEDEN: Would you give us the names of those treaties?

The CHAIRMAN: We had all that before you came in.

The WITNESS: Mr. Chairman, I should like to read, with your permission, the proceedings of one of our meetings in the province of Manitoba.

The CHAIRMAN: Proceed.

The WITNESS: In 1947 I was unable to attend one of our conferences. However, I attended this one which I have recorded here and which is very brief. I have here the proceedings of the Manitoba Indian Association dated December 3, 1946, which will give the joint committee an idea of the proceedings we go through in Manitoba. The proceedings read as follows:—

Proceedings of the Manitoba Indian Association.—Dec. 3, 1946.

The council convention of Manitoba was opened by Vice-president T. G. Prince. At the opening of the council Vice-president Prince was appointed Chairman and the majority agreed.

President H. G. Anderson.—We are assembled together once more to discuss our treaty rights. I do not have much to say to the Chiefs and Councillors and all who are present. We will go by the treaties made at the lower Stone Fort on the third of August, 1871. I have been a member since 1939 and I am proud to be your president.

Chairman Prince.—To all Chiefs and Councillors, and to members of other provinces. I do not have much to say at first. I have more to say later. The treaties of 1871 have not been complied with for the past 75 years.

Time and again they have been broken. Such as the 25 promises. My basic foundations are: On the 3rd of August 1871 at the lower Stone Fort was made by Sir Archibald and Commissioner Wymess Simpson, and that three tokens were obtained . . . the sun, the river and the grass that these treaties shall stand fast as long as the sun shines and the river flows and that these treaties were made according to the British Crown.

Delegate Chief J. Thomson.—I do not have much to say. You have heard these treaties talked about. The treaties I am speaking about are the 1871 treaties which are not complied with. I did not sell my country. Our forefathers surrendered the depth of a furrow which is six inches of sand. I did not surrender my water. I was to share my water half and half. I was promised that my treaties shall stand fast forever as long as the sun shines and the river flows that they were made according to the British Crown.

Secretary R. Anderson.—My friends, I do not have much to say. You have just heard what I go by in the Stone Fort treaty. I'm sorry to say but some people think that the No. 1 treaty does not exist any more. Just because the No. 1 reserve St. Peters was broken. At the Stone Fort treaty made the 3rd of August, 1871, there were no reserves. No. 1 treaty still stands and it will stand as long as the sun shines and the river flows.

Chairman Prince.—I was one of the members to go to Ottawa, to speak for your treaty rights. When I asked Hon. Mr. Glen if the Stone Fort treaty of 1871 still stood fast his answer was yes. I asked then if they were just as firm as the day they were made. My answer was yes.

Delegate Councillor G. Shanneappo.—The surrender of our country was made to the depth of a furrow which is six inches of land, and not the minerals, water and hunting rights and other things and these were the treaties made in 1871.

Delegate Chief James Murdoch.—I was one of the delegates to go Ottawa to speak of the treaties of 1871. We spoke of Queen Victoria's treaties such as water rights, and that we are dominated by the Indian Act.

Delegate Chief James Wilson.—I was one of the members to go to Ottawa to speak for my people. Such as fishing rights and trapping and hunting rights and about the reserves. I wish that some day we will all be united with our grievances and will be stronger to be united with other provinces. We also spoke of the Old Age Pension.

—Moses McKay of Fisher River then read the copy and memorandum of the Stone Fort treaty which was made in August 3, 1871.

President J. B. Tootosis of Cutknife, Sask.—I am glad to have the privilege to speak in your association.

I am glad to hear that you are all interested to be united in the Dominion of Canada. Each individual reserve on our union of Saskatchewan has presented a brief to the House of Commons and the Senate. Your leaders are speaking for you, it's for you, the people, to give the grievances to them. We ourselves can't only speak for ourselves. You must have a brief of grievances from each of your reserves for the Senate and the House of Commons. The honourable members of Parliament say to be all in one for your treaty rights just like our soldiers who fought overseas, like one main body and we here tried our best to help them from over here. Let us get together, let us not let the Government say we can't pull together.

Chief Thomas Jones of Cape Croker, Ont.—The chairman and president of your association. I did not come for nothing. I think a lot of you my fellow Indian brothers and I certainly like to unite with you my fellow brothers.

I am the only one in my country to have payment of my treaties that were made by my forefathers. I was a school teacher for twenty years. I can show that I can equalize with the white man. At present I can say that I can't represent Ontario. However I will ask you to give me a little

brief so that I can take it home and show my people of what you speak of your treaty rights. In my country, in Ontario, each reserve donates \$25 and that's for the delegates to go to the House of Commons.

Thomas Meno of Norway House, Man.—I am glad I have a chance to say a little. I am glad to hear these members speak of our new treaty rights and that they are making briefs to the House of Commons.

Councillor Alphonse Smith of North Bay, Ont.—I do not have much to say only I would like to have a brief to take home to my people and show them what the Manitoba Association is doing.

Meeting closed.

Meeting resumed December 4 and opened by Chairman Prince at 9.50 a.m.

President Anderson.—My friends we continue the meeting. We are still on the subject of our treaties of 1871. Let us finish the subject first.

Chairman Prince.—The chiefs and councillors and all the people. This morning I will introduce to you Hon. Bryce who will listen to your grievances and will take them to present them in the House of Commons. I ask the chiefs from every reserve to write out a brief of grievances concerning your reserves and treaties which have not been complied with we will then present them to Hon. Bryce which in turn he will present to the House of Commons and the Senate.

William Bryce, M.P. from Selkirk.—My friends. I am glad to have the privilege to sit in on your meeting. I was with the Royal Commission in the Maritime provinces in the east, that trip took about three weeks.

We estimate that it would take much longer to go to the western provinces. In 1947 there might be a Royal Commission similar to that which went east. I will be glad to accept your written briefs and to present them to the joint committee of the House and the Senate. You just can't go to the House and speak by word of mouth, you must take a written brief. So then put them in black and white.

Chiefs then came forward presenting briefs while the council continues.

Chief Bignell of the Pas.—To the Manitoba Indian Association. From what I understand the treaties of 1871 is not being complied with. I have my medals and my parchment of my treaty. Treaties broken like as my men were apprehended for shooting ducks and geese in the reserve. Taken by police and game guardian and six men of my band paid fines of \$10 each for shooting ducks in the reserve.

Councillor Strong Eagle . . . "I do not have much to say, I am with our president of Saskatchewan, John B. Tootoosis. Our president is working for us he is not the boss of himself and he works very hard for us. I thank you for to let me speak and let us all now be united."

Chief Frank of Indian Bay, Ont. . . . "

I believe that should be Chief Frank Kabestra.

"I am glad to have a little speech. I do not have much to say. I have written a brief to present. I thank you all."

Angus Prince of Saint Peters, Man. . . . "I am glad to have the privilege to have a few words concerning our treaties. I have been working on treaties. I never have any backward mind and that I present to the members and the government that the treaties were broken by fraud and crookedness. I am a bold man and I am not backward to fight my rights. I will not say much now. Later I will say more on the St. Peters question."

(The newspaper men and photographers present took pictures.)

Meeting opened by chairman Prince at 9.30 a.m.

President H. G. Anderson . . . "To all chiefs and councillors and members: I am very glad to have my friends from the other provinces and we promised that we will pay the delegate's fares. I ask the audience to donate money as we have to spend a lot of money on papers to be typed and also stamped and the fares to go to Ottawa."

Councillor G. Shanneappo of Rolling River . . . "This council meeting is still about the 1871 treaties which we will abide by. We find No. 1 treaty is the core of other treaties. I ask J. B. Tootoosis of Saskatchewan if we unite that we work and abide by the 1871 treaties. I ask you now."

President J. B. Tootoosis of Saskatchewan . . . "In answer yes. We will work on the treaties numbers 1 to 11."

Chief Thomas Jones . . . "I can't have much more to say but the Indian agent is a dictator to all the Indians. You can't get around the fact the Indian agent does not help us so we must make our briefs to make this attack in the House and the Senate."

"When we get through, we will take over the Indian agent's job. Throughout Ontario as was the treaties made we like to see Manitoba do the same as we are doing and we can go right through all together. If we told the Indian agent he would not listen to you because he is put there by the government. I do not come here to dictate to Manitoba. If we win through these briefs on the attack in the House of Commons then we would not need an Indian agent any more. From what I can understand from J. B. Tootoosis why do we not get the national unity of the Brotherhood and unite all together as one people. My fellow Indians, shed a tear and we will make a prayer; let us think of the Almighty first. Like before I left I prayed to God and laid our lives in his hands. My wife and I travelled three days to get here. I prayed to the Great Spirit to give us strength to go through with this. I like you to shake hands with my wife as she is very interested with our affairs. I hope and pray that the M.I.A. will have success."

May God help your speakers and help them to perform their duties in an honest way with a smile. I thank you all very much.

President H. G. Anderson: We will extend this meeting one more hour.

Chief Thompson: We are all in favor to unite in National unity. All those in favor raise their hands.

—All raised their hands.

Chairman Prince: To all members, Chiefs and Councillors and our fellow brothers from other provinces. I thank you all very much. I am very sorry as yet we did not meet with Andrew Paull of British Columbia. I am all in favor of a national unity. Our written briefs will be much stronger to present before, the House and the Indian affairs branch too is working hard and we must work too and compromise with the government concerning our treaties; my main factor is education. We would understand each other much better. I think we will find after we compromise with the government the Indians will have better living in the future.

Chief Thomas Jones: Will you make a motion that you are in favor of the national brotherhood.

Chairman Prince: On this motion we could not bring it to a vote as that's a white man's way. We do not wish the MIA to vote as that would make the Indian Act stronger. However we are all in favor of a national unity. (Angus Prince is called to tell facts and frauds of the said St. Peters Question—in the middle of his speech he is interrupted by Chairman Prince).

I'm sorry our friends of other provinces are leaving at once. Concerning the St. Peters question that I am looking into would you witness and make a statement in the St. Peters question. I understand when the so called surrender was made did they not get a receipt from the agent at Selkirk on their way to locate a new reserve in Fisher River. They were to pick up one gallon of whiskey in Gimli and did they not get one gallon liquor from the agent before they left in Selkirk. This is a fraud.

Angus Prince: Yes I will witness that and make a statement and also I know other witnesses that seen it with their own eyes.

Chairman Prince: Thank you, that's all we wanted to know to prove it's a fraud.

Chief Thomas Jones from Ontario: Mr. Prince, will you make that statement and sign and an affidavit and hand it to me. That is what I've been looking for.

J. B. Tootoosis: This is what I've been looking for. I believe if you show that you can take the reserve back we will find other treaties will be better. Thank you.

President Anderson: In the closing of this council we will ask Chief Thomas Jones to say a prayer for us.

(Meeting closed at 1.30 p.m. Dec 5, 1946.)

THOMAS PRINCE

I refer to a matter here, the St. Peter's question. I am sorry our un-affiliated Indian Mr. Flette is not present or he would tell you more about the so called St. Peter's question and the Peguis band.

The CHAIRMAN: I would refer the committee to page 36 of the 1946 minutes of proceedings for a synopsis of the treaties for Manitoba and the Northwest Territories which have been referred to. I would also refer the committee to the briefs presented by Mr. Bryce on page 42 of the 1947 minutes of proceedings. Mr. Matthews, the other member of the committee from Manitoba, who is, I believe, from the southern part, around Brandon, has his brief presented at page 89 and at page 318. Unfortunately the public has not the opportunity of seeing the very excellent photographs appended to each of those briefs showing, in Mr. Bryce's case, the different developments of northern part of Manitoba. Mr. Matthews' brief shows the work that has been accomplished by the Indians of the southern part of Manitoba.

Now I understand that Chief Murdoch has a brief to present.

I should say to the committee at this time, as is our usual practice, there will be ample opportunity given after the presentations have been made for questioning of the various witnesses.

Chief Murdoch, is it your desire that Mr. Prince present your brief?

Chief MURDOCH: Yes.

The CHAIRMAN: Mr. Prince points out to me that there is another matter on which he would like to say a few words. He suggested that it might be brought up during the question period. It concerns the veterans' allowances and veterans' land affairs. I have advised him that on the odd chance that Colonel Harkness or some of the other members vitally interested in that phase might not be here later, it perhaps would be as well if he would now bring up the matters he wishes to discuss in respect to veterans' affairs.

The WITNESS: Thank you Mr. Chairman. As you know I am a veteran and I am very interested in veterans' affairs. There have been quite a few young Indian veterans whose cases have been brought to my attention. The grant they are getting at the present time is not enough. However, I have a circular letter here with which I believe the majority of the committee are familiar. It is P.C. 5932 dated at the government house at Ottawa, Friday, the 7th day of September, 1945.

His Excellency

The Governor General in Council:

Whereas by Order in Council of the 13th of April, 1945 (P.C. 2122) the Veterans' Land Act, 1942, was amended by deleting Section 35 and substituting therefor Sections 35 and 35A, the latter reading—

- (1) The director may grant an amount not exceeding \$2,320 to an Indian veteran who settles on Indian reserve lands, the said grant to be paid to the Minister of Mines and Resources who shall have the control and management thereof in trust for the said Indian veteran.
- (2) A grant made pursuant to subsection (1) of this section shall be disbursed by the Minister of Mines and Resources on behalf of the Indian veteran only for one or more of the following purposes:
 - (a) For the purchase of essential building materials and other costs of construction.
 - (b) For the clearing and other preparation of land for cultivation.
 - (c) For the purchase of essential farm livestock and machinery.
 - (d) For the purchase of machinery or equipment essential to forestry.
 - (e) For the purchase of commercial fishing equipment.
 - (f) For the purchase of trapping or fur farming equipment but not breeding stock.
 - (g) For the purchase of essential household equipment.

I refer to the first subject which was passed under section 35 and 35 (a).

The director may grant an amount not exceeding \$2,320.00 to an Indian veteran who settles on Indian reserve lands, the said grant to be paid to the Minister of Mines and Resources who shall have the control and management thereof in trust for the said Indian veteran.

I would ask the members of the committee, Mr. Chairman, how can we better the living conditions of Indian veterans if they do not own the piece of land they are granted. The said \$2,320 is paid to the Minister of Mines and Resources, who shall have the control and management thereof in trust for the said Indian veteran.

There are some 3,000 young Indian men who fought on the other side of the water for their King and for their country. Those Indian veterans had responsibilities in the army and they carried out those responsibilities to perfection in the biggest majority of cases. Here we have a grant to be paid, not exceeding \$2,320, paid to the Indian veteran but which will be held by the Minister of Mines and Resources. In other words my point is that this \$2,320 is paid to the Minister of Mines and Resources and the Indian veteran has nothing to say about it and he is treated just as a common labourer. How can we better conditions for the Indian veteran if we do not give them the privilege of practising their ability and showing their fellow Indians an example.

The CHAIRMAN: Now, would you like to present the brief from Chief Murdoch?

The WITNESS: Yes.

KOOSTATAK, MANITOBA,
May 24, 1947.

The Secretary,
Department of Indian Affairs,
Ottawa, Canada.

DEAR SIR,—On behalf of the Fisher River Band of Indians in the province of Manitoba, I respectfully beg to direct your attention to my letter of January 10 as published in the Minutes of Proceedings under date of March 20 last, Books No. 5 and 2, 1946. (Appendices BF and CT).

We reiterate the requests made in that letter and would ask your kind consideration of our needs, the bringing into effect of which mean so much to us and many others.

Requests No. 7, No. 1 and No. 12 are of primary importance and, coupled with request No. 4, are endorsed by the Indian bands of Jackhead, Lake St. Martin, Poplar river, Berens river and Bloodvein river.

Yours respectfully,

(Signed) JAS. A. MURDOCH, *Chief*,
Chief of the Fisher River Band.

We, the undersigned Chiefs

Signed Chief Cubby Nanawin, Poplar River,
N. Asham, Chief, Peguis Reserve.

At a general meeting of the Fisher River Indian Reservation Association on..... regarding its points of view on matters concerning the Indian Act, the following resolutions have been passed.

1. *Treaty rights and obligations.*

The Indians have been faithful to observe the treaty obligations, and they expect that their rights guaranteed, shall all be safeguarded, specially their hunting privileges, also their exemption from military compulsion.

2. *Band membership.*

This matter being of public interest, the band should be consulted for the admission of children born out of wedlock and of adults from other reserves, and its favourable vote should be ratified by the Indian Affairs Branch.

3. *Liability of Indians to pay taxes.*

The fact that the Indians have been always considered as wards of the government, consequently as minors, again the low condition of most Indians in housing conditions and in deficient diet, militate in favour of their exemption from at least those taxes that are easy to compute and deduct.

4. *Enfranchisement of Indians.*

As the treaty has been made solemnly for a period measured only by the end of the sun's course and of the water flow, the Indians should not be compelled to leave their benefits, and members could relinquish their privileges only with a favourable vote of the bands.

5. *Eligibility of Indians to vote.*

It is likely that parliament members elected by the whites, if given an Indian vote would consider the Indian problem as the last and least of their cares. Therefore, special representatives should be appointed to defend the Indian rights and obtain the social progress needed on all the reserves.

6. *The encroachment of the whites.*

The Indian reserve should be respected as the sacred relic of former vast and rich domains. It should be seen that, instead of taking advantage of the Indians, the whites should rather help and encourage their elders in this country.

7. *The operation of day and residential schools.*

(a) Principle. The Christian religion having been the main factor in the rapid civilization of the Indians, it being the best asset of true education and the soundest formation to orderly citizenship, we strongly insist that day and residential schools be maintained under christian auspices, as provided in the Indian Act.

(b) Operation. In our residential school, for better training, we ask modern equipment. We hope also to obtain for some of our boys a mechanical training that will fit them better for their future work.

8. *Other problems.*

(a) Old age pension. The Indians, living side by side with the whites, should not be in an inferior and dejected state when they reach their last winters on earth, but they should be treated as well as their brethren of poor means.

(b) Development. The Indians are expected to progress as the whites. Therefore, as the whites, they need roads, bridges and ditches on their reserves.

Signed:

Chief Jas. A. Murdoch,
Fisher River Reserve,
Chief Cubby Nanawin,
Poplar River Reserve.

Hon. Mr. Taylor, joint chairman, took the chair.

The CHAIRMAN: Have any other delegates any further submissions to make to the committee?

Chief THOMPSON: I have not very much to say before the committee. I have my brief presented by Mr. Prince who is head spokesman and he has everything there. Also last winter I forwarded my brief to Mr. Bryce to be brought up in the House of Commons. That is all I have to say at the present time.

The CHAIRMAN: Those are now in our records.

Have you a brief, Mr. Guimond?

Mr. GUIMOND: Yes, I have.

The CHAIRMAN: Have you any idea how long it will take to present it?

Mr. GUIMOND: It should not take very long.

The CHAIRMAN: Well, would you come forward then, please?

Boniface Guimond, Secretary, Fort Alexander Catholic Association, called:

By the Chairman:

Q. I would ask you, Mr. Guimond, what organization you represent?—
A. The Fort Alexander Catholic Association.

Q. Have you any position in that organization?—A. I am secretary of the association.

Q. How long have you been secretary?—A. We were just organized about a year ago.

Q. The association has been organized recently?—A. Yes it was organized about a year ago.

Q. Is it the wish of the committee to hear Mr. Guimond?

Agreed.

Q. Well will you just go ahead with your presentation?—A. Mr. Chairman, honourable members of the Senate and House of Commons:

As representative of the Catholic Indians of the province of Manitoba, I wish to express our desires regarding schools, hospitals, social welfare and council freedom.

1. *Schools.* We wish to retain denominational residential and day-schools, as the continuation and the complement of our children's christian life at home.

2. *Hospitals.* Whenever there is a Catholic hospital or sanatorium at a reasonable distance, we ask the right of being admitted to it, so that we may enjoy the religious atmosphere required during the time of physical suffering and specially at the time of death.

3. *Social Welfare.* Many of us are seriously handicapped by poor housing, bad roads, lack of agricultural help, dejection of the aged and sickly people.

Whenever there is an evident incentive on the reserve for progress, help should be given for better houses, good roads, farming equipment and loans to those who really want to help themselves.

Old age pensions, mothers' allowances, adequate provision to the invalids, would eliminate the inferiority complex, as well as compensate for the vast domains ceded in the treaties.

4. *Elective Freedom in the Council.* Much self-reliance and an urge to progress would ensue, if an order-in-council was passed at once for the elective system in all the reserves where the majority of the Indians desire it. and if, at the same time, more and more power was left to the council for the management of the local affairs with the friendly cooperation of the Indian agent.

It is our aspiration, as time goes on, to become less and less a burden to the government, provided we can be put on our feet through a wholesome programme.

Respectfully submitted,
Boniface Guimond.

The CHAIRMAN: If there are no further submissions from the delegates at the present time we will adjourn to meet at 4 o'clock in this room when we will proceed to question the witnesses.

The meeting adjourned at 12.50 p.m. to meet again this afternoon at 4.00 p.m.

AFTERNOON SESSION

The committee resumed at 4 o'clock.

The CHAIRMAN: Gentlemen, we will proceed. If there are no other witnesses to present briefs, I think it will be in order if we were to recall Mr. Prince for questioning. Would you come forward, Mr. Prince?

Thomas George Prince, M.M., recalled:

The CHAIRMAN: Now, if we have questions to submit I think it would be well to start with Mr. Matthews. He is one of the members from Manitoba and he has a deep interest in all Indian affairs.

By Mr. Matthews:

Q. I have very few questions, Mr. Chairman. I understood the witness to say in one of the briefs he presented that he was in favour of the Indian Act being abolished altogether. Did I get that correctly?—A. Yes.

Q. You would abolish the whole thing?—A. Abolish the whole thing.

Q. What would you have in its place?—A. The original treaties.

Q. Then I understand from that, that if the original treaties were complied with, no more and no less, that would be satisfactory?—A. The Manitoba Indian Association, representing the Indians of Manitoba, ask for the original treaties; and they ask that the Indian Act be abolished.

Q. Yes?—A. And if they abolish the Indian Act, then go by the original treaties, and in my opinion that would be satisfactory.

Q. That is, there would be nothing else asked for except the treaty in its original terms?—A. Keeping the terms of the treaties.

Q. For instance, you would not ask for a tractor or machinery of any kind?—A. On the contrary, the original treaty and the attached parchment—that is the original No. 1, the treaty which has not been complied with—would make up for not asking for a tractor.

Q. You feel that it would?—A. Yes.

Q. So that if the original treaty were complied with you would be happy to ask for nothing else?—A. Absolutely.

By the Chairman:

Q. How about old age pensions?—A. Take the original treaty, if it were complied with in accordance with its terms one would not have to ask for anything, naturally; because you are getting them all. The thing is, how long will it stand? That is what we are interested in knowing.

Q. How long will what stand?—A. Will they go back to the full fulfilment of the terms.

Mr. MATTHEWS: What do you mean by that?

The WITNESS: The original treaty which was entered into on the third of August, 1871, covers it. There is a large amount which would come through it which would supply the Indians.

The CHAIRMAN: Have you got that treaty with you?

The WITNESS: Yes, sir.

Mr. LICKERS: He read the terms of that this morning.

The WITNESS: Yes, the terms of that treaty. That is the original treaty and this is the book on it, sir; and the £25. The reason I asked for the tractor, you see we haven't been getting this for the past 75 years. That is why I asked for a tractor.

By Mr. Matthews:

Q. Would you elaborate now and tell the committee what that treaty provides very definitely that you have not been getting; and then, on the other side, tell us what you have been getting which the treaty does not provide.—A. Would you repeat that, please?

Q. Tell us what the treaty provides for that you are not getting; and, after you have done that, tell us what you are getting that the treaty does not provide for. I would like to get those two sides of it on the record together.—A. According to the terminated treaty, the original treaty of the third of August, 1871—I think that covers practically everything, particularly administration which you have seen disappearing.

Mr. CASTLEDEN: You mean the Indian administration?

The WITNESS: The Indian administration disappeared; and the trapping and the hunting rights are all being taken over. They are taken over by the provincial government. Now we are not getting them. Rightly, I understand that the prairie rehabilitation and conservation block was really put up for the Indians. There is a very small thing for us there.

The CHAIRMAN: All right. On that point we have Mr. Conn here to speak for the conservation administration. He is the administrator; and he would like to discuss the question of fur conservation with the committee in the presence of these Indians, probably off the record.

Mr. BRYCE: It doesn't need to be off the record.

The CHAIRMAN: Some of this we want off the record. Then we can decide if we want it put on the record. We are thinking of the advantage of the Indians. It is not to the advantage of any of us. If that is your pleasure; if it is not your pleasure, then we can have it put on the record. But we must keep in mind that this is for the good of the Indians with whom we are concerned. Probably tomorrow we could have that.

The WITNESS: So much for fur-trapping and hunting.

Mr. MATTHEWS: You are prohibited from trapping and fishing during the closed seasons?

The WITNESS: Yes, during the closed seasons.

The CHAIRMAN: Might I interrupt?

Mr. MATTHEWS: Yes, Mr. Chairman.

The CHAIRMAN: We have treaty No. 1 at page 313 of the book by Alexander Morris. It is referred to in the citation which was given to us this morning and contains the treaties of Canada with the Indians of Manitoba. It is not very long. Would you like to have that incorporated?

(Discussion proceeded off the record.)

I was referring to page 313 of the Morris book where treaty No. 1 is set forth. I see it is only a couple of pages. Would you like me to read the pertinent parts of this treaty; or would you suggest having it all put on the record?

Mr. MATTHEWS: I think it should be read.

The CHAIRMAN: Is that agreeable to the committee?

Agreed.

It is not your intention that I should read all of it. I will read those parts which are obviously pertinent.

The Chippewa and Swampy Cree Tribes of Indians, and all other the Indians inhabiting the district hereinafter described and defined, do hereby cede, release, surrender, and yield up to Her Majesty the Queen and her successors for ever, all the lands included within the following limits, that is to say:

I don't need to read any more of that.

And with a view to show the satisfaction of Her Majesty with the behaviour and good conduct of her Indians, parties to this treaty, she hereby, through her Commissioner, makes them a present of three dollars for each Indian man, woman and child belonging to the bands here represented.

And further, Her Majesty agrees to maintain a school on each reserve hereby made, whenever the Indians of the reserve should desire it.

Within the boundary of Indian Reserves, until otherwise enacted by the proper legislative authority, no intoxicating liquor shall be allowed to be introduced or sold, and all laws now in force or hereafter to be enacted to preserve Her Majesty's Indian subjects, inhabiting the reserves or living elsewhere, from the evil influence of the use of intoxicating liquors, shall be strictly enforced.

Her Majesty's Commissioner shall, as soon as possible after the execution of this treaty, cause to be taken an accurate census of all the Indians inhabiting the district above described, distributing them in families, and shall in every year ensuing the date hereof, at some period during the month of July in each year, to be duly notified to the Indians, and at or near the respective reserves, pay to each Indian family of five persons the sum of fifteen dollars Canadian currency, or in like proportion for a larger or smaller family, such payment to be made in such articles as the Indians shall require of blankets, clothing, prints (assorted colours), twine or traps, at the current cost price in Montreal, or otherwise, if Her Majesty shall deem the same desirable in the interests of Her Indian people, in cash.

That, I believe, is the sum and substance to be confirmed to these people under this treaty No. 1.

Now, let us turn to treaty No. 3, also known as the North-West Angle treaty (starting at page 320). A synopsis of that is in the 1946 record at page 36. Probably we could refer to that synopsis. Have you got it here?

Mr. LICKERS: That treaty also put in by Mr. Tom Roy.

The CHAIRMAN: For the purpose of answering these questions put by Mr. Matthews we might just find out what the treaty gives to the Indians. This is from page 323, reading from the North-west Angle treaty, No. 3:—

And with a view to show the satisfaction of Her Majesty with the behavior and good conduct of her Indians, she hereby, through her Commissioners, makes them a present of twelve dollars for each man, woman and child belonging to the bands here represented, in extinguishment of all claims heretofore preferred.

Mr. FARQUHAR: Does that mean \$12 a year?

The CHAIRMAN: No, it is final. It is a sort of quit-claim deed; the payment of \$12 in extinguishment of all claims. Continuing:—

And further, Her Majesty's agrees to maintain schools for instruction in such reserves hereby made as to her Government of her Dominion of Canada may seem advisable, whenever the Indians of the reserve shall desire it.

Her Majesty further agrees with her said Indians, that within the boundary of Indian reserves, until otherwise determined by the Government of the Dominion of Canada, no intoxicating liquor shall be allowed to be introduced or sold, and all laws now in force, or hereafter to be enacted to preserve her Indian subjects inhabiting the reserves, or living elsewhere within her North-West Territories, from the evil influence of the use of intoxicating liquors shall be strictly enforced.

Her Majesty further agrees with her said Indians, that they, the said Indians, shall have right to pursue their avocations of hunting and fishing throughout the tract surrendered as hereinbefore described, subject to such regulations as may from time to time be made by her Government of her Dominion of Canada, and saving and excepting such tracts as may from time to time be required or taken up for settlement, mining, lumbering or other purposes, by her said Government of the Dominion of Canada, or by any of the subjects thereof duly authorized therefor by the said Government.

It is further agreed between Her Majesty and her said Indians that such sections of the reserves above indicated as may at any time be required for public works or buildings, of what nature soever, may be appropriated for that purpose by Her Majesty's Government of the Dominion of Canada, due compensation being made for the value of any improvements thereon.

And further, that Her Majesty's Commissioners shall, as soon as possible, after the execution of this treaty, cause to be taken an accurate census of all the Indians inhabiting the tract above described, distributing them in families, and shall in every year ensuing the date hereof at some period in each year, to be duly notified to the Indians, and at a place or places to be appointed for that purpose within the territory ceded, pay to each Indian person the sum of five dollars per head yearly.

It is further agreed between Her Majesty and the said Indians, that the sum of fifteen hundred dollars per annum shall be yearly and every year expended by Her Majesty in the purchase of ammunition, and twine for nets for the use of the said Indians.

It is further agreed between Her Majesty and the said Indians, that the following articles shall be supplied to any band of the said Indians who are now actually cultivating the soil, or who shall hereafter commence to cultivate the land, that is to say—two hoes for every family actually cultivating; also one spade per family as aforesaid; one plough for every ten families as aforesaid; five harrows for every twenty families as aforesaid; one scythe for every family as aforesaid; and also one axe and one cross-cut saw, one hand saw, one pit saw, the necessary files, one grindstone, one auger for each band, and also for each Chief for the use of his band, one chest of ordinary carpenter's tools; also for each band, enough of wheat, barley, potatoes and oats to plant the land actually broken up for cultivation by such band; also for each band, one yoke of oxen, one bull and four cows; all the aforesaid articles to be given once for all for the encouragement of the practice of agriculture among the Indians.

It is further agreed between Her Majesty and the said Indians, that each Chief, duly recognized as such, shall receive an annual salary of twenty-five dollars per annum, and each subordinate officer, not exceeding three for each band, shall receive fifteen dollars per annum; and each such Chief and subordinate officer as aforesaid shall also receive, once in every three years, a suitable suit of clothing; and each Chief shall receive, in recognition of the closing of the treaty, a suitable flag and medal.

And I see that you have some medals with you. I presume those are the medals to which reference is made. The rest of it as to the Indians maintaining their end of the bargain, and I think that is about all. Correct, gentlemen?

So, those are the treaties.

You see, what we are trying to do, Mr. Prince; we want you to feel perfectly satisfied that you have had an absolutely unbiased hearing and a full hearing and we want it to be a satisfactory hearing. We would like to discuss these matters and try to iron out the differences. I should not say differences, because we have no differences. What we are trying to do is help the Indian to help himself. By these treaties I see that you got a lot of things that you need, most of them being given to the band, not to the family.

The WITNESS: I know it is given to the band.

Mr. FARQUHAR: All these things were given a good many years ago.

The CHAIRMAN: Oh, yes; I assume so. We have not had any evidence that they have not been given to the Indians.

The WITNESS: I think you will find that they have not been given for quite a few years. For as long as I have been living I did not see anything coming up, very little.

Mr. CASTLEDEN: One of the provisions is for a uniform for the chiefs and head men; and then there are the implements and the seed and so on.

The CHAIRMAN: I will read it again, if you like.

Mr. CASTLEDEN: At least there were further things to be given.

The CHAIRMAN: It says:

. . . all the aforesaid articles to be given once for all for the encouragement of the practice of agriculture among the Indians.

Mr. CASTLEDEN: I was referring to the material just before the enumeration of the articles.

The CHAIRMAN:

It is further agreed between Her Majesty and the said Indians, that the following articles shall be supplied to any band of the said Indians who are now actually cultivating the soil, or who shall hereafter commence to cultivate the land, that is to say—

Is that what you referred to?

Mr. CASTLEDEN: Yes.

The CHAIRMAN: It goes on to say these will be given to those who are now actually cultivating the land and "who shall hereafter commence to cultivate the land."

Mr. CASTLEDEN: Would that be interpreted to mean that any Indian following the signing of that treaty who commenced to cultivate the land would be entitled to grants of that kind?

The CHAIRMAN: It says, "the following articles shall be supplied to any band of the said Indians", and it goes on; but the point is that the band shall be given this. This is probably taking up the time of the committee, but I think it is worth while if we can satisfy to some extent the claim that is made by these people. Because you can see, Mr. Prince, you are a very reasonable individual and I know that it is your desire to get this thing straight, just as we are desirous of getting it straight. Take the clothing for your chiefs and other head men, are those things in the treaties on which you are depending, Mr. Prince?

The WITNESS: It is attached to this revision of No. 1 and No. 2.

The CHAIRMAN: Where are the revisions of treaty No. 1 and treaty No. 2?

Mr. PATRICK: They are in that book of Morris's which you have there.

The CHAIRMAN: This is a memorandum showing things outside of the treaties which were signed. Apparently these were matters which were forgotten. They were brought out in the brief which Mr. Prince has submitted. I notice here that there is provision for each chief "except Yellow Quill". Why was Yellow Quill excluded, do you know? That will be found at page 126, and it provides as follows—this is from the memorandum of things outside of the treaty which were promised at the treaty at the Lower Fort, signed the 3rd day of August, 1871:—

For each Chief that signed the treaty, a dress distinguishing him as Chief.

For braves and for councillors of each Chief, a dress: it being supposed that the braves and councillors will be two for each Chief.

For each Chief, except Yellow Quill, a buggy.

For the braves and councillors of each Chief, except Yellow Quill, a buggy.

In lieu of a yoke of oxen for each reserve, a bull for each, and a cow for each Chief; a boar for each reserve, and a sow for each Chief, and a male and female of each kind of animal raised by farmers; these when the Indians are prepared to receive them.

A plow and a harrow for each settler cultivating the ground.

These animals and their issue to be Government property, but to be allowed for the use of the Indians, under the superintendence and control of the Indian Commissioner.

The buggies to be the property of the Indians to whom they are given. The above contains an inventory of the terms concluded with the Indians.

Mr. BLACKMORE: Mr. Chairman, the Indians probably would be interested in knowing whether the government would advance a plow now to each Indian if he goes into farming.

The CHAIRMAN: I think from what we have heard in evidence here that to the Indian who was industrious and who wanted to advance himself they would. At least, if they did not supply him with a plow they would supply him with the money with which to buy a plow. I think the principle involved here is that they are desirous of helping the Indian to help himself. I do not think we, as a committee, want to get the idea abroad that we have been created as a committee for the purpose of giving the Indian something for nothing because they do not want that.

The WITNESS: No, we do not want that. The thing is this abolishment which is referred to. It was made one year ago and we know it is very hard to break.

Mr. BLACKMORE: Mr. Chairman, I wonder if Mr. Prince would explain his last statement. He left out some words so I could not catch what he meant.

The WITNESS: That is the effect of this document which I read out and presented before this honourable session. It stated that they wished to abolish the Indian Act, the complete abolishment of the Indian Act; for they are having a hard time with the Indian Act. The reason that they want it abolished is that it dominates them as such. If the Indian Act has anything to help the Indians they do not get it. That is the reason they wanted it abolished. You see my point of view?

Mr. BLACKMORE: Very clearly.

The WITNESS: For instance, the Indian Act states that the Indian is entitled to such and such; they do not comply with that. For instance, I will refer to Fort Alexander Indian band and to Chief Thompson and his wild rice picking. In the Indian Act it states that the Indians can trap and hunt or have any vegetation that they can have supplied or make in any excess land, dominion Crown lands, at the time the Indian Act was made. Now, we have the said bands and other Indians all coming to Rice lake. They come in to make their rice and they are being charged \$1 a head at one lake before they can go in and make rice. Now, this is a God-given vegetation taken from the earth which I term excess land. For instance, take Williams lake—

By the Chairman:

Q. To whom do they pay that dollar?—A. The provincial government. I think you will find I have the receipts here. Take the case of Williams lake—

Q. These receipts are for gathering wild rice on lands which are owned by the provincial government; they are not on any reserves?—A. No, they are not on any reserves. This is on Crown lands.

Q. Provincial Crown lands?—A. Yes. At one time it was dominion Crown lands.

Q. They are now provincial government lands?—A. Yes, provincial government lands. Now, this Williams lake is in Pointe du Bois, and the Indians have been making rice all their lives. Now a certain individual, Mr. Williams, won't allow the Indians to sell to anybody else but him.

By Mr. Blackmore:

Q. Who is Mr. Williams?—A. He is a certain gentleman. I believe Mr. Thompson can answer that question better than I can.

By the Chairman:

Q. Let us get this matter clear. This is not on an Indian reserve?—A. No, it is not on an Indian reserve; it is on excess land.

Q. It is not on an Indian reserve. The rice is not worked on an Indian reserve and the money is not paid to the federal government?—A. No.

Q. I am wondering about this matter. For instance, Indians in other parts of the country feel that they should be allowed to take basswood from any place where they can find it. Now, it is the same thing in this case. You say that there is wild rice there and you say that the wild rice is not on the reserve, but you think you should have the right to go and get it in spite of the provincial law. You see that is where we are running up against the same problem we did in the maritimes.

Mr. BRYCE: The trouble lies here. When the natural resources in Manitoba were handed over to Manitoba government there was a change made. Everything was all right up until that time. The Indian department is a federal department, and this was all dominion land at that time. It then became provincial land and the provincial government made the laws, and they made them according to their right, having the natural resources of the province; but when the dominion handed over these rights to the province they did not protect the treaty agreement they had with the Indian.

Mr. RICHARD: They could not give twice what they had already given. If the Indian had certain rights to this land which was afterwards transferred to the provinces, something was attached to these rights and, therefore, they should have been excluded.

The CHAIRMAN: We are getting a legal discussion here.

Mr. BRYCE: We are bound to get into some trouble because there are some people who have no lawyers, so we have to take this opportunity.

The CHAIRMAN: It might be well to do as they do in the United States—to recommend at some stage of our proceedings that an Indian Claims Commission be set up for the purpose of dealing with the various treaties in various parts of Canada and have the Indian come or forward his case, and let the governmental authorities put forth their case, and if there is found to be any claim then, of course, there will be satisfaction given to the Indian reserve or band which will be final. What we are trying to do, as I see it, is to recommend to parliament that which will be applicable to Indians all over Canada. It will be fair and it will be equitable. Now, we can probably argue about treaty rights and obligations from now until doomsday, but in the first place we have not any authority to come to any conclusion.

Mr. BLACKMORE: We have the responsibility and the authority to discover the grievances from which the Indians are suffering.

The CHAIRMAN: I am suggesting that probably the proper forum before which this discussion should take place would be a properly constituted commission which might have authority to make certain findings and to give certain relief where relief is necessary.

Mr. BLACKMORE: Mr. Chairman, I agree that our responsibility might be conceived as having been discharged when we are sure that such commission is appointed, but until that commission is appointed it is our responsibility, according to my point of view.

The CHAIRMAN: Our responsibility is to find out all the facts we can.

Mr. BLACKMORE: And the grievances.

The CHAIRMAN: And make a recommendation to parliament and parliament will act. Now, of course. I am wondering how far we are going in finding out facts on these matters. I am suggesting that we do as they do in the

United States where they have a properly constituted commission which has the ability and the authority to handle such matters. It is entirely up to the committee whether they want to go on with this matter.

Hon. Mr. JOHNSTON: Would it be true to say that when the transfer of the natural resources was made to the western provinces the rights of the Indians—the fishing rights and the hunting rights and the rice-making rights which we are speaking about at the moment—were not guaranteed to the Indians in that part of the agreement?

Mr. BLACKMORE: That is where the trouble was.

The CHAIRMAN: That is what is contended. Frankly, I do not know. None of us have exhaustively studied all the legislation available on this subject.

Mr. BLACKMORE: When we were listening to the Ontario Indians I was impressed time and time again with the seriousness of this neglect of which the dominion government was guilty when it turned over the natural resources to the provinces. It had never taken any precaution, apparently, to safeguard the sacred trusts which had been guaranteed to the Indians by treaty.

The CHAIRMAN: Assuming that that is so, Mr. Blackmore, personally my interest is that if there have been any shortcomings of any parliament in the past—fifty years or more ago—that we shall now set about to rectify them.

Mr. BLACKMORE: That is right. That is my opinion, too.

The CHAIRMAN: And we should go about it in the most equitable manner and the fairest manner to give satisfaction.

Mr. BLACKMORE: As one member of the committee, what I would think would be that in so far as we can discover these grievances, these deficiencies, as we progress in the committee, we should do that.

The CHAIRMAN: Suppose we go ahead and find a great many of them. We can recommend to parliament and parliament might probably set up somebody to go into that matter all over again, and our time here would have been wasted.

Mr. BLACKMORE: I do not see why, Mr. Chairman.

Mr. BRYCE: Look, Mr. Chairman, I think we can cut this argument short. We have Mr. Hoey here. I do not know whether he is the officer in his department who can answer this question of whether the rights of the Indians were protected when the natural resources were handed back to the provinces, but if he can answer that we will put it on our record and let us get on.

Mr. HOEY: Mr. Chairman, probably I can shorten this discussion. I took part in the conferences leading to the return of the natural resources to the western provinces—not one province, but a number. I have not the final agreement in front of me at the moment, but there is one clause in there that relates to land allotment. That is to say that if the land allotment in Alberta was below that for which provision is made in the treaty we could go to the province of Alberta and secure from them provincial lands to make up the necessary quota; but it so happens in Alberta now that the land in the possession of the Indians exceeds the original allotment. Consequently, when we took over the Copock and Crawford ranches we had to go out and buy them last year at a cost of \$225,000.

Now, when you come to the matter of rights, if you read these treaties as I have read them and as I do read them from time to time, you will notice at once how loosely they are drawn. You have to go back to the early days into the so-called treaties, which some people won't admit are treaties, but which are agreements entered into between the contracting parties at that time, and you will find that the Indians were given certain rights on certain lands, on unoccupied lands at that time, until such time as those lands were taken up for

settlement. Now, the provincial government in this negotiation took the position that settlement extinguished the so-called Indian rights. That is a legal question upon which your opinion is just as good as mine; but I was long enough with the provincial government in Manitoba to know the position provincial governments would take to-day. They would simply ask you, "What are you talking about; go back to your treaty and you will see the treaty entered into by the Queen at that time covers free hunting and trapping until the lands were settled or until laws and regulations covering hunting and trapping were enacted," and the dominion would simply find itself out of court.

I have a fairly good memory and I can still recall some of the discussion that took place, and that is exactly the position. I am not a lawyer, and I am not saying that that is the right position; but that is the position that was taken at that time, and that is the position that will be taken by Ontario or Manitoba or Saskatchewan or any other province if the matter comes up for decision now. Let the chairman read over again that part about hunting and trapping, and he will find that until settlement, or until laws and regulations governing these lands are enacted, are the actual terms of the treaty.

Mr. BLACKMORE: May I say a word or two on this matter? I think it is quite important. When the Indians accepted those treaties conditions were ideal then as compared with those which prevail to-day. The treaties were tolerable to the Indians because there was that difference. Now, since the change has occurred, the conditions of the Indians have become intolerable. Certainly the dominion government is faced with the necessity of making up to the Indians by some other means that which they lost because the land later was settled.

The CHAIRMAN: I think you will find that that is the reason why this committee was formed; it was for the purpose of revising the law; and the terms of our reference are so broad that we go into all phases of Indian life. That is why this government has formed this committee—for the purpose of going into this whole matter. Now, I shall read from page 323 concerning the North-West Angle treaty:

Her Majesty further agrees with her said Indians, that they, the said Indians, shall have right to pursue their avocations of hunting and fishing throughout the tract surrendered as hereinbefore described, subject to such regulations as may from time to time be made by her Government of her Dominion of Canada, and saving and excepting such tracts as may from time to time be required or taken up for settlement, mining, lumbering or other purposes, by her said Government of the Dominion of Canada, or by any of the subjects thereof duly authorized therefor by the said Government.

Mr. FARQUHAR: There seems to be a considerable amount of contradiction. I understood that it was to be as long as the sun shone, the rivers ran and the grass grew. There seems to be some contradiction.

The CHAIRMAN: You must remember that these words were used in conversations leading up to a document which did not have the "sun shining" or other such terms included in it.

Mr. BRYCE: Indians thought they were, anyway.

The CHAIRMAN: The sun shone to-day for a while.

Mr. MATTHEWS: It is exactly for that purpose that I brought this matter up. I am glad you read those provisions. I had a general idea of what they were. That is the reason why I again questioned the witness, wanting to go back to the provisions of the treaty, and standing by those provisions and those alone. I felt he would have been "left holding the bag." And he certainly proves that in referring to his remark about trapping and fishing.

That is the inference he accepted; that fishing would continue to be open to the Indian without regard to time or place. This puts a different light on the matter. And by going through these differences and bringing them right up-to-date, I now wonder if the witness still feels that he would recommend going back and abiding by these treaties and having no reference to anything else. Do you think the Indians of Manitoba would support you in that stand? Do you want to take that stand to-day? Would they be willing to abide by your appreciation of those treaties?

The WITNESS: I am afraid that I cannot act on any discretion of my own, not having any authority for sanctioning the Act.

The CHAIRMAN: You understand, Mr. Prince, there is no sanction here. We are just discussing it in a friendly way.

The WITNESS: The thing is that I cannot submit the terms. I would have to turn around and go to them with the Indian Act and explain these articles.

Mr. MATTHEWS: What is your personal opinion, having heard these descriptions?

The CHAIRMAN: With all due respect, Mr. Matthews, I do not think we want to put Mr. Prince, shall I say, on the spot?

Mr. MATTHEWS: I don't want to do that either.

The CHAIRMAN: I knew you did not; that is why I am bringing this up.

The WITNESS: It is contrary to the Act. Now, as I said, the Indian Act has been thought of as dominating the Indians. They don't want anything in the Indian Act. They want the other.

Mr. MATTHEWS: That is, they want the treaty?

The WITNESS: Yes, the treaty. After the revision of 1871 was terminated the Indian Act came into force. Am I right in that?

The CHAIRMAN: Mr. Hoey, when did the Indian Act first come in? Do you remember?

Mr. HOEY: I think probably Mr. Patrick could give you the correct date on that.

Mr. PATRICK: It was either in 1867 or 1868.

The WITNESS: Oh, that was before 1871.

The CHAIRMAN: Mr. Matthews, does that answer your question? Do you want to proceed?

Mr. MATTHEWS: No, I do not want to take up any more time.

The CHAIRMAN: While we are on the subject, I wonder if there is any way in which we can satisfy Mr. Prince and the others. We have twenty-five different items which they say were promised to the Indians, and I assume that none of them have been fulfilled.

The WITNESS: Very few have been fulfilled.

The CHAIRMAN: We have dealt with the clothing for each of the chiefs and the other head men. Can we go along from that? I think we have discussed that sufficiently. "A wagon built for the chief and head men;" we have seen that that is not true and there is no revision that you know of in that. "Farm implements any seed for each family;" now, is there any suggestion that they were not given at the time of this treaty?

The WITNESS: Well, very few have been handed out.

The CHAIRMAN: That is recently. We are talking about this treaty. The treaty said these would be given and that would be final. You are claiming now that these should be given each year; is that right?

The WITNESS: Yes.

The CHAIRMAN: Well, I do not see that there is anything in the treaty which says they would be given each year; is that right?

The WITNESS: Yes, that is so.

The CHAIRMAN: "A chest of carpenter's tools for each band"; all the treaty referred to was one set of carpenter's tools. I suppose you have many chests of carpenter's tools now; is that right?

The WITNESS: I have carpenter tools.

The CHAIRMAN: Did you get them from the department?

The WITNESS: No, I got them myself, out of my own pocket.

The CHAIRMAN: But I am referring to the provisions of the treaty. Within the last seventy-odd years I suppose there have been many sets of carpenter's tools given to the Indians on the reserves?

The WITNESS: Yes, there have been.

The CHAIRMAN: You see, that is far beyond the treaty obligation.

Mr. FARQUHAR: Mr. Chairman, we will have to find out whether that was to be yearly.

The CHAIRMAN: I have cleared that up. We have read that: one chest of carpenter's tools, "to be in full satisfaction"—this is a sort of quit-claim deed. And I certainly think in order to satisfy the Indians on these points there should be a full discussion with them, or some publication sent out to them and discussed with them by the Indian agent to show that they have already received probably far more than the treaty provides for.

Now, I have here an official list of the things that were given to the Indians on the basis of treaty No. 3, and the value of them. I don't know whether you would like to have that on the record.

Mr. FARQUHAR: I do not think we want that.

The CHAIRMAN: I do not think it is necessary to have that.

Mr. FARQUHAR: This delegation does not say that they have never received these things, do they?

The CHAIRMAN: No. Now, Mr. Patrick is here and we can probably get some explanation from him. We could get a report from Mr. Patrick of the things that were given to the Indians and the value of them as of the time of the treaties.

Mr. PATRICK: Yes.

The CHAIRMAN: Since that time, Mr. Patrick, have there been other things given which were in addition to what is provided by the treaty? Do you know of other things in addition to the treaty provisions?

Mr. PATRICK: Yes, things that are not in here. We continue to provide agricultural implements wherever they are necessary or required within the funds appropriated for the branch to all Indians regardless of the treaties.

Mr. BLACKMORE: Mr. Chairman, may I ask Mr. Patrick a question or two on that?

The CHAIRMAN: Yes.

Mr. BLACKMORE: In the first place you say, in accordance with the amount required. How do you determine how much is required, or whether the Indian on the reserve requires any? I am speaking of my own reservation.

Mr. PATRICK: That generally originates with the Indian agent on a recommendation from him as to the Indians who are going to take up agriculture.

The CHAIRMAN: Would it be safe to say that you have provided many things in addition to the treaty obligations?

Mr. PATRICK: Oh yes, a great many things are provided to-day which are not mentioned.

The CHAIRMAN: And that, even in spite of the fact that there is the provision (page 323) that is in extinguishment of all claims; in spite of that you have given them things?

Mr. PATRICK: Quite.

Mr. BRYCE: I think there has been a great deal of misunderstanding. On the one side you had men who had some education and on the other side you had Indians who had no education and who took the word of these people; and if you read back on some of the doings of some of these old Indians and whites at the time some of these bargains were made they were not very creditable to the people who made the bargains.

The CHAIRMAN: Apart from that, what we are trying to do now is to try to get this matter satisfactorily settled in the minds, not only of the members of the committee but of the Indians as well.

Mr. BRYCE: But, Mr. Chairman, you have to bear in mind that the Indian of that time had conscientiously believed he was getting these things for all time to come; and he was not educated. They assured him that "as long as the sun shone", the "grass stayed green" and the "water flowed"; as long as those things continued there would be bountiful supply.

The CHAIRMAN: Of course, we can't—

Mr. BRYCE: There is one thing they got; they got their bull if they got nothing else.

The WITNESS: Mr. Chairman, may I have a little say here? To return to the statement Mr. Bryce made, the statement that I submitted to the government, the suggestion I made to the government, I might say it terminates—that the Indian did not have any education at the time the treaty was made. You will find it different to-day. He has a little education. What little I have does not amount to so very much from my point of view. But here is what you find: I want to start something on my own reserve particularly—

The CHAIRMAN: Hear, hear.

The WITNESS: —and that is the reason—

The CHAIRMAN: In other words, something by yourself?

The WITNESS: Yes; and that is the reason that I asked for these implements. I wanted them for a specific purpose. I stated what I wanted them for and I pointed out in my petition that the money would be repaid to the government.

Mr. BLACKMORE: And, were the implements given to you, or were the advances made to you?

The WITNESS: No. This chief—this suggestion that I am making—

The CHAIRMAN: I might tell you, gentlemen, for the purposes of the record that I discussed this matter privately with Mr. Prince and what he has in mind is starting in on the reserve to establish himself in agriculture.

The WITNESS: Yes.

The CHAIRMAN: And make it a matter not only of experiment but something to which others can look for guidance. In other words, he is desirous of giving a lead if the government will give him certain advances with which to get the materials or tools he needs in order to get started, to get his farm going, and to train others to do likewise. I think he should be highly commended for that. His objective is not only to get himself set up as a farmer, but he also wants to give a lead which others can follow as closely as possible.

Mr. CASTLEDEN: How did he get along with that?

The CHAIRMAN: Of course, it is just an idea so far.

The WITNESS: So far I have not got very far yet. My own band chief turned me down on that project; he could not either read or write. You will find that I stated that in my submission.

The CHAIRMAN: Might I just amplify that?

The WITNESS: Yes.

The CHAIRMAN: The idea Mr. Prince has in mind is to go ahead with this development, and before he can do that he has to educate the head man on his own reserve and he has to try to get the older men, the head men on the reserve, turned to his point of view. He is very eager and full of enthusiasm. He has been around to various parts of the world and he has seen how other people have accomplished things and he is filled with the desire to accomplish things for his own people. His difficulty is that he cannot get his head men to appreciate what he is trying to do. It is a matter of the gradual education of the older men, the head men, to get them around to his point of view. It is a case where he, as an Indian, is trying to help his fellow-Indian to help themselves.

Mr. BLACKMORE: Mr. Chairman, we must admit from what you have been saying that the only means of his obtaining money is from the band fund. It is from the band fund that you must get your money, isn't it?

The WITNESS: Not necessarily.

Mr. BLACKMORE: If that is not the case why should the chief enter into the matter. Surely, you can apply directly.

The WITNESS: No, we have to apply to the chief on our reserve. Before we go ahead and do anything we have to apply to the chief and get the consent of the band.

Mr. BLACKMORE: Let me get this now. Do you have to apply to your chief and to the band before you can get a loan?

The WITNESS: That is what I mean.

Mr. LICKERS: The point there is that it is only the band which can borrow from the revolving fund. The loan is to the band, not to the individual.

The WITNESS: The band is what I had reference to.

Mr. LICKERS: Yes.

The CHAIRMAN: He cannot get his head man to pass a resolution to apply for this loan and he is trying to convince him that he should do that in order to help the Indians to help themselves.

Mr. BLACKMORE: They have an adequate revolving fund with which to work?

The CHAIRMAN: Oh yes. As you know, Mr. Blackmore, a band can borrow money from that revolving fund but they have to pay it back.

Mr. BLACKMORE: I am just at a loss to see why it is that a young man with the energy and ability which this young man evidently possesses would not be able to get a loan. I think there must be something radically wrong somewhere.

The CHAIRMAN: The difficulty lies in the need to educate the head men. They have probably come a long way but it is a matter of a great deal of education. Here is somebody who has been out and around and he has seen the world.

Mr. BLACKMORE: And there is a whole lot to that.

Mr. HOEY: I am not familiar with the local conditions on this reserve, but there is a question of the location ticket. The land of the reserve may be held in common; that is, no allotment may have been made; consequently, before he can settle and get any security of tenure he would have to be

allotted a particular parcel of land by the band. We have been working for a number of years on two things in the west. One is the location ticket system—and you heard the Indian delegation from Saskatchewan protest very vigorously against location tickets, even for a returned man. Some of them feel that the band should keep a complete grip on the land and its ownership and that there should be no location tickets; but they are gradually getting over that. The other thing upon which Mr. MacInnes has been working almost constantly for the last three years—if our staff had not been so limited it would have been in better shape at the moment than it is—is the system of electing chiefs and councillors periodically rather than continuing the old hereditary chief system.

Inspector Hamilton could tell us whether that is still in effect there. Is it?

Mr. HAMILTON: Yes.

Mr. HOEY: If we could get these two things, location tickets and an elected council, they would go a long ways towards eliminating difficulties of the kind faced by Mr. Prince.

Mr. BLACKMORE: Mr. Chairman, I just want to revert to Mr. Patrick for a moment. Perhaps he will recall that the need of a given reserve would be determined by the recommendation of the agent concerned and that it would be limited by the amount of funds that were available in the Indian department. Now, I think every member of the committee sees that there are two very rigid limiting factors there which definitely put a different light on the whole thing. It is so easy to have beautiful words, lots of what one might call "weasel" words. Some of these words are "weasel" words until we know just what is behind them.

The CHAIRMAN: Have you any other questions, Mr. Matthews?

Mr. MATTHEWS: No, Mr. Chairman.

The CHAIRMAN: How about you, Mr. Farquhar?

Mr. FARQUHAR: The witness made reference in his brief to certain residential schools. He said that they should be improved, that there should be changes made and that they should be brought up to date. To what changes was he referring?

The CHAIRMAN: All that is included in the brief, Mr. Farquhar; the brief from the Pas Indian band. Have you anything to add to that?

The WITNESS: No, I have not.

The CHAIRMAN: Has any other member of the delegation anything to add to that? Chief Thompson might be able to answer that question. Do you know anything about that, Chief Thompson?

Mr. THOMPSON: You mean, about the residential schools?

The CHAIRMAN: Yes.

Mr. THOMPSON: There is a residential school on the reserve from which I come, Pine Falls. It was built in 1904. I would say there has been no progress in that school in education, and the children getting an education there. And the same thing would apply to the day school there.

The CHAIRMAN: Can you tell us how many there are in this residential school?

Mr. THOMPSON: I think it should be over 100 pupils.

The CHAIRMAN: How many rooms has it?

Mr. THOMPSON: Mr. Guimond could probably tell you that better than I could.

Mr. GUIMOND: Do you mean the number of classrooms?

The CHAIRMAN: Yes.

Mr. GUIMOND: I think there are four or five classrooms.

The CHAIRMAN: Do you know whether there are four or five classrooms in that residential school?

Mr. GUIMOND: It is hard to say in the residential school just what happens, just how many rooms there are there—I wouldn't be sure. I know I was there not so long ago.

Mr. CHAIRMAN: Is that the first time you were in it?

Mr. GUIMOND: No.

The CHAIRMAN: Can you tell us how many rooms the school has?

Mr. GUIMOND: There are three classrooms; and there is a kindergarten, there is a room for the junior classes and a room for the others.

The CHAIRMAN: Then there are three classrooms; is that right?

Mr. GUIMOND: Three classrooms.

The CHAIRMAN: How many reside in this school?

Mr. GUIMOND: I could not say right offhand, I think there are over a hundred.

The CHAIRMAN: Who operates the school?

Mr. GUIMOND: The Oblate fathers.

The CHAIRMAN: How many rooms has the day school?

Mr. GUIMOND: I would not know about the day school, I would say it is just one room.

The CHAIRMAN: How many are in that classroom?

Mr. GUIMOND: I wasn't there when the classes were on. I was there for the Christmas tree; that is the only time I ever went there.

The CHAIRMAN: Is it operated by the government?

Mr. GUIMOND: Yes, it is operated by the Indian department.

The CHAIRMAN: Now, Chief Thompson, will you continue.

Mr. THOMPSON: You mean about the day school on the reserve?

The CHAIRMAN: How many attend that school?

Mr. THOMPSON: I would say there are twenty-five in attendance.

Mr. BRYCE: Are there any children on your reserve who are not getting an education?

Mr. THOMPSON: There are some children close to the river; there must be between thirty and forty children who have never seen the inside of a schoolroom.

Mr. BRYCE: What age would they be?

Mr. THOMPSON: From seven to fourteen.

Mr. MATTHEWS: How far are they from the school?

Mr. THOMPSON: Maybe a mile and a half. They have no way of getting there because there are two swamps to cross. We had this up with Mr. Hamilton; why can't the government supply a school—isn't that right, Mr. Hamilton?

Mr. HAMILTON: Yes.

The CHAIRMAN: Please address the chair so we can get it on the record.

Mr. FARQUHAR: I was asking Mr. Bryce if he had visited the school, that is all.

The CHAIRMAN: Oh! Is there anything further, Chief?

Mr. THOMPSON: That is all I have about the school on the reserve.

The CHAIRMAN: Does that answer your question, Mr. Farquhar?

Mr. FARQUHAR: You do not think they are making very much progress there in education?

Mr. THOMPSON: No.

Mr. FARQUHAR: Now I would like to ask the witness something about the liquor restrictions on the reserve. I wish to ask Mr. Prince if he would have continued the treaty provisions with respect to the restriction of the introduction and of the sale of liquor?

The WITNESS: Oh, we don't traffic in liquor on the reserve. I am a non-drinker; that is, I drink very little. At one time I used to drink, but liquor don't bother my conscience any.

Mr. FARQUHAR: Would you like to retain the liquor restrictions of the treaty on the reserve?

The WITNESS: At present we don't want it at all, we have refused it. We would have to revise the Act to get it.

Mr. FARQUHAR: You would be in favour of leaving it as it is, would you?

The WITNESS: I have no option.

The CHAIRMAN: No; what Mr. Farquhar means is how do you feel; do you feel that the Indians should have the same right to use liquor legally as the white man? There is no question about selling liquor on the reserve. Do you feel that the Indian should be allowed to go into a beer parlor off the reserve?

The WITNESS: Absolutely, he should.

The CHAIRMAN: Do you think he should be allowed to drink liquor on the reserve?

The WITNESS: According to the Act he can't.

The CHAIRMAN: Never mind the Act, what do you feel?

Mr. FARQUHAR: We want to get your views on it.

The WITNESS: If I was found with liquor on the reserve I would be fined \$10.

The CHAIRMAN: Never mind that.

Mr. FARQUHAR: That is not what we are talking about.

The CHAIRMAN: Do you think you should be permitted legally to drink it on the reserve?

Mr. BLACKMORE: Should the Act be changed?

The CHAIRMAN: Would you like to be in a position, you and your friends, to bring liquor to the reserve? Do you think it should be allowed to be on the reserve? Never mind about the Act or its amendment.

The WITNESS: I am afraid that I could not answer that question.

The CHAIRMAN: What we are trying to get at is your own opinion. Would you like to express your own opinion.

Mr. THOMPSON: I would say something about that, Mr. Chairman. I will give you an example. There is a lot of liquor all around the reserve. It is right up to the edge of the reserve, and it comes onto the reserve; and the mounted police cannot stop it. I went to the mounted policeman and I told him there is a flood of beer around here, and the mounted policeman said: "I can't stop it." So I says to him, why not? And I can answer that, there is a hotel right on our reserve.

Mr. CASTLEDEN: There is—what?

Mr. THOMPSON: They built a hotel on the reserve.

Mr. BRYCE: How would they get a licence?

Mr. THOMPSON: They had to go to the Indians for the land.

Mr. CASTLEDEN: Did you surrender that land?

Mr. THOMPSON: I did not.

The CHAIRMAN: I am sorry to interrupt you, Chief, but we want to get this on the record. Will you please address the chair, turn this way when you are speaking, and I will if necessary, see that what you say is repeated for the benefit of members.

Mr. THOMPSON: As I was saying, I could not do anything to stop this liquor because the hotel was just there right on our reserve.

The CHAIRMAN: Perhaps Mr. Hamilton could tell us. Is there a hotel built on that reserve?

Mr. HAMILTON: There is a hotel being built, but I do not imagine it was on property which was surrendered.

The CHAIRMAN: It is not on the reserve?

Mr. HAMILTON: No, not properly.

The CHAIRMAN: It is adjoining the reserve?

Mr. THOMPSON: Originally it was granted—it belonged to the reserve and they surrendered a certain portion—

Mr. LICKERS: Did they get a surrender or was it by lease?

Mr. HAMILTON: It was on a lease for 99 years.

Mr. CASTLEDEN: The Manitoba Paper Mills and others built a hotel on that property?

Mr. THOMPSON: Yes.

Mr. BRYCE: And they have it on a lease for 99 years?

Mr. THOMPSON: Yes.

The CHAIRMAN: That is adjoining your reserve?

Mr. THOMPSON: Yes.

The CHAIRMAN: Have you anything further you wish to say, Chief?

Mr. THOMPSON: I had not answered the question about the mounted police. I didn't say any more. I didn't see any patent of this land being surrendered. There is nothing on it at all. If the land was leased it only stayed until 1933 when the land was sold back to the Indians and there were no more leases.

Mr. LICKERS: You say that it was leased for 99 years, and that expired in 1933?

Mr. THOMPSON: Yes.

The CHAIRMAN: How could that be? It must have been made in 1834.

Mr. THOMPSON: It was a lease and it failed along in 1926. That is the time it was settled.

The CHAIRMAN: I think that should be investigated.

Mr. THOMPSON: I will ask the government to investigate my reserve. That is just exactly when that ceased. There is still some land on the reserve—I do not know much about it, I am just a new chief, I have only been a chief for eight years. Mr. Hamilton here can tell you about that.

I took up the water question with Mr. McPherson, that is before Mr. Hamilton came but he knows something about it. The sewage from the mill, two hospitals and about 2,000 inhabitants in a little town runs all across the river water which is what the Indians drink to-day.

Mr. BLACKMORE: I think the Chief should repeat a little more loudly what he has said because we all want to hear it.

Mr. THOMPSON: We took this up twice. Mr. Hamilton can tell you something about the water. Mr. McPherson was the agent. I worked with him. We sent samples of the water to Dr. McAdam, I think it was. He analysed some samples. We took this matter up before twice. The water was tested because the water was not suitable for a person to drink. It was filthy, no good. The sewage from that little town, the mill and two hospitals, with all the acid and sulphur which comes from that mill goes into the river and that is what we drink to-day. I took this up before my agent to bring it into the House of Commons. He did bring those questions up twice.

The CHAIRMAN: You mean you sent samples of the water to the medical department?

Mr. THOMPSON: Yes.

The CHAIRMAN: To the medical branch of the Indian Affairs Department?

Mr. THOMPSON: Yes.

The CHAIRMAN: What was the reply you got?

Mr. THOMPSON: I did not get any result at all. There is nothing, no answer at all.

The CHAIRMAN: Did you send samples yourself or did you have your agent do it?

Mr. THOMPSON: My agent, Mr. McPherson.

The CHAIRMAN: We will have that investigated.

Mr. BLACKMORE: Mr. Chairman, the Chief did not tell us what he thought about liquor. We should like to know whether he thinks his Indians should be able to go into town and buy liquor and drink it there. We should also like to know whether he thinks they should be able to get out, get liquor and bring it on the reserve and drink it. What do you think?

Mr. THOMPSON: I want the liquor to be stopped on my reserve. I do not want it because there is a lot of money made on my reserve and almost all of it goes for whisky and lemon extract to make the Indians drunk. I ask that the whole thing be stopped. I am not a drunkard. I used to be in days gone by, but I am not now.

Mr. BLACKMORE: May we ask the Chief what he thinks most of his Indians desire? Do you believe they wish it to be stopped?

Mr. THOMPSON: I guess the majority want to be able to drink beer or liquor, that is the young ones. Most of the old-timers do not want it. The young generation, I suppose, they want to drink.

Mr. BLACKMORE: The Chief, then, Mr. Chairman, would like to have the Act stay just as it is; is that right?

Mr. THOMPSON: I want it to be stopped.

Mr. BLACKMORE: The Act now prohibits the Indians from buying liquor or bringing it on the reserve.

Mr. THOMPSON: Does not the Queen Victoria Treaty say something about liquor being stopped?

The CHAIRMAN: Yes, that is what Mr. Blackmore states. Is that all Chief?

Mr. THOMPSON: That is all.

Mr. CASTLEDEN: You feel that the treaty has been broken, that they promised you in the treaties that they would not allow liquor to be sold to the Indians and you still find liquor is being sold to the Indians?

Mr. THOMPSON: Yes.

Mr. CASTLEDEN: Although the Act forbids it. You tell us liquor is being drunk on the reserve?

Mr. THOMPSON: Yes, sir.

Mr. CASTLEDEN: And that you find people selling lemon extract?

Mr. THOMPSON: Yes.

Mr. CASTLEDEN: And others buy liquor on the reserve and the law enforcement officers are not stopping it?

Mr. THOMPSON: No.

The CHAIRMAN: The law enforcement officers permit it?

Mr. THOMPSON: Yes.

The CHAIRMAN: Do they go out and say it is all right to sell lemon extract and beer?

Mr. THOMPSON: The mounted policeman in Watkins is having a hard time trying to stop this liquor business.

Mr. CASTLEDEN: The fact is they are not stopping it.

The CHAIRMAN: You are creating a wrong impression.

Mr. MATTHEWS: I did not understand the Chief to say that liquor was being sold on the reserve.

Mr. CASTLEDEN: I am not reflecting on the law enforcement officers or saying they are not trying to do a good job. I am saying they are not completely able to stop it, despite their efforts to do so.

The CHAIRMAN: You cannot put up your hand and stop the waves on the beach, either. A fair question would be, are they permitting or authorizing it, and they are not.

Mr. CASTLEDEN: I should like to ask this question. Are they successful in stopping it?

Mr. THOMPSON: No.

Mr. BLACKMORE: Are they doing their best to stop it?

Mr. THOMPSON: They are.

Mr. CASTLEDEN: Are there officers there?

Mr. THOMPSON: There are officers. There is a detachment at Lac du Bonnett. Those are the ones who are going down all the time. There is the Manitoba Paper Company's police, there are two of them, and there are two at Lac du Bonnet. There is the man from the Manitoba police and the five of them try to stop this liquor all the time, especially Saturday nights. I work with them. It is a hard thing to stop this liquor. I am over sixty years old. The government was not trying to stop this liquor business all the time. I am over sixty years old, and I do not see this liquor being stopped yet. Nobody wants it, but it seems to be getting stronger all the time.

Mr. MURDOCH: I should like to say something about liquor. We never can stop that liquor. Anyone can manufacture that liquor on our reserve. Our own people can do it. The law does not allow them to get good liquor. They are going out anyway and they will make it right on the reserve. We tried to force the mounted police to come down and search for liquor, but they could not find it. We try to do the best we can. Mostly the old people do not like the liquor but they are still drinking it anyway.

The CHAIRMAN: Do you think it would be better, Chief Murdoch, if we opened wide the gates and let the people get all they want; is that the better thing?

Mr. MURDOCH: It is my idea. It would be a good idea. If they got a permit for good liquor, they would not buy the bad stuff; that is my idea. They would not get any more than what is allowed on the permit anyway. Supposing I go out and buy a permit, if I am allowed a case of beer and drink it, I

would not get any more for a month's time; that is the way I look at it. They make this bad stuff. They are manufacturing it, and they die. A while ago we lost two or three men over that bad liquor.

Mr. CASTLEDEN: It says in your treaty,

Her Majesty further agrees, within the boundaries of the Indian reservation, until otherwise determined by the government of the Dominion of Canada, no intoxicating liquor shall be allowed, and Her Majesty shall have the right to pursue their avocations of hunting and fishing—

The CHAIRMAN: Her Majesty is not going to do that.

Mr. CASTLEDEN:

Her Majesty further agrees with the said Indians that they shall have the right to pursue their avocations of hunting and fishing as hereinbefore described.

I am reading from the treaty.

The CHAIRMAN: From what treaty are you reading?

Mr. CASTLEDEN: It is treaty No. 3. After the description of the lands, then there is something regarding the maintenance of schools, regarding liquor and such things. The next clause states,

Her Majesty further agrees with her said Indians that they, the said Indians, shall have the right to pursue their avocations of hunting and fishing throughout the tract.

The CHAIRMAN: I will read it again, if you like.

Mr. CASTLEDEN: I have read it.

The CHAIRMAN: You have not taken it down properly.

Her Majesty further agrees with her said Indians, that they, the said Indians, shall have the right to pursue their avocations of hunting and fishing throughout the tract surrendered as hereinbefore described, subject to such regulations as may from time to time be made by her government of her Dominion of Canada, and saving and excepting such tracts as may from time to time be required or taken up for settlement, mining, lumbering or other purposes, by her said government of the Dominion of Canada, or by any of the subjects thereof duly authorized therefor by the said government.

Mr. CASTLEDEN: That is right.

The CHAIRMAN: That is not what you read, though.

Mr. CASTLEDEN: I should like to ask whether they have found that the right to pursue fishing on their reserve has been interfered with in any case; that is, hunting or fishing on the reserve.

The WITNESS: Yes, Mr. Castleden. Regarding fishing, I submitted a brief here from the Broken Head band No. 4 Indian reserve concerning fishing.

We are having a hard time to fish for our own use. For instance, inside our reserve in the year 1946 four families' nets were torn by the game guardian's motor boat, George Longbotton, who is always in our reserve. This is an encroachment of one white man in the reserve.

Mr. George Longbotton is the game guardian from the provincial government who is residing in the mission house.

By Mr. Castleden:

Q. Is he on the reserve?—A. He is in the mission lodge, the mission house, surrounded by the reserve.

Q. He lives in the mission house which is built there?—A. Yes. It was originally the Indian reserve.

Q. They leased or surrendered it?—A. They leased it to the missionaries. In my band's view it was leased to the missionaries, not to the game guardians. This certain game guardian, Mr. George Longbotton has been travelling up and down Canterbury Indian reserve roughly. These Indians are fishing for their own use, not commercial fishing. Only for their own use.

Now, these four families of Indians in 1946 had their nets down and this Mr. George Longbotton ripped their nets with his motor boat. I brought this up before Mr. Longbotton myself.

By Mr. Lickers:

Q. What did he say about it?—A. This was brought to me by the two gentlemen, Mr. William Morrisoe, who is about sixty-four years old. He brought this up to me to speak for him, not that I had any power to do anything, but just interpret for him to the game guardian. He asked me if I could say something to Mr. Longbotton with regard to the breaking of his nets, which I did. I saw Mr. Longbotton. "Well," he said, "Tom, I will see if I can get it replaced." I refer also to Mr. Tim Cook, who is about seventy-three years of age. The answer that he gave him was, "Pick up your damn net or I will pick it up myself."

By the Chairman:

Q. Did you hear that?—A. I did not hear that myself. I was not at Canterbury then. There was also another family, that of Mr. Peter Jones who has a young boy, a young girl and his wife. I would say he is about sixty-two years of age. He also had a net torn by the game guardian, straight down from the bank of his place. It is inside the reserve.

Q. Is that a navigable stream?—A. Yes.

Q. What river is it?—A. It is the Broken Head River.

Mr. HOEY: It is not navigable in the sense there is dominion control.

The WITNESS: It is just for small boats.

By the Chairman:

Q. Could he get up and down the river in his small power boat?—A. Yes.

Q. Without running into these nets?—A. I think he could. He uses only an outboard motor and a light craft.

Q. There might be some difficulty. What we are trying to find out is, did this provincial officer do this deliberately or did he do it accidentally?—A. I could not make a statement in that respect.

By Mr. Bryce:

Q. What does he do on the reserve? Why does he stay on the reserve?—A. Well, I do not know why he stays on the reserve, but from my point of view he should not be on that reserve.

By the Chairman:

Q. Is he a married man?—A. Yes.

Q. Has he his family on the reserve?—A. Yes.

Q. Does he rent the house?—A. No, he is in the mission lodge.

Q. What is the mission lodge?—A. That is the game guardian I am speaking about.

Q. What is this mission lodge?—A. The mission house.

Q. What is the mission house?—A. There is a mission house erected on every reserve for the missionary societies who worked with the Indians. Now, we have not had a missionary there for some time. Our missionaries used to come from Winnipeg about twice a month and this game guardian has just moved right into the mission house where our minister used to live. The mission house is surrounded by the reserve.

Q. What I am getting at is this; who else lives in this mission lodge?—
A. He and his family.

Q. From whom does he rent the mission lodge?—A. That I do not know. I asked the Chief and Councillors.

Mr. McCRIMMON: Might I explain that I investigated this. I went over to the office in the noon hour and our file indicates—as a matter of fact, we have a letter from Mr. Bryce about it. The Indians complained to Mr. Bryce about this provincial game guardian residing on the reserve. The Anglican church many years ago (1904) secured the land—I am not in a position to say to-day whether this was before this was a reserve or afterwards—to which they hold title. They have leased the house on this lot to the game guardian. It is true that it is surrounded on three sides by the reserve and the river is in front of it. We have no way of keeping him out. It is very proper.

Mr. BRYCE: Was it granted to the Anglicans for mission purposes?

Mr. McCRIMMON: They have the outright title to it; it is their property. They can do whatever they like with it. It does not form any part of the reserve. If it were on the reserve, we could control the residents. As they have title to the land, there is nothing the branch can do about it.

Mr. CASTLEDEN: The branch might try to make arrangements with the church, though, if it is not being used for mission purposes to surrender it again?

Mr. McCRIMMON: It is possible. We have done that in many cases in order to clear up isolated cases.

The CHAIRMAN: This mission house is on the river?

Mr. McCRIMMON: That is right.

The CHAIRMAN: The reserve is on both sides of the river.

Mr. McCRIMMON: That is right.

The CHAIRMAN: Is it on the north or south side of the river, east or west?

Mr. McCRIMMON: It would be, as I recall it, on the south side of the river.

The CHAIRMAN: Is the reserve to the east and west of that mission house, then?

Mr. McCRIMMON: Yes, it is surrounded on three sides by the reserve and then the water is in front of it; then, the reserve is across the river, too.

The CHAIRMAN: It is surrounded on four sides by the reserve?

Mr. McCRIMMON: Yes.

Mr. CASTLEDEN: How far within the reserve is this?

Mr. McCRIMMON: It is quite a distance. I do not recall the scale on the map, but it would be down about three inches on the map. I suppose it would be four miles or so.

Mr. HAMILTON: I think the arrangement of allowing the game guardian in this house is only a temporary arrangement. I had a phone call the other day from the Reverend Mr. Cheels, who was expecting to go to the Broken Head reserve as a missionary. If he went, I assume he would want the house. For the last two or three years they have not been able to get a resident missionary. I think, possibly, it is just a temporary arrangement.

The CHAIRMAN: Mr. Hamilton, you think probably this matter with Mr. Longbotton can be straightened out?

Mr. HAMILTON: Yes.

The CHAIRMAN: Would you see what you can do about getting it straightened out?

Mr. HAMILTON: I would be glad to.

Mr. BLACKMORE: I wonder if we could find out whether or not the province of Manitoba does permit things of that sort with its full knowledge?

The CHAIRMAN: I am sure no province, it does not matter which one, would permit anything of that nature with its knowledge. I think, even Alberta—

Mr. BLACKMORE: I am sure Alberta would not.

The CHAIRMAN: Mr. Conn, would you like to say something there?

Mr. CONN: Yes, just on the point Mr. Blackmore brought up. I was going to deal with that point. Mr. Prince was in my office the other afternoon, and this was the first intimation I had of the broken nets. I was so confident of the integrity of the Manitoba administration, I took the opportunity of inviting Mr. Prince to meet me in Winnipeg later on this month when I would be out there and this morning I wrote the assistant deputy minister, making an appointment so we could investigate the whole matter right on the ground.

The CHAIRMAN: Is that action satisfactory?

The WITNESS: Yes.

Mr. CONN: Knowing Mr. Cowan as I do, if the game guardian has been carrying on in the manner described, he will not be there very long.

By Mr. Castleden:

Q. Did you complain of this matter to your agent?—A. Yes.

Q. When?—A. On several occasions.

Q. What year?—A. 1946 and 1947.

Q. This last year. What results did you get from him?—A. The agent has referred to it and said he will take this matter up; that is as far as it went. Then, I was forced by the Manitoba Indians of the Broken Head band, to go further into it. Then, I sent a letter to Mr. Bryce who took up the question. I referred this question to the Indian agent at least three times, twice in 1946 and once in 1947 that I remember.

Q. There are a number of such things which have occurred. We found the same thing in practically every group which has come before us. We, as a committee, feel that one of the things which is going to be necessary for the betterment of the Indians is that the trust of the white man in the Indian and the Indian in the white man must be restored. There should be mutual confidence. You should not feel that the treaties are being violated or that you are not being properly treated or that you have no rights. Now, have you any suggestions to make or any recommendations which you would like to make with regard to settling these matters? You can see from the discussion this afternoon how complicated and how difficult the interpretation of the clauses of the treaties are, and how the application of them at one date might be altered at another. Do you think there is a possibility of the Indians getting together, the chiefs and tribes getting together and meeting and drawing up some kind of agreement whereby we could restore the common trust which should exist between the Indian and his white brothers?—A. You are referring to the trust of individual persons?

Q. The whole thing, I mean the Indians as a group. I feel there is distrust. What do you suggest?—A. The treaties we were talking about a little while ago

—these Indians were led to believe, so far as I can come to the conclusion, that their promises should last as long as the sun shines, the river flows and the green grass grows. They trusted the white man to carry out these promises. They were very glad then to offer these terms, but to-day we find it different. How can I walk along the street, stick out my chest and say, "I trust the next man, the next man trusts me," when I could not get these terms? Those are the best words I can put it into.

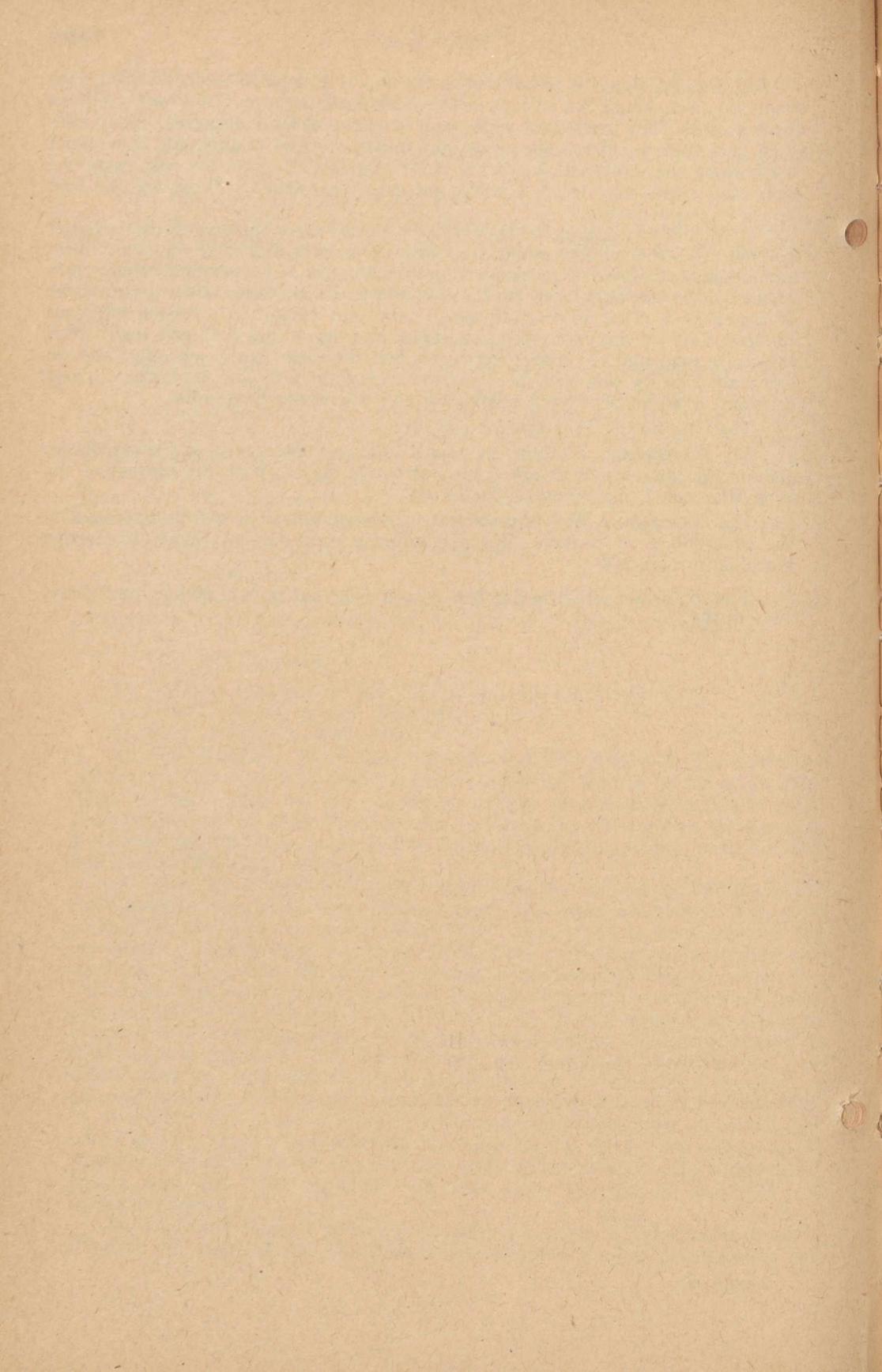
Q. Would you suggest we should have another meeting between the Indians? Do you think the Indians would come with their tribes and their chiefs and meet a commission or some other group to get the treaties and agreements thoroughly understood so we could trust one another, or secure some safeguards, some avenue of appeal?—A. That is the purpose of this joint committee's session with our Indians, that we should have a conclusion and something that will really bind the white man and red man together so that they can trust each other and we can walk side by side and face this world having faith and confidence in one another. I would have your confidence and you would have mine.

The CHAIRMAN: It is now six o'clock.

Mr. CASTLEDEN: I tabled the Constitution of the Union of Saskatchewan Indians, as their president asked me if I would do it. With the consent of the committee could that be put in the record?

The CHAIRMAN: With the consent of the committee, it will be appended to the proceedings of to-day. We will adjourn until eleven o'clock to-morrow morning in room 277.

The committee adjourned at 6.05 p.m. to meet again at 11.00 a.m. on Friday, June 6, 1947.



Councillor Daniel Flatfoot, Camperville.
 Councillor Joe Peyer, Roseau River.
 Kenneth Prince, Peguis.
 Jerry Bittern, Berens River.
 Councillor Chas. Favell, Peguis.
 John R. Woodford, Fairford.
 John Blackbird, Elphinstone.
 Councillor Elijah Bower, Fisher River.
 Councillor Mike Crate, Fisher River.
 Roy Eagle, Valley River.
 David Anderson, Fairford.

Ladies:—

Mrs. Edwin Woodhouse, Fairford.
 Mrs. Helen Moar, Fairford.
 Mrs. K. McLean, Lake Manitoba.
 Ann Smith, Roseau River.
 Mrs. David Anderson, Fairford.

Representative of Unaffiliated Indians:—

Mr. Flett, Peguis.

Members of The Indian Association of Manitoba

Chief John Thompson, Pine Falls, Man.
 Chief John James Sinclair, Lake St. Martin, Man.
 Chief Edwin Woodhouse, Fairford, Man.
 Chief James Murdock, Koostatak, Man.
 Chief Jim Wilson, Rolling River, Man.
 Chief Geo. Gordon, Indian Springs.
 Chief Geo. Sutherland, Marius, Man.
 Chief Patrie Matwayashing, Vogar, Man.
 Chief Chas. Sumner, Gypsumville, Man.
 Chief Theodore Flatfoot, Camperville, Man.
 Chief Geo. Parkes, Hole River, Man.
 Chief Cuthbert Nanawin, Poplar River, Man.
 Chief Frederick Sayer, Little Black River, Man.
 Chief Jacob Menow, Norway House, Man.
 Chief Sam Cook, Split Lake Reserve.
 Chief Willie Berens, Berens River.
 Chief Richard Chief, Canterbury.
 Chief Myles Hart, Nelson House Reserve.
 Chief Abraham Hole, Reedy Creek P.O., Ebb and Flow Reserve.
 Chief John Eagle, Valley River.
 Chief Cornelius Bignell, The Pas.
 Chief George George, Cedar Lake.
 Chief Helarn Moar, Crane River.
 Chief N. Asham, Peguis.
 Chief Joe Yellowquill, Long Plains.
 Chief Frank Kobistra, Shoal Lake.

Secretary: Robert Anderson.

Councillors:—

Harry George Anderson, Fairford.
John Young, The Pas.
Chas. Green, Shoal Lake.
Jim Chena, Shoal Lake.
George Chena, Shoal Lake.
Arthur Flett, Berens River.
Chas. John Anderson, Fairford.
George Shannacappo, Rolling River.
William Captain, Cedar Lake.
Daniel Flatfoot, Camperville.
Joe Payer, Rosseau River.
Chas. Favell, Peguis.
Elijah Bower, Fisher River.
Mike Crate, Fisher River.
Louis Prince, Shoal Lake.
Archie Shingous, Rossburn.
Andrew McPherson, Peguis.
Councillor Russel, Long Plains.
Councillor Bird, Little Black River.
Danial Nathlin, The Pas.
Matthew McGillivary, The Pas.

(Signed Secretary Robert Anderson.)

APPENDIX FX

Shoal River Band,
Pelican Rapids, P.O., Man.
April 14, 1947.

Honourable Senator J. Fred Johnston and Mr. D. F. Brown,
Joint Chairmen,
Special Joint Committee of the Senate and the House of Commons,
appointed to examine and consider the Indian Act.
Ottawa, Ont.

Honourable and Dear Sirs:

As we were informed that the Indian Act is to be examined and considered in a near future, we, the Members of the Shoal River Band, had a meeting called and presided by the Chief and Councillors, and have adopted the following resolutions:

1. Military Service: We insist that our boys be exempted from compulsory military service Overseas.

2. We ask that taxation on non-luxury goods or articles, as clothes etc., be not imposed upon us.

3. Fishing & Trapping: We expect that our hunting, fishing and trapping rights be faithfully respected and that licenses if required by law, be issued to us free of charge.

We ask, that our fishing grounds be enlarged and extended from Salt Point to Beardy's Point in a straight line and that the residing Half Breeds may be permitted to fish in the same area.

4. Indian Reserve Land: We expect that the little Reserve of Bell River Bay (West) as appears on old maps, be return to us as being part of our Reserve.

5. Timber Resources: We ask that our timber resources be exploited in a near future and a saw mill to be purchased from our fund and operated by us. If this proposition is not approved of, we would like to sell our timber limits to some big Firm and the proceeds to be kept at Ottawa as a revolving fund.

6. Hospitalization: We insist that a hospital or Sanatorium for the Indians be built at some central point on the shores of Lake Winnipegosis, (we would suggest Pine Creek Reserve at Camperville) and that our T.B. patients specially be hospitalized at some reasonable distance from their homes and in an Institution of their respective Faith.

7. Education: We request that our day and residential schools be maintained under Christian leadership. We expect our boys and girls attending Residential or Day schools be given the opportunity of taking a more complete course of vocational training, and modern equipment for that purpose is requested.

8. Recreation and training center for expupils; Recreational and training facilities should be available on our Reserve for the physical and moral welfare of our youngsters. Such a center will facilitate a post schools program organization which would be of great value to our ex-pupil of both Day and Residential Schools.

9. Housing problem: The Department is expected to provide us with the balance of material when log buildings for public and private use, as homes, halls, bridges, are constructed on the Reserve.

10. Old age Pension: Old, aged and disabled Indians should be entitled to the same amount of pension as their White Brothers.

Very respectfully yours,

The Members of Shoal River Band.

Per: Thomas Sinclair, Chief.

Patrick Cook, Councillor.

Edward Stevens, Councillor.

APPENDIX FY

Waterhen Band,
Skowman, P.O., Man.,
April 19, 1947.

Honourable Sirs:

We, Indians of the Waterhen Band, are informed that the Indian Act is to be revised and altered. In a general meeting called and supervised by the Chief and Councillors, have adopted the following resolutions to be presented respectfully to your Committee:

1. Education and training: We insist that our day and residential school be, as in the past, maintained under christian leadership. We expect our boys and girls attending day and residential schools to be given opportunity to follow a complete vocational course, modern equipment for that purpose is requested in every school.

When a child shows interest and aptitude for a special branch of training, such child must be given opportunity for higher education and recommended by teachers or principals to the Department so that arrangements be made to give the particular pupil a full training on this special trade.

As most of our Reserves are far away from a resident Doctor, our pupils should receive a more complete training in first aid nursing and elementary notions of medical should be given them. It is done at some schools it should be encourage. We suggest that such training be part of the school curriculum.

Recreational and training facilities should be available on our Reserves for the physical and moral welfare of our boys and girls. In connection with these facilities a post-school program could be carried on.

As we are all members of the Roman Catholic Church, we should like to have a teacher of our own Faith to teach at our Day school.

2. Hospitalization: We request a hospital or San. for the Indians to be built at some central point on the shores of Lake Winnipegosis, and that our TB patients specially be hospitalized in an institution of their Faith and at a reasonable distance from their homes.
3. Old age pension: Old aged and disabled persons living on Indian Reserve should be entitled to the same treatment received by their white neighbours.
4. Implements: We suggest that more farming implements be given us in the future and that a shelter be erected on the Reserve for protection of same.

A portable saw-mill would come handy and save a great deal of labour specially during fishing season.

5. Elections: We demand that elections be held when we so desire; and determine the length of office of the chief, councillors and constable as well as the amount of an adequate salary.
6. Medical cares: We request that our medical doctor visit our people on the reserve at least once a month.
7. Taxation: We ask that taxation on articles and goods necessary to our daily welfare as clothes, foods, etc., be not imposed upon us.
8. Military Service: We request that our boys and men be exempted from compulsory military service overseas.

9. Housing problem: The war being over, we expect that the Department will be able to help us in building better homes. Providing the balance of material when log buildings for public use, as a hall, implement shed, bridge, recreation centre, or private home are constructed on the Reserve.
10. Fishing and Trapping: We expect our fishing and trapping rights to be faithfully respected.
11. Orphans: Many orphans children, boys and girls are attending Residential school, while at school their Treaty money is funded at Ottawa and given them or their guardians on leaving school or shortly after. May we suggest that such money be given such children only when ready to get married, and specify that such money must be used for material to build a home or purchasing furniture, if they already possess a home. Used in this way and at such a time the money will be greatly profitable to these young Indians.

Very respectfully yours,
The Members of the Waterhen Band.

Per: Chief, Hermas Nepinak
HERMAS NIPINAK

Councillor, Michel Catchiway
MICHEL CATCHIWAY

Councillor, Edwin Houle
EDWIN HOULE

Honourable Senator J. Fred Johnston and Mr. D. F. Brown,
Joint Chairmen,

Special Joint Committee of the Senate and the House of Commons,
appointed to examine and consider the Indian Act,

Ottawa, Ont.

APPENDIX FZ

CONSTITUTION OF THE UNION OF SASKATCHEWAN INDIANS

Adopted in convention of the Indians of Saskatchewan at the city of Saskatoon, in the province of Saskatchewan, the 24th day of February, A.D. 1946.

ARTICLE I

Name—The name of the organization shall be "The Union of Saskatchewan Indians".

ARTICLE II

The Union shall be democratic and non-sectarian, and shall not directly or indirectly be affiliated to, or connected with any political party.

ARTICLE III

Aims and Objects—

- (a) The aims and objects of the Union shall relate to the problems of all Indians of Saskatchewan.
- (b) The Union shall approach and deal with these problems by:
 1. Protecting Treaties and Treaty Rights;
 2. Fostering progress in all fields of economy, education and social life of Indians;
 3. Co-operating with all civil and religious authorities;
 4. Constructively criticizing and discussing all matters;
 5. Adhering to democratic procedure;
 6. Promoting respect and tolerance for all.
- (c) The Union will endeavour to secure the maintenance and fulfilment of all Indian Treaties.
- (d) The Union is organized to protect all Indians against abuse and maladministration and injustice.

ARTICLE IV

Membership—Membership in the Union may be Active or Honorary:

- (a) Active members shall consist of Treaty Indians and Non-Treaty Indians; all active members shall enjoy a vote.
- (b) Honorary members may be appointed by the Executive Council. They may be persons of any race, who support the spiritual and temporal welfare of the Union; they are not entitled to a vote.
- (c) Only persons of good moral character shall be eligible for membership in the Union; members of other Indian organizations shall be eligible for membership.
- (d) Every member holds to the ancient Indian code; "Love and help thy brother".
- (e) Every active member must be a Canadian Indian, of the full age of eighteen years, male or female, who according to Indian teachings has reached manhood or womanhood, and is a resident of Canada.
- (f) No member may use the name of the "Union of Saskatchewan Indians" for private schemes, personal profit or commercial enterprise, or act as a representative of the Union of Saskatchewan Indians unless duly authorized to do so, by the Executive Council, and be provided with credentials explaining the mission appertaining thereto, being signed by at least three officers of the Executive Council.

- (g) Any member having complied with Sections (a), (c) and (e) may become an Active member upon paying to the Union a fee of one dollar (\$1.00).
- (h) Any member wishing to withdraw from membership may do so upon a notice to the Executive Council through the Secretary.

ARTICLE V

Officers—The Executive Council of the Union shall comprise:

- (a) i A President;
- ii Two Vice-Presidents;
- iii Provincial Secretary;
- iv A Provincial Treasurer;
- v Two Provincial Organizers;
- vi Two Councillors from each Indian Agency in Saskatchewan, and one Non-Treaty Councillor.
- (b) The Executive Council shall be elected to a term of office of two years.

Executive Council—

- (c) The Executive Council herein referred to shall mean the Committee consisting of the officers referred to in the next preceding section which, subject to the resolutions and instructions given them by a majority vote at any meeting of the Union properly called and constituted, shall have full control and management of the business and affairs of the Union.

President—

- (d) The President shall be ex-officio a member of all committees. He shall, when present, preside at all meetings of the Union and of the Executive Council. In his absence a Vice-President shall preside at any such meeting and in the absence of both the President and the Vice-Presidents, a Chairman shall be elected from among the remaining officers.

Vice-Presidents—

- (e) The Vice-Presidents shall be ex-officio members of all committees. One shall, in the absence of the President preside at all meetings of the Union. In the absence of both, a Chairman shall be elected from among the remaining officers.

Secretary—

- (f) Secretary—It shall be the duty of the Secretary to attend all meetings of the Union and of the Executive Council and to keep accurate minutes of the same. He shall have charge of the Seal of the Union, which seal whenever used, shall be authenticated by the signature of the Secretary and President, or in the case of death or inability of either to act, by the Vice-President. In the absence of the Secretary, his duties shall be discharged by such officers as may be appointed by the Executive Council. The Secretary shall have charge of all the correspondence of the Union and shall receive instructions from the President, Vice-President and Executive Council.

Provincial Treasurer—

- (g) The Provincial Treasurer shall receive all moneys paid to the Union and shall be responsible for the deposit of same in whatever Bank the Executive Council may order. He shall properly account for the funds of the Union and keep such books as may be directed. He

shall present a full and detailed account of receipts and disbursements to the Executive Council whenever requested and shall prepare for submission to the Annual Convention a statement duly audited as hereinafter set forth, of the financial position of the Union and submit a copy of same to the Secretary of the Union. He shall pay all accounts by cheque; receipts shall be secured for expenditures. Cheques shall be signed by the Treasurer and the President, or the Treasurer and one Vice-President.

Combined Office of Secretary and Treasurer—

- (h) The office of the Secretary and Provincial Treasurer may be filled by one person if any meeting for the election of officers so decides.

Qualification for Office—

- (i) Every member of the Provincial or Executive Council must be of Indian Ancestry and of good moral Character, to be eligible to office in the union.

Duty of Council—

- (j) It shall be the duty of the Executive Council to arrange for members and others to speak to the Union on matters of interest, such as, Indianology, Ethnology, History, Art, Culture, Craft, Sports, etc.,

ARTICLE VI

Audit of Books and Records—

- (a) The books, accounts and records of the Secretary and Treasurer or Secretary-Treasurer shall be audited at least once every year by a duly qualified accountant or by two members of the Union, elected for that purpose at or before the Annual Convention. A complete and proper report of the standing of the books for the previous year shall be submitted by such auditor or members at the Annual Convention of the Union.

Fiscal Year—

- (b) The thirty-first day of the melting moon (July) in each Great Sun (one year) shall be the end of the fiscal year of the Union.

Inspection—

- (c) The books and records of the Union may be inspected by any member of the Union at the Annual Convention, or at any time upon giving reasonable notice and arranging a time satisfactory to the officer or officers having charge of same. Each member of the Executive Council shall at all times have access to such books and records.

ARTICLE VII

Meetings of Executive Council—

- (a) The Executive Council shall hold meetings as often as the business of the Union shall require.

Every Three Months—

- (b) There shall be at least one meeting of the Executive Council every three moons (months).

Meetings of Union—

- (c) The Union shall hold a general Council meeting or Convention once every year in the month of the Flight Moon (August) of which due notice shall be given to all members. At every second Annual meeting there shall be nominated and elected the officers of the Executive

Council as enumerated in Article 3, Section (a). The officers so elected shall serve until their successors are elected and installed. All proposed resolutions shall accompany each notice of a General meeting.

Filling Vacancies—

- (d) Any vacancy occurring shall be filled at the next following Annual meeting, provided that it is so stated in the notice calling such meeting.

Special Meetings—

- (e) Special meetings of the Union may be called at any time by the Secretary upon receipt by him of a petition signed by one-third of the members of the Union in good standing, setting forth the reasons for calling such meeting, which shall be by letter to the last known address of each member delivered in the mails fifteen days prior to such meeting.
- (f) All resolutions at meetings of the Union and the Executive Council shall be passed upon a majority vote of all active members present at such meeting.

ARTICLE VIII

Quorum of Executive Council—

- (a) Any ten members of the Executive Council shall constitute a quorum, and meetings may be held without notice, if a quorum of the Executive Council is present, provided however, that any business transactions completed at such meeting without notice shall be ratified at the next regularly called meeting of the Executive Council, or otherwise the same shall insofar as possible be null and void.

Quorum of Union—

- (b) Twenty-five members in good standing shall constitute a quorum at any meeting of the Union.

ARTICLE IX

*Voting—*Any active member in good standing shall have the right to vote at any meeting of the Union. Such votes must be cast in person and not by proxy or otherwise.

ARTICLE X

*Remuneration—*Unless authorized at a Union meeting of which due notice shall have been given, no officer or member of the Union shall receive remuneration for his services.

ARTICLE XI

*Amendment to Constitution—*The Constitution of the Union may be amended only by a majority vote at an annual meeting of the Union upon notice in writing being given to all members one month or more prior to the date on which a change or changes are to be voted upon, and provided the proposed change or changes have been embodied in the notice calling the meeting at which they are to be voted upon.

ARTICLE XII

Locals—

- (a) A local of the Union may be established under the authority of the Executive Council at the request in writing of ten or more active members who are desirous of forming themselves into such local. Such local shall be distinguished by a name designating the locality, as for example: "The File-Hills Union of Saskatchewan Indians."

Local Membership—

- (b) The membership of a local shall consist of the members of the Union residing within the locality, and of those residing at a greater distance, who desire to join the local, who notify the Secretary of the Local of their desire to join such local; such Secretary in turn shall notify the Secretary of the Union.

Management of Locals—

- (c) Each local shall be managed by a Local Council consisting of a Chairman, one Director and a Secretary-Treasurer all of whom shall be elected by the Local members at a regular meeting.

Executive of Local—

- (d) The immediate past Chairman of the Local, and members of the Executive Council of the Union, residing within the jurisdiction of the Local, shall be ex-officio members of the Executive Council of that Local.

By-Laws of Locals—

- (e) Locals shall adopt By-Laws governing the election of officers, the holdings of meetings, and other matters of local jurisdiction. As far as possible, there shall be uniformity in the By-Laws of the locals and the constitution of the Union. The by-laws, and amendments or additions thereto shall be first submitted to the Executive Council for approval, and shall then be submitted to a vote of the Local members for final adoption.

Functions of Locals—

- (f) The Locals shall promote the objects and interests of the Union, particularly in matters of local import, and shall encourage the presentation of addresses and appropriate action on subjects of interest to the Union.

Revenue—Membership fees of one dollar for each member of the Union shall be paid to the Provincial Treasurer to build up a fund for necessary expenses in preparing briefs, engaging legal counsel and other matters pertinent to the welfare of the Union of Saskatchewan Indians. In addition, a Local shall have authority, by By-Law, to impose upon and collect from members of such Local, such fees, dues and other levies as a majority of the members of such Local consider advisable and necessary.

Collection and Remittance—

- (h) A statement showing the amounts, and from whom collected, shall accompany each remittance of dues from the Locals to the Provincial Treasurer, and the Secretary-Treasurer of the Local shall assist wherever possible in the collection of fees from members, remitting the total amount of the fees so collected to the Provincial Treasurer of the Union. New application for membership may be accepted by any member of the Local.

Annual Report—

- (i) Each local shall submit an annual report of its proceedings and of its finances, to the Provincial Treasurer of the Union, who shall present it to the Annual General Meeting or Convention of the Union.



SPECIAL JOINT COMMITTEE OF THE SENATE
AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION
AND CONSIDERATION OF THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 31

FRIDAY, JUNE 6, 1947

WITNESSES:

- Mr. H. G. Anderson, Fairford, Manitoba, President, Indian Association of Manitoba;
Mr. T. G. Prince, M.M., Brokenhead Reserve, Vice-President, Indian Association of Manitoba;
Chief John Thompson, Fort Alexander Reserve, Manitoba;
Chief James Murdoch, Koostatak, Manitoba;
Mr. Boniface Guimond, Secretary, Fort Alexander Catholic Association;
Mr. A. G. Hamilton, Inspector, Indian Agencies, Manitoba;
Mr. Hugh Conn, General Supervisor, Fur Developments, Indian Affairs Branch, Ottawa.

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,
Friday, 6th June, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee met this day at 11 o'clock a.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

Present:

The Senate: The Honourable Senators Blais, Johnston, Macdonald (*Cardigan*), Robicheau and Taylor, 5.

The House of Commons: The Honourable Mr. Stirling and Messrs. Brown, Bryce, Case, Castleden, Charlton, Farquhar, Gariépy, Harkness, Matthews (*Brandon*) (Vice Chairman), MacNicol, Raymond (*Wright*), 12.

In attendance: Mr. W. J. Ford Pratt; (From Indian Affairs Branch): Messrs. R. A. Hoey, Director; H. M. Jones, Supervisor, Family Allowances; G. Patrick, V.L.A.; M. McCrimmon, Reserves Division; Hugh Conn, General Supervisor, Fur Developments; W. S. Arniel, Inspector, Indian Agencies, Ontario; A. G. Hamilton, Inspector, Indian Agencies, Manitoba; G. Armstrong, Welfare Division; also, Mr. Max Campbell, M.P., Rev. Fr. J. O. Plourde, O.M.I.; Rev. Fr. G. Laviolette, O.M.I.; also Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Mr. Hugh Conn, General Supervisor, Indian Affairs Branch, was called, made a statement and was questioned. By leave of the Committee part of the statement was not put on record.

Mr. Thomas G. Prince, M.M., was recalled, and questioned and acted as interpreter when questions were put to:

Chief John Thompson, Fort Alexander Reserve;

Chief James Murdoch, Koostatak, Manitoba, and to

Councillor H. G. Anderson, President, Indian Association of Manitoba;

Mr. Boniface Guimond, Secretary, Fort Alexander Catholic Association was recalled and questioned.

The Committee adjourned at 1 o'clock p.m., to meet again this day at 4.00 p.m.

AFTERNOON SESSION

The Committee resumed at 4 o'clock p.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

Present:

The Senate: The Honourable Senators Johnston and Taylor, 2.

The House of Commons: Messrs. Brown, Blackmore, Bryce, Case, Castle-den, Farquhar, Matthews (*Brandon*), MacNicol, Raymond (*Wright*), Reid, 10.

In attendance: as at morning session.

The Chairman read a letter from Councillor M. T. Montour, Caughnawaga, asking that Indian Affairs Branch permit the use of band funds to pay the expenses of "at least six members of the band Council" who wish to attend the hearing of Indians resident in Quebec. Matter referred to the Director, Indian Affairs Branch.

Questioning resumed of Messrs. Thompson and Prince.

Meeting interrupted by division in House. Meeting resumed at 4.40 p.m.

Mr. A. G. Hamilton, Inspector, Indian Agencies, Manitoba, was called, read a statement and was questioned thereon.

The Chairman thanked the delegation from Manitoba and Mr. Hamilton for the assistance they had rendered the Committee.

The Committee adjourned at 6 o'clock p.m., to meet again on Tuesday, 10th June next at 11 o'clock a.m.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

HOUSE OF COMMONS,

June 6, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11.00 a.m. Mr. D. F. Brown, M.P., (Joint Chairman), presided.

The CHAIRMAN: Yesterday I said that there was one department official who would like the opportunity of making a statement off the record. If you are determined to have that statement on the record that is entirely a committee affair; but until we have had some indication of what the statement is—it is in connection with the Summerberry fur project in Manitoba—I think we should give him an opportunity of telling us what it is then and then we can decide whether we want it on the record. It will be a brief statement.

Mr. CASTLEDEN: How long is "brief", Mr. Chairman?

The CHAIRMAN: When I say brief, I mean a short period of time; but when it gets into the hands of the committee and you start asking questions I have no control over it.

Mr. CASTLEDEN: I am thinking of the time the delegation will be here.

The CHAIRMAN: That is why we want to hear the statement now, so they will be here to hear it.

Mr. CASTLEDEN: I was just thinking of the time they have. I think probably we could get through with their questioning—

The CHAIRMAN: There is just Mr. Bryce who wishes to ask some questions.

Mr. CASTLEDEN: I haven't completed my questions yet.

The CHAIRMAN: You have not completed yours? I am sorry, I thought you had.

Mr. BRYCE: Whoever the official is, he can tell us how long it will take. If it is something to the benefit of the Manitoba men who are here, we should hear it.

Mr. CONN: It is not a prepared brief; it is a statement. It relates to a question raised by The Pas Indians in the brief presented by Mr. Prince yesterday. I think it has a direct bearing on the question we were discussing yesterday afternoon in an attempt to find out exactly what the rights of the Indians are under these treaties. And I may say that the major portion of my remarks should be on the record. There is just one point that would reflect to the disadvantage of the Indians if it were given to the general public, and I would like to submit on your consideration that at that stage of my submission my remarks might be left off the record.

The CHAIRMAN: What is your pleasure, gentlemen? Shall we hear Mr. Conn now?

Mr. BRYCE: Yes. I wanted to ask questions about some things but perhaps he will cover some of the points about which I wanted to ask.

The CHAIRMAN: Will you come up here, Mr. Conn, please.

Mr. Hugh Conn, General Supervisor, Fur Developments, Indian Affairs Branch, Department of Mines and Resources, called:

The CHAIRMAN: You will let us know when you reach that part of your statement which you feel should be off the record?

The WITNESS: Yes.

By the Chairman:

Q. Mr. Conn, you are, I understand, connected with fur conservation in the department?—A. I am general supervisor of fur developments.

Q. And you have been with the department for a number of years. You have already presented a brief to this committee. You now have some further statement you would like to make in connection with the Manitoba Indians?—A. Yes.

Q. Would you now proceed.—A. Yesterday, when Mr. Prince submitted the brief of The Pas Indians there were two specific complaints. The first one was that Indians have been fined for shooting ducks on their own reserve out of season; and the second complaint, as I understand it, was that in bringing a complaint concerning trapping on the Summerberry reserve to the attention of the fur advisory committee last year they had been dismissed with the advice to let sleeping dogs lie. In reference to that last advice, they were perfectly true in making that statement. That is what was told them in the committee meeting at which the press were present; but they neglected to mention that the following day I met with the band council at the agency office and went into detail explaining just exactly what the situation was in regard to their trapping rights on the Summerberry reserve. Chief Bignell, it is true, was not at this meeting because of illness. But the whole situation as far as the Indians are concerned stems from the opinion that their treaty rights in regard to fishing and trapping guaranteed them the right to shoot and kill for their own use at all seasons of the year. The treaty was gone into rather thoroughly yesterday and the Natural Resources Agreement was cited. In my submission of last year which appears in Minutes of Evidence, No. 16, at page 698, I quoted from the Natural Resources Agreement, clause 15, which deals with fishing rights and hunting rights, and which reads as follows:

In order to secure to the Indians of the province continuance of the supply of game and fish for their support and subsistence Canada agrees that the laws respecting game enforced in the province from time to time shall apply to the Indians within the boundaries there provided, however, that the said Indians shall have the right, which the province assures them, of hunting, trapping and fishing for food at all seasons of the year on all unoccupied Crown lands and on any other lands to which the said Indians have a right of access.

That was the right provided to the Indians under the Natural Resources Agreement. Following that we have a section of the Manitoba Game Act, that is section 71, subsection (4):

71. (4) For the purpose of subsection (1) lands set aside or designated as game preserves, forest reserves, provincial parks, registered trap-line districts, or fur rehabilitation blocks shall be deemed occupied Crown lands and not lands to which an Indian has right of access.

In other words, in accordance with that legislation the Indian is in exactly the same position as the white man in law on the Summerberry reserve. However, there is another feature of game administration which enters into the picture. At the time the Summerberry marsh was developed it was linked up to a relief project and the provincial government as a relief measure developed what we

call the Summerberry portion of this consolidated development. Incidentally, I might explain that when we use the term Summerberry we do it rather loosely. The Summerberry is one small section of the project. In 1938 the Indian department undertook the development of another area adjacent to the Summerberry. In 1940, when this area came into production an agreement was entered into with the province of Manitoba whereby the Indians would be eligible to trap on the whole consolidated area.

But now, if it meets with your approval, I would like at this point to have what I say off the record.

The CHAIRMAN: Is that agreeable to the committee?

Agreed.

Thomas George Prince, M.M., Vice-President Indian Association of Manitoba, Canterbury Reserve, recalled:

The CHAIRMAN: Mr. Castleden are you ready?

Mr. CASTLEDEN: I am giving up my place to Mr. Bryce.

By Mr. Bryce:

Q. Mr. Prince, you have some complaint which runs into this Provincial Dominion Relations Act at The Pas, where men have been fined for shooting ducks and geese on their own reserve for food.—A. I have a brief that was submitted to me by Chief Cornelius Bignell of The Pas band which asks the following: “(1) Why were the Indians of The Pas band fined for hunting ducks and geese for their own use out of season?”

That refers to out of season under the white man's terms. The Indian's term was that they were to hunt for their own use all the year round. They were fined \$10 each and they were prosecuted under the Migratory Birds Act. The Indian still believes they were within their treaty rights. Does that answer the question?

Q. Perhaps Mr. Conn would explain that.

Mr. CONN: The Migratory Birds Act is a federal act for the protection of migratory birds and it is based on a treaty with the United States of America. The regulations are in force on the other side of the border as well and it has been ruled that the Migratory Birds Act applies to Indians on and off the reserves. I might say the Migratory Birds Act as it applies to Indians on the reserve is only enforced in places like The Pas where there is a big white community. If the whites were to see an Indian on the Saskatchewan in his canoe banging off ducks they would want to know why they also could not do the same. As a rule there is no attempt to enforce the Migratory Birds Act either on or off the reserve. Shooting migratory birds in the spring is quite widespread especially in the north.

Mr. LICKERS: Is there any expression in the Act that says it supersedes any rights given to the Indians under treaty?

Mr. CONN: I do not believe there is any specific citation in the Act in that respect. As a matter of fact I am not an authority on the migratory bird laws but Dr. H. F. Lewis of the National Parks Bureau would be your authority on that. He is thoroughly familiar with the situation.

Mr. BRYCE: I think according to the treaties, they are very complicated, but the Indian has a right to shoot his own food at any time of the year on his own reserve and I want this to be quite clear. This does not mean dominion lands, or occupied lands, but on his own reserve where he can shoot something for food. He has, however, been fined and he has been imprisoned for it. There is something wrong.

The CHAIRMAN: He was not imprisoned, he was fined \$10.

Mr. BRYCE: \$10 to one man may be the equal of \$10,000 to another.

The CHAIRMAN: But I do not think he was imprisoned.

Mr. BRYCE: You go to prison if you do not pay your fine.

The CHAIRMAN: Sometimes.

Mr. BRYCE: Some of them went to prison rather than pay their fine because they were within their rights.

Mr. CASTLEDEN: The Indians feel they were promised under treaty the right to hunt the year round. When the agreements concerning the Migratory Birds Act were made with the United States and other countries, the government was making a law superseding the treaties, and the treaties have not been recognized under the Migratory Birds Act.

The CHAIRMAN: I think this would just be another point in favour of setting up an Indian claims commission with authority to make definite settlements.

Mr. CASE: You would soon have no birds at all.

Mr. CASTLEDEN: No, no. The Indian is a conservationist.

Mr. CASE: I have had a great deal to do with the protection of wild life in the last twenty years and I say there would soon be none left.

Mr. BRYCE: I do not want to assume the attitude of a lawyer by any means but it is in the treaty that they shall be able to do that.

Mr. CASE: The white people used to shoot out of season before the game laws were considered necessary.

Mr. BRYCE: But the white man or the immigrant was never promised he would be allowed to hunt the year round for all time to come.

Mr. CASE: Times, of course, have changed.

The CHAIRMAN: Mr. Prince wanted to say something about the Migratory Birds Act.

The WITNESS: In regard to your question on the Migratory Birds Act and the statement that there would be no birds left, I would tell you that the Indian knows if they keep shooting ducks which they cannot eat they would be disposing of their food for the future. Whether the Indian can read or write he knows for a fact that he is not to shoot for barter or for sale. The Indian knows that. The Indian will not go out and shoot any ducks or geese except for use and needed food.

Mr. CASTLEDEN: You would not say the same would be true of the white man.

Mr. MacNICOL: The white man shoots for sport but the Indian is a real conservationist.

Mr. CASTLEDEN: The Indian is a real conservationist.

By Mr. Bryce:

Q. In the meetings with your association did you hear complaints about the St. Peter's reserve? I understood the gentleman did not get here who belongs to that reserve.—A. The unaffiliated Indian was to speak about the St. Peter's question and the so called surrender. I turned over the proceedings of the discussions we had in Manitoba on December 3 and 4 and I have not received them back as yet. You will find in the proceedings towards the latter part that we were dealing with the St. Peter's question. This St. Peter's question arose when the surrender or the so called surrender was made in 1907 and at that time the Indians were promised \$90 per head in the said band. They were promised 160 acres per 5 of a family. They asked \$25 per acre on the surrender but they did not get the \$25 an acre. They received the sum of \$15 per acre

and in addition to that as the discussion proceeded they got two gallons of whiskey. They had received a receipt from the Indian agent of the Clandeboye agency at Selkirk at that time.

Q. Mr. Hoey informs me by letter the other day. . .—A. Pardon me, I have to finish that. They got one gallon of whiskey from the Indian agent at Selkirk and they have a receipt. They got it on the way from Selkirk to locate a new reserve and they were to refill their one gallon of whiskey at Gimli. You will find in the proceedings one of the eye witnesses that participated in the so called surrender.

The CHAIRMAN: When did all this take place?

Mr. BRYCE: 1907.

The CHAIRMAN: If I could refer the members of the committee at this point to the minutes of proceedings of 1946, page 529 and page 530, the witness was Mr. A. G. Leslie of the reserves and trusts service of the Indian Affairs Branch. The question of the St. Peters reservation was discussed.

Mr. CASE: What was the market price of whiskey at that time, in 1907?

Mr. BRYCE: I do not know, I was not here then or I could have told you.

Mr. CASE: Did they barter for \$10 and two gallons of whiskey?

Mr. BRYCE: No, they each got a gallon of whiskey and they were to get it replenished when they got to Gimli according to some letters I have in my files.

The CHAIRMAN: It is not in any of the formal agreements.

Mr. BRYCE: No, I think the lawyers were too cute to include anything like that. Mr. Hoey informed me a few days ago that the final payment for the land was made this spring. I think the \$33,000 was divided up between the St. Peter's reserve and the Peguis reserve. I gather from the people I meet in my own constituency they made this agreement under pressure and they have regretted it ever since. The evidence by eye-witnesses points to the fact that it was made under pressure and the land was vacated and they were taken away elsewhere.

The CHAIRMAN: That was forty years ago.

Mr. BRYCE: Your arithmetic is right. I do not think, however, that we can go into it much further. The final payment has been and it is just one of those things that the government of that day did for which we cannot blame the present government. It is one of the things that adds to the discontent of the Indian and it makes him feel less confident in the white man. We are sitting around this table trying to show him we want to give him a square deal. There are a lot of us who would like to give him just a little more than a square deal to make up for the raw deal which he got in the past. Now there are some of these other gentlemen I would like to ask questions.

The CHAIRMAN: Go right ahead and do it now.

Mr. BRYCE: Before I leave Mr. Prince, when you meet with these other Indians is there any talk of not receiving an accounting of band funds of their bands? Do you ever find that or have you any complaints in regard to that? I am speaking of the standing of your band funds.

The WITNESS: Yes, the biggest majority of the Indians in the individual reserves in Manitoba do not know the status of their band funds. I think Chief Thompson could answer that. He has referred the matter to the Indian agent and I think he could answer the question of the status of the band funds.

Mr. CASTLEDEN: How about your own agency?

The WITNESS: In my own agency we have often asked about our band funds.

The CHAIRMAN: Did you get any reply?

The WITNESS: I got a reply in my own case but I think Chief Thompson did not get a reply.

Mr. CASTLEDEN: You received a statement showing the status of the trust funds of your band?

The WITNESS: Yes, I receive that every year from Canterbury.

Mr. BRYCE: Chief Thompson, I would like to ask you a question. You said something yesterday about school attendance? Do you figure there are a lot of boys and girls not going to school?

Chief THOMPSON: Yes, because there are no schools there.

Mr. BRYCE: There is no school there? Is that the case where Mr. Hamilton said they were making a new school?

Chief THOMPSON: Mr. Hamilton could tell the whole question about that school.

Mr. BRYCE: Do you have any timber on that reserve?

Chief THOMPSON: Yes we have.

Mr. BRYCE: Is there any saw-mill?

Chief THOMPSON: No saw-mill.

Mr. BRYCE: There is enough timber there to build a school?

Chief THOMPSON: Yes sir.

Mr. BRYCE: Have you ever enquired about the band funds through the agent?

Chief THOMPSON: I could not hear you.

Mr. BRYCE: I asked you, Chief Thompson, if you had ever applied to get an accounting of your band funds?

Chief THOMPSON: Yes, we do sometimes.

Mr. BRYCE: Do you get it?

Chief THOMPSON: Yes.

Mr. BRYCE: You get such an accounting?

Chief THOMPSON: Yes.

Mr. BRYCE: How far does the Indian agent live from you?

Chief THOMPSON: Well, he lives about sixty miles, I would say.

Mr. BRYCE: And how often does he come around to your reserve?

Chief THOMPSON: He comes nearly every week, sometimes every two weeks.

Mr. BRYCE: That is very good. Now Chief Murdoch, what about the schools in your reserve? Have you sufficient school space for educating the children on your reserve? I understand there are a lot of children whose parents are getting the family allowance but the children are not going to school.

Chief MURDOCK: Yes, they are not going to school the whole year round because they cannot. They have to go too far.

Mr. BRYCE: How far are they from the nearest schools?

Chief MURDOCK: Five miles.

Mr. BRYCE: Five miles from the nearest schools?

Chief MURDOCK: Yes.

Mr. BRYCE: Have you been promised a school?

Chief MURDOCK: They promised to build a school in the western part of our reserve and we selected three acres of land. We got it picked out to build the school but they never built it. It was just a promise, that was all.

Mr. BRYCE: How many children could go to that school if you had a new school building?

Chief MURDOCH: About twenty-five or thirty.

Mr. BRYCE: In talking to you when I was on that reserve about a year ago, you drew my attention to the scarcity of land for veterans coming back. Is that still a problem? Have you not sufficient land for the members of your band?

Chief MURDOCH: Well these returned men have been asking us about land which we could give them so they could start work but we have not done anything like that because we are short of land and cannot give it to them.

Mr. BRYCE: Do you know how many acres you have there?

Chief MURDOCH: Not exactly; I think it is over 20,000 acres, something like that.

Mr. BRYCE: You have about what, ninety families there is it?

Chief MURDOCH: We have 600 and some odd people with close to 150 families.

The CHAIRMAN: What reserve is that?

Mr. BRYCE: The Fisher River. He says there are about 150 families.

The CHAIRMAN: Yes, the records here show that the Fisher River reserve, according to the survey made by the Indian Affairs Branch—

Mr. FARQUHAR: A little louder please?

The CHAIRMAN: According to the census made by the Indian Affairs Branch Fisher River has 13,801.75 acres, but there are two Fisher River reserves are there not? The other has 1,920 acres which would be a total of roughly 14,000 odd acres.

Mr. CASTLEDEN: 15,700.

Mr. CHAIRMAN: Pardon me, nearly 16,000 acres. Now what is the total population?

Mr. CASE: Do the two reserves join each other?

The WITNESS: No.

Mr. PATRICK: The small one is a fishing station.

Mr. CASE: How far is it from the main reserve?

The CHAIRMAN: Could you tell us Mr. Hamilton?

Mr. HAMILTON: I could not tell you accurately, but I think it is only a matter of five or six miles.

The CHAIRMAN: Have you any record, Mr. Lickers, as to how many families there are on the reserve?

Mr. LICKERS: It shows 619, and the Peguis, which is also part of Fisher River, has 1,158.

Mr. CHARLTON: All those people on only 1,900 acres?

The CHAIRMAN: We are talking about the population and when you talk about the Peguis reserve that is another one. The Peguis, as shown here, has 75,000 acres. Now the Fisher River reserve has two branches, one of which is a fishing station apparently, but what I want to know is the total population of the two Fisher River reserves.

Chief MURDOCK: That is 619.

The CHAIRMAN: 619 and you say it has about 150 families Mr. Bryce?

Mr. BRYCE: Approximately.

Chief James Murdoch called:

By Mr. Bryce:

Q. Has your band ever surrendered any land in the past?—A. No.

Q. You held on to all you had?—A. Yes.

Q. Are there any white people living on the reserve?—A. No.

Q. And you have received additional land already for the increase of your band?—A. Pardon?

Q. You got some extra land did you not?—A. We did get land on the west side of our reserve.

Q. That is where the fishing station is?—A. No, that is just hay land.

The CHAIRMAN: That is in addition to both these reserves?

Mr. BRYCE: No, it is included.

The WITNESS: If you are talking about that fishing station, it belongs to the Peguis reserve alongside the lake.

Mr. BRYCE: That does not belong to the Fisher River reserve.

The WITNESS: No, it does not belong to the Fisher River band.

Mr. BRYCE: As far as medical services are concerned you are quite well served with the hospital that is there?

The WITNESS: Yes, we are getting good service.

Mr. BRYCE: You find it is adequate for your purposes.

Mr. H. G. ANDERSON: Called by Mr. BRYCE.

Q. Mr. Anderson, what is your problem with your schools up there? I found when I was up there about 47 children that had not had any education for three years.—A. Well, we have two schools.

Q. Two schools?—A. Yes.

By the Chairman:

Q. I am sorry, we did not get what you said?—A. We have two schools on the reserve but only one is open. At one of them we had 47 children in the school but no school teacher. That school has been closed for three years.

By Mr. Bryce:

Q. It has been closed for three years?—A. One school is open but there are not many children attending. Sometimes we just had ten or eleven going to school and sometimes a few more.

Q. I showed a photograph to the committee of that school. It is a very large school but there are only ten or eleven children going to it and on the other end of the reserve there is a small school but they have not been able to get a teacher for that school.

Q. How far does your Indian Agent live from your reserve?—A. I would say about two hundred miles.

Q. Two hundred miles?—A. Yes.

Q. When you have any problems do you go to the farm instructor?—A. I beg pardon.

Q. Do you go to the farm instructor when you have any problems?—A. Yes, of course we have three reserves.

(In the following examination of Mr. Anderson, Mr. Prince acts as interpreter.)

By Mr. Bryce:

Q. How far do you live from the Indian agent? Would you say 200 miles? I asked the witness whom he went to see: did he go to the farm instructor?—A. Councillor Anderson claims he goes to the farm instructor and mostly does not get any results.

By the Chairman:

Q. Where is the farm instructor?—A. Little Saskatchewan. Under the supervision of one farm instructor there are three reserves: Lake St. Martin, Little Saskatchewan and Fairford reserves.

Mr. CASTLEDEN: How many people live on those reserves?

The CHAIRMAN: We have that on the record now.

By Mr. Bryce:

Q. How far away is the farm instructor from your reserve?—A. He says the farm instructor lives in the middle of the reserve—about seven miles. This particular councillor lives approximately seven miles from the farm instructor and there are other Indians belonging to the small band who live ten or twelve miles. It varies.

Q. This farm instructor does the work for three reserves?—A. He says, yes, he does the work for three reserves.

Q. He acts as an Indian agent?—A. He said he acts as an Indian agent as the Indian agent is 200 miles away.

Q. He would not have much time to do the work of a farm instructor, would he? How much land have they got under cultivation in Fairford?—A. He says they actually have nothing under cultivation except they have individual gardens for their vegetables, for household use.

Q. I think it is mostly a cattle country. Ask the witness if they have been provided with registered thoroughbred bulls for the improvement of their cattle?—A. He cannot make the statement as he had a registered bull in his particular reserve for two years and he was a cripple.

Q. Mr. Prince, would you tell this gentleman in your native tongue that the post office that was in Fairford and was taken away from the Indians after being there for fifty years is being replaced; that the Postmaster General has been in consultation with the officers of the department and the post office will be replaced.—A. (Mr. Prince interprets.)

Q. Will you find out how many cattle they have on the reserve?—A. He says: Offhand I could not give you estimates of the cattle in the reserve but I would say roughly 100.

Q. Ask him whether most of the residents on the reserve fish?—A. He says: In the winter time we fish in the lake for commercial fishing.

Mr. MACNICOL: Is that Lake Manitoba?

Mr. PRINCE: Lake St. Martin. They fish in the winter time for commercial fishing. Of course they have to pay for their licence. In the summer time for their own consumption they cannot fish as the river dries up.

By Mr. Bryce:

Q. Would you ask him what the average revenue would be approximately, for an Indian family, from fishing during the winter?—A. If a man goes out to fish on Lake St. Martin by commercial fishing he cannot make anything, barely his expenses.

Mr. MACNICOL: The lake is too small.

Mr. PRINCE: Yes, it is. It stands to reason.

Mr. BRYCE: I want to ask some questions of Mr. Guimond.

Boniface Guimond, recalled:

By Mr. Bryce:

Q. You heard these other gentlemen who come from Fort Alexander. Do you have the same complaints as Chief Thompson about the filth that is being thrown into the river and you have to get your water supply farther away?—A. Yes, we have.

Q. You found it pretty bad at times, did you?—A. I would not say that personally. I was not forced to drink it myself on account of the wells. Personally I could not say that.

Q. On a reserve there is nothing else you can drink but water if you live up to the regulations. You think it would be to the benefit of the Fort Alexander bands to have some wells drilled?—A. Definitely.

Q. Have you ever applied to the department? Do you know if the chief of the band has applied to the department and drawn its attention to this condition?—A. At the time that this happened I happened to be up north, but I know that they did get wells there but now I do not believe there is one well there.

Q. One well would not be enough for so many people?—A. I believe they did have so many wells for so many families, but now the reason there are no more wells, apparently—there was one well that I used a few years ago, but I do not see it now because the man who lived on the lot does not live there any more.

Q. That would be a dug well?—A. There is just a pasture left.

Q. You were talking yesterday about the educational facilities of Fort Alexander. How far do the children go to school there?—A. Up to the eighth grade.

Q. And when they get to the eighth grade what facilities are there for continuing their education? I am referring to the boys and girls of that village.—A. By the time they get to the eighth grade that is about the time they leave school—at the age of sixteen.

Q. There is a residential school and a day school both?—A. Yes, there is a residential school at the mouth of the river and there is a day school at Pine Falls, approximately two miles away.

Q. Can any of the boys and girls go on and take a higher education than the eighth grade?—A. No, they leave school and go home and from there on they shift for themselves. Incidentally, I was mentioning that to a certain person at Fort Alexander the other day and I was suggesting that some facilities should be given the children to go farther in school because after all when a boy is sixteen he is not quite ready to start in life and sometimes the parents do not show very much interest in their children in that respect. Some of the boys go looking for work and they get a job to keep them for a week or a month and they go around looking for another job. It seems to me that they are not getting a proper start in life.

Q. I think we can assure these witnesses that the committee is alive to this situation. It is a very difficult time for boys and girls—between sixteen and twenty years. We realize that there should be some vocational schools.

I have rather monopolized the proceedings and I am going to stop now. If there is more time later on I have a lot of questions to ask.

(The following questions were asked of Chief Murdoch and interpreted by Mr. Prince.)

By Mr. Charlton:

Q. I will ask Chief Murdoch a question with regard to veterans. Of the 13,000 acres on the reserve how much of that land is workable?—A. Altogether the whole band has only about 100 acres.

The CHAIRMAN: Does he understand you? Mr. Charlton is referring to workable land. How much land could be worked if you wanted to make a farm. Of the 13,000 acres how much is workable land?

Mr. PRINCE: Of course they could work quite a bit but they would have to do a lot of scrubbing and bush work.

By Mr. Charlton:

Q. Are they willing to do that?—A. We give one of the boys a piece of land but they never go ahead with it. There would only be about one-quarter of the land available to proceed with farming.

Q. Is that cleared land—only one-quarter of the 13,000?—A. No, that is not cleared.

By Hon. Mr. Stirling:

Q. With regard to this point being discussed, is the reason the chief says they would like to have more land because the veterans are applying for it? A. The people were paid by treaty in 1908, and then they got no more land and they kept them within their own territory. Those Indians should have their land as well as we do—that is what he said.

HON. MR. STIRLING: I wonder if Mr. Bryce would follow that up. Is that a fair statement of fact? Of these 13,000 acres only a fraction of it is broken, arable?

MR. BRYCE: Oh, yes.

HON. MR. STIRLING: And there are veterans returning who would be glad to receive land, to take up land, to use land if that land were available. Now, the Chief brings in, as I understand it, another set of people who are applying for land other than that on the reserve; is that right?

MR. BRYCE: I do not know. What other Indians do you mean?

CHIEF THOMPSON: The book says that.

MR. CHARLTON: Apparently there has been another band which sold their land and who have been living on this reserve.

THE CHAIRMAN: Mr. Prince, would you ask him that in his native tongue?

(Mr. Prince examined Chief Thompson in Cree.)

THE CHAIRMAN: Mr. Prince, would you tell us what he is saying?

MR. PRINCE: I am going to cover that in one speech.

THE CHAIRMAN: All right.

MR. PRINCE: Chief Thompson says that in 1908 when the script was on there were more people taken into the band, nine families; which, of course, took in a large area for the reserve, and therefore the people of that reserve did not have enough land on the reserve and the reserve is too small for their present population.

THE CHAIRMAN: If they have about 3,000 acres or more which is workable, is suitable for tillage, for the growing of crops, and there is only 100 acres under cultivation, why do they need more land? Will you ask him that, please?

CHIEF THOMPSON: Well, because they are entitled to have it. According to the treaty they were promised 100 acres for each family of five, and that is a small family.

THE CHAIRMAN: That was the agreement made in 1908?

CHIEF THOMPSON: 1908, yes.

THE CHAIRMAN: About forty years ago. That is just pure arithmetic. Have they had any division of families since then, or any multiplication of families?

CHIEF THOMPSON: Oh, yes.

MR. BRYCE: I guess it is because the rising generation do not have any 100 acres; you see, the original 100 acres would be divided into 50's in the second generation, and for the third generation it probably has come down to only 10 or 12 acres apiece.

The CHAIRMAN: Mr. Prince, ask them why they do not cultivate now the land that is suitable for cultivation.

Mr. PRINCE: He says, if we had the power to do it we would do it.

Mr. CHARLTON: Chief Thompson, you mean by that "power machinery"?

Chief THOMPSON: Yes.

Mr. CHARLTON: To clear the land?

Chief THOMPSON: Yes.

Mr. CHARLTON: Apparently there are about 80 acres to a family now. At the time they first went in there, on the basis of five to a family, they had 100 acres per family. Probably the population is now down a little and that would make it better than 100 acres to a family.

Mr. BRYCE: Mr. Chairman, may I tell Mr. Charlton that there is a lot of land in there which is not arable, taken up by sloughs, and things of that kind. A lot of it is not good for anything except cattle grazing.

Mr. CHARLTON: Would that leave 20 acres of arable land per family now?

The CHAIRMAN: Mr. MacNicol, I do not think you were with us yesterday. Are there any questions you would like to ask?

Mr. MACNICOL: Yes, Mr. Chairman. I have a question or two I would like to ask, but I will confine my remarks to questioning the Fairford chief, Chief Anderson. Does the Fairford reserve go right up to the mouth of the river, to the source of the river in Manitoba?

Mr. ANDERSON: The reserve goes right up to the edge of lake St. Martin and lake Manitoba.

Mr. MACNICOL: I spent a week at Fairford. You may ask me what I went there for. I went there for two reasons. One reason was to investigate the way the Indians were being taken care of. When I was at Fairford there were just two stores there—not close together. One was operated by a Jewish family; and the other store is over near the English church, a little below the church. Just before I arrived there they had had their 100th anniversary church service. I met the chief. The chief lived down the river toward lake St. Martin. The river runs into what is called Partridge Gullet lake—that is what it is called because that is the shape it is, the shape of a partridge's gullet—then it flows into lake St. Martin. I went with the chief to find out all I could find out. There is nothing there in the way of general farming land. It is rocky all around the area. It is fit for hunting and fishing; but the minute you get away from the rocks you are in low land. I went up to my knees in water many times going around the reserve with the chief. You cannot farm there. As for cattle, they may have a few cattle, but where they raise anything to feed those cattle on in the winter time, I do not know.

The CHAIRMAN: You might ask them about that in Cree, Mr. Prince.

(Mr. Prince examined Mr. Anderson in Cree.)

Mr. PRINCE: Mr. Anderson says, true, in the reserve we cannot make much progress in agriculture. However, there are three islands on which we get a good supply of hay, there is good hay land on them. Also, on the west side of the reserve we cut hay, and to the north of the river we also have some good hay land.

Mr. MACNICOL: That is right, Mr. Chairman. On each side of the river there is hay land but there is little agricultural land that I could see.

Mr. PRINCE: As Mr. MacNicol points out there is no agricultural land.

Mr. MACNICOL: The words "Little Saskatchewan" were mentioned. Perhaps that ought to be explained. The "Little Saskatchewan" was sometimes the name applied to the Dauphin river and later on it was called the Dauphin river. That

river, in the summertime, is almost dry but I hope some day to see a canal across there. It will mean a lot of money to that reserve if we can divert the Saskatchewan river through Lake Winnipegosis, down through Lake Manitoba, down the Fairford river and down the Dauphin river into Lake St. Martin and thence by a power and ship canal to lake Winnipeg. That will be a big thing for the reserve.

The CHAIRMAN: I think the committee should go there Mr. MacNicol.

Mr. MACNICOL: I go and see things for myself.

The CHAIRMAN: I think the committee should go too.

Mr. CASTLEDEN: I would like to ask Mr. MacNicol how he found the Indian life?

Mr. MACNICOL: Not very satisfactory. The houses were all small. As Chief Prince said they may or may not have small gardens. I examined the places for gardens carefully. There was not much of anything in the way of gardens. When you got away from the village the land sloped down, it is very swampy land.

Mr. CASTLEDEN: How can they live there?

Mr. MACNICOL: I do not know, they must fish a little but when the councillor was talking I wondered where they could get fishing. Partridge Gullet is a very small lake but St. Martin is about 400 square miles. Lake Manitoba is very shallow and I just wondered myself how they could live. I want to say, Mr. Chairman, this brings it clear to the committee just what trouble the Indians have in existing on many reservations including this one which as "Scottie" (Bryce) knows is a poor reserve. Talking about cattle, I believe I saw one beast, but there could have been more than that.

Mr. BRYCE: You will see cattle there eating fish. It is caused through a lack of vitamins and in the winter time they will eat frozen fish.

Mr. PRINCE: May I suggest if you will permit me, that this committee go out to the province of Manitoba and see not only this one reserve, but you should look over each individual reserve and I believe you would see our point of view and try to better the living conditions of our people.

Mr. CASTLEDEN: Hear, hear. We thought we would go once upon a time.

The CHAIRMAN: We would like very much to go but you should understand the position. While the House is in session members of parliament have no time to go out. We cannot leave the House and when the House rises the committee dies. Unless there is a commission formed there can be nothing done of that nature. Last year there was a commission formed which went down to the maritimes and this year we have heard most of the Indians from the western provinces.

Mr. MACNICOL: What page is the commission report at, I do not believe I have seen it.

The CHAIRMAN: You obviously have not seen it because it has not been tabled. When it is tabled or approved by the members of the commission the evidence, around 800 pages, will be available. When it is ready it will be tabled in the House.

Mr. MACNICOL: May I ask Mr. Hoey a question now?

The CHAIRMAN: I wonder, Mr. MacNicol, could you wait? Mr. Hoey will be here later and Mr. Lickers has some questions regarding the permit system on this reserve.

Mr. MACNICOL: I am just going to ask a simple question. Will the rights of the Indians be protected if and when Saskatchewan river water is diverted via Lake Winnipegosis, through Lake Manitoba, down the Fairford river and down the Dauphin river to lake Winnipeg? By what process would their rights be

protected on that reserve as the result of the increased value of the land and the sale of the land for canal purposes? Would that be taken care of and how?

Mr. HOEY: If development encroaches on an Indian reserve, or if parties undertake development but are unable to come to an agreement with the band council or with the band itself, which has the power to make a surrender, then it will be referred to arbitration. We have had that come up many times in the matter of encroachment.

Mr. MACNICOL: Right at Fairport you will be able to develop 40,000 horsepower and would their rights be taken care of and protected?

Mr. HOEY: Yes, but it may be a long time before that development takes place.

Mr. MACNICOL: It may be, yes, but we are going to advocate it.

Mr. LICKERS: I would like to ask Mr. Prince how the permit system works in Manitoba.

Mr. PRINCE: The permit system in Manitoba works through the Indian agents in most reserves.

(The following questions were asked of Mr. H. G. Anderson by Mr. Lickers, through the interpreter, Mr. Prince.)

Q. Mr. Anderson, how do you find the permit system working on your reserve?—A. I have a hard time getting a permit as my agent lives two hundred miles away and therefore I have to go to my farm instructor. When I go to the farm instructor he says to me "I must see my boss, the Indian agent, before I can give you a permit".

Q. How do they make a living on this reserve?—A. I have a hard time. Our people have a hard time to make a living in this reserve. One of the means of making a living on the reserve is digging up senega root and selling it. Then we sell hay from our reserve to make part of our living. If we had more animals for agricultural use I believe that it would be better for us.

Q. Where do you get the permits to sell hay?—A. I would have to go to my farm instructor before I could sell any hay and he in turn has to go to the Indian agent. At times he has permits to issue but at other times he does not and therefore he has to make a receipt for us to sell hay.

Q. Does he have to go 200 miles to the Indian agent to get the permit?—A. By going to my farm instructor and asking for a permit, at times I have to wait a long while to get my reply because of the 200 miles. Sometimes we are out of luck. Supposing that we wanted to sell a cow or to sell some hay and had a place to sell but we have to wait for the permit. When we get the permit we have lost the chance of selling and we are out of luck on the sale.

By Mr. Matthews:

Q. Is there any telephonic communication?—A. There is a telephone system there but we are not allowed to use it. The farm instructor has means of communication but he communicates through three different places. He can communicate right enough.

By Mr. Lickers:

Q. Who fixes the price for which they sell the hay or anything else on the reserve?—A. Anything that we have to sell we state the price and for anything we want to buy the seller states the price, and we have a mutual discussion on it. If we are satisfied with each other we put the bargain through but the price is not set by the farm instructor.

Q. Do you think the permit system is necessary on this reserve?—A. We would prefer to have the permit system on the reserve and be governed by our reserve. Then for hay and so forth we could get the permits faster and purchase or sell whenever we wanted to. We also have wood and woodcutting on that reserve and I think the reserve through the chief and the council should have control of the permits.

The following questions were asked of Chief John Thompson through the interpreter, Mr. Prince.

By Mr. Lickers:

Q. Now, Mr. Thompson, how do you find the permit system works on your reserve?—A. I lost a lot of money by not having the permits.

Q. How do you mean?—A. Mr. McPherson, the former Indian agent used to give me the permits that I may issue them. Now, this present Indian agent, F. M. Hughes, does not give me the privilege of handling the permits, so I lose a lot of currency by my band smuggling out wood; that is the only means they have. The Indian agent, Mr. F. M. Hughes, is not stingy with his permits, but he lives so far away from me. When the Indian agent sends these permits, that is the only time I have these permits.

Q. Did the system work out all right when he was issuing permits?—A. When I was administering permits, everything worked to perfection.

Q. Would you like that system to be resumed?—A. The Indian agent signed his name, put his signature on the permit and I filled on the permits whatever was necessary. I would prefer to have the control of the permits on the reserve and issue the permits, to make it perfection.

Q. Supposing a man dies on this reserve, can his children inherit the improvements on the land on which their father was living?—A. In my reservation, when the head of the family passes away, the man, the property is handed down to the family.

Q. Do they ever make wills?—A. So far as I can remember back, they have made wills.

Q. Who administers or looks after the estate of the person who has died?—A. The administration of the will is looked after sometimes by myself, as chief, and sometimes with a minister and sometimes with the agent, in whatever way is most convenient for the heirs.

Q. Does that system work out satisfactorily?—A. The present system is satisfactory.

Q. Is there any land not occupied by any individuals, members of the band? By that, I mean, is there any unoccupied land owned by the band?—A. The reserve is too small for the population of this Fort Alexander band, so there is nothing open.

Q. How many are living on this reserve?—A. The band on this reserve works by cutting wood and selling wood and some make their living by trapping and hunting, and some just go around bumming.

Q. What is the average income per family?—A. At the cost of living at this present day, nobody can make anything. They just make enough to barely exist.

Q. Is the chief always consulted, does he give his consent when anyone is added to band membership?—A. In my band, they are always consulting me for anybody who wants to become a member of the band. If I am not satisfied and my band is not satisfied with this member who wants to come into the band, then he is rejected. If it is favourable to one member of the band, we receive him into our band membership.

By the Chairman:

Q. If the band members cannot make a living now, why does anyone want to get into the band?—A. Most of the people who want to come into the band, to be members of the band, see there is a little work there at the paper company. The Manitoba Paper Company has leased the land from that reserve. It is not everybody who wants to become a member of the band. It is mostly those who selected their brides from the reserve who want to become band members.

Mr. Thomas C. Prince recalled:

By Mr. Lickers:

Q. What is the attitude of the Indian Association of Manitoba in connection with an Indian woman who marries a white man? What is your opinion as to whether she should still remain a member of the band and what should happen to her children so far as band membership is concerned? Have you discussed that?—A. At present, the status of an Indian woman marrying a white man or non-treaty half breed is she does not belong to the band. She more or less expects that her treaty should be kept up. In most cases to-day though, the Indian woman who marries a white man generally becomes enfranchised.

Q. She loses all her rights as an Indian with the exception of the annuity moneys?—A. Yes, when she marries a non-treaty man she loses absolutely everything except the \$5 annuity every year.

Q. Do you think that should be continued?—A. That is a very hard question for me to answer. In most cases it will come under the heading of encroachment of whites on the reserve. You see, when an Indian woman marries a white man or a half breed, whatever the case may be, she loses everything. She loses all her band funds interest; she loses practically everything except that she does not lose the \$5. She, herself, can get some of these advantages that the Indian gets. For instance, she can get hospitalization because she is still a treaty Indian.

Q. You would say that the provisions of the Act, so far as that is concerned, should stay the way they are?—A. Yes, just the way they are.

Q. What about the children of this marriage?—A. Well, at times, we find that the Indian woman who is married to a white man or a non-treaty man, even after she moves off the reserve, she still holds this annuity. She still gets these advantages as a treaty woman because she is a treaty woman and she produces her treaty ticket. In most cases when a white man marries an Indian woman, he takes her out of the reserve.

Q. So the children then would also be— —A. They proceed as the father.

The CHAIRMAN: Gentlemen, it is now one o'clock so we will adjourn now to meet again at four o'clock this afternoon. At that time, we will have with us Mr. Hamilton, who is Inspector of Indian agencies for the province of Manitoba.

The committee adjourned at 1.00 p.m. to resume again at 4.00 p.m.

AFTERNOON SESSION

The committee resumed at 4 p.m.

The CHAIRMAN: Gentlemen, there is a matter in connection with the delegation coming next week which I think should be dealt with at once. I refer to a letter from the Caughnawaga reserve. As you know we have allowed each province a stated number of delegates whose expenses are to be paid by the committee for their attendance before the committee. This particular reserve in Quebec through its chief councillor has written me a letter. I will read the letter:

I wish to appeal to you about the approaching presentation to the committee that there are at least six members of the council are desirous of attending the great occasion and be witnesses of the proceedings. We wish you to get in touch with the Indian Affairs Branch to have them supply accommodation by some hotel with meals for these councillors and travel expenses from the band fund. Hoping you can make this possible, I am looking forward to a favourable reply.

That is signed by Chief Mike T. Montour. Since this is to be referred to the branch would you like to give a direction now?

Mr. HOEY: We will look and see what shape they are in in their band funds and let them know.

The CHAIRMAN: We will refer this to Mr. Hoey. Would you take a note of it now? I will reply to it acknowledging it and setting forth the fact it has been referred to you.

Mr. CASTLEDEN: Is that a request from the band or just a group?

The CHAIRMAN: From the chief councillor, Mike T. Montour.

Mr. HOEY: They would have to have a resolution of the band.

The CHAIRMAN: Of course, this is coming off next week, and the reason I am bringing it up now is because they will have to know by to-day or to-morrow.

Mr. HOEY: They will likely come, anyway.

The CHAIRMAN: If I may so state I do not think it is advisable to allow one band to come at the expense of their band fund or of the committee and not allow bands from other provinces to do the same. I think we have set down a policy and should adhere to it.

Mr. BRYCE: Have some of the bands been paid out of band funds?

Mr. HOEY: A few of them.

The CHAIRMAN: Are we finished with questions?

Mr. BRYCE: I was going to ask Chief John Thompson this question. Yesterday when we were talking about land it came out in the evidence that there was a beer parlour on the reserve. I made some inquiries and I find it is a town with a pulp mill. Can you tell us how that was surrendered or the terms of the surrender?

Chief THOMPSON: It was leased some time in 1924. A former chief was the man who leased this piece of land. A couple of years after that this construction started. The Manitoba Paper Company started construction and a couple of weeks after that Mr. Dunn, the inspector, came down with some big shots from Winnipeg such as J. D. McArthur, and they leased 200 acres of land on the Indian reserve. After we had some discussion on these measures and brought up the question this land was sold to the Manitoba Paper Company. As a first break 86 acres were sold. That was the first break. That was 1926.

The CHAIRMAN: Probably when we have Mr. Hoey back on the stand he will be able to answer these questions.

Mr. BRYCE: I want to get the chief's version of it.

Chief THOMPSON: I have the agreement for the 86 acres right here. This is the one.

Mr. CASTLEDEN: Have you got the first lease?

Chief THOMPSON: That was the first break right here.

Mr. CASTLEDEN: Have you the first lease that was signed?

Chief THOMPSON: No, I have not.

The CHAIRMAN: I am sorry, but we have to break off for the time being as there is a vote in the House.

Committee resumed at 4.40 p.m.

Mr. BRYCE: When we were interrupted we were discussing the surrender of the land. I would like to find out whether the land was ultimately sold.

The following questions were asked of Chief Thompson:

By Mr. Bryce:

Q. Was the land sold?—A. \$15,000 was paid for it.

Q. For the eighty-six acres?—A. For the whole amount of that sale of lands. First there were eight-six acres and then Mrs. Robert Smith sold her lot of land along with the eighty-six acres and that would make the eighty-six acres and another one-hundred and sixty acres.

By Mr. Castleden:

Q. Who was the other person who sold the land?—A. Mrs. Robert Smith sold it to the Manitoba Paper Company.

Q. Was her land next to the reserve?—A. It was next to the sale lands.

Q. It was on the reserve?—A. Yes.

Q. She sold some reserve land?—A. Yes.

Q. How did this come to belong to her?—A. Her husband had held it a number of years and he died and she owned it after he died.

Q. Is your land allocated to the Indians?—A. Yes.

Q. Do you Indians sometimes sell that land to different people?—A. There was a party by the name of Antoine Guimond had another lot on the south side of this mission land. Another lot was sold to the Catholic missionaries by a man named Louis Fontaine.

By Mr. Bryce:

Q. Was that a ninety-nine year lease?—A. No, it was sold outright, but I do not know what the contract was.

By Mr. Castleden:

Q. Could that be sold, without permission of the band?—A. No it was through the chiefs and the councillors and there were some terms made when they sold the land but the terms were not fulfilled.

Q. Has the band got a copy of the contract?—A. The band had a copy when they sold the lands.

Mr. BRYCE: If it is a ninety-nine year lease they can never get it back if there is a town built on it.

The CHAIRMAN: That is why I suggested that you get as much as you could from this man and these other particulars can be obtained from Mr. Hoey. Chief Thompson has not the legal information on these things and when Mr. Hoey is on the stand we will get all that information.

By Mr. Bryce:

Q. What did you say about the original contract?—A. The original contract was for ninety-nine years. I inquired about this first eighty-six acres and this is the paper I got when I inquired.

Q. I think it is quite complicated and it may take quite a while to get through it. It says here "For your information I may say that the original lease covers 520 acres for which rental at \$2 per acre per annum was paid for three years".

The CHAIRMAN: What are you reading from?

Mr. BRYCE: From a letter from the Department of Mines and Resources, Indian Affairs Branch, Ottawa, June 24, 1938.

The CHAIRMAN: Who is it signed by?

Mr. BRYCE: The letter is signed by Mr. T. R. L. MacInnes and it is addressed to Mr. McPherson the agent at Selkirk.

The CHAIRMAN: Is it an original or is it a copy?

Mr. BRYCE: It is a copy.

The CHAIRMAN: Do you not think we could get the original and get the story authentically instead of just taking a copy of one letter.

By Mr. Bryce:

Q. Where are the original letters?—A. They kept the original letters at the office of the agent.

Q. Perhaps I had better finish reading the sentence in the letter?

The CHAIRMAN: Yes.

Mr. BRYCE: "In 1926 the Indians were paid \$1,800 and also received supplies amounting in value to \$1,320."

Q. Now what supplies did you get?

The CHAIRMAN: Chief Thompson you had better go back and sit down so that we can hear you from here.

Mr. BRYCE: Supplies were for building materials?

Mr. THOMPSON: Yes.

Mr. BRYCE: And they would be used for building houses?

Mr. THOMPSON: For building houses, yes.

Mr. BRYCE: I think we have enough of this.

The CHAIRMAN: That is fine. Can we now call Mr. Hamilton? We will ask these gentlemen to retire and we will call Mr. Hamilton.

Mr. Andrew C. Hamilton, Inspector of Indian agencies for the province of Manitoba, called:

By the Chairman:

Q. Now, Mr. Hamilton, you are inspector of Indian agencies for the province of Manitoba?—A. Yes.

Q. How long have you been with the Department of Indian Affairs?—A. I was appointed in June of 1926.

Q. What was your position at that time?—A. I was in charge of farming and stock at the Indian school at Brandon.

Q. When were you appointed inspector of Indian agencies?—A. In June of 1926.

Q. That is the time you were appointed. What was your occupation before that time?—A. I was at Brandon as farm instructor and in charge of stock.

Q. When did you first come to the Department of Indian Affairs?—A. In June of 1926.

Mr. HOEY: Mr. Chairman, I might explain that he was working for the United Church as an employee at the Brandon residential school and applied for appointment to the department.

By the Chairman:

Q. I see, so at that time you were not employed by the department?—A. I was not a civil servant.

Q. You were not employed by the department?—A. No.

Q. You were employed by the church?—A. Yes.

Q. You have, of course, been interested in Indian matters for a long time, how long?—A. Six years before that.

Q. Prior to 1926?—A. Yes.

Q. And you were a farm instructor?—A. I was in charge of agriculture and stock.

The CHAIRMAN: I see. Are there any other preliminary questions? If not, we will ask Mr. Hamilton to proceed. Have you something you would like to present to this committee, Mr. Hamilton?

The WITNESS: I just have a short report.

The CHAIRMAN: Could you let us have a copy of that, please?

The WITNESS: Certainly.

Mr. Chairman and members of the committee:

MANITOBA INSPECTORATE

The Manitoba inspectorate includes eight agencies in Manitoba with 56 reserves and three agencies in northwestern Ontario with 45 reserves, a total of 101 reserves with approximately 25,000 Indians. These reserves are dotted over a vast country, the extreme south being the United States boundary, the northern point being Duck Lake, 120 miles north of Churchill. In the west six reserves are in northeastern Saskatchewan and the most easterly reserve in Ontario is Ogoki, 280 miles northeast of Sioux Lookout. Many of the reserves are in unorganized territory without roads and the only means of travel is by air or water.

You might be interested to know that the staff in my office up till January of last year consisted of two members, a stenographer, Mrs. Mathewson, and myself. We received during 1946 over 3,200 letters, sent out 2,500, together with 340 vouchers. More than 1,600 reduced fares were issued, as well as 125 free ones. These latter were given to patients travelling to and from Winnipeg for medical treatment. Purchases were made of stock, seed, and farm equipment, inspections and investigations made and reports submitted, the estimates for the entire inspectorate checked, the Indian prize list for the Brandon Provincial Fair prepared and over 120 copies mailed to agents, school teachers and farming instructors. Interviews were given to Indians, teachers, missionaries, city welfare workers, city police, mounted police and reporters. I attended juvenile court as requested and board meetings for both the Dynevor and Clearwater Lake hospitals. I regret time will not permit enumerating the other multitude of duties, some of which I admit may appear trivial, but nevertheless require time and careful consideration.

The Indian population might be divided as follows:

1. *Farmers*

Last year the crop harvest was as follows: wheat, 36,000 bushels; oats, 100,000 bushels; barley, 85,000 bushels; flax, 18,000 bushels—a total value of approximately \$230,000. Last year we were able to break 1,300 acres of new land, more than half of which was covered with brush and trees. The Indians comprising this class have, I believe, the best chance of obtaining a year-around living. They must, however, be prepared to do some mixed farming and to realize that making a good living is a full time job which demands their attention for 12 months of the year.

Mr. CASTLEDEN: Could you give us the number of farmers?

The WITNESS: I am afraid I could not, offhand.

2. *Labourers*

The war increased the number in this class. The demand for farm help, bush men, miners, farm labourers, packinghouse workers, and sugarbeet workers was urgent. Pay was high and so many Indians left their reserve and our garden program was badly wrecked. However, these Indians lived well. They provided themselves with good clothing but, unfortunately, few saved any money. They did, however, render excellent service to the country. Now that the demand for help is lessening the Indian is finding himself out of work. Re-adjustment of this class is difficult.

3. *Fishermen*

Many Indians work for fish companies on monthly wages. Few have their own equipment. The small fishermen find it hard to compete with the large outfits. He finds his nets surrounded by hundreds of those of the large outfits. As a result his catch is poor and he becomes discouraged. Few fishing privileges are granted to Indians. In commercial fishing he must compete with the big fishermen, must purchase the usual licence and observe all regulation. If certain waters adjacent to the reserve were restricted for Indians and half breeds who are permanent residents within a given area this would be a real protection. Some action along this line should be considered.

4. *Trapper and Hunter*

Many Indians feel, and rightly so, that their trapping grounds have been taken from them. The northern Indians, especially those of The Pas area, are well provided for. Mr. Allan is in charge of the fur farming and can best report on this magnificent piece of work. Some bands located in the south still must depend on trapping to supplement their income. These bands have no farming land and although they do some fishing, this is only seasonal and for many the returns are small. Examples of this class are Pine Creek, Fairford, Little Saskatchewan, and lake St. Martin. A thorough survey of the inspectorate would discover many others both in Manitoba and Ontario. Many Indians throughout the inspectorate feel that the department should give more security and protection in this field than has been done in the past. They just do not understand, or will not understand, that game and fisheries regulations come under the provincial government, and the few that are fully aware of the situation hold the belief that the department has not worked in the interest of the Indians. The fact is ever present that poor trapping and hunting means hardship and it is little wonder that many bands of Indians look into the future with many doubts and misgivings.

I think we all realize there is much room for improvement and advancement in relation to our Indians. However, I maintain that during the past 20 years there has been marked improvement. New and better schools have been built, both residential and day schools. At the outbreak of war most of our teachers were qualified with some years of teaching experience. The depression years were hard on the Indians and whites alike, but home conditions did improve. Many new homes were erected and in many cases assistance was granted from the government in the way of shingles, roofing, flooring, windows and doors. Farming has increased and one of the outstanding features is that the quality of the farming shows marked improvement. In many cases it compares favourably with that in the surrounding white district. This better farming has resulted in heavier yields and a larger income.

If it is permissible, I should like to give an example of what I mean in connection with the Griswold Agency. In 1937, we had 1,700 acres under cultivation and the crop was 20,000 bushels and the revenue \$14,000. Nine years later we had a total acreage of 3,500 acres. Our increased crop was 61,000 bushels, three times what it was and the income was \$53,000 instead of \$14,000.

Mr. BRYCE: How did the price compare?

Mr. MACNICOL: What were those figures?

The WITNESS: In the first case we had an acreage of 1,700. We doubled that acreage. Our bushels from the 1,700 acres were 19,000 and for 3,500 acres were 61,000.

Mr. BRYCE: How did the price compare from the one period to the other, just roughly? Tell us the price of wheat and then we can guess.

The WITNESS: Undoubtedly there was a large increase in the price in this last figure, but I was not so much concerned about that.

The CHAIRMAN: The 19,194 bushels gave a return of \$14,073. The 61,000 bushels gave a return of \$53,184.

The WITNESS: The Indians are better dressed and have more food and a greater variety. Health conditions are better, and with few exceptions returns show an increase in the population. We have many cases of T.B. but the bad gland cases so prevalent 20 years ago have practically disappeared.

Mr. BLACKMORE: Mr. Chairman, is this covering the whole Manitoba situation?

The WITNESS: This covers the Manitoba inspectorate which takes in three reserves in the northwestern part of Ontario.

Mr. CASTLEDEN: Three agencies, you mean?

The WITNESS: Yes.

The CHAIRMAN: There are 50 some odd reservations in Ontario?

The WITNESS: Forty-five, I think.

We have more full time doctors and nurses and more hospitals. To-day a greater number of Indians are being treated for T.B. in sanatoria than ever before.

I should like to depart again from this brief for a moment. In connection with the hospitalization of Indians I should like to say that fifteen years ago we had one hospital, at Norway House. To-day, we have Norway House. We have Clear Water Lake with eighty patients which will be increased to 150 this year. We have Fisher River with 35; we have Dynevor Hospital at Selkirk with 50 patients; we have Pine Falls with from 18 to 20 and we hope to have another hospital at Brandon to accommodate roughly 200 patients. Therefore, within the near future we should have accommodation for around 500 to 600 patients.

Mr. MACNICOL: Did you mention the one at Winnipegosis?

The WITNESS: We have no hospital there.

Mr. MACNICOL: There is an Indian hospital there, Crerar Hospital.

The WITNESS: Those hospitals to which I referred are the hospitals owned and financed by the department.

In addition we now have the family allowance which indeed has been a blessing to many large families. The children are better clothed and we find they have a more varied diet. I am convinced this extra food will in time greatly improve health conditions.

Now, if I may, in closing I would like to outline certain observations which I believe if followed would bring improvement and tend to hasten the day when our Indians can take their rightful place among their white neighbors.

1. We must for a few years at least forget the dollar sign and remember we are dealing with human beings. A white parent will pay to educate his child and send him to college perhaps at a cost of four to six thousand dollars. The cost does not so much matter if the child is fitted for life. The cost to fit the Indian should not constitute first consideration. We should not expect too much or expect it too soon. It has taken over two thousand years to reach our standard and we can hardly expect the Indian to reach it in from 80 to 100 years. I want to impress on you the fact that any worthwhile program must be a long range program extending over many years and so it will be expensive. A large amount of money will be required.
2. The children of school age number about 5,000 and of these approximately half attend school. It is quite apparent our task is far from ended. We need many schools but I believe our greatest need is for trained and qualified teachers and with their training there must be a devotion and a love for a great work—namely, the guiding and moulding of our Indian boys and girls in a way of life so that they can take their place anywhere among the people of Canada. The program of study, in my opinion, should lay stress on the following:
 - (a) Pride—in self, in home, in school, in church, in reserve and associates.
 - (b) Value—of time, of home, of reserve, of work, of money and of friends.
 - (c) Health—from all angles with emphasis on hygiene and sanitation.

These studies should start in Grade 1 and follow all through school and again on the reserve by welfare workers. Social training should be provided for boys and girls between the ages of 16 and 20. Now they are left to flounder about on their own with the result that only a few gain any advanced education. A well designed and varied program of work should be a matter of serious consideration and should be put into effect as soon as possible. The training for these young people should be thorough and complete and if necessary cover a two- or three-year period. Students should graduate as:

- (a) First class carpenters
- (b) First class mechanics
- (c) First class tinsmiths
- (d) First class plumbers
- (e) First class blacksmiths
- (f) First class farmers

3. We need more workers as supervisors. In my Inspectorate I am convinced we could use to advantage 15 or 20 men—men as farming instructors; men as Reserve supervisors to help the Indians with fishing, trapping, logging, and building; men for special welfare work; men to act as stockmen; and the odd few as assistant agents.

4. We need many new schools and this will involve heavy expense.

5. We need assistance in farming equipment, cattle, fishing equipment, and in trapping,—assistance under good supervision, assistance not as a heavy debt (and with interest) to be a millstone about the Indian's neck. We should not forget that this assistance is part of our educational program. The returns will come in the future years when the Indians take their place as outstanding citizens. We know the need for an educational program is urgent and is of paramount importance in the solution of our Indian problem. Funds must, therefore, be provided year after year until we have fully discharged our duty and responsibility.

6. We should give more attention to the old and helpless. In my opinion they need a more varied diet and a better supply of clothing. In many cases some of these people should be placed in homes under supervision. Perhaps they would be happier if such homes were provided on the reserve rather than placing them in large city institutions.

7. Special consideration and special concessions should be granted in relation to fishing, trapping, and hunting. To many Indians this is their natural and only means of earning a living, and I am definitely of the opinion that such considerations should be looked on as their rightful heritage regardless of the claims submitted by those who would push the Indian back until his means of livelihood is altogether inadequate.

8. Community centres are needed where welfare workers can get the Indians together for talks, lectures, educational pictures, games, and for reading. Suitable books should be provided as well as a few magazines. Clubs could be organized both for the men and women and these clubs could be directed to undertake a varied and useful program of work.

9. I believe many of our agents and field men have often useful and helpful suggestions. I think letters received at headquarters should be given careful and sympathetic study. In this way I believe our men would be encouraged to greater effort. Speaking for myself, I am confident that anyone trying to do justice to 25,000 people needs more quiet time for careful thought and study. The volume of work carried on and expected by Ottawa does not make this possible.

Gentlemen, I hope that in this report you will find useful information and I trust that somewhere in the future program some, at least, of the suggestions will be incorporated.

A. G. HAMILTON

*Inspector of Indian Agencies
for Manitoba*

The CHAIRMAN: Thank you very much Mr. Hamilton. Are there any questions you would care to submit to Mr. Hamilton?

Mr. BLACKMORE: I would suggest Mr. Lickers be allowed to ask questions first.

Mr. BRYCE: I would suggest Mr. Lickers question Mr. Hamilton first. Perhaps he will cover many of the question we have.

Agreed.

By Mr. Lickers:

Q. Where is the head office of your inspectorate?—A. Winnipeg, Manitoba.

Q. Do you find time to make a complete visit to the different reservations or agencies in your inspectorate?—A. I have visited all the agencies in my inspectorate? There are a few reserves, probably four or five which I have not yet visited.

Q. How often do you visit the agencies?—A. The remote ones, some of them I have only visited once.

Q. You have been there since 1926?—A. No, I was in Regina for six years prior to going to Winnipeg.

Q. How long have you been in your present inspectorate?—A. Fifteen years.

By the Chairman:

Q. Will you tell us why you have not visited these places, Mr. Hamilton?—A. Lack of time.

Q. Would the lack of assistants be a factor too?—A. Yes, a certain amount of time is demanded of me in the office.

By Mr. Lickers:

Q. In any of your duties can you arrive at a decision yourself in connection with any matters which may be referred to you by an agent?—A. Oh, many of them I can because I know the regulations from Ottawa. Guided by them I can make a decision.

Q. You mean you receive certain regulations from Ottawa?—A. I know the policy which has been outlined in connection with certain work.

Q. Would you give us some idea then as to some of the things upon which you can give a final decision?—A. There may be a housing program undertaken. Last year we did undertake a program. I had full instructions from Ottawa to make decisions in connection with the amount of money that could be allotted to various agencies, and how it should be spent, without referring it back to Ottawa.

Q. You were instructed from Ottawa?—A. Yes.

Q. In the first instance in connection with this programme?—A. All my instructions come from Ottawa, yes.

Q. You gave us a rather comprehensive report. Do you make a report like that each year to Ottawa?—A. I will not say I make a report like that, but I make various reports of a similar nature relating to definite agencies.

Q. Do you receive a yearly or monthly report from the different agents?—A. No. I receive fairly regular reports every three months which would probably be two or three pages in length.

Q. Do you decide the policy for the inspectorate which you cover?—A. The policy?

Q. As far as administration or any programmes that may be undertaken?—A. I do not know as I exactly understand.

Q. For instance, you say you require additional schools?—A. Yes.

Q. Have you at any time made a demand upon Ottawa as to where those schools should go?—A. On various occasions it is drawn to the attention of the department in my reports after an inspection.

Q. And after you go around and inspect places and you find no school there then what do you do, just let the matter drop?—A. It has been brought up on several occasions. I am not prepared to say it is brought up every time I come back from an inspection.

Q. Do you ever try to put pressure on the department here to get some of the recommendations which you have made carried out, and if so, what was the result?—A. As far as I am concerned I find that the department has measured up fairly well according to the amount of money they had to distribute. I have no complaint as far as Manitoba is concerned. I am sure we get our share.

Q. Do you at any time in your yearly report set out what you require from the department together with a budget as to the amount of money you think will be needed for your inspectorate?—A. We prepare and send in the estimates each year of what is required.

Q. It might be interesting if we could see your estimates for last year.—A. I am sorry, I have not a copy of it with me. It is prepared at each agency by each agent.

Q. And then sent in to you?—A. And then forwarded to Ottawa.

Q. You do not compile the reports from the agents? You just send them right straight on to Ottawa?—A. That is correct.

Q. Do these different agents in their reports set out a budget as to what they may require for the following year?—A. That is correct.

Q. And suppose they do not get that; do they come back to you and ask you the reason why?—A. Probably they do not come back to me. It is more or less accepted that the reason why is because sufficient appropriation has not been passed. The agent very often writes and points out that he has put certain things in the estimates and asks if it is available, and it is possible that a sufficient appropriation has not been passed in parliament to allow it.

Q. If they hollered loud enough and long enough perhaps they could get a larger appropriation, or do they just take the attitude that they make this recommendation once, and if nothing is done they do not bother making it again?—A. I think our estimates each year will fairly well prove that they are not sitting down and taking that attitude. I think it is just the same with the department at Ottawa. They may prepare these estimates but when it comes before parliament they are not always passed to the extent that is desired.

Q. Taking the reserves in your inspectorate as a whole I imagine that in the southern part especially the Indians make a fair living?—A. In the agricultural part they have a better chance.

By the Chairman:

Q. Before you go away from that are these estimates you are talking about estimates of government expenditure or are they of band funds?—A. It is government expenditure.

By Mr. Lickers:

Q. North of the agricultural district are the Indians there able to make a fair living?—A. At times, depending upon the catch of fish and the catch of fur and the prices.

Q. Then north of that in the remote north are they making a fair living?—A. I might make the same remarks there except as you go further north hardship will increase; if hunting that is, meat, is scarce and they are not able to get the quantity of meat they want then conditions become worse.

Q. You mentioned the fact that a lot of the Indians depend on hunting and fishing, and that you realize that some of their traplines or fishing rights have been taken away. Have you personally done anything about trying to get those back or have you tried to make some arrangements with the provincial authorities to assist the Indians in getting trapping and fishing rights back?—A. I have met the provincial authorities on many occasions. Mr. Allan and Mr. Conn here spend practically their whole time at that.

Q. Was that the situation 15 years ago as far as their hunting and fishing rights were concerned?—A. Probably it was similar and yet it was not as noticeable then because game and fish were more plentiful.

Mr. REID: I should like to ask a question along the same line. Has any data been tabulated as to the quantities of fish at present caught by the Indians compared to 5, 10 or 20 years ago? That is important. We have a statement made before this committee that the fish are gone since the white man has come in. I know conditions are not the same in Manitoba as they are in British Columbia, but I am interested in knowing that because the statement has been made frequently by Indians from Alberta, Saskatchewan and Manitoba about fishing. I have often wondered if a tabulation has been made regarding the fish caught by the Indians. I can tell you in British Columbia how many fish sockeye salmon, the Indians take every year, over the past eight years. We have that record. I refer to the inland fishing. I do not mean fish on the coast taken commercially. I am thinking of fish taken for food. I am wondering if any tabulation has ever been made in Manitoba because that is a broad statement. I am not disputing it. I am just seeking information.

Mr. HOEY: There is an annual statement. You will find it in the branch annual report. It goes back probably to confederation and shows by provinces the year's earnings from fish, wages earned, the value of beef sold, the value of farm products, what is earned from other industries, and annuities.

The CHAIRMAN: That is commercial fishing, is it not?

Mr. REID: In the early days of the Indians they caught fish for food and for the requirements of the family, to feed the dogs, to put it into traps for

animals. There was no commercial fishing as we know it now. As time has gone on, particularly in the prairies, the white man has come in and has started to fish in the lakes. The statement is made that the living of Indians from the fishing has been taken away from them. I am wondering if any tabulation has been made.

The CHAIRMAN: Do you know of any tabulation?

Mr. HOEY: Yes, there is an annual tabulation that appears in the branch report each year.

The CHAIRMAN: Is that satisfactory?

Mr. REID: I did not hear. Would you mind repeating that.

Mr. HOEY: There is an annual tabulation, a copy of which is in front of Mr. Reid now. That goes back to the first annual report.

By Mr. Lickers:

Q. Now then the Indians north of the agricultural districts are rather poor, are they not?—A. There are many Indians in some districts in the north who are as well off as the Indians in the south but their living each season depends largely on either fish or fur.

Q. Could I make this general statement. As a general rule the average income of the Indians north of the agricultural belt is very low and they have a bare subsistence level?—A. I would not like to say that.

Q. You would not say that?—A. No.

Q. For instance, do you know Mr. Prince's reserve?—A. Yes, I know it well.

Q. The Brokenhead reserve?—A. Yes, sir.

Q. What facilities are there on that reserve by which they can make a living?—A. There is some good agricultural land on the reserve. They have, in the past, had quite a quantity of good pulpwood and firewood which is marketable, and for a number of years some of those Indians have worked out in the beet fields and in the market gardens near the city of Winnipeg. Each fall a number of them engage in gathering wild rice.

By the Chairman:

Q. You said a moment ago there was a quantity of land suitable for cultivation. What do you mean by that? How much of it is there; what is the total area of the reserve; do you know?—A. No, I do not. The trouble with making a definite estimate is that some of the land is subject to flooding.

Q. Tell us how much land there is which would be suitable for cultivation and how much has been cultivated?—A. I doubt if there has been at any time more than 200 or 300 acres under cultivation and I believe 500 or probably more would be suitable for agricultural purposes.

Mr. LICKERS: About 500 acres would be suitable for cultivation?

By the Chairman:

Q. What do you mean by suitable, is it cleared?—A. No.

Q. Then it is not suitable for cultivation. It is not suitable for growing crops and I suppose that is what you would call cultivation.—A. I am not sure of how much land would be affected with the high water and it makes it very difficult to say that 1,000 acres is fit for cultivation. It might be that 1,000 acres would be suitable this year but only 500 next year.

By Mr. Blackmore:

Q. How many Indians would be looking to that land for sustenance?—

A. There would be about 200.

Q. I did not hear that. How many Indians would be looking to that land for sustenance?

Mr. PRINCE: I think I could clear up a little of Inspector Hamilton's statements if I would be permitted. In the Brokenhead reserve we have 13,611 acres. The populace of this band No. 4 is 211. I stated in my evidence that there was a large fire which destroyed the biggest and best part of our timber areas, especially on the south side of the river. I would say that 1,000 acres would be ready for cultivation except that there are old stumps which will have to be gathered and there would be a slight delay for taking them off. I suggested to the Indian Affairs Branch that the Brokenhead reserve might have an Indian administration or an association of three or four who could go in there and start on a project which would even work within one year.

Mr. BLACKMORE: How much land is now broken.

Mr. PRINCE: Right now I would say they only have gardens.

Mr. MACNICOL: Is there no farming?

Mr. PRINCE: There has been no farming, but I do know of two Indians specifically who have now gone into farming.

Mr. BLACKMORE: And how much land have they broken do you know?

Mr. PRINCE: I know they have about 50 acres at least in the process right now and they are breaking more.

Mr. BLACKMORE: Are there no crops?

Mr. PRINCE: No, there are no crops. I believe my own chief, while I was away from the reserve in the armed forces, tried to bring in a suggestion of this sort.

Mr. BLACKMORE: Well, Mr. Chairman, what are they living on.

Mr. PRINCE: The band of the Brokenhead Indians are living on the cutting of wood in the winter time but this summer, as a matter of fact, I cannot tell you what they are going to live on. In the year 1946 there were twenty-one members of our band who trapped in the Netley fur rehabilitation block. This year we had only six members of the band and they had to trap over twenty miles away from our reserve.

Mr. BLACKMORE: Why was the number so much less?

Mr. PRINCE: You will find that I said in the submission that I made regarding hunting and trapping: "Why is it we cannot trap muskrats in our trapping grounds? Just west of the reserve has been our hunting and trapping grounds all our lives. Now not even one treaty Indian is allowed to trap here but just the white men can trap here."

I can prove there has not been one Indian trapping in that part of the fur rehabilitation block at Netley, which is just west of the reserve. Six members of the band of the Brokenhead reserve trapped twenty miles south of the Brokenhead. The reason why the rest of the band did not trap is that a lot of them are old and they cannot get around and stay in tents up there away from their homes. This game guardian, Mr. Longbotton, who is in the mission house there, stated and pointed out to the band we would have to go twenty miles away to trap for fur.

Mr. BLACKMORE: But the white man may trap close to the reserve?

Mr. PRINCE: The white man can trap right next to our reserve.

The CHAIRMAN: All right, Mr. Lickers.

By Mr. Lickers:

Q. You say one of the requirements is a long-range programme. Have you ever figured out what you would require in the way of a long-range programme and in what form that programme should be?—A. You mean with respect to money?

Q. With respect to money, hospitals, schools, and anything like that. Have you worked out a plan or submitted something to the government?—A. Not as a long-range programme. It usually is just in the estimates each year.

Q. Can you give this committee any help?—After all, this is your inspectorate and you have closer contact with it than anyone else. Could you some time in the future perhaps, give this committee any help as to what you require in the way of a budget? Would you, in fact, budget your requirements by way of the number of schools and where they might be and things like that?—A. Yes, I could do that. I understand \$300,000 have been allotted to Manitoba for a five year programme in housing. I think it should be \$300,000 a year instead of for a five year programme.

Q. Have you asked for \$300,000 a year?—A. I thought we were very fortunate to get what was granted.

Q. In other words, you just took what you got and let it go at that without pressing it too much.

By Mr. Case:

Q. You put in some budget?—A. Absolutely, every year.

Q. But you did not ask for \$300,000?

By Mr. Blackmore:

Q. May I interrupt Mr. Lickers for a moment. I want to put this in such a way as to be as fair as possible to you. Do you think it would work against you if you did ask for the amount of money you felt you really needed?—A. I do not think it would.

Q. Have you ever asked for just the amount you thought you really did need for everything that had to be done in a given year?—A. I think in the years gone by we have asked for what we thought we could use in those years. The idea of such an extensive undertaking as you speak of now was not presented before.

Q. What do you mean by "what you thought you could use"? Do I gather you cannot spend money in Manitoba for housing?—A. We found during the depression years that money was very difficult to get.

Q. It was not a question of your ability to use it?—A. No. Then the war came on and it was still difficult to get. We were told to economize and that money was not available and during the war money was to be used for war purposes.

Q. What you should have said was, "what you could get" rather than "what you could use". So at the present time you have an extensive programme to be carried out?—A. Yes.

Q. How long has that situation existed?—A. It has been growing over the years.

Q. Over the last fifteen years?—A. The last fifty years.

Q. The last fifty years?—A. Possibly, yes.

Q. You have not been there for the last fifty years. I was just thinking if it were in existence then you would have had some background from which this programme could have been carried out. Could you get that ready for us some time?—A. Oh, yes.

Q. Now then, you require some fifteen or twenty men?—A. At least.

Q. It would require that properly to staff your inspectorate?—A. That would be a start.

Q. Would it properly staff your inspectorate?—A. As the work grows more men would be required.

Q. Are any employees in your inspectorate Indians?—A. Not to my knowledge.

Mr. MACNICOL: Why Not; Indians make good agents. Take a man like Mr. Prince here; he would make a good agent, he would fit in almost anywhere.

By the Chairman:

Q. Mr. Hamilton, have you any authority to appoint agents?—A. None whatever. I am just a civil servant.

The CHAIRMAN: That answers that then.

Mr. CASE: If I might interrupt; do you mean that fifteen or twenty additional employees would be required?

The CHAIRMAN: That is right.

By Mr. Lickers:

Q. Yes. Are any of your school teachers Indians?—A. Not at the present time.

Q. Any of the nurses in your hospitals Indians?—A. Not to my knowledge, at the present time.

Mr. LICKERS: That is all the questions I have.

The CHAIRMAN: We have fifteen minutes left. What is your pleasure.

Mr. MACNICOL: I should like to ask a few questions.

The CHAIRMAN: Shall we divide the time and start with the Manitoba members?

Mr. CASTLEDEN: Are we sitting to-night?

The CHAIRMAN: We cannot sit to-night, unfortunately, whatever the committee wants.

Mr. BLACKMORE: I have used my time, so I will give way to someone else.

The CHAIRMAN: Shall we allow, say, three minutes to each one?

Mr. CASTLEDEN: How many Indians have you in the reserves under your inspectorate?

The CHAIRMAN: Just a minute; who is going to start. We started to the right this morning, I think we should give each member three minutes and start the other way this time.

By Mr. MacNicol:

Q. I will take this opportunity of telling Mr. Hamilton that I have been very much enlightened by his remarks. He has certainly shown us one reason why Indian Affairs is in such a shape as it is. I have only one question. You mentioned the Black River reserve?—A. That is one of the reserves.

Q. That is in Ontario?—A. Yes.

Q. Where is it? By that I mean, how far is it from, let us say, Winnipeg?—A. I cannot give you an exact location. I think it is 280 miles northeast of Sioux Lookout.

Q. That would mean that it would be about 100 miles from the Jackfish reserve?—A. I am sorry, I can't say.

Q. How many of the reserves in your inspectorate are north of the Nelson river? They run right through. And, you know, there is good fishing, especially up in the northern part of that country. I know north of the Saskatchewan and

the Nelson and above the lakes there, there is lots of fish, but it is all monopolized by the commercial fishermen. What can the Indian do?—A. He can fish commercially.

Q. Can he put traps in there?—A. They have no traps. Probably they would work for one of the big fishing companies.

Q. Just one final remark; are the schools under your control?—A. Yes.

Q. Do you know the Spruce Lake school?—A. Yes.

Q. That was closed about a year?—A. I think it was because they were unable to get a teacher.

Q. I know I visited that among other reserves up there and the Indians are doing a pretty good job. I know when I was there there was a sort of celebration on and I remember they had the Union Jack flying upside down. I also remember that the layman there did a very good job of preaching. You have quite a number of them in church work?—A. Quite a number, yes.

Mr. MACNICOL: I will not take any more time. I am greatly enlightened by the statement Mr. Hamilton has given us.

The CHAIRMAN: Mr. Case?

Mr. CASE: No, I have no questions.

The CHAIRMAN: Mr. Bryce?

Mr. BRYCE: Yes. I would like the inspector to tell the committee in a couple of minutes how they exist in some of the poor reserves in Manitoba, don't bother to go into Ontario, just Manitoba. How do they eke out an existence on the land they have? I think you will agree with me it is a bare existence they get.

The WITNESS: It is. They could hardly exist except for the fact that they go out and do a bit of work in the settlements south of the reserve.

By Mr. Bryce:

Q. If they want to live they have to go out from the reserve and work?—A. Exactly.

Q. Tell the committee what you pay for a hospital bed. You pay so much at Brandon. I think they held you up for a little more at Brandon. At some of the other places you pay \$1.25 and some places \$1.50; is that the case?—that is, for the sick Indian who has to go to a hospital other than your own Indian hospital?—A. I think, Mr. Bryce, maybe Dr. Moore should answer that question. He could answer it better than I could.

Q. If there is an Indian who takes sick up in the northern part of Manitoba, say around Norway House, what do you do? Does someone there telephone or telegraph to you and do you in turn telegraph to Ottawa to see if they can get down to Winnipeg for an operation?—A. Not always. I would say at the present time, not at all. The reason I say that, Mr. Bryce, is that at the present time they have a regional supervisor for medical affairs stationed at Winnipeg.

Q. That is something new?—A. Just beginning, new this year.

Q. Is it new within the last year?—A. Yes. He is a medical man and can make decisions better than I could.

Q. You really do not have anything to do with the medical services now?—A. Not in the sense that I had before, no.

Q. You still have a little, though?—A. Yes.

Q. Is there a clear line; have you any way of drawing a line; is there a situation where somebody might die in between while both sides were trying to make up their minds?—A. There is nothing like that; you may be quite sure of that.

Q. Well, this supervisor you mentioned; does he do the work you previously did?—A. He does it, more than I did.

Q. He does more than you did?—A. Yes.

By Mr. MacNicol:

Q. I want to ask you a question there; you referred to some hospitals that are operated by the department?—A. Yes.

Q. Are they operated directly by the department?—A. I think, again, I should let Dr. Moore answer that question.

Q. Are they operated by some local organizations?—A. No, they are operated by the department, or by a committee made up of members of the sanatorium board of Manitoba.

Q. This is my last question, I don't expect you to answer it unless you want to. I am one of those who want to see the hospitals back under Indian Affairs, not under National Health. Would you care to pass an opinion? It looks to me as though there was a kind of overlapping jurisdiction in the two departments.—A. Well, Mr. MacNicol, it appears to be one work for one class of people; and, personally, I think it should be together.

Mr. MacNICOL: I agree with you.

By Mr. Castleden:

Q. How many Indians have you in your inspectorate?—A. About 25,000.

Q. That includes Ontario?—A. Yes.

Q. How many agents have you?—A. Eleven, including some in Ontario.

Q. How many farm instructors?—A. Ten, including Ontario.

Q. And they have to handle 101 reserves?—A. The farming instructors I have are stationed on one reserve but they may have charge of two reserves. They live on one. Or, in one case, one instructor is in charge of three reserves.

Q. You would have to have more than that to cover the 101 reserves.—A. Some of them are not covered at all.

Mr. CASE: If they each have two they certainly wouldn't be covered.

The WITNESS: No, not in some cases.

Mr. CASE: How many more do you need?

The WITNESS: As I said, fifteen to twenty to start with, and as the work expanded we would need more than that.

Mr. CASE: In some of the back areas—

The CHAIRMAN: What do you mean by back areas?

Mr. CASE: Reserves back in areas, say, 250 miles from headquarters.

By Mr. Castleden:

Q. There are some who are 250 miles away from you; how would they make a living? Do they have to make it entirely on the reserve?—A. That is right. They try to make a living on the reserve.

Mr. MacNICOL: There are none 250 miles north, are there?

By Mr. Castleden:

Q. You have some reserves 250 miles from there?—A. Oh, yes.

Q. Any farther away? What do you do in case any of them take sick?—

A. Oh, the Hudson's Bay post there get the message through to us for them.

Q. Yes, I know they do. I have been up to Norway House and I have seen messages going through. What happens if an Indian takes ill there? What does he do?—A. Usually the Hudson Bay Company is good enough to send a message out and ask for a doctor or ask for a plane or for advice.

Q. There would not be an instructor or an agent near him?—A. No.

Q. He would have to find his own way to the nearest post or send somebody along to the nearest Hudson Bay post to send a message out to you. Would that be it?—A. To the agent.

Q. Then the agent could give him instructions. Some of the Indians have complained that they see a doctor only about once a year when the treaty money is brought around to these reserves. Are these reserves visited once a year?—A. By whom?

Q. By some official of the department?—A. Yes, treaty is paid once a year.

By Mr. Blackmore:

Q. Who would pay for the plane which went out to the Indian once the message was received?—A. The medical department would do it.

Q. Invariably?—A. If it is authorized.

Q. What we should like to know is what can happen to the Indian while it is being authorized?—A. I am quite frank to say I do not think there is very much delay. I think our service there has been very good.

Mr. CASE: I wonder who would pay for the 'plane if they flew in for you or for me? This is a very primitive part of the country.

Mr. BLACKMORE: But in the case of you and me, the government is not bound by a treaty to look after our health.

By Mr. Castleden:

Q. You said you had more doctors now than you had before?—A. Probably I should have said we have more full time doctors.

Q. Can you give us the number of full time doctors you have?—A. I think it is either four or five.

Q. For 25,000 Indians?—A. We have four local doctors adjacent to the reserve. Now, I am speaking for myself.

Q. What would you consider to be the income for the average family living on the Fairford reserve, for example, where most of the Indians are fishing for a living?

Mr. BRYCE: Take the three reserves along side one another.

Mr. CASTLEDEN: No, let us take this one first.

The WITNESS: That would be purely a guess. On an average—I am going to make it low.

By Mr. Castleden:

Q. It would be low, I think?—A. \$800.

Q. You believe a family can make that much money?—A. I might say that I know Indians who claim some years, last year was one, they and their family could make from \$15 to \$20 a day digging senega root.

By Mr. Bryce:

Q. The Indians can only dig senega root at a certain time of the year?—A. About a month or six weeks. But even at that they might get \$200 or \$300 or \$400.

Mr. CASTLEDEN: I should like to ask through you, Mr. Prince, what the average income for a family on the Fairford reserve is? How much money could the average man earn in a year, say last year?

Mr. PRINCE: Other than digging senega which goes into his expenses for buying food and for his exemption for his family, it all boils down to the fact that the average Indian on the Fairford reserve does not make anything.

The CHAIRMAN: What you were asked was, what the total income would be including the digging of senega root. Income means that which comes into the home.

Mr. CASTLEDEN: Can you give an approximate figure for the average family income?

Mr. PRINCE: About \$200.

Mr. CASTLEDEN: Including the digging of senega roots?

Mr. PRINCE: Including the digging of senega root.

The CHAIRMAN: Mr. Matthews, have you any questions?

Mr. MATTHEWS: I have this observation to make. From what I have heard of the evidence given by some of the delegates, I prefer to accept the statement of the inspector rather than the statement of Mr. Prince. I do not want to prolong the discussion, but that is my candid impression of the whole thing. There is one thing I am sorry not to have cleared up a little better and that is the discrepancy in the remarks made by Mr. Prince with regard to permits for trapping and shooting and the facts as given by Mr. Conn. There is still a wide gap between the two. I think for the record that gap should be closed so we would know where we are. I am not at all satisfied with the way this matter is left right now.

Mr. BRYCE: I know Mr. Matthews has not been at Fairford reserve. I have been there and I have lived among those Indians.

The CHAIRMAN: There is a question of permits, now.

Mr. BRYCE: No, Mr. Matthews wants to take Mr. Hamilton's word for it that the income is \$800. I cannot give you any figures, Mr. Matthews or anything like that, but I have lived among the Indians. Where they earn \$800, I would not know.

Mr. BLACKMORE: Or even \$200.

Mr. BRYCE: Or even \$200. They work very hard. I admit the Indians did well with the catfish, but those were exceptional circumstances. Taking it over a period of years, the Indians are only existing. On a reserve such as this, where a man cannot make a living, the government owes him the opportunity to make a living.

The CHAIRMAN: Could we not leave it at this; we are all agreed there is not sufficient income.

Mr. BRYCE: If they make \$800 a year—

The CHAIRMAN: Assume it is \$200 or \$800, whatever it is, it is not sufficient.

Mr. CASE: I am not altogether clear on one point. It seems to me we have met a lot of delegates and listened to them. They all want to run their own show and to improve their standard of living. Here they are in a primitive country and they are not making a go of it. They ought to get closer to the white settlements.

Mr. BRYCE: The policy is to drive them further away from the white settlement as, for instance, at Shubenacadie.

Mr. MACNICOL: I should like to know why a man like Mr. Prince, who has had a fine record and who has spoken here in a very able manner, is not in the Indian department somewhere.

The CHAIRMAN: Probably you could take that up with the Civil Service Commission and get him on the staff of the Indian Affairs Department. If you could do so, I know you will be performing a great service to this committee and to the Indians of Canada.

Mr. CONN: I should like to refer to Mr. Matthews' remarks. The conditions I was speaking about this morning in my little talk dealt with the Powell band. I did not refer to Mr. Prince's band on the Netley Marsh which

is a purely provincial affair in which we have absolutely no voice. Later this month Mr. Prince and I are meeting in Winnipeg, and that is one of the matters that will be discussed with the Manitoba administration.

The CHAIRMAN: To Chief Thompson, Councillors Alexander and Murdoch, their spokesman, Mr. Prince, and Mr. Guimond, I wish to extend our sincere appreciation for having come all this distance to give evidence before this committee and assure you that so far as this committee is concerned we will do all in our power to see that anything that is necessary for the correction of Indian administration or the laws affecting that administration or dealings in any way with the Indians, in due time will be given consideration. We appreciate your coming here. We trust that you will feel that you have had a full hearing and have been given every opportunity to express your views. On our part we want to thank you most sincerely for your attendance and assistance. To you, Mr. Hamilton, we also want to express our appreciation for your assistance to us in our deliberations. We will meet on Tuesday at 11 o'clock in room 277.

Mr. PRINCE: On behalf of the Manitoba Indian Association and on behalf of our delegation I wish to express our sincere appreciation for the hearing we have received before this joint committee of the Senate and the House of Commons. We feel as a delegation, that we have been given an excellent opportunity to present our case fully.

When we go back to our people we shall give them a full report on what has taken place in this committee. In time we will submit a proper brief to the committee setting forth our opinions as to how the government can better the living conditions of all Indians.

The meeting adjourned at 6.05 p.m. to meet again Tuesday, June 10, 1947, at 11.00 a.m.



SPECIAL JOINT COMMITTEE OF THE SENATE
AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION
AND CONSIDERATION OF THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 32

TUESDAY, JUNE 10, 1947

WITNESS:

Mr. P. E. Moore, M.D., D.P.H., Director, Indian Health Services, Ottawa.

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY



SENATE AND HOUSE OF COMMONS

INDIAN ACT

MINISTER OF THE INTERIOR AND PROGRESS

OTTAWA

1906

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REPORTS TO PARLIAMENT

THE SENATE,
WEDNESDAY, 7th May, 1947.

The Joint Committee of the Senate and the House of Commons appointed to continue and conclude the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, beg leave to make their THIRD REPORT, as follows:

Your committee unanimously recommend that the Government give immediate consideration to the advisability of granting old age pensions to Canadian Indians.

All of which is respectfully submitted.

W. H. TAYLOR,
Chairman.

With leave of the Senate, the said Report was adopted.

HOUSE OF COMMONS,
WEDNESDAY, 7th May, 1947.

The Joint Committee of the Senate and the House of Commons appointed to continue and conclude the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927) and all such other matters as have been referred to the said Committee, begs leave to present the following as a

THIRD REPORT

Your Committee unanimously recommends that the Government give immediate consideration to the advisability of granting old age pensions to Canadian Indians.

All of which is respectfully submitted.

DON F. BROWN,
Chairman.

Concurrence, 12th May, 1947.

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,
TUESDAY, 10th June, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee met this day at 11 o'clock a.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

Present:

The Senate: The Honourable Senators Horner, Macdonald (*Cardigan*), Robicheau and Taylor—4.

The House of Commons: The Honourable Mr. Stirling and Messrs. Brown, Blackmore, Bryce, Case, Castleden, Farquhar, Gariepy, Harkness, Little, MacLean, MacNicol, Raymond (*Wright*), and Reid—14.

In attendance: Mr. W. J. Ford Pratt; (From Indian Affairs Branch): Messrs. R. A. Hoey, Director; B. F. Neary, MBE., Superintendent, Welfare and Training; A. G. Hamilton, Inspector, Indian Agencies, Manitoba; Dr. P. E. Moore, Director, Indian Health Services; also, Dr. G. D. W. Cameron, Deputy Minister, Department of National Health and Welfare; Dr. W. L. Falconer, Indian Health Services Division, Department of National Health and Welfare; also, the Honourable Paul Martin, K.C., Minister of National Health and Welfare; also, Dr. G. J. Wherrett, i/c Canadian Tuberculosis Control; also, Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Mr. W. Garfield Case, M.P., on a matter of privilege, renewed his previous application that the committee should either hear representations from Magistrate Tucker, with regard to the conditions prevailing amongst the Indians in the James Bay area or recommend that some sort of Commission be appointed to investigate such conditions.

Mr. Raymond read and moved the adoption of the seventh report of the subcommittee on agenda and procedure. (See Minutes of Evidence).

Discussion followed.

Mr. Case moved, in amendment, that the committee do not now consider this report but that it be recommitted to the subcommittee.

Discussion continued.

By leave, amendment of Mr. Case withdrawn.

And the question being put, the seventh report of the subcommittee was adopted, on division.

Mr. Reid expressed the hope that the Committee would consider the advisability of permitting the placing on record of evidence to rebut certain statements which have appeared in named newspapers in British Columbia with regard to conditions on some reserves in British Columbia. Mr. Reid also asked when the Committee would be afforded an opportunity to consider and discuss the report of the Commission appointed to investigate Indian Affairs and conditions in the Maritime Provinces.

Mr. P. E. Moore, M.D., D.P.H., Director, Indian Health Services, Department of National Health and Welfare, Ottawa, was called, and made a statement.

The Committee adjourned at 1 o'clock p.m., to meet again this day at 4 o'clock p.m.

AFTERNOON SESSION

The Committee resumed at 4 o'clock p.m.

Present:

The Senate: The Honourable Senator W. H. Taylor,—1.

The House of Commons: Messrs. Brown, Bryce, Case, Castleden, Farquhar, Gariépy, Harkness, Little, Matthews (*Brandon*) (Vice Chairman), MacLean, MacNicol, Raymond (*Wright*), and Reid—13.

In attendance: as at morning session.

Dr. P. E. Moore, recalled, continued with his statement.

It was agreed that owing to other official engagements the Committee could not sit beyond 5.15 p.m.

It was further agreed that Dr. P. E. Moore be recalled to continue his presentation and be questioned thereon on Tuesday, 17th June next, at 11 o'clock a.m.

The Committee adjourned at 5.15 p.m., to meet again on Thursday, 12th June next, at 11 o'clock a.m.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

HOUSE OF COMMONS,
June 10, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11.00 a.m. Mr. D. F. Brown, M.P., (Joint Chairman) presided.

The CHAIRMAN: Mr. Case has asked permission to bring up a matter on a point of privilege.

Mr. CASE: Mr. Chairman, I think I should bring to the attention of the committee again a matter of what I consider to be very great concern. I have mentioned before that Magistrate Tucker had telephoned me from Cochrane bringing to my attention a situation with respect to the Indians in the James Bay area. He suggested that a commission should go there to investigate that unfortunate situation, and that following such visit other recommendations could be made. I suggest to the committee it would be well if we could have Magistrate Tucker come before us and tell us his story. However, I would like to read into the record a report which is published in the *Globe and Mail* of Monday, June 9, 1947. It is date lined Timmins, June 8, and headed "special".

"Unless immediate steps are taken to supply the James Bay Indians with proper medical care, nursing services and nutrition, they will be wiped out." This is one of the statements made by Magistrate E. R. Tucker of Cochrane in his address to the assembled representatives of the branches of the Canadian Red Cross of Northern Ontario.

Then there is a short description of the Magistrate himself; he is known as the "flying judge". The article goes on:—

"Unless you can see conditions as they are with your own eyes, you will never believe the appalling conditions of hardships and privation that exist." Another point that was stressed was "the unbelievable death rate of infants is 600 out of every thousand that are born, and these people see a doctor only once a year. If the male of the family is at his traplines, then he sees the doctor only once every two years."

Representatives from Smooth Rock Falls, Cochrane, Iroquois Falls, Hearst, Schumacher and Timmins were in attendance at the meeting.

I leave that with the committee as a matter of really grave concern. I am rather surprised that when we had Bishop Belleau here that we did not hear from him, with regard to conditions in the James Bay area. I suggested that we ask him at that time. Now this matter has twice been brought to my attention and I leave it in the hands of the committee.

The CHAIRMAN: Thank you, Mr. Case. We have here to-day Dr. P. E. Moore, who is our witness and I am sure he would be glad to discuss any particular phase of medical services of the Indians.

We have a note of your matter now and it will be investigated. You might investigate it personally by questioning Dr. Moore as to his knowledge of the matter.

The next point of business is the seventh report of the sub-committee. Mr. Raymond you were in attendance at the time the report was discussed would you present it please?

Mr. RAYMOND:

SEVENTH REPORT OF SUBCOMMITTEE ON AGENDA
AND PROCEDURE

NOTICE OF MOTION FILED BY MR. BLACKMORE ON MAY 15, 1947

Your subcommittee has reconsidered this notice of motion. It is of the opinion that the time is not opportune to submit to the House an interim report making the recommendation contained in the notice of motion.

HOUSE OF COMMONS,
June 10, 1947.

The CHAIRMAN: I know members of the committee will wish to discuss this matter and probably we should give some reasons for the wording of that report. First of all I will read the notice of motion:—

Whereas: The final report of this committee on the Indian Act is likely to be made not earlier than the close of the 1947 session of parliament, and

Whereas: This committee has heard sufficient evidence to satisfy its members that Canadian Indians are in serious need of immediate assistance of several kinds, and

Whereas: Mr. Hoey has conveyed to this committee that his department, in order to discharge its responsibilities to the Indians under its charge, requires at least \$15,000,000 for the year 1947-48.

Therefore, be it resolved that this Indian Act committee submit within 10 days an interim report to parliament recommending that both Houses recommend that the government consider the advisability of submitting to parliament for the Indian Department an increase in appropriation large enough to bring the total appropriation up to, at least, \$15,000,000, in the estimates for 1947-48.

Now if I might point out first that we have not as yet any programme as to how any additional amounts would be spent.

Mr. CASTLEDEN: You mean from parliament?

The CHAIRMAN: No, we as a committee are not in a position to make any recommendations as to how this additional amount shall be spent. My opinion is that if we make a recommendation that the government consider spending additional amounts of money, that we should be in a position to suggest to government how the money should be spent. Furthermore, the estimates for this branch, the Indian Affairs Branch, have not been referred to this committee; nor is the House yet aware of the amount which will be asked by way of main estimate and supplementary estimate for the Indian Affairs Branch.

Mr. FARQUHAR: What then do you mean by "additional amounts?"

The CHAIRMAN: The amount that has been suggested by Mr. Blackmore.

Mr. FARQUHAR: We do not know the present amount?

The CHAIRMAN: We know what is in the main estimates but we do not yet know what may be in the supplementary estimates.

Mr. FARQUHAR: For all we know it may be more than \$15,000,000.

The CHAIRMAN: Our committee, of course, can recommend only that the government give consideration to the advisability of increasing or reducing an estimate. We have no power to make any recommendation as to any definite amounts. I think Mr. Blackmore should now have the opportunity of speaking on his notice of motion.

Mr. CASE: I question your point when you say we have no power.

The CHAIRMAN: We have no power to recommend that the government spend public money. All we can do is suggest to parliament that parliament recommend to the government the advisability of considering certain expenditure. If you can get anything out of that you are pretty good.

Mr. CASTLEDEN: I think it is a masterpiece of understatement.

The CHAIRMAN: At the present time we have \$15,000,000 suggested by Mr. Blackmore. I imagine many of the members of the committee might have suggested \$50,000,000. In fact I think some have suggested it. In any event the amount suggested here is \$15,000,000. The estimates at the present time as published, ask that there be an appropriation of \$6,547,254.

Mr. CASTLEDEN: Is that for Indian Affairs Branch or does that take in also the amount for the Department of National Health and Welfare?

The CHAIRMAN: That does not. This is only for Indian Affairs Branch. You see whilst there is \$6,000,000 odd in the estimates, if we were to recommend the increase to \$15,000,000 there would be a total increase of \$8,000,000 odd which is one and one-third times the present estimate, or an increase of about 133 per cent. Of course there are no suggestions as to how we are to increase the services to the Indians by the 133 per cent increase in the appropriation. Now there has been an increase provided for this year of \$123,393, that is in the Indian Affairs administration and service, without health. Now that, you see, is a fair increase in one particular year in any branch of the administration. So, generally speaking, the subcommittee felt they were not prepared as a subcommittee, to recommend that your committee suggest to the government an expenditure of \$15,000,000 when this committee has not completed its work and when we have not any suggestions as to how that large increase shall be allotted. For that reason the subcommittee reports back to the main committee the suggestion that the notice of motion be not entertained at this time or, to quote the report, "that the time is not opportune."

Mr. Blackmore, would you now like to say something?

Mr. BLACKMORE: Mr. Chairman, and fellow members of the committee.

The CHAIRMAN: Pardon me, before you start, is it agreed that we will permit Mr. Blackmore to make a statement?

Mr. REID: I am sorry, I was not here, what is the statement to be about?

The CHAIRMAN: The report of the subcommittee on the motion of Mr. Blackmore recommending to the government the advisability of considering an increase to \$15,000,000 in the present estimates of Indian Affairs Branch which provide for \$6,547,254.

Mr. CASTLEDEN: I wonder if you could give the committee at this time the amount asked for by the Department of Health and Welfare?

The CHAIRMAN: Have you got that Dr. Moore?

Dr. MOORE: I have not got the exact figures but it is approximately \$4,600,000.

Mr. CASE: That brings total estimates for Indian Affairs to over \$11,000,000.

The CHAIRMAN: Will you proceed then, Mr. Blackmore? I would ask the committee not to interrupt until Mr. Blackmore has completed his submission.

Mr. BLACKMORE: Mr. Chairman, and fellow members of the committee. I deeply appreciate your indulgence in permitting me to occupy some of the valuable time of the committee at present.

It seems to me it would be well for us to clarify our purpose in being here as members of the committee. We have all asked ourselves probably these questions: Do we intend to change the Indian Act? Do we intend to change the policy which is presently prevailing under our present Act? Do we intend

to change the personnel of the present Indian department? Are we dissatisfied with them? Do we intend to supplement our present Indian Act and policy by certain other measures, for example, the setting up of an Indian claims committee?

Other questions have doubtless occurred to the members of the committee as being appropriate in trying to determine just why we are here. Why are we going to all this trouble? Why did the government appoint us?

It seems to me the time has just about come for us to get some sort of clarification in respect of all these matters. Even though we might not be entirely agreed as to what our purpose is, I think every member of the committee has pretty well thought along these lines. I am voicing only the opinions of the members of the committee I would say, Mr. Chairman, judging from what I have heard the committee members say after leaving the various meetings.

To change the Indian Act without spending more money would be futile. I doubt if a member of the committee would question the truth of that remark. Neither would they question any of the possible reasons for our being called together. I think we would all agree our task would be utterly futile unless we ask the government to spend more money. Government simply must spend more money. Now since I first gave notice of this resolution some days ago several members of the committee, some of them are now listening to me, have expressed warm approval of the resolution and some have thanked me for it. All the members of the committee have not spoken with me but no one thus far has expressed disapproval of the resolution.

Now is \$15,000,000 the right amount? The honourable members have before them a copy of my resolution. They will note that I merely suggest the total appropriation should be brought up to at least \$15,000,000 so that \$15,000,000 as a whole will merely be a floor. Now the expenditures in the past on our Indian affairs have been, in my judgment, woefully inadequate. We have spent over \$6,000,000 in only three years in Canadian history. According to the records I have, which the honourable members will find on page 11 of the 1946 proceedings of this committee, in 1930-31 we spent \$6,068,827; 1944-45 \$6,232,582; 1945-46 \$6,796,826.

In each and every other year the appropriation fell below \$6,000,000. Now I was impressed with the briefs which were submitted to us quite recently by the various agencies. With the permission of the committee I should like to recall several of the passages in some of those briefs.

May I take first the brief of the United Church of Canada. I would refer to certain passages which I think impressed every member. I am not assuming that the United Church is accurate in everything, but these people, like the other admirable church organizations, the Roman Catholic church, and the Anglican church, and others, have been right on the ground. They have been right out in the field and they have been in contact with realities as no member of this committee could possibly have been. I think, therefore, that their observations are worthy of some attention. Now on page 3 of the United Church brief at the bottom of the page you will find this regarding school buildings:—

The building was cold and most of the younger students were blowing on their hands in an effort to warm them. Snow on rubbers under the stove had not melted by recess. Outside wraps were all worn in the school.

I have been a school teacher myself, Mr. Chairman, and a good many of the members of this committee have been school teachers. I spent twenty-one years in the school-room. I would say conditions like that were putting in jeopardy the health of every individual child in the school, probably the life of the child, as well as the teacher, and conditions of that sort were rendering it

practically impossible to do effective educational work in that school-room. Mr. Chairman, we do not need to have any recommendations from this committee to know that money ought to be spent to remedy a situation like that; neither does parliament.

Now may I refer to page 4:—

We and the other churches who cooperate with the government in Indian education, have drawn the attention of the responsible officials to the great discrepancy between the need and the provision made to meet it, and this has been admitted by the director in his evidence, given last year (minutes of proceedings and evidence, page 15).

Again, on the same page, I have noted this passage as I am sure did all the honourable members of the committee:

yet a careful study would indicate that there is scarcely any part of the dominion in which Indian people live where there are adequate facilities,—for education.

Surely this committee need make no recommendation to enable any person to see great quantities of money are necessary on behalf of education of the Indian in this land. On page 6 we find these words:—

Specifically, the United Church resents being criticized for failure to provide adequate food and clothing in residential schools, and for not engaging a highly qualified staff in sufficient number, when failure arises from the lack of grant provided by the government and the House of Commons—which has consistently starved the educational department of the Indian Affairs Branch.

Those are strong words.

There is only one possible remedy for the condition suggested by those words. On page 8, I find these words: “the buildings”—still referring to schools—“the buildings should be modernized as speedily as possible. Some of the new buildings which have been erected by the department in recent years are models of their kind; but far too many of the day schools on Indian reserves lag behind the rural public school buildings of the provinces and are really no credit to the department.”

No credit to the department means, Mr. Chairman, no credit to the House of Commons which has appointed the department but left it without adequate funds for the work which it has to do.

On page 10 I find these words:—

The only solution to this is the setting up of department hospitals with the right of the churches to visit the patients in them. We would associate ourselves whole-heartedly with the section of the brief submitted by the Church of England in this regard.

Again on that page I find these words:

The United Church is of the opinion that there is no reason why the Indian people should not participate in any old age pensions scheme set up by the dominion government; and is of the opinion that, in the administration of the scheme, these same conditions should apply as in respect to the old age pension scheme generally, with such modifications as may be necessary to meet the difference in status of the Indian people—that is to say, without provincial contributions.*

*See Third Report, to Parliament, *supra*

Now those, Mr. Chairman, are the words of the United Church in its presentation. I turn now to the brief of the Roman Catholic church, which, because of the long history of great successes of that organization in its dealings with the Indians certainly is worthy of attention. On page 3 we find these words:—

However, one must not forget that many of the improvements which are now suggested would have been put into effect a long time ago if the people of Canada had been aware of their necessity, and if the Canadian government had been more generous in appropriating funds for Indian education.

I turn now to page 7 of their very excellent brief:—

However, in the case of both residential and day schools, additional funds must be made available in order to provide increased accommodation and to make it possible for those actively engaged in the work to keep abreast of modern educational requirements.

Again, the committee may be interested in knowing the percentages of Indian children, by provinces, who are unable at the present time to attend any school whether day or residential because of want of classroom space. These percentages according to provinces are as follows:

	Per Cent
Alberta	37
British Columbia	41
New Brunswick	30
Nova Scotia	15
Manitoba	38
Ontario	40
Northwest Territories	70
Quebec	60
Saskatchewan	29
Yukon Territory	50
Prince Edward Island	60

Mr. Chairman, may I speak for the members of the committee? Just attempt for a moment to get ourselves in the position where we can see these matters as the Indian does. As I stand before you I can see scores of the noble Indians of the Blood Indian reserve alongside which I grew up from my early childhood. Their only chance in the world to get their children ahead is by putting them in a school. Now, if you and I were on the reserve and were restricted as Indians are, we could do nothing more. You and I could do nothing more than see our children grow up without a chance. I am not saying the Blood Indians are lacking in facilities; they are rather fortunate in respect to schools but they are much more happily situated than many, many, Indians in this land.

On page 8 of that same church's brief, we read this:—

At least four hundred classrooms should be provided immediately. It may not be possible to build that number of classrooms in one year, but the program should be accelerated so that within five years, our Indian Affairs Branch could proudly state that every Indian child in Canada, wishing to secure an education, had a school close enough to his home where this laudable ambition could be realized.

Most of us, Mr. Chairman, have grown up with a school only a few blocks away; we have raised our families with schools just a few blocks away. It is difficult for us to put ourselves in the position of Indian parents miles away from schools.

Again on the same page I read:—

If the teachers, in both residential and day schools, were to become civil servants, with superannuation provision and the payment of salaries by the Indian Affairs Branch, it is possible that most of our personnel difficulties would disappear.

Mr. Chairman, that again takes money.

On page 9 we read:—

From the moral standpoint alone, we feel that the government of Canada would be justified in providing in each province, special schools for girls of 16 to 18 who have previously attended residential or day schools.

Money is required again. There is no need for us to recommend how to spend money there.

May I now turn to page 14?

The CHAIRMAN: Mr. Blackmore, may I interrupt for a moment? You see you have been going now about twenty minutes and we all realize, I think, the necessity for more money. There is no question of that in the minds of the committee so I am wondering if you have anything else besides a repetition of the demands that have been made for money which already appear in the evidence. It possibly would shorten it if you would give us only your new points.

Mr. FARQUHAR: I would like to say that, after all, while we are not trying to cut Mr. Blackmore down—

Mr. BLACKMORE: I cannot hear what Mr. Farquhar says.

Mr. FARQUHAR: We have all this on the record.

The CHAIRMAN: That is right.

Mr. FARQUHAR: Mr. Blackmore is giving the impression that we are opposed to spending more money on Indians. Now that is not the case. We all feel, and I think we all agree, that we will have to spend more money on Indian work but if we are budgeting at the present time we should have some plan as to how we are going to spend the money when we ask for it.

The CHAIRMAN: I was wondering before we get into a discussion if we could just ask Mr. Blackmore if he has anything new that he wishes to put on the record. We might well hear those things. We were to have him speak for ten minutes and he has gone now nearly twenty-five minutes. Have you anything else, Mr. Blackmore?

Mr. BLACKMORE: I cannot see why an important representation like this should be limited to ten minutes or twenty minutes.

The CHAIRMAN: It was not my idea, it was yours.

Mr. BLACKMORE: I do not wish to impose on the other members of the committee and, if they say they do not want to consider this further, I will desist and I thank the members for the consideration that they have allowed me in speaking on my resolution but we simply must spend more money and it must be done now.

Mr. CASTLEDEN: Mr. Chairman, I am very anxious to support Mr. Blackmore in his resolution, but after all, we have only a few hours. I think he has now spoken for twenty minutes on this matter and I think we are all convinced that the matter is important. Mr. Blackmore however, could make his points for and against, and we could vote on the motion.

Mr. REID: In my opinion, while we are all in sympathy with Mr. Blackmore every member is not duty bound to speak. This is all being taken down and it is going on the record and, speaking for myself, I do not want it to be thought

that because I vote to adopt the report of the subcommittee I am callous towards the Indian and the Indian needs for more money. However, the motion before us now is another thing. I wish to bring up matters concerning the problem but Mr. Blackmore has placed us in the position where it might appear that we were callous towards the Indians' needs.

Mr. MACNICOL: Have we not got a witness here.

The CHAIRMAN: Yes.

Mr. CASE: May I have one observation.

Mr. Blackmore has predicated his whole submission on education. Now we are all agreed that the educational facilities should be improved but it is an amount of money that Mr. Blackmore is talking about. Could you, Mr. Blackmore, specify any amount of money?

I think his resolution is wrong in that, if it is going to relate to education, we should recommend to the government that there shall be an increase in the Indian education appropriation.

The CHAIRMAN: I think we are all agreed that there will have to be increased expenditures of money but the question now is all in the timing of the Blackmore resolution. I think frankly, when we make our report to the House, we should make proper recommendations as to an increased appropriation for Indian services and how it is to be spent.

Mr. CASE: Education involves the question of what type of schools we are going to recommend. If they are to be state schools then I am all for making them the best schools in the world.

The CHAIRMAN: The Indians themselves do not want to get something for nothing. They want opportunity given to them and they will make the best of their opportunities. If Mr. Blackmore has any other point which will be of help to us I think it will be proper for him to let us have it. If it is merely a repetition of what is already on the record I would suggest that we dispense with it.

Mr. BLACKMORE: May I have five minutes more?

The CHAIRMAN: I have no objection, as long as we can get along with the business of the committee.

Mr. BLACKMORE: I think the business of the committee is to solve the Indian problem and I cannot understand why we are not all in favour of advancing money to do so.

Mr. MACNICOL: But the committee might recommend spending \$50,000,000, or more.

Mr. FARQUHAR: This figure might be altogether too small when we get down to the facts.

Mr. REID: No member of this committee can tell how much money is needed. It might be \$50,000,000.

Mr. BLACKMORE: May I point out once more the concluding part of my resolution. It states specifically "at least \$15,000,000." I think that is safe, and I will endeavour to close off in my five minutes. I wish to call the attention of the committee to page 27 of the minutes of proceedings and evidence of our very first meeting. On that page, on May 28, 1946, Mr. Hoey made his own estimate. "To undertake a worthwhile Indian betterment program based on the existing needs of the population and other needs that are likely to arise during the period immediately ahead of us, it would, in my judgment, require a parliamentary appropriation to begin with of approximately \$14,000,000 or a sum a little more than double the amount which appears in the 1946-47 estimates. To continue this program, it would, I am also convinced, require additional annual amounts for the next fifteen years at least, or until a peak figure of

\$25,000,000 is reached. If such a program were based on a sound policy and closely linked up with efficient administration there should be a gradual decline in expenditures from the sixteenth year onward." Now, in the passage from which I have read covering pages 27 and 28 there are striking remarks made by Mr. Hoey who is the head of the Indian Affairs branch.

The question will be asked: Is this the time to make a recommendation; is this the year? Well, the present parliament cannot run beyond 1950 and this committee cannot possibly make a final report until the end of 1948. The recommendations could not be implemented before 1949. That leaves altogether too short a time to see how a new arrangement would work before this parliament will be dissolved. Meanwhile the Indians are going to suffer.

Now, is this the time of the year? There is still time to have an item included in the supplementary estimates. Is it the psychological time? The Indians now have confidence we are really going to do something for them; the Canadian people as a whole are interested in the problem of the Indians; they have become aware that the country has been negligent in the matter of looking after the Indians and they are anxious to remedy our shortcomings. Parliament and the country is "human rights" conscious. This is clearly shown, as we all know, by discussions in the House of Commons at the present time. Some nation, such as Russia, might rise in the United Nations Assembly on the matter of our treatment of our Indians. If that were to be done we would be put in a very awkward light.

Now, we ought to give the present administration the chance, I contend, to show its ability to handle our Indian problem. We know these men who have charge of this work and who now occupy important positions in the Indian department. The committee has enough information before it to go as far at least as recommending \$15,000,000.

Now, Mr. Hoey has impressed me as being an able, sincere, diligent, progressive and practical man who is genuinely interested in the Indians and in all matters pertaining to the Indians; and his staff, as far as I have seen them, have impressed me as being worthy of the positions they hold. Now, we cannot form any estimate as to what to do about the staff or what to do about the Indians until we at least provide enough money to enable these officials to carry out their work. Now, Mr. Chairman, such consideration having been given to this matter, I have no hesitation in suggesting to this committee that you pass my resolution.

The CHAIRMAN: Gentlemen, are you ready for the question?

Mr. REID: I want to say a few words, because I realize the danger which every honourable member may have to face in a resolution of this kind. May I say that every member of this committee is just as much interested in the welfare of the Indians and the need for more money as the honourable member, but may I draw the attention of Mr. Blackmore to the fact that the money question, important as it is, is only one part of the vast amount of evidence and requests we have heard regarding the complaints made by and for the Indians. I have not time to list all these complaints, but they included roads, education, treaty rights, enfranchisement, insurance, liquor, hospitals, and money was one of the many other problems, and I think that has played—

The CHAIRMAN: A minor part—

Mr. REID: If you look over the record you will see that it has played but one part. While I am in sympathy with this subject—and I want to place myself on record that I am not objecting to an increase in the amount of money—I think this is as the subcommittee report says—an inopportune time to bring this matter up until we come to a realization as regards the matter of finality of our investigations in these matters.

Mr. CASTLEDEN: In speaking against the report of the subcommittee, I would like to say that one argument given against this is that we have no program. It seems to me that we can go on with our program and still indicate to the House that more money is needed by the department. As regards the time to do this, I do not think we can start too soon. I think the department has a program, and I think we should support it. We can go on with our study and suggest to the House that this department needs more money. If this is to be exercised it should be exercised soon. This is only going to be a recommendation with regard to this matter, and it would let the House know that we want this done. With regard to the amount, I think that also can be arrived at later. We do not know the amount. At any rate, this is a recommendation that we double the present estimate and it will only be a step in the right direction. I do not believe that it is going to interfere with our work here. We have a great deal of work to do, but I think we should do something about getting more money this year because we are not going to be ready with a report until the end of this session. The increased estimates might not come up until next year and they will not be passed until well on in next year. We are going to be that much too late. We are now fifty years too late. Perhaps that is an exaggeration, but we are many years too late; and the sooner we get something done the better. There are Indians dying to-day, according to reports—

The CHAIRMAN: White people are dying to-day too.

Mr. CASTLEDEN: Yes, I know, but this is for lack of attention, according to the evidence to this committee—real negligence. It seems to me that we should recommend that something be done about these estimates and that it should be done now.

Mr. REID: May I direct attention also the fact that one of the main recommendations that should be made has been omitted by the two members who support the proposal of Mr. Blackmore; that is with regard to hospitalization. That is one thing that will take a great deal of money and which has been left out of this resolution entirely. As we know, hospitals are not under the Indian Affairs Branch. I do not know whether this was left out wittingly or not, but one of the great things we have been advocating is hospitals, and in this proposal they have been left out. Hospitals alone might take \$15,000,000. Hospitals at present are not under the Indian Department.

Mr. BLACKMORE: Left out of what?

Mr. REID: Left out of your resolution.

Mr. BLACKMORE: No, nothing of the kind.

Mr. FARQUHAR: When we are submitting an interim report the other things we have been working on, which are just as important as this matter which has been brought up this morning, should also be mentioned in that interim report. I think every member of this committee is just as sympathetic towards the Indians as Mr. Blackmore and Mr. Castleden, and they are just as anxious to do all they can for them.

Mr. CASTLEDEN: Hear, hear. That is not the question.

Mr. FARQUHAR: I listened to the statement made. I think there was some such position taken.

Mr. BLACKMORE: I challenge that statement, because I was very careful in my wording to include every member of the committee, and I know I did.

Mr. FARQUHAR: Yes, but are you going to prove to this committee that this committee that this money is necessary and that it should be spent; and you are hoping to prove that there are members of this committee who are already quite satisfied that possibly no more than this amount should be spent. Now, I do not want that impression to go out. I do not think any member of this com-

mittee wants that impression to go out—the impression that any one particular man on this committee is more anxious to spend money on looking after the welfare of the Indians than anyone else, and for that reason I do not think it is necessary to impress this committee with these facts. I do believe that when our interim report is made other questions besides the question of the amount of money should be mentioned. I think I can remember, when this question was brought up before, that Mr. Hoey said that he doubted whether that amount could be spent this year. I think one of the questions that will be asked should this recommendation go to the House is: What plan have you for spending this money? I could not tell the House. I think we should have a definite plan as to how Indian Affairs will spend the money we are asking for should we present such a resolution to the House. Now, that is all I have to say on this matter, but I do want to make it clear that I do not want the impression to go out that any one member of this committee is more interested than another as regards the Indian problem.

Mr. CASE: Mr. Chairman, I think we might dispose of this matter by referring it back to the subcommittee and asking them to give consideration to something of this character: That the committee are deeply conscious of the inadequacy of hospital and education facilities and medical services and that we recommend that an amount to provide for ample services as recommended by the Indian Affairs Branch should be appropriated. That should be done rather than to confine it to the educational approach; because before I am prepared to make a decision with regard to the educational aspect of Indian Affairs I want to know by what method we propose to recommend that education should be carried out—whether it is going to continue on as denominational or non-denominational, state schools, or what. However, I do believe that I should make a motion to have the matter referred back to the subcommittee with a view to its drafting an over-all resolution stating that we are conscious of these inadequacies and recommending that sufficient money be appropriated to provide the services as recommended by the officials of the department. That will overcome the handicap that Mr. Farquhar has spoken of. When Mr. Hoey says he does not know whether he can spend this money or not, I would like to know the amount of money that he can spend, and there is no one better able to determine that amount of money than himself.

Mr. BLACKMORE: May I make one thing clear? The only reason I mentioned education was so that we would have time to go into the other details.

The CHAIRMAN: Now, I want order. I want to be fair to all members of the committee. If Mr. Blackmore is going to answer everybody who gets up to speak we are going to be here until doomsday. Let Mr. Blackmore answer everybody once and for all.

Mr. FARQUHAR: I would like to second the motion made by Mr. Case.

Mr. GARIEPY: Mr. Chairman, my stand is this: I do not see any need for any interim report of this kind. It is not our business: If any other members of the committee feel that something should be done that is not being done by the Indian Affairs Branch there is always the House of Commons. That is the place for them to make the requests when the estimates are presented. The department is aware of all this evidence. They have had their representatives sitting in this committee. They are possessed of every bit of information on the matter. If there is something very urgent in the matter of money or anything else, let the department take the lead, and the members of this committee can go to the House if the department does not do these things. Mr. Blackmore and his party or Mr. Castleden and his party—

Mr. BLACKMORE: Let us leave "the party" out of it.

Mr. GARIOPY: If this becomes a question of politics let them get up in the House and make their statement; but we as a committee do not represent any party. We are a group of representatives of all the people with a special task to perform. Our task is to sift out this evidence and come to some conclusions. Well, the time to draw conclusions has not yet come. We have not reached that time in any shape or form, and that is the purport of the report of our subcommittee.

Mr. Case has put the matter well. He says that we have not decided what we shall do with regard to education. He could go on and say that we have not decided what we shall do with regard to hospitals. We have not decided on these and many other matters. Such plans will call for the expenditure of money. It is our business to thresh out this evidence and draw conclusions, but why should there be an interim report at this stage? Suppose the Radio Committee were being presented with a motion every week that the law be amended in the interim to do this and to do that; it would be ridiculous. I say let us finish our business and then bring in a final recommendation to the House. I stand second to nobody in my desire to improve the state of the Indians throughout this country, and when the proper time comes I will support any move or any request to get more money for them, but this is not the proper time to do it, and it does not look to me to be the proper method. I am satisfied that this resolution is premature. We are wasting time and energy. I do not like to suspect motives, but I do not like this at all, and it seems to me that Mr. Blackmore himself realizes that we have already been wasting too much time on this matter. Here we are wasting time about something that is absolutely useless.

Mr. RAYMOND: I would like to explain my stand too. I was at the subcommittee meeting the other day. Although I do believe there should be an increase in the estimates for taking care of Indians, I thought it was not opportune at this time and I would like, simply as a member of the committee, to express my opinion. I do believe personally that we have been appointed "to examine and consider the Indian Act." If we will look at the first page of the orders of reference we see that it has been ordered "that the Senate do unite with the House of Commons in the appointment of a joint committee of both houses to examine and consider the Indian Act, chapter 98, R.S.C., 1927, and amendments thereto, and to suggest such amendments as they may deem advisable, with authority to investigate and report upon Indian administration in general and, in particular, the following matters:

1. Treaty rights and obligations.
2. Band membership.
3. Liability of Indians to pay taxes.
4. Enfranchisement of Indians both voluntary and involuntary.
5. Eligibility of Indians to vote at dominion elections.
6. The encroachment of white persons on Indian reserves.
7. The operation of Indian day and residential schools.
8. And any other matter or thing pertaining to the social and economic status of Indians and their advancement, which, in the opening of such committee, should be incorporated in the revised Act."

So, in my opinion, as a member of the sub committee, I thought that the proposal put forth by Mr. Blackmore, was not opportune. Personally I do not believe we have the right to recommend anything, beyond the limits of the order given to us by the House of Commons because, in my estimation, we are to examine and consider and revise the Indian Act.

The CHAIRMAN: Is there anyone else that wishes to speak? If not, we are ready for the amendment but you realize now that we are just "passing the buck" by this amendment.

Mr. CASTLEDEN: Hear, hear.

The CHAIRMAN: We are just "passing the buck" back to the subcommittee. I think the thing to do is to face the matter.

Mr. CASE: If it is to be discussed I am quite willing to discuss the matter.

Mr. MACNICOL: I did not say anything when you brought the matter up but I support my honourable friend Mr. Gariepy, from Trois Rivieres, in what he said. The position is very clear, and as he pointed out the time is not opportune. We have not got anywhere with the consideration of all the evidence which has been placed before us. I do not want to vote on any motion for \$15,000,000 when it may take \$50,000,000. I will vote for what is required. I have said in the House on many occasions that the Indian Affairs Branch is starved in carrying out its work and voting \$15,000,000 only a drop in the bucket to what I hope this committee will, in the end, recommend. I do not want to be tied to a mere \$15,000,000 and I would say, Mr. Chairman, that the matter should be left open as being inopportune at the present time.

Mr. FARQUHAR: I would like to take exception to the statement made by the chairman that we are "passing the buck". That was not the intention of the mover of the amendment and not my intention in seconding the amendment to the motion but what we thought was that if we were going to present an interim report then it should be brought in in the proper way.

The CHAIRMAN: If I may interrupt at this time. There will be an interim report before the close of this session. We are bound to do that for the House.

Mr. FARQUHAR: I think the subcommittee could possibly take this question into consideration if they so wished at the proper time.

The CHAIRMAN: It will undoubtedly be taken into consideration.

Mr. FARQUHAR: It was not a matter of "passing the buck". I take exception to that statement. I think possibly we should just have it referred back to the subcommittee to bring it forward in a proper way at a later date if they wish. If the subcommittee does not wish to do so I am willing to withdraw my support of the amendment.

The CHAIRMAN: May I answer on this one point. I used the expression "passing the buck" and although I cannot withdraw it, I believe it is a fact that the amendment would pass the buck back to the subcommittee.

Mr. FARQUHAR: If it does that I am not willing to support the amendment.

The CHAIRMAN: It is a problem in parliamentary English.

Mr. REID: The report of the subcommittee is very clear. It is that we are of the opinion the time is not opportune to submit to the House an interim report making the recommendation contained in the notice of motion by Mr. Blackmore.

Mr. CASE: That is a fair report and I withdraw my amendment.

The CHAIRMAN: The amendment is withdrawn. Are you ready for the question?

All those in favour of the motion to adopt the seventh report of the subcommittee? Ten

Opposed. Two. Mr. Blackmore and Mr. Castleden.

The report is adopted.

Now we have Dr. Moore with us this morning.

Mr. REID: Are you open for discussion on any further matters or are you going to call Dr. Moore as witness?

The CHAIRMAN: Have you a matter you think of importance?

Mr. REID: Yes, I have.

I want to call the attention of the committee to the fact that we have been taking voluminous evidence, all of which has gone on the record. In many cases the substance of the evidence is being quoted in newspapers throughout the

country. The quotations whilst not being distorted, we are nevertheless doing nothing by way of rebuttal. We are simply calling witnesses who make statements about certain conditions on reserves. All over the country newspapers and magazines are picking up excerpts from the evidence and they are placing the same before the country. This, I say, is something which cannot be entirely ignored. I have in my hand, just as an illustration of what I mention, a British Columbia publication which is called *The Native Voice*. This has just come to me and I wish to read this part: "The special joint committee of the Senate and the House of Commons has been conducting an examination of the Indian Act for the past year. *The Native Voice* is in receipt of minutes of evidence to date. The disclosures of the shocking conditions of many native people is something to fire your blood with burning resentment that living people are subject to such conditions. Our policy is not to dwell on past injustices, but these disclosures are existing facts.

For example—chairman's question: 'Did I understand you to say that the condition in this residential school was worse than the worst condition in Toronto? Answer: 'The diet of the 600 children in Toronto in a poor economic district which we have been studying in the last three months is better than the food the Indians were receiving at the Norway House residential school.'"

My point in bringing this to the attention of the committee is to show we have been having statements put on the record and have never made any move to place on the record evidence which would show whether these things are correct or otherwise. Here is another that came to my hand.

"Squalor, abject poverty found in Indians' shacks." Here a Vancouver newspaper sends a man out to take a statement from an Englishman who was out in B.C. teaching school for less than a year. I quote:—

For eight months thirty-four Indian children had trudged daily to the old-fashioned red schoolhouse on the Chilliwack Reserve where they received daily lessons from tall, bespectacled schoolmaster George W. Fellowes. Then, one day, only four pupils showed up. The rest had gone berry-picking south of the border "to help support their families." That incident was the last straw for Schoolmaster Fellowes who is a social worker with three university degrees and who came from England a year ago "to work among the Indians." He promptly tendered his resignation to the Department of Indian Affairs and telephoned the Vancouver *Daily Province* to explain why.

The paper then sent out a man to look over the situation and so in the press we find there is a whole column quoting terrible conditions as revealed by the man sent out by the paper. We as a committee must take some cognizance of these reports. I myself spent a complete day with about 105 Indians present from around that very district. The Indians gathered there and I was present to hear all those complaints and none of them as mentioned by this paper were brought to my attention. However on the resignation of a teacher you get a Vancouver newspaper devoting an entire column to what is stated to be terrible conditions under which the Indians exist there. I am drawing this to the attention of the committee and suggesting that we cannot sit idly by, without some notice being taken. All these matters are going down in print and we might be quoted for time immemorial as doing nothing about the conditions for the Indians throughout the country.

The CHAIRMAN: Another feature is that the article is all one-sided and we have no opportunity of cross-examining at all.

Mr. REID: Yes and this record is standing for all time.

The CHAIRMAN: I believe I had that clipping sent to me. It is from the Vancouver *Province*. Some school teacher resigned. He had come out from

England and spent a year on the Indian reservation to find out all about Indians and now he is complaining about the terrible conditions. We have had no opportunity to get the correct story and I do not think it is desirable to call that school teacher as a witness.

Mr. REID: One of the particular reasons I bring this up is that I spent some time in going up there to meet the Indians in that district and none of the conditions mentioned in this article were brought to my attention. It may look as if I, as a member of the committee, had been somewhat remiss in my duties. If I had heard of these matters I would have investigated and informed the committee. I did get around and all the Indians of that area were invited to come. I never heard anything as bad as is complained of here.

The CHAIRMAN: Well we are hearing from Dr. Moore this morning in any event and we have had many witnesses from British Columbia and none of those witnesses have told us any of these things.

Mr. REID: There has been a suggestion that the committee go and visit some of the other reserves. It is true that I did not take the time to go with the committee when they were down east last fall. I would, however, like to hear a report as to what the visit cost, and how many went on the trip so that it can be discussed. There are various rumours going around. I have heard wild statements made as to the cost, and I have been asked what it cost, but I do not know for I have never been informed. I have heard that it cost so much the government could not again countenance any further investigations of that kind.

The CHAIRMAN: As far as the report of the commission is concerned, that is now ready for the printer. There is a large amount of evidence and as soon as we can get the report printed and tabled in the House it will be brought before this committee. We hope to have it before the committee in perhaps two weeks time.

Mr. REID: Well I would like to know what it cost.

The CHAIRMAN: As soon as it is tabled in the House it will be before the committee, and can be fully discussed.

Mr. MATTHEWS: First, I want to commend Mr. Reid for placing his view on record regarding newspaper publicity of that kind. While I am on my feet I want to say this, that I called a meeting of the education subcommittee a little while ago. We did not have a quorum but we went ahead on a discussion with Colonel Jones who is going up north soon. He wanted some matters placed before the subcommittee with respect to family allowances. We got his version of it and I have asked Mr. Reid and Mr. Case, whenever there is an opportunity at your disposal, to give a résumé of what Colonel Jones said.

Mr. REID: I have two questions which I would like to get from Mr. Hoey in order that we can discuss these things later. How much do we pay Indian hospitals per day for Indians? Does the government contribute in the operation of mission hospitals? When we come to the discussion on hospitals we will know what the cost is.

Mr. HOEY: I think Dr. Moore will be able to give you those figures this morning.

The CHAIRMAN: If it is in order we will have Dr. Moore come forward.

Mr. BLACKMORE: While Dr. Moore is coming forward I would like to ask Mr. Reid, what he thinks we should do about this newspaper matter.

The CHAIRMAN: I do not know that Mr. Reid is a witness before this committee. Probably you might get him to one side after we have adjourned and you could discuss the matter with him.

Mr. BLACKMORE: The only point was that Mr. Reid said he did not think we should sit idly by and not take evidence in rebuttal.

The CHAIRMAN: As a matter of fact I think he did bring out very well the fallacy of paying too much attention to one-sided stories by disgruntled people.

Andrew Moore, M.D., D.P.H., called:

By the Chairman:

Q. Dr. Moore, you are the director of health services connected with the Department of National Health and Welfare?—A. I am director of Indian and Eskimo health services, in the Department of National Health and Welfare.

Q. You are a medical doctor?—A. Yes.

Q. A graduate of—?—A. The University of Manitoba, 1931.

Q. And how long have you been in the Indian Affairs Branch?—A. Since 1931, sixteen years.

Q. And how long have you been director?—A. I came to Ottawa, in 1938, as assistant superintendent in the Indian Affairs Branch of the Department of Mines and Resources. I was acting superintendent of medical services from 1940 until November 1, 1945, when my service was transferred to the Department of National Health and Welfare. On July 1, 1946, I was appointed director of the Indian health service in that department.

Q. Are there any questions the members of the committee care to submit to Dr. Moore?

Mr. REID: Yes, when were Indian health services changed from the Indian Affairs Branch to the Department of National Health and Welfare?

The WITNESS: November 1, 1945.

The CHAIRMAN: Well, Dr. Moore, you may proceed if you will.

The WITNESS: Mr. Chairman, and honourable members of the Senate and the House of Commons. The Hon. Brooke Claxton appeared before this committee early last year and presented a brief outlining the activities of the Indian and Eskimo health service and the future plans of his department. One year later I am happy to be able to report to the members of the committee that very satisfactory progress has been made on that program. The chief obstacles have been our difficulties in carrying out our construction program, the shortage of personnel, and the lack of adequate transportation facilities. With the permission of the committee I would like to divide my remarks into two categories. Firstly, statements that directly relate to the medical problems, the administration of medical care to Indians and Eskimos, and, secondly, a few remarks regarding opinions I have formed in sixteen years' experience in medical work as a field medical officer and an administrative officer at headquarters. I have a few notes on the services we provide.

Services provided vary from a complete hospital, medical and field nursing service—equal to any rural community in Canada—to areas where, due to distance, sparse population and the nomadic habits of the natives, our services are confined to periodic visits by a doctor and to removing emergency cases to hospital, often by a "mercy flight".

I might state just there that even in these conditions I often think the Indian is in a more favoured situation than the white man. I sometimes wonder what would happen to one of us if we were found back in the bush with a broken leg. Who would pay for the flight of a plane to go and get us?

There are about 2,200 Indian reserves and there are about 20 Eskimo centres. A stock of medical supplies in charge of a dispenser is maintained in each of those centres. The dispenser receives some remuneration for his service. He may be

a missionary, a trader, a Hudson Bay post manager, a member of the R.C.M.P., a teacher or other responsible person. We attempt to get the most reliable persons to keep these drugs and dressings and also to maintain contact with the outside. In the North to-day almost every place is accessible to us by two-way radio through trading posts and other centres. I would like to put some further facts about our service on the record. The Department of National Health, and this division of Indian health service, operates at present 26 hospitals and nursing stations. There are also 20 hospitals and nursing stations, operated by missions, almost totally supported financially by the department. The bed capacity of the departmental hospitals and nursing stations totals 1,608 beds. The Indian health service employs a total staff of 855. Only 53 of these are permanent civil servants, the others are temporary. Of these, 41 are doctors employed on a full-time basis. There are 77 doctors employed on a part-time salary and we have approximately 30 field nurses in our field service. Those are visiting nurses that visit Indians in their homes as distinct from hospital nurses. Not included in the above figure, but presently employed on a fee basis, are some 350 doctors. There are approximately 450 hospitals across Canada where Indians are hospitalized. That is distinct from mission hospitals or departmental hospitals. For instance a patient sent to Toronto is usually sent to the Toronto General Hospital. There are 450 points where we treat patients. The average year runs around 20,000 admissions to hospital. We have approximately 1,100 patients under treatment in departmental hospitals and provincial sanatoria throughout the year for tuberculosis. There are about 200 Indians in provincial mental hospitals.

Now, if it is the wish of the committee, I will run down the names of the various hospitals operated by the department with the bed capacity of each. Perhaps, however, that would just be placed on the record.

Mr. CASE: If it would not take too long I would like to hear it.

The CHAIRMAN: We will have it read.

The WITNESS: In British Columbia we operate three hospitals. First is the Coqualeetza Indian Hospital at Sardis with a bed capacity of 185. The Miller Bay Indian Hospital was taken over from the R.C.A.F. at Prince Rupert and it has 150 beds. We have just opened a former military hospital at Nanaimo which has a bed capacity of 200.

In the Northwest Territories we are operating a nursing station at Fort Norman. We had a departmental hospital but it was destroyed by fire two years ago. That nursing station can look after only two or three cases. They look after emergency cases at Fort Norman.

In Alberta we have the Charles Camsell Indian Hospital at Edmonton with a capacity of 350 beds.

The CHAIRMAN: Is that all for Indian patients?

The WITNESS: With the one exception, at the Charles Camsell Hospital we are treating about 70 D.V.A. tuberculosis veterans.

In Alberta the Blood Indian Hospital is fully financed and operated by the department but it is staffed by the Grey Nuns. At Hobbema we operate a nursing station with a bed capacity of 2. The Morley Indian Hospital at Morley has 12 beds. The Peigan Indian Hospital at Brocket has 10 beds and the Blackfoot Indian Hospital at Gleichen has 30 beds.

In Saskatchewan, the Fort Qu'Appelle Indian Hospital at Fort Qu'Appelle has 70 beds. Building specifications are being drafted at the present and I think they are calling for tenders for an extension to this hospital.

Mr. REID: Would you mind giving the number of hospitals in each province as you go along? You gave the number in British Columbia as 3.

The WITNESS: Yes, 3 in British Columbia and 6 in Alberta. In Saskatchewan there is just 1 departmental hospital at present, the Fort Qu'Appelle Hospital, which we are planning to enlarge. I believe some of the facilities will include a nurses home and a powerhouse. A portion of this money has already been voted. We have not yet opened our hospital at North Battleford which was taken over from the air force and has a capacity of 50 beds. It is expected that this hospital will be opened approximately August 1, next.

Those are the two hospitals in Saskatchewan.

In Manitoba, we have six hospitals. First is the Clearwater Lake Indian Hospital at The Pas with 80 beds. There is a contract allotted at present to enlarge this hospital to supply another 100 beds.

Then we have the Dynevor Hospital at Selkirk with 50 beds; the Fisher River Indian Hospital at Fisher River with 24 beds; Fort Alexander Indian Hospital at Pine Falls with 16 beds; Norway House Indian Hospital at Norway House with 24 beds; the Brandon Military Hospital at Brandon with 225 beds. The Brandon Hospital has just been transferred to this department and there are Indian patients being admitted at the present time although we do not officially take it over until June 15.

In Ontario, we have 3 departmental hospitals. The first is at Squaw Bay near Port Arthur with 26 beds; second is the Lady Willingdon Indian Hospital at Oshweken with 30 beds (that is near Brantford on the Six Nations reserve;) the third is the Manitowaning Indian Hospital on Manitoulin Island with 20 beds.

We have 3 departmental nursing stations in Quebec. One is at Mistassini in the Abitibi district at Lake Mistassini, which has two beds. Under construction at Bersimis is the Bersimis nursing station where four emergency patients can be admitted. Construction has just been completed on a departmental nursing station at Fort George up on James Bay where four patients can be admitted. I just sent two nurses up there the other day. They were two charming young ladies, one a graduate of the Royal Victoria Hospital in Montreal and the other an Australian girl and they are going up to the remote stretches of James Bay to take over and staff this nursing station.

In the maritimes, we have just completed and opened a four-bed nursing station at Eskasoni, which I believe some members of the committee saw when they were visiting there last year. In New Brunswick, on the Tobique reserve near Perth, there is a departmental hospital staffed by sisters that supplies four beds.

That makes a grand total of 26 hospitals and nursing stations with a bed capacity of 1,608 beds approximately.

Mr. CASE: You have just related only the departmental institutions??

The WITNESS: Yes, those are actually owned by the department and fully controlled by the department.

Now, also serving the Indian population are those 20 mission hospitals and nursing stations to which I shall refer. These, in most instances have been built by the mission societies and often, I cannot say in every case but in most cases, they have had a grant from the federal government, usually from the Department, the Indian Affairs Branch or the Northwest Territories administration. This grant has varied but it runs up to approximately half the estimated cost of the building. Then, we have made grants also in the way of equipment. Up until recently we were paying at least a portion of the salary of the staff. Then, we have paid a per diem rate which is adjusted from time to time to meet operating costs of these institutions. I have these listed.

If it is the wish of the committee I will put them on the record or read the list. I have not the bed capacity for these mission hospitals. There are nine in the Northwest Territories and the eastern Arctic. There are two at Aklavik,

the Immaculate Conception and All Saints. In the eastern Arctic there is Ste. Theresa hospital at Chesterfield and St. Luke's. At Fort Smith there is the Fort Smith General Hospital. At Resolution there is St. Joseph's Hospital. At Fort Rae the Bishop Faraud Hospital. At Fort Simpson there is the St. Margaret Hospital. At Hay River there is the St. Peter's nursing station.

In British Columbia, and the west coast, there are two mission hospitals operated by the United Church of Canada which are practically totally used for Indians and as such supported by the department. They are the Dr. Large Memorial Hospital at Bella Bella, and the Bella Coola Hospital at Bella Coola. The United Church did operate another hospital at Fort Simpson until a few months ago, and we took it over from the United Church. We have since closed it and transferred the patients down to Miller Bay. We are maintaining a nursing station at Prince Rupert which I did not mention in the list of nursing stations.

In Alberta, in the northern portion of the province at Demarais, there is St. Martin's Hospital. In northern Saskatchewan there is St. Joseph's Hospital at Ile a la Crosse. In Manitoba at Berens River the Roman Catholic church operates a small hospital.

In Ontario, there are two nursing stations or hospitals at Fort George on James Bay. One is St. Theresa, operated by the Roman Catholic church and the other one is St. Philips, operated by the Church of England. At Albany there is the Fort Albany Roman Catholic Mission Hospital. At Moose Factory there is the Assumption hospital and the Newnham Cottage Hospital. Also in Quebec at Caughnawaga there is the Sacred Heart Hospital with thirty beds.

By the Chairman:

Q. Are these hospitals operated by the Church of England or the Roman Catholic Church only?—A. With the exception of the two at the west coast which are operated by the United Church.

By Mr. MacNicol:

Q. Would you elaborate a little bit on what hospital accommodation there is at Moosonee?—A. There is a Roman Catholic hospital and an Anglican church hospital operated at Moosonee.

Q. The last mentioned one is new?—A. Yes, I think so.

Q. Are not most of the Indians around there Anglicans?—A. The population of James Bay is 75 per cent Anglican and 25 per cent Roman Catholic.

The CHAIRMAN: I must apologize to the committee for getting you into that debate. There will be a period for questioning later.

The WITNESS: I have made some notes on the administration of our service. As you know, the Indian health service is a division of the Department of National Health and Welfare. There are two distinct divisions in National Health and Welfare. The Department of National Health is under a deputy minister who is present, Dr. Cameron, and the Welfare Division is under Dr. George Davidson as deputy minister.

There is much to be said for the policy of all federal health services being under the Department of National Health. The health of the nation is the business of the Department of National Health and when the health of the Indians is made a direct responsibility of that department, I think the future of the Indians' health services is a bright one.

Some of the reason I should like to quote for saying that I favour this service staying under the Department of National Health are as follows: The first would be the co-operation we get from the other specialized divisions in the department. I would refer to the nutrition division; the division of venereal disease control; the division of dental hygiene; hospital planning division; mental hygiene division; child and maternal welfare division; epidemiology and health

division; all these divisions are placed at my disposal. I can requisition services from any one of them for our Indian problems. The same pattern is followed in every government service. Our Indian and immigration medical services of the Department of Mines and Resources which were formerly attached to the Department of Pensions and National Health are now a division of this Department of National Health. The treatment of sick mariners is similarly handled. Civil service health, which is to be set up later to look after the health of civil servants in all departments is another example.

By Mr. Case:

Q. When are you going to take over the care of the members of parliament?
—A. We are looking after the health responsibilities so far as the Department of Transport is concerned. That has been attached particularly to my division due to the radio stations in Eskimo territory. We send doctors on their boat who also look after the Eskimo while they are in the north.

There has been no great problem of administration involved in this transfer. Mr. Hoey and myself have offices on the same floor in the same building. We are able to keep everything on the track, as it were. There was some confusion, when the transfer was first made, in the minds of our field staff. Our instructions were to leave everything in the status quo; that nothing was changed. I write directly to the Indian agents with Mr. Hoey's permission on matters pertaining to Indian health. We have left the Indian agent as the officer of medical health. All our medical health business is conducted through these agents; that is apart from the work of the medical officers, the doctors themselves. For instance, an Indian agent is the only one who can certify that such an Indian is a member of a certain band. He certifies to it before the certificates come down to the department.

Probably this will be of slight interest to the committee, but it is of vital interest to Mr. Hoey and myself. Our major problem right now is space. We are occupying about 17,000 feet of space and we need 30,000 feet. We both have services we are anxious to start up and get going but we have not a single square foot in which to put the people. I have, at present, a specially trained person in vital statistics who has been waiting for five months to come on my staff. I could have made a much more comprehensive statement to the committee if I had this person working for me, but we have not the space. So long as the administration can be kept together at headquarters, it is my opinion this will work very well.

Further, we have planted across the country sort of regional superintendents of Indian health services. The country has been divided into eight regions conforming roughly to the provincial boundaries in each area. We have regional superintendents. Mr. Hamilton, in his evidence, made a reference to the regional superintendent of the Manitoba inspectorate which corresponds very largely to his inspectorate. Dr. Wood is across the hall from him and can consult frequently on business matters.

There was always some split between the medical service and the administration. Our funds were always voted in a different category. The only purpose for which you could use medical funds was for medical services. Similarly, no fund voted for the rest of the administration could ever be used for medical services. There is another point and this is probably a delicate one for a civil servant to bring up, but for an efficient administration the senior officials should have easy access to their minister. The minister requires first hand information regarding all services. I have worked under five different ministers: the first, when we were the Department of Indian Affairs, and since becoming a branch of Mines and Resources, under two ministers and under two ministers in National Health and Welfare. I can state, from my own experience, that I have seen my minister of National Health and Welfare, either one of them, more in any week than I did any other in the total of sixteen years past. I am

making that a point for saying that a large service such as the whole Indian administration, being a branch of a huge department such as Mines and Resources, does not give the officials of that department sufficient time with the minister to administer efficiently.

I mentioned the nutritive services that we of the department extend to the Indian Affairs. I should like to quote briefly from the Canadian Nutrition News published by the department in May, 1947. It is entitled, "Feeding Children in Indian Residential Schools." I shall not read the whole of it, but I should like to refer to one paragraph.

The Indian health services of the Department of National Health and Welfare requested that the nutrition division extend a continuous dietary service to Indian residential schools. To date 17 schools in Ontario, Manitoba, Saskatchewan and Alberta have been visited to ascertain the individual aspects of each food service as a basis for future assistance. On the completion of the visits recommendations for each school are made to the Indian Affairs Branch and to the Indian health service. The nutritive division will be sending menus, recipes, shopping lists, work schedules and other materials to assist the food service. Organized cooks courses are being planned. Suitable educational material by way of posters, pamphlets and a lot of literature will be provided for use in the class rooms of residential schools.

That is a sample of the type of service which we are planning to get from the various other divisions of the national health coming to the assistance of the Indian health services and their problems.

I am very anxious, later on the day, to speak of this James Bay situation. I am sure, Mr. Case, there is a great deal of misinformation in that report which can be straightened out on the record later.

There are specific problems of our administration which I wish to place before your committee on which we, in the department, would certainly welcome direction and advice from the committee. These points are controversial. The first one I am going to mention is the liability of a government service to pay for the medical cost of Indians who are quite able to pay for their own. This comes under two headings, the first of which would be Indians who are known by field officials to have adequate incomes, sometimes many times what the Indian agent himself is receiving. Secondly, where a band has considerable band funds and could afford to pay its medical costs from the band funds without crippling the band fund, that is, the interest would be sufficient to meet the medical costs without touching the capital and still leave interest money for other administrative matters on the reserve.

As an example of that, I will quote the Blackfeet band who have approximately \$3,000,000 in band funds on which they receive 5 per cent interest from the government. Up until recently this Blackfeet band had paid their total medical cost. At the beginning of this year they forwarded a resolution of the council stating they were, in future, going to refuse to pay their medical costs and asking that that be paid from an appropriation.

By Mr. MacNicol:

Q. Did they not own a hospital?—A. They had been paying all the costs of the hospital; paying the salaries and the cost of the doctors and services, as well as for such special services as glasses, dentures, artificial limb and other things in that category required by their people. I objected very strenuously at time and had our minister write the Minister of Mines and Resources. This has been referred to you, I believe, sir. I took the stand that a wealthy municipality such as the Blackfeet Indian reserve should not expect the balance

of the taxpayers in Canada to meet their medical costs. By correspondence with the Indian agent and that band I was successful in convincing them of that fact. They reversed their decision for this year and are meeting their medical costs. There are other bands who have large band funds who might take a similar attitude. I think your legal committee on the revision of the Act might take note of this since it may require an amendment to the Act, if it is the wish of this committee.

The CHAIRMAN: The subcommittee on revision of the Act.

The WITNESS: There is a possibility that it may require an amendment of the Act to allow the government to charge costs, where it is deemed advisable, to the band funds without the consent of the Indian band. For instance, the Blackfeet voted against paying their medical costs. There is a division of opinion as to whether the present Act would allow these costs to be charged to their band funds.

I think that makes the position clear regarding band funds. The other question which I should like to leave with the committee for consideration is whether an Indian with a good income should be provided with medical services at the expense of the taxpayers of Canada.

Mr. HOEY: There is a third item there, Dr. Moore, which gives us a lot of trouble and which I think you should mention.

The WITNESS: I am coming to that. These people are in two categories; that is, those to whom I have been referring. The Indians who are living on the reserve, and I have in mind, for instance, in the village of Caughnawaga, where the Indians live there and work in Montreal. Some of them have an income of \$10,000 a year, yet they come back on the taxpayers of Canada to meet their medical costs. They want the best accommodation in the Montreal General or the Royal Victoria Hospital and they expect us to pay for it. Their own reserve hospital is not good enough for them.

Then, Mr. Hoey mentioned a point which is very troublesome and one on which I am sure we would both be very pleased to have any advice this committee would care to extend. It is the question of the liability of the department to pay medical costs and, in Mr. Hoey's case, relief, for Indians who have left the reserve now and who are at present living somewhere else. We refer to it as a regulation, but it is really a departmental directive from the minister known as our eighteen months' clause. It states that if an Indian has left his reserve and established himself in the municipality or on land assessable for taxes has been absent from his reserve for eighteen months, we will refuse to pay his medical costs; or relief, in the case of Mr. Hoey's branch. I did not know whether this was referred to in former evidence or not.

I do know that Mr. Zimmerman in his evidence before the committee—if you refer to page 1180 of May 11, 1947, you will see where Assistant Commissioner Zimmerman referred to this problem. He voiced the same objection to paying this money as has been voiced here. This has been one of our major problems. We have no machinery to control the payment. An Indian lives and becomes settled in an organized municipality where we have no representative. We have no way of controlling or checking up on those costs. We feel he has become a citizen of that municipality, probably paying taxes both direct and indirect and if he is not able to meet his own costs, he is a resident of that municipality the same as the Canadians or non-Canadians who might reside there. This has been the stand of the department. It has been referred to by representatives of the Indians. They think we should follow up the Indian and pay his medical costs, in such cases.

To put both sides of the question fairly, there is one point I think should be brought out. It would seem, in one way, that we are penalizing the progressive Indian who does get out of the reserve and starts to make his own way. He loses

that free medical service under this ruling. However, I may say we have never been too dogmatic in enforcing that clause. We have tried in different instances to review the circumstances. We have told our field people repeatedly not to make these decisions but to forward all the circumstances here. In some instances there was undue hardship.

By Mr. MacNicol

Q. Are you now following the same policy in that regard which you did under the Department of Mines and Resources?—A. Yes, none of our policies have been changed. We have tried to keep the thing just the same to avoid any confusion in anybody's mind as to what our policies are or how these regulations are being carried out.

Another very controversial point which comes up many times is the fact that non-Indians have settled permanently on Indian reservations. They establish residence qualifications there and they lose residence qualifications in their municipality. They are not legally Indians and we cannot legally pay for them. Somebody says they are Indians and they get into the hospital. The hospital accepts them. The municipality will not pay for them. We cannot legally pay for them so the hospital is left holding the bag. We are at a loss to know what to do with those people. They are really on the reserve as trespassers. If it were possible to remove them from the reserves, it would remedy our problem.

The CHAIRMAN: Would you like to call it one o'clock now?

The WITNESS: I think the next step into which I am going would take a few minutes to complete. Those are our ideas regarding compulsory treatment and we request this committee, with the revision of the Act to strengthen our present regulations.

The CHAIRMAN: Gentlemen, it is now one o'clock. We will meet here again at four o'clock this afternoon when Dr. Moore will continue his presentation.

The committee adjourned at 1.00 p.m. to meet again at 4.00 p.m.

AFTERNOON SESSION

The committee resumed at 4.00 p.m.

The CHAIRMAN: Gentlemen, will you come to order please.

Mr. CASE: Mr. Chairman, I would like to point out that I brought up this morning the matter of a report which appeared in the *Toronto Globe and Mail* concerning the situation with respect to the Indians in the James Bay area. Mr. Reid also brought up a similar point and spoke about the question of calling rebuttal evidence. I would like to suggest that while Dr. Moore is here this afternoon that he comment on the situation at James Bay.

Mr. REID: I believe also that I brought up an important matter because statements made on the record will be quoted not only in the House of Commons, but outside as well, and if no rebuttal is made it might look as if we were simply derelict in our duty. These statements to which I have referred may be accepted as correct whereas we, as a committee, do not know whether they are correct.

Mr. CASE: Mr. Reid, before you came in this morning I read an article in the *Globe and Mail*, a rather devastating series of remarks, about the James Bay Indians and I am suggesting that Dr. Moore reply.

Mr. REID: It was along the same lines as I read?

Mr. CASE: Yes.

The CHAIRMAN: Would Dr. Moore like to say something about the James Bay incident that has been brought up this morning before the committee.

Andrew Moore, M.D., D.Ph., recalled:

The WITNESS: Mr. Chairman, and members of the joint committee of the Senate and the House of Commons. This part of my remarks could well be brought up now while we are referring to the map. In answering this question I think the members will see more clearly what I am trying to point out if I refer to the map.

The James Bay Indian agency takes in roughly this area here. You can see the vastness of it.

The CHAIRMAN: For the purpose of the record I think you should indicate in words. The witness is pointing out on the map of the Dominion of Canada an area south of Hudson Bay and east of Hudson Bay, surrounding that part known as James Bay.

The WITNESS: It consists of a depth around James Bay of approximately 150 miles. This vast area is populated by approximately 3,800 Indians.

Hon. Mr. TAYLOR: Doctor, could you give the approximate number of square miles which that area covers?

The WITNESS: It would be at least 600 miles by 400 miles.

Mr. CASE: 25,000 square miles.

The WITNESS: 250,000 square miles at least.

Mr. CASE: That is close enough. We will not hold you to an inch.

The WITNESS: The Indian agent is located at Moose Factory. As was formerly the custom in some of these areas where so much travelling was required the Indian agent and the doctor is the same person. The doctor was appointed as Indian agent and acts as a doctor also.

The present Indian agent there is Dr. C. J. Orford and he has clerical assistance in carrying on the Indian agency duties. There is a hospital at Moosonee, a private hospital operating under a private licence. These mission hospitals or nursing stations are substandard hospitals. They are not hospitals in the correct nomenclature and should not be referred to as such. They are the best that can be operated at present and they are operated by the mission at Port Albany and there are two at Fort George. One is operated by the Anglican church and one is operated by the Roman Catholic church. Similarly at Moose Factory there are two. One at Moosonee is operated by the Roman Catholic church and one by the Anglican church.

Mr. REID: Is there also a private hospital there?

The WITNESS: No, the Moosonee hospital is licensed as a private hospital. It is not a public hospital and it is not up to a standard that could be licensed as a public hospital.

The CHAIRMAN: You are referring only to Indian hospitals?

The WITNESS: These are fully Indian hospitals. They are there for the treatment of Indians and very few other patients are admitted.

The CHAIRMAN: What Mr. Reid means is, is it a public general hospital or is there such a hospital?

The WITNESS: No, there is not.

The Indian agent here, Dr. Orford, is provided with a departmental boat. The statement read this morning said that only one visit per year was made to those Indians. Now that statement is not correct. The doctor travels continually all summer long around the Bay visiting those points where Indians are congregated.

Mr. REID: What size is the boat and what power, so it will give us an idea how long it takes to travel?

The WITNESS: It is a sixty-foot cabin cruiser that will do about ten knots an hour. In addition to that we have chartered aeroplanes. I think probably there were five or six chartered flights last winter, where the doctor went out to these various points on the Bay, once up as far as Port Harrison, seeing Indians. Port Harrison must be at least 700 miles from Moose Factory. Dr. Orford visited Port Harrison once or twice, I believe twice, last winter. He also visited these other various points around the Bay. Each of these points has two-way radio communication with the doctor at Moose Factory. In addition to the service I have described we employ at Moose Factory two departmental nurses. These nurses travel to these points, where there are Indian settlements, by air and on the doctor's boat and they will be stationed for some months this year at these various points.

Mr. REID: What is the bed capacity?

The WITNESS: The bed capacity?

The CHAIRMAN: Of which one?

Mr. REID: What is the bed capacity of the hospital he has just named?

The WITNESS: You mean the two at Fort George. I must say also that the department has just completed, and you will see the reason for this when I enlarge on our scheme for medical services in the remote areas, a nursing station at Fort George which we are opening this summer. We have sent two nurses up there. They are at present working with the native population around this area. These hospitals have a bed capacity of about 30 beds between the two of them.

The CHAIRMAN: Did you have that on the record this morning?

The WITNESS: No, I did not give the bed capacity of these mission hospitals. They would probably be able to accommodate twenty patients at Albany and, between the two hospitals at Moose Factory, about forty patients. Now I am not attempting to say we have anything like an adequate medical service for the James Bay agency but I have pointed out that I think we have far more, and are supplying far more medical service, than this despatch which was referred to Mr. Case this morning would indicate.

Mr. CASE: Have you any comment Dr. Moore, to make on the statement that the mortality rate is 600 deaths per thousand babies?

The WITNESS: I do not think there is any accurate basis for that estimate. I have not got the exact figures but I am sure they are not that high. I can give you our infant mortality rates for the whole of the Indian population. The infant mortality is always estimated on a basis of 1,000 live births. The infant mortality is 132 per 1,000 live births and for the balance of the Canadian population—

Mr. REID: Per 1,000 did you say?

The WITNESS: Per 1,000 live births the figure is 132. For the balance of the Canadian population, that is the population of Canada excluding the Indians, it is 49 per 1,000 live births. It is a far cry from the 600 mentioned in the despatch. I will admit our statistics are bad. We know we are losing too many babies, and losing too many mothers, and we know our T.B. rates are terrifically high, but we have plans under way which we hope will reduce those rates.

Mr. CASE: Is there considerable tuberculosis in the James Bay area?

The WITNESS: Yes, there is. At the present time there are between 35 and 40 patients in the Weston Sanatorium in Toronto, who have come from James Bay.

The CHAIRMAN: There are some down in Essex county too.

The WITNESS: Yes, we have an Eskimo in the Essex County Sanatorium who comes from Great Whale river.

With the facilities which we have had, we have done everything humanly possible, but the proper facilities have not been available for those people. We certainly have never turned down a request for a chartered plane or to send a doctor out. If we hear of sickness we send a plane and send a doctor and send relief. If there are casualties or if there is sickness we fly them out.

Mr. CASE: Have you plans for improving the facilities in James Bay?

The WITNESS: Yes, definite plans. If that can be taken as the statement regarding our present services in the James Bay and more or less answering the criticism which was brought to the attention of the committee by Mr. Case this morning, then, while you are seated in this arrangement so you can see the map, I might refer to the planning of the department to improve the services.

Mr. CASTLEDEN: Might we ask before you go on, was there some outbreak of a very virulent type of measles in that area this year?

The WITNESS: No, the outbreak that got the publicity was at Lac du Brochet. It covered this whole area over into Saskatchewan to where the Northwest Territories border joins with Manitoba and Saskatchewan. That is where the outbreak of the very virulent type caused 40 deaths last winter.

Mr. MATTHEWS: Was the figure of 132 per 1,000 that you referred to Doctor, the percentage which covered the whole Indian population in Canada?

The WITNESS: Yes, 132 deaths out of every 1,000 live births for the Indians as a whole.

Mr. MATTHEWS: Do you know if there is much difference with respect to various locations in Canada?

The WITNESS: I would say that areas such as James Bay and in the hinterland right across the country would show considerably higher rates than probably would be the case on the Six Nations reserve where our health facilities are much better.

Mr. REID: That is perfectly understandable.

The CHAIRMAN: On page 154 of our 1947 minutes of proceedings in the brief submitted by the Canadian Association of Social Workers and the Canadian Welfare Council, it is stated under the heading of tuberculosis mortality:—

In 1944 the tuberculosis death rate among Indians was 579.2 per 100,000 population. Among all other groups it was 42.2 per 100,000 population.

If half-breeds are included with Indians, the rate for 1944 was 665.6 per 100,000 population, and for the population excluding Indians and half-breeds 41.6 per 100,000 population.

True, the Indians may have a special racial susceptibility to tuberculosis, but this scarcely detracts from the essential point. The prevalence of tuberculosis is one of our most reliable indicators of social standards of living. It is a disease of poverty, spread by ignorance. Even allowing for the possibility of racial susceptibility—which may merely be chronic malnutrition—it is a shocking commentary on the extent of poverty and ignorance which we have permitted to exist among the Indian people that the death rate from tuberculosis should be almost 14 times as high among the Indians as it is among other groups in Canada, and 16 times as great if half-breeds are included.

Infant Death Rate.

Comparative infant mortality rates bear testimony to the same situation. In 1944 the death rate for all children under one year of age was 54 per 1,000 live births. Among Indians the rate was 180.3 per 1,000 live births.

The WITNESS: Was that for 1944?

The CHAIRMAN: Yes.

The WITNESS: The figures I gave you were for 1945. We have just obtained them from the Dominion Bureau of Statistics.

The CHAIRMAN: There has been some decrease as of that particular year?

The WITNESS: You see, with a small population such as the Indian population, an epidemic in one given year would make quite a wave in the rate. If you are familiar with the workings of statistics you would know that when you are dealing with these rates in per hundred thousands and there are just a little over a hundred thousand Indians, an epidemic which caused thirty deaths would shove your rates up. Our T.B. death rate in 1945 was an improvement also. This was 612 per hundred thousand which is a decrease over 1944.

Someone, commenting on my remarks this morning, said I was apparently leading the public to believe I was satisfied with our present medical services to the Indians. Now, I do not want to create that impression. I was trying to place on the record some of the things we have accomplished. I should like to go on and tell you something of our future plans.

There are many Indians, as among other divisions of the population, who are among the haves and the have nots. In the settled areas in many parts of the country, we have a very complete medical service which is provided free to the Indian population. In many cases, it is an excellent service. In other places, it is not quite as good, but it is still quite an efficient service and compares favourably with rural municipalities in like type of country.

By Mr. MacNicol:

Q. And in other places once a year?—A. We go from that to those areas of the hinterland where we are practically devoid of medical service. As Mr. MacNicol remarked, we at least do make an effort to have a doctor travel with the treaty party even to the most remote places. Also, when a tragedy occurs, we send every possible aid.

With regard to the epidemic to which reference has been made at Lac du Brochet, I have a short statement regarding that which I prepared at the time.

The epidemic of measles among the Indian peoples in the sparsely populated Lac du Brochet area in northwestern Manitoba which, with its complications, caused over forty deaths, served to illustrate the difficulties confronting the Indian health services. A total of eight chartered aeroplane flights was made to the area which extended over a radius of eighty miles around the Lac du Brochet post. Two doctors and four nurses were sent there and food and medical supplies were distributed. The abnormal severity of the winter and the deep snow had interfered with the native food supply and the usual movements of the population to the western trapping ground. With a large percentage of the population stricken, fuel became a desperate problem.

It was so desperate we had to remove people from one house to another house and take down the log house to use for fuel. They could not get out to get wood and that just made the situation that much more difficult.

I believe everything possible was done. I should like to pay tribute to the doctors and nurses who went through their work under such desperate circumstances and to the traders who extended such valuable assistance.

A joint committee between the Manitoba health service and the dominion Department of Health has been set up to study the best ways and means of establishing more in the way of medical services for such places.

As I say, the problem in places like this would be very difficult. For many months of the year there is not a single person at a post. There are groups of one or two families going out to their trap lines. Then, they collect at various times in these posts. You can see the difficulty of trying to follow them by having parties fly up to these camps and take care of the sick.

Mr. CASE: I think, in fairness, you should specify what plans you have for improving the medical facilities in the James Bay areas. I have Magistrate Tucker's speech as reported in the press and I accept that because he must know something of what he is talking about. I think you should really clarify it because he has appealed to the Red Cross and the people are alarmed.

The CHAIRMAN: I think perhaps Dr. Moore had planned on that but he may have wanted to do it at a later time.

The WITNESS: I can proceed with that right now because this is typical of the type of service I have recommended should be supplied in the other areas. As we proceed, I will point on the map the areas designated and how it would work.

For two years in succession an item appeared in the branch estimates, first for \$250,000 and then for \$200,000. It is not in this year, but it is under discussion for the supplementary estimates. This would make it possible to build a departmental hospital at Moose Factory.

By Mr. MacNicol:

Q. Out on the island?—A. On the island. If this is proceeded with, it will be a government hospital. It will be designed adequately to meet the need for hospitalization of the area outlined before, including the Eskimo population scattered all down the coast, that is, the east coast of Hudson Bay. Tied in with that and to make the service of any value, we must have a series of nursing stations of which the first one has been erected at Fort George. Nursing stations will be recommended probably for East Main, Rupert House, Albany and Attawapiskat. A pre-fabricated nursing station is being shipped this year and will be erected on the coast at Port Harrison. At each of these nursing stations we will have emergency accommodation for a few patients. The nurses will have two-way radio communication with the doctors and medical staff located at the hospital.

To make this scheme of any value whatever, we must have air transportation so that the doctor can go out frequently and go about these posts and to see that the patients who require hospital treatment can be brought to an adequate hospital. It is humanly impossible to run adequate hospitals at all these points. You can give a degree of nursing care, but you cannot get attendants to carry on the treatment necessary in these places. I visited many of these places and I found it impossible to try to run hospitals under such circumstances as they have to operate. There is a great difference of opinion as to whether we should try to build hospitals in the outposts rather than bring the patients in to a place where you can give them proper hospitalization. We have given the problem a great deal of study and I am convinced the only way to give anything like adequate service is to have central hospitals with these outlying nursing stations connected by two-way radio and air transportation.

In the planning, I should like to take you right across this map from James Bay to this area in Manitoba, Norway House. I will show you, in my opinion, how it is quite practical to carry out this program. Sioux Lookout is the headquarters of the Indian agency and comprises most of the area in that northern section. It runs north from Ombabika, on the northern line of the Canadian National, to Hudson Bay about Cape Lookout. It goes to the Manitoba

border and follows it out to where it joins Hudson Bay. There are in this vast area about 5,000 Indians. At such a point as Sandy Lake, there are about 800 Indians. There are about 1,100 Indians making their headquarters at Big Trout Lake. There are lesser groups at Osnaburgh House, Port Good Hope, Cap Lake, Favourable Lake, Deer Lake and other such points.

Again our recommendation is that nursing stations equipped with two-way radio and staffed with nurses be established. In this connection, I want to interject that we are planning on training Indian girls to go into these posts with the nurses to act as companions to the nurses and to be interpreters. Our hope is that these Indian girls will, one day, be fully able to man these posts. We are going to put on a real training program and train the Indian girls to go into the nursing stations as companions and work with the nurses. With the co-operation of the educational branch of Indian affairs, some of the Indian girls have taken this mothercraft training in Toronto. I have interviewed several of these girls and promised them employment. Two of these girls are in Australia taking a special course in midwifery. When they return they have agreed to come into our service and we will find places for them in this type of work.

A hospital is badly needed at Sioux Lookout to serve all this area. At present, we have the permission of our minister to include in our supplementary estimates, a sum sufficient to proceed with the construction of this hospital. We have to clear that project with reconstruction. We hope we can get it through in time to start construction this fall.

Mr. MACNICOL: When will there be an opportunity, Mr. Chairman, to ask the Doctor about these hospitals.

The CHAIRMAN: When he has finished his presentation.

The WITNESS: We have a hospital already designed for Sioux Lookout. Again, if our plans are allowed, it will be our plan to proceed with an adequate supply of proper hospitalization facilities provided we can bring these people in by air. We could let the nursing stations look after the emergency cases and have a place for the doctor to sort out the cases needing hospitalization.

By Mr. Case:

Q. Do you receive assistance from the Red Cross?—A. We are giving assistance to the Red Cross, rather than receiving it. In many cases we support the Red Cross financially and they, in turn, through some of their outpost hospitals give us some service. I might say, in that regard, I am attending a meeting in Montreal on Saturday between the provincial health people and the Red Cross in connection with a scheme to supply medical attention to those who are scattered in the area along the north shore of the Gulf of the St. Lawrence where there are various Indian settlements. We are trying to work out a general scheme. The white people there are in a bad way. We are trying to fix up a hospital ship as a joint effort between the Red Cross and our service and the Quebec Department of Health for that area.

As you move over here to Norway House, we have an inadequate 15 bed hospital which usually has about 30 or 35 patients in it. We hope to be able to replace that with an adequate hospital. There are about 5,000 Indians again in this agency with 800 at Cross Lake; 300 or 400 at Oxford House; a larger group at Gordon Lake and about 1,100 at Island Lake. Again we propose to build a nursing station at each one of those points with our central hospital and our medical staff at Norway House.

Now, coming back to air transportation, I do not know whether I am speaking in a way that may draw censure when I tell you we have included in our supplementary estimates sufficient funds and are asking for authority to purchase an aeroplane. An aircraft such as a Norseman, based at Sioux Lookout with our

medical party could work through this area. When it is over here, it could go on up and base itself at Moose Factory. They could spend a few weeks working around James Bay. It could work back again and when it comes over Manitoba, stop in this area. It could go all through here and serve this Norway House area. In that way, in those areas, we could have a means of getting these sick people out to hospital and have patients seen by doctors at central points at intervals of not longer than six weeks apart. The more air service we have the more frequent we can make our visits. This shows what one plane can do in that section of the country.

After all, there are a lot of Indians around here for whom we cannot do much; that is, around the Lake of the Woods. There are some over here, around Lake Nipigon. This same plan could, in time be applied to service that country. There would be, in that area, between 15,000 and 20,000 Indians.

The CHAIRMAN: That is in the area of James Bay, Sioux Lookout and Norway House?

The WITNESS: Yes, including Indians from the Port Arthur agency, the Fort Frances agency and the Lake of the Woods agency.

By Mr. MacNicol:

Q. That is really half of Ontario?—A. Yes, those people have very little at present in the way of medical services. A few of them do find their way out and get into a hospital. We do see a few when we can send a medical party in.

By Mr. Reid:

Q. Could that type of service not be extended to every province?—A. That is the type of service we are trying to build up to spread right across Canada. I submitted to the committee earlier that by means of eight planes based in strategic locations we could supply this type of service to most of the Indians in Canada.

Q. With just one large hospital at some central point?—A. Yes, because I think you must base your service on a hospital. I think anything else you try to do is medically unsound.

Q. Unless it is an adequate hospital there is no use bringing anyone into it?—A. Unless you have an adequate hospital, there is no use bringing anyone in.

I have read all the briefs which have been presented and I may have something to say on this question of the free choice of a hospital by an Indian. I suggest there must be some limit to that. I am in agreement with, all things being equal, the man having some choice, but I do not think an Indian should be allowed to say he wants to go to this hospital or be persuaded to say he wants to go to that hospital when, if he were put in an adequate hospital, he could probably be cured in a year. He may be suffering from some type of tuberculosis for which the hospital of his choice cannot treat him and he may lay in that hospital for five years and the government pay a per diem rate for his maintenance in that place. That is where I think the line should be drawn on this free choice of hospital by the Indian himself while the taxpayer is footing the bill.

By Mr. Reid:

Q. You would have to have hospitals and infirmaries?—A. Yes, there is a place in this service for what we like to speak of as rehabilitation centres, that is, when patients have been taken out of hospital they can be sent there to recuperate sufficiently to go back to the reserve. It would fill up the gap between long term hospitalization and reserve life back on the reserve.

By Mr. Case:

Q. In your opinion they would far better be all government hospitals?—A. Yes, I am very definitely of that opinion. I think that deals with the portion

of my statement on which I wish to refer to the map. While I was on the subject I was going to make some remarks about the Eskimo health service. Probably the members could follow it more easily if I refer to the map while making these remarks. Is it your wish that I should deal with the Eskimo?

The CHAIRMAN: Yes. As I understand it the Supreme Court decision has declared that Eskimos are Indians for the purposes of the B.N.A. Act, so that I think the question of Eskimos would come under the jurisdiction of our committee.

The WITNESS: There are no departmental hospitals so located at present that they can serve the Eskimo population. There are four mission hospitals that are treating Eskimo patients where we pay for the maintenance of those patients. Two of those are located at Aklavik at the mouth of the Mackenzie river. There is one operated by the Roman Catholic church at Chesterfield inlet and one operated by the Anglican church at Pangnirtung. If you can see Cumberland Sound here, which is right about 66 degrees latitude on the top of the map, Pangnirtung is right in there.

Mr. REID: Would you point out Aklavik? I knew it was not on the map. That is why I say that is not a complete map of Canada. It is only a map of railways in Canada.

Mr. CASE: There is a lot of it there though.

Mr. REID: I will have to admit that.

The WITNESS: We employ a full time doctor in salary from this department at each of these three centres, and they treat such Eskimo as they can reach from their posts. As I have mentioned Dr. Orford from Moose Factory has visited Eskimo on Belcher Island, Great Whale river and as far up as Port Harrison. We have been able to do quite a bit during the last war. There was an American air base known as Crystal 2 up at Frobisher Bay near Ward Inlet. There was a former American air base at Fort Chimo on Ungava Bay. The American air force have co-operated and have brought many patients requiring treatment from Baffin Island down to Goose Bay. The Canadian air force have brought them down from there and they have been treated in the Royal Naval hospital at Halifax. I think we have some seven Eskimo there at the present moment. They are a long way from home.

Then we have a nurse at Fort Chimo. We have another one at Frobisher who is later going over to Lake Harbour. I should like to take a moment to pay a tribute to the nursing profession. We all hear a great deal about the scarcity of nurses, but you would be surprised at the applications we get from nurses to go into the hinterland and to serve in these remote posts. At the present time we have not a spot in the north where we can find accommodation for a nurse but what we can get a nurse to go. I was responsible for a little story that appeared in the Toronto *Daily Star* the other day about the nursing station at Port Harrison. The reporter who wrote it up was kind enough to state that any nurses desiring such experience should apply. We have had several applications from nurses willing to go and serve at these points which are very isolated.

Mr. REID: They must make better pioneers now than men.

By Mr. Case:

Q. Do you pay them on a bonus?—A. We pay them about the same rates as D.V.A. pay in their hospitals.

By Mr. Farquhar:

Q. Do they agree to go for a certain length of time?—A. We ask them to stay a year. Some of them stay longer. Travelling expenses to get them in there are very considerable. They all go in expecting to stay at least a year.

About the only other service we have is the annual patrol of the Royal Mail ship *Nascopie* which leaves Montreal and travels up into the Hudsons straits, around Hudson Bay, and up around the tip of Baffin Island as far as Fort Ross. Last year we had a very complete medical party consisting of one of the leading surgeons in Ottawa, Dr. Hooper, and we have a prominent departmental medical officer who takes that trip annually. Last year we had an X-ray machine, and we were successful in getting X-ray plates of about 38 to 40 per cent of the population in the area visited. The figures are interesting. Of approximately 1,400 Eskimos who were X-rayed 4.4 per cent on X-ray evidence alone we believed would require sanatorium treatment. There was another 5 or 6 per cent who showed they had had extensive disease which had healed just living their native life. They had had extensive tuberculosis of the lung and it had healed. There was evidence that most of the population at one time or another had had contact with tuberculosis.

I think I should mention some of the problems we run into in bringing out Eskimo, particularly children. The air force picked up two children up in the area of Payne Bay and brought them out to Goose Bay. We eventually got them down to Montreal and later we had them admitted to the Weston Sanatorium, Toronto. One had a far advanced tuberculosis of the spine. She was a little girl six years old, and there was a little boy of four with a tuberculous knee. After two years treatment both those patients have made a complete recovery. The little girl is the pet of the whole institution. They have both forgotten how to speak the Eskimo tongue. We cannot locate their people in the north. They have just gone out to another post, and probably are under another name. We have these children in the Weston Sanatorium. I wish some of you could tell me what to do with them. They are cured. They are bright as a dollar, but they are just divorced completely from their native life. It would be sentencing them to death to send them back to the life which they have lost.

In addition to this service, at almost every Eskimo point there is two way radio. We send in stocks of medical supplies. The doctors in the area send out such messages as they can to the mounted police, missionaries and traders to treat whatever they can among the sick of the community. It is pretty meagre service but it is financially impractical to consider an adequate health program for 7,700 people scattered along the entire north coast of Canada including Hudson Bay and the Arctic islands.

We are making some plans that will improve the situation. We think with more air service we can spread it. We will treat Eskimo at Churchill, at the army hospital, who come from up this coast. This area, which has a couple of thousand Eskimos, can be treated by air service. They can be brought by air to Moose Factory and hospitalized at Moose Factory. In these places we will try to get enough wards filled with Eskimos that they will be able to speak their tongue and be associated with their own people rather than isolated from them.

I might mention that a scientific party under the auspices of Professor Ettinger of Queens university is going to study certain physiological problems among the Eskimos on Southampton island this year. We are assisting in that, and a report will be made available. That is in addition to the other study that is going to be conducted in the James Bay area amongst the Indians by Professor Tisdall and Professor Brown who appeared before your committee at your first meeting after Easter last.

By Mr. Reid:

Q. Dr. Moore, were you just giving us the hospitals in certain sections of Canada or all hospitals?—A. I was speaking of certain sections to serve as a guide as to what we are planning for the whole of the country.

The CHAIRMAN: Just one moment. There has been a question raised as to whether we should now permit questioning of the witness. The practice has been

that the witness is permitted to complete his brief and then we ask questions whether it is this day or the next day. We will have to adjourn tonight at 5 o'clock. There are ceremonies at 5.15 or 5.20.

Mr. CASE: 5.30. The House of Commons is adjourning at 5.20.

The CHAIRMAN: What is your pleasure with respect to examination of the witness? Do you want to go on with questioning? Assuming that we adjourn at 5.10 we would have fifteen minutes. Would we accomplish anything by asking questions in that period or shall we let the witness proceed.

Mr. MACNICOL: It is hardly worth while.

Mr. MACLEAN: I think we should let the witness proceed.

Mr. CASE: I had one thought in mind. Dr. Moore has had a long experience with the department during which he has been able to observe a great deal of the life of the Indians, their educational facilities, and so on, which we know are important factors in the life of the Indian. I have an impression with respect to schools about which I should like to ask Dr. Moore. Then the whole thing would be in bold relief when our questioning commences. Whether or not Dr. Moore would like to answer a question on schools I do not know, but I should like to ask that question, with your permission, if it would be in order.

The CHAIRMAN: You can ask the question and he can answer next day.

Mr. CASE: He can answer next day or delve into it now so that when we do come to the question period we will not only have the health survey but we will also have his opinion with respect to schools.

The CHAIRMAN: Is that agreeable to the committee?

Mr. MACNICOL: The doctor is not expected to answer questions about schools.

Mr. CASE: That is the point, whether or not he would care to.

Mr. MACNICOL: We had some one before us the other day telling us about schools.

The CHAIRMAN: Ask the question.

Mr. CASE: I should like to ask Dr. Moore if he thinks that the government should encourage residential schools. If you answer that in the negative the next question will be, "What is the alternative?" If you answer in the affirmative the second question would not apply. Do you think the government should encourage residential schools?

The CHAIRMAN: Do you want to go into that question now?

The WITNESS: Mr. Chairman, when I began my remarks I said with your permission I would divide them into two categories. I will complete what I have to say about medical services. And then I would like an opportunity of putting on the record some of my views regarding Indian administration and Indian problems in general, just my own personal opinions that I have formed over sixteen years of association very closely with this work.

The CHAIRMAN: I presume that is agreeable to Mr. Case. His question is on the record.

Mr. CASE: Oh, certainly.

The WITNESS: I would answer by quoting from some experiences which I have had. I am going to refer at several points to the residential schools; particularly to the health aspect, further in my evidence. I think at this time I might place before the committee our opinion regarding compulsory treatment; particularly for trachoma, venereal disease and tuberculosis. Any authority the department has in this matter stems from section 95, paragraph (a) of the Indian Act; which, stated briefly, is this: the Superintendent General may make such regulations as he deems necessary for the prevention or mitigation of disease. Further on it refers again to communicable diseases. There are regulations under this section of the Act which we have used, but I think most of them need a

strengthening and bolstering; and I think that your subcommittee which is dealing with the revision of the Act could well bring in a recommendation which we will make specifically to them regarding this section of the Indian Act which gives us this authority. I feel there are changes which should be made. I think the regulations should be made by the Governor General in Council rather than by the Superintendent General; I think probably they should have a little stiffer penalties to make this effective. I personally favour very much incorporation into the Act or regulations, regulations similar to those provided in the Ontario Hospital for Consumptives Act, which gives authority for compulsory treatment for a person with infectious disease. Under the present regulations we take them but we cannot keep them. We can put them into an institution and they can walk out within the next five minutes. We cannot restrain them. If we had a provision which is similar to that which is contained in the Ontario Act for Sanatoria we would have the power to do that. I do not think it should be left to the whim of any individual whether or not he will accept treatment. I think we should go even further, and it seems to me that we should protect him in his own interests and in the interests of his family. We should stop him from being a carrier of disease germs, both for his own good and for the good of his family. We should not hesitate to use such a policy. I do not know whether the committee will agree with that or not, but I feel very strongly on the matter. Where we find people who have venereal disease we have the authority to compel them to take treatment, and we cannot do that under the regulations under which we are now working. But we cannot expect to do much for the Indians when we have so little of compulsion with respect to such diseases in most provinces. There is no unanimity in the law with respect to that matter. The reason that we cannot get them under our own regulations is that we have great difficulty in getting the provincial authorities to take action in the case of Indians. We cannot get the provincial health authorities, the provincial courts or the provincial police to apply the provisions of the provincial regulations to the Indians. They simply say, that is federal business; these are Indians; use your own regulations.

Mr. REID: Is it not compulsory in every province, the regulation with respect to venereal disease?

The WITNESS: We can use provincial law, and they have come for treatment. If the committee would like to hear them I will put our regulations on the record. There are three or four pages of them.

Mr. REID: Is it not compulsory in all provinces, with regard to venereal disease?

The WITNESS: Not in every province, but in most of the provinces, yes.

Mr. MACNICOL: Why is it that some Indians are not compelled to take treatment? I reported to the committee some cases that came to my attention—

The CHAIRMAN: I am sorry, Mr. MacNicol, I cannot hear what you are saying.

Mr. MACNICOL: I asked the doctor why that young Indian on the Tobique reserve was not compelled to take treatment. I mentioned his case myself in my report, that he was allowed to be running around. It seems that the nurses in the hospital could not do anything with him and the doctors could not do anything with him.

The CHAIRMAN: I think Dr. Moore has already said that there is no compulsion.

The WITNESS: There are certain provinces which do not have compulsory legislation. Other provinces have. I cannot answer you positively, but I am under the impression that there is no compulsory legislation in New Brunswick for the control of venereal disease.

Mr. MACNICOL: I mentioned that case in my report and I would like to know what is being done about it.

Mr. CASE: He says he does not think they have any compulsory legislation in New Brunswick.

Mr. MACNICOL: But that is on the reserve.

The WITNESS: Our departmental regulations could be made to apply there. I will be glad to check up on that case for you if you will give me the name of the patient.

The CHAIRMAN: Do you know the name of the case?

Mr. MACNICOL: No; it is not in the report.

The CHAIRMAN: You can look up the report on that and let us know. That is in the report made by Mr. MacNicol early in the present session, in our minutes No. 4, at p. 128.

The WITNESS: Is it the wish of the committee that I put our regulations in their present form, the regulations for the prevention and mitigation of communicable diseases, on the record?

The CHAIRMAN: Is that agreeable?

Carried.

The WITNESS: You do not want me to read it. I will just hand it to the reporter?

Mr. CASTLEDEN: Unless there is some comment you want to make on it.

The WITNESS:

SECTION 17: REGULATIONS FOR THE PREVENTION AND MITIGATION OF COMMUNICABLE DISEASES AMONG INDIANS

(a) The regulations are made under the authority of paragraph (e) of section 95, chapter 98, Revised Statutes of Canada.

(b) These regulations shall apply to all Indians or other persons residing on Indian reserves or special reserves, to the individuals of any community of Indians residing off a reserve, and to the staff, employees and pupils of Indian residential schools.

(c) In these regulations, unless the context otherwise requires:—

1. "Department" means the Department of Indian Affairs at Ottawa, or the commissioner, inspector or other officer to whom the Indian agent is accustomed to address requests for authority or to render reports.

"Indian agent" means the agent appointed by the department to administer the affairs of any Indian reserve, special reserve or other community of Indians; it also means the principal of any Indian residential school which does not come under the charge of any Indian agent.

3. "Medical attendant" means the physician appointed by the department to render medical service to any band, community of Indians or residential school.

4. "Medical health officer" means the medical health officer of any municipality or health district of the province or territory in which the band, community of Indians or residential school is situated.

5. "Indian agency" or "agency" means any Indian reserve or special reserve, community of Indians or Indian residential school, or any number or group thereof, under the charge of an Indian agent.

(c) The Indian agent is the health officer for all Indian reserves, Indian communities or schools under his charge. He derives his authority from and is responsible to the Department of Indian Affairs.

(d) Unless otherwise provided for in these regulations the regulations of the department for control of communicable disease among the Indians

of any agency shall be the public health regulations of the province or territory in which the agency is situated.

(e) Everyone knowing or suspecting that any person subject to these regulations has a communicable disease, or has died of a communicable disease, shall give immediate notice thereof to the Indian agent, or, if there is no Indian agent, to the department.

(f) The Indian agent shall report the outbreak or existence of communicable disease in the agency under his charge within twelve hours to the department and to the medical health officer. The method of reporting shall be by telegraph if telegraphic communication is possible.

(g) Having so reported, the Indian agent shall proceed without delay, and without further instructions to enforce quarantine, placarding, isolation or such other measures as may be prescribed by the public health regulations of the province or territory for the control of the communicable disease, which he has discovered in the agency.

(h) The Indian agent shall be guided by the advice of the medical attendant in the interpretation of the public health regulations of the province or territory, and in professional matters relating to the diagnosis of communicable disease and the treatment of patients and contacts.

(i) The Indian agent shall have the right of entrance to any building, wigwam, tent or premises situated in the agency under his charge, and he may cause anyone in that agency known or suspected to be suffering from a communicable disease to be examined by the medical attendant and he or the medical attendant may, upon direction of the Superintendent General, order the alteration or destruction of any building which in the opinion of the Superintendent General is unfit for human habitation.

(j) In the event of a situation being urgent and it being impossible for the agent to attend the required place within a reasonable time, he may authorize in writing a medical attendant, farming instructor, school teacher, police constable or other reliable person to act for him in carrying out his duties as health officer.

(k) In the event of a dispute arising as to the application of the Public Health Act to an Indian band, or in the interpretation thereof, the Indian agent shall make full report to the department in writing.

(l) Every doubtful case of communicable disease shall be classed and dealt with as if it were a case of communicable disease until such is disproved.

(m) In the event of communicable disease occurring in an institution where the occupants are resident and complete isolation cannot be obtained in one or more rooms of the institution the whole premises shall be quarantined.

(n) Whether or not venereal diseases and trachoma are designated as reportable diseases by the regulations of the province or territory in which the agency is situated, they are so designated by those regulations when occurring among Indians or other persons subject thereto.

(o) The regulations governing the control of venereal diseases among Indians shall be those of the province or territory in which the agency is situated, provided, however, that no Indian agent or person under the authority of the department shall cause any Indian to be committed to prison for neglect of treatment for venereal disease, or for refusal to accept treatment for venereal disease without first reporting the facts to the department and receiving specific instructions to do so.

(p) Under no circumstances whatever are the Indians of any agency to be subjected to wholesale compulsory examination for the diagnosis of venereal disease.

(q) The Indian agent may authorize any police officer or constable to secure the attendance for examination or treatment of any individual person subject to these regulations, who having been medically examined and found

to be suffering from venereal disease or trachoma and having been warned to attend for such treatment neglects or refuses to do so.

(r) The Indian agent, on being informed that any person subject to these regulations has transmitted a venereal disease to any other person, may cause the person so complained of to be examined by a legally qualified physician.

(s) If the medical attendant certifies that the presence of any person suffering from tuberculosis, venereal disease or trachoma in a house or school is a menace to the health of other residents of the house or school, the Indian agent shall report the facts to the department, and send a copy of the medical attendant's certificate, and if so instructed by the department, he shall have authority to order the removal of the person to a hospital or place of isolation.

(t) If the medical attendant certifies that effective isolation or quarantine of any case of communicable disease other than tuberculosis, venereal disease or trachoma cannot be secured in the house or school in which the person suffering from such disease resides, the Indian agent may order the removal of such person to a hospital or place of isolation.

(u) On some convenient day during the month of September in each year the Indian agent shall instruct the medical attendant to visit each school in the agency under his charge, and to vaccinate against small pox every pupil in the first year of his or her attendance at school, and also every pupil in the last year of his or her attendance at school, provided that such pupil, after due enquiry, is not found to have been successfully vaccinated within five years. The school teacher shall also be vaccinated unless found to have been successfully vaccinated within five years, or to have been twice successfully vaccinated since his or her birth.

(v) The medical attendant shall again visit the school at a suitable time after vaccinating the pupils on which occasion he shall revaccinate any pupils whose previous vaccination shall be found to have been unsuccessful, and shall deliver to each person successfully vaccinated a certificate of vaccination, using the printed form supplied by the department for this purpose.

(w) The Indian agent shall render a report to the department stating that the vaccinations of the pupils of the school or schools under his charge has been carried out in the manner prescribed in paragraphs (u) and (v) of these regulations. He shall state in his report the number of pupils so vaccinated, and shall keep in his office a record of their names and of the dates of their vaccinations.

(x) Immediately on the outbreak of small pox on or near any Indian agency or reserve the Indian agent shall cause all persons residing in the agency or reserve to be vaccinated at once, provided that no person shall be compelled to submit to each vaccination if he or she can show reliable evidence of successful vaccination within five years.

(y) Any one wilfully obstructing an Indian agent or other duly authorized person from entering any house, building, wigwam, tent or school in carrying out the provisions of these regulations, or having, or being suspected of having, a communicable disease refuses to submit himself or herself for examination and treatment by the medical attendant or other qualified physician on being directed to do so by the Indian agent or by some one on his behalf duly authorized by the agent, or who refuses to obey instructions given by the Indian agent in carrying out these regulations, shall be liable on summary conviction to a penalty not exceeding thirty dollars or to imprisonment for a term not exceeding thirty days.

All regulations heretofore made under the provisions of paragraph (e) of section 95 of the Indian Act are hereby repealed.

Mr. CASE: Are these statutory regulations? Have they been passed by parliament?

The WITNESS: No. They were made under section 95 of the Indian Act which gives the Superintendent General power to pass regulations; and also under

section 3, on page 33, there is the penalty provision—a fine of \$30 or thirty days in jail upon summary conviction.

Mr. MATTHEWS: After the thirty days is over, what happens then?

The WITNESS: You can do it all over again.

Mr. MATTHEWS: You can pick him up the second time?

The WITNESS: Yes.

Mr. CASE: Is the power to make those regulations in the Act?

The CHAIRMAN: The right to make the regulations is there.

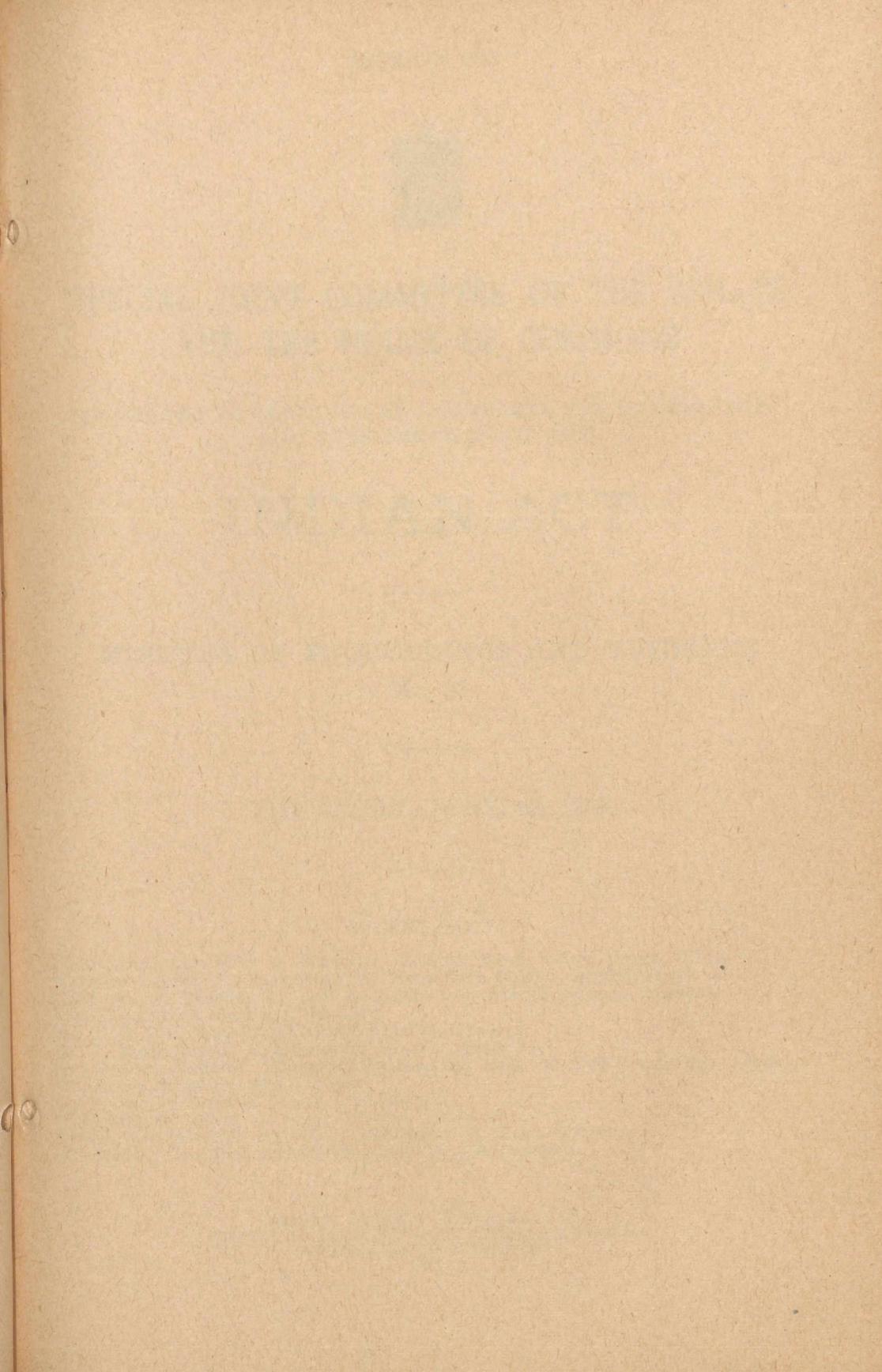
The WITNESS: That is what is known as "enabling legislation". It is used very commonly in public health. Now, I just want to make a few remarks on health services.

The CHAIRMAN: Gentlemen, don't you think this would be a good place at which to adjourn? We are supposed to be out of here at ten minutes past five.

The WITNESS: I think I would like to enlarge somewhat on this. There are a lot of points to be brought out.

The CHAIRMAN: I think we had better adjourn now. We will meet again on Thursday morning next at 11 o'clock.

The committee adjourned at 5.10 p.m. to meet again on Thursday, June 12, 1947, at 11.00 am.





SPECIAL JOINT COMMITTEE OF THE SENATE
AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION
AND CONSIDERATION OF THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 33

THURSDAY, JUNE 12, 1947

WITNESSES:

Chief Councillor Mike T. Montour, Mohawk Band, Caughnawaga, Quebec;
Matthew Lazare, Jr., spokesman for Hereditary Chiefs, Caughnawaga;
Chief Michel Penetouche, Low Bush, Ontario, Abitibi Agency, Quebec;
Chief Paul Rock, Bersimis, Quebec;
Mr. L. E. Beauvais, Caughnawaga Reserve, Quebec;
Mr. F. McD. Jacobs, Caughnawaga Reserve, Quebec;
Mr. George A. Cree, Montreal, Quebec, for Lake of Two Mountains, Quebec;
Mr. James Montour, Oka, Quebec;
Chief Charles Nolette, Pierreville, Quebec;
Chief Clifford White, St. Regis Reserve, Quebec;
Messrs. Joe Mitchell and Moses Thompson, St. Regis Reserve;
Mr. Charles Canadian, for Caughnawaga Taxi Association.

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY



SPECIAL JOINT COMMITTEE OF THE SENATE
AND THE HOUSE OF COMMONS

APPOINTED BY THE SENATE AND HOUSE OF COMMONS
TO INVESTIGATE THE
OPERATIONS OF THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE
No. 11

1901

1901

Printed by the Government Printer, Ottawa, 1901.

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

THURSDAY, 12th June, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

Present:

The Senate: The Honourable Senators Fallis, Macdonald (*Cardigan*), McKeen and Taylor—4.

The House of Commons: The Honourable Mr. Stirling and Messrs. Brown, Blackmore, Bryce, Case, Castleden, Farquhar, Little, MacLean, MacNicol, Matthews (*Brandon*) (Vice Chairman), Raymond (*Wright*), Richard (*Gloucester*)—13.

In attendance: Mr. W. J. Ford Pratt; Messrs. R. A. Hoey, Director, Indian Affairs Branch; Eric Acland, Executive Assistant to Director; Hugh Conn, General Supervisor, Fur Developments; J. H. Gordon, for H. M. Jones, Supervisor, Family Allowances; also Rep. J. O. Plourde, O.M.I.; also, Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

The Chairman welcomed the delegations present representing Indians resident in the Province of Quebec.

Those delegations included: (From Elective Council and Hereditary Chiefs, Mohawk Band, Caughnawaga): Chief Councillor Mike T. Montour; Constant Albany; Hereditary Chief Cy Square; Hereditary Chief Joseph Martin; Councillor Thomas Sky; Councillor Angus Bordeau; Councillor Frank Cross; their spokesman was Matthew Lazare, Jr.; their interpreter, Mr. Frank Small Fence. With them were Chief Jesse Lyon and Chief Theodore Thomas, both from Onondaga Reserve, New York State; (From Caughnawaga): L. E. Beauvais; Jos. Delisle, Jr., F. MacDonald Jacobs and Rev. Father Lalonde, S.J.; (From Abitibi Agency): Chief Michel Penetouche, Low Bush, Ontario; (From Bersimis Agency): Chief Paul Rock, representing Montagnais of Bersimis; also Chief Maret Collard; Joseph Boivin and Narcisse CouCou and Chief Paul Minquish; (From Pierreville): Chief Charles Nolette, representing the Abenakis; (From Lake of Two Mountains, Oka): Mr. George Cree; also Lewis Gabriel and James Montour; (From St. Regis): Chief Clifford White; Paul Coldwell and John Jacobs; also, representing Hereditary Chiefs, Joe Mitchell and Moses Thompson; (Representing Caughnawaga Taxi Association): Charles Canadian.

Matthew Lazare, Jr., spokesman for the Elective Council and Hereditary Chiefs, Mohawk Band, Caughnawaga, Quebec, was called, read a brief and withdrew to await questioning.

Chief Michel Penetouche, from Abitibi Agency, was called, but was permitted to stand down until the arrival to-morrow of Mr. H. Lariviere, Indian Agent, Abitibi Agency.

Chief Paul Rock, Bersimis Agency, was called, presented a brief written in French which was translated into English and read by Mr. L. J. Raymond, M.P. (*Wright*). (Brief will appear in the printed record as Appendix GA).

The committee adjourned at 1 o'clock p.m., to meet again this day at 4 o'clock p.m.

AFTERNOON SESSION

The Committee resumed at 4 o'clock p.m.

Presiding: Mr. D. F. Brown, M.P., (Joint Chairman).

Present:

The Senate: The Honourable Senators Fallis, Macdonald (*Cardigan*), and Taylor—3.

The House of Commons: Messrs. Brown, Blackmore, Brunelle, Bryce, Case, Castleden, Farquhar, Gariepy, Harkness, Matthews (*Brandon*), MacLean, MacNicol, Raymond (*Wright*), Richard (*Gloucester*)—13.

In attendance: as at morning session.

Mr. L. E. Beauvais, Caughnawaga, Quebec, was called, and presented a brief (which appears as Appendix GB to this day's minutes).

Mr. F. A. McDonald Jacobs, Caughnawaga, was called and made a statement.

Mr. George A. Cree, Montreal, Quebec, representing Lake of Two Mountains, was called, and made a statement. He also presented a brief which appears as Appendix GC to this day's minutes).

Mr. James Montour, made a statement with regard to the effect of the Royal Proclamation of 1763, as regards Lake of Two Mountains. He also presented a written brief. (See Appendix GD to this day's minutes).

Chief Charles Nolette, Pierreville Agency, was called. He presented a brief, written in French. (See Appendix GE). Mr. Raymond, M.P., read this brief in English.

Chief Clifford White, St. Regis Agency, was called and made a statement.

Messrs. Joe Mitchell and Moses Thompson, spoke on behalf of the hereditary chiefs of the St. Regis Reserve.

The Committee adjourned at 6 o'clock p.m., to meet again at 9 o'clock this evening.

EVENING SESSION

Presiding: Mr. D. F. Brown, M.P., (Joint Chairman).

Present:

The Senate: The Honourable Senators Johnston, McKeen, Robicheau and Taylor—4.

The House of Commons: Messrs. Brown, Castleden, Farquhar, Gariepy, Gibson (*Comox-Alberni*), Harkness, Matthews (*Brandon*), MacLean, MacNicol, Raymond (*Wright*), and Richard (*Gloucester*)—11.

In attendance: as noted above.

The Chairman read into the record a letter from Grand Chief John Jacob in behalf of the life chiefs and Clan-Mothers of the Longhouse, Mohawk Branch of the Six Nations Confederacy, resident at Caughnawaga.

Mr. Charles Canadian, representing Caughnawaga Taxi Association made a statement. He was not allowed to discuss a matter presently *sub judice*, being on the calendar of the Provincial Courts for the 18th of this month.

Mr. Lickers presented a brief submitted by the Huron Indians of the Lorette Reserve which was read into the record. (See Minutes of Evidence).

Matthew Lazare, was recalled and questioned by members of the Committee and by Mr. Lickers.

The Committee adjourned at 11 o'clock p.m., to meet again to-morrow, Friday, 13th June, at 11 o'clock a.m.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

HOUSE OF COMMONS,

JUNE 12, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 11.00 a.m. Mr. D. F. Brown, M.P., (Joint Chairman) presided.

The CHAIRMAN: Will you come to order please, gentlemen.

We are to-day to hear from the Quebec delegation of Canadian Indians. On behalf of this committee I want to welcome the various members of the delegation and for the purpose of the record I might say that there are nine representatives in ceremonial Indian costume, which is very colourful.

I want to welcome not only those nine delegates and representatives but also delegates and representatives from other parts of Quebec. I would assure them that we will do our utmost to hear their briefs and their suggestions to this committee with respect to the revision of the Indian Act. Now I want you to feel free to discuss matters fully with this committee and if you have any suggestions at any time please draw them to my attention and we will be glad to give you a full and complete hearing.

Now we have to-day official delegates from Caughnawaga, Abitibi, and Bersimis. The Caughnawaga Indians are represented by Chief Councillor Mike T. Montour. Chief Montour of Caughnawaga would you please stand?

Mr. MONTOUR: The elective council at Caughnawaga has nominated Mr. Lazare to act as our spokesman.

The CHAIRMAN: What is his first name?

Mr. MONTOUR: Matthew.

The CHAIRMAN: Well I wonder, Mr. Lazare, if you would introduce the members of your delegation and if you would have them stand.

Mr. LAZARE: The first is Chief Councillor Mike Montour; the next is Constant Albany; the next is hereditary Chief Cy Square; the next is hereditary Chief Joseph Martin; the next is Chief Edward Lalonde, another hereditary chief; the next is Councillor Thomas Sky; the next is Councillor Angus Bordeau; the next is Councillor Frank Cross.

The CHAIRMAN: Thank you very much, Mr. Lazare.

Now are there any others from Caughnawaga with you?

Mr. LAZARE: There are no others in our delegation, Mr. Chairman. There are two representatives from the Six Nations confederacy, from the Six Nations council.

The CHAIRMAN: Who are they?

Mr. LAZARE: There is Chief Jesse Lyon of Onondaga, New York; the next one is Chief Theodore Thomas, also of Onondaga. These two members were sent by the grand council of the Six Nations to represent the Six Nations.

The CHAIRMAN: Is there anyone here representing Abitibi? I understand that we have Chief Michel Penetouche. You are from Abitibi, Chief?

Chief PENETOUCHE: Yes.

The CHAIRMAN: Is there anybody else with you?

Chief PENETOUCHE: No, I am alone.

The CHAIRMAN: Now we have, from Bersimis, Chief Paul Rock.

Have you anyone with you, Chief Rock?

Father PLOURDE: This chief's name is Maret Collard; this man is Joseph Boivin of Wemontachi; the next gentleman is Mr. Narcisse Cou Cou, who is a councillor from Wemontachi; this gentleman here is Chief Paul Minquish, who is from the Ouiatchouan agency.

Mr. HOEY: Mr. Chairman, the agent from Abitibi is at present attending a conference of Indian agents at Quebec City, as is also the agent from Maniwaki. Both of them, with perhaps certain other Indians, will come in to-morrow but they could not possibly be here to-day.

The CHAIRMAN: Now we have Chief Charles Nolette, from Odanak, Quebec. Is there anyone with you, Chief Nolette?

Chief NOLETTE: No.

The CHAIRMAN: From Oka we have Mr. George Cree; from St. Regis we have Chief Clifford White, and with him, Councillor Paul Coldwell, John Jacobs, and Abe Coldwell.

I believe there are others here. Mr. Beauvais, you are from Caughnawaga.

Mr. BEAUVAIS: Yes.

The CHAIRMAN: What is your first name?

Mr. BEAUVAIS: Ed.

The CHAIRMAN: We also have Mr. Joseph Delisle of Caughnawaga and Frank McDonald Jacobs.

Mr. JACOBS: We also have Father Lalonde, who is on our committee, and we have Mr. Peter K, Jacobs from Caughnawaga; Mr. Charles Canadian and Mr. Jean Canadian also from Caughnawaga.

The CHAIRMAN: Thank you very much, and as far as the delegation from Quebec is concerned we want to give them as full a hearing as possible. Unfortunately we may have to close the hearings of the committee by noon to-morrow so we will have a meeting until one o'clock to-day another meeting from four until six to-day and from nine until eleven this evening. It is rather a hard day I realize, with all the other duties the members have to meet and fulfill, but unfortunately that is about the only way we can do it because we do have to terminate our hearings by noon to-morrow. The first delegation is from Caughnawaga and I believe that Chief Montour said that they had nominated Mr. Lazare to speak for them.

Would you care to come up, Mr. Lazare?

Mathew Lazare, spokesman for Caughnawaga, called:

The WITNESS: First I would like to say we have omitted the name of one of our delegates. He is Frank Small Fence, an interpreter for the band.

The CHAIRMAN: Thank you Mr. Lazare.

Now then, gentlemen, we want you to feel as free and easy as you can feel under the circumstances. If it is more comfortable for you to stand up and speak, please do so, otherwise you may remain seated. If there is anything that you would like to draw our attention to please do not hesitate. If there are any suggestions you would like to make just make the suggestions and we will try to follow them. I am trying to say to you that you are among friends and we want you to feel as free and easy as you can.

Now would you like to go ahead with your brief, Mr. Lazare?

The WITNESS: Mr. Chairman, ladies and gentlemen. First I would like to thank you on behalf of the council and the hereditary chiefs for the warm

welcome you have extended. It is with great honour we stand here before you to discuss our many grievances. I am only authorized at the present moment to discuss what is in this brief, so I will go ahead and read the brief.

The CHAIRMAN: I might draw to your attention Mr. Lazare that after you have read your brief there will be a period of questioning. The members of the committee may have questions in their minds which they would like to put to you as a witness when you have finished reading the brief. There will be no interruption until you have finished. If the reading becomes tiresome you can ask me and I will read a little bit. We want you to feel free to proceed without interruptions and then afterwards we will question you.

CAUGHNAWAGA, Prov. Que.,

May 10th, 1947.

The WITNESS: Honourable members of the joint committee, we, the councillors and life chiefs, of Caughnawaga, the only authorized body to transact the affairs of this Caughnawaga, Mohawk Band of Indians.

The councillors and life chiefs duly assembled on this 10th day of May, in the year of our Lord 1947, at a grand council to discuss and consider the merits of the "Indian Act", and the (8) Eight Points Questionnaire as requested:

We have therefore unanimously approved the following:

We have duly and faithfully discussed and considered the Eight Points Questionnaire and we have come to the following conclusions:

1. We demand the restoration of our primordial rights, the respectation and fulfilment of treaty obligations, the recognition as a sovereign nation.

We have no desire to be governed in the future by the "Indian Act", or any other form of government. The "Indian Act", as it stands to-day is a detriment to the progress of our people. All the power is vested in the superintendent general of Indian Affairs and the Indian agent, which leave our councillors and chiefs no power to control our own affairs and problems on our reserves, all they can do is offer suggestions in the form of resolutions which often go unanswered. For an example out of 485 resolutions passed the Department of Indian Affairs answered about 40, many unfavourably. The Indian Act is the most bureaucratic and dictatorial system ever imposed on mankind.

You have violated our treaties by making compulsory laws for us Indians, and the surrender of the dominion government of the natural resources to the provinces, because through it, you the dominion government transferred the rights of the Indian to live. You have taken the food out of the mouths of Indians and put it into the mouths of those who are going to vote for you. By the "Indian Act", Indians are subject to rulings of the Department of Indian Affairs presided over by the honourable Minister of Mines and Resources, and from his decision there is no appeal. The department acts on all matters on the report of the Indian agent under Section 99A. The agent is appointed by the Indian Affairs and he presides over all the meetings of the Indian council and controls all proceedings. He has sovereign power to govern as he sees fit.

The Indians to-day are a subject race, held down by the very Act which is supposed to help and protect them. Indians cannot discuss their own problems, they are tied down to a helpless condition and cannot move or do anything until the Indian agent so directs; Indians cannot go direct to the department for redress of any grievances, as all communications must be through the Indian agent, who in many cases is the direct cause of the grievances. The agent has the power to veto any resolution of Indian council, and any effort on their part to go over his head will be totally ignored by the Department of Indian Affairs. In truth, nothing can be accomplished unless recommended by the Indian agent. In fact his duties are becoming more and more like a dictator.

The "Indian Act" tends to divide then destroy the red man. The elected council came into being by fraud and treachery. On one of our reserves the elected council came into being by sheer force of arms and threat of violence which disbanded our government, but in the minds and understanding of our people, there can be only one government for us, "The Six Nations Government".

Therefore, we charge you, the Canadian government, aided by the Royal Canadian Mounted Police, of invading our domains and forcing foreign laws on our people by force of arms.

Gentlemen! is this not what we fought for in this last war? The protection of the principles of freedom, to stop the brutal aggressor? Then why should you let some small nations be subjected to dictatorship right here at home?

Gentlemen! the Indian was once the ruler of this vast and rich country, now to-day he has a two-by-four reservation left and still your government is not contented until it takes all. Gentlemen! is it too much to assume that you do not want us or a foreign government to make laws for you? Then, how can you expect us to accept or like the laws you impose on us?

The officials of the Indian department have overruled regulations in the "Indian Act" to suit their purposes. They also, especially the Indian agent, make all arrangements and agreements for companies and provincial governments to make roads, bridges, towers for electricity, etc., without the consent of the band, who are owners of the reserves.

The burning down of our town hall is a complete responsibility of an official of the Indian department, as it was in his use at the time; he had his office in it, and he was heating it by oil stove, which was the cause of the fire. Therefore we claim from the government of Canada the sum of \$10,000 for damages caused by its official. By virtue of our treaty rights we demand the abolition of the "Indian Act," the exemption of all Indians from compulsory taxation and compulsory military service.

By virtue of our treaties we demand the removal of all whites from our reserve, including the officials of the Department of Indian Affairs and the Royal Canadian Mounted Police, as they afford no protection for our people. We want it known that the lands on our reserves is the sole property of the Indians, not the provincial nor dominion.

Therefore unless you advise your people especially the motorist using the many roads through our reserve, that we will tolerate no longer the wanton destruction of our animals, the killing and endangering the lives of our people, we will be forced to set up blockades on all roads and restrict the use of same thereafter.

Therefore we the councillors and chiefs unanimously resolve not to make any suggestions to the revision of the Indian Act, where our people are concerned by virtue of our ancient treaties, but demand the abolition of the Indian Act on behalf of the Six Nations confederacy. We therefore ask you, the federal government, to abandon the proposed Indian Act. You cannot hope to have us believe that the new Indian Act will be to our advantage and advancement, when we have been so often deceived in the past. The Act retards the progress of our nation, and as it stands today can be criticized from the beginning to the end, every section of the Act. It is too dictatorial and the powers vested in the Indian agent and superintendent general are too arbitrary and autocratic, and binds our people on a double chain of pauperism and mental servitude.

We therefore insist that treaties, as made by our great forefathers were in the form of agreements between two equal sovereign nations, but that you the whites took the attitude that we, the Indians, were not your equal, when you abrogated treaty clauses which guaranteed to the Indians of the Six Nations rights of self government as an independent nation.

That by virtue of our treaty rights Indians of the Six Nations are not liable to any federal or provincial laws within their territories.

That by virtue of our treaty rights, Indians of the Six Nations are not liable for payment of taxes to either the federal or provincial governments.

That by virtue of our treaties, we demand the government of Canada the proper adjustment of treaty obligations to meet our demands, the recognition and respectation of our privileges and rights as a sovereign nation, who are able to govern and make laws for ourselves.

In dealing with those treaties, between Great Britain and the United States, wherein the independence of the Indians of the Six Nations, both Great Britain and the United States have confessed that the Six Nations were an independent people. The supreme courts of both countries furthermore recognized those treaties as inviolable.

In the life of Sir Frederick Haldimand *Making Canada V. 3, p. 356*, it is found that the question of the sovereignty of the Indians was very embarrassing in that it would have been impossible on any theory of the laws of the nations for Great Britain or the United States to establish a prerogative in themselves to enforce the laws of the white man upon the owners of this country.

To make this admission still stronger that article was amplified by amendment of 1796—Mallory p. 607, which provided that no treaty made or to be made by either party with another nation or with any other Indian tribe should be construed to deny those tribal rights.

We cannot and will never approve of the Indian Act by virtue of the existing treaties numerated herein:

1. Treaty of Peace and Friendship 1784, in this treaty will be found Indians are not citizens or subjects of any country, but are a nation in themselves.

2. Treaties of 1759 and 1791 King George III is absolute Protector of Indians, and absolutely forbidden to purchase or molestation of Indians.

3. Treaty of New York 1774.

4. Jay Treaty 1776. No boundary line for Indians, because they are not citizens of either Canada or the United States.

5. Treaty of 1794 confirming the sovereignty of the Six Nations.

6. North Western Anglo Treaty 1873.

7. Grant of King Louis XIV 1680.

8. General Gage's Judgment 1762.

9. Imperial Proclamation 1766.

10 Royal Proclamation 7th Oct. 1763.

11. Treaty of Ghent Art. 9, to cease hostilities, to restore to the Indians their possession, rights and privileges, not complied with.

We expected you to safeguard our interest, not give it away as you have done in the past.

2. The right to decide as to who or whom belongs to this band or other band of Six Nations lies within the jurisdiction of the local chief and councillors. It does not lie within provincial nor dominion government jurisdiction.

You would not want us to decide for you as to who or whom is a citizen of Canada. It is only just that only the Indian can justly decide for himself, as every one knows one another in our reserves, as to who or whom is a member of this band, or bands of Six Nations Indians of Canada. The Indian Act and your government has done enough, so much in fact that it has made white people members of this band.

3. As long as an Indian is domiciled on a reserve and he seeks employment in a city or town or any part of the country away from home or his reservation, it does not change his Indian status, and you, the government, cannot take his money legally. What he earns is his own personal property and that cannot be taxed.

Certain reservations are subject to provincial taxation on electrical services, and stores sales tax; the provincial government has no jurisdiction to legislate on Indian territory and cannot impose taxation within a reserve limits.

The income tax cannot be imposed on Indians domiciled on the reserve, because wherever he may be off or on the reserve he is still an Indian and the compulsory taxation on Indians is a violation of British justice—no representation, no taxation and against the proclamation of King George III and an infringement of Indian treaty rights. Therefore we demand a refund of all moneys collected from Indians on income and electric tax, etc. And another form of compulsory collection of moneys has been enforced on reservations in the form of unemployment insurance.

We base our arguments on the merits of our aboriginal heritage as we never imparted nor ceded any of our rights to any government or nation.

Our future, the future of your country and my country, will be exactly what we together make it. The preservation of the principles of the Four Freedoms, and the United Nations Charter.

4. We do not approve and will never submit to the government's demand of enfranchisement for the Indians of the Six Nations both voluntary or involuntary. We do not want enfranchisement of any form whatsoever. Voluntary enfranchisement should not be fostered or encouraged by the government and involuntary enfranchisement must be abolished for ever for all Indians.

5. We, the Six Nation Indians, by our International Treaty are allies of His Majesty's government, therefore we are also allies of Canada and the commonwealth. Therefore, we do not desire to be governed, or to be considered eligible to vote for any dominion or provincial elections. Therefore we have no interest and never will be interested in a vote for any other form of government, except our own Six Nations government.

6. The encroachment of white persons on our Indian reserves is made possible through the Indian Act. The officials of the department through powers of the Indian Act have decided that it is to the advantage of the Indians to rent houses to whites, by elevating their living conditions, this is and has been done regardless of protests and feeling of our people. The only elevating form the renting of houses has done for our people, by burning and destruction and damaging the houses. Now gentlemen is that making our people richer or poorer? Therefore we demand the removal of all whites from our reserves, nuns, priests and government officials included.

7. The operation of Indian day or residential schools is not approved by this band, if it will be operated by any religious denomination. We do not approve the Nuns or Sisters of St. Anne's to teach our children as they do not teach our children enough, the only thing they learn is praying and singing and marching to church during school hours, also they get holidays for a priest's birthday, etc. We do not approve the rebuilding of our burnt school unless it becomes a public school which takes children of all religion and teaches them. Same as the protestant school system of Montreal, which is one of the highest form of education in Canada. We demand qualified teachers with degrees for teaching, to teach our children. The creating of vocational section and also the creation of a technical branch.

We demand these things because our children deserve the best form of education this country can give, to be prepared to meet and conquer the industrial and professional world of to-morrow. We also complain and object to the behaviour and activities of the Jesuit Society, who are in control of our church. They are meddling in the affairs of this band when all they have a right to do is be spiritual advisers. We are capable of handling our affairs without interference from outsiders. They have set themselves up in business in a big way. They operate bingo and euchre games of chance, these games are in the category of gambling. This teaches our children to take chances, thereby become gamblers. They also operate a movie house, dance hall and pool room. They no longer preach in our native tongue, but insist in preaching in French and English only. This Act threatens the extinction of our beloved language, which the people will not tolerate for long.

The control of band funds by the Indian department is a gross injustice, because the owners of these funds are starving with the very little they get for relief.

Therefore we the Indians of the Six Nations cannot rest as long as the common laws overrule the laws of principality.

In treating with France in 1803 for Louisiana the United States recognized the local sovereignty of the occupant Indian tribes for it itself to respect their outstanding treaties which had been concluded with Spain.

The Supreme Court said that those treaties were inviolable by congress (Mitchell V. U.S. 9, Peters 754).

In treating with Great Britain and United States has confessed that the Six Nations were independent.

The Treaty of Paris (Malloys Treaties, V.I.P. 580) by its silence (Alliance) ignored the existence here of red men.

The British Crown and the United States has ostensibly divided the earth here between themselves by a line following westward the 45th parallel to the St. Lawrence river, which it strikes at the point of Cornwall Island running thence up the waters of the Great Lakes. When the Six Nations then, 1783, under cover of a British port at Niagara, and allies of the British wanted to know by what right Great Britain had assumed to consent to such a division as against them, they asked for the reasons, at the same time they expressed their astonishment that the Crown had presumed to cede their own home-land lying south of that boundary to the United States (Life Sir Frederick Haldimand in the Making of Canada V.3, P.256). The question was, of course, embarrassing to the British for it would have been impossible on any theory of the law of nations for Great Britain or the United States or both to establish a prerogative in themselves for drawing a line through the domain of the Caughnawaga St. Regis Tribe (Mohawks) through the St. Lawrence and this line passed and crossed, which line the members of that tribe would not be entitled to pass with the same freedom as before a white man set foot on the land we call (America). That truth was confessed, painfully perhaps, to the white man by both parties when in 1794 the Jay Treaty of Amity (Malloy p. 590) was negotiated wherein by Article III the rights of the native Americans was recognized. Moreover, the language used there treated these tribes as being outside the circle of British subjects as well as outside United States citizenship and sovereignty. This article recognized that these people were entitled to pass and repass over the line by land or by water, and for commerce and intercourse between themselves. To make the admission still stronger that article was amplified by amendment of 1796 (Malloy P.607) it provides that no treaty made or to be made by either party with any other nation, or with any Indian tribe should be construed to deny the tribal rights. This recognized no act of Great Britain or the United States could have more solemnly recognized the outstanding rights of native American tribes to political independence, and while not mentioned by name therein.

It was the situation of the Six Nations which provoked congress, because their domain bordered the Great Lakes, and because no white man had, up to that time, ever prevented them from crossing those waters at will, and up to that time no white man had ever dared to try.

The Jay Treaty stands to-day with all the force it had when ratified as the most solemn, confessed by the United States of the right of the Six Nations to exist independently of the will of the congress of the United States, and of the imperial parliament of Great Britain.

Signed by—We, the Council of Caughnawaga, members of the Six Nations Confederacy.

Life Chiefs:

EDWARD D. LALONDE
 JOSEPH DIABO
 JOE MARTIN
 FRANK T. DIABO
 his
 SILAS X SQUARE
 mark
 his
 TOM W. X DIABO
 mark
 MIKE MONTOUR
 THOMAS SKY
 FRANK CROSS

JIM DEER
 LAWRENCE HILL
 LOUIS CANADIAN
 MOSES DIABO, JR.
 his
 ANGUS X BURDEAU
 mark
 his
 JOHN K. X WOODLAND
 mark
 THOS. H. MORRIS
 JOE. CANADIAN
 C. ALBANY

The CHAIRMAN: Thank you very much Mr. Lazare. Now ladies and gentlemen, is it your wish to examine this witness or shall we proceed with the other members? There are two other official delegates.

Mr. CASE: Mr. Chairman, I would like to make an observation here.

We have listened to an extensive brief presented by a gentleman who is talented to say the least. He must have gained the benefit of a substantial education somewhere. I submit, Mr. Chairman, this is not a brief; rather it is an ultimatum. There is no common ground on which we can negotiate at this time. They demand certain things, to do away with the Indian Act for instance, but we are here to revise the Indian Act and it would seem to me this is a matter that should be referred to the Secretary of State. If you read the brief through there is no common ground and no approach upon which to negotiate. It is a complete demand that the Indian Act be abolished; what they have in mind to take the place of the Indian Act other than treaties I do not know.

So, Mr. Chairman, I submit there is nothing on which we can deal with this brief and I say again it is not a brief but an ultimatum.

The CHAIRMAN: Mr. MacNicol, were you going to suggest something?

Mr. MACNICOL: I would suggest we go ahead with the other briefs.

Mr. CASTLEDEN: It seems to me these gentlemen have presented a case and, if there is no ground on which they can agree to amendment of the Act, perhaps this committee might do something towards finding a ground on which we could meet. Perhaps a little questioning might help us to come to some common ground.

For instance we know that parts of the Six Nations Indians live in the United States. Perhaps in the United States they have found some ground upon which they can deal with the congress of that country. They may have found some way of coming to agreement with the American authorities. Perhaps there will also be some way of finding a solution to this problem and I think that avenue could be explored for a little while.

Mr. RICHARD: Mr. Chairman, there is so much in the brief that we have heard to-day that I believe the members of the committee might get some explanation and would be in a better position to question each delegation if we heard the other briefs. Now with respect to the reference to the Secretary of State by Mr. Case, I quite agree with him that this brief is sort of an ultimatum. As a matter of fact I am rather surprised at a lot of things in the brief and the attitude taken, but I do not know whether reference to the Secretary of State would help matters at all. I think probably if we heard all sides first one would throw light on the other and then we would be in a better position to put questions. Personally I think this has just been an illustration of one side; this brief represents just one element on one reserve. There are other delegates and

whether they are of the same tribes we do not know, so I think we should first hear all the delegations from Quebec because we are dealing with one total province now. I am sure it might avoid asking questions which would be required if we only heard one at a time.

The WITNESS: May I add a few words. We are here representing all of the Six Nations Indians of Canada. That is the reason why the grand council have sent two representatives here with us to-day. It is with the authority of the Six Nations of Canada that we present this brief. We represent the band council and the hereditary chiefs of Caughnawaga, being ninety-eight per cent of our people at Caughnawaga. The remainder is only a very small group of traitors among us.

Mr. CASE: What is the population?

The WITNESS: Approximately 3,000.

The CHAIRMAN: Well I have found, with the confederacy of Six Nations at Brantford, that we can discuss matters with them and they are open to reason and open to suggestion. I think what they are trying to do is to benefit themselves and to raise the standard of Indians. Once we get discussing it probably we can come to some mutual arrangements and mutual grounds on which we can discuss the whole matter.

If it is agreeable I think we should hear the other briefs. We will call you gentlemen back later.

Now we will hear Chief Michel Penetouche. Have you something you would like to say, Chief?

Chief Michel Penetouche, Abitibi, called:

By the Chairman:

Q. Do you speak French?—A. No.

Q. What tongue do you speak?—A. Just Indian.

Q. What tribe do you belong to?—A. Ojibway.

The CHAIRMAN: I wonder if Mr. Small Fence understands that language.

Mr. SMALL FENCE: No, sir, I do not understand him.

By the Chairman:

Q. Can you speak English?—A. Yes, a little.

Q. Is there something you would like to tell us?—A. I wish to say something.

Q. Yes?—A. Yes, I would.

Q. You talk to me so that the reporter can hear you. Where do you live?—A. In Abitibi Agency—at Low Bush, Ontario.

By Mr. Case:

Q. Do you live on the reserve?—A. No, I do not live on the reserve. I live on the south side of Low Bush, Ontario.

Q. Were you elected by the Indians on the reserve to speak for them here? Did they ask you to come here?—A. Yes.

By the Chairman:

Q. What did they ask you to say?—A. They want a school.

Q. Is there no school there now?—A. No, sir. Only a boarding school.

Q. Is there a residential school? Who runs the school?—A. The Ontario government.

Q. Who operates the school?—A. Everyone of us pays taxes. Some Indian boys do not go to school, but they pay their taxes.

Q. How many children have you got there under 16 years of age?—
A. Only a few, about ten, I guess. They are supposed to go to the school and sometimes they go trapping with their fathers and they come back in the springtime.

Q. Do you want a summer school?—A. Yes.

Hon. Mrs. FALLIS: Do white children go to that school too?

The WITNESS: Yes, my boy—the other Indians do not go to the school.

Mr. RAYMOND: Mr. Chairman, this witness is living in the province of Ontario. I understood that the delegations here are from the province of Quebec; so I should like to know what territory this witness is representing in the province of Quebec.

By the Chairman:

Q. Do you not live in the province of Quebec?—A. No. I belong to the Ontario South Bay reserve.

Q. And you live at Low Bush. How far is that from the Quebec border?—
A. Forty-two miles on the Ontario side.

Q. Were you appointed by the Indians of Quebec to come here?—A. Do you mean the Quebec Indians?

Q. Yes.—A. Oh, no.

Q. Who told you to come here?—A. The Indian agent.

Q. Mr. Larivière?—A. Yes, Mr. Larivière.

Q. Where does he live?—A. He lives in Amos, Quebec.

Q. And he asked you to come here. Do you belong to Mr. Larivière's agency?—A. Yes, he looks after our side and the Quebec side.

Q. So you have been sent here by the Indian agent at Amos, Quebec?—
A. Yes.

Q. I would assume that you are representing—you are talking for—

Mr. RICHARD: Mr. Chairman, let us get the picture—

The CHAIRMAN: Let me get this additional information.

Mr. RICHARD: I want to speak.

The CHAIRMAN: I have the floor.

Mr. RICHARD: No, I had the floor.

The CHAIRMAN: I was in the middle of a question that I am asking this witness.

Mr. RICHARD: I appeal to this committee.

The CHAIRMAN: I do not want to be unreasonable.

Mr. RICHARD: Well, you are.

The CHAIRMAN: I do not think so.

Mr. RICHARD: Have I got the floor?

The CHAIRMAN: No, I am sorry, because I was asking a question. Now, chief, are you listening to me?

The WITNESS: Yes.

By the Chairman:

Q. You are talking for the Indians of the Ojibway reserve, is that right?—
A. The Indian agent looks after the kids, too, and after the treaty money.

Mr. RICHARD: It seems to me, Mr. Chairman, that we should have the right to ask questions. Am I wrong in that?

The CHAIRMAN: We are not trying to stop anyone from asking questions.

Mr. RICHARD: Well, you are. I am sorry to say I came to your defence several times in this committee because some members objected to this, but now I believe you are going too far.

The CHAIRMAN: Now, the practice in this committee has been that the witnesses will be permitted to present their briefs without questioning. I think each member of the committee has been given a fair opportunity to ask questions.

Mr. RICHARD: You have been asking questions for the last ten minutes, and we have not had a word to say. We have certain rights here and I believe other members would like to ask questions. I am sorry to make this scene, but I have certain rights which I must have respected. Now, my suggestion is this, and I hope other members of the committee will agree with me: this man has no prepared brief and speaks only in English and not very fluently in that language, he will admit that himself; therefore I think if we had a picture of the tribe he represents, how it is constituted, the set-up and so on from Mr. Hoey then, probably, we will see what their grievances are and we will have a better understanding of this matter. This man lives in Ontario. He has been sent here by the Indian agent who lives in the province of Quebec to represent views of Indians who live in the province of Quebec. We do not know how it is that he is here. It seems to me that some official of the department who understands the whole picture will be able to explain this matter and then we will be able to make some progress. If I am wrong, will some member of the committee set me right?

Mr. BLACKMORE: Mr. Chairman, you are the chairman of this committee and you are now endeavouring to get a picture of the situation, and in my opinion you are quite in order in trying to get this picture so that this man can be understood as he proceeds. I submit that you are entirely in order. If a member wants to speak—and everyone has a right to speak—he should obtain that right directly from the chair.

The CHAIRMAN: What I am concerned with is to get a basis for this evidence to ascertain from this gentleman whom he represents and what he represents and why he has been sent here. Obviously, he has no brief. Apparently all he wants is a school. It may be, as Mr. Richard suggests, that Mr. Hoey might have something to add.

Mr. HOEY: Mr. Chairman, I have not very much to say with regard to this matter. We have an Indian agency at Amos, Quebec, with an Indian agent, Mr. Larivière, in charge. Mr. Larivière is at present attending a conference of Indian agents in Quebec City and he will be here to-morrow. Evidently, Mr. Larivière selected this man as an Indian who could speak to the committee with regard to the needs of this particular agency. However, the committee are apt to be misled because of the fact that this man, although in the Abitibi agency, lives at Low Bush, which is forty miles from the Quebec border in the province of Ontario. However, I suggest to you that time might be saved if we put off the questioning of this man until the agent gets here tomorrow morning and proceed with other briefs; because I do not know of any man, other than the agent, who can explain the local conditions there. This is the agency in which the huge fur conservation program is proceeding to which Mr. Conn referred in his evidence, and there is an urgent need for schools up there. Apart from that, I cannot tell what other needs they may wish to bring to your attention. I suggest, in fairness to this gentleman who has travelled a long way to appear before this committee, that we hear him when the agent is present, who can no doubt question him.

The CHAIRMAN: Probably I should read to you a letter from the Indian agent addressed to the Indians of the Abitibi Indian band and which is dated May 31, 1947. The letter reads as follows:—

DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

Office of the
Indian Agent,
Amos, Que.

31st May, 1947.

To the Indians of Abitibi Indian Band, living on boundary of Quebec and Ontario, called "Ontario Abitibi Band," Abitibi Indian Agency.

DEAR SIRs,—Further to a request of the "Joint Committee of the Senate and the House of Commons," appointed to examine and consider the Indian Act, it was necessary for me to demand that Indian Michel Penetouche, who can speak English, visit the Agency; he was given full explanations on matters to be dealt with. See copy attached.

Considering the demand and that (Chief) Indian Michel Penetouche has not seen all of you, it will be possible for the Band to send a delegate at their expense to appear before the "Committee," subject to their acceptance as regards hearing him in this case. If your decision is that you desire to be represented, it will be necessary to proceed as follows:—

1. Arrange to take the train from Low Bush on the 10th of June, 1947.
2. On June 11, 1947, you will be in Ottawa; on arrival suggest that you take a taxi, call at the "Indian Affairs" Headquarters, Booth Building, 165 Sparks St. I believe you should ask for Mr. MacInnes, inform him you are the delegate from "Low Bush." He will further inform you.

Yours very truly,

(Sgd.) H. LARIVIERE,
Indian Agent.

Mr. RICHARD: Who sent that letter?

The CHAIRMAN: The Indian Agent sent that letter to the Indians in that area.

Mr. RICHARD: That makes clear why this witness is here this morning, when he lives in the province of Ontario. If that letter had been read before we would have had a proper introduction to the whole matter.

The CHAIRMAN: If we had a solution of the Indian Act before us we would not have this committee sitting.

Mr. MATHEWS: We have had a little brush this morning and probably there is a little right on all sides, but I think we had better act on the suggestion made by Mr. Hoey, and it will save us a lot of time.

The CHAIRMAN: Is that agreed?

Agreed.

Mr. CASTLEDEN: With regard to that letter there, is there a second reference? Is there not some other matter referred to there?

The CHAIRMAN: There was just a copy of our order of reference; we do not need that. I will now call on Chief Paul Rock of Bersimis, Quebec.

Chief Paul Rock, called:

The CHAIRMAN: I believe that this gentleman speaks only French. Probably Mr. Raymond will kindly help us out with some translations.

Mr. RICHARD: Mr. Chairman, I wonder whether we could have a translation in English.

The CHAIRMAN: I suggest that we have the letter translated.

Mr. RAYMOND: This brief is written in French. I will translate it, if that is your wish.

The CHAIRMAN: Would it be agreeable to have the brief accepted and transcribed into the minutes of evidence in French (Appendix GA) and we will have a translation? Mr. Raymond, would you consent to reading this brief to us in English?

Mr. RAYMOND: I may have to go pretty slowly.

The CHAIRMAN: Who are these gentlemen before us and whom do they represent?

(The following examination of Chief Paul Rock is carried on in the French language and interpreted in English question and answer by Mr. Raymond, M.P.)

Q. Where do you come from?—A. Bersimis.

Q. Which reserve do you represent?—A. The Indian reserve at Bersimis.

Q. How many Indians are to be found at Bersimis Indian reserve?—

A. About 750.

Q. Where is Bersimis?—A. On the northern coast.

Q. Near what place?—A. It is in Saguenay county.

Mr. RAYMOND: It is about 100 miles to the east of the city of Chicoutimi.

The CHAIRMAN: Is it on the St. Lawrence river?

Mr. RAYMOND: Yes, on the north shore of the St. Lawrence river.

Mr. CASE: Is he the chief?

Mr. RAYMOND: Yes.

Mr. CASE: Is he the elected chief?

Mr. RAYMOND: The chiefs are elected every three years.

Mr. CASE: And was he appointed by the council to attend here?

Q. Have you been authorized by your council to come here?—A. Yes, I have been sent.

Q. And is this the brief of your band?—A. Yes.

Q. Have you had a meeting of the council which authorized that brief?—

A. Yes.

The CHAIRMAN: Who is the gentleman with him?

Mr. RAYMOND: Malet Collard.

The CHAIRMAN: Does he speak French?

Mr. RAYMOND: A little.

The CHAIRMAN: What language does he speak?

Q. What language do you usually speak?—A. The Indian dialect.

The CHAIRMAN: Mr. Raymond, will you kindly interpret the brief into English for the committee?

(French brief will appear later as Appendix GA.)

Mr. RAYMOND (Reads): It is our desire that the rights granted to the Indians by treaties and all the obligations taken by the government on behalf of the Indians be respected and kept in force forever.

DAY SCHOOL AND RESIDENTIAL SCHOOL

The present system of education provided by the government and established by the Department of Indian Affairs gives satisfaction to us in a general manner and we wish that there be no change to what exists at the present time; but this system while giving us satisfaction could be improved by the building of new schools on the reserve where such schools are lacking; and where there

are schools established at the present time they should be well kept and maintained. In our district on the north shore of the St. Lawrence river there exists a day school at Bersimis. This school is in need of serious repair. We are happy to have at the present time at least this school and we would like to have more schools. We request that schools be kept by the nuns and in the most convenient places, and we join with our brother Indians on the north shore of the river—and there are many of them—to request that there be day schools for each group of Indians. We are 2,000 Indians on that shore along the St. Lawrence river and there exists at the present time only one convent school, to wit at Escoumains. If we request a residential school for Bersimis we do not wish to say that we are the only groups in that district that need to have a school. On the contrary, we believe the others have as much right as we have and we join with them in a request for residential schools and day schools, and that they be established and built for all the groups according to their needs and their wishes.

HOSPITALS

We request that members of the committee appointed to revise the Indian Act consider very seriously the question of hospitals for Indians. At the present time the department send the sick Indians to hospitals far from the reserve where most times their parents cannot visit them on account of the distance and the difficulty, and we are very often not understood when we speak. We are completely opposed to this situation that exists at the present time. Most of the white people have hospitals in their own cities where they are as a consequence also in a position to visit their sick. We do not see why we do not have the same facility and the same privilege to have a hospital on or near our own reserve and a hospital which will be large enough to receive all those hospitalized for ordinary ailments. In doing so we would be able to visit them quite easily. As to the others who would be in need of surgery, we admit it must be possible to send them to other organized hospitals, hospitals especially organized for the purpose. But as regards this last mentioned point, we would like to have hospitals on our own reserve or, at least, near our reserve. At the present time at Bersimis we have begun the building of a dispensary of small proportions where there will be space for only three or four persons at the most. We have not requested this dispensary, and we do not want this dispensary to go ahead because it does not give satisfaction. What we wish to have and what we request is a complete hospital and a larger hospital in order that all the ordinary illnesses and sicknesses may be treated. We also request that this hospital be organized like a hospital for the white people and that to this hospital that we have requested there be annexed a home for our old persons who need help at the present time. Many of our old people are in great need, and notwithstanding the help they receive from the department they are in a miserable condition. We wish the department would remedy such a condition. As with the residential school we wish that this hospital and this home for the aged be entrusted to the nuns, because we believe we have the right to the type of hospital that we believe is the best for us, and it is the duty of the government to leave us complete liberty and freedom in that matter.

HOUSING

As the war is over, we would like the government to help the Indians more in the building of good homes and in the maintenance of those homes in need of repair. We do not mean that the government should do everything, but at least it should do its part.

THE ACCEPTANCE OF A PERSON AS A MEMBER OF A TRIBE OR RESERVE

We believe that all Indian reserves should have the right to accept all persons and all children having Indian blood as members of their reserve upon a favourable vote of the majority of the tribe.

PAYMENT OF TAXES BY THE INDIANS

Until now the Indians have been exempted from paying taxes on real estate situated within the limits of the reserves, and we do believe that the Indians should be exempted from paying ordinary taxes, meaning the taxes which are paid by Canadian citizens, except those levied or imposed by the government on property or real estate situated outside of the limits of the reserve.

VOLUNTARY OR INVOLUNTARY ENFRANCHISEMENT OF THE INDIAN

We are of the opinion that no Indian should be considered as white with the same rights and obligations unless he demands them freely and voluntarily, and he should never be forced by the government in any way whatsoever to exercise the right to vote at the federal elections. We do not want to vote at these elections, and if the right is granted to us we will take it only on the condition that we will not lose any of the privileges or rights that we have at the present time.

THE POSITION OF WHITES ON THE RESERVE

We are of the opinion that the Indian reserves are strictly the property of the Indian tribes and that no white people should be tolerated on those reserves. The Department of Indian Affairs should right now ask the white people on the reserves to leave. Only the necessary stores or merchants, and those accepted by the tribe, should stay there, until the Indians organize their own stores.

CUTTING WOOD ON THE RESERVE

We request the Department of Indian Affairs to establish and to make a rule in order that the Indians will have first right to be employed in the cutting of timber on their reserves. There is a rumour current that the timber limits on the reserve may be sold to the Donnacona company or to others.

It is also rumoured that the new company intends to establish a paper mill or other similar mill on our reserve and this is without any consultation with us. We are opposed very strongly to this occurring on our reserve and we do not wish the Department of Indian Affairs or any Crown company or any others to have the right to dispose of timber on our reserve without our consent.

OLD AGE PENSION

At the present time the old Indians who are unable to work receive only \$8 each per month to live on as well as for food and clothing. Only two years ago they were receiving about \$4 each. The situation has been improved a little but there should be progress in that demand and they request that the old persons receive the old age pension just as the white people do.

We trust and we have confidence that the members of this committee will study with kindness the requests of the Indians made to this committee and that they will grant the requests in so far as it is for the general welfare of the Indians according to their needs and according to their rights.

Mr. HOEY: Mr. Raymond, there is one point I would like to clear up if I may? Did you say that they had a residential school?

Mr. RAYMOND: Yes.

Mr. HOEY: There is no residential school there.

Mr. RAYMOND: The witness says you are right, it is only a day school but it is described here as a residential school. The witness says however it is a day school, and I will amend the brief and my translation accordingly.

The CHAIRMAN: Is there something more you want to put before the committee, Chief?

The WITNESS (Interpreter): Yes sir, it will not take long.

The CHAIRMAN: Will the witness be able to finish by one o'clock?

Mr. RAYMOND: It is very short, he says it will only take two or three minutes. It is about the old age pension.

The WITNESS: At home, in our Bersimis reserve the old people receive only \$8 per head for one month. I would ask the committee to request the Department of Indian Affairs if there would not be any possibility of giving a little more than \$8 a month because it is not enough. Other people on the reserve have to help the old people, and cripples, with money and food and other things. One person will give bread and another will give other things to help them to the end of the month. We would be very pleased if it could be arranged to help these old people because you know as well as we do that merchandise and other things cost very much during the present years.

Mr. CASE: Mr. Chairman, might I interrupt? Does this witness know that the committee has already recommended that the old age pension be granted?

The WITNESS: Until this request of ours becomes law I make the special request for my reserve.

The CHAIRMAN: Mr. Raymond, would you point out to him the difficulty in providing the old age pension in view of the fact that the federal government makes a contribution and the provincial government makes a contribution.

The WITNESS: But, Mr. Chairman until this law comes into force we make the special request of Mr. Hoey and the Indian Affairs Branch to increase this amount of \$8.

Mr. CASE: I think, Mr. Chairman, we expect the department to contribute only the dominion government's share.

Mr. BRYCE: Might I ask if this \$8 is given to them in cash or in kind?

The WITNESS: In provisions.

Mr. RICHARD: Is the \$8 to apply regardless of age because the old age pension, if it is only for those over seventy, will not help those below seventy.

The WITNESS: No, it does not mean only those over seventy years of age.

Mr. CASE: In other words it is relief.

The WITNESS: It is pitiful at times to see the people there with no food for ten or fifteen days eating only bread and lard.

Mr. CASE: Have they no band funds?

The WITNESS: Yes.

Mr. RAYMOND: How much?

The WITNESS: \$160,000.

Mr. CASE: Can they not apply their band funds to feed the needy?

The WITNESS: When they have money in the bank they do not want to spend it.

The CHAIRMAN: Mr. Raymond, I think we had better let the witness complete his presentation before one o'clock.

The WITNESS: We ask if this relief cannot be taken outside of the funds?

Mr. RAYMOND: For what purpose do you use your reserve funds?

The WITNESS: For the future, for our children and our grandchildren.

Mr. BRYCE: Do you not think your starving people should be looked after?

The WITNESS: Yes.

Mr. BRYCE: These old people have sold part of the reserve to get that money and they are entitled to the interest on it to protect them, are they not?

The WITNESS: Yes.

Mr. RAYMOND: I just made a little speech to him in French. I told him that they should not forget the old people and the cripples and that although they are from the past, they have helped to build the reserve and they are entitled to receive support from the reserve funds. The witness says yes, that he understands that, and I told him that if the band was prepared to help, the Indian Affairs Branch might be inclined to further increase this \$8.

The CHAIRMAN: Now gentlemen, it is one o'clock.

The WITNESS: I thank you Mr. Chairman for allowing our presentation.

The CHAIRMAN: Mr. Raymond, on behalf of this committee I want to express to you our appreciation for your help as translator.

It is one o'clock, however, and before I close I would ask the delegation from Caughnawaga to be back here at 3.30 p.m. in their ceremonial dress. Some photographers would like to take some pictures. Everyone else should be here promptly at 4.00 p.m. and again I repeat those in ceremonial dress should be here at 3.30 p.m.

The meeting adjourned at 1.00 p.m. to meet again this afternoon at 4.00 p.m.

AFTERNOON SESSION

The committee resumed at 4.00 p.m.

The CHAIRMAN: Will you come to order please. We will proceed with the presentation of the briefs and we have another group from Caughnawaga. If that group will come forward now we can give them a few minutes. The group consists of Mr. L. E. Beauvais, Mr. Joseph Delisle, Jr., and Mr. F. McDonald Jacobs. Will you come up to this table gentlemen, please?

Mr. L. E. Beauvais, called:

By the Chairman:

Q. Now, Mr. Beauvais I believe you are a resident of Caughnawaga?—

A. That is right, sir.

Q. And you do not hold office in the council?—A. That is right, I do not now hold office.

Q. You are one of the members of the North American Brotherhood?—

A. Yes, but not in this case. The brief is not presented by the North American Brotherhood.

Q. No, but I am just getting at the fact that you are a member of the North American Brotherhood as is Mr. Delisle? Is that correct, Mr. Delisle?

Mr. DELISLE: Yes sir, I am a member of that Brotherhood.

The CHAIRMAN: And Mr. Jacobs, are you a member of the North American Brotherhood?

Mr. JACOBS: Yes, I am a member.

By the Chairman:

Q. I notice the brief you have submitted here is similar to that submitted by Mr. Paull of the North American Brotherhood and which is printed in our 1946 minutes at page 829, our Appendix AD. Are there only two copies of it?—
A. I could let you have this one here.

Q. Well, a great deal of this brief was incorporated in the one signed by Mr. Andrew Paull. Most of this material which you have here, with the exception of the introductory part, has already been submitted by the North American Brotherhood. Who prepared your brief for you?—A. I do not believe it is the same. I do not believe you have all our arguments on taxation.

Q. You are presenting a brief of thirty-five pages and it would be impossible to hear all that this afternoon, especially when it seems to be a repetition. Would you like to submit this brief and have it incorporated in our minutes of evidence, as an appendix (GB)?—A. I think it would be the only logical thing to do to save time.

Mr. CASE: Mr. Chairman, you asked a question which I think is important but no answer was given. You asked the witness who prepared the brief. You say we have had it submitted to us before.

By the Chairman:

Q. This particular brief was not submitted before but it contains material already on our record. Who prepared your brief?—A. We had a meeting in Caughnawaga.

Q. What kind of a meeting?—A. A band meeting. There were members of the briefing committee selected.

Q. You are not members of the elected council?—A. That is right, but this brief is as the result of a band meeting in Caughnawaga.

Q. Did the elective council call a band meeting?—A. No, it was called by the people.

Q. Who called it?—A. I will tell you *exactly* how it came about. Your joint committee themselves, at one of their sessions, recommended that the Indians of Quebec and the other different provinces get together and get organized. It was because of that suggestion that we started the organization and recommended that there should be a brief presented for Caughnawaga.

Q. What I am getting at is who called the meeting?—A. Well, we did.

Hon. Mr. TAYLOR: Who is we?

By the Chairman:

Q. I presume that you would be part of the "we"?—A. I am one of them.

Q. Who else was there?—A. Mr. Delisle and our pastor were interested because there was the question of the schools. Then we had Norman Saylor.

Q. Mr. Saylor the lawyer?—A. Yes, the counsel, and he is part of the committee.

Q. Yes.—A. And this brief has been prepared by the four us, Mr. Jacobs, Mr. Joe Delisle, myself, and Norman Saylor and we had the help of Father Lalonde.

Mr. CASE: Who was it submitted to after that?—A. It was read to the band at another meeting for their approval.

By the Chairman:

Q. Who called that meeting of the band?—A. We did, after we prepared this brief.

Q. Did you do so with the advice or consent of the elected council?—A. No, I might take the opportunity at this point to let you know there are two factions in Caughnawaga and that we do not see eye to eye on all points. One of the points on which we do not agree is the elective council declaring war on the

government. We think we might get more by co-operating with the government and trying to make certain recommendations to make better laws for the Indians. This you will notice is covered by our brief.

The CHAIRMAN: I do not think we need to be afraid of these fellows here to-day. I am not afraid of them.

Mr. CASE: Don't be too sure, wait till they get you down on the reserve.

The CHAIRMAN: I am going to go down there one of these days.

The WITNESS: That is how our brief came about. We expected to have a joint brief with the Indians of Lorette, Pierreville, St. Regis, Maniwaki and so on, but apparently some of those people did not have meetings called at all.

Mr. CASE: Would it be fair to say then, Mr. Chairman, these people are speaking for a minority group.

The WITNESS: I would say it was a majority.

The CHAIRMAN: I would go so far as to say they do not represent the elected council.

By Mr. Case:

Q. The elected council is elected by a vote or ballot?—A. Yes, that is right.

Q. And they would represent the majority?—A. It happens the present elected council were all voted for by only twenty-four men. On our reserve we are tradesmen and structural steelworkers who leave the reserve ten months out of the year and in January when elections come about there are very few left on the reserve except some who are too old to go away for work. The working men do not come back from New York or Detroit for the purpose of casting a vote so we have a very few Indians left on our reserve when the elections come around. Out of 3,000 male members I do not believe in the last few years there have been more than 300 votes cast. I think that would be exceeding the number by quite a bit, so that they do not represent a majority of the male members of twenty-one or over.

The CHAIRMAN: You think there is a certain amount of apathy among the electors there as well?

The WITNESS: Yes, I think we can safely say there should be 750 voters out of 3,000.

Mr. CASE: Mr. Chairman, if I might say, this situation was not canvassed this morning and I think it is only fair that some representative of the elected council should give their version of whether they are really representative or not.

Mr. FARQUHAR: Why does it matter if they are representative or not? Why does it matter if they differ? The briefs that we have had presented here have been from all parts of Canada and they differ greatly. If these people do differ in their view why not hear them anyhow?

The CHAIRMAN: It was not a matter of differing, we are going to hear them, but they have got a brief of thirty-five pages and we cannot go through with it in the time allotted. Besides there, we have Father Lalonde, the delegates from Oka, Pierreville, St. Regis, Abitibi and we must conclude our hearings by to-morrow at one o'clock.

Mr. FARQUHAR: Why not just file it on the record?

The CHAIRMAN: Yes, we shall.

Mr. RICHARD: Is there not a copy for each member here?

The CHAIRMAN: No, there is not a copy for each member. That is why we are putting it on the record. They submitted one copy to the chairman and they have just now given one to the reporter and that is all they have.

Mr. RICHARD: In that case, if it is too lengthy to read, could their spokesman take the brief and shorten it still further, giving us an outline?

The CHAIRMAN: I was going to suggest that there is one part on education that they might well read.

Mr. RICHARD: They could give an outline of the brief.

Mr. CASE: Yes, I think it could be condensed.

The WITNESS: Mr. Jacobs will read the part on education.

The CHAIRMAN: How long do you think it will take so that we can govern ourselves accordingly?

Mr. BRYCE: Let him just read from the index.

Mr. CASE: Let him comment on the index.

The CHAIRMAN: Is that agreeable?

HON. MRS. FALLIS: Mr. Chairman, If I might ask a question before he begins, could we have the points on which they differ from the others. If the spokesman would emphasize those points on which they differ from the other representatives it would be helpful.

The CHAIRMAN: Suppose we print the whole brief as an appendix to the record and go through the index and if there are any things we think should be commented upon they may go in the minutes of evidence. For example, here is a section entitled "miscellaneous."

(Brief appears as Appendix GB to this report.)

The WITNESS: I do not think you should put the "miscellaneous" on the record when you do not know with what it deals.

The CHAIRMAN: Well I could give you "miscellaneous" in about two seconds.

During the presentation of this brief, one or two of the undersigned will orally present views on the following questions if possible and if time is available:—

1. Half-fare railway privileges for Indians;
2. Identification cards for the Indians of Canada;
3. Association of Indian guides for the protection of game and forests.
4. Fire protection on reserves.

That is the end of it.

The WITNESS: Those are the points we figured on discussing orally.

The CHAIRMAN: Then could we not go through this brief and much of it could be condensed by the speaker? If it is to be elaborated upon when the time comes for questioning he can answer on those points and elaborate.

Mr. CASE: We cannot ask questions if you have not got a copy of the brief and I say let him comment on the points now.

The CHAIRMAN: Gentlemen, here is what I am trying to point out. We can do one of two things. We can have Mr. Beauvais read the whole brief or he can read parts of the brief. I have read what he has got here under "miscellaneous".

Mr. CASE: I am not suggesting he should read the whole thing but just part of the brief and he should comment on it.

The CHAIRMAN: If he is going to elaborate on it we might just as well start questioning.

Mr. CASE: But we cannot question until we know what his comments are.

The CHAIRMAN: You know exactly what the brief contains under the part headed "miscellaneous" because I have read it to you. If you want him to comment on it that is just enlarging on what is in the brief. If he is going to elaborate it is going to take a lot more time than if he is going to condense it.

Hon. Mrs. FALLIS: Why not leave it to the spokesman to give us the most important parts.

The CHAIRMAN: What time would you like to allot to him?

Mr. CASE: Half an hour.

The CHAIRMAN: Well shall we give him until a quarter to five?

Now Mr. Beauvais, we want you to comment on your brief. We have passed the introductory part; what do you want to say about "miscellaneous".

The WITNESS: There is one point there. You will notice that we mention an association of Indian guides for the protection of game and forests. This is a little thing that has been in my mind for some time. I have been doing quite a lot of guiding and I have been amongst some of the Indians in Manuan and Mistassini and various points and there is something there which I think should be looked into. White trappers and white people go in hunting and getting furs in the fall. They are even using 'planes now to get back into the interior. What happens is that they finally get right into an Indian's territory. The Indian has been hunting there for years and his father has been hunting there before him. The white men even bring dogs into the bush. I know of one party who brought in seven dogs and I do not know if you gentlemen know how many moose it takes to feed seven dogs for a month. I can tell you that it takes more than one. What happens when the Indian finds these fellows encroaching on his hunting and trapping grounds is that he gets hold of the Indian agent and makes a complaint. Then the Indian agent makes a complaint to Ottawa and finally the Mounted Police are sent out and they get in touch with the game warden of the province and finally they go into this place, they perhaps had to charter an aeroplane to get in, but by that time the white man is gone with all the furs leaving nothing. He has cleaned out everything. That is one thing the Indian trappers are careful of; they always try to leave a few pair of beaver and so on, so there will be more next year. It is only the white trappers who are just doing this as a sideline. Their object is to go in and clean up, and make as much money as they can, and make it fast. I would like to make this suggestion that there be created some kind of a guides' association wherein the government concerned would ensure that the guides be made game wardens and also forest rangers. Then instead of having one or two forest rangers in the bush you would have many. They would be protecting the forests and protecting the game. If a game warden could make an arrest immediately and bring up a man and make him pay a fine it would make a difference. Another point is that the Indians are not voters and you would not have the case where very often a game warden may arrest a man and he runs to his local member and a deputy minister gives an order saying "hands off".

Mr. MATTHEWS: Would you just repeat that please, I did not get the point.

The WITNESS: I was speaking of a case where a man runs to his member and that member does some corresponding and the case has to be dropped.

The CHAIRMAN: Are you talking about federal members?

Mr. RAYMOND: No, he would be talking about provincial members because it is within the province.

The CHAIRMAN: It would be under provincial law.

The WITNESS: I think if they made the guides forest rangers and game wardens and gave them half of the money received from fines it would do a good deal to protect the game and furs.

Mr. CASE: If the Indians were made game wardens?

The WITNESS: Yes.

Mr. FARQUHAR: Perhaps there would be quite a few more letters written even at that.

Mr. CASE: It is a good point.

The WITNESS: I think it would help to preserve the game if we could get the thing attended to right away. For instance I know there is a lot of hunting of moose with jack-lights, those are spot-lights. That is one of the infractions of the hunting laws which occurs quite a lot. Now if there was a guide or a game warden who had some kind of a licence, and I do not mean to tax him to have it, but there would be some kind of protection whereby if he was caught breaking these laws after getting a warning he would be automatically expelled from the association. Another good point in the issuing of licences of some kind would be that the guide would be able to give better service. In the province you find guides are working very few weeks of the year and they get paid on the average \$5 a day; that is not enough money. If we had such an association we could maybe teach guides to give better service and teach them a little more about the art of guiding so that sportsmen would use them and would be glad to pay a few dollars more for such efficient guides. Now, if a man did not kill a moose the first year, because he could not use any more jack-lights, he would come back the next year and we would get just that much more business. If we had some kind of a recommendation to the various provinces we might be able to get such an organization going which would be of advantage to the Indians and toward the protection of game and the forests.

The CHAIRMAN: You have another fifteen minutes.

The WITNESS: There is one more thing.

The CHAIRMAN: If I might interrupt at this time, do you want to spend all your time talking on this when there are other important subjects to be discussed? You see you have left only another fifteen minutes.

Mr. RAYMOND: Well, we have asked a few questions, Mr. Chairman; we could give him a little more time.

The CHAIRMAN: I want to be fair to the other delegations. Although this delegation is not an accredited delegation, we are glad to hear him and, although I did not wish to interrupt, I suggested that he might touch on other subjects.

The WITNESS: I would like to talk for a moment on fire protection on the reserve.

The CHAIRMAN: Is that in the brief?

The WITNESS: I have not got it in the brief; it was omitted. On our reserve we had a sad experience. A house burned down and there were a couple of children burned to death, and we attribute that to the lack of fire protection on the reserve. We have at present an arrangement whereby when there is a fire they phone the city of Lachine to get the fire-pumps sent to extinguish the fire. In most cases the fire-pumps arrive just in time to cool off the cinders. Now I think maybe the department could furnish us with a fire-pump and sufficient hose so that we would have one at all times on the reserve. The last fire we had in Caughnawaga, I understand, was the school, and they had to pay \$1,100 for a fire-pump to come and extinguish that one fire. Now you could buy a fire-pump, I am pretty sure, for much less than \$1,100. The War Assets Corporation, I understand, has quite a few that should be available. I think maybe you might suggest that one of those be transferred from one department to the other so that a few of the populous reserves could have them.

The CHAIRMAN: I hope you have more success than some members of parliament had in that regard.

The WITNESS: There is one more point. It had to do with the question of wood, and I do not know whether you gentlemen have been on our reserve, but fuel wood is disappearing fast. There are some old people who have to haul wood in the winter, and they are just merely getting switches. The sticks

are no bigger than two or three inches. We have a reserve called Doncaster up in the Laurentians, where we have sixty-four square miles. The reserve is eight miles by eight miles. There are about 1,000 cords of wood taken off that reserve every year for the advantage of the Oka Indians. The Oka Indians own one-third of the reserve and we own two-thirds. We would like the department to give some of our old people some of the wood off that reserve. It seems to me that they are taking 1,000 cords for Oka and they should be able to take at least a like amount for Caughnawaga. I do not think the privilege would be abused. I do not think everybody would want that wood, but certainly there are some of our old people there who would use it to quite an advantage.

Mr. CASE: Does the other reserve belong to you?

The WITNESS: Yes, we own two-thirds of this reserve and the Okas own one-third. The Okas cut all the wood and we never get a stick of it.

Mr. MATTHEWS: Is there some wood on your own reserve?

The WITNESS: Our reserve is depleted. We have no more wood except private plots of wood here and there.

The CHAIRMAN: Gentlemen, I have been pretty lenient so far on questions. The rule is you do not ask questions until the presentation is finished.

Mr. CASE: Mr. Chairman, if we cannot ask the witness questions to explain a point the whole business is no good. We are not questioning, we are only getting explanations.

The CHAIRMAN: The committee will set its own rules.

Mr. FARQUHAR: I suggest the witness be allowed to go on and that we should not take up his time.

The WITNESS: That completes the matter.

The CHAIRMAN: Would you like to make some comment on education?

The WITNESS: I would like Mr. F. McDonald Jacobs to read that part of the brief.

F. McDonald Jacobs, Caughnawaga, Quebec, called:

The WITNESS:

(a) Schools in Caughnawaga.

At the present time, there are Catholic schools for Catholic children and Protestant schools for Protestant children. This system has been in existence and has been in operation for a considerable number of years. Almost 90 per cent of the total population of Caughnawaga Indians belong and adhere to the Catholic religion and, throughout a period of 280 years, have benefited from the guidance and supervision of the religious authorities as afforded under the present set-up of the provincial Department of Education of Quebec. It was in this same spirit also that, some 50 years ago, a separate school was erected for the Protestant minority. The development and progress of the Indians of Caughnawaga can be attributed in no small degree to the guidance and spiritual protection of the Reverend Fathers of the Society of Jesus and other missionaries.

From experience obtained throughout the passing of the years, the system has worked out admirably and it is the sincere hope and desire that no change or alteration should be introduced into the Indian Act which would do away with the system in operation. Consequently, the Indians of Caughnawaga wish to reiterate and confirm and adhere wholeheartedly to the representations and suggestions made by the Catholic hierarchy in their brief presented before the special joint committee on May 27, 1947, on the question of education and particularly

endorse the request as appears in the said brief at page 3, paragraph 2, which reads as follows:

We would not wish, therefore, any change in section 10, paragraph 2, of the Indian Act, which reads: such schools shall be the nearest available school of the kind and no Protestant child shall be assigned to a Roman Catholic school or a school conducted under Roman Catholic auspices and no Roman Catholic child shall be assigned to a Protestant school or a school conducted under Protestant auspices.

(b) *Higher Training and Education.*

We are aware that the government of Canada in close cooperation with the Indian Affairs Branch is earnestly endeavouring, with all the means at their disposal, to develop the well-known aptitudes of the Indians by introducing subjects and training which would be most beneficial to their intellectual and economic development. For this, we wish to express our sincere appreciation to all government officials for their fine efforts and accomplishments. However, if we may be permitted to suggest, we respectfully and strongly urge all those who have it in their power to safeguard our Christian heritage as well as improve ways and means of attaining higher education to do everything within their power and authority to expedite the reconstruction of our Roman Catholic senior school building, which was totally destroyed by fire on December 10, 1941, the reconstruction of which has been promised ever since but without any result. Under present conditions, it is practically impossible to hope for any success in the education of our people. We realize that wartime economy and other conditions brought by the last conflict have created a problem for the government, but we sincerely hope that our present class-room shortage will be remedied without undue delay, and that immediate consideration will be given to the reconstruction of our school.

(c) *Male Teachers for Higher Grades for Male Pupils.*

The teaching in our schools for boys and girls has been conducted by and under the supervision of the Reverend Sisters of Ste. Anne who are doing an admirable work and who have dedicated their lives to and given their talents for the education of our boys and girls. It is the sincere desire of the Indians of Caughnawaga to retain the Reverend Sisters to teach and instruct the children as admirable results have been achieved in the field of education.

However with regard to the education and teaching of male pupils in the higher grades of our Catholic schools, it is the unanimous wish and desire of our reserve to have older boys taught by male instructors and the suggestion is that such teaching be conducted by teaching Fathers or Brothers assisted, if need there be, by any capable and qualified men lay teachers.

(d) *Gratitude to the Indian Affairs Branch and Suggested Policy.*

A number of our boys and girls have distinguished themselves in higher education and have achieved a fair degree of success. Such higher education was made possible through the kind aid, assistance and encouragement of the Indian Affairs Branch without which aid and assistance the attainment achieved might not have been possible; and we wish to express our sincere appreciation and gratitude to the officials of the Branch who have helped those who worked and strived for higher education after leaving the schools in Caughnawaga. We trust and urge that the same policy be not only continued but, if possible, amplified in order to encourage our boys and girls to attend high schools, colleges and universities, by providing them with sufficient financial assistance.

The next is (c) but that does not come under education. That consists of minutes of a meeting held on May 26, 1947.

Mr. CASE: A meeting of the Caughnawaga band?

The CHAIRMAN: Is that education?

The WITNESS: No, it is on page 7.

Mr. CASE: Can you say how many were present at the meeting?

The WITNESS: I am sure that there were over 250 but it does not say so here.

Mr. RAYMOND: That is the band hall is it, where this meeting was held?

Mr. CASE: But who called the meeting?

The WITNESS: The people.

Mr. CASE: What people?

The WITNESS: The Indians of Caughnawaga.

The CHAIRMAN: But that was not called by the elected council?

Mr. RAYMOND: I believe that would amount to a question.

The CHAIRMAN: But is is a question which was asked by a member of the committee.

Mr. CASE: There is no reference in the minutes of that meeting to say how many were present and who wanted the meeting. Was it a representative meeting and who called the meeting?

Mr. FARQUHAR: He said there were about 250 there.

The CHAIRMAN: You don't know who called it?

The WITNESS: We got together for the simple reason that the rumour was going around that the elected council were for abandoning the Indian Act and that they were going to be a sovereign nation by themselves. We have got to defend our rights and that is one of the reasons we had called a meeting.

The CHAIRMAN: Well, proceed. Did you want to read the rest of these minutes or do you want to go on to some more important matters?

The WITNESS: We will go on to taxation.

The CHAIRMAN: Where is that?

The WITNESS: On page 24. "Liability of Indians to taxes".

The CHAIRMAN: May I just interrupt you. The time is approximately up and you have got twelve pages on taxation. Would you just like to make a comment and put this whole thing into the record.

Mr. BLACKMORE: Would it not be fair to let these gentlemen use their own discretion as to what part of this the committee ought to hear.

The CHAIRMAN: Well, the time is now up.

Mr. BLACKMORE: I submit, Mr. Chairman, these men have a perfect right to be here and as one of the members of the committee I would like to hear them. I would like to let them use their discretion and read the portions they consider important.

Mr. CASE: They are not accredited delegates.

Mr. BLACKMORE: How do we know that?

The CHAIRMAN: We have gone through this so often, Mr. Blackmore. You were not here earlier and I do not think you heard the evidence that has been given. We have this afternoon five more groups to be heard and we must be through by one o'clock to-morrow.

Mr. BLACKMORE: Are the other delegates accredited delegates?

The CHAIRMAN: No.

Mr. BLACKMORE: Is there no accredited delegation?

The CHAIRMAN: Yes, we have heard the accredited delegations and these are all voluntary.

Mr. RICHARD: Mr. Chairman, I would like to have an explanation of the words "accredited delegation"?

The CHAIRMAN: One that has been picked out by the committee to make representations.

Mr. RICHARD: Here is a delegation that claims they got together when they were instructed to organize and present a brief of some kind. They had 250 people at their meeting and they have submitted a brief and I believe we are sort of treating them as if, "we will hear you all right, but that is about as far as it goes". We are telling them every two or three minutes that they have to rush and skip along.

Mr. MATHEWS: I suggest, Mr. Chairman, that if the witness had been using the time which has been used by members of this committee he would be through before this.

The CHAIRMAN: So far as I, as chairman, am concerned, I am going to do what the committee wants to do. It is your time. If you want to waste time this way it is quite all right with me. I can sit here just as long as you can. An accredited delegation is one that has been appointed and we have let it be known what day and hour that we would expect somebody from that group to appear. We let the Indians in Caughnawaga know and they have sent their accredited delegation and if these others want to make representations we are glad to hear them. We have to draw a line somewhere however. Ontario, Manitoba, Saskatchewan, Alberta and British Columbia all had accredited delegates and I mean by that, a certain number of delegates was allotted to each province which number (three) was set by this committee and we have to adhere to our rule quite strictly. Now these gentlemen are surplus apart from those who have been appointed to represent the Indians of Quebec.

Mr. CASE: It has already been agreed that we put the brief on the record.

The CHAIRMAN: Yes, we have already put the brief on the record (Appendix GB).

Mr. BEAUVAIS: I think it would be well if I let the members know that if we are here it is at the direct invitation of this committee. I received an invitation by letter notifying me if we wished to present a brief before the committee with the rest of the Quebec Indians we would be called to-day or to-morrow.

The CHAIRMAN: I will give you the letter which was forwarded to all groups of Indians in your province as well as in other provinces and which reads as follows:—

OTTAWA, Ontario,

May 29, 1947.

Dear Sir,—The subcommittee on agenda and procedure of the Indian Act Committee have considered hearing representatives from the Province of Quebec.

The representation of Quebec Indians has been settled by the selection of three Indians from various parts of the Province. These have been invited to attend in Ottawa on Thursday and Friday, June 12 and 13.

If, therefore, you would like to be present on the above dates, *at your own expense*, you will be given an opportunity to present a brief on one of those dates, namely, Thursday or Friday, 12th and 13th of June.

Please advise me at once if it is your intention to be present.

Yours truly,

T. L. McEVOY,
Clerk of the Joint Committee
on Indian Affairs.

Mr. BEAUVAIS: Have you had no answer from me? Would you like to see my copy?

The CHAIRMAN: We may have got an answer. I have no doubt we did. If you did send an answer no doubt we got it.

Mr. BEAUVAIS: I will read it if you want it.

The CHAIRMAN: I have no doubt about it. What we are trying to do is to be fair to all parties. We have all these people to be heard and we will sit until 11 o'clock to-night to do it.

Mr. BEAUVAIS: I understood you to say in this letter that we would be given a chance to present a brief and make certain representations and now when we come here we are told to sit down.

The CHAIRMAN: Not at all. We have given you one-half hour. You have your brief which we are going to print in our record. If everybody, apart from the accredited delegates were to come in with 35-page briefs and then submit to questions, we would be here till doomsday. Now, you are a sensible man and you know that we cannot do that.

Mr. BEAUVAIS: What might be interesting to know would be how you determined which are the representatives and which are the parties representing the majority. These fellows claim that they are the party who represent the majority of the band and we say that we are.

The CHAIRMAN: Well, Mr. Beauvais, all we can do is take the elected councils in the various reserves and look to them. We have to take advice, not only of the elected representatives, but we have to take the advice of members of the Indian Affairs Branch, and we have taken advice wherever we could get it—good advice; and in our wisdom—whether it was wisdom or not—we decided on certain representatives from Quebec. Apart from that we are now wasting a lot of time. If we have time to hear these gentlemen again we will call them back. Is that agreeable?

Mr. RAYMOND: No, it is not. They have been on the stand for only half an hour. I do not believe this is fair because they have not spoken for half an hour. We have interrupted them, and they would have had time to read the brief if we had listened to them.

The CHAIRMAN: Gentlemen, I am in your hands. We have from now until 6 o'clock.

Mr. RAYMOND: That is all right. Although it is not all right with me because I would like to suggest that we give them a few minutes more.

The CHAIRMAN: It is whatever the committee says.

Mr. CASTLEDEN: I second the motion to hear these representatives further.

Mr. CASE: Give them until 5 o'clock.

The CHAIRMAN: Is that agreeable? This is final. At 5 o'clock, gentlemen, you will terminate your brief.

Mr. BLACKMORE: And no interruptions.

Mr. RAYMOND: Do what you like.

The CHAIRMAN: It is quite agreeable to me.

The WITNESS: I have about ten pages to cover and it will take me about fifteen minutes.

The CHAIRMAN: You have only seven minutes left. How are you going to get fifteen minutes into that? At 5 o'clock you will please terminate.

Mr. BRYCE: Give them fifteen minutes more.

The CHAIRMAN: Very well, if you say fifteen minutes it means fifteen minutes. Make up your minds.

The WITNESS: I have quite a number of references from judges.

The CHAIRMAN: All of those will be put on the record.

Mr. CASE: Spend your time on making comments rather than reading.

The WITNESS: Section 102 of the Indian Act says:

102. No Indian or non-treaty Indian shall be liable to be taxed for any real or personal property, unless he holds, in his individual right, real estate under a lease or in fee simple, or personal property outside of the reserve or special reserve, in which case he shall be liable to be taxed for such real or personal property at the same rate as other persons in the locality in which it is situate.

The CHAIRMAN: That is section 102 of the Act.

The WITNESS: Yes, sir. Then section 105 of the Act states:

105. No one other than an Indian or non-treaty Indian shall take any security or otherwise obtain any lien or charge, whether by mortgage, judgment or otherwise, upon real or personal property of any Indian or non-treaty Indian, except on real or personal property subject to taxation under the last three preceding sections; provided that any person selling any article to an Indian or non-treaty Indian may take security on such article for any part of the price thereof which is unpaid.

That is a great question to-day. We claim that the Indian is working outside of a reserve. We have no factories, as you all know, in any reserve. We all have to go out to various places from coast to coast to work. We are going to argue on our own domicile. Our views are common in Caughnawaga. We go out fishing; we bring home the bacon. Why do we go out to work? Many of our people own personal property. Before they have an opportunity of touching that money the tax is deducted. That is one of the big points we wish to bring out.

Mr. RICHARD: That is for taxes?

The WITNESS: Income tax and succession duties. We have no banks on the reserve, but many of the Indians are thrifty enough to save money for their old age. Now, with regard to insurance, we have to pay the provincial government which has no control over Indians. They make laws and we are liable to obey them. We cannot draw any money from the bank after a death if the money has been deposited. We must pay all succession duties first. If we have any money deposited in the bank it is the same way; we have to get a clearance from the authorities of the province of Quebec or any other province. There are judgments to the effect that they have no right to do that; still they are doing that. If that section 102 were amended in such a way as to cover everything that an Indian domiciled on the reserve has, he should be exempt from all taxation. The taxation of Indians is possibly only a drop in the bucket for the government but it means a great deal to an Indian where his means are small. Certainly we are trying hard to imitate the white race to save for our old age, but what little we may have is taken away from us. I know of a case where a man had accumulated \$135,000 in cash. The province of Quebec took \$9,635 in succession duties. The heirs lost the \$9,635. No matter how little the policy owner has in insurance duty has got to be deducted, and that is the time that each and every one of us needs the money most. It costs a lot of money to die; it is cheaper to live. I fail to understand why the federal government, being the ones authorized to make laws for the Indians, should allow the provinces to come into this. We cannot move in any way, shape or form; if we make a purchase at 25 cents we have to pay two cents on it. Even on electricity we have to pay 8 per cent to the federal authority and 2 per cent to the provincial government. I believe that is exorbitant. We are not going outside of the reserve to be

enlightened; we have our houses now; but still the two governments take a big portion of our income for this tax.

I have an opinion of one of the most eminent lawyers, I believe, in Canada—the late Aime Geoffrion—and he claims that they cannot tax the Indian. Unfortunately, that lawyer is dead. We have also the opinion of Judge Marchand, judge of the Court of King's Bench, province of Quebec. It is on *situs* and domicile. Where a man is working outside. Take a case like the Toronto Trust vs. the King: they could not collect anything; they are not Indians, but based on that very word *situs*, all our families are residing in Caughnawaga. The men go out to work and earn good money, but they bring home only half of the kill. Some two years ago in this very city of Ottawa I was interviewing the Hon. Colin Gibson, then Minister of National Revenue, and the Hon. Douglas Abbott, the present Minister of Finance, and they promised they would look into that matter and even promised that section 102 might be amended, but they have never yet reached it. Now, as my time is so limited—

The CHAIRMAN: I am sorry, but it is now 5 o'clock.

The WITNESS: All right. I do not want to take any more of your valuable time; but there are so many things we could look into.

The CHAIRMAN: All of those things are in your brief, are they not?

The WITNESS: Yes.

The CHAIRMAN: Well, they will become part of the record and later on if we have an opportunity we will give you a hearing and probably members of the committee may want to submit questions to you.

The WITNESS: I shall be ready.

The CHAIRMAN: If that is agreeable to you we will proceed.

The WITNESS: That is agreeable to me.

The CHAIRMAN: Mr. George Cree of Oka, would you like to come up here, Mr. Cree?

George A. Cree, Lake of Two Mountains, Oka reserve, called:

By the Chairman:

Q. Mr. Cree, you are representing the Oka reserve?—A. Yes, sir.

Q. You may remain seated if you like or you may stand up, just as you wish. Were you elected to come here by your council?—A. To tell the truth we have no council in Oka, we have no chiefs, just certain groups.

Mr. HOEY: They have no regular council at Oka as I understand it.

Mr. CASTLEDEN: Louder, please.

By the Chairman:

Q. They have no regular council at Oka. How were you appointed to come here for the purpose of giving evidence?—A. Because I wrote to the clerk, Mr. McEvoy. He told me he had written to the chief to come to Ottawa but the chief declined.

Q. And he has appointed you?—A. Yes, I went up last Sunday and it was decided that I should come in his place and I sent a telegram to that effect to your clerk.

Q. How many people reside at Oka?—A. Just approximately 400.

Q. Have you something you would like to present to this committee?—A. Yes, sir, I have a brief here. I wish to read this brief. At the time the Honourable Mr. Crerar came to our meeting in Carnegie Library, he told us to prepare a brief and I have one but I think he got that brief. I wish to read this brief however.

OKA, QUEBEC,

June 12, 1947.

Honourable Members of the Senate
and Members of the House of Commons,
Ottawa, Ontario.

GENTLEMEN:

Lake of Two Mountains Oka Reserve.

We hope that if and when you make a revision of the Indian Act it will be for our benefit. I would like if you would consider the following articles:—

1. Land for cultivation
2. Wood for fuel; also timber for building purposes
3. When revising Indian Act, I hope you will see that you insert that the Indian will not be called up for combatant duty outside of Canada
4. Old age pensions and also a widow's pensions; also for the disabled persons
5. Income tax abolition for Indians forced to live off the reserves to make a livelihood trusting that you will see we get back all the money we have had taken off our salaries
6. That each and every veteran be given the same amount: \$2,320, whether he builds a house or buys a farm or not. I think every Indian man who donned the King's uniform for active service should be given some recognition by the government.

Yours respectfully,

GEORGE A. CREE.

Then the next one is the one which we gave to the Honourable Mr. Crerar, but it is too long to read.

By the Chairman:

Q. Have you got a copy?—A. Yes, I have.

Q. Would you let us have it and we can probably incorporate that in the minutes of proceedings. Is that the brief you presented to Mr. Crerar?—A. Yes, that is the one.

Q. We will incorporate it in the minutes.—A. That was drafted in Oka, Quebec, on June 30, 1944.

(Brief appears as appendix GC to this report.)

Q. Now, Mr. Cree, I believe there are other delegates from Oka, are there not?—A. Yes, James Montour and Lewis Gabriel.

Q. Are you expressing the views they hold?—A. No, I do not. They did not tell me and I do not know anything about their views.

Q. Well, if you are through, would you just leave the chair for the time being and Mr. Montour will come up and Mr. Gabriel.

The CHAIRMAN: Which Gabriel are you, are you "B. Gabriel"?

Mr. GABRIEL: No, I am not. That is another Gabriel.

The CHAIRMAN: Is he related to you?

Mr. GABRIEL: He is a cousin.

The CHAIRMAN: Mr. B. Gabriel I understand could not come, he has written a letter saying that he could not come.

Now, Mr. Montour, do you belong to some organization?

Mr. MONTOUR: My understanding it is the Six Nations Confederacy.

The CHAIRMAN: Then we have heard from them, when the Six Nations reserve was here.

Mr. CASTLEDEN: But these gentlemen are from Oka.

The CHAIRMAN: It is all the same confederacy, it is the Six Nations confederacy.

Mr. CASTLEDEN: The others were from Brantford.

The CHAIRMAN: Well Mr. Montour, have you got something you would like to say or have you a brief.

James Montour called:

By the Chairman:

Q. Would you read your brief please?—A. I will read it, or perhaps you would.

Q. I would be glad to read it for you. There seems to be two briefs here.

Mr. LICKERS: This one is in connection with the claim on Montreal Island.

The CHAIRMAN: There are two briefs. Would it be in order to file one of these and print it in full in to-day records of this committee (see Appendix GD) and then I will read this short one for you.

The purpose of our brief is to recover our reserve of Lake or Two Mountains accorded by His Majesty's Royal Proclamation of 1763.

Our reserve has been disturbed, and all sorts of illegal proceedings have taken place, happenings of all kinds befell the Indians so that the Indians did not progress. The law that was made for the inhabitant was pressed to the natives. The hunting grounds for the Indians were sold, and not by the Indians, but unknown to them the sales and losses of the Indians were all illegal and most unjust.

The case of the reserve of Lake of Two Mountains in 1910 passed through Montreal. The documents of said case were sent to England in 1912. Some were returned to Canada Privy Council of the dominion. The dominion was to settle said case for the Six Nations Indians of Lake of Two Mountains with justice. Therefore it is now the requirement of the Six Nations band to have the reserve redeemed according to the surveyance of His Majesty. Furthermore all destruction should be recompensed. Following the justification and settlement for the confederacy of the Six Nation to be in full justice, and the documents of the Six Nations of 1784 should be reinforced in full. It also means 1763 and 1766.

In 1913, the right of Six Nation of the reserve of Lake of Two Mountains was given in to the hands of Deputy superintendent Duncan C. Scott, through Mr. Rowell and Chief Angus Corenthé receiving same from England and it was the request of Chief Angus Corenthé to receive same but was not granted. So it went in the hands of Duncan C. Scott, Deputy Superintendent, and the benefit for the Six Nations was then lost thereon.

Since 1841 we have been slaves.

We want to reject the book of the Indian Act. It does not prove beneficial. We want the right of the Six Nation of His Majesty's Proclamation 1763 to stand in our reserve.

Saying reserve brings to mind.—There are four leagues of reserve in Montreal that we have never been paid for. We, as Six Nation, applied to the Indian Department in 1936 to assist in securing settlement and

nothing was done for us. We also went to the Governor General but were met by his assistant at that time and were advised to go to the deputy minister and it is our last hope.

We fully expect proper understanding and a just legal settlement. We ask you once more in all judgment not to weaken the right of the Six Nation Confederacy of the Lake of Two Mountains, Province of Quebec, Canada.

Yours truly,

JAMES MONTOUR.

June 10, 1947.

I have here also the judgment referred to, which went to the Privy Council in a letter addressed to George A. Cree under date of February 3, 1937. That letter is addressed to you Mr. Cree.

Mr. CREE: Yes, sir.

The CHAIRMAN: It is written by W. O. Rowell and it is headed as though it was from the Chief Justice of the Supreme Court of Ontario. If it is agreeable I will have that filed and it will become part of the record.

Mr. CASTLEDEN: Can we have it read?

The CHAIRMAN: It cites from a judgment of the Imperial Privy Council.

Mr. CASTLEDEN: What is the point of it?

The CHAIRMAN: I have not read it, I do not know. It will be on the record so that we will have a full and complete picture.

Mr. CASTLEDEN: We may have it two weeks from now but we cannot question this man at present.

Mr. CASE: It does seem somewhat unusual if we are going to question the judgment of a Supreme Court Judge.

The CHAIRMAN: Mr. Castleden's point is that we should know what is in it.

Mr. CASTLEDEN: I want to know whether the judgment has been fulfilled.

The CHAIRMAN: You want to know what is in the judgment. This is the letter addressed to Geo A. Cree, and I will read it:—

OSGOODE HALL,

Toronto, 2,

February 3, 1937.

GEO. A. CREE, Esq.,
1092 Addington Ave.,
Montreal, Que.

DEAR SIR:—I have now had an opportunity of turning up the judgment of the Privy Council in the action of *Corinthe vs. Ecclesiastics* of the Seminary of St. Sulpice, which was heard by the Privy Council in the year 1912. I quote the following from the judgment which was delivered by the Lord Chancellor, Viscount Haldane. Referring to the Act of the Legislature of Lower Canada of 1841, he says:—

Their Lordships think that the effect of this Act is to place beyond question the title of the respondents to the seigniorship, and to make it impossible for the appellants to establish an independent title to possession or control in the administration. They agree with the learned judges in the Courts below in thinking that neither by aboriginal title, nor by prescription, nor on the footing that they are *cestuis que* trust of the corporation, can the appellants assert any title in an action such as that out of which this appeal arises. They

agree with the reasoning upon these points in the judgments of the Courts below.

They desire, however, to guard themselves against being supposed to express an opinion that there are no means of securing for the Indians in the seigniory benefits which s. 2 of the Act shews they were intended to have. If this were a case which the practice of the English Courts governed, their Lordships might not improbably think that there was a charitable trust which the Attorney-General, as representing the public, could enforce, if not in terms, at all events *cy-pres* by means of a scheme, or if necessary, by invoking the assistance of the Legislature. Whether an analogous procedure exists in Quebec, and whether in that sense the matter is one for the Government of the Dominion or of that of the Province, are questions which have not been, and could not have been, discussed in proceedings such as the present. All their Lordships intend to decide is that, in the action in which the present appeal arises, the plaintiffs' claim was based on a supposed individual title which their Lordships hold not to exist. If in some different form of proceeding the Crown, as representing the interest of the public, puts the law in motion, or if negotiations are initiated for the settlement of a question as to the location of these Indians which may be of importance to the general interests of Canada, their Lordships desire to make it clear that nothing they have now decided is intended to prejudice the questions which may then arise.

Owing to my judicial position I cannot offer any opinion upon the matters raised by you. You will have to consult some lawyer in the Province of Quebec.

Yours truly,

(Signed) W. ROWELL.

Mr. BRYCE: It is the case of one lawyer to another.

Mr. CASE: That is very enlightening.

I wonder if I could ask a question of these gentlemen.

The CHAIRMAN: Is it agreeable to the committee that we depart from the usual rule of procedure by having these people questioned?

Mr. BLACKMORE: I would like to hear what they have to say.

Mr. CASE: It is just one point. They say they are representing the Six Nations Confederacy and I want to know if they subscribed to the brief that was presented by the Six Nations Confederacy. You heard the brief?

Mr. CREE: I was not here this morning.

Mr. CASTLEDEN: May I point out the brief presented this morning was from the council of Caughnawaga.

Mr. CASE: It is signed "We, the Council of Caughnawaga, members of the Six Nations Confederacy."

Mr. CASTLEDEN: These men are from Oka, the others are from Caughnawaga.

The CHAIRMAN: Is there anything else you would like to say?

Mr. BLACKMORE: If there is time, the first speaker would like to add some remarks on what he said.

Mr. CREE: I do not want to make a long statement. I would like to ask about the land the Department of Indian Affairs is supposed to have bought on a mountain near the Lake of Two Mountains. I would like to know if it is true?

The CHAIRMAN: What is it that you ask?

Mr. CREE: They are supposed to have bought a mountain, what they call Mount Alexis out in the Lake of Two Mountains. They bought this mountain and paid so much money, so many thousand dollars, and I think Mr. Hoey could tell if that is true or not.

The CHAIRMAN: Do you know anything about a purchase of a lake or a mountain or something?

Mr. HOEY: Within the last two years we have taken over from the Sulpician Order all the lands they owned at Oka with the exception of a comparatively small area surrounding the church. In addition to that we purchased from the Belgian Corporation—that is not the official title, but it is as close to it as I can come to it at the moment—a wood lot known as Mount Alexis. The purpose of the department in making this purchase was to secure for the Oka Indians necessary lands upon which they could live and from which they could support themselves. The purchase of the mountain was particularly designed to provide the older people at Oka with the wood they required from year to year. It is our intention to go further and repurchase a number of lots now owned by white people so that the reserve will ultimately become a well rounded out area with its boundaries clearly defined.

Mr. BRYCE: Is that good agricultural land, Mr. Hoey?

Mr. HOEY: The land secured from the Sulpician Order is reasonably good agricultural land.

Mr. CREE: I was very surprised about the Department of Indian Affairs purchasing this mountain because it is to me like the Rock of Gibraltar. The mountain is just a rock as bare as this table, there is nothing on it. I think it would be best if the department is going to purchase lands they should buy land which could be cultivated for something. That mountain they bought is absolutely useless. There is nothing on it and it is just as bare as this table. I think myself if the Department of Indian Affairs wants to purchase something they should have called it to the attention of somebody that has brains to say whether it is worth the price or not.

The CHAIRMAN: Well you have expressed your opinion and I cannot get into a controversy between you.

If there is nothing else would you stand aside and there will be questioning later.

Mr. CASTLEDEN: Mr. Montour would like to say something.

Mr. MONTOUR: I would like to excuse myself because I cannot speak English the same as you people do. I am a full-blooded Indian. Mr. Cree was talking about wood lots. There is a big mountain there out in the reserve and I do not know how the department could buy it when it is in the reserve. Who is going to get the money? We never sold it on the reserve but two men went out last winter on to that wood lot and they got wood there, but they were fined and they were arrested.

Mr. BLACKMORE: Were they Indians?

Mr. MONTOUR: Yes they were Indians. They paid fines two of them. The Mounted Policemen got those two fellows into the agent's office. There is a point: the Indian Act must be working in there. I believe when I was a kid it was not so much trouble. After the Indian Act came in then the trouble started. I know there were only a few sticks of that wood about so thick (indicating).

So all we are asking from year to year, a good many years now, is to go back to our own old treaty rights. I mean the King's Royal Proclamation of 1763, and also 1784 and 1766, and the other treaties. Now the reserve is really tied up and it is very bad too. I hope we get something these days. The way

we heard it, it is all because of the Indian Act so we of the Six Nations want our rights and our treaties and our reserves clear in our own hands as it was before.

The CHAIRMAN: Thank you very much. I would ask that you be here tonight and tomorrow morning.

Now would Chief Charles Nolette come forward please?

Chief Charles Nolette, Pierreville, Quebec, called:

By the Chairman:

Q. Chief, you are chief of what reserve?—A. The Abenakis.

Q. How do you spell it?—A. A-B-E-N-A-K-I-S.

Mr. HARKNESS: They are a well-known tribe.

By the Chairman:

Q. How long have you been chief?—A. Well I have been councillor since 1921.

Q. You are not chief?—A. Yes I have been chief since 1933.

Q. You have been chief since 1933?—A. Yes.

Q. Were you elected by the band?—A. Yes.

Q. And did you have a meeting before you came down here?—A. I had a council meeting of the band.

Q. And when did you have that?—A. I was appointed by my council of the band.

Q. When did you have that meeting?—A. Last week, I do not remember the date.

Q. Can you tell us how many were there?—A. Two-thirds of the band.

Q. How many would that be?—A. Thirty-five or forty.

Q. Are there any further questions by members of the committee?

Now have you something you would like to give to the committee?

Mr. CASTLEDEN: Could we ask where this reserve is?

The CHAIRMAN: I am sorry, will you please speak so we can hear up at the front?

The WITNESS: It is near Sorel.

Mr. CASTLEDEN: How many Indians are there on the reserve?

The WITNESS: 225 living at the present time on the reserve.

The CHAIRMAN: It gives the figure 482 according to the 1944 census.

The WITNESS: The last census gave 225 residing on the reserve.

The CHAIRMAN: All right, would you go ahead.

The WITNESS: I regret that I must read in French.

The CHAIRMAN: That is all right, Mr. Raymond is here and he is a very good interpreter.

The WITNESS: I will give it to the gentleman and he can read it.

Mr. RAYMOND: (Reading brief): (See Appendix GE)

Mr. Chairman and honourable members of the Senate and the House of Commons.

The CHAIRMAN: I am sorry to interrupt, but it has just been drawn to my attention that there is a brief by Mr. Charles Nolette given as of August 8, 1946, at page 878 of the 1946 issue of the minutes of proceedings of this committee. Is this an additional brief?

Mr. CASTLEDEN: What page is that?

The CHAIRMAN: 878.

Mr. FARQUHAR: Is it sent here by the same council?

The CHAIRMAN: Do you remember that Mr. Nolette?

Mr. RICHARD: Are you aware of this brief, did you know about it?

The WITNESS: Oh, yes, but it is only part of our brief and on just one question.

The CHAIRMAN: All right, would you go ahead Mr. Raymond.

Mr. RAYMOND: (Continuing reading brief):

I am honoured and happy to have the opportunity granted me of joining with the other reserves in Canada in the study of the problems concerning the improvement and welfare of the Indians. I represent as chief, the reserve of the Abenakis of Pierreville. I will be brief in submitting these remarks. The work accomplished by the president and the other members of the North American Indian Brotherhood, has covered nearly all the questions which might interest us. I express here the unanimous opinion of the Abenakis. We request the maintenance of the actual system of the reserves with certain modifications of the Indian Act with a view to improving the situation and safeguarding the rights of Indians. I may say in so far as the problem of education is concerned, with the Abenakis, the present school system has given entire satisfaction until now and we are asking the maintenance of such system. The education of our children has been entrusted to the Grey Nuns of the Cross, Ottawa. For more than sixty years those devoted sisters have carried on a real good work on our reserves. The Indian Act, concerning the outlawing of liquor in the reserves, although it seems quite severe, should be maintained in force for the future. Since a law which has been enacted to safeguard the health and morale and the good name of a people should be appreciated. These laws against the abuse of alcoholic liquors have had good results in our reserve. I am happy to declare that the Abenaki nation is a sober nation. Only a few of our people abuse the liquor laws and they are exceptions which confirm the rule. At all costs, of necessity, we must mold a temperate people. That is the key to all success.

For many years the old age pension has existed in Canada for white Canadians. Until now this law has favoured all Canadian citizens except the Indian. If I understand this law its purpose is to help all individuals who have attained the age of seventy years; people who have been unable, on account of chance, or lack of thrift, to succeed in life or for other reasons have not been able to save a pittance for their old age. The government has deemed it necessary to help such Canadian citizens and the Indian should not be excluded from that category. The Indian, as well as the white, has to face the same trials of life in this country and has the same right, as his white brother, to end his days in relative security. I understand that certain work concerning old age pensions for Indians is under way, and we hope that it will have a happy ending.

There do not exist any actual treaties between Abenakis and the federal government. I mean treaties by which the federal government is bound to certain obligations in return for certain land which has been ceded by the Indians. On the other hand, according to article 40 of the Capitulation signed at Montreal, on September 8, 1760, the Indians allied with His Most Christian Majesty, it says that those Indians would be maintained in their reserves, the same reserves that they had at that time and that they would not suffer in any way for having taken up arms, or for having served His Majesty, and they will further have the liberty to retain their missionary.

The reserve which we occupy at the present time is what we might call a seigniorial grant ceded by the Seigneurs Crevier de St. Francois, according to a deed passed at Montreal on the 23rd of August, 1760.

According to this deed, there was ceded to the Abenakis by the intermission of their missionary, Father Bigot, of the Society of Jesus, one-half league of land frontage for the Abenakis to have and to hold as long as the mission to be established by the Society of Jesus for the Abenakis shall remain there. When the said mission shall cease to exist the said half league presently ceded will be then returned to the Seigneurs Crevier or to their heirs or successors in the same state as prior to this deed.

The same year there has been conceded to the Abenakis one-half league of land by the Seigneur of Pierreville. The two grants comprised at that time an area of three miles in depth by about six miles in length. At the present time, the reserve of Pierreville comprises a little more than 500 acres of land. We can judge, according to these figures, the considerable area of land which we have lost.

I do not want here to speak of the details of these encroachments on our reserve. It might be too long. I would say, however, that certain grants have been made regularly, on the other hand some are illegal.

You mean by that, grants to the whites?

Mr. NOLETTE: Yes.

Mr. RAYMOND (translating): You mean some grants have been made legally and on the other hand some others have been made illegally?

Mr. NOLETTE: Yes.

Mr. RAYMOND (translating): As I have said at the beginning, other questions which interest the Indian reserves in general have been discussed here by the president of the North American Indian Brotherhood. We Abenakis do not wish any amendment or change in our position in so far as the reserve is concerned. The right to vote and the responsibility to pay taxes do not interest us at all. Further, the question of the right of the Indians to elect their own members to the House of Commons should be studied. It would be opportune also for each local council to have full authority in the administration of its local affairs. I end my remarks by thanking the honourable members of this committee."

Mr. Chairman, that is the best I can make of it.

The CHAIRMAN: Thank you very much, Mr. Raymond. That completes your brief, Mr. Nolette. Is there any comment you care to make or any addition you wish to make to it? If you will just stand in readiness for further questioning, we will call the next witness. Thank you very much.

Chief Clifford White; Paul Coldwell and John Jacobs are with you?

Chief WHITE: No, I am appearing alone.

Chief Clifford White, St. Regis reserve, called:

By the Chairman:

Q. You are the chief of the St. Regis reserve?—A. That is right.

Q. When were you elected chief?—A. Last year, that is on a three-year term.

Q. Is this your first term that you are serving?—A. Yes, my first term.

Q. How many are there on that reserve?—A. Over 1,600.

Q. 1,613; have you something you would like to present to the committee?—

A. We presented our brief in the early part of this year (See Appendix GF)

Q. Yes.—A. I have just a short brief now.

By Mr. Richard:

Q. Where is that reserve?—A. Near Cornwall. It extends over the two provinces.

It is an honour for me to appear before this committee. I have no apologies for being here as the elected representative of the St. Regis Indians. The system of the life chiefs was abolished by order of the privy council No. 1279 which disposed of the life chief system on June 9, 1888, because of misappropriation of band funds belonging to the band.

I do not appear here loaded with complaints like the great majority of our people. We are too busy earning a livelihood. We have other members who do not appear to have time to pursue anything of a constructive nature for our people but who would rather spend their time in creating disunity amongst our people for the purpose of fattening their purses at the expense of the uneducated Indian.

Some of you may know that the department has a definite program in St. Regis such as road building and a nursing station which is to be built in the near future. Our people enjoy free medical care and free hospitalization. I can assure you any improvements in these lines will have the support of the council. I should like to suggest to the members of this committee in the revision of the Act to include the word "Indian" as a person under section 141. I might also add that this committee should consider a minimum standard of education for a councillor.

In closing, I have the confidence that this committee, in making the necessary changes for us of this generation and future generations, will help us take our rightful place in this great country of ours.

The CHAIRMAN: Thank you very much, chief.

Now, there are Joe Mitchell and Moses Thompson also here from St. Regis. Are they here? Would they like to say something? If not, we will proceed to the other witnesses.

Who are you?

Mr. THOMPSON: Moses Thompson.

The CHAIRMAN: Who is the other gentleman?

Mr. THOMPSON: Joe Mitchell.

The CHAIRMAN: Do you hold any office at St. Regis?

Mr. THOMPSON: Yes, we are life chiefs.

The CHAIRMAN: You are the hereditary chiefs?

Mr. THOMPSON: Yes.

The CHAIRMAN: How long have you been chiefs then?

Mr. THOMPSON: Twelve years.

The CHAIRMAN: You are in the Six Nations Confederacy?

Mr. THOMPSON: Yes.

The CHAIRMAN: You are the same as some of the others who have appeared before us to-day?

Mr. THOMPSON: Yes.

The CHAIRMAN: Your brief appeared on page 879 of the 1946 issue of the minutes of proceedings of this committee.

Mr. THOMPSON: That is quite right.

The CHAIRMAN: Have you any other brief to present?

Mr. THOMPSON: Yes.

The CHAIRMAN: Do you want to present it to us and have it included in the minutes? Is it the pleasure of this committee since there is already one brief by this group from the St. Regis reserve, to hear another brief?

Mr. BLACKMORE: I think since they have come here to give it, they might be permitted to give it.

The CHAIRMAN: Would the committee be agreeable to having it placed on the record?

Mr. BLACKMORE: I wonder if they want that.

The CHAIRMAN: Then they could make some comments.

Mr. THOMPSON: Could I ask for an interpreter. I am not very well educated.

The CHAIRMAN: What language do you speak?

Mr. THOMPSON: Indian, Mohawk.

The CHAIRMAN: What language is that document written in? (From this point Mr. Frank Small Fence acted as interpreter for Mr. Moses Thompson).

The INTERPRETER: This is English.

The CHAIRMAN: We will put this on the minutes of proceedings. Is it agreeable to the members of the committee that we include this in the minutes of proceedings?

Carried.

ST. REGIS BAND
June 11, 1947.

Joint Committee of the Senate
and The House of Commons
Ottawa, Canada.

DEAR SIRs,—We the undersigned members of the Mohawk Iroquois Indians of the St. Regis Band—with this message place our grievances before you and the people of Canada:

With one accord the chiefs and members of our tribe want the "Indian Act" taken away from our reservation! This act for the compulsory enfranchisement of the Indians, not only violates our sacred agreements and treaties but while it stands—there is no security of the Indian home! If an Indian is old, crippled and destitute and asks for relief of the Indian agent he is told that he can receive fuel, clothing or food and ten dollars in cash if he will forfeit his house and lands. In other words the Indian is called upon to forfeit his entire birthright as an Indian and all that he holds dear—for a few paltry dollars. To compel our people to do this is nothing short of dictatorship and smacks of Hitler, himself! The Dominion Government of Canada is laying too great a burden and too much hardship on our Indians, in reference to assistance received from you. The majority of our people are very poor due to lack of work. We have no projects, no employment of any kind on our reservation. We see by the papers that the government is very free and generous in its aid to foreign countries, yes even to countries that are known to be enemies. It has appropriated millions of dollars for relief work and to improve European countries. Yet we are told if we, a small number, receive aid we are to lose our lands! We who have been your faithful allies in all of your wars including the late war in which thousands of our youth fought for your very existence! We cannot stand such a type of relief regulation as is found in the "Indian Act". Why should we Indians have to lose our homes while other races are aided by the Government?

Officials of your government have violated our treaties, have made plans to erect a hospital on our lands, have entered our reserve for the purpose of drilling wells and making roads, have sent men to survey our lands and have planned to erect buildings on our reserve—all done without permission from our head men and without letting them know anything about the above mentioned. We blame this all upon the "Indian Act". We cannot understand why these things are taking place without our knowledge and consent. Both Kink George and the first President of the United States promised us that we, the members of the Six Nations Iroquois Confederacy would remain unmolested in our country without any interference from the outside. We quote the words of Sir William Johnson while at Fort Johnson, April 22, 1757:

Brethren, as you have now in behalf of yourself and all your people laid hold of the Covenant Chain of Peace and Friendship with the great King of England, my master, and called the great God above to witness that you do sincerely intend and firmly resolve that you will hereafter, behave, to all his subjects as fast friends and loving brethren into which covenant chain I have taken all your wives and children.

Brother—Concerning the International Boundary line, that according to our original treaty that it does not interfere with it whatever, but it covers the whole plantation.

Brother—Concerning the question referred to by our treaty from the discovery to the time of the first great President of the United States:—

FIRST—That the government has made an illustration that they shall abide in their vessel;

SECOND—That we Indians of the Iroquois, also remain in our birch bark canoe. (Our own government);

THIRD—That the government shall make no compulsory laws for the Indians, but the treaties are to be unmolested forever.”

In 1871 Hon. A. G. Archibald, Lieutenant Governor of Manitoba, speaking of treaties with the Indians, assured us that— “Your great mother, the Queen, would like you to adopt the habits of the whites. But the Queen, though she may think it good for you to adopt these habits, has no idea of compelling you to do so. This she leaves to your choice, and you need not live like the white man unless you can be persuaded to do so of your own will.”— We members of the St. Regis Iroquois Band want to retain our tribal identity, with our reservations. We have no desire to cast these aside. We have no wish that white men enter our reservations, using the Indian Act as an excuse, to create works of any kind (over the heads of our Chiefs and people) to interfere with our tribal life. We have faith in the good word of the Queen who gave us her promise! We hope that our treaties, guaranteeing no interference from outside sources, will be kept by a country that boasts of its honor and word!

We have given up every fertile field, forest and stream. All that we have left is our small reservation, yet now, by laws made, laws that we know nothing of and had no saying in their being made (The Indian Act), we may lose what little land we now possess—Our reservations! We are confined and dictated to by feudal and bureaucratic departments with no representation by our chiefs or by our people. We have no share in the disposing of our destiny and rights! (Witness—Elective form of trustees appointed and started by Canadian Govt. without our consent; Indian Act Law—without our consent; Forfeiting our homes if on relief, without our consent; building a nursing station on our lands, without our consent; drilling wells, making roads, erecting buildings, surveying our lands—all without our consent!)

We are the first people of Canada. We claim justice and an honest living wherever we may be, as the last reprisal for the great wealth usurped by greed and injustice in the name of civilization. Justice has come to a sorry pass when the St. Regis Mohawks and other Iroquois, now that they need relief will be denied relief unless they forfeit their homes and reservation, through laws that they know nothing of and had no say in the making of. Has the power of conquest, the philosophy of might over right for which millions died to deny in the late war, attain the strength to deny what the Great Spirit has given the Indian?

The Indian honors the hand that deals justice. We have kept our treaties and promises with you. We have been faithful allies in all of your wars, from the French and Indian war to World War II. We ask but life and liberty and freedom to run our own little country without outside interference. When you English first came to our country you were few, weak and feeble. Yet we

took pity on you and gave you your start. In times of famine when your little ones cried for bread, who was it who gave them relief, who gave them meat, corn and fish? Did the Iroquois say that you must become as they were if they helped you during your need? Who helped you during the French and Indian war when the French were thundering at your gate? It was your faithful allies, the Iroquois Indians who turned the tide and made your victory possible! If it had not been for the help given by our people the French would have driven you into the sea! Yet now when our people need your aid and protection—you forget. You must seize our homes if you aid us.

When your numbers had increased and you wanted land you made us promises that if we surrendered part of our country we could retain our reservations for all time to come and for land surrendered you would help feed and clothe us! We now remind you of the promises of King George III to his faithful allies, the Iroquois Indians:—

King George III of England, a charter issued to the Five Nation Indians in North America.

1st Condition—The Five Nation Indians territorial government permanent independence.

2nd Condition—Permanent land (Reservations) to the Five Nation Indians.

3rd Condition—As long as the sun shall be moving in the heaven, and grass growing, and the waters flowing in the rivers, the Iroquois Indians shall draw presents, blankets and other goods, etc. (for land surrendered outside of the reservations).

Now if we need your aid we are surprised and shocked to hear that another new law (The Indian Act), a law passed without our knowledge, might take our country away from us if we receive aid from you, a law that gives, apparently from your actions, you permission to enter our reservations and interrupt our way of life, over the heads of our leaders and people. Little did the Iroquois think that the present situation would confront him!

The King and Washington by the Jay Treaty confirmed after 1812 at Ghent, restored to the Five Nation Iroquois and Indians of America all the privileges and precedents that they enjoyed previous to 1812 that to-day are being challenged. Shall we have justice?

You have the mineral wealth of Canada, the wheat lands of the middle west, the forest wealth of the interior, oil fields and fertile valleys. You set aside thousands of acres to preserve the wild game of America, the national parks, but lo—the Indian, you aim to deny him, if possible, the right to live his own life on his reservation, the right to govern his own people in a true democratic way as the Iroquois were governed for years before the white man came to our shores. The Iroquois Indian's appeal is not for mercy. We ask for justice from this great Canadian people, the right to live unmolested in a land that is our heritage. Are we to be called exiles in our own country? Is the trust that our forefathers had in the great White Father at Ottawa to be broken?

We want to remain Indian in this fast changing world. We have seen the results of the white man's way of life. We think it better to remain a good Indian than a poor imitation of a white man! We want to live our own life on our reservations, without interference from outside sources, and governed by our own chiefs appointed in our own way, a way that we understand and a way that we are satisfied with. In plain English we want our treaties to be respected and lived up to!

THE ST. REGIS BAND

The CHAIRMAN: You have some comments in addition to your brief that you would like to make?

Mr. THOMPSON: We have the same views as the Caughnawagas of the Six Nations Confederacy. Whatever demands are put forward by the Caughnawaga Six Nations Confederacy it is the same with us. It is the same as Oka. There

are four different tribes of Mohawks which form one nation. These four tribes form one nation, St. Regis, Oka, Caughnawaga and Brantford. It is the Mohawk nation.

The CHAIRMAN: Is there anything else you want to say?

Mr. THOMPSON: I do not approve of the Indian agent at St. Regis. He goes right ahead taking a highhanded attitude and taking land where he pleases and building houses without asking the members of the reserve.

The CHAIRMAN: Anything else?

Mr. THOMPSON: He goes on fixing roads. We do not know how much money is spent on it. He does not consult the owners of the land.

The CHAIRMAN: Anything else?

Mr. THOMPSON: He wants to put telegraph poles on the reserve and put up lights. We do not want that.

The CHAIRMAN: You do not like light?

Mr. THOMPSON: He is not the owner of the land. It is owned by the Indians, not the Indian agent, not Rev Father Jacob who co-operates with him.

The CHAIRMAN: Anything else?

Mr. THOMPSON: We would like to have a voice on the St. Lawrence seaway when it comes up. We do not want a canal through the reserve. It is a reserve for the Indians. It is not a reserve for the dominion government. It belongs to the St. Regis Indians. It does not belong to the government. That is all.

The CHAIRMAN: Thank you very much. We appreciate very much your coming before us this afternoon. You will stand by for to-night for questioning and to-morrow at 11 o'clock. Gentlemen, it is practically 6 o'clock.

Mr. RAYMOND: Do we meet at 9 o'clock to-night?

The CHAIRMAN: 9 to-night. Is it agreeable we will meet again to-night at 9 o'clock?

Chief LAZARE: May I have a few words. The chief has asked me if it is possible to go on record. We want to be democratic about this thing. Since there is another party here that claims that they have the majority support of the Caughnawaga reserve we hereby invite any number of the Joint Committee to come to our reservation and find out for themselves who has the support, the councillors or any other party.

The CHAIRMAN: We do not want to get into a controversy between two groups.

Chief LAZARE: That is the only way you will get the full picture.

The CHAIRMAN: You do not need to be worrying.

Chief LAZARE: We are not worrying. We know we have got the support, but that is the only way.

The CHAIRMAN: We may decide later to go down there as a group or we may go down individually.

Chief LAZARE: We only want to be fair to the other party.

The CHAIRMAN: We appreciate your attitude of fairness here. That will be taken into consideration.

Chief LAZARE: Thank you.

The CHAIRMAN: We will meet again to-night at 9 o'clock. For the benefit of those who are in ceremonial costume I do not think it will be necessary to be in costume to-night unless you so desire.

The committee adjourned at 5.55 p.m. to resume at 9 o'clock p.m.

EVENING SESSION

The committee resumed at 9.00 p.m.

The CHAIRMAN: Gentlemen, will you come to order.

I have received a letter to-day from Grand Chief John Jacob of Caughnawaga and John K. Beauvais. It is a submission to the committee and I will read it if you agree. It gives their views on the matter.

Caughnawaga
Indian Reservation
June 10, 1947.

Mr. DON F. BROWN,
Member—Essex West,
House of Commons.

DEAR SIR,—We the life chief and clan-mothers of the long house of Caughnawaga Indian reservation known as Mohawk branch of Six Nation confederacy.

Do hereby reporting once again, that we the North American Indians we demand our freedom, and separate the rights between us treaty Indians and the Indian Act people as this Act belongs to the white men's law and we don't wish to hold what don't belong to us. Our protection is the North American Law of 1784 (by the King a proclamation of 1763) that is what we want to be followed. As we are the original aboriginal believer who are members of the long house are in favour of these treaties of 1784 and 1763. Hoping you take this matter in consideration when you receive this report.

(Sgd) Grand Chief JOHN JACOB
John K. BEAUVAIS
Caughnawaga, Quebec,
Box 149.

Now, we have Mr. Charles Canadian here and he would like to make some representations to us.

Charles Canadian, Caughnawaga, Quebec, called:

By the Chairman:

Q. Who are you acting for, Mr. Canadian?—A. I am acting on behalf of the Caughnawaga Taxi Association.

Q. Have you got a brief there?—A. No, Mr. Lickers has it.

Q. Would you like to say something in connection with the brief or have you got a copy?—A. No, I was just going to make a statement with reference to the brief.

Q. Yes, would you like to say something now?—A. Mr. Chairman, honourable ladies and gentlemen of this committee; it is an honour and a privilege for any Indian to be given the opportunity to present grievances for ratification before this committee. I represent fourteen Indian taxi-owners of the Caughnawaga Indian reserve operating between Lachine and Caughnawaga for the last fifteen years.

Since last June, a year ago, there has been on our reserve a man named Horace Riendeau.

Q. How do you spell that?—A. H-O-R-A-C-E—

Q. And the last name?—A. R-I-E-N-D-E-A-U. He has introduced his bus service into our reservation without consulting anyone in the reserve, the councillors or the band or anyone.

Mr. CASTLEDEN: Has he consulted the agent?

The WITNESS: He consulted the Indian agent and the agent took it upon himself to make application to the Indian Affairs Branch for his application. Now this man Riendeau's application went before the Provincial Transportation and Communication Board and this local Indian agent, François Brisebois from Caughnawaga, supported his application before the Provincial Transportation and Communication Board, despite the opposition of the public and our chiefs themselves.

Mr. CASTLEDEN: Brisebois is the Indian agent, is he?

The WITNESS: Yes, that is right. The result has been the introduction of this bus service between Caughnawaga and Lachine for the transportation of our local Indians between Lachine and Caughnawaga with the intention of monopolizing the transportation of our local Indians. He was given permission to operate on a temporary basis.

Mr. MACNICOL: By whom?

The WITNESS: By the Provincial Transportation and Communication Board.

By Mr. Castleden:

Q. Onto the reserve?—A. On the reserve.

Q. May I ask how far it is between Lachine and the reserve?—A. It is about four and a quarter miles.

Q. And how much of that territory is on the reserve and how much is off the reserve?—A. How much is the fare?

Q. No, I want to know the distance, is Lachine near to the reserve?—A. It is across the river.

Q. How much of the four miles of roadway is in reserve?—A. I would say about a mile and a half to a mile and three quarters.

Q. In the reserve?—A. Yes.

Q. And the other two would be out of the reserve?—A. Yes. He has been operating since last June and the result of this operation was the resentment of the Indians of Caughnawaga and they stoned the bus. They arrested, I believe, four of our local Indian boys who are all of teen age and those boys were taken into the Montreal jail and stayed there for at least a month before they were able to get bail and I myself was in there for six days. They charged me with conspiracy to damage the bus. The case is still pending; it is coming up on the 18th of next month. I had nothing whatsoever to do with the damaging of the bus but they have the sole intention of imprisoning me with this charge and they would imitate the rest of my associations.

Mr. CASTLEDEN: You mean intimidate?

The WITNESS: Yes.

Mr. MACNICOL: May I ask, Mr. Chairman, if this is in order in view of the fact the case is before the court.

By the Chairman:

Q. I am sorry. Did you say the matter was now before the court?—A. For damages to the bus.

Q. Well, I certainly do not think this is a proper place to be airing this now if the matter is before the courts of the province of Quebec.

Mr. MACNICOL: He said it was coming up on the 18th.

By the Chairman:

Q. I think frankly, Mr. Canadian, that the matter has to be taken up with the Indian Affairs Department.—A. I have on several occasions brought it to the attention of the Department of Mines and Resources and the Indian Affairs Branch.

Q. You see, Mr. Canadian, it would be a most improper thing for us to be discussing a matter which is before the courts of the land.—A. This has no connection with whether he has a right to operate. This case in the court is in reference to the damages to the bus and it has no connection at all with whether Riendeau has the right to operate his bus within the limits of the reserve.

Q. But you are now discussing some matter, the facts of which are now before the courts; is that not right?—A. That is right.

Q. I do not think it is proper for you to be discussing that matter here. You see we may form opinions but we only hear your side of the story and there are two sides to the story.—A. If you will permit me to have the brief read I could enlighten you.

Q. I understand that this brief sets out the facts as you have stated them. I think it is quite proper if you wished to have this brief filed and become a part of the record but we cannot express any opinions. If we start questioning you on the facts of a case that is before the courts unquestionably the members of the committee will be forming and expressing opinions.—A. The fact there has been no rectification of this issue is why it resulted in the court procedure.

Q. I say the matter is now in the court and I do not think we can go into it at all.

Mr. MACLEAN: The matter before the court is the matter of the damage to the bus. The other matter is not before the court. If the question of whether they have the right to operate the bus is not before the courts he can discuss that.

The CHAIRMAN: Is that what he is discussing?

Mr. MACLEAN: He mentioned the damage to the bus, but if he did not discuss that it would be all right.

The CHAIRMAN: I am sorry. As I understand it, he was discussing a matter, as Mr. MacNicol has said, which is now before the courts.

Mr. MACLEAN: He brought that particular matter in, too.

The CHAIRMAN: But he is talking now on the general question of whether the bus operator should be allowed the right to go to and from the reserve.

Mr. MACNICOL: That was the cause of the smashing of the bus. I imagine it would be a pretty delicate matter to touch it.

Hon. Mr. McKEEN: It is one point as to whether the bus should run on the reserve. That matter is not in the hands of the court. If that is the question he wants to raise that would be all right, but he brought in the point himself about being in jail and the case before the court. That is where Mr. MacNicol raised the point.

By the Chairman:

Q. So far as any damage do I understand from you that one of these buses was travelling on your reserve and there was some offence committed, and that case of the stoning of the bus, the offence to which I just referred, is now before the court?—A. Yes, sir.

Q. You cannot discuss the matter, but I think we could well discuss the matter of the general right of buses to go to and fro on the reserve property.—A. That is what I wanted to bring before the committee.

Mr. CASTLEDEN: Leave the other matter out.

The WITNESS: If it is in order I should like to have that brief read and you would be more enlightened on that subject as to why I am standing here today.

By the Chairman:

Q. Do you want me to read this now?—A. Yes, please.

Mr. FARQUHAR: Is it very long?

The CHAIRMAN: Two pages.

Caughnawaga, P.Q.,
Indian Reserve,
Dec. 12, 1946

Mr. Norman E. Lickers,
Liaison Officer,
Committee on Indian Affairs,
Ottawa, Ont.

Dear Sir—May we prevail upon you to assist us in a matter which we consider to be of grave importance to us, "The Caughnawaga Taxi Association."

Our grievances are, that one white man, namely Mr. Horace Riendeau of St. Remi, Que., has established his bus service in our village of Caughnawaga reservation, to exploit to his advantage with the obvious intention of monopolizing the transportation of our people, between Lachine and Caughnawaga which is a distance of four miles, in which the Caughnawaga Taxi Association have been operating for the past twelve years and still endeavouring to carry on, inasmuch as circumstances will permit, if you will adhere to the following:-

1. That our local Indian agent, Mr. Frs. Brisebois, extemporaneously applied to the Department of Mines and Resources, for the application of Mr. Riendeau, to operate his bus in the village of Caughnawaga Indian reserve roads. That Mr. Brisebois also appeared before the court of Provincial Transportation and Communication Board, on October 3, 1946, to support Mr. Riendeau's application despite the opposition of the public, and the operators of the taxi association endorsed also by the petitions of our local Indians, and further backed by the Chief and council in which we strenuously opposed the application of Mr. Riendeau, again we have been overruled by predominant factors, as we lack the necessary (political influence) to substantiate our grievances.
2. That the Department of Indian Affairs, and also the Department of Mines and Resources have been called upon in person, that Mr. Riendeau was operating his bus on the reserve roads, it seems that both Department of Indian Administration want to rest the responsibility upon the other. The Provincial Transportation and Communication Board, in their judgment of Riendeau's application, were without jurisdiction to establish him a terminus on the reservation, and these facts are known to both above mentioned, of Indian administration in Ottawa.
3. That Riendeau called the traffic provincial police of Montreal into our reservation, all due to the public resentment of operating his bus within the limits of the reservation. Due to the fact that Riendeau has sufficient political influence, to use the provincial police as to intimidate our residents to the extent of stopping our taxis at the foot Mercier bridge in Ville LaSalle, and threatening us with the cancellation of our licences on our cars, the consequence of which resulted with such protests, that the police arrested six boys from the reservation for stoning the bus, and charged conspiracy to Charles Canadian, President of Caughnawaga Taxi Association, which is still pending in the Criminal Courts of Montreal.
4. That the Indian reservation of Caughnawaga be more reserved to the Indians only. We have close to one hundred white families that have taken up residence in our reservation, for the past ten to fifteen years,

and some have resided in our reservation, owing to the housing shortage. The fact that these white people reside in the reservation, they form their opinion in our general affairs of the reserve, insomuch to petition for the operation of Mr. Riendeau's bus, with the aid of one Indian that's a politically inclined provoker (backed by a local M.P.), to exploit the Indians to their advantage, we are, of course in the background in the opposition of this nature, as we are wards of the government. This above mentioned Indian politically inclined provoker, has in the past thirty years or more, held elections for the provincial and federal, in the reservation of Caughnawaga, in which is not in accordance with the Indian Act.

5. That the provincial highway that passes through the reservation of Caughnawaga, to be taken more into consideration, the danger of our people of being killed along the highway, the motorists have repeatedly, year after year, killed our children, or disfigured them for the rest of their lives; or they run into our houses, or kill our horses and cows. Up till now the authorities have not taken any precautionary steps to safeguard our people of Caughnawaga reservation.

Respectfully submitted on behalf of the
Caughnawaga Taxi Association,
Pres. CHARLES CANADIAN.

Then below that there are the names of the members and drivers.

By the Chairman:

Q. You want that put on the records—A. Yes, please.

The CHAIRMAN: Is that agreeable to the committee?

Carried.

By the Chairman:

Q. Is there anything else you want to say?—A. As you can see there since the introduction of this bus I have gone to every corner of authority to come to some understanding and I find myself meeting with opposition from politics. I have no protection from that kind of opposition as you well know. This practice has been carried on in our reservation for several years. Because of this practice it is very hard for our leaders, the chief and council, to accomplish anything with that kind of fight. We have been overruled in every court in Montreal if they have any political connection. This practice, I submit, honourable members should not exist on any reserve because we are not in a position to take upon ourselves the fight against opposition of that kind. I ask you gentlemen here to see that in the future such practices shall not take place on any reserve in the Dominion of Canada.

There have been abuses. There have been hatreds. It has caused disunity amongst the people on the reservation. This is the result of disunity. I come from Caughnawaga myself. We failed to have agreement when we came up here on something which is of great importance to the people of Caughnawaga.

This is not the first time this thing has confronted me. I spoke of other occasions and I could cite them, but they are not of much interest to me now. Here is a practice which should be stopped. Our council passed resolutions as they have already stated here which have been overruled, by what? By these political connections they use. We have none. We have some individual Indians there who use these things. This is the result of disunity in Caughnawaga Indian reserve.

Right now, with the summer residents who have come in we have close to 200 families on our reservation. Our own people cannot find homes in our own

reserve. The people who have come back from their work to spend a week or a month or two on the reserve cannot find a place. These are the conditions at Caughnawaga.

By Mr. Castleden:

Q. You mean white people?—A. White people.

Q. Are coming on the reserve?—A. Yes. Then, some of the white people who live on our reservation go so far as to express their opinions concerning our general affairs, as I have stated in my brief. They have petitioned for the operation of this Riendeau bus.

By Mr. MacNicol:

Q. How are they allowed on the reservation?—A. That is what I want to know.

Mr. MACNICOL: White people have no business on the reservation in my opinion.

The WITNESS: I went to the mayor last year, and I went to our agent Francois Brisebois. He had authority there, because I interpreted for him, to evict those trespassers. We came from the reservation and showed this order which came from the Department of Indian Affairs. We told him we wanted him to exercise this immediately. I said, "Our own people have not got places to move into and here the white people are filling up Caughnawaga." He says, "We will have to take this matter up with the Department of Indian Affairs." Already, he has in writing from the Department of Indian Affairs an authorization for him to act in this matter. These practices have taken place on our reservation.

By Mr. Case:

Q. Did you say, you went with the mayor?—A. Yes.

Q. The mayor of what place?—A. Caughnawaga.

Q. The village of Caughnawaga?—A. Caughnawaga is a reserve.

By Mr. MacNicol:

Q. What does the chief or council say about this?—A. They have been opposing this and they have been told, after the war is over and housing conditions improve they will remove the whites. The war is over and they are still there and they are still coming in.

By Mr. Case:

Q. Let me get this straight, is this gentleman of whom you spoke the mayor of Caughnawaga reserve?—A. Yes.

Q. It must be an organized municipality if you have a mayor there?—A. We call our chief the mayor.

Q. You live on the reserve?—A. Yes.

Q. Do you support the brief presented by the Caughnawaga council?—A. My father is in the council.

Q. The council of Caughnawaga, composed of the Six Nations Confederacy presented a brief this morning. Are you in favour of that?—A. I am, to some extent.

By the Chairman:

Q. Is there anything else? You see, Mr. Canadian, so far as the enforcement of federal law and provincial law is concerned that is a matter upon which we do not want to express an opinion. However, I think it would be well if this matter was referred by this committee to the Indian Affairs Branch for a report. We can discuss that matter. We are having Mr. Hoy before this committee as a final witness very shortly. I think it will be next week, probably?—A. I took

the matter up with the Honourable Mr. Glen on the 5th of May when I was here last. I left a petition there and I left with him two letters, one from the Mines and Resources Department and one from the Indian Affairs Branch, giving their opinion on this matter.

Q. I am now informed that the matter is under active consideration by the Indian Affairs Branch, Mr. Hoey's office. Mr. Hoey, unfortunately, is not here this evening, but I am now informed that is what is being done. This committee will request Mr. Hoey to give us a report on it.

Mr. CASE: The reasons as to why these people are living there and so on?

The CHAIRMAN: That is right, and what steps are being taken to have them evicted.

By Hon. Mr. McKeen:

Q. Who owns the houses in which the whites are living?—A. The Indians themselves, on the reserve.

Q. Do they rent them to the whites?—A. They rent them. The Indians, sir, rent them for the summer season. I believe there is a by-law governing that. When the fall comes, the whites are faced with a housing shortage and they remain there.

Q. Who gets the rent, the band or the individual Indian?—A. The individual owner.

By Mr. Castleden:

Q. Are the owner in favour of having these people moved out?—A. Yes.

By the Chairman:

Q. Would you be content to leave it at that, Mr. Canadian?

By Mr. Richard:

Q. You say the owners are content to have these people moved out?—

A. After the summer season.

Q. Up until now they have been content. They rented the houses themselves?—A. What they did in the past—there is a by-law covering that, that a white person can stay for the summer months only on the reserve. When the fall comes the whites are stuck for a house and they remain there. The Department of Indian Affairs allows them there owing to the housing shortage.

By Mr. Farquhar:

Q. Is that by-law a ruling from the band?—A. That was in the past. I do not know much about that, but I know that was a ruling of the council some years ago.

The CHAIRMAN: Now, if you will be content with that we will proceed.

The WITNESS: What I would like to get straight before I leave is this; has the provincial jurisdiction the right of way over roads on an Indian reserve?

The CHAIRMAN: Has the—what?

The WITNESS: Right of way over roads on the Indian reserve.

The CHAIRMAN: Just a minute. Let's get one at a time. Everybody is speaking on all sides of me and I did not get it at all. What did you say?

The WITNESS: Has the provincial government jurisdiction over the right of way on roads on Indian reserves?

The CHAIRMAN: Are you asking us, or do you want us to find out?

The WITNESS: I would like to find out because I am at a loss to find out.

Mr. FARQUHAR: Our opinion is that they have not.

The CHAIRMAN: That matter will also be referred to Mr. Hoey for further consideration. We will have that discussed by the committee later.

By Mr. Castleden:

Q. Is this the regular provincial highway running through the reservation and on down to the United States border, is that right?—A. Yes.

Q. Is it part of the main trunk highway which runs through your reserve?—A. It runs through our reserve and then it goes into our village, say about a mile and a quarter—or, say about a mile.

Q. Do you know whether, at the time this road was built, permission was obtained from the band or council with regard to that right of way?—

A. I believe it was, but that was several years back. They built another highway and then abandoned this road that goes into the village.

Mr. FARQUHAR: Possibly the old right of way has been abandoned.

Mr. CASTLEDEN: It would occur to me that before any special road was built for your reserve action would be taken officially to get the consent of the band or by some other means to get permission from the Indian chiefs to put that road through. Do you know whether that right was ever granted by officials of the department to the people making application?

The WITNESS: I think the chief would be in a better position to answer that than I am.

The CHAIRMAN: I think we have gone far enough with this matter and I am going to ask you to make way for the next delegation.

Mr. RICHARD: Just a minute Mr. Chairman; while he is here we had better finish this matter. We are going to be here for a while yet.

The CHAIRMAN: Not very long.

Mr. RICHARD: Oh, yes.

By Mr. Richard:

Q. Are you opposed to the provincial highway going through the reserve?—A. Yes.

Q. Is the other delegation opposed also?—A. Yes.

Q. You are both agreed on that?—A. Yes.

Q. Now I would like to ask you this: do you not think the advantage of having a highway by which you can reach the city, the doctor, the hospitals or anybody else, far outweighs the disadvantages that attach to it?—A. I don't believe so. We commuted between these points very conveniently before the highway was through there.

Q. Well, it is a good way to get out of the reserve.—A. Well, they didn't complete the road; and they are given too much authority there because they have made improvements for their own convenience.

Mr. CASTLEDEN: Such as what?

The WITNESS: Such as the bus route now. They have no right there to establish a terminal. Even on the main highway they have not that right. They have a right of way to go through and that is all.

The CHAIRMAN: Gentlemen, I want to know now if it is going to be the practice of this committee to permit questions before the witness has completed his presentation, or are we going to wait and hear all the others? If we are not going to do that, let us decide the matter now and if we are going to change our policy let's go ahead and ask questions; otherwise, I think it would be well to hear what these other people have to say.

Mr. FARQUHAR: Well, Mr. Chairman, this witness does not know whether the province has that right or not. I do not think it is of any benefit to question him further.

The CHAIRMAN: Are you through; have you completed your presentation?

The WITNESS: Yes.

The CHAIRMAN: Well, the practice has been we receive the presentation by the witness and then he is asked to stand aside and wait until we have had an opportunity of hearing the others. After the others have made their presentations then we divide up the time in questioning all the witnesses who have appeared before the committee.

The WITNESS: I have covered about everything.

The CHAIRMAN: We thank you very much, then.

Mr. CASE: Mr. Chairman, while we are waiting for the next witness I do submit that the limited questioning which takes place here is necessary. We are not cross-examining, we are trying to clarify a statement he has made. I do not think he should be cross-examined, but I think it is quite in order for members to ask questions for the purpose of clarification. We are not cross-examining the witness. I think that is a fair statement of it.

Mr. CASTLEDEN: Agreed. Next witness.

The CHAIRMAN: Tomorrow we have here the delegates from Maniwaki and the Abitibi. That will probably take the whole of the morning. We now have Chief Mike Montour, Matthew Lazare and Frank Small Fence for questioning on the brief which they presented. Would you like to come up here, and bring with you any others whom you would like to have present?

Mr. MACNICOL: This is in connection with the brief they submitted this morning I take it.

The CHAIRMAN: Yes.

Mr. LICKERS: I have here a summary of the brief submitted by the Huron Indians of the Lorette reserve.

The CHAIRMAN: We have here a resumé of a brief submitted by the Huron Indians of the Lorette reserve. It is agreed that this be filed with the committee and become a part of our minutes of proceedings.

Agreed.

June 9, 1947.

1—Referring to the Minutes of the Joint Committee, dated August 6 1947, p. 752, when Mr. Hoey said regarding the work done by the Indians inspectors "According to present practice not only do they meet the Indians, but we have the assurance in their report that they visit every Indian home, etc." You must tell him that this was never done in our reserve (Lorette) and Brigadier Martin was right, so we approve him very strongly. The Indians inspectors are not doing their job, and it is very easy to prove it to anybody, at any time. If they come on the reserve, their visit is limited to the agent office, and a fishing trip with the agent to his camp.

2—Referring to the Minutes dated May 25, 1941, p. 1456, Section Higher Education of a brief read by Father Plourde: "We believe that more young men and women from our various schools will eventually reach the university and complete their studies if given sufficient help from the department and we are glad to say that this has never been wanting." I believe Father Plourde is wrong when he said that this has never been wanting.

In August, 1941, my sister Lucette Picard asked the agent, and the department, for a tuition to go to Laval university, and you will find enclosed a copy of the answer from the department.

Regarding my own case, I must tell you that I graduated from Laval university, May 1946, with a Master Degree in Commerce. My studies cost me \$300 a year. I did ask the agent for a tuition, because we are

not rich and my father has a big family (9 children) and the agent refused without any explanations. I had to work during vacation to pay my fees, and I did not receive a single penny from the department. I still have a debt to pay.

I hope with all my heart that something will be done regarding education. I do not want my fellow Indians to study in the same conditions I did.

3—Question of the Indian agent is our worst problem. The agent is a kind of dictator on the reserve. The agent's authority should be limited.

We are in favor that a sub-agent be nominated by the band, someone to take our interest. This sub-agent shall co-operate with the agent, and know all the correspondence between the department and the Indian Agent. He would assemble the council at least once a month to report to them—ask his advice and act according to the majority. He would need a knowledge of financing, because we would be most interested to know what is done with the funds, where the money goes—how it is spent. He, of course, would be remunerated by Ottawa. Government inspectors' reports should be signed jointly by the inspector and the council (in general).

4—White people must get out of the reserve in the shortest possible delay. Our reserve is limited to a very small area and they must make room for the Indian. White people on the reserve are always a source of trouble and if we want to live in peace, they must live outside the reserve.

5—Indian must be exempt from taxation. For the simple reason that it is impossible to work on the reserve, to earn a decent living we must work out of the reserve. An Indian has about 45 feet by 60 feet of land. It's a laugh isn't it. What can you do with so little? You cannot cultivate, you cannot work on the reserve. There is no way of making a living there. The Indian has to work outside, be ridiculed, pay taxes and be handicapped by lack of education. Our reserve is not even 9 acres in all. Pretty soon the government will have to buy land in order to give our young ones place to live. The cause is this,—encroachment by white people on the reserve.

6—People from Lorette reserve are unanimously against compulsory enfranchisement. Why should an Indian give up his title? There is nothing wrong with it. It's an honour.

7—Through lack of education and trickery Indians did away with their land—rather, lost it. Some law should be established to allow at least so much ground "to be untouchable", by either Indians or white, until such time another revision takes place or the Indians as a nation become self-reliant. This would protect the Indian.

We will now hear Chief Mike Montour, Frank Small Fence, and Matthew Lazare who will be the principal speaker.

Matthew Lazare, spokesman for the representatives of the hereditary chiefs, Caughnawaga Indian reserve, recalled:

The CHAIRMAN: These gentlemen represent the elected council of the Caughnawaga reserve. It is now quarter to ten. What is your pleasure? We have many other witnesses to cross-examine, and all has to be done to-night.

The WITNESS: I would like to get this point straight; we represent the elected council, the hereditary chiefs and the band on our reserve.

The CHAIRMAN: That is right.

The WITNESS: Not just the council.

The CHAIRMAN: Yes. There was a suggestion made that we probably would have a look at your reserve some of these days, that was concurred in by Mr. Delisle, I think it was, Mr. Joseph Delisle.

Mr. JOSEPH DELISLE: Yes, sir.

The CHAIRMAN: You are concurring in the idea of having the committee look over the reserve at Caughnawaga?

Mr. JOSEPH DELISLE: Yes, sir.

The CHAIRMAN: We may find an opportunity to do that. I do not know whether we will or not this session, because the session, we hope, is drawing to a close, committees are very active.

Mr. MACNICOL: Mr. Chairman, I would like to return to the House as I am supposed to speak on the P.F.R.A. measure and I know the bill is coming up, so if I might, I have one or two questions which I would like to ask.

The CHAIRMAN: If that is agreeable to the committee?

Agreed.

Mr. MACNICOL: The witness in his brief mentioned the Jay treaty and gave two different dates. My opinion is that the right date is 1790 something—is it 6 or 7, I do not know which it is. The witness mentioned two dates. On page 3 he says 1776 and at another point he says 1796.

The WITNESS: There may be some error there, Mr. Chairman.

Mr. MACNICOL: All right. Mr. Hoey is not here. I guess there is nobody here who can answer for the department. I was going to ask, Mr. Chairman, whether there is any answer, why the department did not answer these resolutions sent by the band to the department. Apparently there is no one here who can answer that.

Mr. CASTLEDEN: You might postpone it or put it as a notice of motion.

Mr. MACNICOL: You mentioned this morning the Mohawks. I understood that there were a number of tribes included in the Six Nations, but I think you people said that you represented the Mohawks.

The WITNESS: There are Six Nations on the reserve at Brantford, on the Brantford reserve.

Mr. MACNICOL: But you are all Caughnawaga?

The WITNESS: We are all from Caughnawaga, there is only the Mohawks.

Mr. MACNICOL: This morning there was some reference to some other tribes. What I cannot understand, Mr. Chairman, is why so many white families are allowed on the reserves?

The CHAIRMAN: Are you asking me?

Mr. MACNICOL: I hope somebody will ask the chief, or whoever represents the chief here why they allow so many white families on the reservations. Personally, I don't think the whites have any business on an Indian reserve.

The WITNESS: I have stated here in our brief that the Department of Indian Affairs has found that it is to the advantage of the Indians to rent houses in order to better their living conditions, but the most the tenants have done is damage the houses and burn them. We have not benefited from that practice. The ruling was made by the Department of Indian Affairs.

By the Chairman:

Q. When was that?—A. Still—

Q. When was that ruling made?—A. From time to time as the white people are going in; and still to-day that practice is carried on. From time

to time the Indian agent makes application to the Indian department for certain white families to reside on the Indian reservations without the consent of the band or council.

By Mr. MacNicol:

Q. One more question and I am through. Does the Indian agent act as a dictator, as an all-powerful person?—A. Yes, he does.

Q. He does not pay any attention to the band?—A. Well, when there is a council meeting he just says that he is paying attention, but after he leaves the council he does not carry out the resolutions that have been passed.

Q. That is all I have to ask.

The CHAIRMAN: Senator McKeen.

By Hon. Mr. McKeen:

Q. I would like to know what revenue they get from these houses; is it considerable?—A. No; \$15 or \$17 at the most a month.

Q. They do not get anything like \$50 a month for any of them?—A. No.

Q. When these houses are burnt down are the tenants not responsible; do the Indians not collect anything?—A. Apparently these people move away to another house and the Indian agent states that there is nothing in the power of the Indian that he can do.

Q. Does the Indian agent force these people to rent their houses, or are they rented voluntarily by the Indians?—A. No, if these people will not rent houses he will find somebody else who will rent these people houses. The result of that is that people are renting houses because they figure the white people are going to stay on the reservation anyway.

Q. If a man owns his own house he does not have to rent it to anyone, does he?—A. No, he does not have to rent it.

Q. All these houses are rented on a voluntary basis by the Indians of their own free will, are they not?—A. In a way, yes.

Q. I do not want a qualification; say either yes or no.—A. Yes.

Q. That is all I have to ask.—A. I may add that the majority of them would like to see the white people leave.

Q. They get a living in other ways, do they?—A. Yes. They want to see the white people leaving the reservation.

By Mr. Matthews:

Q. I have so many questions that I would like to ask on this brief which was given this morning, a large part of which does not appeal to me at all, but I will pass on my turn to Mr. Farquhar.

By Mr. Farquhar:

Q. I do not think it necessary to ask any questions because I do not agree with this way of revising the Act at all; but I will ask one question. The previous speaker mentioned that there was a by-law passed allowing whites to occupy those houses for six months during the summer months?—A. That is right.

Q. So that your council did pass that by-law?—A. Yes, the Caughnawaga elected council passed that by-law.

Q. What are you complaining about, then?—A. Well, we are complaining that the council did not consult the band, because after all it is the band that stands to suffer from this practice.

Q. If this committee gave your council additional power they would possibly act in the same way—not in accordance with the views of the band.—A. I do not believe it would, because we have what we call the constitution of the Six Nations which must be adhered to.

Q. But apparently it is not adhered to, is it?—A. Not at the present moment because we have the Indian Act.

Q. The Indian Act does not prevent the council from adhering?—A. Yes, because it was under the Indian Act the councillors were elected, not by the constitution of the Six Nations.

Q. Are they not elected by the band?—A. Yes, they are elected by the band.

Q. Still they do not carry out the wishes of the band according to your statement?—A. No. There is a small group that seems to favour enfranchisement of our Indians, and not only that, they do get a chance of becoming councillors of the reservation by promising the people a lot of thing for their improvement and once they are in there they really work to the detriment of our people.

Q. That is all I have to ask.—A. Once they are in there it is too late; they have to stay there for a year.

Mr. HARKNESS: Mr. Chairman, I did not hear this brief read and so I will not ask any questions.

The CHAIRMAN: Senator Johnston.

Hon. Mr. JOHNSTON: I did not hear the brief read, but from the evidence I have heard this evening I would like to have the question which Senator McKeen asked qualified with regard to the renting of these houses.

By Hon. Mr. Johnston:

Q. You say that the Indians themselves rent the white people houses?—A. Yes, on the advice of the Indian agent.

Q. On the advice of the Indian agent?—A. Yes.

Q. Even although they do not need to accept that advice?—A. No, they do not need to accept it.

Q. No Indian needs to walk out of his house and let a white man go in?—A. No, that is right, but to the knowledge of all our people on the reservation they realize that under the Indian Act our councillors have no power whatsoever; they must abide by a little information they get from the Indian agent.

Q. I think that this is important. The Indian agent cannot force any Indian to walk out of his house to let a white man in. He would not do it, and he would not be upheld by the director?—A. That is right; but as it is I am trying to give a clear picture of this. The elected council at the present moment and in years before had no power whatsoever to decide on these points. They have protested and they have made petitions to the Indian department all to no avail. Nobody listened to them. In fact, wherever they go they are running up against a blank wall with no other place to go. That is why the Indians of Caughnawaga hate the Indian Act.

Q. It is a matter for the individual Indians. They are their homes; they do not need to give them up?—A. That is right. But the Indian Act has created divisions amongst us and it is the small groups of people that carry on these practices. They are the ones that start off the other people, and you know the way it is in all communities that goes on like fire, because the council is powerless to stop them. Now, if the council had a little more power that practice would have been stopped long ago, but everything must come up before the Minister of Mines and Resources and from what he does there is no appeal.

Q. No Minister of Mines and Resources or director of Indian Affairs would support the idea of any man being forced out of his house to have it rented to a white man on the reserve.—A. It is not exactly that practice that a man is forced out of his own house. No, there are some people that have two or three houses—a surplus for the time being but which are needed by members of the band who go homeless. At the present moment there are people on the streets—our own people—looking for houses which they cannot find to live in. They have to live in with their in-laws and their parents. As it is they have small cramped homes anyway.

Mr. FARQUHAR: It seems strange that in a situation of that kind your band passed a by-law contrary to the wishes of the people.

The WITNESS: This present council cannot be blamed for that. That was passed years ago. If I may say it was over twenty-five years ago.

The CHAIRMAN: Mr. MacLean.

By Mr. MacLean:

Q. I would like to know what the witness meant when he said that the Indian Act tends to divide and even destroy the red man.—A. Well, we mean this, that the Indian agent has a group with him that works for him. He has changed the people's mind so they are going to play the Indian agent's policy while the council in general are striving for the betterment of our people—such things as provincial roads going through our reservation. He consults this small group. He consults this little group—some people on our reservation call them J.P.'s—justices of the peace—he consults these little groups, and whatever they decide goes. They do not consult the chief councillor nor his councillors nor the band. They passed the highway right through. Just a few years ago we had some of our men arrested because they tried to stop the highway from going through. The provincial government was going right through, tearing down the fence of a farmer right over his land and because he objected to the red coats he got arrested. This protecting of the property is up to the Indian agent who arranges all that. It is not up to the Indian himself.

Q. You would not really blame the Indian Act?—A. They are given power under the Indian Act to decide for us because we are supposed to be minors; we "have no minds of our own" and we cannot decide anything; we are treated just like children.

Q. In your brief you wish to do away with the Indian Act. Do you mean by that that you would not want the government to give you any aid at all and you would be independent, just like the white men?—A. Just except the obligations under the treaties, that is all we are asking. We do not ask for anything more than what belongs to us. We do not want to interfere in your affairs. We will be content to live on our own reserves and attend to our own business. In that way we sincerely believe we will progress more quickly. This way we are tied down. Every time we set up in business there is a white man set up at another corner in competition with the red man.

Q. You mean in your reserve he does that?—A. Yes.

By Mr. Richard:

I will be as brief as I can.

The CHAIRMAN: You have till 10.04, I will give you an extra minute. I am looking at that clock and I do not hear anything.

By Mr. Richard:

Q. I want to know what you object to thoroughly and absolutely. You object to the Indian Act and want it wiped out?—A. That is right.

Q. You want the agent out of there?—A. Yes, and all white people out of there.

Q. And probably all laws which govern white people, you do not want them to apply on the reservation?—A. That is right.

Q. You do not want laws at all? You want the Indians living on the reserves to have complete sovereignty and authority?—A. Just on that reservation.

Q. That is what I am saying. That would do away with some of the benefits would it not?—A. It would.

Q. You do not want that?—A. It will do away with them in some cases but it will not in others.

Q. Well, now, you have mentioned schools. If you are going to do away with all dominion or provincial authority, and the Indian Act, and the Indian agent, and the white people, what kind of a school would you want to have and who shall impose that system; the Indians themselves?—A. The Six Nations confederacy will set up a public school with qualified teachers the same as you people have in the big cities. It would be like what you call the Protestant Schools Commission of Quebec.

Q. When you say qualified, that would be qualified under the white man's law, but you do not want the white man's law at all.—A. In the beginning we must have qualified teachers and white men if possible.

Q. After that who will decide who are qualified teachers?—A. There will be a board for that purpose.

Q. By the Indians?—A. Yes.

Q. That will decide who will be qualified?—A. Yes.

Q. The broad picture is you want complete authority and sovereignty as a nation?—A. That is right.

Q. I understood that from your brief.—A. There is no disrespect shown to the Canadian government.

Q. Well now do you think you state the wish of the great majority of people of the reserve when you say that is what you want?—A. That is right.

Q. You said eighty to ninety per cent wanted that?—A. That is right. That is why I invited the chairman this morning and some of you committee members to go down to our reserve and see for yourselves what the party is like, and the majority of the councillors or the so-called, self-styled chiefs that came up themselves.

Q. Family allowances are another point. I want to be quite clear. I understand the Indians of the reserve have been granted this allowance?—A. Yes.

Q. And some of them have refused to accept it?—A. That is right.

Q. Do I understand all the councillors here are refusing to accept the family allowances?—A. Yes.

Q. And also advocating and encouraging others not to accept it?—A. That is right.

Q. You believe yourself and you are telling people that there is some hook of some kind attached. You fear Greeks who bear presents?—A. That is right. At the time that was introduced there was a picture of Mackenzie King on that sheet which distinctly states for the future citizens of Canada. We do not want to become citizens of Canada or the United States, we are content as we are, Indians.

Q. You think there is a hook there somehow?—A. Yes, it is being future citizens.

Q. Do you not think probably your children are suffering on account of this refusal?—A. No.

Q. Through lack of education eventually, and through better living conditions.—A. I myself never suffered from lack of education because I did not attend any Indian schools. I went out on my own.

Q. You had means probably?—A. It is not because I had means, it is because I wanted an education and I realized I would not get it on the reserve and I worked to get an education.

Q. Do you think there are some on that reserve with the school system there now that have not received an education?—A. We can present witnesses anytime you drop around there that have graduated and gone on to attend education in Montreal and district and they will tell you of their experiences.

When they were supposed to be entered in one grade they could not keep up, they had to be dropped down two or three grades and that makes a poor Indian.

Q. I see, well I do not want to take any more time.

The CHAIRMAN: You still have a minute.

By Mr. Raymond:

Q. A few moments ago you said many of the houses you were renting on the reserve were burned out?—A. Yes.

Q. About how many?—A. If you really want the proof I could get it.

Q. About how many?—A. Approximately five farmhouses so far.

Q. We will say in the last five years?—A. In the last ten years.

Q. Five have burned out in the last ten years. Now following with what Mr. Richard said, can you tell me if the Caughnawaga band would abandon the privilege of earning their living outside the reserve.—A. That is not the point.

Q. No, but do you think they would.—A. No. After all, we even have Canadians going to the United States to make their livings and I believe we should have that privilege too.

Q. Now this morning although it is not mentioned in your brief, you said you were representing the Indians of Caughnawaga, except a few traitors. You do not need to answer but you may answer. When you say traitors do you mean those who came after you?—A. I mean the people that compromised and gave away our land without the consent of the majority.

Q. Would you name the others who are the traitors you are referring to?—A. I do not give names but there are many of them.

Q. And how many of them do you believe you have there?—A. A very small group; they are all the best educated men.

Q. All the best educated men, but about how many?—A. That is hard to say.

Q. Ten, five or a hundred?—A. Between ten and fifteen, I suppose.

Q. And would you say you are representing all the Indians of Caughnawaga except those ten or fifteen traitors?—A. It would be very hard to be exact.

The CHAIRMAN: I am sorry we did not get that.

By Mr. Raymond:

Q. I was interrupted very graciously by the chairman but may I repeat what I said. I understand this morning you referred to traitors and I would like to get the point clear in my mind. You referred to the fact this morning that you were representing all the Indians of Caughnawaga except a few traitors?—A. That is right.

Q. And you would say there were about ten or fifteen families?—A. Yes.

Q. And that is all that you do not represent today?—A. That is right.

Q. That is all.—A. Because those people are ashamed of their race. They are ashamed of what they are and in any nationality or in any country when a man is ashamed of his race he is a traitor.

The CHAIRMAN: Mr. Castleden, you will have until 10.12.

By Mr. Castleden:

Q. I was very interested in your brief because I think it points out to us that there is mistrust there, and lack of confidence, and if we are ever going to solve the problem of the Indian we must have enough confidence to meet together around a table and talk things over.—A. That is right.

Q. I think you want to meet around that table with the rest of the people or peoples.—A. That is right.

Q. Now do you think the Indians would be willing to do that if we called such an assembly?—A. They will on one condition. When this petition was made it was passed before the Six Nations grand council.

Q. Which petition are you talking about?—A. This brief, and it was approved according to the other hearings and they would be willing to sit down and come to an understanding with the Canadian government on one condition, which is that they have to prove their trust first by fulfilling their obligations under our treaty. After that is fulfilled we will be ready to sit with you, gentlemen, and come to an agreement.

Q. Thank you, I think that is a very good contribution. Now, in your brief you point out in several places, or at least in one place, that motorists are using your roads in many places without permission.—A. Well, they have permission in a way, as I have stated before. The permission has been granted through the Indian department without the consent of the band nor the council when the provincial roads go through the reserve. We cannot stop them. That is their part of the story. We think differently and we have tried but we cannot stop them; that is what we mean. These people go at excessive speeds, fifty-five to seventy-five miles an hour through these towns. They cannot stop in a safe distance and they run over our children and cattle and everything that crosses the road. They have no respect at all for humanity.

Q. There have been actual fatal accidents and very serious ones?—A. Yes.

Q. Within the past year?—A. Within the past year a grandchild of the former chief councillor, a daughter of Louis Delisle of Caughnawaga, was run over by a truck going too fast, which could not stop in time because the brakes were no good. These motorists seem to enjoy splashing the Indians, especially in the spring. You go there and try and stop them and call for the Provincials but they do not come and they tell you they have no jurisdiction whatsoever on the reserve. Why do they call these roads provincial if the province has no jurisdiction? Are we cattle? Are we animals? We believe we are just as human as you people and we believe we should get the same protection as you do.

Q. I think you will find most of the members of this committee will agree with you. You said the Indian agent and the other people on the reserve have over-ridden the Act to give away property without consent of the band. Can you think of any instance which you could give this committee?—A. At Caughnawaga, James Delormie cut out a plot for himself, by mutual agreement with the agent and Commissioner Taggart without the consent of the band. It came before the council but the council voted it out because the man had owned property. He was owning property at the time of the application. Only men without property are eligible for a quarter acre grant on our reserve. We are trying to be fair with everybody and only those who have not got anything will be granted land in Caughnawaga.

Q. You talk about people who operate a movie house, dance hall, and school-room on your reserve?—A. That is right.

Q. Has your band got any control over the granting of those licences in your village?—A. No, none whatsoever.

Q. Has the band not even been consulted with regard to this?—A. No.

Q. Does any revenue accrue out of those institutions?—A. None whatsoever.

Q. They just put the building up and rent it?—A. Everything is free as far as that goes but it is to the red man's expense. The same is true when they built the Mercier bridge. The land on which it stands to-day was given away as far as the band was concerned. We never saw or received one cent of compensation for it. That is the same as the other instances.

Q. Was the band not consulted with regard to the granting of the land upon which the Mercier bridge was constructed?—A. They were consulted

but we have a funny way of carrying on business, especially with the councillors that came before a few years back. The majority of the people at that time could not understand English very well and so the educated ones are permitted to go ahead and tell any kind of a story they want to the other people just to get their consent. We get one kind of story when actually it is another story.

Q. Have you a day school on that reserve?—A. We have.

Q. Non-denominational?—A. No, there is a Catholic school with teachers of what they call the Sisters of Ste. Anne, and there is a Protestant school there with qualified teachers. They only have two there. The practice of the Protestant school is even better than the Roman Catholic because the pupils from the Protestant school seem to advance a lot faster when they go out to the high schools in the adjoining communities.

Q. You say then that there would be more students who would graduate to the high school from the day school than from the residential school?—

A. That is right.

Q. In proportion to the number?—A. Yes.

By Mr. Case:

Q. In other words, you would be in favour of a public school system?—

A. Yes, non-denominational schools for children of any religion. Everybody will be equal.

Q. Do you live on the reserve yourself?—A. That is right.

Q. Where do you make your living?—A. I make my living in Ville LaSalle just outside of the reservation.

Q. Without referring to your self specifically what would be the average earnings of an Indian who worked off the reserve? Can you give me any idea?—

A. Between \$1,700 and \$2,200 per year.

Q. And earning that amount of money you still feel you should not pay income tax?—A. That is right.

Q. Yet you must recognize that you are occupying a position that another man who would pay taxes could occupy?—A. That is right.

Q. In reply to Mr. Richard you said you believe there is a possibility of you setting up a nation within a nation?—A. That is right.

Q. Then it would necessarily follow you would be required to live on your own reserve because there is such a thing as immigration laws?—A. Yes.

Q. So you would have to earn your living on the reserve?—A. Yes, but there is also another question. My people being the real original Americans you cannot put boundary lines for them in the United States or Canada. We are free to wander as we wish on this continent.

Q. You are now, but if you want to set up a separate state, my friend, you are going to face a different situation because you become a self-governing little nation within a nation?—A. Yes.

Q. And are you subject to tariff laws, tariff restrictions the same as we are?—A. We are abiding by our treaties. We only ask you people to keep up your end.

Q. Do you not think we have done something to compensate for some of the things that might have been overlooked? For instance, there are family allowances, and this committee has already made a recommendation with respect to old age pensions.—We do not believe in family allowances or old age pensions.

Q. Then you are prepared to say to me you do not think you have made any progress because you have learned English ways and habits?—A. No, we do not say that, but we have not made any progress when we have been governed by the Indian department under the Indian Act. We are still hundreds of years behind. We want to keep up with you people in the same things you know like you people. Give us a chance. You have not given us a chance. That is what is wrong.

Q. Sometimes I think you are really out in front of us because after all is said and done you still have a great advantage we have not got. For instance, for the privilege of living in my own home I pay between \$200 and \$300 so I may occupy my home. I also pay teachers' salaries and the upkeep of roads and all that sort of thing. I think you are really in front of us if you would just examine the thing carefully.—A. In a way now, but what does the future hold?

Q. I know the future is an unknown quantity for any one of us. Referring to what you have said about income tax this country has gone very heavily into debt. We made certain compensations to you. We have had to spend vast fortunes, billions upon billions of dollars, and along with your brothers' and my brothers' blood we have fought to save this country. If we had not saved the country I wonder who would be governing to-day.—A. Do you know why my brothers went and fought and spilled their blood?

Q. Because they believed in British justice.—A. To fulfil the peace treaty, to show you people we can live up to treaties. We expect you to live up to the treaties. That is the point. We are willing to spill our blood any time for you people as long as you fulfil your end.

Q. I do not know but what you may be expecting something beyond the treaty. For instance, I doubt if you could carry on. To Mr. Farquhar you said that your own constitution had been disregarded by your own council. The Indian Act did not require you to disregard your own constitution.—A. Why did they put out the Indian government at the Six Nations reservation in Brantford?

Q. Why did you allow these concessions on your reserve when you had a constitution that said it should not be? That is the representation that was made here today, that the houses were not to be rented, and so on, and yet they were rented?—A. They were rented.

Q. So you disregarded the constitution?—A. Through fraud as it has been done in the past. I will bring up an example. If you went to a foreign country and got yourself an interpreter for any business that you transacted that interpreter could tell you anything, a different story altogether, and if you go ahead and sign that agreement without knowing the contents of it are you going to blame yourself or the interpreter?

Q. You are saying to me now that it was never properly interpreted under your own constitution?—A. No, under our own constitution we know that we still have what they call the Six Nations government. We have our hereditary chiefs. They are in complete accord with the councillors. They are just waiting for the Indian Act to go out. These councillors do not want the Indian Act. They do not want to be an elected council under that, but they realize they must go on for the time being until the time comes for us to be free again.

Q. But bear in mind that the Indian Act still provides you with some protection as well, and we are here to try to revise it to make it more favourable to you and yet you come before us and say you do not want the Indian Act. By what method do you want to be governed within the Dominion of Canada?—A. We are going to govern ourselves according to our constitution.

Q. Then you cannot have it both ways.—A. Like we did before your government ever came into being.

Q. Of course, I have read a little bit of history, too. I can tell you that they would never have had a railroad across Canada if the Indians could have stopped it, and that was progress.—A. We had the first really democratic government, and that is what we want.

Q. Of course, there might be a difference of opinion, but I am not going to argue. I am going to ask you this question. You are elected?—A. I am an elected councillor.

Q. How often are you elected?—A. Every year.

Q. What time of the year are your elections held?—A. In January.

Q. About how many people would vote in relation to your total voting population?—A. I would say that about three-quarters of the people of Caughnawaga are non-voters.

Q. Are non-voters?—A. They do not believe in voting.

Q. I wonder why that is?—A. Because they do not believe in the Indian Act. Just like the people of Oka they do not want elected councils.

Q. So whatever votes you did receive you received from about 25 per cent of the possible electors?—A. Yes. We are representatives here at the present moment because we held a band meeting. This is approved by the band and the Six Nations grand council. That is why we have the hereditary chiefs here. We have everybody united. That is why we are not afraid when we say to you, "Why do you not come down to our reservation and find out for yourselves?"

Q. There might be some point in what the gentleman said this afternoon that they may represent a large body of that 75 per cent who do not vote?—A. We are willing to take that chance.

By Mr. Lickers:

Q. Are there any children on your reserve who have no school to go to?—A. Yes.

Q. How many?—A. That is hard to say, but maybe it is because they do not want to go to school. I had better put it that way, because there is discrimination in our schools.

Q. There are schools there but the reason why they do not attend is because they do not want to go?—A. Because there are only Protestant and Catholic schools and these people belong to what they call the aboriginal religion. They are always called down for that and these children cannot take it so naturally they stay home.

Q. How many people would belong or adhere to the old aboriginal beliefs?—A. That is why I want you gentlemen to come down there and put that question before the people. We will have our people before you and let them decide. I know you won't believe me when I say the majority, 98 per cent will want that, and they are for it.

Q. How many people still adhere to the aboriginal belief?—A. For the time being a small group.

Q. Ten per cent?—A. Oh, about 20 or 25 per cent.

Q. And what would be the percentage of Roman Catholics?—A. That is hard to say. The Roman Catholics are supposed to be in the majority, but in our case religion and the affairs of the reservation do not mix. We do not want that. That is why we do not get along with the present Jesuit society. That is why in our brief here we have protested against this society. They are trying to encroach on our rights by trying to run our business affairs. We believe the only business for them is to carry on their spiritual teaching inside the church. Do not bother with the outside and we will not bother with their business. In other words, I mind my business as long as you mind yours.

Q. Do you have any Catholics belonging to your organization?—A. Yes.

Q. Many?—A. Yes.

Q. According to the 1944 census there were then 3,010 on the reserve and there are 2,682 listed as Roman Catholics?—A. That is right.

Q. 251 as United Church and only 77 who adhere to the original belief. Would that be a correct figure?—A. That is right, but religion has nothing whatsoever to do with this cause. We are all united for one thing, our freedom, just like you people have fought for your freedom. We want our freedom, too.

Q. I am an Iroquois the same as you are. In connection with schools do the members of the Roman Catholic church not want a denominational school?—

A. We all want a public school.

Q. Under church auspices?—A. No.

Q. I am talking about the Roman Catholics?—A. I say no for the Roman Catholics, too. That is why I ask you gentlemen to go over there and bring that question up. We will throw it open to the public and let them decide for themselves. I do not want to sit here and act as if I was a liar. Find out for yourselves. That is what you are here for.

Q. You say your brief was passed by the Six Nations grand council?—A. Yes.

Q. Whereabouts was that passed?—A. That was passed at the Onondaga reservation.

Q. Over in the United States?—A. Yes, with representatives from Canada.

Q. Who was the chief of the Six Nations Confederacy there?—A. I am sorry to say I did not attend that meeting myself. I was not elected for that. There were men elected. This brief was presented to them and it was approved by them. That is why they picked two representatives to come down here with us to-day. We have two representatives over there, sitting at our table.

Q. I want to get that a little more fully later. The chief and your council attended this meeting?—A. The chief, that is right, the hereditary chief.

Q. Perhaps then he could tell me who was the head chief at that council?—A. I believe you had better ask the chief from the Onondaga reservation.

Q. Who acted as the head chief at the Six Nations Confederacy?—A. You had better ask him who was head chief at the time.

Q. Was not your own chief there?—A. Yes.

Q. Perhaps he could tell me?—A. He says Levy Green.

Q. Where is he from?—A. He says the Onondaga reservation.

Q. That is over in the United States?—A. Yes, but we had representatives there from all over Canada. The Six Nations Indians attended that meeting.

Q. Do you know who called the meeting of the Six Nations Confederacy at that time?—A. No, I would not know. After all, I am not a chief.

Q. I just want to clarify the Caughnawaga status.—A. Yes.

Q. You broke away, at least the Mohawks left the New England states and came to settle on the present reserve at Caughnawaga, did they not?—

A. That is right.

Q. That would be about 1667?—A. Thereabout.

Q. And at the time of the Seven Years War, they sided with the French?—A. Yes.

Q. The Six Nations themselves sided with the British?—A. That is right.

Q. The French were defeated?—A. That is right.

Q. To Mohawks, the Caughnawagas, then would be a defeated nation?—A. They were not defeated for the simple reason they were united to the mother Six Nations.

Q. But they fought on the French side?—A. The French were probably a beaten and conquered nation, but our nation was not conquered and they never were.

Q. I know the Six Nations themselves were not?—A. I am talking about the Caughnawaga Indians.

Q. Yes, but they were on the side of the French?—A. They were on both sides.

Mr. CASE: You could not lose a war that way.

The WITNESS: You know the history.

By Mr. Lickers:

Q. Yes, I know the history.—A. They were on both sides. They could not lose. One side had to win.

Mr. RICHARD: They were good politicians.

By Mr. Lickers:

Q. In any event, after the war was over and after the American revolutionary war was over, the Six Nations themselves came and settled at Brantford. Could you tell me whether, I imagine it would be something handed down from chief to chief, at that time there were any representatives or chiefs from your reserve who attended the grand council meetings at Brantford after the Six Nations came there?—A. Yes, from year to year.

Q. Before the Six Nations, as you say, had the elective council forced upon them in 1921 or 1922, up until that time, did the Caughnawaga Indians send down chiefs to attend the meeting?—A. They were doing it even after that, as they are doing it to-day; regardless of whether you recognize them as chiefs or not. They are still doing it to-day.

Q. Then, were they parties to the Fort Stanwix treaty of 1784?—A. I could not truthfully say.

Q. That is a very important treaty so far as Indians are concerned? I wonder if your chief knows whether they were a party consulted in connection with the Fort Stanwix treaty?—A. He says it does not clarify there whether it is Caughnawaga Mohawks or other Mohawks. A Mohawk is a Mohawk, isn't he.

Q. There is quite a difference?—A. There is no difference. A Canadian is a Canadian and a Mohawk is a Mohawk.

Q. That is until the end of 1667 when the Mohawks from there came up and sided with the French; that is so far as the Iroquois are concerned.—A. Yes, as I told you before, they fought on both sides like every one was doing, the rest of the Six Nations. They sided with the Americans and they also sided with the British. How do you account for that? Still, they were united within themselves.

Q. Now, coming down to the land itself. So far as your own reserve is concerned that was originally given to the Jesuits, was it not; at least, the original grant?—A. According to General Gage's judgment.

Q. Yes, it was given to the Jesuits in trust for the Mohawks?—A. In trust for the spiritual guidance of any band.

Q. That is set out in General Gage's judgment of 1702?—A. Yes, for spiritual guidance; that does not mean the Jesuit Society owns the reservation. According to that judgment the Indian is the owner and the sole owner until the last Indian leaves that reservation, when it reverts back to the Crown.

Q. Then, you come down to the Royal Proclamation of 1763. Is not that where your treaties end?—A. There is somebody behind this, an international attorney who has given us advice in regard to this. You probably know by the newspaper reports that we tried to get in at the United Nations Assembly.

Q. He must have given you some wrong advice?—A. If we cannot come to a complete agreement with you, then perhaps they will take up our case but we have to try to come to an agreement with you first.

Q. You must have been given some wrong advice because you are quoting from the Northwest Angle treaty of 1873 which does not affect you at all?—A. There is no wrong advice. You have those treaties at your disposal. You should study them.

Q. Yes, and I have made a study of them.—A. You should get some knowledge of these people—

Q. I am an Indian?—A. I know, but you work for the government.

Q. I am not working for the government at all.—A. You must prove yourself, first.

Mr. CASE: I think in fairness to the solicitor it should be stated he is here in the interests of the Indians as well as the committee.

By Mr. Lickers:

Q. I am only trying to clarify your position so far as the treaties are concerned because my information is this; at any time when the Six Nations council came down before the government to put forth their grievances to the government, they would not recognize the Caughnawagas or the Okas as part of their confederacy for the simple reason they came here before the French conquest and they, the Six Nations, looked upon the Caughnawagas and the Okas as being a conquered people as of 1763.—A. The Mohawks were around Montreal.

Q. Yes?—A. Wasn't that their hunting ground?

Q. Yes.—A. Wasn't it only natural for them to be in that part of the country?

Q. If that was so, why would they have to get a grant from the Jesuits? Why was this grant given to the Jesuits on their behalf?—A. It was not given to the Jesuits, it was given to the Indians. It is plain enough as General Gage stated it.

Q. The Caughnawagas, the Okas and the St. Regis are pressing the same points so far as their treaties are concerned, is that correct?—A. That is correct.

Mr. CASE: I wonder if I could ask one more question, Mr. Chairman?

The CHAIRMAN: With the unanimous consent of the committee.

Agreed.

By Mr. Case:

Q. There was some discussion this afternoon about other briefs presented here and I asked repeatedly who called that meeting. They said the people. I should like to know if you know anything about the calling of that meeting or did you hear about it?—A. No, I did not.

Q. So you do not know anything about it?—A. I do not know, nor does the council.

The CHAIRMAN: Gentlemen, we want to thank you very much for your attendance here before this committee. We now desire to proceed with other witnesses.

Mr. CASE: I think I should like to compliment this gentleman, as a rather able fellow. We have appreciated your evidence, even though we do not altogether agree with it. You have done a good job.

Mr. CASTLEDEN: I think, Mr. Chairman, the members of this group would be very proud to meet on an equal footing with the man who has presented this brief, and his fellow men.

The WITNESS: That is why we have invited you people to come down and see for yourselves. If you can prove us wrong, we are willing to admit defeat.

By Mr. Lickers:

Q. I should just like to ask one more question. Would your group be agreeable to an Indian claims commission being set up to make some definite agreement as between the Caughnawagas and the government to settle all the grievances?—A. Well, I am not authorized to decide. That is entirely up to the council. After all, if I give you an opinion now that would only be my opinion. Is that any good?

By the Chairman:

Q. Would you like to give your opinion?—A. I do not give my opinion without the consent of my people. I do what my people tell me to do regardless of the consequences. I am a willing and faithful servant of my people.

By Mr. Case:

Q. A claims commission or a tribunal of that kind would seem to be the reasonable approach?—A. Maybe.

Q. It would give you something to which to appeal?—A. Yes.

By Mr. Lickers:

Q. I wonder if your chief would like to give an opinion on that?—A. On the claims commission?

Q. Yes.

By the Chairman:

Q. First of all, tell him what a claims commission is.—A. He says fulfil the obligations first and then we will meet you on even terms; that is his opinion. I believe you will find that is the majority opinion of the Six Nations. We may be wrong, but you can find out for yourselves.

By Hon. Mr. McKeen:

Q. Could you not go before this claims commission and set up before them claims which you have, or which you think you have under the treaty? You say you want the treaties fulfilled. Who is going to say what should be fulfilled? Is it not the claims committee which will decide?—A. I think so, probably.

Q. We are discussing treaty rights. All we can do is report to parliament. The claims commission would have the right of reporting definitely on the terms.—A. Offhand, I would say—without any authority to speak for my people—that there is no alternative, there is no other way but to meet the claims commission.

Q. That is their purpose as I understand it, Mr. Chairman. The claims commission will meet with you and you will tell them what you think you should get under these treaties and discuss that with them.—A. We don't want any more than what we believe is ours by right of these treaties. All we want is a place we can call our country, just like you call Canada your country. That is the only place that we have left that we can call our own country. That is all we ask.

Hon. Mr. McKEEN: My position as a member of this committee at this time is this: I have heard what you want. I think this claims commission or committee, should be the one to hear what you want; they should get together with you and make some decisions. I think that is the way to decide it.

The CHAIRMAN: You see, what we are doing, Matthew, is trying to find out all we can so we can report back to parliament. We might, we do not know that we will, but we might consider the possibility of recommending to parliament that it set up a commission which will find out what your claims are, and to discuss these questions for the purpose of helping you. Of course, you know that you cannot live unto yourself in these days, you cannot live in your own home.

Mr. CASTLEDEN: And the treaties overlap.

The CHAIRMAN: Yes, the treaties overlap. This old world these days is getting pretty small.

The WITNESS: Yes, it is very small.

The CHAIRMAN: And none of us can live unto ourselves. You cannot make a living on the reserve.

The WITNESS: We didn't think of that.

The CHAIRMAN: You have got to get out into the other parts of the world to make a living. For instance, on your reserve you more than any other group of people on the American continent are experts in the erection of the huge skyscrapers such as we have in New York and Montreal, our big bridges and skyscrapers; you are experts in structural steel work, the outstanding experts of the American continent. You cannot build anything on your reserve. You have got to get out and spread around amongst other people.

The WITNESS: We have got to mix.

The CHAIRMAN: Sure you have. We are trying to make a recommendation to help you.

The WITNESS: But we want to be Indians while we are on the reserve, but we cannot live entirely to ourselves, we have to get out somewhere else as well.

The CHAIRMAN: Now, we are all agreed. I think that this committee is very conscious of that fact, and are certainly trying to do their utmost to bring that about.

The WITNESS: After all, you realize that there are silly laws, laws such as stopping the Indian from drinking. After all, we know that there are other nationalities—it is not only the Indians. I do not see why there should be discrimination against the red men.

The CHAIRMAN: We will do all we can to eliminate some of these discriminations.

Mr. CASE: Do you think the Indians should have a permit to purchase liquor?

The WITNESS: I would say it would be up to the discretion of the council. Whatever they decide, I am for that.

The CHAIRMAN: In other words, you want self-government?

The WITNESS: Yes.

The CHAIRMAN: I think we are prepared to recommend in due course that you be given a greater degree of self-government, but you must realize what we are trying to do is to make it applicable in British Columbia and down in Nova Scotia as well as in every place in between.

The WITNESS: We don't want any Indian Act for the simple reason that you may put in 18 sections that are for our benefit and you may couple it up with a couple of hundred sections that just hedge us in. It shouldn't be called an Indian Act.

The CHAIRMAN: You can call it whatever you want to call it, but we have to make some provision by law which will be a means of raising the level of living among your people.

The WITNESS: We have got to come to an agreement that will last for all time. We don't want to be coming back here every year or so.

The CHAIRMAN: I think we are getting on common ground very quickly.

Mr. CASTLEDEN: We cannot come to an agreement until there is mutual trust. We must meet around the table as equals before we can have that trust.

The WITNESS: And him you trust, him you believe.

The CHAIRMAN: Of course it is not just meeting around the table either. Trust is the everyday actions of one man to another and the qualities of sincerity, fairness and justice.

The WITNESS: That is what we are asking for.

The CHAIRMAN: You cannot get those around the table all the time. When you get your feet under the table, you sometimes forget those qualities. However, now we are getting into a long discussion of psychology and other matters which I do not think are pertinent to the subject before us.

I want to thank you, chief, for your attendance here to-day and for the assistance that you have given us; and you, Matthew, I want to thank you for the very able presentation you have made. I also want to thank all the members of your delegation present for coming here to-day to give you the very able support which they have given you. I also want to thank Chief Mike Montour and Mr. Small Fence for their assistance here to-day.

The WITNESS: Mr. Chairman, on behalf of the elected council, the hereditary chiefs and the band, also on behalf of Chief Montour, Mr. Small Fence and of myself, I wish to thank you for having given us so much of your valuable time.

The CHAIRMAN: Thank you.

Gentlemen, it is about eleven o'clock. We will meet to-morrow at 11 a.m.

The committee adjourned at 10.55 p.m. to meet again to-morrow, Friday, June 13, 1947, at 11 a.m.

LIST OF APPENDICES

- APPENDIX GA—Brief, in French, of the Bersimis Agency, will be printed later.
- GB—Brief of Special Brief Committee, Caughnawaga.
- GC—Submission, dated June 30, 1944, from the Indians of Oka, Lake of Two Mountains.
- GD—Brief, dated October 24, 1946, signed by James Montour, in behalf of Iroquois Tribe, Lake of Two Mountains.
- GE—Brief, in French, presented by Chief Charles Nolette of Pierreville Agency.
- GF—Brief, dated December 2, 1946, from legal representatives of the Iroquois of St. Regis Band.

APPENDIX GB

A BRIEF

Prepared and submitted by and on behalf of the Iroquois band of Indians of Caughnawaga to the Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act by a Special Brief Committee chosen and elected by the Caughnawaga band of Indians at a band meeting held in Caughnawaga on May 26, 1947.

INTRODUCTORY

The present brief is respectfully submitted to the Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, Chapter 98, R.S.C., 1927, and amendments thereto, for and on behalf of the Iroquois Indians of Caughnawaga, Province of Quebec, by the undersigned 'Brief Committee' who were chosen, elected and requested to do so at a regularly called *Meeting of the Caughnawaga Band* held in Caughnawaga on the 26th day of May, 1947.

Throughout this brief, it will be noted that certain subjects discussed will apply to Caughnawaga alone and other matters will apply to all Indians generally.

II

Miscellaneous

During the presentation of this brief, one or two of the undersigned will orally present views on following questions if possible and if time is available:—

1. Half-fare railway privileges for Indians;
2. Identification cards for the Indians of Canada;
3. Association of Indian Guides for the protection of Game and forests.

III

HISTORICAL BACKGROUND

Caughnawaga is an Iroquois Indian Village in the County of Laprairie, Province of Quebec, situated on the south shore of the St. Lawrence River opposite the City of Lachine and is about 10 miles from the Canada's Metropolis, Montreal. The name is an Iroquois word meaning "village of the rapids". The village was founded in 1667 as a refuge for the Iroquois converts who, in their native country (now the State of New York) were persecuted by their pagan brothers. The Village was founded for the said Iroquois converts just as Lorette and Sillery had been founded for the Hurons and the Algonkins a few years before. The present site of Caughnawaga was finally chosen in 1719 after several migrations from the original village called "Kentake" (La Prairie).

The Caughnawaga Indians have contributed to the colourful pages of Canadian history. They fought on the French side during the Seven Year's War and on the British side in the War of 1812 and covered themselves with glory at the battle of Beaver Dam, in Upper Canada; and they helped to suppress the rebellion of 1837 in Lower Canada.

A Contingent of them went on the Egyptian Expedition in 1884 for the relief of Khartoum under Lord Wolseley.

Reverend E. J. Devine, S.J., in his well known and popular book "Historic Caughnawaga" states that

Throughout the French Regime, the Caughnawaga Indians were loyal allies of the King and docile children of the Catholic Church.

After the cession of Canada to England in 1763, they held fast to their faith, but yielded entire allegiance to the British Crown.

The Reservation extends about eight miles along the St. Lawrence River and about four miles inland. The present population is about 3,000 inhabitants.

While farming occupies a number of the Indians, many more are employed as steel workers throughout the United States and Canada and in the factories in and around Lachine which is just across the river. A natural sense of equilibrium makes them valuable workers on high buildings and bridges and other high modern construction and, in such work, many of them are obliged to spend months away from their homes each year.

Among the women, Indian beadwork, basketmaking and weaving are common home industries.

Approximately 90 per cent of the Indians adhere to the Catholic Faith.

IV

EDUCATION

(a) *Schools in Caughnawaga*

At the present time, there are Catholic schools for Catholic children and Protestant schools for Protestant children. This system has been in existence and has been in operation for a considerable number of years. Almost 90 per cent of the total population of Caughnawaga Indians belong and adhere to the Catholic Religion and, throughout a period of 280 years, have benefited from the guidance and supervision of the Religious Authorities as afforded under the present set-up of the Provincial Department of Education of Quebec. It was in this same spirit also that some 50 years ago, a separate school was erected for the Protestant minority. The development and progress of the Indians of Caughnawaga can be attributed in no small degree to the guidance and spiritual protection of the Reverend Fathers of the Society of Jesus and other missionaries.

From experience obtained throughout the passing of the years, the system has worked out admirably and it is the sincere hope and desire that no change or alteration should be introduced into the Indian Act which would do away with the system in operation. Consequently, the Indians of Caughnawaga wish to re-iterate and confirm and adhere wholeheartedly to the representations and suggestions made by the Catholic Hierarchy in their "Brief" presented before the Special Joint Committee on May 27, 1947, on the question of "Education" and particularly endorse the request as appears in the said "Brief" at page 3, paragraph 2, which reads as follows:—

We would not wish, therefore, any change in Section 10, paragraph 2, of the Indian Act, which reads

Such schools shall be the nearest available school of the kind and no Protestant child shall be assigned to a Roman Catholic school or a school conducted, and no Roman Catholic child shall be assigned to a Protestant school or a school conducted under Protestant auspices.

(b) *Higher Training and Education.*

We are aware that the Government of Canada in close co-operation with the Indian Affairs Branch is earnestly endeavouring, with all the means at their disposal, to develop the well-known attitudes of the Indian by introducing subjects and training which would be most beneficial to their intellectual and economic development. For this, we wish to express our sincere appreciation to all government officials for their fine efforts and accomplishments. However, if we may be permitted to suggest, we respectfully and strongly urge all those who have it in their power to safeguard our Christian heritage as well as improve ways and means of attaining higher education to do everything within their power and authority to expedite the reconstruction of our Roman Catholic Senior School Building, which was totally destroyed by fire on December 10, 1941, the reconstruction of which has been promised ever since but without any result. Under present conditions, it is practically impossible to hope for any success in the education of our people. We realize that wartime economy and other conditions brought by the last conflict have created a problem for the Government, but we sincerely hope that our present class-room shortage will be remedied without undue delay, and that immediate consideration will be given to the reconstruction of our school.

(c) *Male Teachers for Higher Grades for Male Pupils.*

The teaching in our schools for boys and girls has been conducted by and under the supervision of the Reverend Sisters of Ste. Anne who are doing an admirable work and who have dedicated their lives to and given their talents for the education of our boys and girls. It is the sincere desire of the Indians of Caughnawaga to retain the Reverend Sisters to teach and instruct the children as admirable results have been achieved in the field of education.

However with regard to the education and teaching of male pupils in the higher grades of our Catholic schools, it is the unanimous wish and desire of our reserve to have older boys taught by male instructors and the suggestion is that such teaching be conducted by Teaching Fathers or Brothers assisted, if need there be, by any capable and qualified men lay teachers.

(d) *Gratitude to the Indian Affairs Branch and Suggested Policy.*

A number of our boys and girls have distinguished themselves in higher education and have achieved a fair degree of success. Such higher education was made possible through the kind aid, assistance and encouragement of the Indian Affairs Branch without which aid and assistance the attainment achieved might not have been possible; and we wish to express our sincere appreciation and gratitude to the officials of the Branch who have helped those who worked and strived for higher education after leaving the schools in Caughnawaga. We trust and urge that the same policy be not only continued but, if possible, amplified in order to encourage our boys and girls to attend High Schools, Colleges and Universities, by providing them with sufficient financial assistance.

(e) *Minutes of Meeting of the Caughnawaga Band held on May 26, 1947.*

In connection with all of the foregoing, it is considered and deemed proper to set forth herein at length the following Minutes of a Meeting of the Caughnawaga Band held on May 26, 1947. Certified Copy of such Minutes was presented and filed with the Special Joint Committee in Ottawa on the 27th day of May, 1947, by the undersigned signators to this Brief.

Minutes of a Meeting of the Caughnawaga Band of Indians, duly and properly called, at the Kateri Tekakwitha Hall, in Caughnawaga, on May 26, 1947, at 8 p.m.

The Indians attending chose Mr. Tom Lahache as Chairman, who acted as such throughout the Meeting; and chose Mr. L. E. Beauvais as Secretary.

After preliminary explanations, as to the purpose of the Meeting—that is, to discuss the question of Education for the Indians, particularly as regards denominational schools and non-denominational schools for Indians, and after a lengthy discussion by various speakers on Section 10, Sub-section 2; Section 100, Sub-sections 2 and 3, of the Indian Act, it was unanimously decided by all Members of the Band present, as follows:—

1. That the Sections of the said Indian Act, above quoted, namely—Section 10; Section 100, Sub-sections 2 and 3, should remain as they are.

2. That no change in the Indian Act should be made which would prevent Catholic parents from sending their children to Catholic schools.

In answer to the following question:— “Where do you want your children, or grandchildren, to go to school”? Each Indian present answered that he, or she, was in favour of denominational schools, that is to be able to send children to the school of their own faith.

It was also unanimously decided to request and urge the Indian Affairs Branch of the Department of Mines and Resources to adopt a policy of assisting and aiding Indian boys and girls to pursue studies in the High Schools, Colleges, and Universities of the country, and that proper and sufficient financial assistance be given to such Indian Students by the Department.

Caughnawaga,
May 27, 1947.

(Signed) L. E. BEAUVAIS,
Secretary.

V

DISPOSSESSION OF CAUGHNAWAGAN INDIANS OF THEIR RESERVE TO BE VIGOROUSLY OPPOSED

The Indians of Caughnawaga were and still are extremely concerned and surprised at a statement made by the Honourable Mr. Senator Dupuis before the Special Joint Committee on June 18, 1946, regarding the dispossessing of the Caughnawaga Indians of their land for the benefit of “white people” who would divide such land up into farms and cultivate it and his question as to when the land will be available for those who want to use it for farms. His statement, as appears in Book 6, Minutes of Proceedings and Evidence, Tuesday, June 18, 1946, at page 256 thereof, reads as follows:—

Hon. Mr. Dupuis: Now, dealing with the land of Indian bands, I have in mind the Caughnawaga land near Montreal, a property which embraces about 300,000 acres of land all of which is good farm land. The Indians on that reserve are not farmers at all but white people could take that land, divide it up into farms and cultivate it. I know that this question has been brought up before the Department of Indian Affairs many times with the idea of dispossessing the Indians of the Caughnawaga Reserve of this valuable agricultural land, which, as I say, is very close to Montreal, just on the other side of the river. I wonder if there would be any possibility of this committee, or the proper authority, saying when the land will be available for those who want to use it for farms.

As the matter may be brought up later on and discussed, it is considered proper at this time to state that, as far as the Indians of Caughnawaga are concerned, the land will never be available; and the Indians of Caughnawaga will vigorously fight and oppose any action, petition or any other proceeding instituted or made to dispossess them of land which is legally and rightfully their property. The people of Caughnawaga feel that the Special Joint Committee should come to the protection of the Caughnawaga Band in the event of any attempt whatsoever to dispossess them and that proper recommendation should be made now to assure them that no dispossession will be possible unless it be with the consent of every man, woman and child of the Band concerned.

VI

BAND MEMBERSHIP

Section 18 of the Indian Act reads as follows:

18. The Superintendent General (Minister) may, from time to time, upon the report of an officer, or other person specially appointed by him to make an inquiry, determine who is or who is not a member of any band of Indians entitled to share in the property and annuities of the band.

2. The decision of the Superintendent General (Minister) in any such matter shall be final and conclusive, subject to an appeal to the Governor in Council.

What is conspicuous about the foregoing section is the fact that the Band concerned is given absolutely no power or authority in the matter of determining who is or who is not a member of a band of Indians. Inasmuch as a person may be expelled or admitted from and into a Band, it is considered that it may be prudent to obtain the *consent of the majority of the Band* concerned before any admission or exclusion is pronounced upon. The Band should have some say in the matter and the person affected should also have some say in the matter as it is possible that some injustices would result.

The consent of the Band should not be the ordinary consent mentioned in section 158, it should be the consent of the majority of the Band itself and not the consent expressed by the Chiefs or Councillors. If there be need, section 158 should be amended.

In any event, and in all cases where the consent of the Band is required, section 158 of the Act should be amended in such a way that the consent of the chief or councillors cannot be construed as being the wishes and consent of the Band.

VII

ASSISTANCE AND AID TO INDIANS

(a) Loans for Homes and Repairs.

Section 94b of the Indian Act provides for the granting of loans to Indian Bands, group or groups of Indians or individual Indians for the purchase of farm implements, machinery, live stock, fishing and other equipment, etc. The aim and purpose of this section is to assist the Indian or Indians and is very commendable. However, in view of the fact that there are many Indians without homes of their own, it is believed fair and just that the said section 94b should be amended in such a manner as to enable an Indian to obtain a loan for the purpose of building a home for himself or family or to repair or to remodel a home.

It should be pointed out here that it is virtually impossible for Indians to obtain loans from any bank or loan institutions because of certain existing provisions of the Act relating to unseizability of the property of the Indian,

and, naturally, the banks or loan companies are very reluctant to advance loans. This situation hampers the progress of the Indian despite the fact that he may be ambitious, industrious and progressive. In addition to being unable to obtain loans as aforesaid (unless he has adequate collateral or securities in which event he does not need a loan), he often finds that he cannot obtain credit for the materials which he requires for his purpose.

If provision were made for him to obtain loans for the purposes hereinabove set forth or for any other worthy purpose, it would be a step in the right direction and would materially assist him.

(b) *Needy and Indigent Indians.*

In the cases of needy and indigent Indians, adequate and sufficient food, clothing and fuel should be given. The relief given to Indians in the past has not been too generous at least on the Caughnawaga Reserve. In fact the amount given has been ridiculously low, the average monthly allowance per person being anywhere from \$2.50 to \$6.00.

The constant and rapid rise of prices for food and essentials of life is another good reason why more relief should be given to those Indians who, through old age, sickness or poverty, are unable to provide for themselves or their families.

(c) *Preference to Qualified Indians for Jobs.*

With the exception of a few Indians in the Civil Service of the Government, there are practically none employed, at the present time. One of the main reasons is that, although there have been many qualified Indians who have made application for clerical, stenographic and other jobs with the Government, they have very little or no political connections to assist them in securing jobs they seek. There are many qualified and educated Indians, but many obstacles are put in their way in connection with securing jobs in the Civil Service. They should be encouraged by the passing of some appropriate legislation giving preference to qualified Indians seeking jobs in the Department of Indian Affairs. This would result in more co-operation and confidence between the Indians and the Government and would tend to clear up a lot of misunderstandings.

(d) *Medical Assistance.*

While the medical care and assistance given to Indians on the Caughnawaga reserve is good, still it is considered insufficient and inadequate for a population of about 3,000 people. There is only one hospital on the reserve and very often Indians in urgent need of hospitalization are required or forced to wait until a vacancy occurs in the said hospital or until the local medical doctor is ready to give his consent which is often arbitrarily refused.

There is only one medical doctor in the employ of the Department of Indian Affairs. It is respectfully suggested that one doctor is insufficient to care for the whole population. There should be one or two additional doctors and the Indians should be given the right to go to the doctor of their own choice instead of being obliged to go to the only one on the reserve. It is regrettable to state but nevertheless it is true that there are some Indians who have no confidence in the present doctor and, as a result, they either are obliged to go elsewhere at their own expenses or not receive any medical assistance at all.

In addition to hospital and medical assistance, it is felt that one or two dentists should be appointed for the care of the Indians both young and old.

Any additional doctors and dentist who may be appointed should be required to live on the reserve so that their services may be readily available in urgent cases which are bound to arise. Experience has shown that it is much

better and more convenient to have the doctors residing on the reserve than outside the reserve in which latter case, it has often proved difficult and, at times, impossible to obtain medical care and assistance when required.

VIII

ADEQUATE COMPENSATION FOR EXPROPRIATION OF INDIAN LANDS

The occasion arises and will continue to arise where Indian lands will be required by utility companies, power companies, telephone companies, railway companies, etc. At the present time, whenever any land or right of way is required for expropriation purposes or whenever any land is expropriated or right of way acquired, the Indian owner or owners have not much to say as to the amount of compensation or value of property expropriated. In all cases of expropriation or in all cases where the property of an Indian or Indians is taken over, the Indian or Indians should be first consulted by the expropriating party or parties and such Indian should be given the right to demand fair and reasonable compensation for his land or other property affected. The individual Indian or Indians should in all justice have the right to receive directly from the expropriating party or parties the price or compensation agreed upon or fixed by arbitration instead of the expropriating party forwarding the money to Ottawa for distribution by the latter as is the custom and rule at the present time. Very often and practically in all cases, the Indian or Indians whose lands or property are expropriated are obliged to wait an indefinite length of time before they receive their money due to unreasonable and unfair delays.

Failure between the Indian owner or owners and the expropriating party to agree on the amount of compensation, the matter should be submitted to arbitration whose decision should be capable of appeal to a higher authority by either party.

Too often in the past, the Indian has received inadequate and unfair compensation for his property. In fact, there have been many cases where the amount of the compensation has been fixed by the valuers of the expropriating party and the Indian receives—after much delay—only what he is offered regardless of the real or intrinsic value of his property taken over.

The same should apply not only in Caughnawaga but in all other reserves of Canada; and in cases where the Band has an interest, the Band's consent should be obtained and the Band consulted as to the amount of compensation. This should apply in the case of expropriation and sale of a reserve or a part of a reserve.

IX

INDIAN CONSTABLE ON RESERVE

The enforcement of the penal provisions of the Indian Act (liquor traffic, intoxication and possession of liquor on reserves, etc., official notices, etc.) is carried out by the Royal Canadian Mounted Police. Without in any way minimizing the undoubtedly good work the force is doing on the reserve, it must be admitted, without going into detail, that there is certain resentment on the part of some Indians with the Mounted Police. On a few occasions in the past, there have been serious fights between some Indians and the Police and not so very long ago, an Indian was struck by a bullet fired from a mountie's revolver which has been a subject of investigation by the authorities concerned.

In all fairness to all concerned, it should be stated that there has been peace and quiet for quite some time, and all seems to be under control as far as fighting is concerned.

It is believed that a lot of friction and resentment would disappear and better feeling and relations would obtain if an Indian of the Band were to be appointed as special constable to police the reserve. Such constable, if appointed, should be qualified and competent and would not necessarily replace the R.C.M.P., but would not co-operate with them and possibly act and discharge his duties under their supervision. Any such Indian constable would most likely to obtain better co-operation from his fellow Indians as he knows the manners and customs of his brothers and better order and government would in all probability result.

Any such Indian constable should be given a fair salary and should be given an allowance for his travelling expenses.

RIGHT OF APPEAL BY THE INDIANS

In view of the numerous rulings and decisions which may be made under the provisions of the Indian Act by the Superintendent General of Indian Affairs, his deputy or agent or other delegated person—such rulings and decisions often very serious and important and very often affecting the very lives and property of Indians themselves—it is respectfully submitted that adequate provisions should be created in to the Indian Act giving the right to the Indian or Indians affected to appeal from any such ruling or decision. Some appropriate machinery should be set up to enable the exercise of such appeal.

At the present time, there is nothing in the Act giving any Indian or Indians the right to appeal from any ruling or decision—whether such ruling or decision be of a judicial or administrative nature—and it is not unreasonable or unjust to request that the right of appeal be given. Whether any such appeal should be made to an Appeal Board or to the Courts of competent jurisdiction, the latter case to apply in cases where the decision appealed from is of a judicial nature) or to a Commission or to some other body created for that purpose, is a matter which should be given serious and proper consideration. The procedure for any such appeal should be very simple and provision should also be made for any such appeal to be as inexpensive as possible to the Indian or Indians.

EXEMPTION FROM COMPULSORY MILITARY SERVICE OR TRAINING

This question has been quite a controversial one during World War 2.

For the first time in Canada's history, her Indians were called out for military service and duty. Many of them preferred to enlist voluntarily and did not wait for the call to come. As a matter of fact, Canada's Indians again proved their worth not only in the great numbers who fought but also proved that they make good soldiers particularly in the more combatant capacities. Many of them served not only in the Canadian Armed Forces but also in the Armed Forces of the United States and saw action in the far corners of the scenes of battle. The Red Man played a real part in the world struggle. Many of Caughnawaga's sons and daughters fought in the conflict and several received decorations for bravery and valor. Some of them paid the Supreme Sacrifice and will never return.

Generally speaking however, the Indians sincerely felt that they were not subject to the laws of Canada relating to military service and, consequently, many resented being called out under compulsion—the general feeling being that they were wards of and under the guardianship and protection of the Government and this being so, they felt they did not have the same obligations and duties of the Canadian citizens.

Order in Council of January 17, 1918

The feeling and attitude of the Indians towards compulsory service as hereinabove stated was undoubtedly brought about by the passing of an Order in Council (No. 111) dated at Ottawa, January 17, 1918, by the Canadian Government, which exempted Indians from compulsory military service in World War I. The Indians still feel that the reasons given and the treaties mentioned in the preamble of the said Order in Council No. 111 are still of importance in substantiating the contention that the Indians are not legally obliged to submit to military duty.

This question is brought up at this time in view of probability of future legislation by the Dominion Government respecting compulsory military service or training and the Indians feel that this question should be clarified once and for all and that appropriate legislation or Orders be passed exempting the Indians of Canada from any compulsory military service in the future.

It should be repeated here that the Indians are not opposed to military service or training on a voluntary basis. This statement is best illustrated by the great numbers who enlisted in the last conflict both in the Canadian and American Armed Forces.

It is sincerely believed that in the event of another conflict Indians would offer themselves in the service of the Country in just as great numbers provided the military training or service would be on a voluntary basis. One of the peculiarities—if such be the right word—of the Indian is that he is very much opposed to any form of compulsion.

XII

ELECTIONS AND COUNCIL OF THE BAND

(a) Election of Mayor and Councillors

The provisions of Part II of the Indian Act relating to "Division of Reserve", "elections" and "Terms of Office and Vacancies" should be emended in accordance with the following suggestions:—

- (a) The power to restore the whole reserve into one section (instead of the six sections as at present) given in Section 167 of the Act should be exercised;
- (b) The Mayor or Chief Councillor should be elected at large by the people instead of being chosen or elected by the elected Councillors as the system is at present;
- (c) Five councillors only should be elected at large by the people;
- (d) The term of office of the Mayor not to be less than two years and the term of office of the councillors (five) to be or more than 1 year the whole in such a manner that a Mayor will be elected every two years and five Councillors elected every year.

(b) Remuneration and Allowances for the Mayor and Councillors

A fair and reasonable salary or remuneration should be given to the Mayor and the Councillors and some allowance should be made to them for expenses necessarily incurred in the discharge of their duties and obligations. It is a sad situation when the Chief Councillor or any of the Councillors are obliged to go around collecting money from the people and appealing to their generosity in order to pay expenses which are bound to be incurred throughout the year upon matters pertaining to their duties.

Also the Council should be given the power and right to employ any person or persons to do the required secretarial or clerical work and provision should be made for the remuneration of such person or persons for such work.

(c) *Qualification of Councillors.*

In view of the important powers given to the Council under the provisions of the Indian Act and the other additional powers and prerogatives which may be given in the forthcoming revised Act particularly under section 185, subsection 2, where the Council is empowered to make *by-laws, rules and regulations* regulating all or any of the subjects and purposes enumerated thereunder, and bearing in mind that the members of a Council are in a sense servants of the people in public service, put into office by the people and for the people to administer and regulate the affairs of the reserve and its people, it is felt, in all fairness and justice not only to the people but to the aspirants or candidates for public offices, that the qualifications of all candidates should be raised in that every candidate whether it be for the office of Chief Councillor or Councillor, should be required to at least read or write English, and this, to enable him to discharge his duties in a fit and proper manner.

It should be immediately stated here that the suggestions hereinabove set forth are not intended in any way to cast any reflection on any council or councillor past or present. And there is no suggestion that any councillor has been or is incompetent. The suggestions made herein are so made in good faith and in all sincerity and in the sincere belief that it will result in better government and proper administration of the affairs of the people.

It is obvious from the many powers given in section 185 of the Act (in addition to the powers which may be given) that a Council would have to be properly equipped in order to make by-laws, rules and regulations on the subjects and matters thereunder set forth.

The suggestions put forth herein would not impose any hardship or create any obstacle nor is it unreasonable in view of the fact that education on reserves has been compulsory for over 50 years; and, for this reason alone, the great majority of the Indians have the required qualifications prayed for herein and have the required education to make him suitable for public office.

XIII

LIABILITY OF INDIANS TO TAXES

Preliminary:

The Indians respectfully submit and contend that, under the law, they are not liable for the payment of any taxes (which include all kinds of taxes including but not limited to income taxes, succession duties, sales tax, license fees in the nature of taxes, etc.), and in support of such contention wish to invite attention to the following provisions of law, decisions and comments:

Indians and their property are governed by the general laws of Canada relating to Indians and they are governed by the provisions of the Indian Act, Chapter 98, R.S.C. 1927, and amendments thereto, which Act is legislation under the authority of the British North America Act, 1867.

(a) *The British North America Act.*

Section 91, paragraph 24, of the British North America Act of 1867 places '*Indians and lands reserved for Indians*' within the *exclusive* legislative authority of the Parliament of Canada.

It appears to be the plain policy of the Act, (B.N.A.) that in order to ensure uniformity of administration, all such lands, and Indian Affairs generally, shall be under the legislative control of one central authority. (*Per Lord Watson in St. Catherines Milling and Lumber Company vs The Queen (1888), 14 Appeal Cases, at page 59.*)

(b) *Relevant Provisions of the Indian Act.*

Pursuant to the legislative authority conferred upon it by the aforementioned B.N.A. Act of 1867, the Parliament of Canada enacted the Indian Act, 1927, R.S.C., Chapter 98.

Sections 102 and 105 of the aforementioned Indian Act read as follows:—

102. No Indian or non-treaty Indian shall be liable to be taxed for any real or personal property, unless he holds, in his individual right, real estate under a lease or in fee simple, or *personal property outside of the reserve* or special reserve, in which case he shall be liable to be taxed for such real or personal property at the same rate as other persons in the locality in which it is situate.

105. No one other than an Indian or non-treaty Indian shall take any security or otherwise obtain any lien or charge, whether by mortgage judgment or otherwise, upon real or personal property of any Indian or non-treaty Indian, except on real or personal property subject to taxation under the last three preceding sections; Provided that any person selling any article to an Indian or non-treaty Indian may take security on such article for any part of the price thereof which is unpaid.

The foregoing sections of the Indian Act do not present any difficulty and it appears clear that the property of an Indian (real or personal) cannot be taxed unless he *holds* in his individual right, property (real or personal) *outside* of the reserve.

It is also clear from Sections 102 and 105 that *no one (unless he is an Indian or non-treaty Indian) can take any security or otherwise obtain any lien or charge*, whether by mortgage, *Judgment* or otherwise, *upon the property (real or personal)* of an Indian, except upon real or personal property outside of the reserve subject to taxation.

It is equally clear from the foregoing Section 102 that the property of an Indian *cannot be taxed* "unless he holds" in his individual right, real estate under a lease or in fee simple or personal property outside of the reserve.

Income Tax.

Undoubtedly, one of the heaviest and most burdensome type of tax paid by the Indians is the well-known income tax. Almost all Indians are obliged to leave their reserves in order to make a living, some returning daily to their homes on the reserve, others being away from home a few months at a time.

It could be stated without fear of contradiction that almost all Indians working and earning wages off a reserve pay income tax more so since the innovation of a system by the taxing authorities whereby a certain amount in taxes is deducted at the source by the employer who, in turn, pays same over to the government for and on behalf of their Indian employee. The result of the whole system as it exists at the present time is that the Indian comes home to his reserve with his earnings minus a certain amount deducted for income taxes.

Let us now examine the case of an Indian living on a reserve who works and earns a salary or wages off a reserve. He works every day off the reserve and returns every day to his home on the reserve. On pay-day, he receives his pay off the reserve (this being very natural since his place of work is off the reserve) and returns to his home—his domicile as it were—where he lives and where he has his permanent establishment.

*Income of Indian is "Personal Property"
Within Meaning of Section 102 of the Act.*

In general, there are two great classes of property. One class is "personal property" or moveable property and the other is "real property" or immoveable

property. In fact the words "personal property" and "moveable property" are synonymous and mean the same thing; and the same thing applies for the words "real property" and immoveable property.

It appears very clear that the income of an Indian—whether such income be in the form of wages, salary or profits—being moveable property as opposed to real or immoveable property, is included in the words "personal property" as used in the foregoing cited section 102 of the Act which clearly and unambiguously states that

102. No Indian or non-treaty Indian shall be liable to be taxed for any real or personal property, unless he holds, in his etc.....

In other words, "income" of an Indian being "personal property" is property for which an Indian should not be taxed.

There does not appear to be any difficulty at all when the wages or salary are made within the limits of the reserve. The problem appears to arise when such wages and salary are made off the reserve. Let us therefore examine this situation further.

Income of Indian Earned off Reserve is not "Personal Property" Held by Him Outside The Reserve Within Meaning of Section 102 of Act.

Let us go back to the case of an Indian living on a reserve but working and earning money off a reserve and receives his pay off the reserve once a week or twice a month as the case may be. When such Indian receives his pay, does he "hold, in his individual right, real estate under a lease or in fee simple, or personal property outside of the reserve" to use the words of section 102? When his employer hands him his pay, does the Indian "hold personal property" outside of the reserve so as to make him liable to be taxed the same as other persons?

The answer to these two questions must be in the negative. Surely no one can state with any justification or reason that simply because an Indian receives his pay or his earnings off a reserve and intends to return with his pay or earnings to his home on a reserve where he has his domicile, that such pay or earnings are "personal property held by an Indian outside the reserve" within the meaning of the aforementioned Section 102 of the Indian Act.

Situs of Pay or Earnings of Indian is on Reserve despite pay is effected off the reserve.

The situs or personal property for the purposes of taxation is the domicile of the owner unless there is a Statute to the contrary or property is tangible and has acquired an actual situs of its own in a state or place other than where the owner is domiciled. (Cooley on Taxation, Vol., 2, 4th Edition, c. 440 at p. 957).

The foregoing statement is in accordance with the well-known legal maxim "Mobilia sequuntur personam" or moveables follow the person.

Consequently, as regards the pay of Indians living on a reserve but receiving their earnings off same, the *situs* of such money is his domicile namely, his reserve, and it would be erroneous to hold that merely because such Indian is paid off his reserve "he holds personal property outside of the reserve" in such a manner that such property would be liable to taxation as other persons according to section 102 of the Act above quoted.

Court Decisions on Property of Indians and the Situs of same:

The late Mr. Justice Greenshields, Chief Justice of the Superior Court in the Province of Quebec, in the case of Feldman vs. Jocks, 74 Quebec Superior

Court Reports, 56, held that an automobile of an Indian, which is *outside* of the Reserve (Caughnawaga) and is there merely for the purpose of some temporary repairs, is not personal property held "outside of the Reserve" and is not subject to seizure by a judgment creditor.

At page 57 of the said report, the late Chief Justice stated as follows:—

In this case, as has been already said, this automobile was accidentally and temporarily off and outside of the territory of the Reserve, and was there merely for the purpose of some temporary repairs. The owner of the car, the opposant, had the intention of returning the car to his garage within the territory of the Reservation, and I declare and hold, that that automobile was not personal property held by the opposant outside of the Reserve.

In another case of *Crepin vs. Delorimier*, 68 Quebec Superior Court Reports 36,—a case in which the question was whether or not a creditor could seize a bank deposit of an Indian in a bank situated outside an Indian Reserve—Mr. Justice Philippe Demers concluded his judgment as follows:—

I am of opinion that the Art. 102 has in view only a tax on immovables and *corporeal moveables* situated without the territorial limits of the Reserve.

In other words, the effect of the foregoing judgment of Mr. Justice Philippe Demers is that although the Indian in the case had his money on deposit in a bank outside of the reserve, such Indian did not hold personal property outside of the reserve and further held that the *situs* of the deposit, although off the reserve, was in reality on the reserve where the Indian had his domicile.

See also the case of *Simkevitz vs. Thompson and Glenwater Cheese Factory*, referred to by the late Chief Justice Greenshields in the case of *Feldman vs. Jocks*, 74 Que., S.C. at p. 59.

McPhillips, J. A., said in the case of *Armstrong Growers Association vs. Harris*, 33 B.C.R. at p 289:—

It is clear that the property of an Indian is not subject to any form of attachment if it be not taxable, and in the present case unquestionably no case has been made out to show that the moneys or property in question are subject to taxation.

Also at the top of p. 290, in the same case, the learned Judge continued:

The Indians are wards of the National Government (Government of Canada) and the statutory provisions are aimed to provide statutory protection to the Indians and the public must govern itself accordingly, otherwise we would see the Indians overreached on every hand and the Government required, in even a greater degree, to provide for and protect the Indians from the rapacious hands of those who ever seem ready to advantage themselves and profit by the Indians' want of business experience and knowledge of world affairs.

In view of the foregoing provisions and the decisions above noted, it is clear that the Indian living on a reserve ought not to be taxed for wages or earnings earned off the reserve. It is also equally clear that the sections above quoted as well as other relevant sections of the Indian Act are intended to exempt Indians from all types of taxes since the word "shall" (being imperative) is used in section 102. Consequently to oblige an Indian to pay taxes would, it is respectfully submitted, be a serious violation to section 102 and would be defeating the intention of Parliament.

Opinions on Liability of Indians to pay Income Tax.

The foregoing contention and decisions have considerable support in the following opinions which are quoted herein for convenience:

The first one is contained in a letter from the Commissioner of Income Tax, Mr. C. F. Elliott, to the Inspector of Income Tax in Vancouver, B.C., dated March 25, 1936, which reads as follows:—

DEAR SIR,—

Re: Indians Liable to Taxation

With reference to yours of the 16th instant you are advised that it has been a long standing ruling of this Division that real or personal property of Indians residing on a Reserve is exempt from taxation, but Indians not residing on a Reserve are liable to taxation as are any other persons ordinarily resident in Canada—”

Yours faithfully, etc.

The second one is one from the Acting Deputy Minister of Justice, Mr. C. P. Plaxton, to the Secretary of Indian Affairs, Department of Mines and Resources, dated April 26, 1939, which reads as follows:—

SIR,—

Re: Liability of Indians to Payment of Dominion Income Tax

I have the honour to acknowledge receipt of your letter of April 7 and in accord with the view expressed under date 6th March, 1936, your file 320360, to say that I think that in the absence of special contractual provisions as to place of payment, Indians residing on Reserves are not liable to be taxed on account of income tax under Dominion or Provincial legislation in respect of wages earned off the Reserves.

Your obedient servant.

The late Mr. Aimée Geoffrion of Montreal, one of Canada's most eminent and outstanding lawyers, who expressed his opinion in a letter dated September 14, 1942, to Messrs. Boyer, Coderre & Therrien, advocates of Montreal (which original letter is in possession of Mr. Frank McD. Jacobs, one of the undersigned, and who will have such letter available at the presentation of this BRIEF) to the effect that in his opinion Indians, in view of the provisions of section 102 of the Indian Act, are not liable to income tax.

In a circular dated at Ottawa, February 24, 1943, addressed to all Indian agents, the Director of Indian Affairs, Mr. Harold W. McGill, advised in part that

According to advice that we have received, an Indian is subject to taxation of income, including wages, earned off a Reserve, even though he may himself live on a Reserve.

The divergence of the foregoing opinions is most amazing and it is apparent that taxes from the wages or pay of the Indians working off the reserve were deducted as a direct result of the foregoing circular of the Director of Indian Affairs.

The situation should be remedied immediately and any advice or opinion given should be so given in accordance with the true spirit and meaning of the law and in accordance with the above cited Court decisions interpreting the law.

The foregoing provisions, decisions, comments and suggestions should be made to apply in respect to all other taxes, levies and imposts and the law should be so clarified as to make it virtually impossible for any individual, or any Dominion or Provincial Government to contravene the provisions of the Act with respect to taxation of the property of Indians.

Question of Payment of Taxes and Licence Fees Under Provincial Legislation.

Despite the fact that Indians and Indian Lands are under the legislative authority of the Dominion Parliament under Section 91, paragraph 24, of the British North America Act, Indians throughout the various provinces of Canada have been obliged to pay certain taxes and licence fees to the provinces concerned. This situation of course has been brought about because of the absence of Dominion legislation removing the Indian from the scope of provincial legislation and the absence of any exception for the Indian in provincial legislation.

A few of the taxes which the Indian is obliged to pay to the provinces under provincial legislation are the following:—

1. Succession Duty taxes;
2. Provincial sales taxes;
3. Hunting and Fishing licences;
4. Gasoline Taxes;
5. Certain municipal taxes;
6. Restaurant licences, etc.

The Case of Ex-Parte Kane re Taxation:

In the case of Ex-Parte Kane, (1940) 1 D.L.R. 390, it was stated by the learned Trial Judge as follows:

Unenfranchised Indians resident outside a reserve are not subject to a poll tax imposed by provincial legislation, the field of taxation in respect to Indians having been occupied by the Dominion Parliament in ss. 102, 103 and 104 of the Indian Act, R.S.C., 1927, C. 98, and it being incompetent to a provincial Legislature to supplement, change or restrict such Federal enactments.

In the same case, McArthur, Co. Ct., J., who rendered the decision, said at page 396 of the said report as follows:

It is my view that ss. 102, 103 and 104 of the Indian Act are exhaustive on the subject of Indian Taxation so as to exclude provincial legislation, and therefore the provisions of the City Charter providing for the payment of a poll tax, has no application to an unenfranchised Indian whether residing on or off the reserve.

The learned Judge also said at page 397 of the same report as follows:—

This section creates for an Indian the situation in purely civil matters, that he may have property ample and sufficient to satisfy a judgment or other claim, but such property is exempt from seizure, levy or distress, by reason of the fact that it cannot be made subject to any lien or charge.

Dominion Parliament Has Power to Remove Indians from Scope of Provincial Legislation.

Inasmuch as the Dominion Parliament has legislative authority over Indians and Indian Lands, as aforesaid, and inasmuch as it would be desirable and expedient to exempt Indians from the obligation of paying taxes, licence fees, and other levies and imposts, to the provinces, Parliament should remove Indians from the scope of provincial laws. This power is conceded in a certain case of *Rex vs. Hill*, A.C., 1907, 150 L.R., 406, which was stated therein as follows:

Parliament may remove an Indian from the scope of the provincial laws but, to the extent to which it has not done so, he must in his dealings outside the reserve govern himself by the general law which applies there.

CONCLUSIONS

The undersigned, for and on behalf of the Iroquois Indians of Caughnawaga wish to express sincere appreciation and thanks for the opportunity afforded to present the present Brief and it is sincerely hoped that, in some small measure at least, the comments and suggestions contained herein will aid the Honourable Senators and Members of the House of Commons who compose the Special Joint Committee in their tremendous task and the general desire to give the Indians of Canada a better deal.

The Whole Respectfully Submitted.

CAUGHNAWAGA, Quebec, June 9, 1947.

L. E. BEAUVAIS
F. McD. JACOBS
J. DELISLE, Jr.

APPENDIX C

OKA, QUEBEC,
June 30, 1944.

The Honourable T. A. CRERAR,
Minister of Mines and Resources,
Ottawa, Canada.

HONOURABLE AND DEAR SIR:—Following your meeting and interview at Carnegie Library, Ottawa, on June 7, 1944, with a delegation of Indians, we, on behalf of the Indians of Oka, of the Lake of the Two Mountains, in the Province of Quebec, wish to place before you the following matters, grievances and questions, and this in accordance with your expressed desire to receive representations and to give them your careful consideration.

I. *Compulsory Military Service of Indians.*

On this question, you informed the delegation that, as far as you personally are concerned, you think there is some weight to the argument that the Indians should be exempt from compulsory military service, at the same time you paid tribute to those Indians who have enlisted voluntarily and are fighting in the Services to-day.

We, too, are proud of our fighting sons who not only are holding high the torch passed to them by their veteran fathers of the war of 1914-1918, but are demonstrating again that loyalty to British institutions shown by their forefathers in the war of 1812-1814, and, more particularly, in the battle of Châteaugay when, but for the Indians' support to General De Salisbury, Montreal and Canada would have fallen to the then enemy.

However, while our sons will continue to enlist voluntarily, we object, and they object, as a matter of principle and in the assertion of legal right, to forced military training.

Our claim that Indians should be exempted from compulsory service is based upon several grounds, but we mention below only those which appear to be of primary importance, although other grounds, especially those based on treaties, are considered significant.

(A) There should be no obligation without representation. But Indians do not vote and have no representation in Parliament. The Dominion Elections Act, 1938, is clear on this question. The section 14, subsection 2, paragraph "F" of the said Act, reads as follows:—

"The following persons are *disqualified* from voting at an election and incapable of being registered as electors and shall not vote nor be so registered, that is to say:

"Every Indian person ordinarily resident on an Indian Reservation who did not serve in the military, naval or air forces of Canada in the war of 1914-1918; (For the purpose of this provision 'Indian' means and includes any persons of whole or part Indian blood who is entitled to receive any annuity or other benefit under any treaty with the Crown)".

Further, Indians did not have the right to vote on the plebiscite of the Dominion Government in 1942, and consequently had no say and no right to assert their will upon a question so serious as that put to the Canadian people in virtue of the Dominion Plebiscite Act, a right which was given to every other Canadian exercising rights under the Dominion Elections Act and the said Plebiscite Act.

(B) Governor Morris—representing Queen Victoria during discussions which preceded the making of the North West Angle Treaty—assured the Indians that it was not the custom for Her Majesty to ask Indians to fight wars on behalf of Her Majesty.

(C) During the war of 1914-1918, a Dominion Order-in-Council was passed expressly exempting Indians from military service. It is axiomatic that such an order would not have been passed unless based on strong reasons and the conclusion that Indians were lawfully exempt.

II. *Income Tax.*

The following is a principle of law: "No taxation without representation."

And, as above set forth, Indians have no right to vote and have no representation in the Dominion Parliament, nor in the Provincial Parliaments.

The Dominion Parliament has recognized the above principle in enacting Section 102 of the Indian Act, which reads as follows:—

No Indian or non-treaty Indian shall be liable to be taxed for any real or personal property, unless he holds, in his individual right, real estate under a lease or in fee simple, or *personal property outside of the Reserve* or special Reserve, in which case he shall be liable to be taxed for such real or personal property at the same rate as other persons in the locality in which it is situated.

The late Chief Justice Greenshields, in the case of *Feldman vs. Jocks*, 74 Quebec Superior Court Reports 56, held that an automobile of an Indian, which is outside of the Reserve (Caughnawaga) and is there merely for the purpose of some temporary repairs, is not personal property held "outside of the Reserve" and is not subject to seizure by a judgment creditor.

At page 57 of the said report, the Chief Justice stated as follows:—

In this case, as has been already said, this automobile was accidentally and temporarily off and outside of the territory of the Reserve, and was there merely for the purpose of some temporary repairs. The owner of the car, the opposant, had the intention of returning the car to his garage within the territory of the Reservation, and I declare and hold, that that automobile was not personal property held by the opposant outside of the Reserve.

In the same case page 59, Chief Justice Greenshields made the following comments with reference to another decision, viz.:

"Another case to which reference was made is that of *Simkevitz vs. Thompson* and *Glenwalter Cheese Factory, Tiers-saisie*. In this case an Indian, a member of the St. Regis band of Indians, and living on a Reserve, sent his milk to a factory outside to be made into cheese; when the cheese was manufactured

it was sold by the cheese factory, the Tiers-saisie, and after deducting the necessary charges for manufacturing and sale the factory was to account to the Indian for the value of the milk. A creditor of the Indian attached any amount due to the Indian by the factory by garnishee or saisie arret proceedings. It was contested, and Mr. Justice Little, a county judge in Ontario gave a judgment. He held, that this money could not be seized. In part he said: Under the law as it stands at the present time a judgment may be obtained against an Indian for debt, but when the judgment creditor seeks to obtain the fruits of his judgment, he is confronted by Section 102 of the Indian Act, which limits the property of the Indian which is exigible, to such real or personal property as is the subject of taxation under the pertinent applicable section of the Indian Act.

"In that case the whole argument or difficulty seemed to have been, whether the milk money, as it was called, was a part of the Indian's income or not. Upon the whole the judgment went in favour of the Indian, and the attachment was quashed."

In the case of Crepin & Delorimier, 69 Quebec Superior Court Reports,—a case in which the question was whether or not a creditor could seize a bank deposit of an Indian in a bank situated outside an Indian Reserve,—Mr. Justice Philippe Demers concluded his judgment as follows:

"I am of the opinion that the article 102 has in view only a tax on immovables and corporeal moveables situated without the territorial limits of the Reserve."

Accordingly His Lordship dismissed the seizure in the hands of the Bank.

The above cases in quotations make it clear that wages earned by Indians outside their Reserves, moneys deposited by Indians in banks beyond the limits of their Reserves, and moveable property of Indians, even when beyond the limits of the Reserves, are not subject to taxation. Yet the Dominion Government forces Indians to pay income taxes out of wages and other revenues!

Moreover, the above enactment and decisions clearly demonstrate how far legislators have gone in protecting Indians from taxation, and how far the Courts have gone to maintain the exemption of Indians from taxes.

And we firmly believe that, if we Indians had the necessary funds to make a test case, and finance it to the highest Courts of the land, the result would be favourable to us. But what chance have poor Indians, the wards and children of the Government, against its fathers, the Government, who exempt their wards from the payment of taxes with one hand,—the Indian Act,—and, with the other hand, uses its full force to collect taxes, even in contravention of the terms of the Indian Act and the relevant jurisprudence thereunder, as well as on violation of the principles which underlie the said enactment.

As to the last mentioned principles, McPhillips, J. A., in the case of Armstrong Growers Association vs Harris, 33 B.C. Reports 290, said:

"The Indians are wards of the National Government (Government of Canada) and the statutory provisions are aimed to provide statutory protection to the Indians and the public must govern itself accordingly, otherwise we would see the Indians overreached on every hand and the Government required, in even a greater degree, to provide for and protect the Indians from the rapacious hands of those who ever seem ready to advantage themselves and profit by the Indians' want of business experience and knowledge of world affairs."

III. *We Claim Oka Lake of Two Mountains As Our Indian Reserve.*

This matter has been in controversy for many generations, and we do not intend to labour you with the full history, which dates back to the Kings of France.

The following, however, will give you some insight into our contentions and will indicate, to some extent, the abuses we have suffered even to the extent of depriving us of our lands.

The Proclamation of 1763 provides, in part, as follows:

... And we do further enjoin and require all persons whatever who have either wilfully or inadvertently seated themselves upon any land within the counties above described, or upon any other land which, not having been seated to or purchased by us, are still reserved to the said Indians as aforesaid, forthwith to reserve themselves from such settlements.

And whereas great frauds and abuses have been committed in the purchasing of lands of the Indians to the great prejudice of our interests and to the great dissatisfaction of the said Indians. In the order therefore to prevent such irregularities for the future and to the end that the Indians may be convinced of our justice, and determined resolution to remove all reasonable cause of discontent, we do, with the advice of our Privy Council, strictly enjoin and require that no private person do presume to make any purchase from the said Indians of any lands reserved to the said Indians within those parts of our colonies where we have thought proper to allow such settlement; but that if, at any time, any of the said Indians should be inclined to dispose of the said lands, *they shall be purchased only for us in our name* at some public meeting or assembly of the said Indians to be held for that purpose by the Governor or Commander in Chief of our colonies respectively within which they shall lie.

(Incidentally a few years ago one Baron Empin purported to buy a very large tract of land in Oka, from the Sulpician Order, which, we maintain, had wrongfully and illegally taken such lands from us.)

Moreover, the same policy towards Indians was followed and was manifested by subsequent legislation, the Act of 3 and 4 Victoria, Chapter 44, which provided for the further protection of the Indian,—and by the matter with reference to Indians contained in Sessional Papers No. 18.

The following excerpt from "The Story of the Oka Indians," by W. Geo. Beers,—writing many years ago in the *Canadian Spectator*,—will give you some insight into the present question.

I propose to tell the story of the Oka Indians with as much historical accuracy as I can command, and without either malice or imagination in dealing with events of recent times. I think it is a story which, as Seneca says, "is never too often repeated till it is sufficiently learned," and while I will be responsible for the conclusions I may draw, I am not responsible for the occurrences which have forced those conclusions upon many minds besides my own. If my tale appears to be overdrawn, it will be the fault of the facts, not of my fancy; for truth was never stranger than fiction in the history of the red race in Canada, and in the vicissitudes and wrongs of the Indians of the Lake of Two Mountains. Once the only defence of the Sulpicians, when Montreal was a small French village, now become a special mark for Sulpician persecution; once enjoying the fullest and freest right to fish, hunt and maintain themselves on and out of the lands given to the Sulpicians as their trustees, now treated as squatters and worried by lawsuits for cutting wood for fuel, or for the small manufactures upon which their humble existence largely depends; once holding a balance of power which kept Sulpician fate, and doing faithfully the brave deeds which alone saved the Sulpicians from annihilation, now spurned with hate as an obstruction to the aggrandizement and political schemes of the very people for whose protection they fought against their own flesh and blood! I am aware that I have to meet the opposing public opinion on the question in three ranks; A front rank of a wealthy corporation which has done

much good but which has left the very largest part of its work undone; which according to the highest legal opinion in England and Canada, given over thirty years before the illegal confirmation of the Seminary claims in 1840, has no valid title to the estates it got "Confirmed," but which belong to the Crown by right of conquest (See Christie's History of Canada, vol. vi); which has neither fulfilled fully the obligations of that title to the island of Montreal nor to the Lake of the Two Mountains; and which has sanctioned most miserable and cruel persecutions in Oka, perhaps thinking with Saul when he consented to the stoning of Stephen, that it was doing God service. A second rank, a lay element, led by political adventurers and a few religious bigots, who hurl forth both falsehood and vulgarity in lieu of argument and reason, and who are mentally incapacitated to look truth in the face if it wears not the hue they wish it. A third rank, well in the rear, a sort of reserve, as ready to run when the foe comes as to rush on when the foe retreats—the time-serving class of one creed and all parties; who have brave words for the Okas when the indignation of a country is aroused and some party aim can be handled, but who pay penance for their valour in trimming when indignation has passed away; who want to be thought as Protestants of very staunch principle by Protestants, and as Protestants of *very* elastic principle by Catholics who to both sides show a smooth face and a yielding assent of so gentle a dissent as to be easily mistaken. They hate persecution, but they have an eye to business. They love civil and religious rites, but they hate to lose a customer. They have that sort of manhood which will let you kick it blue if you buy its wares, and that sort of hypocrisy "which is honestly indignant that you should think it hypocritical."

"But there is a public opinion in Canada which will yet master these three; which will yet rise in protest against the demoralizing tendency to sink principle in party, honour in "business", right, in expediency. If the story I have to tell wakens the people to protest against gross wrong, if it wakens more love for even Indian humanity, more of that British determination to enforce justice and right at all hazards, even for an Indian, I will feel the work not in vain."

However, upon an appeal from a judgment of the Court of the King's Bench of December 29, 1911, the Privy Council dealt with this question in the case of Angus Corinths and Others and the Ecclesiastics of the Seminary of St. Sulpice, and their Lordships expressed the thought that an act of the Legislature of Lower Canada passed in 1841, made it impossible for the appellants, representing the Indians of Oka, to establish an independent title to possession or control of the lands of Oka.

Their Lordships said in part:

"If this were a case which the practice of the English Courts governed, their Lordships might not improbably think that there was a charitable trust which the Attorney General, as representing the Public, could enforce, if not in terms, at all events cy-pres by means of a scheme, or if necessary, by invoking the assistance of the Legislature. Whether an analogous procedure exists in Quebec, and whether in that sense the matter is one for the Government of the Dominion or of that of the Province, are questions which have not been and could not have been, discussed in proceedings such as the present."

Nevertheless we submit and maintain that lands of Oka have improperly been taken from us.

But the said Privy Council decision is such as to place difficulties in the way of the successful assertion of such claim.

However, we do invoke the suggestion of the said Privy Council decision above quoted.

In this connection, the said quotation contains a suggestion that a scheme be adopted, through the Legislature, to secure for the Indians, benefits in the Seigniori at Oka. But the Legislature of Quebec would naturally answer any request for such a scheme by pointing out section 91 paragraph 24 of the British North America Act which places Indians, and lands reserved for Indians, within the exclusive legislative authority of the Parliament of Canada. And, so, it follows that the Privy Council's said suggestion to invoke the assistance of the Legislature, is necessarily limited to invoking the assistance of the Government of the Dominion.

Undoubtedly we have been deprived of our lands. Will not the Government of the Dominion see to it that either these lands are restored to us or that we are compensated, or that some benefit, by way of a scheme suggested by the Privy Council, should be given to us.

IV. *Specific Grievances.*

When the said case of Angus Corinthe and Others was tried by Mr. Justice Hutchinson in the Quebec Superior Court, in Montreal, His Lordship rendered a judgment which was confirmed by the Privy Council, as aforesaid.

In such Superior Court judgment His Lordship said, among other things:—

... By reason of the foregoing considerations, the action and demand of the plaintiffs is dismissed with costs, subject to their right and that of the Indians represented by them, to demand and receive from the defendants, instruction and spiritual care and, consequently,—

- (i) The right to reside in the seigniori, on such lots and places as the defendants may designate, within easy distance of the Church.
- (ii) And to erect dwellings thereon, and sheds for their horses and cattle.
- (iii) And, also, to cut and use wood on the seigniori for the building, repairing and heating of their dwellings.
- (iv) And the right to pasture on the said seigniori, their horses and cattle, all within such limits as the defendants may fix and determine. (38 Quebec Superior Court Reports 268)

Nevertheless,—not content with depriving us of our lands, and not content with having sold large tracts of land to a foreign gentleman Baron Empin, the Sulpicians violating the trust originally given to them to protect and assist us Indians materially as well as spiritually,—The acts of the Sulpician Fathers oblige us to make the following complaints:—

1. Compulsory military service.
2. Income tax—no taxation without representation.
3. We claim Oka Lake of the Two Mountains as our Indian Reserve.
4. They have closed the Commons to the Indians where we used to put our cattle to graze and where we used to cut timbers for building purposes and where we used to hunt.
5. We are not allowed to cut wood for building or for fuel purposes, nor for making handles and baskets.
6. The Municipality of Oka cuts off our water for the non-payment of taxes.
7. Old and disabled Indians receive no help from the Sulpicians, and receive insufficient help from the Indian Branch. And needy Indian families require more assistance.
8. The Indian children do not receive adequate education.
9. We have not sufficient land with which to make a livelihood to support our families. Many Indians are forced to leave the Reservation to make a living.

10. Certain French-speaking white persons living on the Reserve forbid us to land on the shore when crossing the Ottawa River by row-boat, also a certain French-speaking white man made a gully to drain his land into a certain Indian property thereby ruining the Indians' crops every year and no remedy has been obtained by the Indians.
11. We protest the Provincial Government in Quebec taxing Indians who own stores in Oka Village, Lake of Two Mountains Indian Reserve, and contend that they have no legal right to impose any taxes by way of licences or otherwise, upon the Indians. However, our resources are such that we cannot test such matter before the Courts. We, therefore, invoke your assistance on this question.

Conclusion

In your said interview with the delegates you stated that you are most anxious to help the Indians improve their position wherever their work may lie and to improve their health, and that you are interested in our welfare, the Government standing in the position of trustee to the Indians. Consequently, we urge your immediate consideration of the above questions and problems, and that you cause to be made without delay such investigation or investigations as may be necessary to verify the allegations and facts, and that you accordingly thereupon cause the necessary remedies to be applied and the rights and benefits requested given to us.

As you remarked, you are Highland Scotch, and as such, first in your own land, as well as in many other lands. However, we remind you that we, the Indians, were first in this Canada of ours, and we have confidence that you will help to restore us to the foremost position to which we are entitled.

Believe us, honourable and dear Sir,

Yours respectfully,

George Arirkon, Cree,
 Angus Aroniahwente,
 Marten Anonsawenrate,
 Simon Karoniakeron Simon.

APPENDIX GD

LAKE OF TWO MOUNTAINS,
 October 24, 1946.

To the Honourable Senators and Members of Joint Committee,—

We the Iroquois tribe of the Lake of Two Mountains Indian Reserve, members of the Six Nations Confederacy, assembled at a meeting to discuss and consider the merits of the eight (8) point questionnaire as requested by the Joint Committee.

We have faithfully discussed and considered the said eight points as requested of us.

And the following are our views as passed in Council with the consent of our tribes and bands.

We hereby resolve not to subject to amendments to the Indian Act.

As we are resolved to abolish the Indian Act, by virtue of our ancient treaties; that by virtue of our treaty rights Indians of the Six Nations are not liable to any federal or provincial laws within their territories; that by virtue of our treaty rights Indians of the Six Nations are not liable for payment of taxes either to the Dominion or provincial governments.

That by virtue of our treaty rights we demand of the Canadian Government the recognition and the respect of our sovereign rights and privileges as a Nation.

We do not wish to become enfranchised. In dealing with these treaties, between Great Britain (and the Indians) and the United States (and the Indians) both Great Britain and the United States have confessed that the Six Nations were independent people.

The Supreme Courts of both countries furthermore recognized those treaties as inviolable. In the Life of Sir Frederick Haldimand, Volume 3, page 356, the question of the sovereignty of the Indians was very embarrassing in that it would have been impossible on any theory of the laws of nations for Great Britain or the United States to establish any prerogative in themselves to enforce the laws of the white man upon the owners of the country in dealing with the Jay Treaty of Amity. Mallory, p. 590 in 1791 said the rights of the Indian were recognized. Moreover the language used (in that Treaty) treated those tribes as being outside the circle of British subjects in relation of citizenship and sovereignty. To make this admission still stronger that article was amplified by the amendment of 1796 (Mallory, p. 607) which provided that no treaty made or to be made by either party with another nation or with any other Indian tribe should be construed to deny those tribal rights.

We do not approve and never will approve of the Indian Act by virtue of the respective treaties enumerated herein:

Treaty of Peace and Friendship, 1784, in this treaty it will be found Indians are not citizens, but Nations;

Treaty of 1759 and 1791, King George the Third is the absolute protector of Indians and absolutely forbade the purchase or molestation of Indians;

Treaty of 1763, forbids the encroachment of white persons on Indian reserves;

Treaty of 1794, confirms the sovereignty of the Six Nations;

As regards schools, we would derive more benefit from day schools, if we are provided with good teachers.

As to the eight (8) points:

To our advancement, all government aid should be free to the Indians. It should not collect the value of what is distributed among the Indians as it is or has been going on in recent years. Indians are not in a state to be able to repay (the Government) for cattle, horses, farm machinery.

As to health: We think we should have a good lively doctor. As far as the doctor who looks after the Lake of the Two Mountains, he is of an age when he should be retired.

Speaking of housing: some of our houses are in terrible shape, some require a lot of repairing and many need new houses, as the houses they are living in are old houses which should be condemned.

As to agriculture: there are some with small land and some with none at all. Some wish to go into agriculture. There's a large tract of land which was granted once to the Indians and the Seminary of Montreal have taken these lands away from us Indians hundred years ago, or little more.

As to the expense of our delegates: We would suggest that the government pay the expense of attending before the Joint Committee, as we do not know just what it would cost nor how long we would be there.

We will now bring our brief before you.

The Indians of Lake of Two Mountains have suffered something serious. Since the Act of 1841 was decreed, it has taken our reserve from us without the consent of our Indians. That was not the intention of the Crown, but those acting in authority for the Crown are responsible for it.

Since that time and to the present date, we have been forbidden the enjoyment of our reserve.

Before the Act of 1881 was passed the Indians looked very much to the terms of 1760 and also 1763, also to a judgment of the Superior Court, October 5, 1722, regulating boundary lines between the Seignory of Lake of Two Mountains and that of Madame D'Argenteuil. (See *Ordonnances des Intendants, Arrêts et reglements du Conseil Superieure de Quebec*, Vol. I, p. 189, Canadian Archives).

With regard to the Act of 1841, it was formed from nothing. The Indians were entirely ignored by that Statute. It did not comply with the terms of the Treaty of 1763 wherein it says we do with the advice of the Privy Council strictly enjoin and required no private person to presume to make any purchase from the said Indians of any lands reserved to the said Indians within those parts of our Colonies where we have thought proper to allow settlements. Further, that if at any time any of the said Indians should be inclined to dispose of the said lands the same shall be purchased only for us in our name at some public meeting or assembly of the said Indians to be held for that purpose by the Governor or Commander in Chief of our colony respectively in which they shall lie.

The Sulpician Order have abused the Act of 1841. They were placed as trustees by the Judgment of the Superior Court, King's Bench, and also the Privy Council.

The Seminary in recent years has made a good sale of the property a good portion of which the Indians have been using as common land for the pasturing of their cattle, horses, or as wood lots.

So to-day our Indians are without common lands or wood lots.

We ask the Government to abolish the Act of 1881 that the Seignory of the Lake of Two Mountains was never alienated to the Seminary and Oka is the only one where any property has been left.

We are in a position to appeal confidently to the Government of Canada for complete justice and respect of our sovereignty and rights.

We also ask that the Grand Chiefs at the Lake of Two Mountains be granted a commission like the commission that was granted May 1, 1830, in the name of Charles Tharye, Baptist Arienarison, Grand Chief A. Laplace, D. Clark Tharye, by His Excellency's Command, Sir James Kempt.

Lest we forget now and forever that in Europe and Pacific battlefields the flowers bloom between the crosses, row on row, and in other places, lie many of our Indian braves.

They went through the stench of hell fire, met the onslaught of ingenious instruments of modern warfare, the insidiousness of poison gas and other diabolical weapons of death. They lie in honoured death that the British flag may never fall, the sun never set on the British Empire, so that Britannia rules the waves and that the escutcheon of the House of Windsor be not desecrated, but do blaze as always in its splendid glory, for the honour and respect of the laws and sovereignty of the British Commonwealth.

Also that some day their laws and rights and sovereignty of their own people might be honoured and respected.

We therefore beg and pray that all our treaties be maintained and recognized by Great Britain and her commonwealth and that our rights as a sovereign nation be taken into serious consideration, and we refer most particularly to Northwest Angle Treaty, 1873; Imperial Proclamation, December 22, 1766; Royal Proclamation, October 7, 1763; and the previously mentioned judgment of the Superior Court, October 5, 1722 and 1794-95.

Postscript

One incident that is omitted in our above brief which is very important is this: Our forefathers originally came from Montreal which was Mont Royal, and we have never been paid for the lease. We think that if justice is going to be practised for us, we should be paid in full for the use of our lands.

(2) One of our chiefs asked for the deed of our Seignory. Mr. Rowell, who was chairman for our affairs said that if the Chief would go to Ottawa that he, Mr. Rowell would meet him and in the presence of Mr. Scott, who was Superintendent of Indian Affairs. When they did meet there, Mr. Scott refused to let the Chief have the deed. And therefore Mr. Rowell had to leave it in his charge. That is why we can not get the deed for our seignory.

The undersigned delegate appointed by the Chiefs.

(Sgd.) JAMES MONTOUR.

APPENDIX GE

Honorables membres de la Chambre des communes et du Sénat:

Je suis honoré et heureux de l'opportunité qui m'est offerte d'unir ma voix à celle des autres réserves du Canada dans l'étude des problèmes qui concernent l'amélioration et le bien-être des Indiens.

Je représente ici, à titre de chef, la réserve des ABENAKIS de Pierreville.

Je serai bref dans l'exposé de mes griefs.

Le travail accompli jusqu'ici par le Président et les autres représentants de la Fraternité des Indiens de l'Amérique du Nord absorbe à peu près toutes les questions qui nous intéressent. J'exprime ici l'opinion unanime des ABENAKIS.

Nous demandons le maintien du système des Réserves avec certaines modifications de l'Acte des Indiens ayant pour objet d'améliorer la position et sauvegarder les droits des Indiens. Pour ne toucher que quelques points; je dois déclarer, en ce qui concerne le problème de l'éducation chez les ABENAKIS que le système scolaire en vigueur chez nous a donné entière satisfaction jusqu'ici et nous demandons le maintien d'un tel système.

L'éducation de nos enfants est confiée à la Communauté des Sœurs Grises de la Croix, d'Ottawa. Depuis au delà de 60 ans déjà, ces dévouées religieuses exercent chez nous un véritable apostolat. L'Acte des Indiens visant à reprimer l'intempérance et l'abus des boissons alcooliques dans les Réserves, quoique d'apparence un peu rigide; je crois que les lois en vigueur jusqu'ici doivent être maintenues et appliquées à l'avenir; car une loi qui a pour but la sauvegarde de la morale, de la santé et de la bonne renommée d'un peuple doit être appréciée.

Ces lois contre l'intempérance et l'abus des boissons alcooliques ont produit de bons résultats chez nous. Je suis heureux de déclarer ici que la nation ABENAKIS est une nation sobre; les quelques rares défections qui s'y rencontrent occasionnellement ne sont là que pour confirmer la règle générale. A tout prix il faut nécessairement former un peuple tempérant, c'est la clef de tout succès.

Depuis quelques années il existe au Canada une loi sociale favorisant le Canadien d'une pension de vieillesse; jusqu'ici cette loi a favorisé tout citoyen canadien à l'exclusion cependant de l'Inde. Ci je comprends bien la portée de cette loi, le but est de venir en aide de tout individu qui, parvenu à l'âge de 70 ans n'a pu, en raison des exigences de la vie et des multiples problèmes auxquels il a eu à faire face, n'a pu dis-je économiser un petit pécule pour ses vieux jours.

Si le Gouvernement a jugé nécessaire de venir en aide au citoyen canadien, l'Indien ne devrait pas être exclu de cette aide; lui, tout comme le blanc, doit affronter les mêmes exigences de la vie et a droit comme son frère blanc de finir ses jours dans une sécurité relative; un certain travail dans ce sens est déjà en marche et nous souhaitons qu'il ait une issue heureuse.

Il n'existe pas de traité proprement dit entre les ABENAKIS et le Gouvernement fédéral, traité par lequel ce dernier s'engageait par certaines obligations en retour des terrains concédés par les Indiens, mais par contre, par l'article 40 de la Capitulation signée à Montréal en date du 8 septembre 1760, les Indiens alliés de sa Majesté très Chrétienne seront maintenus dans les réserves qu'ils habitent et ne seront molestés en aucune manière pour avoir pris les armes et avoir servi Sa Majesté très Chrétienne, et auront la liberté de garder leur missionnaire.

Le réserve que nous occupons présentement est un don seigneurial concédé par les seigneurs Crevier (?) de St. François par un acte passé à Montréal le 23 août 1760.

Par cet acte les seigneurs Crevier (?) concédaient aux ABENAKIS par l'intermédiaire de leur missionnaire le père Jacques Bigot, jésuite, une $\frac{1}{2}$ lieue de terre du front pour en jouir par les ABENAKIS pendant tout le temps que la mission que les Pères Jésuites y vont établir pour les dits ABENAKIS y subsistera; et la dite mission cessante la dite demi-lieue présentement concédée en l'état que les dites terres seront alors retournera aux seigneurs Crevier (?) ou à leurs descendants ou héritiers pour leur appartenir comme auparavant le présent acte. La même année le seigneur de Pierreville céda aux ABENAKIS une demi-lieue sur sa seigneurie. Les deux concessions comprenaient une étendue de 3 milles de profondeur sur environ de 6 milles de front. A l'heure actuelle l'étendue de la réserve de Pierreville comprends un peu plus de 500 acres de terre. Nous pouvons juger par ces chiffres l'étendue considérable des terres que nous avons perdues. Je ne ferai pas ici l'exposé détaillée de ces empiétements, la chose serait trop longue. Je désire cependant déclarer que certaines concessions ont été faites régulièrement, mais que par contre d'autres l'ont été d'une manière illégale.

Comme je l'ai exprimé au début, les autres questions qui intéressent les réserves indiennes en général ont déjà été discutées pour nous par le Président de la Fraternité.

Comme les ABENAKIS ne désirent aucun changement dans leur position de réserve, le droit de vote et la responsabilité de payer les taxes ne nous intéressent nullement, cependant la question du droit pour les Indiens d'élire leur propre membre à la Chambre des Communes devrait être étudiée. Il serait opportun aussi que chaque conseil local ait pleine autorité dans l'administration de leurs affaires locales.

Je termine l'exposé des remarques que j'avais à présenter.
Honorables messieurs, je vous remercie.

APPENDIX GF

St. Regis, Quebec,
December 2, 1946.

Mr. Norman E. Lickers,
Liaison Officer,
Joint Committee on Indian Affairs,
P.O. Box 63,
Ottawa, Ontario.
Dear Sir:

We, the undersigned, legal representatives of the Iroquois of St. Regis Band of Indians residing within the Provinces of Ontario and Quebec and having assembled on several occasions in open session to consider the text of your letter of June 17th last, hereby declare as follows:

1. No Local Treaties or obligations were produced.
2. We desire no change insofar as Band Membership is concerned.

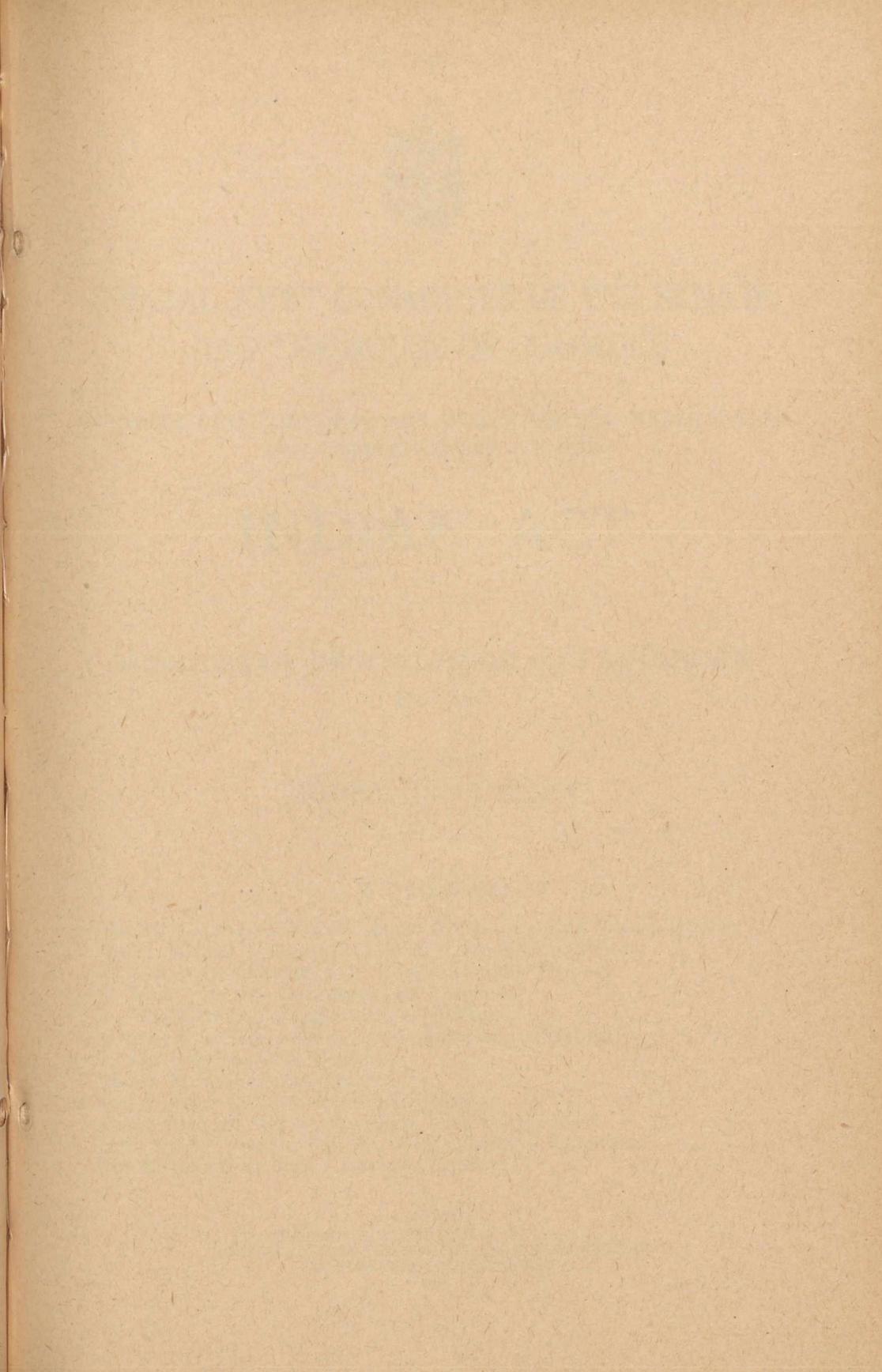
3. Indians should not be liable to pay taxes.
4. We believe in the voluntary enfranchisement of Indians; Section 110, Subsection 14, Indian Act being omitted.
5. Indians shall be eligible to vote at Dominion elections without losing their rights.
6. Continued enforcement of regulations concerning non-encroachment of white persons on Indian Reserves.
7. (a) The operation of Day Schools to include Indian Lore and history past and present. Pupils finishing Day Schools with fair to good average marks should be encouraged and given an opportunity to attend High School.

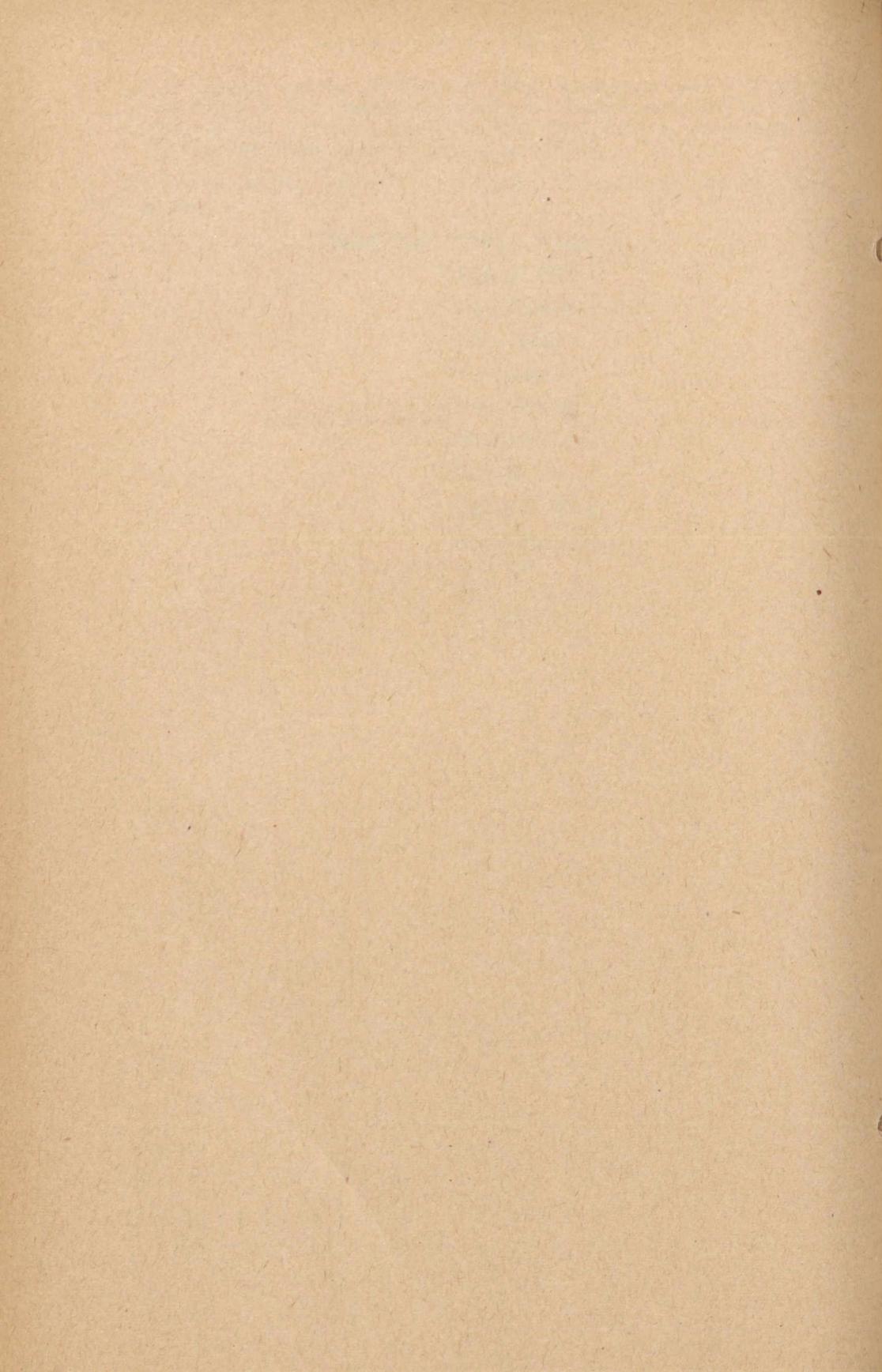
(b) We do not recommend young Indian children being sent to Residential Schools and would suggest that Church Societies operating such schools be paid for expenses and improvements so that they do not lose any money; then convert the Residential Schools into High Schools, Vocational Schools and some into Indian Colleges.
8. We recommend—
 - (1) Mothers' Allowances.
 - (2) Old Age Pensions.
 - (3) Choice of Doctors, limited to 2 or 3 doctors.
 - (4) Choice of Dentists, limited to 2 or 3 dentists.
9. We would recommend a mass X-ray of Indians to detect T.B. in the early stage and a follow-up made of suspects, that is a check-up be made regularly until proved satisfactory by a chest specialist. Would recommend supervised Post Sanatorium care of patient upon discharge from Sanatorium. No patient to be discharged until sputum is negative on culture. Patient should be compelled to go to clinic and be checked up regularly. Patient should be cared for until fit and suitable work is found to prevent a relapse. If patient desires to learn a new trade or occupation and shows aptitude, he or she should be encouraged and given an opportunity to do so.
10. We recommend that Section 157 of the Indian Act include women voters.
11. The Council considers the policy of the Department on their road improvements and such projects very good; also the policy of free hospitalization and their concern for the health of the Indian community. The Council hopes this policy will be continued and improvements made where possible with the full support of the Council.
12. The Council opposes the past policy of Departmental consideration given to undesirable elements amongst the Indians who pose as representatives of the Indian and champion Indian causes, but actually whose policy is to create fear and misunderstanding amongst the poor and uneducated Indians by introducing such cantankerous subjects

as taxation and enfranchisement. Such movements have a tendency to create further misunderstanding and distrust amongst our people during such a critical period as this when unity is paramount for success and preservation of the Indian people.

We hereby set our hand to the foregoing document on the day first above given—

(Head Chief) Clifford White
John J. Peters
Paul Caldwell
John Debo
Joe Benedict
Louis Sunday
Mitchell Curry
Dick Lazore
Joseph P. King
Angus Bonaparte
his
Dick X Lazore
mark







SPECIAL JOINT COMMITTEE OF THE SENATE
AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION
AND CONSIDERATION OF THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 34

FRIDAY, JUNE 13, 1947

WITNESSES:

Mr. H. Larivière, Indian Agent, Abitibi Agency, Amos, Quebec;
Chief Michel Penetouche, Abitibi Agency, Quebec;
Rev. Father Lalonde, S.J., Caughnawaga, Quebec;
F. McD. Jacobs, Caughnawaga, Quebec;
L. E. Beauvais, Caughnawaga, Quebec;
George Cree, for Lake of Two Mountains, Quebec;
Lewis Gabriel, Oka, Quebec;
James Montour, Oka, Quebec;
Chief Malet Collard, Bersimis, Quebec;
Chief Clifford White, St. Regis Reserve, Quebec;
Rev. Father Jacobs, S.J., St. Regis Reserve, Quebec;
Joe Mitchell, St. Regis Reserve, Quebec.

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

Friday, 13th June, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said committee met this day at 11 o'clock a.m.

Presiding: The Honourable Senator W. H. Taylor (Joint Chairman).

Present:

The Senate: The Honourable Senators Fallis, Horner, Macdonald (Cardigan), McKeen, Robicheau, and Taylor—6.

The House of Commons: The Honourable Mr. Stirling and Messrs. Bryce, Blackmore, Castleden, Charlton, Gariépy, Harkness, Little, Matthews (Brandon) (Vice Chairman), MacLean, MacNicol, Raymond (Wright), Reid, Richard (Gloucester)—14.

In attendance: Mr. R. A. Hoey, Director, Indian Affairs Branch; Eric Acland, Executive Assistant to Director; B. F. Neary, MBE., Superintendent, Welfare and Training;

also, Rev. J. A. Plourde, O.M.I., and Rev. Father Jacobs, S.J.;

also Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Chief Michel Penetouche, Abitibi Agency, was recalled and questioned.

Mr. H. Larivière, Indian Agent, Abitibi Agency, Amos, Quebec was called, made a statement and was questioned.

Mr. Raymond read in English a brief presented by a group of Indians from Abitibi Agency (Tetes de Boule). Brief, in French, is printed as Appendix GG to these minutes.

Reverend Father Lalonde, S.J., Caughnawaga, Quebec, was called and made a statement in refutation of certain portions of the brief presented yesterday by Mr. Matthew Lazare, and was questioned.

Mr. F. McDonald Jacobs was recalled and questioned.

The Committee adjourned at 1 o'clock p.m., to meet again this day at 4 o'clock p.m.

AFTERNOON SESSION

The Committee resumed at 4 o'clock p.m.

Presiding: The Honourable Senator W. H. Taylor (Joint Chairman).

Present:

The Senate: The Honourable Senators Horner, Macdonald (*Cardigan*), and Taylor—3.

The House of Commons: The Honourable Mr. Stirling and Messrs. Bryce, Blackmore, Harkness, Little, Matthews (*Brandon*), MacLean, Raymond (*Wright*), Richard (*Gloucester*)—9.

In attendance: as at morning session.

Questioning took place of the following witnesses who had previously made statements or presented briefs: Mr. Le E. Beauvais; Mr. George Cree; Mr. Lewis Gabriel; Mr. James Montour; Chief Malet Collard, Bersimis; Chief Clifford White; Rev. Father Jacobs, S.J., St. Regis Reserve.

The Chairman thanked all the delegates for the very valuable assistance they had rendered to the Committee.

Mr. M. Lazare, on behalf of the delegation from the Elective Council, Caughnawaga, presented the Honourable Senator Taylor with a "gavel" and Senator Taylor thanked the delegation for their kindness.

The Committee adjourned at 6 o'clock p.m., to meet again on Tuesday next, 17th June at 11 o'clock a.m.

T. L. McEVOY,

Clerk of the Joint Committee.

MINUTES OF EVIDENCE

HOUSE OF COMMONS,

June 13, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 11 a.m. The Honourable Senator W. H. Taylor (Joint Chairman) presided.

The CHAIRMAN: Order, please.

Gentlemen, we have with us this morning Chief Michel Penetouche, of the Abitibi reserve. The chief was here yesterday, but it was suggested that we should wait until to-day when Mr. Larivière, the agent of the Abitibi reserve would also be present. Is it your wish this morning to hear Mr. Larivière of the Abitibi reserve agency? That would complete, I believe, the submissions from the different representatives of Indians in Quebec.

Mr. RAYMOND: I believe that the Abitibi brief was not presented yesterday.

The CHAIRMAN: That is what I meant. We had Chief Michel Penetouche present but we were waiting for the agent to arrive. Is it your wish that we should hear Mr. Larivière this morning?

Mr. RAYMOND: Yes. I believe Mr. Larivière could give us the picture probably better than the chief could.

Mr. HOEY: He could probably explain what the situation is.

H. Larivière, Indian agent, Abitibi Agency, Amos, Quebec, called:

The CHAIRMAN: We will have Mr. Larivière act as interpreter for Chief Penetouche; and, possibly before he does that he could give us something of the background of the Abitibi reserve.

Mr. HOEY: Mr. Chairman, I just wanted the Indian agent who is here to explain in a sentence or two why this witness was brought; and also to explain to the committee why a resident from Ontario is brought in on a Quebec delegation.

By the Chairman:

Q. Mr. Larivière, what position do you hold?—A. I am agent for the Abitibi Indian agency.

Q. How long have you been agent?—A. Since 1940.

Q. Would you explain the position in which we were placed yesterday with Chief Michel Penetouche acting as representative of the Abitibi reserve. Can you give us some information with regard to that?—A. Chief Michel Penetouche is known to-day as Chief Noble Indian. We should go back on the history of the Abitibi Indians. The Abitibi Indians in 1906 when the treaty was signed formed one band and they came to terms; that is, those who were trapping in the province of Ontario were listed as what we call to-day the "Abitibi Ontario Indian" and those who were trapping in the north of Quebec were listed as what we call to-day the "Dominion Abitibi Indian." Both are from the same reserve, what we call reserve No. 70. Chief Penetouche is the only man of the Abitibi Indians, who are coming before you to-day, who

actually represents all the Abitibi Indians. I may say that most of the Abitibi tribe live mainly in Quebec. Chief Penetouche is recognized as the representative of both groups, both the Dominion and the Ontario Abitibi; as a matter of fact he spends most of his time in summer in Quebec and in the winter time his home is at Low Bush, Ontario.

The CHAIRMAN: That explains to the committee here the position of Chief Michel Penetouche, representing the Abitibi reserve agency. Now, have you any further information to give the committee, Chief?

The WITNESS: He says that is what he came here for.

The CHAIRMAN: Is it the wish of the committee that we hear the chief now?

Some Hon. MEMBERS: Agreed.

The CHAIRMAN: Does the chief need an interpreter?

The WITNESS: Yes.

The CHAIRMAN: Chief Penetouche, do you speak English or French?

Mr. MICHEL PENETOUCHE: English.

The CHAIRMAN: You speak English?

Mr. MICHEL PENETOUCHE: Yes.

The CHAIRMAN: That is all right with the committee, then. Go right ahead.

Mr. HOEY: Mr. Chairman, may I suggest that the members of the committee would secure more information if they put questions and perhaps the agent would put them to the chief as witness. They are doing a magnificent job up there on that reserve in a number of worthwhile projects. It is a wonderful story and I think the committee would be interested in a broad outline of it. I think this man (Chief Penetouche) is not accustomed to this kind of thing. You might put questions to Mr. Larivière and he could in turn put them to Chief Penetouche, and in that way the committee might get a lot of very interesting material on their record.

The CHAIRMAN: Then would you like to go ahead and make a general statement about the Abitibi reserve, Mr. Larivière?

The WITNESS: If you wish me to, Mr. Chairman.

As regards living conditions, I think that is the most important thing with this band at the moment. I think I should tell you at the outset that a few years ago these Indians each under the new beaver fur trapping scheme in the province of Quebec. In my opinion to-day, with their knowledge of trapping and game conservation, that new beaver set-up is giving them a very good living. They more or less depend entirely on that new set-up to secure fur, and they make a very good living.

Housing conditions on the reserve, I should say, compare favourably with what the whites have; I mean, the white settlers in that area.

Mr. RAYMOND: Mr. Chairman, I have all confidence in Mr. Larivière, but I would much prefer if you would try to get the story from the witness. I suggest that he should put our questions to the witness and let the witness answer.

The CHAIRMAN: I think probably the agent was giving us an outline of conditions on the reserve first, and then probably he might act as interpreter for the examination of Chief Penetouche. I suggest that we let him complete his general outline first.

The WITNESS: This man (Chief Penetouche) built for himself entirely out of his own funds from trapping revenues a couple of years ago a house which cost him, I understand, something like \$4,000 or \$5,000. Other houses around there are not as good except for one or two in Low Bush. They are considered satisfactory. As a rule, in the summer time they will work with the Ontario

forestry branch as fire rangers, and a number of them work on the railroad as extra gang employees and some of them do go on as regular section men. Otherwise they carry on on their own. Those are more or less the people living at Low Bush.

There are medical services, and all these Indians are very happy over the set-up; that is, any time they feel like it they go and see a doctor. They proceed as a rule by train from Low Bush, Ontario, to Cochrane.

By Mr. Bryce:

Q. How far is that?—A. Approximately, I should say, about 75 miles.

Q. If they happen to be sick, how do they get there?—A. The train goes right by their door.

Q. It goes through the reserve?—A. Yes. The train comes in there in the afternoon and they are in Cochrane about six o'clock.

Q. Does the agent supply them with a pass?—A. These people never ask for railroad transportation. They do more or less like the white people.

By Hon. Mrs. Fallis:

Q. What happens when they are too sick to travel by train; is there a doctor there they can call on?—A. There is no doctor at Low Bush either for whites or Indians.

Q. No matter how sick they are the Indians have to go by train to Cochrane?—A. As a rule, especially the Indians, they manage to get to the hospital without too much difficulty. There are neither doctors nor nurses at Low Bush, Ontario. The health department has a nurse visiting every now and again at Low Bush but there is no regular doctor or nurse.

Q. Is there no doctor nearer than Cochrane?—A. That is the nearest hospital.

By Mr. Bryce:

Q. Tell us how the children are educated there?—A. The Indians at Low Bush, this is going back again to the Abitibi set-up; years ago, before the band split the band operated summers on Abitibi lake at the old Hudson Bay post. When the Indians gathered there in the summer time the children attended the Indian summer school, but changes have come with settlement and development. These Indians at Low Bush now own their properties and they pay school taxes to the Ontario set-up; but the school is operated only in the summer time without any regular school days and so on. The Indians live in the bush in the winter time and they do not at the present time get any schooling at Low Bush.

Q. Tell us about your agency, how many children on your agency are getting no education whatever?—A. At the present time, leaving out what we call the Indian summer day school, there is no education furnished to our Indians.

Q. They get no education whatever?—A. Not by day school. We operate at the present time five Indian summer day schools.

By Hon. Mrs. Fallis:

Q. How many attend?—A. It varies with conditions. This year it will be possible to operate the Indian summer day school only from about June 15 to around September 15, except for Mattawa. Up there teachers are expecting to stay on until freeze-up, any time around November first. All the rest of the other northern points it would be impossible to operate a school before the latter part of June, and the Indians depart again for their traplines very largely by the end of August. At Mistassini, where the Indians operate in the far north, it will be July first before they come down and the schools are opened, and they will have to leave again for their traplines about August 15. That is very

important, especially at Mistassini. They leave for the winter camp not later than August 15; otherwise it would mean that they would miss the fish run, and if they miss that it means that they face almost certain starvation.

By Mr. Richard:

Q. How do they live there?—A. First of all, I think I should say that they are a very primitive type of Indian depending almost entirely for their living on fishing and trapping. When they do come down to the settlements we have to get the summer day schools started and we keep them operating until they have to leave for the fall fishing, which starts in the middle of August. They live by fishing and trapping, and they make a fairly good living. In some years it is pretty good. They live off the country, getting their food by hunting and fishing; but their principal means of livelihood is from furs. In the Mistassini and Metachewan areas that applies about one hundred per cent. I should tell the committee that in one area approximately 250 miles south of Mistassini, there is at the present time a very serious situation, although steps are under way to correct it. It arises from what we call the Bois reservoir on the St. Maurice river which has flooded an area which has a shoreline of over 2,000 lines. The result of that is that the country which was furnishing the Indians their living in the way of fish and fur has been more or less wiped out. This is a very serious condition. It meant that they had to move from their old traplines into other areas which were not so good. Then the pulpwood operators came into the country, mostly during the war. They have cut on new limits. Briefly, the Indians today have more or less no such thing as an understood trapping ground. A few years ago the matter was taken up with this idea; it was discussed with Mr. Conn and we arranged the plan with the province of Quebec to set up what we called registered traplines, and we have introduced into that area live beaver. The latest information that we have on it is that the beaver are coming on very well, and will repay the cost of the venture within a few years, and the Indians will again have a source of income from beaver.

Mr. BRYCE: Is that entirely for the Indians?

The WITNESS: Well, it is and it is not. We discussed the matter with the officers of the province of Quebec Department of Game and Fisheries and made an arrangement with them by which the Indian would be given priority on anything they asked for. I believe that is working out pretty well and that there are only one or two people outside of the Indians who benefit from this arrangement. The Indians are afforded a measure of protection through the registered trapline. I might add that the department has agreed to pay the Quebec government for leases for the benefit of these Indians because the Indians could not possibly afford to pay for it themselves, and had the department not taken the initiative the white trappers would have taken up all the ground. The arrangement is working out very well with the exception of one point which is now being straightened out with the provincial government. The only thing we haven't got there which we would like to have set up is what we call the Indian lore; that is, the Indian way of trapping. I understand that Mr. Conn is also taking that matter up with the provincial authorities and we hope shortly to have an arrangement under which the method of development under what we call Indian lore may be again possible.

Hon. Mrs. FALLIS: I was just going to ask you, when they move their wives and families into the bush, what sort of living conditions do they have?

The WITNESS: Well, I said that my Indians were very primitive; they live in a primitive way, of course; which means that they live very close to nature. I might, by way of example, tell you something of my own experience. When I was a young man and went into that country around James Bay to

trade, the Indians used to live in wigwams or tepees and moss huts on their reserves. I remember as a young trader we used to see them in their tepees or wigwams. Now they practically all use tents. These tents are put up on a good log frame, they are very well built. When it comes to moving into the bush on trapline work they take the tents along with them. When travelling over the trapping ground they may put up small tepees, but we have to-day. I am pleased to say, no Indians living in any of those tepees or moss tepees, which were terrible.

Hon. Mr. HORNER: What do they use to put them up with?

The WITNESS: They use logs in our area, particularly around Mistassini.

Hon. Mr. HORNER: How do they travel?

The WITNESS: By canoe. They also use outboard motors. Right now up around the Mistassini area we can figure roughly about one outboard motor for every twenty-two Indians. They work on a co-operative basis in groups with them. As I say, these Indians on my reserve live a primitive life. Most of these Indians have camps which compare very favourably with the cottages of the white people in the area.

Mr. RICHARD: What do they live on? You mentioned fish—do they bring in a certain amount of their food with them?

The WITNESS: Probably again it would be well for me to go back a few years. A number of years ago when I was a young trader, if the Indian called on the store to get credit he would probably be satisfied with one bag of flour, 100 pounds. He would figure that would do him the whole winter, he and his family. Now these Indians up in that area are using anything from four to six bags of flour or more—I would say on the average about six bags of flour to the family, and others things along with that. They consider that to be ample to carry them over the winter.

Mr. RICHARD: How is the health?

The WITNESS: The health in the Mistassini. I will explain. In 1941 in Mistassini, I am sorry to say we spent approximately five weeks, and there was not a single Indian that was not thoroughly examined by the doctor and we got a very close record and we compiled our figures and we estimated at that time that there was approximately between fifty and sixty per cent of those Indians exhausted, or what we call in very poor shape. Since, at Mistassini, we have gone into the matter and we were talking to Mr. Hoey verbally when he was in charge of welfare and we went right ahead. We have outfitted these Indians and we have insisted that they live in their own tents, every family in their own tents, and to-day at Mistassini we have a nurse. By the way, on June 7 we sent out a trained Indian interpreter. I mean by this that we have taken a very intelligent Indian girl from another band and we have placed this girl at a hospital for training so that she can interpret to those Indians in an intelligent manner. It is almost impossible. There is no such word in the Indian language, amongst the primitive Indians as the word "thermometer", or "vaccine." Those things the Indians do not understand. So we are doing effective work in that country now. We went to work and arranged for the training of an Indian girl that could talk some English and some French and some Indian. As a matter of fact the girl, when we sent her to the hospital could hardly say a word in French and very little in English. This girl was trained to become an interpreter. The hospital was instructed to show this girl everything they use for the treatment of an Indian. They explained to her what they do it for so when she gets back into that country she will be able to tell the Indians in her own language what these things are meant for and not to fear the use of them and so on. Well the results have been very encouraging. We are trying to find other girls to become what we call trained interpreters for that service. •

In that area we have a very serious problem. We undertook a tuberculosis survey, probably the first one undertaken among primitive Indians. We use for that purpose what we call the Vollmer Patch Test. We carried it on for three years and we removed from that part of the area all Indians who were in our opinion contaminated with tuberculosis. For that purpose we made arrangements with the Roberval Hospital to accept all the cases we could discover on the spot which required sanatorium treatment. The other class is what we call suspects and they were transferred to another hospital which we were using as a clearing point to establish if these Indians actually are infected or not. If they are infected they are transferred to the Roberval Hospital and I am pleased to say that in the fall of 1946 at Mistassini, as well as all other Indians in my agency, there was not a single active tuberculosis case known to us there. All this was going on with practically no communications; we had to use aeroplanes and it is difficult; we have to put up with the weather, which, by the way, is something terrible. However, we did it and we were very fortunate in that we had such a man as Dr. Armand Frappier, of the University of Montreal who took a further interest in our work. Last year Dr. Frappier came in with me and we visited what we call Waswanipi Indians. Dr. Frappier is probably the greatest expert in tuberculosis, and particularly vaccination, and to see if our work was standing up, he made a further careful examination on the ground. Dr. Frappier has recommended to Dr. Moore that we go right ahead. Now since we have already vaccinated many of our Indians with a B.C.G., and, at the time I am speaking to you we have five nurses in the area. We hope by this fall that all Indians will have been vaccinated with B.C.G. against tuberculosis. We hope next year we will have only the newborn children to do. We will go further in order to prevent T.B. We have already made an arrangement with various hospitals and doctors that they will take care of the newly born as they come along, as rapidly as they can. I am pleased to say I am just back from Quebec and I communicated with Dr. Michaud who is really our T.B. man, and he told me he was sending back home fourteen Indians as cured and those particular Indians had a very short stay at the hospital. As a matter of fact we were able on this recent trip to make arrangements and we will be able to provide for all Indians with T.B.

Hon. Mrs. FALLIS: May I ask just the witness a question there. In dealing with the people you refer to as suspects, have you any way of getting them proper diet, milk, eggs, and fresh fruit?

The WITNESS: I am pleased to explain to you. It is quite a problem. I will give you an example. Say we take a family from Mistassini and we bring them into the hospital through the regular channels and we find amongst this family that two of the children are considered borderline cases and we are of the opinion, or the doctors are of the opinion, that they would probably be just as well at home. In these cases we provide the whole family with assistance in the way of food and we do make sure that they will not run short in the wintertime. If it is necessary we will ask the other Indians to help them carry this food back home with them so they will not run short and using this plan to take care of these primitive Indians, I am very pleased to say we have many of our children, even entire families, on the following year's check-up that were found improved and well. I will say it is a difficult task and we require a good set-up and everybody must work all the time or else it cannot be done because we have only two or three months in which to do the work.

By Mr. Richard:

Q. How many have you got? What is your total population on the reserve in Quebec?—A. In Quebec I should say this. There is no such thing as a reserve. We always refer to Indians living on the reserve but my Indians are not living on the reserve except three bands. Those three bands are the Manawan, Obedjiwan

and Mistassini. Those are the only three reserves we have in the agency and the others are living on Crown lands. They have no title and they have no right, they have absolutely nothing except they are tolerated. Since a number of years ago I have discussed with Mr. Hoey the possibility of getting land for these Indians for it is only natural that an Indian have his home just like any other person. I am aware that the department has been negotiating with the province of Quebec with a view to securing land to establish a reservation for them but I cannot say at the present moment how far the department has got with that.

Mr. HOEY: What did you say the total was, 2,400?

The WITNESS: I cannot give you an exact figure, because I have not any memorandum or notes with me. It is 2,400 though. While we are speaking about population I am very pleased to say that when we started the agency in 1941, although I had been with Indians all my life, I had never seen anything so discouraging as when I took over. As a matter of fact on my first visit to one of these Indian bands I sat on the wharf with the doctor and almost gave it up. I am pleased to say however, through good encouragement by the department we have had regular and steady increases of population every year. We have stopped this decrease from tuberculosis and epidemics of diphtheria, typhoid and so on. There is no such thing to-day.

Q. Where do you make your headquarters?—A. At Amos.

Q. How far would that be away from the farthest Indians?—A. Mistassini is the farthest away which is approximately 250 miles from Amos by air. By canoe to get there it means at least 125 by rail and 200 miles by water.

The CHAIRMAN: Well, this has been very interesting Mr. Larivière. Now, I wonder if anyone has any questions of the chief?

Mr. HARKNESS: I wonder if the chief has any statement he wants to make himself.

The CHAIRMAN: Would you like to say something to this committee on behalf of your Indians, Chief?

CHIEF PENETOUCHE: Do you mean about trapping?

The CHAIRMAN: Is there anything you want to tell us?

CHIEF PENETOUCHE: Yes.

The CHAIRMAN: Will you speak louder?

CHIEF PENETOUCHE: Yes, but I cannot speak loud very much.

Mr. BLACKMORE: Could not this gentlemen repeat it?

Mr. GARIPEY: Has he got any grievances?

Mr. RICHARD: What improvements can he suggest?

The CHAIRMAN: Well let us get some order to this, the reporter cannot get anything here from our side conversations.

Mr. BLACKMORE: One thing I did hear him say Mr. Chairman was that they should have blankets. They want some blankets, and I think with a little encouragement he would tell us other things.

The WITNESS: That is what he said.

CHIEF PENETOUCHE: Another thing, there will soon be no grub, there is hardly going to be anything this winter because there are no rabbits.

The WITNESS: He said they are going to be short of grub, by this he means food, because the rabbits are dying off.

The CHAIRMAN: Now is there anything else?

CHIEF PENETOUCHE: They need more clothes in the wintertime.

The CHAIRMAN: Would you repeat that please?

The WITNESS: He says they need clothes for the wintertime.

The CHAIRMAN: All right, that is administrative; is there anything else Chief that you wanted to tell us, if not you could probably step aside.

By Mr. Bryce:

Q. Just a moment now, has this agency got no band funds?—A. In my agency there is no such thing as band funds because they have no money.

Q. You have told us in your remarks something about this 2,000 mile shore-line that had been created by damming up and setting in a power-plant. Was there nothing paid for that?—A. When this was built the Indians were living on the old reserve on a small plot of land. The Quebec Stream Commission flooded it and they came to terms with the Indian Department. It was before my time but I know the story. They agreed to remove these Indians to wherever they wanted to live. They had to select a spot on what we call the Obedjiwan and the Quebec Stream Commission agreed to replace their houses that they had on the old reserve.

Q. But was there no compensation for removing them from one place to another?—A. No, the Quebec government did not need to do that, it was not even compulsory for them to live in the houses, it was just a gesture of good-will on their part.

By Mr. Richard:

Q. Is there any farming at all? Do you do any cultivating of the soil?—A. They do grow potatoes and we supply them with seed and various things that way.

Q. You spoke of them having good homes?—A. Yes, this man has a good home.

Q. But they do not occupy those homes except for a very short time?—A. Absolutely, they live at home until fall when they go out and they return in the spring.

Mr. BRYCE: I do not understand. These Indians are the original settlers in this country and then Quebec says to them you have no land and you have no nothing. I do not understand that. They were the first settlers in this country so they should have some land to live on.

The WITNESS: I understand through various information we have had from the officials that the province of Quebec was asked to set aside land for the Indians. I understand that the province of Quebec and Ottawa agreed to set aside a limit of 300,000 acres of land for all these Indians, but so far there was only so much taken up. I understand there is something like 260,000 acres yet to be given to the Indians.

Mr. BLACKMORE: All over the province?

The WITNESS: All over the province. It seems that reserves like Maniwaki and the others must have the acreage figured out and deducted from the 300,000 and whatever is left may be distributed among the Indians.

By Mr. Lickers:

Q. The area the Indians are occupying for their hunting and fishing grounds would cover a lot more than that?—A. It is strictly Crown lands and they are only tolerated to live and trap, but they have positively no right to be on the land.

Q. I think they have the first right.—A. Naturally I agree with you in that. These Indians have the right to be anywhere in the country as far as I am concerned but in the province of Quebec the Indians have no legal right or toleration in the province.

HON. MR. HORNER: What is the condition in Ontario?

The WITNESS: In Ontario when the treaty was set up there was a reserve created to take care of the Quebec Abitibi, and what they call the Ontario Abitibi, but that reserve was never supplied and the Indians never lived on it.

MR. BRYCE: They still have it for trapping?

The WITNESS: It is only a small reserve. For example, this reserve I speak of is about 30 square miles and these people have their trap lines covered by the registered trap line set-up for over 2,000 square miles. The reserve as it is to-day is just about enough trapping ground for a small family.

MR. RICHARD: What about the religious education, have they missionaries?

The WITNESS: All these agencies have missionaries, my agency, the Waswanipi, the Mistassini and so on.

MR. REID: It might be interesting to go into this question. It always seemed to me the Indians of the province of Quebec were of a different class from the other provinces. History, as I have read it, shows when the French first had Quebec they just said to the Indians "you are a conquered race and you have nothing here", and it was not until the British came in that they got treaties and reserves were established. Now it appears, according to the evidence we have heard this morning, that in the province of Quebec the Indians are still in the same class as when the French government took them over, and I think it might be well for this committee to find out if nothing was done to help them as happened in the other provinces.

MR. BLACKMORE: Am I right when I understand that they are 260,000 acres short of what the Quebec government agreed to give the Indians?

The WITNESS: I understand the agreement is that the province had to allot 300,000 acres and a deduction has yet to be made of the reserves which are set up but there is still 260,000 acres they could give. I do not know if you could compel them to do so.

MR. CASTLEDEN: I wonder if Mr. Hoey would give us a statement on that?

The CHAIRMAN: I think Mr. Hoey will be appearing before this committee and we can go into that later. I think we should carry on with the witnesses here and get all we can from the Indians of Quebec.

MR. CASTLEDEN: Could we clear up the one point so we could know whether we are discussing what is right or not?

MR. HOEY: Well I could not make a statement off-hand.

The CHAIRMAN: He would prefer to wait.

Now we have several delegates that appeared before us yesterday and we shall have the opportunity of questioning them to-day. Have you anything further to ask of the agent, Mr. Larivière or the chief.

MR. BLACKMORE: I would like to ask the agent if he can speak to this chief in his own language?

The WITNESS: I understand some Indians but I cannot speak well. Usually, this man speaks fairly good English.

The CHAIRMAN: Would he prefer to speak in Indian?

The WITNESS: This man at home, when he is visited by me, or other people, carries on a fair conversation in English and usually expresses himself very well.

MR. BLACKMORE: Is there an interpreter who could understand this chief?

The CHAIRMAN: I think from what I have heard he speaks English probably very well.

MR. BLACKMORE: I would like to ask him some questions?

The CHAIRMAN: Ask him and see how you get along.

Mr. BLACKMORE: Do the Indians receive any clothes from the government now? Do they get any clothes from the government?

Chief PENETOUCHE: Not since last fall.

Mr. BLACKMORE: How much did they get last fall?

The CHAIRMAN: We did not get that answer.

Pardon me, Mr. Blackmore, I am just informed that we still have three other representatives here from the Abitibi reserve. Probably we could do this all at once and question them with regard to the Abitibi reserve by calling up the other representatives.

Mr. RAYMOND: I believe they speak French only.

The CHAIRMAN: Well, I would like the committee to keep in mind its desire to finish at one o'clock. We have about four other delegations that appeared before us yesterday to question besides this delegation that has appeared before us this morning. Now I would ask the committee to govern themselves accordingly and get as quickly as possible the information which they want.

Mr. BLACKMORE: I would like to know how much clothing is issued to them normally each year? Now whatever is the best way to get that I do not know and I would like to have direction. These people are going into the far north where it is excessively cold and they will need warm clothing and lots of it.

Mr. GARIPEY: The agent should know.

Mr. BLACKMORE: If the agent knows we will let the agent tell us.

The WITNESS: In my agency there is not a single Indian family which is not visited by me personally and that is called the annual visit. Whether the Indians live in a house, or in a tent, or in a canoe, makes no difference to me. I must see every one of them annually. When I visit the house I will not tolerate anyone except the chief and the members of that particular family being around. Friends, and relatives, must all go out and the Indian is able to say to me all he wants to say. If it is necessary I will listen to them for half a day, or half an hour, or two hours, it makes no difference to me. Those Indians are all adjusted at that particular moment. I take into account their medical history and their previous revenue, that is the past year's revenue and prospects for the year to come. I will illustrate this by giving an example. It is practically the same as I said a moment ago. We have a complete set-up and a complete record. If we go into a family where there is a young man, the average person might think he was strong and healthy and able to look after his family, but it might not be so. I do not take that into account. I have to take into account his medical record. If the man is one of what we call the suspected T.B. cases but it is not definitely established as a T.B. case but if he has any other defects, for instance, if he is a cripple, we will usually make a point of giving him all he asks for.

Mr. LICKERS: Do you carry all your supplies with you at the time of the visit?

The WITNESS: The store issues to the Indian what he needs and it is a matter for him to say which store he wants to get it at.

Hon. Mrs. FALLIS: Do you give the order to the store?

The WITNESS: I give the order to the Indians and they take it to the store themselves.

Mr. BLACKMORE: Whatever they ask for?

Mr. BRYCE: Mr. Larivière, how do you get all this information when you do not speak Indian?

The WITNESS: I usually use an interpreter.

Mr. BRYCE: Why did you not bring your interpreter to-day for the chief?

The WITNESS: As far as I am concerned this man talks English every time I have seen him. I get along very well with him but I believe it is because he is in a strange area, I think that is the reason why he does not speak up.

The CHAIRMAN: Gentlemen, I have been informed that these three gentlemen from the Abitibi reserve along with Mr. Lariviere have a brief that they would like to submit to this committee. Is it the wish of the committee that the brief should be heard?

Hon. Mr. HORNER: Before we hear the brief I would like to ask a question.

By Hon. Mr. Horner:

Q. In view of the fact that you know the wants of the Indians and the type of clothing which is being given out, do you not think it would be a good saving if you handled the goods yourself rather than send the Indians to the stores?—A. In our agency the distribution is impossible along those lines, because these Indians do not live on reserves as do the Indians in Caughnawaga; they are scattered all over the country. As a matter of fact, our trappers cover an area equal to one-fifth of the surface of the province of British Columbia. To distribute our relief supplies and clothing and other things ourselves would mean practically taking over all these merchants. They are not centralized on the reserve.

By Mr. Lickers:

Q. Have you enough assistants to help you do these things? It must be quite an undertaking for you each year.—A. At the start—the first year—we established our system and then we went on from there. As a matter of fact I have discussed this matter with the department that help would be necessary and at one time they took the matter up with the Civil Service Commission, but it was delayed by one thing and another. We did get help in the field in 1945, but I must admit that every year after I make my annual visits I am exhausted and it is about the month of February or March before we have completed all our work and established our position to start out the following year.

Q. Could you give us some idea as to what other assistance you require?—A. We now have a clerk. We have a very capable girl in the office; but as regards staff, other help, the matter was discussed one time with Mr. Hoey and I understood that he was considering applying for additional help.

Q. How many more of a staff would you want?—A. At the time I discussed the matter I asked for a girl and a man in the office.

The CHAIRMAN: Gentlemen, I do not like to interrupt, but it has been customary to hear from the Indians first and then to hear from the agents. We could question the agent afterwards. In this case we brought the agent in to help the Abitibi Indians along, but I would suggest that we should probably later hear the agent with regard to these matters. We have this group from that agency here now and they have a brief which they would like to present to the committee. Is it the wish of the committee that we hear that brief now? Is it in English or French?

Mr. RAYMOND: It is in French.

The CHAIRMAN: I am afraid I shall have to impose upon Mr. Raymond again and ask him to act as our interpreter.

Mr. BLACKMORE: While you are deciding this matter, I wonder if I might ask the agent if he can recall about how much money is required a year to give the Indians clothing?

The WITNESS: I cannot give you the figures for clothing or rations separately, but we have given in my agency—Mr. Hoey can correct me if I am wrong—with regard to direct issues paid to the Indians when the Indians were facing

more or less a serious crisis we paid to them approximately on welfare, medical and local accounts something like \$100,000. I will say this, that never has the department questioned any of those accounts. I have been coming to Ottawa sometimes once or twice a year to present my problems to the department and never have I been refused anything for these Indians.

The CHAIRMAN: Now, Mr. Raymond, would you please read the brief? This brief will appear in the record in French.

(Brief appears as Appendix GG to to-day's report.)

Mr. RAYMOND (translates): June 17, 1947. The three main groups called Tetes de Boule, Obedjiwan and Manaouan et Weymontaching expressly wishes as follows:—

1. That the rights and privileges granted in favour of the Indians be maintained without any of the present favourable privileges being abandoned.

2. That the present legislation concerning admission of members to the band be maintained with the exception of a white person married to an Indian woman.

3. We are opposed to the enfranchisement of the Indians, either voluntary or in any other way.

4. We do not want to pay taxes.

5. We do not wish to have the right to vote.

6. We want the exclusion of white people from our reserves with the exception of religious or lay personnel which is approved by the authorities for educational and religious purposes.

7. We want better school facilities and we request a hospital and orphanage at Saumaur, Quebec;

(a) a hospital having fifty beds or more; and twenty-five beds for those suffering from T.B.;

(b) schools for poor children and orphans.

1. Urgent need of an agent for these three groups speaking our language.

PERSONAL PROBLEMS

(1) The case of a sick person in hospital—Roberval, Caughnawaga, La Tuque, N.B.—a hospital with a sanitarium. There are at present twenty cases of T.B.

(2) The case of the crippled children or feeble children whose parents are unable to work or to hunt.

(3) The case of five or six old persons who should be hospitalized during the winter time. These persons are really charges upon their families and those families are poor and have other troubles.

(4) Material help to be furnished to the Indians in order that they may build good little homes, to be supplied with nails, tar paper and flooring. At Obedjiwan and at Manaouan it is not possible to secure boards and so on. Since the establishment of the present agency all help granted in the past has ceased. The present agent is not in favour of better homes for Indians. To a chief who has built a good little home the agent had for him very few encouraging words, and the same remarks were made to one named Claude Flamand of Manaouan. It is reported that now we have persons at Obedjiwan who have no home on the reserve and homes cannot be found for three different families.

At Obedjiwan it will be necessary to rebuild at least forty-five homes. They should not ask the Indian to live in a tent for months in the summer time, because if we do that we go back thirty-five years.

(5) There are at the present time five or six widows who should hunt but they have no canoes and they cannot buy a canoe. Can the agent do

something? The canoe is necessary for Indians to do trapping. I know three chiefs who have to stay all the time on the reserve in order to look after the sick persons and so forth. These chiefs cannot go away into the bush and hunt and so forth and they lose around \$800 to \$1,000 a year. If it is the wish of the department would it be possible to grant to these chiefs a sufficient amount or an equivalent amount to that which the chiefs are losing?

(7) We express the wish that a system of trap lines be organized. We realize sometimes there is no justice in the appropriation of the land for that use. The present agent has taken from Paul Mequest his best land for muskrats. They propose to the Indians 50,000 square miles. The surveys map is marked in townships. When we go to hunt it is not the same thing at all. The beaver does not build his shelter on a rock. In a matter such as this the people primarily interested should be consulted, that is to say, the trappers. Here we face the problem of the clubs. They take from the Indians there much territory and give it to the white man's organizations. Our Indians had to abandon moose hunting, and they request that they be allowed to keep the right of trapping on these lands. A better agreement with Quebec is also expedient, else we lose all our hunting grounds. Further we ask for more mating beavers.

(8) We complain about the way the family allowances are remitted to us. We have received at Weymontaching articles which are absolutely useless, clothing or shoes too large, and so forth. We are under the impression that the storekeepers give us what they cannot sell, and the present agent should pay more attention to this matter and give necessary instructions to certain stores, giving the necessary instructions to certain storekeepers in order that they deliver food for the children at Weymontaching, Saumur, La Lautre, Oskalaneo, etc.

(9) There is a lack of drugs to take care of Indians who are sick, during the winter time more especially. These would help to fight grippe and colds and so on.

(10) At Weymontaching during the summer the Indians on the reserve want to cut about 800 or 1,000 cords of pulpwood every year. That money would help the living of the families. This year as well as during last summer lumber has been cut by them on the reserve of 700 miles of the Hudson bay. The Indian reserve is 7,400 square miles.

(11) At Weymontaching on the territory of the reserve there are to be found 771 acres belonging to the Hudson's Bay Company. Many Indians have built their homes on that land. We have asked Mr. Lariviere in the past to buy those lands on behalf of the government—those lands occupied by the Hudson's Bay Company. They would be good for cultivation. As the pulpwood has been cut we believe they could be bought at a very good price. The Indians would then be at home and they could have gardens.

PROJECTS

The undersigned ask that they be given an agent who could organize for them:—

(1) Organize a co-operative to pick and sell small fruits, especially blueberries at Obedjiwan and Weymontaching. This year we have large quantities of blueberries which cannot be sold on account of lack of market at Saumur.

(2) The same organization could be established near Obedjiwan for fishing.

(3) This agent should try to find seasonal work for the Indians;

(4) This agency should organize a systematic way to cut pulpwood on the reserve at Weymontaching, and to promote home industries, such as making

bark canoes, bark baskets, and so forth, and find a market for those things. Also the construction of small houses with the assistance of the department.

The agent in charge of Tetes de Boule should be established there on the reserve in charge of the Indians and not only come there once during the year but much more often and at any time we need him.

COMPLAINTS AGAINST THE PRESENT AGENT

The undersigned agree but regret to say that the present agent, however great his intentions may be and his desire to help the Indians:—

(1) At the present he does not have the time to do his work. As of the 6th of September, 1946, the agent had not yet visited the reserve of Tetes de Boule. We badly need him and we have not seen him at Obedjiwan since the beginning of June. This has caused loss of time and work to some of us.

(2) The present agent does not seem to favour day schools for the Indians or the project of building homes for these Indians.

(3) The ration of Joseph Antoine Connelly of Weymontaching was struck off. Furthermore, it has been proposed to have Antoine Connelly sent back to Pointe Bleue. His two children are married and are living on the reserve at Weymontaching.

(4) We stress the case at Obedjiwan, of Simon Auachich whose ration has been struck off—also that of his wife—without any real reason.

(5) We regret also that the agent has had fits of temper and so forth, more especially on certain occasions. We do not believe any more what the agent says. This is very unfortunate because we thus lose confidence in the representative of the department.

The CHAIRMAN: Now, we will proceed with the examination of those who appeared yesterday. We finished with the first group from the Caughnawaga reserve, and now we have to hear Mr. Beauvais, Mr. Delisle, Mr. Jacobs and the Rev. Father Lalonde, S.J. I will ask them to come forward and we will proceed with questions on the brief which they put in yesterday. Father Lalonde, do you wish to make a statement before we start questioning?

Rev. Father LALONDE: Mr. Chairman and members of the joint committee, I appreciate this opportunity for expressing our side of the story, especially as I am concerned with certain articles laid down in the brief presented here yesterday by another group. I really understand the situation and can appreciate the difficulty of the committee. Two groups have come here both claiming to represent the majority of the Caughnawaga Indians, and you gentlemen have not been on the reserve and do not know the conditions; therefore it is very hard for you to form an opinion. It was suggested by the other group yesterday that an investigation should be made of the reservation, and we agree to that. I think we can face that ordeal.

Now, in order to throw a little more light on this subject of the real representation of the reserve, I would like to stress a few facts that were brought out yesterday. First of all, I will quote from the official Indian census of 1944 as regards our mission and the Indian population. It is laid down there that the Indian population is 3,010. The Catholic population is represented as being 2,682; the Protestant population is 251; and those noted in the census as pagan or aboriginal Indians number 77. That makes a total of non-Catholics of 328 as against 2,682 of the Catholic faith, which represents a difference of a little better than 90 per cent of Catholics.

There is another fact I wanted to state which was admitted last night in questioning. Of the total population at Caughnawaga the non-voters represent about three-quarters of the population; therefore the voters of Caughnawaga represent about one-quarter of the population. That was admitted last night.

They are represented by a council which is elected at Caughnawaga annually. I may say for your information that the present council was elected by acclamation in January last. What grounds they have for complaint on that score, I do not know; but at least that shows that there was no opposition as far as the present council is concerned. That is the explanation as far as I can give it. It was also stated yesterday that a good many of our natives are able men and are earning their living outside of the reserve, and that many of them go to the United States for work and are away from home a good deal, but they are not back in town for the council elections. Another reason was that at the particular time there did not seem to be anything particular to worry about. Also, there did not seem to be any special reason for those who have since presented opposition to have anything to worry about what might come up from this council as regards education especially; and that is what I am particularly interested in.

Quite recently however, we heard that this group was preparing to present a brief to your committee. That was in fact presented yesterday by Mr. Lazare. It was to deal with our residential schools and their opposition to the present system. Naturally, as pastor of that parish it was my duty to arouse the attention of our Catholic population, members of my flock, to the danger to the faith, since we adhere to the brief which was presented here some time ago—I think a little over two weeks ago—by the Catholic hierarchy. They referred to that in the brief which was presented here yesterday. With that thought in mind a group of Indians got together and discussed the situation and thought it was advisable to call a band meeting in the usual form, in the old tradition of Caughnawaga, which was from the pulpit on Sunday; so after mass I announced that there would be an official band meeting at the parish home next to the church. Members of the officially elected council were there standing near the pulpit. There were some I could name who are here to-day and who are present listening to me, and they knew that the meeting was to be held in the evening at eight o'clock. At that meeting, officially and honestly announced, were present—it was stated last night, we haven't got the exact figures, that perhaps there were 250 there—I would say in my estimation it would be closer to 200 than 250. Also present was Rev. Father Jacobs, an Indian priest, of the Society of Jesus, pastor of the St. Regis mission, and he is here to-day.

The proposed subject matter of the meeting was mostly to defend what we thought were the Catholic rights in the present system of education as we have it on the reserve. There was an official chairman and he presided over the meeting as was noted in the minutes presented in our brief yesterday. The object of the meeting was carried out. Everybody was unanimously agreed. A number of questions were raised there and they were taken up one by one. One saw the unanimity of opinion, the questioning expanded; we would ask those to stand up who were in favour of keeping the present system of education as we have it now on the reserve. We have a Catholic school and we have Protestant schools also. When that question was admitted unanimously they decided that perhaps they would have other representations to make to the joint committee. They appointed from among the group there present a committee who got together several times and prepared this other brief; and that is the reason for our being here to-day.

Now, gentlemen, let me answer briefly some of the charges that are made against our schools and against the exercise of our religion as it is referred to in the brief. I refer particularly to page 4, paragraph 7, of that brief.

The first point they raise is:

“We do not approve the nuns or sisters of Ste. Anné's to teach our children as they do not teach our children enough, the only thing they learn is praying and singing and marching to church during school hours, also they get holidays for a priest's birthday, etc.”

Well, in answer to that, I think the best thing I can do is to refer you to the inspector's reports which must be in the hands of the Department of Indian Affairs. If you would like the correct answer to that charge I would ask you to look at those reports; I refer to the charge that the Sisters of Ste. Anne do not teach the children anything, that the only thing they learn is to pray and sing and that they get holidays on the priest's birthday. You will find the answer to that in the inspector's report. The inspector is Mr. Westcott, who is also the inspector for all the English-speaking Catholic schools in one district in Montreal. You can also get some information from the Department of Indian Affairs, from Mr. Hoey. As to the instruction given on the reserve by our Catholic nuns, the Sisters of Ste. Anne, in the past, I am sure the reports would be favourable.

It was also mentioned, not in the brief but in the subsequent questioning, that some of our pupils receive a part of their instruction at Caughnawaga in the English schools, and that many of the pupils are so far behind that when they go on to higher schools they sometimes have to be put back as much as three grades. In answer to an accusation of that kind I can give you examples. Of course, it may be that there is one factor, the pupil himself. That could be investigated. But, by way of a general statement I can say that personally I know some boys who left our school to attend the Victoriaville Sacred Heart college, whom I visited myself and questioned and about whom I had received information directly from the director of the school, and he claims that they are among some of his best pupils, and one of them especially is the best in his class and has been almost since he started attending that school.

"We do not approve the rebuilding of our burnt school unless it becomes a public school which takes children of all religions and teaches them. Same as the Protestant school system of Montreal, which is one of the highest form of education in Canada. We demand qualified teachers with degrees for teaching, to teach our children. The creating of vocational section and also the creation of a technical branch."

In answering that I will refer you to page 5 and 6 of our brief. Unfortunately for us our brief had not been printed in a sufficient number of copies to enable us to give one to each member of the committee, but additional copies will be available in a day or two and you will then have them.

Now I come to another point:

"We demand these things because our children deserve the best form of education this country can give, to be prepared to meet and conquer the industrial and professional world of to-morrow."

Before I answer that, I may say we are agreed to that principle, I will go ahead and read the rest of this section:

"We also complain and object to the behaviour and activities of the Jesuit society, who are in control of our church."

I may tell the committee that I am a member of the Jesuit society myself, and I am very proud of that fact. And it goes on:

"They are meddling in the affairs of this band when all they have a right to do is be spiritual advisers."

Now, I want to state the principle that a pastor in his parish according to the doctrine of the Catholic hierarchy must—I will not use the word "meddle", for I personally resent this accusation, care for his flock. However, I do want to tell you this; that in principle the pastor in his parish has as his first duty to seek the welfare of his children as far as teaching the doctrine, the faith, is concerned. He is also the spiritual adviser and pastor, the spiritual father of his flock. Naturally he exercises a certain influence on his people who are

inclined to come to him as their father and explain to him perhaps their grievances and their problems and leave it in his hands, or secure advice from him; and also, perhaps, to get protection, if need be. As far as this particular charge is concerned, it has always been my policy in the past to withdraw and refrain from "meddling", as the statement puts it, in affairs which are strictly affairs of the band; although at times it was next to impossible to keep myself from being implicated in it because of the different factions which just now prevail on the reserve. Just lately this case came up. We thought our religion was really concerned. We took definite sides. And then, at the close of that particular discussion on education I made a statement to a group of persons around the pulpit. I said exactly what I told you a while ago about my policy in the past; but, notwithstanding all that I have been accused repeatedly of "meddling" in Indian affairs. It will be my policy in the future as I said to do all I can as your spiritual adviser and as your father here to help you even in your Indian affairs if I am able to do so; not in your administration, you have a whole organization for that; but to help you in any representations that you would need or any advice that perhaps I could give you; that is going to be my attitude in the future. It is also my duty to do so because I realize more and more now since their brief has been presented that there is a very real danger coming from the other side as was expressed here yesterday.

Now, returning to the particular charges laid down here:

We are capable of handling our affairs without interference from outsiders. They have set themselves up in business in a big way.

I wonder if that was meant to be a compliment. Let me read the whole thing and then I will comment on it:—

They operate bingo and euchre games of chance, these games are in the category of gambling. This teaches our children to take chances, thereby become gamblers. They also operate a movie house, dance hall and pool room. They no longer preach in our native tongue, but insist in preaching in French and English only. This Act threatens the extinction of our beloved language, which the people will not tolerate for long.

I will take these one by one. "They set themselves up in business in a big way": you are all aware that in every parish there are these parish organizations to help not only in a social way to get the parishioners together but also to help in raising funds for the upkeep of the church or other activities conducted on the reserve or such as will be found in almost any parish as a rule. It is from this that the Jesuits are organizing a big money proposition on the reserve for profit. I may state—

Mr. MACNICOL: Who gets a big profit?

The WITNESS: It is alleged that the Jesuit society is getting it. It appears from this brief that "they have set themselves up in business in a big way". The church organization as we have it on the reserve is administered by the Jesuit Order, and has been ever since away back in 1657. That is when the Jesuit Order first came there and continued until it was suppressed in 1773, and the last Jesuit in Canada then died around 1800. After Castlemaine the society was reorganized and reinstated in charge of them a little after 1800. The Jesuits came back to Canada in 1843 although they did not come back to Caughnawaga right then, they came back there only in 1903. In the interim the Oblate fathers, an order of scholarly priests, administered to the Indians. There have been Oblate Fathers stationed there for thirty-five years. One of them was later Bishop Forbes, Archbishop of Ottawa, who was there at least twelve years himself. He was the last of that order stationed there until the Jesuit fathers

came back in 1903. I personally have been there for the past ten years. The parish organization has as a source of revenue only what the Indians can give them for actual support; that is they pay, some of them, their pew rent, which is taken up by collection on Sunday mornings. They also have the contributions which are taken up during the different mass-services. Both would be barely sufficient to keep the mission going. We have therefore to find means to organize in order to make both ends meet. One of the things we use to that end is what in French we call a "tombola"—in English you call it a bazaar—as any ordinary parish would hold a bazaar. We also have bingo games at the bazaars and euchres now and then. We also have the occasional bingo game during the year in the hall; and the other odd stands that you find on a parish bazaar ground. Incidentally, I might say that we have been organizing for our next bazaar which will be held around the beginning of July. You are all quite welcome to come and see how things are being run. If you were to condemn our situation you would have to condemn every other church bazaar that is being organized throughout Canada. I think I have said enough on that particular angle of the case.

Then they say, "This teaches our children to take chances, thereby become gamblers." I will leave that to your own better judgment.

Then they say, "They also operate a movie house, dance hall and pool room." Well, now here is the fact. In this particular hall, the parish hall, that we have on the church ground we have during the last five years held the occasional show which has been organized by a parish committee. At the outset we borrowed one of these 16-mm. projection machines and later we were able to buy one for ourselves. We rented different films for programmes and in that way showed them ourselves mostly to our children in order to be able to control the programmes and to be sure of the moral correctness of them. This was intended particularly to afford amusement to our children and keep them around us and to be sure of their better behaviour.

Now, as to the dance hall: the same parish hall also serves the purpose of our teen-agers' club, mostly the older girls from our parish school who organized this themselves this spring so that they could spend an enjoyable evening together in the hall. They have the use of a small gramophone; and we permitted the teen-age girls to carry this on under our paternal eye. Then, as to the pool room: there is a little room immediately joining the vestry, where the altar boys pass the time while waiting to change into their vestments and assist in the serving of mass. There is a little table in there, it is not much larger than one of these tables such as you have here in the committee room, and these little tables have little balls about this size (indicating) and they amuse themselves with that game while waiting. That is the pool room. Incidentally, there is no charge of any kind made for the use of the table. Some of these boys are children of some of the braves who signed this brief, some of these altar boys about whom I have just spoken.

And now, they go on, "They no longer preach in our native tongue, but insist in preaching in French and English only." We have the privilege of having with us today Father Jacobs, who as I said a while ago is an Indian Jesuit, a native of Caughnawaga. He is stationed down at the St. Régis reserve and he comes regularly every month to preach in Indian to our congregation at every mass. Besides that, in his absence, every Sunday I personally give the announcements in Indian at every mass. All the official prayers and the whole of the singing at all of these services is carried on in the Indian language. There are three other Jesuit fathers who are now studying the Indian language in order to be able to help us out in that respect.

Gentlemen, I think I have completed all I want to say. I will not take up more of your time. I thank you.

The CHAIRMAN: Shall we now proceed with the questioning of this delegation?

By Mr. MacNicol:

Q. Would you like me to start, Mr. Chairman? I have just one or two questions I would like to ask. I am very much interested in what I think you said in your brief here; did I understand you correctly, that there are two groups on the reserve?—A. Would you like me to answer that, or some of the other members of the delegation.

Q. Well, anyone can answer this.—A. I will give you my interpretation, if you wish. There exists a group of aboriginal Indians who are mostly all former Christians but who for certain reasons of their own—we are not forcing or trying to force our religion on them—have abandoned their Christianity which they formerly practised. Now there are not very many. According to the last census there would be seventy-seven and actually I think there would be a little more. Besides those there are some who I think are sincerely Catholic but as stated yesterday they make a division between being a Catholic and being an Indian. That group also adheres, for certain racial reasons that appear to us as being prejudiced, to the same ideas which I think the group has expressed here. I may say this, it was a false and wrong statement to claim that you could be a Catholic and an Indian and make a clear-cut line for that. Now that stands not just for Catholics but for any denomination. A man cannot only be a Catholic, or a Protestant, or other denomination by just meeting in his church and sitting in his church and praying on Sunday, and then say, for the rest of the time, "I am an Indian" or "I am a white man." You are either a Catholic Indian or a Protestant Indian twenty-four hours of the day and therefore you must always act as such. Otherwise it would just be a name if he does not act according to his belief. I think there is a misunderstanding there. Some of them are really sincere and I think they would resent not being considered as Catholics, but still they adhere to the principles as opposed to the system of teaching as regards denominational schools.

Q. One further question. How did that group, which represents only seventy-seven or a few more than that, elect the council of chiefs?—A. It is not just those, there are also other groups of Catholics, I would not know exactly how many, but they would be opposed. I would think it would be wise for the committee to institute a referendum. You could then judge for yourselves. There is a serious problem and a referendum would really be necessary in our case. I think the same point was said by myself and Mr. Beauvais yesterday. One of the reasons for the situation is that our able men, who are in the great majority on the side we represent, are out of the reserve at the time the elections occur and only about one-quarter of the voters really take an interest. At the last election there was no special problem and the other group being always defeated because of the system that prevails in our reserve of having six sections where voters of that section have to vote for the candidate in that section. It favours certain cliques who hold office even if it is not the wish of the majority. We have a brief that will be handed to you suggesting a remedy for this.

Mr. MATTHEWS: I have no questions except I wish to say that I think the reverend gentleman has made a very fine rebuttal to many of the charges that were flung around here yesterday.

Mr. BLACKMORE: Are we supposed to be questioning all of these gentlemen?

The CHAIRMAN: Yes.

Mr. BLACKMORE: I would like to ask Mr. Jacobs if there is any other matter that he wished to deal with yesterday particularly, when the time limit did not permit, other than taxation. He was making what I considered to be a very able presentation.

Mr. JACOBS: Do you want me to continue with taxation?

Mr. BLACKMORE: I would like you to take up any other items, other than taxation. I think you established your case on taxation very well.

The CHAIRMAN: The brief has been submitted, Mr. Blackmore did you have a copy of it?

Mr. BLACKMORE: I understand that the brief has been submitted and the questions I propose to ask are on the brief and I would presume that they would be quite in order.

F. McDonald Jacobs, called:

The WITNESS: I have not got very much more to say except to give you references as to the jurisprudence or the judgments which have been rendered regarding taxation. The Caughnawaga Indians who are those working outside of their territory but in the neighbourhood, have their domiciles within the limits of the said reserve; they leave their domiciles in the morning to go to work; and at night, their work finished they come back to their homes in Caughnawaga.

In fact, since the last seven months, the Indians, working in the United States, have paid out to their dependents within the limits of the Caughnawaga reserve over \$10,311.74; being the amount verified by means of money-orders and an additional sum of \$5,579, amount verified by cheques deposited in the banks.

Mr. BLACKMORE: Would the witness mind elaborating or clarifying that. What are we to gather from that submission?

The WITNESS: The effect of the matter is there was no income tax levied on them in 1942 in the United States. Now, in a record of the superior court, Montreal, case of Crepin vs. Delorimier et al and the Banque Canadienne Nationale, Tierce-Saisie, the Honourable Mr. Justice Philippe Demers, has decided, in 1930, that the moneys deposited in a bank situated outside of the limits of the Caughnawaga reserve, by an Indian, constitute an incorporeal right, non-susceptible to be taxed by the actual laws, and consequently, being unseizable. This judgment has been reported in volume 68, page 36, of the Official Judicial Reports of the province of Quebec.

Mr. BLACKMORE: May I ask a question there and I am going to give over the rest of my time to other members. What you are dealing with here is the matter of succession duties.

The WITNESS: No sir, in all cases. Now this money was deposited in the Banque Canadienne Nationale and presumably the Indian owed money to a certain outsider and the money was attached and section 102 of the Indian Act was applied. It was read here yesterday.

Mr. BLACKMORE: It would forbid that.

The WITNESS: Section 102 of the Indian Act reads as follows:—

102. No Indian or non-treaty Indian shall be liable to be taxed for any real or personal property, unless he holds, in his individual right, real estate under a lease or in fee simple, or personal property outside of the reserve or special reserve, in which case he shall be liable to be taxed for such real or personal property at the same rate as other persons in the locality in which it is situated.

That reference is now changed to chapter 98 of the Revised Statutes of 1927, section 102.

This judgment was rendered on this basis that money in the bank was his unquestionable property, or even a car going out of the reserve, is only

in transit. Therefore it is not chargeable or seizable in any form. Now, speaking of situs or domicile, there is the case of the Toronto General Trusts Corporation *vs.* the King, that was in 39 Dominion Law Reports, page 40. There was another judgment in 1936.

Mr. BLACKMORE: What was the effect of this one you just referred to?

Mr. Chairman, I realize the time is up but I should like very much to ask this gentleman a good many more questions probing into this matter. However, I realize it would be unfair to the other members of the committee. I am impressed that this gentleman seems to be exceedingly well-informed and has a highly intelligent grasp of these matters and I would like to commend him.

The CHAIRMAN: Well it is 1 o'clock and we have to complete this delegation and we also have the Bersimis, Oka, and St. Regis reserves, that presented briefs yesterday. Is it the wish of the committee that we continue at 4 p.m.?

Mr. GARIPEY: Could we get through with these witnesses if we carried on for another half hour?

The CHAIRMAN: No, I think not.

Well, we will adjourn until 4 p.m. in this room.

The meeting adjourned at 1 p.m. to meet again this afternoon at 4 p.m.

AFTERNOON SESSION

The committee resumed at 4 o'clock.

The CHAIRMAN: Order, gentlemen.

Have any of the members of the committee questions that they would like to ask the group that we had before lunch? Would the representatives of the Caughnawaga group that were here before lunch come forward, please; that will be Father Lalonde, Mr. Jacobs, Mr. Beauvais and Mr. Delisle.

Mr. LICKERS: What about the schools on the reserve; are there a sufficient number of schools for all the children?

Rev. FATHER LALONDE: Actually, Mr. Chairman, you are aware that our school was burned down and has not been rebuilt; therefore, I do not think there is sufficient accommodation. I speak only for our own group. As for the other groups, I would not know.

Mr. LICKERS: Well, is there anybody else in your delegation who will be able to answer that?

Rev. FATHER LALONDE: You mean, a Protestant?

Mr. LICKERS: It does not matter whether he is a Protestant or a Roman Catholic.

Rev. FATHER LALONDE: As far as I know the Roman Catholic accommodation is not sufficient just now.

The CHAIRMAN: Could you answer that, Father Jacobs?

Mr. E. JACOBS: I do not know anything about the other schools.

Mr. LICKERS: I notice on page 6 of your brief a reference to male teachers for higher grades. You say:—

However, with regard to the education and teaching of male pupils in the higher grades of our Catholic schools, it is the unanimous wish and desire of our reserve to have the older boys taught by male instructors and the suggestion is that such teaching be conducted by teaching Fathers or Brothers, assisted, if need there be, by any capable and qualified men lay teachers.

Do you mean by that, after they get up in the higher grades you want to segregate the males from the females in education.

Rev. FATHER LALONDE: In our day schools, of course, in order to do that we would start with Grade V or VI, let us say with Grade V, and put them under the instruction of a male teacher.

Mr. LICKERS: Do you not think that co-education in all grades is better than having the two separated?

Rev. FATHER LALONDE: As far as we are concerned, I claim that it is better to separate them in order to give special education to the boys which is different from the education given the girls in our particular case; another reason is this, we have a system of teaching our boys at the present time and they themselves admit that as far as their development is concerned and as far as keeping authority and discipline over them, that they get best results when there are male teachers. Those are the reasons we want male teachers for our boys for the upper grades.

Mr. LICKERS: Is this a local condition?

Rev. FATHER LALONDE: It is general in the province of Quebec. The boys are under male teachers, Fathers or lay teachers. That is general throughout Quebec.

Mr. LICKERS: That is in all the schools in Quebec, is that it?

Rev. FATHER LALONDE: I speak only for our own class.

Mr. LICKERS: Would it not save time, space and money if they had a co-educational system by which the classroom work could all be taken together?

Rev. FATHER LALONDE: That would be a question for study. We are seeking for better results in education. I think our request is on solid ground.

Mr. LICKERS: Are the older students given any assistance either by the department or anyone else in the way of tuition to attend schools for higher education?

Rev. FATHER LALONDE: I think that is taken care of in the fourth paragraph on page 6:—

A number of our boys and girls have distinguished themselves in higher education and have achieved a fair degree of success. Such higher education was made possible through the kind aid, assistance and encouragement of the Indian affairs Branch, without which aid and assistance the attainment achieved might not have been possible; and we wish to express our sincere appreciation and gratitude to the officials of the branch who have helped those who worked and strived for higher education after leaving the schools in Caughnawaga. We trust and urge that the same policy be not only continued but, if possible, amplified in order to encourage our boys and girls to attend high schools, colleges and universities, by providing them with sufficient financial assistance.

Mr. LICKERS: I was just referring to that part in which you say, "we trust and urge that the same policy be not only continued but, if possible, amplified—"

Rev. Father LALONDE: Yes.

Mr. LICKERS: What do you mean by that; they have already been given assistance?

Rev. Father LALONDE: So far a few have been enabled to do that. I do not believe there have been any refusals on the part of the department in the sense that the boys and girls we recommended, so far as I know, have been given that assistance; but we intend in future to recommend more, you see, and it is provision for the future that we are interested in.

Mr. LICKERS: There has been no refusal in the past?

Rev. Father LALONDE: Not that I know of. Perhaps there might have been a few cases.

Mr. LICKERS: Do you teach vocational training to the children?

Rev. Father LALONDE: Yes; actually before our senior school burned down there was a school there for the girls in weaving. After that burned down there was not sufficient room available to continue those classes and just now I think there is a section where the sisters teach the girls drawing and domestic science and things like that, but they are crowded down cellar. They do what they can. In the boys' department they are teaching woodwork. They are also taught in the cellar of the other school, although they do what they can. We have been promised that things will be amended. That is why we want and urge the immediate rebuilding of our school. We have seen the tentative plans which have been drawn up.

Mr. LICKERS: Are the teachers in the school certified teachers?

Rev. Father LALONDE: They were all accepted by the Department of Indian Affairs.

Mr. LICKERS: Are they certified, they may be qualified but I was just wondering if they were certified?

Rev. Father LALONDE: That is a question that I cannot answer. Inquiries could be made, I suppose.

Mr. LICKERS: Perhaps I should have said, certificated teachers.

Rev. Father LALONDE: I believe there are.

Mr. LICKERS: Can any member of your delegation tell me exactly what is the cleavage on the reserve; why are there these two groups; what is the cause of it?

Mr. L. E. BEAUVAIS: Possibly I can answer that. The difference seems to be that there is one faction on the reserve who are self-styled chiefs that want to govern themselves, who want to make their own laws and do not want to recognize the Indian Act or any other laws except what they draw up themselves. There is the other faction on our reserve which seems to be afraid of his scheme because we just don't know what kind of laws they might draw up. They might be very bad for us; and we might be willing to take a chance on whatever laws the government may make for us. We feel there is an opportunity to improve the Indian Act, or whatever new name you may give it. We are working under it, the Indian Act, so-called, and we feel that its administration is not too bad. They changed this system at one time from the chiefs to the elected council. There was a reason at the time for that.

Mr. LICKERS: That is the type of government you have on the reserve now, the elective council?

Mr. BEAUVAIS: Yes.

Mr. LICKERS: Is there any cleavage between the elected council and the old hereditary chiefs?

Mr. BEAUVAIS: Yes, I believe there is a difference. The elected council came about, I think, because the old chiefs perhaps misappropriated funds and things like that. They put in the council as an improvement over the chiefs. Now, the chiefs were in power perhaps all their lives. We might happen to get an imbecile in there and have to be governed by that chief. He dies and his son would take over, I suppose.

Mr. LICKERS: At the present time you operate under the elective system?

Mr. BEAUVAIS: Yes.

Mr. LICKERS: The only thing you have against that is you believe they should vote, not by sections on the reserve, but by the whole reserve?

Mr. BEAUVAIS: At large, that is right.

Mr. LICKERS: Is that the only difference between the group so far as the form of government is concerned?

Mr. BEAUVAIS: That is right, we think there should be one section. You should elect your council at large. We also think that the mayor should be elected by the people and not elected by the council. At present, you elect six councillors or twelve councillors and once those twelve councillors are elected they hold a meeting and choose the mayor. That mayor might not be acceptable to the band but still you have to accept him. It seems to me we should have the right to choose our own mayor.

By voting in sections, you have a chance to vote only for two men. There might be somebody in section four or five for whom I should like to vote and I cannot give him a vote. I have a chance to vote only for the two representing my section. In some cases, we do not like either one of those two. We do not think they are proper men, so we just do not vote; that is the condition on our reserve. Last year, there was no vote at all. All the councillors went in by acclamation.

Mr. LICKERS: Whose fault was that? The people had the right to vote?

Mr. BEAUVAIS: That is right, but I can explain it in this way. As you know, the biggest part of the people on the reserve are iron workers. They are away in the United States and they pay little or no attention to the workings of the town council. They take it for granted that our department will not let them do anything that is rash during their absence or sell them over the falls. In other words, they do not bother. They say, "These old fellows are the backbone of the reserve and they enjoy themselves being on the council, let them have the ball. I do not think the government would let them do anything that would be a detriment to the people who are away." Otherwise, perhaps these people would come back and cast a vote.

Mr. LICKERS: When are they away, what part of the year??

Mr. BEAUVAIS: They are away about eleven months out of the year. The only time you could get a fair vote, a fair representation, would be to hold the election in July when most of them are back.

Mr. LICKERS: Is that just during their holidays?

Mr. BEAUVAIS: Yes, that is about the time they take their holidays, when it is real warm in the United States. They come home for a couple of weeks in July.

Mr. LICKERS: Do they not come home for Christmas or New Year?

Mr. BEAUVAIS: Sometimes they come home for one or two days. Most of them have their families in the United States, so they do not bother coming home.

Mr. LICKERS: You believe that if the time of voting was changed from the present time to some time in the month of July, you could get out a fairly representative vote?

Mr. BEAUVAIS: That is right, sir. Labour Day is a time when quite a few of them come back on account of it being a holiday in the United States.

Mr. LICKERS: You have not tried to work out some form of absentee voting?

Mr. BEAUVAIS: We did not think of that. It might be a good idea.

Mr. LICKERS: Or voting by mail, something like that?

Mr. BEAUVAIS: If we could work out a system, maybe it would be worth while. I do not know how you would do any canvassing by mail, though. You are going to make politicians out of us eventually.

Mr. LICKERS: It might be a good idea if there was no canvassing done in some elections. Do you personally take any interest in the voting in your area?

Mr. BEAUVAIS: Pardon me?

Mr. LICKERS: Do you take any interest, yourself, in the voting on the reserve?

Mr. BEAUVAIS: No.

Mr. LICKERS: You do not?

Mr. BEAUVAIS: I have not for a few years now.

Mr. LICKERS: How long has this cleavage existed?

Mr. BEAUVAIS: I do not quite understand that question, sir.

Mr. LICKERS: I mean the two factions, how long has that been in existence?

Mr. BEAUVAIS: I would say, to my knowledge, since about 1927 or 1928, something like that. They have what is known as the Long House on the reserve. That was started by a small group of four or five. The house started to get a little longer and it got so long that they divided it up into three. They had three of those places on the reserve. Apparently they did not get along so well and they have closed down two of them. There is only one in operation. They have apparently invited some of the Brantford Indians to help them out in preparing this brief which they read yesterday. Even Indians from the United States were on this committee. I think this was a question concerning Caughnawaga. I do not think it was fair of them to bring in people from the United States who have absolutely no say on the reserve. Our right to make a representation here was questioned. I think we should have as much right as these fellows who come in from the United States and Brantford to make representations on behalf of the Caughnawaga Indians, resident in Quebec.

Mr. LICKERS: Could you give me the consensus of opinion so far as your group is concerned in connection with the right of Indians to have liquor on the reserve?

Mr. BEAUVAIS: I believe you will find, in our brief, that we do not touch the question at all. This is due to the fact it has already been mentioned in other briefs. I do not think we disapprove of the Indians having liquor to drink.

Mr. LICKERS: You would like the Indian then to be able to have a permit the same as anyone else—oh, you do not have permits in Quebec?

Mr. BEAUVAIS: We do not have permits. We should like him to have the right to go in and get a bottle of beer or something and even bring it on the reserve and drink it there.

Mr. LICKERS: There are about 3,000 on your reserve?

Mr. BEAUVAIS: I understand something like 3,000 or a little bit over.

Mr. LICKERS: What about an outlet on the reserve itself?

Mr. BEAUVAIS: We are split on that. Some of us think we should not have any strings attached to it if we are going to have it. I think that really should be up to the elected council to decide or to the band rather, to decide if they want to have it on the reserve. I understand all the towns in the province of Quebec, the councils have some say as to whether you are going to get a licence or not. I think that should apply to Caughnawaga.

Mr. LICKERS: In other words, you think there should be a referendum there in connection with that question?

Mr. BEAUVAIS: Yes, I believe so.

Mr. LICKERS: You would not leave it entirely up to the council?

Mr. BEAUVAIS: The band is what I mean.

Mr. LICKERS: I notice that where you ask for things in your brief you refer to the band rather than to the council?

Mr. BEAUVAIS: That is right.

Mr. LICKERS: Why do you do that?

Mr. BEAUVAIS: We feel that for one reason our council have always refused to take the oath of office. We feel that they are not sincere in dealing with questions. In other words, they might take up sides. If they do not like you or they do not like me they will not give us a fair deal. That is our feeling. If they were sincere I do not think they should object to taking the oath of office.

Mr. LICKERS: Were you or any members of your delegation at any time members of the elective council?

Mr. BEAUVAIS: Yes, I believe we had two. Mr. Jacobs was a former mayor of Caughnawaga or chief councillor and Mr. Delisle was also chief councillor at one time.

Mr. LICKERS: Do you mean chief councillor or mayor?

Mr. BEAUVAIS: Yes, it means the same.

Mr. LICKERS: How long ago was either one of them mayor?

Mr. BEAUVAIS: Mr. Delisle in 1936 and Mr. Jacobs I would not know.

Mr. JACOBS: 1914-15.

Mr. LICKERS: At that time apparently if you took an active part in the administration of affairs the system must be all right?

Mr. BEAUVAIS: Two wrongs do not make one right. If it was wrong then I think they are still wrong. I am suggesting an amendment there to section 174, I believe it is, the qualifications of councillors, and so on. I think there should be something added there.

Mr. LICKERS: I think you also refer to the question that the councillors themselves should have a minimum standard of education?

Mr. BEAUVAIS: We do.

Mr. LICKERS: What minimum standard do you think they should have?

Mr. BEAUVAIS: I think they should be able to read and write. I do not know if you know this but on our council there are two who can read and write, and I do not know how well. It appears that a few of them have already signed the brief that they presented here yesterday, and they cannot read or write. The fact is two of them are collecting in the church, and they are signing the brief to chase away all the priests and close up the churches. I cannot figure out anything else but that these two fellows at least did not know what they were signing. I think there is a certain danger in having these fellows put on a council when they cannot read and write. In fact, they have signed away some islands. That is years back. Some of the old chiefs did not know what they were signing and they sold a couple of islands for a loaf of bread, and so on. There is a certain danger there. I think if you go around the province of Quebec and look for the chief in any town, the mayor, you look for a fellow running a big store or something that shows a little bit of progress, and you will find that the mayor owns it. They have a certain confidence in him because they do not think he is going to try to defraud the people of moneys in any way because he does not need that. He is accepting that as an honour more or less. I think you would find the same conditions on our reserve. The government has been paying for our schools for quite a number of years now and all the boys of 40 and under have some kind of education. I will not say it is high school but they know how to read and write. How they come to have so many who cannot read and write on the council I just cannot figure out.

Mr. LICKERS: That is entirely a local situation. If you have the right to vote surely they can remedy that situation, can they not?

Mr. BEAUVAIS: By changing the qualifications under section 185—I am sorry, it is section 174, I believe.

Mr. LICKERS: There is also something mentioned in your brief about the question of policing on the reserve. Have you not got the R.C.M.P. there?

Mr. BEAUVAIS: Yes, we have.

Mr. LICKERS: Does that not work out satisfactorily?

Mr. BEAUVAIS: I do not believe so because the R.C.M.P. on the reserve are more or less doing this as a side line. They are interested in contraband, bootlegging, and all that stuff. They go as far as Huntingdon, Valleyfield, and so on. They go all over up the lines. If they have any spare time they will look after the reserve. We think that if we had an Indian as our policeman there working under the mounted police—let them coach him—the troubles on the Caughnawaga reserve would be over because this Indian, if he was selected from Caughnawaga, knows each and everyone. If he sees any trouble he can point out the fellow and know who he is and can get him the next day.

Mr. BRYCE: Would you not think he would take sides, too?

Mr. BEAUVAIS: No, I do not believe so because we had an Indian policeman there before.

Mr. LICKERS: How long ago?

Mr. BEAUVAIS: I guess about ten years ago. We had him ten years ago. I believe he was dismissed some four or five years back.

Mr. LICKERS: Who hired him, the council?

Mr. BEAUVAIS: I think it was through the Indian department, but he was a specially commissioned constable under the R.C.M.P. He was hired by the department.

Mr. LICKERS: I believe under section 185 of the Act that the council also has the right of policing the reserve. Have they not ever exercised that right?

Mr. BEAUVAIS: I doubt if they know there is such a section. They seem to be under the impression they have absolutely no powers whereas if you read that section they have quite a few powers. There is another argument as to why they should be educated and be able to read that section and find out they have many powers.

Mr. LICKERS: Suppose a special constable was appointed who was an Indian; would he be paid by the department or out of the band funds?

Mr. BEAUVAIS: I think he should be paid by the department because he would be helping to maintain certain order also on our highway. We have cars speeding through that village at an awful speed. There have been quite a few accidents, as you heard in that other brief yesterday, where children have been run over, and so on. They seem to have no regard for speed limits on the reserve. The provincial police say it is a reserve and "it is up to you fellows." I think our police question could be paid for very easily if there was a by-law made where we could police and act as speed cops and fine them. I think you would have plenty of fines there to pay for such a policeman. Maybe you would do good business if you had two.

The CHAIRMAN: I thank the delegation for the very able way you have replied to all questions. I would ask you to retire now. I believe we now have Mr. George Cree from the Oka reserve.

George Cree, recalled.

The CHAIRMAN: This is Mr. George Cree of Oka, Lake of Two Mountains.

The WITNESS: Yes, sir.

The CHAIRMAN: Have you anything further you would like to say to the committee?

The WITNESS: Yes.

The CHAIRMAN: All right, proceed.

I would like to comment about yesterday when our Indians came and made the statement in the brief. I do not believe what he mentioned about doing away with the white people. I believe very much that we depend on you to look after the Indians. We Indians are too far behind to have self-government in this dominion. We depend on you and you do a tremendous amount of work for the Indians. We depend on you to see that the Indians will get justice in the future. I would compare us to the sick person when you call the doctor and you have to tell him when you call him where you have the most pain, and, if you do not tell the doctor, he cannot look after you to help you out of your pain. That is the first thing I have to say.

We believe that this joint committee is doing something worth while. The next thing now is about income tax. The Indians have a different proposition in Oka, where I belong. Owing to transportation difficulties we have got our domicile in the city of Montreal. When we work in Montreal we cannot go home because it would mean travelling seventy miles a day. That is the reason we have to stay in the city. When you have to live in the city you leave your home and your pleasures, to work away from the reserve and outside of the reserve it costs lots of money. You have to pay rent and so on, and that is the reason we cannot compare with the Caughnawaga Indians, where they are just across the lake and work in Lachine. They can leave their homes in the morning and they can come home at night. In Oka we are not able to do that. Furthermore I do not think the Indians have sufficient land to make a livelihood there and I mentioned about this mountain which was bought, and, as I said yesterday, it was useless. The department should buy land which would become useful for the Indians. That is why we depend on you and it is up to you gentlemen to settle this trouble which has been going on for many years. In the past the case went to the Privy Council, but we are not satisfied with the way it was passed. It is up to you gentlemen to see that we are taken care of. This land at Lake of Two Mountains, I do not know whether I am wrong, but it was taken about 1717 I think. Since then the white people have come around and took it, I think, in 1855. And now you see we pray ourselves for you to see these things and that you will see some way to give the Indians back part of the land so we can enjoy ourselves there. I think it is only you gentlemen who will be able to make some kind of an agreement. Today the Indians are not allowed to cut wood for fuel or timber for buildings and the land is no good to cultivate.

By Mr. Lickers:

Q. Have they not got wood for fuel?—A. There is wood for fuel but they are forbidden to cut wood for fuel.

Q. I understood the department bought this piece of ground and one-third belongs to the Okas and two-thirds of it belongs to the Caughnawagas.—A. That part I told you about yesterday. It is not much good, it is only rock.

Q. Did not the Oka Indians cut a thousand cords last year?—A. On that place they bought the trees were all cut. They have cut all the best logs and we will have to wait many years before it will come back.

Q. Now then have you got a council on the reserve or a chief?—A. I think that is mostly the Caughnawaga's. The Oka's do not believe in councillors, they believe in the hereditary chiefs but at present we do not have anything. We do not have a chief or a councillor.

Q. Do you agree with the same presentation that the other chaps from Oka made yesterday?—A. I do not believe that.

By Mr. Bryce:

Q. How do you want to govern your reserve?—A. I do not want the Indian to govern ourselves. We will have to make out some way, with a councillor or some other way.

Q. When you go out to work alongside the white man you do not want to pay income tax?—A. No.

Q. Then you complain because the Indian does not get the same chance as the other fellow in that the other fellow gets the job because he pays taxes?—A. I say this way. The Indian does not have sufficient land to work on and while you are outside from the reserve, where the white man works, you understand yourself, when you live in the country it is a cheap way to live and not the same as in the city.

Q. When you go to the city and work alongside the white man you get the same wages as the white man?—A. Well, yes. But where anything belongs to the Dominion Government there is no tax. The same is true of the Indians; they should not be taxed because they are wards. In Montreal they have a place called Champ de Mars, a building there. It is about ten years ago that they said they wanted to claim that, and wanted to tax the Dominion Government, but they were told that when the Dominion Government handles a thing there is no tax. Another thing too, the broadcasting corporation purchases a piano and they send the tax back for this piano. Mr. Arsenault says when the Dominion Government purchases there is no tax.

Q. Is it your ambition to remain as a ward of the Dominion Government?—A. Yes, because I do not want to be so foolish as to give up our rights. When I get my pension I am going back to my own reserve. I work in the Canadian Pacific Express in Montreal and we get a pension when we become sixty-five. That pension is going to be around \$60 a month and I am not going to be able to stay in Montreal. That is the reason I am going back to my reserve.

Q. I ask you these questions, not to embarrass you, but in my travels in the Maritime Provinces, I found Indians on many occasions who were not working, big husky working men, and they told me they could not be employed because they did not pay taxes. These men were discriminated against because they paid no taxes and the employers hired men who did pay taxes?—A. I tell you, when the depression came in 1930 all those small places refused to hire Indians. They said the Indian was rich and he did not have to work and the white people would suffer, so the Indian would have to go back to his reserve. They told us the Indian should go and stay on his own reserve because the government is going to look after him.

The CHAIRMAN: Thank you, Mr. Cree.

The CHAIRMAN: There is another delegation from this reserve represented by Mr. Gabriel Montour. Mr. Montour, the solicitor wants to ask you a question or two.

Lewis Gabriel and James Montour, called:

By Mr. Lickers:

Q. Mr. Montour, you are the spokesman for this group?—A. yes.

Q. You believe in the old hereditary system?—A. I do. I would like to have an interpreter. I would like to have Mr. Lazare interpret for me.

(The following questions were asked by Mr. Lickers and the answers given by Mr. Montour through the interpreter, Mr. Lazare.)

By Mr. Lickers:

Q. I want to get the background. Unfortunately, the brief which Mr. Montour gave yesterday was filed and was not read to the committee. I had an opportunity of reading it over, and I want to see if I can clarify his presentation down to this, that they are asking that they be given the ownership of the Oka reserve as a result of the treaties of the past and that they also want self-government. Then there is also the question of a claim to the Island of Montreal. Find out from him, Mr. Lazare, as to whether that is the basis of his presentation?—A. He claims that he is in complete accord with the Six Nations. Thereby he is in complete accord with the statements that were made yesterday that we wish to abide by the treaties. Also, in regard to the claim for the Island of Montreal, he claims there is a deed in their possession whereby they have a right to claim some compensation for that part of Montreal because their forefathers once resided there.

Q. How long did their forefathers live on the Island of Montreal?—A. He claims that there was a small group that went to reside at Oka and that in 1680 there was a missionary who went up to the Oka reserve to see some of those Indians if he could not persuade them to go back to Montreal. He says according to the verdict that the Indians gave they did not want to go back to Montréal, and it was soon thereafter that the rest of the inhabitants of Oka Indians from Montreal left to go to Oka, but he does not know the exact date—about 1680.

Q. Did not the Indians go with the Sulpician Fathers from the Island of Montreal to the present site at Oka?—A. Yes, they went with them.

Q. I will give you the date, it is 1680.—A. Some of the Indians were residing there already.

Q. At Oka?—A. Yes, before 1680.

Q. So that they claim certain compensation then on the Island of Montreal for the Indians that stayed on the Island of Montreal after they had left?—A. Yes, that is the whole idea.

Q. Does he know how long afterwards the Indians did stay on the Island of Montreal, after some of them left?—A. No, he is not sure on that point.

Q. They have not got title to the Oka reserve itself at the present time, have they?—A. He claims that they had a deed at one time—a grant from the King of France—but he claims that in later years there was a lady in Oka that had this deed and a missionary went to see her and told her that this deed was too valuable for her to hold onto, that she needed some safer place; but he claims that the missionary convinced her that he should save it for the band, and that was the last they saw of it. He claims there is another deed they have which was reconfirmed by the British government later on after the British government took over Canada.

MR. LICKERS: Mr. Lazare, you are familiar with the background of Oka, are you not, personally?

MR. LAZARE: Yes, but I do not want to say anything except what this gentleman tells me.

Mr. LICKERS: I just want to find out how this question of ownership on the reserve stands. You take on your own reserve, on Caughnawaga, that was settled by the Gage settlement. I presume they would be in exactly the same position as Caughnawaga were before the Gage settlement. Would not that be correct?

Mr. LAZARE: Yes, I think so.

Mr. LICKERS: So there is then some merit in what they say in connection with the ownership of the reserve?

Mr. LAZARE: Yes.

The CHAIRMAN: Thank you, Mr. Lazare, for your kindness in acting as interpreter; and, thank you, Mr. Montour.

Now, we have Chief Paul Rock from the Bersimis reserve. Will Chief Paul Rock and Mr. Malet Collard of the Bersimis reserve come forward, please?

Have the members of the committee any questions to submit to these gentlemen? They presented a brief yesterday. If not, I understand Mr. Lickers has questions he would like to ask.

(Questioning of Mr. Collard by Mr. Lickers, Mr. J. Raymond, M.P., acting as interpreter.)

Malet Collard, Bersimis reserve, recalled:

By Mr. Lickers:

Q. How do the people on your reserve make a living?—A. By fishing, cutting wood and hunting.

Q. What would be the average income per family?—A. They earn about \$4 a day when the Indian works.

Q. And how much work do they do in a year?—A. It would come to about \$150 to \$200 for the average family per year.

Q. How much would they make from their fishing, on the average?—A. The Indian who had good luck would take about 1,300 pounds of salmon a year.

Q. Do they buy the fishing equipment themselves?—A. They have equipment which is furnished by the department.

Q. My reason for asking that is because I think fishing down there is a losing proposition as far as they are concerned. Looking over their financial statement for the last year, comparing the sale of fish for what they get with what it cost for fishing equipment, they lost about \$2,000; is that correct?—A. Yes, that is true.

Q. Could you give any reason why they would lose that amount of money?—A. Because there are times when they do not get salmon at all on account of the river.

Q. Was last year a bad year, or fair, or what?—A. Last year was a bad year, and it has been bad for a number of years.

Q. Do they lose about \$2,000 a year?—A. Not all the time.

Mr. HOEY: There is a certain equipment charged off over a number of years. That explains some of this loss.

By Mr. Lickers:

Q. What about the white people living on your reserve?—A. It is not a place for white people to live on our reserve.

Q. Are there any on the reserve carrying on business?—A. Yes.

Q. I understand there is a company operating on the reserve?—A. Yes.

Q. What is the name of the company and what do they do?—A. We are not against the merchants being there. We have other white people on the reserve and they have no business to be there.

Q. Just checking over their statement I think they had rents coming last year to the extent of a little over a thousand dollars. I was wondering if he knew where these rents came from?—A. I could not tell you what that comes from.

Q. You are the chief, have you not enquired?—A. These white people are living on the reserve and they pay no rent.

Q. How long has that condition been in existence?—A. I believe it has been since the beginning of the reserve. We always had white people on this reserve.

Q. Have the Indians got enough land for their own use?—A. Yes.

Q. What about schools? Have you enough schools so that the children can attend?—A. During the summer time, no.

Q. What about the winter time?—A. In the winter time the Indian goes to the bush with his family so there is enough for the winter time. The children are not always at school because it is not a residential school but a day school.

Q. Would you rather have a residential school than a day school?—A. Yes.

Q. What about the health on this reserve? I understand that there is a lot of tuberculosis?—A. Yes, T.B.

Q. Could you give us the percentage of the people who have T.B.?—A. If my memory serves me right, there is about 25 per cent.

Q. Twenty-five per cent of the population?—A. Right.

Q. What is the department doing about the T.B. patients?—A. The department sends the sick person to the hospital. It is not very easy to send these T.B. persons to hospital because it is not a proper place to send them. Furthermore, we cannot force a T.B. person to go to the hospital if he does not want to. When an Indian leaves his reserve to go to a hospital, say at Rimouski about 30 miles away, when he arrives there he is quite sick on account of the fact not only has he T.B., but he feels lonesome. He is worse than if he were on the reserve. It is not easy to leave the reserve to go to the hospital. If there was a hospital at Bersimis, we would have much more chance of curing T.B.

Mr. LICKERS: I think those are all the questions I have.

By Mr. Richard:

Q. Where do you fish for salmon, in the rivers or along the shores of the St. Lawrence?—A. We fish for salmon in the rivers and along the coast, the north coast of the St. Lawrence.

Q. How do you fish along the north shore of the St. Lawrence, by what means?—A. We fish with projecting nets, anchored nets as we call them.

Q. What suggestions would you make to improve the fishing so as to increase the net revenue to each fisherman?—A. If we could get a higher price, it would help.

Q. How does your price compare with the outside price?—A. I do not know.

Q. What price do you get?—A. We got ten cents a pound last year.

By Mr. Lickers:

Q. Is there a nursing station on your reserve at the present time?—A. There is a nursing station about 17 miles away from the reserve, outside the reserve. The department at the present time is building a nursing station but it is not finished yet.

Q. Is there not a nursing station being built right on the reserve now?—A. Yes.

The CHAIRMAN: Thank you very much, gentlemen.

Mr. RAYMOND: This witness asks if we would permit him to ask one or two questions.

The CHAIRMAN: Yes.

The WITNESS: I would be much interested in having an old age home on the reserve. We are only asking for what is necessary, we are not asking for the moon.

The CHAIRMAN: I would suggest that he send in his requests in writing to the committee or we can take them now as submitted. Thank you. We now have the St. Regis reserve. Chief Clifford White was before us yesterday. We also had Joe Mitchell. I believe we have with us to-day Rev. Father Jacobs, S.J., from that reserve. Mr. Raymond, would you mind introducing Father Jacobs to us to-day? He was not here yesterday.

Mr. RAYMOND: I would be very pleased to do so. I will do it in a very few words. About two weeks ago I had the pleasure of making a broadcast in Montreal and at that time I mentioned the fact that Father Jacobs was the first Indian, I understand, to enter the Society of Jesus. I wish to congratulate him. We are very proud of that. I introduce to you Father Jacobs who was born, I understand, on the Caughnawaga reserve but is now priest at St. Regis reserve.

The CHAIRMAN: Thank you. Are there any questions that the Committee would like to ask on the brief submitted yesterday by the St. Regis band?

Chief WHITE: We sent a brief in in January, too.

The CHAIRMAN: It is on the printed record.

Mr. BRYCE: Most of the people on your reserve make their livelihood by gardening?

Chief WHITE: Partly, and working outside.

Mr. LICKERS: Have you on your reserve the same division between the elective council and the old hereditary system?

Chief WHITE: Yes, but on a smaller scale, not as bad as it looks.

Mr. LICKERS: Not as bad as it sounds?

Chief WHITE: No.

Mr. LICKERS: About what percentage of the population are still influenced by the old hereditary council?

Chief WHITE: I think a small part. I would say a small part.

Mr. LICKERS: 10 per cent or 15 per cent, something like that?

Chief WHITE: I would say 15.

Mr. LICKERS: About 15 per cent?

Chief WHITE: Yes.

Mr. LICKERS: To clarify the whole situation on the reserve would you be in favour of having a referendum to see what type of local government the Indians on that reserve want?

Chief WHITE: I did not quite get that.

Mr. LICKERS: Supposing they give everybody on the reserve a vote as to whether they want the elective system or the hereditary system; would you be in favour of that?

Chief WHITE: I would not mind.

Mr. LICKERS: You would not mind a vote?

Chief WHITE: No.

Mr. LICKERS: I think you said in connection with your reserve yesterday that your schools were overcrowded?

Chief WHITE: No, I did not.

Mr. LICKERS: I must have misunderstood it then. How many schools have you on your reserve?

Chief WHITE: Six schools.

Mr. LICKERS: Have you any Indian teachers?

Chief WHITE: We have two.

Mr. LICKERS: Are they working out satisfactorily?

Rev. Father JACOBS: They are working very good.

Mr. LICKERS: Have you a farm instructor on the reserve?

Chief WHITE: Not yet.

Mr. LICKERS: Do you think there is need for one there?

Rev. Father JACOBS: Oh, yes, very much.

The CHAIRMAN: We can hardly hear you.

Rev. Father JACOBS: Might I be permitted to answer about the school question. I can expose in a few words the situation over there. We operate a day school over there and it works perfectly, I would say. We have almost perfect school attendance, about 90 per cent. We have lay teachers and also the religious sisters of Ste. Anne teaching in the St. Regis village. They started about three or four years ago to take over the schools in the village because the Department of Indian Affairs did not have any lay teachers available. It was suggested that they engage the services of the sisters of Ste. Anne, the same community of sisters who teach at Caughnawaga. They are doing a wonderful work. I can testify to that. I have been a pupil of the sisters of Ste. Anne from the beginning. I have seen the progress that has been made right along. In St. Regis it is going very good. We recommend that the operation of day schools should continue, and to give the advantage—I would say privilege—to our pupils graduating from our schools to continue in high school as they do now in Cornwall. That is where they go for their high school education which is really very good. If we have any of the pupils graduate from high schools who are ambitious enough to continue a college course I would ask the Department of Indian Affairs to give them a fair chance, that they try it. That is the only way to help our Indians to progress to higher education.

I think our system is working very well there down on the reservation. We have a special recommendation from the councillors of the reserve. They are all in favour of the denominational schools continuing as it is in the Indian Act. It is working beautifully over there. That is one thing you do not hear about so often. I can testify that there is full co-operation on the part of the councillors with the Indian agent, with the mounted police, and with the clergy. It works beautifully. I think with a little understanding and a little good will it could work out in the different reservations in the same way.

There are always two factions that fight each other. It has been like that since the beginning of the world, since Cain killed Abel. There are always two elements in this world. It will always be like that.

I believe there is a recommendation in the brief which is really good. It would help very much if the members of the Department of Indian Affairs would extend it. It is No. 12. It says:—

The council opposes the policy of departmental consideration given to an undesirable element among the Indians who pose as representatives of the Indians and champion Indian causes but actually whose policy is to create fear and misunderstanding among the poor and uneducated Indians

by introducing such subjects as taxation and enfranchisement. Such movements have a tendency to create further misunderstanding and distrust among our people during such a critical period when unity is paramount for the success and preservation of the Indian people.

That is quite true. That is the trouble. We have our elected chief system which works very good. The work in co-operation with the Indian agent who is the official representative of the Department of Indian Affairs. That is the way it should work out. If we listen to two different groups we will never accomplish anything for the Indians. We are all working together for the betterment of the Indians. The Indian Act is there to help the Indians to make them a better people. These elements, these little groups come in and say, "We do not want the Indian Act. We do not want this and we do not want that." There is no constructive work if we listen to that. We never accomplish anything. I think we should all get together and try to make them understand we are all working for their interests. There is nobody against them. This work you are doing is to better their lives for the benefit of the Indians.

They come along and say, "We do not want the Indian Act. We do not want the Indian agent. We do not want the priest. We do not want the policeman." It is like an open door to Communism. That is what it is. They are against every authority we have in the way of organized government. Then what have you left? Nothing. They have to have laws to rule them. That is why we are here, to help them. If we listen to these elements all the time I do not think we will be able to do much for the Indians. I am 100 per cent for co-operation with the Indian agent, with the mounted police, with the elective chiefs and all the authorities to better the conditions of the Indians, both temporal and spiritual.

There is one other thing I would like to mention and that is the work of the R.C.M.P. We have the R.C.M.P. in Caughnawaga and at St. Regis. It works wonderfully in some places but in St. Regis we have not got the protection or the officers cannot make the people observe the laws because they have not got the authority. They are quite competent to deal with a man, say to put him in jail for one night, but they are not competent in St. Regis generally to make the people observe the laws. For small delinquencies they are all right, but with other cases they have to take the cases to Valleyfield, and from Valleyfield to Montreal, and when it comes down to the last point there is really no help. Laws cannot exist if we cannot have them in force. We cannot better conditions for the Indians in that way, so I would ask the committee to see that the police, the R.C.M.P. in St. Regis, have full authority to make the people respect the laws that we have.

Mr. LICKERS: You want them to be given authority?

Rev. Father JACOBS: Full authority as policemen.

Mr. LICKERS: Not only as policemen but also to mete out punishment as a magistrate would for instance.

Rev. Father JACOBS: That is it. They make arrests but there is never any punishment. That is, when they bring the cases up in court in Valleyfield or Huntingdon, they say "we have not got the authority" and they have to appeal to the Quebec provincial police and by then it is always too late. There is really no use in having statutes if it works this way.

Mr. HOEY: According to the superintendent of welfare and training you have the highest average attendance at your schools in the dominion, it is over ninety per cent. You might tell the members of this committee how you do it so that they can go back and aim at the same record. Then, you have been doing a marvellous job with boy scouts and girl guides. You might tell us in a sentence or two how you accomplished that and also I believe you have one of the best homemakers' clubs. It would be interesting if you would tell us how

these homemakers' clubs came into existence, just in a few sentences, and how you persuade the children to attend school in the way they have been attending. You might also say how you have organized the boy scouts and the girl guides.

Rev. Father JACOBS: Great credit is due to the Indian agent whose name is Leo Bannah at St. Regis. I would say he is the instructor of all these organizations and he has seen to it personally that it is successful, and then we all contribute in encouraging the people to belong to these clubs. The homemakers' club has worked out very wonderfully. Last year we had a convention of different Indian reserves, in St. Regis, and members of the Department of Indian Affairs were present and were very much impressed by the success and the way they handled the convention. Great credit is due to the Indian agent and his understanding. He goes out one hundred per cent to explain the case to the Indians and help them in their organizations. The same thing occurred with the girl guides. We had a secretary of the Indian agent, a Miss Rollo, who was very good as a leader as a girl guide, and she started organizing the young girls and they had little rewards given to them for their attendance and for their work. They would invite neighbouring girl scout groups to come and visit the St. Regis reserve and then our girls would go out, and it makes for a very good and very happy group. It is all due to the Indian agent and his assistance. The same thing can be said in connection with the boy scouts. The Mounted Police over there are helping with the boys. They organized a baseball team, a lacrosse team, a basketball team and everything. The Mounted Police play with the boys and they want the confidence of the children and that is why they are so friendly. I think with friendly support we can always further help our Indians in the reserves.

Now in connection with the school attendance it is a case of the teachers being very interested and they encourage the children to attend school and the parents are approached to encourage them. Ever since we have been getting the family allowances it has been a great help. The mothers dress their children to attend school. The children have had clothes ever since then, and, most of the time, the reason for the children not going to school was because they had no rubbers and not sufficient clothing in the wintertime. That was all changed since we had the family allowance and that is an important point in having such good attendance in the schools.

The CHAIRMAN: Are there any other questions?

I want to thank you, Chief White, and particularly you, Father Jacobs, for your very interesting account of the St. Regis band.

Lewis Gabriel, from the Oka reserve said there was something he wanted to add.

Lewis Gabriel, Oka reserve, called:

The WITNESS: Mr. Chairman and honourable gentlemen, I thank you for the opportunity of uttering a few words. A while ago there was something mentioned about where the Indians started to live in Lake of Two Mountains. I have that here on record:—

During the winter of 1706-7, the French had been gathering the Indians together for an attack upon the English on Lake George, and for this purpose Montcalm personally visited the Iroquois of the Lake of Two Mountains and asked them to join the French army, see Parkman, page 488—

Mr. LICKERS: That was in 1706?

The WITNESS: 1706 and 1707.

Mr. LICKERS: And did the Indians from Lake of Two Mountains join the French to attack the English?

The WITNESS:

" . . . I am going on the ninth to sing the war-song at the Lake of Two Mountains, and on the next day at Sault St. Louis—a long, tiresome ceremony. On the twelfth I am off; and I count on having news to tell you by the end of this month or the beginning of next."

Indians had been living on the Lake of Two Mountains before 1717 or 1720 and I understand there is a document of 1717 granting to the seminary of Montreal this land, which I think is a fraud, and in 1722 there was a dispute between Madame d'Argenteuil and the adjoining seminary, over Lake of Two Mountains and the judgment was against the seminary. This was going on until 1760 and the Indians of Lake of Two Mountains were maintaining lands they inhabited and in 1763 these lands were freshly guaranteed and made into reserves for the Indians.

Mr. LICKERS: That is by the Royal Proclamation of 1763?

The WITNESS: Right. And there was no dispute until 1841. From 1841 the Indians have always been made something like slaves. Now these lands on Lake of Two Mountains were not seized by Great Britain or the Crown, and they were not purchased by the Crown.

The Appellants further submit that even if they are not entitled to such rights under the said Articles of Capitulation, that as the lands within the said Seigniorship of the Lake of Two Mountains in the occupation of the Indians were not ceded to the Crown of Great Britain by the Indians, nor purchased by the said Crown from the said Indians, the said lands were by the said Proclamation of 1763 reserved to them, and the said Oka band thereby became entitled to the benefit of the said Proclamation of 1763, and the Appellants and those they represent are still so entitled to the benefit of the said Proclamation. Under the terms of the said Proclamation the Appellants submit they are entitled to the exclusive possession and enjoyment of the said Seigniorship, unless and until they surrender or dispose of their rights therein to the Crown, in harmony with the provisions of the said Proclamation of 1763.

Q. At present the Department of Indian Affairs has paid off the Sulpicians and has got all of the reserve with the exception of about some four acres where their church is now situated and the department is holding that land in trust for those Indians. Is that satisfactory now to satisfy the claim with regard to the land concerned?—A. I do not know how much land the Indian department has bought. The land in question is nine miles by ten and a half. That is three leagues—three and a half leagues along the river and three leagues in depth in a V shape.

Mr. BLACKMORE: That is the land that they held in 1763?

The WITNESS: Yes.

Mr. LICKERS: That is the exact description of the land the Sulpicians got in 1680.

Mr. BLACKMORE: That is not the land which the Indians had title to in 1763?

Mr. LICKERS: I doubt if much was disposed of before 1763.

Mr. BLACKMORE: Is there any record to give us a definite notion as to how much land these Oka Indians did possess as the result of the 1763 treaty?

Mr. LICKERS: The 1763 proclamation. No person was encouraged to go upon any Indian reserve as they were then situated.

Mr. BLACKMORE: Is there any outline as to what constitutes the reserve?

Mr. LICKERS: Yes.

By Mr. Castleden:

Q. Have you any maps or papers showing your original reserve?—A. We have. I have not got them with me here, but there was a letter sent to Bernard Gabriel which has all these letters and documents and maps. Also, I am going to refer to a letter which was written by Mr. Crerar in 1941 informing the Sulpician order that they were trustees for the Oka band and to give some satisfaction to the band, and failing this obligation that they would be called into the Exchequer Court.

Q. You would agree to presenting your case before a claims commission if the government set one up?—A. Yes.

The CHAIRMAN: Is there anything more you have to say?

The WITNESS: Ten to twelve years ago the Belgian company had bought out this grant from the seminary and since then the Indians have been forbidden to the enjoyments of their reserve.

The CHAIRMAN: Mr. Hoey, the director, gave us that information this morning.

The WITNESS: It is all on the record, then. I would like to say that the Indians to-day have been forbidden the enjoyment of the reserve, and no one is having any firewood and no timber for their houses and no pasture for their cattle; and we are in the judgment, as I understand, that the Indians were provided all this. There have been some abuses and frauds committed since the Act of 1941.

The CHAIRMAN: Thank you, Mr. Gabriel. Now, we have Mr. Joe Mitchell before us. Mr. Mitchell, you are from the St. Regis reserve?

Joe Mitchell, recalled.

The WITNESS: Yes.

By the Chairman:

Q. You were before the committee yesterday?—A. Yes.

Q. Is there anything more you want to place before the committee, or have the members of the committee any questions to ask?—A. I would like to have an interpreter.

The CHAIRMAN: We will ask Mr. Lazare to oblige us once more. You will tell Mr. Lazare what you want him to say to us and he will interpret it to us in English.

Mr. LAZARE (Interpreter): He wants to abolish the Indian Act for his people according to their brief. I think it would be better for you gentlemen to shoot questions and we will be in a better position to answer them.

(The following questions were asked by Mr. Lickers and answered by the witness through the interpreter, Mr. Lazare.)

By Mr. Lickers:

Q. Are you a member of the hereditary council?—A. Yes, he is a member.

Q. Would you consent to have a vote among the people on the St. Regis reserve as to what type of government they want?—A. Yes, he says he is in favour of that; yes, a referendum.

Q. Would he abide by the results of the referendum? If they lost out would he side in with the elective council and carry on?—A. Yes.

The CHAIRMAN: I have a telegram which was received today from the Six Nations that they will also accept a referendum, and I think this should be put on the record. This comes from Mr. Allan Martin, who is secretary of the Six Nations Confederacy.

Brantford, Ont., June 13, 1947

Mr. Norman E. Lickers,
Lawyer, Parliamentary Committee Indian Affairs,
Ottawa, Ont.

Six Nations accept referendum under conditions you already have proving majority backing up Confederacy brief.

ALLAN MARTIN.

Thank you very much, Mr. Mitchell.

Mr. LAZARE: That will be all.

The CHAIRMAN: I thank you very much.

On behalf of the committee I want to thank all the delegates from the province of Quebec who have been with us for the past two days for the able way in which they have presented their case and for the moderate way in which they have tried to consider the whole situation with us. On behalf of the committee I want to thank you all.

I may say to the committee that our next meeting will be on Tuesday next when we will have before us Dr. Moore to complete his presentation.

Mr. LAZARE: Mr. Chairman, may I be permitted to make a few remarks?

The CHAIRMAN: Yes.

Mr. LAZARE: In appreciation of the fairness of this joint committee the elected council, the hereditary chiefs and the band of Caughnawaga wish me to present you with this tomahawk as a token of gratitude.

Some Hon. MEMBERS: Speech, speech.

The CHAIRMAN: I want to thank the delegates from the Caughnawaga reserve most sincerely for this token, and I assure you that I will always keep it as a memento of this occasion. And I want to thank you two gentlemen for the very able way in which you have presented your case before us.

Thank you.

Mr. LAZARE: Thank you.

The CHAIRMAN: The committee stands adjourned until Tuesday next.

The committee adjourned at 6 p.m. to meet again on Tuesday, June 17, 1947, at 11 a.m.

LIST OF APPENDICES

- Appendix GA Brief, In French, submitted by Indians at Bersimis, by Chief Paul Rock
- Appendix GG Brief, in French, dated, 17 June, 1947, in behalf of Tete de Boule Indians, Abitibi Agency.....
- Appendix GH Copy of Petition presented by Frank MacDonald Jacobs, with reference to the application to Indians of the law concerning revenue taxes deducted at source

Appendix GA

Monsieur le Président,
Messieurs,

C'est notre désir que tous ces droits accordés aux Indiens par le traité et toutes les obligations prises par le gouvernement envers les Indiens soient respectés et mis en vigueur toujours.

Pensionnats et externats—

Le système actual d'éducation, approuvé par le gouvernement et établi par le Département des Affaires Indiennes nous satisfait d'une manière générale et nous tenons à ce qu'il n'y soit fait aucun changement quel qu'il soit. Mais ce système, tout en nous donnant satisfaction, devrait être amélioré par la construction de nouvelles écoles sur les réserves qui en manquent et que là où il y en a déjà elles soient bien entretenues. Dans toute notre région de la Côte Nord du Saint-Laurent, il n'y a qu'un externat à Betsiamites et cette école demande de sérieuses réparations. Nous sommes heureux d'avoir au moins cette école; mais nous aimerions avoir davantage: nous demandons un pensionnat tenu par des religieuses et cela dans le plus bref délai possible. Et nous nous unissons à tous nos frères Indiens de la Côte Nord, et ils sont nombreux, pour demander des écoles pour chaque groupe: nous sommes près de 2000 Indiens sur la Côte et il n'y a actuellement que l'externat de Betsiamites. Si nous demandons un pensionnat pour Betsiamites, nous ne voulons pas dire que nous sommes le seul groupe à avoir ce désir; au contraire, nous croyons que les autres en désirent autant et nous nous joignons à eux pour demander que des pensionnats et des externats soient accordés à tous les groupes selon leurs besoins et leurs désirs.

Hôpitaux—

Nous demandons aux membres du comité chargé d'étudier l'Acte Indien de considérer bien attentivement la question des hôpitaux pour les Indiens.

Actuellement le département envoie les Indiens malades dans des hôpitaux éloignés de leur réserve, où, la plupart du temps, leurs parents ne peuvent pas les visiter à cause de la distance ou autres difficultés, et où, très souvent, ils ne sont pas compris. Nous sommes tout à fait opposés à cette manière de faire.

La plupart des Blancs ont des hôpitaux dans leur propre ville, où, par conséquent, ils peuvent facilement visiter leurs malades. Nous ne voyons pas pourquoi nous n'aurions pas la même facilité et le même privilège d'avoir sur notre réserve, un hôpital suffisant pour recevoir les malades de maladie ordinaire, où nous pourrions les visiter facilement. Quant à ceux qui auraient besoin d'une opération, nous admettons qu'ils doivent être transportés dans des hôpitaux organisés à cette fin; mais à part ce dernier point, nous voulons des hôpitaux sur nos réserves ou au moins tout près.

Actuellement, à Betsiamites, on a commencé les fondations d'un dispensaire de petites dimensions où il n'y aura d'espace que pour trois ou quatre malades au plus. Nous n'avons pas demandé ce dispensaire et nous n'en voulons pas parce qu'il ne nous donne pas satisfaction.

Ce que nous désirons et demandons c'est un hôpital complet et plus grand pour que toutes les maladies ordinaires y soient traitées et que cet hôpital soit bien organisé.

A cet hôpital nous demandons que soit attaché un hospice pour vieillards qui sont sans soutien. Plusieurs, actuellement, sont dans le besoin et malgré l'aide du département, ils sont dans un état misérable. Nous désirons donc

que l'on remédie bientôt à cette situation. Et comme pour l'école-pensionnat, nous désirons que cet hôpital-hospice soit confié à des religieuses. Car nous croyons avoir le droit de choisir le genre d'hôpital que nous voulons et que c'est le devoir du gouvernement de laisser toute liberté à ce sujet.

Habitation.

Comme la guerre est terminée nous aimerions que le gouvernement aide davantage les Indiens à se construire de bonnes maisons et à les entretenir dans les cas de nécessité. Nous n'entendons pas que le gouvernement doive faire tout, mais sa part.

Acceptation d'une personne comme membre de la tribu ou réserve.

Nous croyons que toutes les réserves indiennes devraient avoir le droit d'accepter toute personne ou tout enfant ayant du sang indien comme membre de leur réserve sur un vote favorable de la majorité de la tribu.

Paiement de taxes par les Indiens.

Jusqu'à maintenant les Indiens ont été exemptés de payer des taxes sur toute propriété située sur la réserve; mais nous croyons que les Indiens devraient aussi être exemptés de payer toutes les taxes ordinaires que paient les citoyens canadiens, à part celles imposées par le gouvernement sur une propriété située en dehors de la réserve.

Affranchissement volontaire ou involontaire d'un Indien.

Nous sommes d'avis qu'aucun Indien ne devrait être considéré comme un blanc avec les mêmes droits et obligations, à moins qu'il ne le demande librement et volontairement et sans être forcé par le gouvernement, en aucune manière.

Le droit de vote aux élections fédérales.

Nous ne tenons pas à voter à ces élections; mais si on nous en donne le droit, nous ne le prendrons qu'à la condition que nous ne perdions aucun privilège ou droit que nous avons actuellement.

Résidence et entrée des blancs sur la réserve.

Nous croyons que les réserves indiennes sont strictement la propriété de la tribu indienne et qu'aucun blanc ne devrait y être toléré. Le département des Affaires Indiennes devrait, dès maintenant, faire sortir de la réserve tout blanc qui y réside; seuls les marchands nécessaires et acceptés par la tribu pourraient y demeurer, jusqu'à ce que les Indiens puissent organiser eux-mêmes leurs propres magasins.

Coupe du bois sur la réserve.

Nous demandons au Département des Affaires Indiennes qu'il fasse un règlement pour que les Indiens aient le premier droit à être employés dans la coupe du bois sur leur réserve.

Il est rumeur que la compagnie Brown vende sa réserve de bois, y compris celle sur la réserve, à la compagnie Donnacona ou autre; il est aussi rumeur que cette nouvelle compagnie veuille établir un moulin à papier ou autre chose semblable sur notre réserve, et cela sans nous consulter. Nous nous opposons fortement à cet établissement sur notre réserve. Et nous ne croyons pas que ni le département des Affaires Indiennes ni la compagnie Brown ou autre ait le droit de disposer de notre réserve d'une manière ou d'une autre sans notre consentement.

Pensions de vieillesse.

Actuellement, les vieux Indiens incapables de travailler ne reçoivent chacun que \$8.00 par mois pour vivre, nourriture et vêtement compris. Il y a à peine deux ans, ils ne recevaient que \$4.00 environ chacun. La situation s'est donc

améliorée un peu; mais il y a encore du progrès à faire; et pour cela nous demandons que les vieillards reçoivent la pension de vieillesse comme les Blancs.

Nous avons confiance que les membres de ce comité étudieront avec grande sympathie les demandes des Indiens, les premiers habitants du pays, et qu'ils leur accorderont tout ce qu'ils demandent en autant que c'est pour leur plus grand bien et selon leur besoin et leur droit.

APPENDIX GG

Re: demande—Acte des Indiens

Lettre 17 juin 1947.

Les trois chefs du groupe Têtes de Boule—Obidjivan, Manaouan et Weymontaching formulent ainsi leur désir.

Art. 1.—Que les droits et privilèges concédés en faveur des Indiens soient maintenus, sans céder les avantages actuels.

Art. 2.—Que la législation actuelle au sujet de l'acceptation comme membre soit maintenue: exclusion des blancs, mariés aux Indiennes.

Art. 3.—On ne veut pas payer de taxe.

Art. 4.—Opposition à l'affranchissement volontaire ou forcé.

Art. 5.—On ne désire pas le droit de vote.

Art. 6.—Exclusion des blancs sur le terrain de la réserve, exception faite du personnel religieux ou laïque approuvé pour fins éducationnelles ou religieuses.

Art. 7.—Maintien du système actuel des écoles du jour et demande pour ce groupe d'un hôpital-orphelinat—à Saumaur (Qué.).

a) Hôpital de 50 lits en plus 25 lits pour tuberculeux.

b) Ecole pour enfants pauvres et délaissés—50 environ.

DEMANDES FORMULÉES

1—Besoin urgent d'un agent pour ces trois groupes parlant la même langue. Voici les problèmes actuels:

1—Le cas des malades dans les divers hôpitaux: Roberval, Caughnawaga, La Tuque.—N.-B.: Un hôpital, comportant un sanatorium comme pavillon détaché rendrait grand service. Il y a actuellement près de 20 cas de tuberculeux ou impotents.

2—Le cas des enfants débiles—de ceux dont les parents sont malades ou incapables de chasser ou de travailler.

3—Le cas de 5 ou 6 vieillards qui devraient être hospitalisés durant l'hiver—Ces personnes sont des charges réelles et très onéreuses pour leur famille, pauvre et devant voyager.

4—L'aide matérielle à fournir aux Indiens pour qu'ils puissent se bâtir de bonnes petites maisons.—Fournir clous, papier à couverture, planche. A Obidjwan et à Manaouan, il n'y a aucun moyen de se procurer surtout la planche. Depuis la construction de l'agence actuelle, tout aide accordée dans le passé a cessé. L'agent actuel n'est pas en faveur des habitations pour les Indiens. A un chef qui s'était bâti une bonne petite maison, l'agent a eu pour lui des paroles peu sympathiques. Mêmes remarques à Claude Flamand de Manaouan.

On signale le cas de nouveaux ménages à Obidjwan qui n'ont pas de maison à la réserve. Le cas se présente au 3 endroits plus haut nommés.

A Obidjwan il faudrait de toute nécessité reconstruire 45 maisons. Les maisonnettes actuelles tombent en ruine.

On ne doit pas demander aux Indiens d'habiter sous la tente 4 mois de l'été—C'est revenir à 35 ans en arrière. Durant l'hiver, la maison sert pour mettre en sûreté ce qui ne sert pas dans la forêt: poêle, table, chaises, lit.

Sur ce point il est bon de signaler que l'agent actuel n'est pas favorable au projet d'aide et d'habitation. Ceci est une erreur.

5—Il y a actuellement 5 ou 6 veuves qui doivent chasser. Elles n'ont pas de canot; elles ne peuvent en acheter. Que faire alors? L'agent pourrait-il faire quelque chose? Le canot est nécessaire à l'Indien pour tendre ses filets, etc.

6—L'agent actuel demande aux 3 chefs de demeurer continuellement sur la réserve pour voir aux choses pressantes—malades, etc... Or ces chefs ne peuvent dans ce cas aller chasser etc.—Ils perdent de \$800 à \$1000. par année.

Si tel est le désir du département ne serait-il pas convenable d'allouer un montant équivalent à celui de la perte subie? Règle générale le chef est un homme qui gagne honorablement sa vie. Un montant de \$1,500 par année lui permettrait d'être toujours sur place, d'améliorer sa situation et même de s'intéresser à une culture appropriée et prendre soin du matériel du département.

7. On manifeste le désir que le système des lignes de trappe soit organisé. On constate de l'arbitraire dans l'appropriation des terrains. Le chef Paul Mequest s'est vu enlever par l'agent actuel son meilleur terrain pour le rat musqué.

On propose aux Indiens 50 milles carrés—sur la carte l'arpentage se fait par canton.—La chasse n'est pas la même chose. Le castor ne bâtit pas sa cabane sur un rocher. Sur ce point, il y aurait intérêt à demander l'avis des premiers intéressés: les trappeurs et ne pas imposer une solution par la crainte.

Ici se pose le problème des clubs. On enlève aux Indiens de grands territoires pour les réserver à quelques organisations. Nos Indiens sacrifieraient l'original mais ils demandent de garder le droit de trapper sur ces terrains. Un accord plus explicite avec Québec sur ce point. Autrement il ne restera plus aucun territoire pour le trappage.

On demande de donner plus de couples de castors.

8. On se plaint actuellement de la façon dont les allocations familiales sont remises. On a reçu à Weymontaching des articles d'aucune utilité: linge ou chaussures trop grands. On est sous l'impression que l'on vide les magasins de vieux stocks.

L'agent devrait porter plus d'attention à la chose et donner les instructions nécessaires à certains magasins d'avancer la nourriture pour les enfants: Weymontaching, Saumaur, La Loutre, Oskalanéo, etc.

9. On signale le manque de remèdes pour soigner les Indiens qui sont malades sur place. En été surtout, ceci aiderait à combattre grippe, rhume etc.

10. A Weymontaching, durant l'été les Indiens de la réserve demande la permission de couper de 800 à 1,000 cordes de bois de pulpe tous les ans. L'argent resterait aux Indiens et permettrait d'améliorer le sort de ces familles. Cette année ainsi que l'été passé, le bois a été coupé par eux sur la réserve de 700 acres de la Hudson Bay. La réserve indienne est de 7,400 acres environ.

11. A Weymontaching, à même le territoire de la réserve il y a 771 acres, appartenant à la Hudson Bay Co. Plusieurs Indiens ont bâti leur maisonnette sur ce terrain.

On a demandé dans le passé à M. Larivière d'acheter au nom du gouvernement ce terrain, propre à la culture.

Comme le bois de pulpe a été coupé, ce terrain s'achèterait à bon prix. Les Indiens seraient alors chez eux. Ils auraient de bons petits jardins.

PROJETS

Les soussignés se demandent si en ayant un agent à leur service ce dernier ne pourrait organiser pour eux:

1) Une coopérative pour la cueillette et la vente des fruitages, surtout des bleuets: Obidjwan, Weymontaching. Cette année on a perdu une certaine quantité de bleuets faute d'acheteur à Saumaur.

2) Une organisation semblable pourrait s'établir du côté d'Obidjwan pour le poisson.

3) Une certaine agence pour trouver du travail saisonnier en faveur des Indiens.

4) D'organiser une coupe systématique pour le bois de pulpe de la réserve de Weymontaching.

5) De promouvoir l'industrie domestique: fabrication du canot d'écorce, des paniers d'écorce, en trouvant un débouché et en organisant le travail sur les réserves.

6) La construction de maisonnette avec l'aide du département.

L'agent au service des Têtes de Boule serait sur place et verrait les Indiens non seulement une fois durant l'année mais beaucoup plus souvent, à chaque fois qu'on aurait besoin de lui.

PLAINTES FORMULÉES CONTRE L'AGENT ACTUEL

Les soussignés ont constaté avec regret que l'agent actuel malgré ses bonnes intentions et son désir d'aider les Indiens:

1) Ne peut suffire au travail—Le 6 septembre 1946, ce dernier n'avait pas visité encore les réserves Têtes de Boule—On le demande avec instance à Obidjwan depuis le début de juin. Ceci a fait perdre du temps et du travail à un certain nombre.

2) Que l'agent actuel ne semble pas favorable:

a) A l'école du jour pour les Indiens.

b) Au projet d'habitation pour ces derniers.

3) Que la ration de Joseph Antoine Connelly de Weymontaching a été enlevée. De plus on a proposé de faire retourner à la pointe Bleue le dit Antoine; ses enfants sont mariés à la réserve de Weymontaching.

4) On signale un cas à Obidjwan, Simon Auachich dont la ration fut enlevée ainsi qu'à sa femme, sans raison valable.

5) On regrette également que l'agent s'impose par des mouvements de colère etc., surtout en certaines occasions.

6) On n'ose plus croire aux avancés de l'agent. Ceci est malheureux parce qu'on perd confiance au représentant du Département.

APPENDIX GH

CANADA,
Province of Quebec,
District of Montreal.

FRANK MACDONALD JACOBS, gentleman of Caughnawaga, in the district of Montreal, duly authorized representative of the Indians of the Caughnawaga Reserve, in the district of Montreal directly interested in the application of the Law, concerning revenue taxes (deduction to the source).

Petitioner.

PETITION

The humble petition of your petitioner:
Respectfully exposes the following facts:

1. The Indians of Caughnawaga constitute a tribe or a family living within the limits of the Caughnawaga Reserve;
2. Said tribe, family, or Indians are governed by the "Indian Act", chapter 98, Revised Statutes of Canada, and its amendments;
3. The section 102 of the Indian Act, reads as follows:

No Indian or non-treaty Indian shall be liable to be taxed for any real or personal property, unless he holds, in his individual right, real estate under a lease or in fee simple or personal property outside of the reserve or special reserve, in which case he shall be liable to be taxed for such real or personal property at the same rate as other persons in the locality in which it is situate. R.S. c, 81, s. 99—

4. Section 110, paragraph 5 of the Indian Act, reads as follows:—

On the report of the Superintendent General (Minister) that any Indian, male or female over the age of twenty-one years is fit for enfranchisement, the Governor in Council may by order direct that such Indian shall be and become enfranchised at the expiration of two years from the date of such order or earlier if requested by such Indian, and from the date of such enfranchisement the provisions of this and any other act or law making any distinction between the legal rights, privileges, disabilities and liabilities of Indians and those of His Majesty's other subjects, shall cease to apply to such Indian, or to his or her minor unmarried children, or, in the case of a married male Indian, to the wife of such Indian; and every such Indian and child and wife shall thereafter have, possess and enjoy all the legal powers, rights and privileges of His Majesty's other subjects, and shall no longer be deemed to be Indians within the meaning of any laws relating to Indians.

3. Section 105 of the Indian Act, reads as follows:

No one other than an Indian or non-treaty Indian shall take any security or otherwise obtain any lien or charge, whether by mortgage, judgment or otherwise, upon real or personal property of any Indian or non-treaty Indian, except on real or personal property subject to taxation under the last three preceding sections; provided that any person selling any article to an Indian or non-treaty Indian may take security on such article for any part of the price thereof which is unpaid. R.S. 1927, c. 98, s. 105; 1930, c. 25, s. 10.

6. The Caughnawaga Reserve is in the immediate surroundings of the Town of Lachine, Ville St-Pierre, Verdun and Montreal, and a great number of Indians of said Caughnawaga reserve are working in the different munitions plants, erected in said different towns;

7. The Caughnawaga Indians who are thus working outside of their territory, but in the neighbourhood, have their domiciles within the limits of said reserve; they leave their domiciles in the morning to go to work; and at night, their work finished they come back to their homes in Caughnawaga;

8. A great number of Indians have actually crossed the border and are working in the United States, precisely to avoid revenue taxes (deduction to the source), because in the United States, such revenue taxes do not affect the Indians;

9. In fact, since the last seven months, the Indians, working in the United States, have paid out to their dependents within the limits of the Caughnawaga Reserve over \$10,311.74; being the amount verified by means of money-orders and an additional sum of \$5,579, amount verified by cheques deposited in the banks;

10. Your petitioner respectfully submits that the Indians are not subject to said revenue taxes (deduction to the source);

11. Your petitioner bases his present petition on the laws, judgments of different courts, the treaties, the English principles of rights, and the facts hereafter mentioned;

(a) The Indian Law, chapter 98, Revised Statutes of Canada, sections 102, 105 and 110, paragraph 5;

(b) In a record of the Superior Court, Montreal, case of Crepin vs. Delorimier et al, and the Banque Canadienne Nationale, Tierce-Saisie, the Honourable Mr. Justice Philippe Demers, has decided, in 1930, that the moneys deposited in a bank situated outside of the limits of the Caughnawaga Reserves, by an Indian, constitute an incorporated right, non-susceptible to be taxed by the actual laws, and consequently, being unseizable. This judgment has been reported in Volume 68, page 36, of the Official Judicial Reports of the Province of Quebec;

(c) In 1936, United States Court of Customs and Patent appeals (Customs Appeal No. 4018), the following has been decided:

Indians are not citizens or subjects.

The Indian though born within the territorial limits of our state, is not a citizen. He does not possess the rights, nor is he bound to the duties of a citizen. He is governed by the laws and usages of his tribe, and is only subject to our laws, so far as the public safety requires;

(d) On the 19th day of November, 1794, the treaty signed between the United States and Great Britain, commonly called "Jay Treaty", consecrates a general exemption of taxes for every Indian;

(e) The same principles appear in the Treaty of Gand (1814);

(f) On the 15th of March 1878, The Treasury Department in Washington has enacted: "That all Indians are free of duties passing or repassing the boundary lines of the United States and Canada, and also free of taxes, licence in trading and selling bead-work, bark-work, baskets, snow-shoes, mocassins, medicines, etc., etc., of their own manufacturing in premises";

(g) The big Chart. "British born subjects should not be taxed without adequate representations in the Parliament";

(h) The Indians are considered as minors and cannot benefit of the right of voting, not even to the right of old age pensions;

(i) Mr. Aimé Geoffrion, K.C., has already emitted the opinion that revenue taxes (deduction to the source) could not be applied to the Indians of Caughnawaga, having their domiciles with the limits of the Caughnawaga Reserve;

(j) From 1914 to 1918, during the last World War the Indians have been exempted of all revenue taxes; they, even have been exempted from military service for the motives hereinabove mentioned;

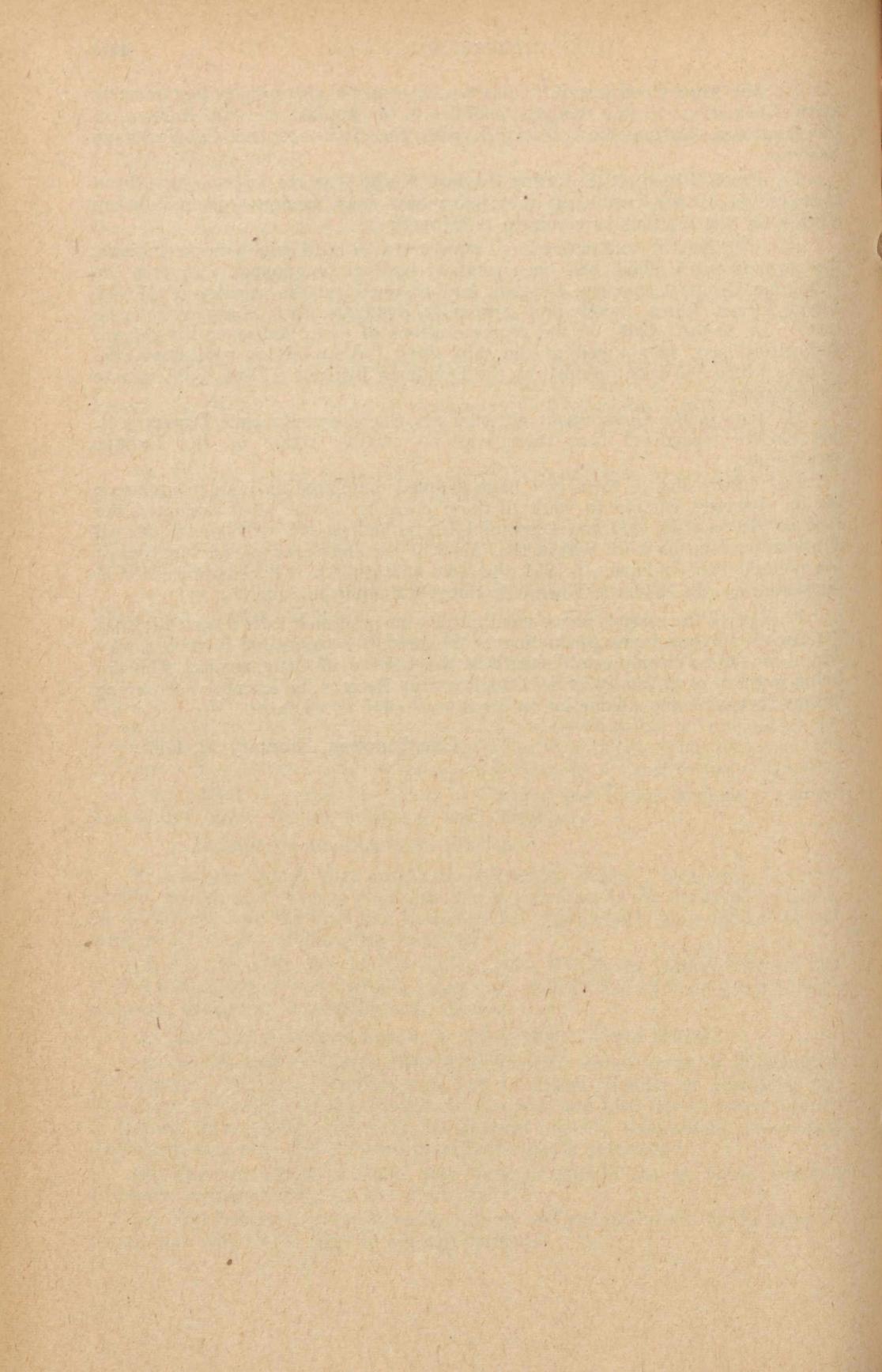
(k) The federal authorities have reimbursed to the Caughnawaga Indians, the revenue taxes which had been retained by their employers. In fact the Dominion Bridge Company, Limited, had retained, on the salaries of M. M. Joseph Cross, Julien Jacobs and Alexander Beauvais, their share of revenue taxes. In August, 1929, on the representations of your petitioner the federal authorities have reimbursed to the said three Indians above mentioned, the moneys which had been retained by the Dominion Bridge Co., Ltd., paid over to the government.

(l) The Quebec Government (Provincial), Succession Revenue Department, has always recognized that there was no exigible rights on the Indians successions;

(m) Every city or town who have adopted municipal by-laws to impose a tax on strangers coming to work in those cities or towns, have exempted the Indians. In fact, in 1911 the Town of Lachine had passed a by-law to tax all strangers coming to work within the limits of the said town of Lachine but it has exempted the Indians. In 1931, the town of Bathurst, N.B., has proceeded in the same way. In 1939, the Town of Sydney, N.S., did the same.

12. For all the reasons above mentioned, your petitioner asks respectfully that the law on revenue taxes (deduction to the source) be amended in such a way that it would be clearly established that the Indians of Caughnawaga who are living in tribe, or in family in the Caughnawaga Reserve, be exempted of paying income revenue taxes (deduction to the source), and of all taxes.

Caughnawaga, February 12, 1943.



SESSION 1947



SPECIAL JOINT COMMITTEE OF THE SENATE
AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION
AND CONSIDERATION OF THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 35

TUESDAY, JUNE 17, 1947

WITNESS:

Dr. P. E. Moore, M.D., D.P.H., Director, Indian Health Services,
Ottawa.

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY

1947



SPECIAL JOINT COMMITTEE OF THE SENATE
AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE WORK
AND CONSIDERATION OF THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 12

TUESDAY, JUNE 12, 1882

WITNESSES

DR. F. E. MANN, M.D., U.S. MARSHAL, U.S. DEPT. OF JUSTICE
Clerk

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,
TUESDAY, 17th June, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

Presiding: The Honourable Senator W. H. Taylor and, later, Mr. D. F. Brown, M.P., Joint Chairman.

Present:

The Senate: The Honourable Senators Fallis,, Macdonald (*Cardigan*), McKeen, Robicheau, and Taylor—5.

The House of Commons: The Honourable Mr. Stirling and Messrs. Brown, Blackmore, Bryce, Case, Castleden, Charlton, Farquhar, Harkness, Matthews (*Brandon*), (Vice Chairman), MacLean, MacNicol, Raymond (*Wright*), Reid—13.

In attendance: (From Indian Affairs Branch): Messrs. R. A. Hoey, Director; B. F. Neary, M.B.E., Superintendent, Welfare and Training; (From Department of National Health and Welfare): Doctors P. E. Moore, W. L. Falconer, H. A. Proctor and O. Leroux; also Mr. W. Ford Pratt; Dr. G. J. Wherrett, Canadian Tuberculosis Assn.; also, Rev. Paul Dumouchel, O.M.I., Fisher River Reserve, Manitoba; also, Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

P. E. Moore, M.D., D.P.H., Indian Medical Services, Department of National Health and Welfare was recalled. He continued his statement with regard to Indian Medical Services and also proffered suggestions and recommendations concerning not only those services but also other aspects of our orders of reference.

The Committee adjourned at 1 o'clock p.m., to meet again on Thursday next, 19th June, at 11 o'clock a.m.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

HOUSE OF COMMONS,
June 17, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 11.00 a.m. Mr. D. F. Brown, M.P., (Joint Chairman), presided.

The CHAIRMAN: Gentlemen, last week we heard from Dr. Moore of the Department of National Health and Welfare. Is it your pleasure that we now continue with Dr. Moore?

Some Hon. MEMBERS: Agreed.

P. E. Moore, M.D., D.P.H., Indian Medical Services, Department of National Health and Welfare, recalled:

The WITNESS: Mr. Chairman, honourable members of the Senate and the House of Commons: last week I had outlined some of the services operated by the department and some of our plans for the future and touched briefly on the Eskimo services. I would like to speak briefly on the problem of nutrition among the Indians. Experience, observation and scientific investigation have led me to believe that many problems encountered in dealing with the Indians, particularly problems of health and general progress, are caused in no small measure by an inadequate diet. There are many factors involved in this. Certainly, the Indians are in a transitional stage. Many of the Indians, I am speaking more particularly of the large group that are loosely classed as bush Indians, the Indians who still look to hunting and trapping for their livelihood are conscious of change. In place of hunting for food as they used to they now hunt for fur with the consequence that they have come to depend more and more on store food and they do not buy wisely from the nutritional standpoint. The staple becomes flour, tea and lard, with a lot of sweets; and even now they do not make the best use of their native foods. Where the older Indian used to eat the whole of the animal and not clean his fish they now prepare the food in much the same way as the white man does and discard the parts of the animal that were life-savers to them before; the parts that are rich in the protective foods such as the vitamins and the minerals—the glands and the stomach, even the heads and tails of the fish and the viscera, and those parts of the animal which are richest in the protective foods. In a previous meeting I believe some of the work that we have published was referred to and put on the record, and I think that explains very fully the conditions that have been found by investigators.

The CHAIRMAN: You are now referring to "Medical Survey of Nutrition among the Northern Manitoba Indians" by Dr. R. S. C. Corrigan; and to "A Survey of the Ophthalmic Status of the Cree Indians at Norway House, Manitoba," by Wing Commander John V. V. Nicholls; and those reports are to be found at page 101 *et seq.*, of Minutes and Proceedings of 1946.

The WITNESS: Now, one of the ways in which this condition may be remedied is by education. Certainly, the long-term policy should be education. It will be difficult to change the Indians' food habits as they become established. Since this work was started in 1941 and attention focussed on some of the

problems we do know that there has been a tremendous increase in gardens and gardening among the Indians; and there are records to show that milk consumption, even before the institution of the family allowances, had doubled and trebled from those areas where a few of the people became interested in encouraging the Indians to better their food habits. We have dispensed vitamin pills to people who are obviously suffering from a lack of some of these specific vitamins, and we have searched for ways and means to find a remedy; and we do feel that a practical and quick method as opposed to the long time education would be to give the Indians some fortified food in a carrier that would be made universal. According to present habits we know that this would be flour. But we do feel that if some of the vitamins, the B-Complex and iron of calcium were added to flour, and this distributed through a large section of the Indians that it might do a great deal toward bringing them up physically. There is an order in council at present which prohibits the so-called enrichment of flour, and this is a very controversial point; but even the strongest proponents of the long extraction as opposed to the enrichment policy of flour have said that with a special problem such as the Indian they did not believe there would be any great objection to fortifying. So it comes down to how practical it would be to distribute the one type of flour to the Indians with the balance of the country, say, on another type of flour. But I think there is room for a great deal further investigation on this problem, and probably a different policy could be established by the department.

I would like to refer briefly to the health service in the residential schools. Some remarks that I am going to make are not to be interpreted as added difficulties that have been experienced since my service has been in a different department to the rest of the Indian administration, because one or two specific things to which I am going to refer as examples occurred when my service was a part of the Department of Mines and Resources. As you know, there is dual control between the government and the churches, in educational matters and particularly at the residential schools, and our trouble has been the lack of any real authority in dealing with the health problems in those schools. I have reported and made recommendations regarding overcrowding in dormitories; too many children shoved into a small room. I have seen schools where the beds were so close together that the pupils had to walk across them to reach their own bed. I brought that to the attention of both the school and the department without success in getting the condition remedied. For years we in the medical services have condemned certain residential schools as being unfit for the job which they were trying to carry on; but it just cooled off there. Eventually a school to which I just referred was closed; and its closing was long overdue. As I mention this lack of authority, let me tell you a brief story which is a true incident that points out some of the difficulties which we encounter. We have tried to give limited dental services to pupils in certain of the schools and through an arrangement which was made with the Manitoba Dentists' Association the services of a dentist were made available and the department was called upon to pay nothing more than the travelling expenses of this dentist. In due course the dentist went out and visited one of these schools and a room was made available to him where he could do his work for the children living there. He was one of those chaps who likes to stop and have a smoke between patients. He would light a cigarette. The official in charge of the school told him he could either stop his smoking or get out. Well, you know what the answer was. He was just there temporarily; he didn't like that kind of treatment, so he left the school that day. That matter was referred to Ottawa by wire and instructions were wired back to the Indian agent to ask the principal of that school to allow this dentist to proceed with that work. The principal replied that he was running the school and that no one was going to smoke there. The upshot of the matter was that the dentist went

back to Winnipeg and there are 120 children at the school there who were left without dental service.

Mr. BRYCE: Yes, and it cost the government \$400 for his travelling expenses.

The WITNESS: Yes. I think you know that there is some fact in the story.

Mr. BRYCE: Yes.

The WITNESS: That is the type of thing that does make it difficult. We can go and ask for certain things to be done. I must say that we have had splendid co-operation from the principals of most of these schools. We have had it under this present department in our nutrition campaign and we have had no particular antagonism from most of the residential schools; they have given us wholehearted support, by and large.

I feel that every school should have a qualified nurse, a registered nurse. There has never been a set policy whether or not a nurse would be assigned to a school. It has been left to the individual school. There have been cases when it has been inferred that the medical services should pay for the service of the nurses. I suppose it all reflects back to the financial position of the school. They have not felt able to get a qualified nurse. Some schools have them, others have just a lay person who acts as a practical nurse in the school. My own recommendation would be that if the health service were to supply nurses for the schools they should be responsible to the medical services and not to the schools, I have the feeling that this would not be well-accepted by the schools, but it seems to me that it would be the only way that the medical service could keep its finger on health conditions in the school.

Now, I believe I made most of my point in connection with the medical services as such in a previous meeting and I am going to be bold enough to offer some opinions that I have formed on general problems relating to the Indian and Indian administration. Through the years that I have been associated with this work I think that four headings will cover most of the aspects of the problems, and these headings will be economic, sociological, educational and health.

Dealing first with the economic: in the economic field certainly something has to be devised to replace the native livelihood of the Indian if this problem is to be solved. I listened to many of the presentations that have been made and I know many of the places referred to from practical experience. I am sure that a great number of the reserves are absolutely inadequate confines in which these Indians must seek their livelihood. Take, for instance, the presentation of the Manitoba Indians. I knew the reserves from which those men come. They only make their livelihood, that particular group, from one or two sources; either trapping or hunting, and they augment that by very meagre attempts at farming; because there is no arable land, it is all rock and muskeg; and for the balance of their livelihood they are dependent on the cutting of cordwood. Cordwood has been depleted from these reserves and they have to go out and get it in new territory. Unfortunately, there is an increasing resistance to allowing these people to take cordwood, and the white settlers are encroaching farther and farther; and for many of these Indians it is a pretty grim outlook economically. The same applies to trapping. That has been fully dealt with and adequately enough; but I would just like to endorse the representations that have been made as to the increasing difficulty the Indian is having in trapping and fishing.

The sociological problem is a large one. We hope that this investigation by a special group, recommended by this committee, which will be getting under way this year in the James Bay area may throw some light which will give us guidance in handling this intricate problem in the best possible manner. There seems to be some discredit thrown upon the half-breed. Popularly you will hear this expression loosely used; that the half-breed is not as good as the Indian. I would like to come out frankly and say that in any dealings I have had with this problem the admixture of white blood has been all to the good. I think, for

instance, of some of the Manitoba Indians who many generations ago were largely intermingled with white settlers—particularly those who came to the old York Factory area, people who came through the northwest passage—though those Indians have gone back pretty much to their natural life; it seems to me that they are very receptive people and that you can certainly do more with them than you can with the ordinary Indians. I think that in thinking of that problem it is only fair to state frankly, that it has not always been the best white blood that mixed in (and I am not referring particularly to the Scotch). But I make this statement to back up what my belief is, that the ultimate aim should be assimilation or absorption. Mixed marriages have often worked wonders for the coming generation. There is a pride of Indian blood in these people. James Oliver Curwood prefaces one of his books by dedicating it to his granddaughter who was a full-blooded Cherokee Indian; and I recall the famous statement of Will Rogers when some people told him that their forefathers arrived in the Mayflower. He said, "Well, my forefathers were here to meet them." There is a distinct pride of Indian blood in people who have come down through generations with the mixed blood. That is well exemplified by the Red River settlers. Some of the best families there are part Indian, and they certainly are good people.

Mr. BRYCE: I am glad to hear you say that. I did not want to boost my own community too much.

The WITNESS: I think it might be worth while to make a brief reference to a tribe that formerly inhabited a portion of western Ontario, the Wyandottes. These people were left without a reserve and they disappeared. I did not in my time of duty at headquarters, come across a single Wyandotte Indian; they had just disappeared into the general native population. Just remember some of your dark-eyed friends from western Ontario and that may tell you the story of where the Wyandottes have gone.

Mr. CASE: They were people with dark eyes, were they?

The WITNESS: Yes. I am going to be bold enough to mention some of my opinions on education. We hear comparisons made and questions asked regarding the efficiency of the residential school versus the day school. I want to make one observation there; that is to say that the dual control by church and state is more apparent in the residential schools than in the day schools. My own reaction would be to endorse the general policy recommended to this committee by Dr. Andrew Moore. I agree with him that there is still a place for the residential school, to supply education for the children of broken homes, orphans, and for some kinds of still nomadic Indians. I do not think that in any comprehensive program it would be necessary to make any drastic change, such as closing a number of these schools, but I think the whole policy should be to increase the number of day schools in the settled areas.

Mr. CASE: Should the residential schools be handled by the state?

The WITNESS: Yes, I think they could be. That is a problem they will have to face, very definitely. The day schools for the settled Indian could be increased. Take the big reserves in southern Alberta. I know a large section of the Indians would welcome the opportunity of keeping their children at home and having them attend school. At the present time I do not think there is enough departmental control exercised in the choice of children for the residential schools. I think the school principal in his desire to make a good showing probably picks out the better children and the children that would most benefit by residential schools are sometimes left. I do not think the breaking up of the Indian home to the extent to which it has happened is a healthy thing. I think it has taken the responsibility for the family away from the Indian and left them too foot-loose. Where we have the children attending day school we keep the parents interested in keeping a home for ten children and in having gardens and carrying on their farms. I think a remark which was made by

Dr. Andrew Moore is worthy of emphasis; that is, that I think the department should have more leeway and should be encouraged in what you might call experimentation or investigational work in connection with the various types of education. They are not free to do that at the present time; and I think the committee might follow the point that he suggested. In that regard I would like to put on the record two extracts from a report made to the medical service by Dr. L. J. O'Brien, M.L.A. He was reporting on conditions at Grande Prairie, Alberta. He was there at that time and his visit dealt with a number of tribes in the Lesser Slave agency; and he made these recommendations from which I am going to take two extracts. The first one is:—

GRANDE PRAIRIE,
22nd June, 1943.

Dr. MOORE,
Medical Officer,
Indian Affairs,
Ottawa.

DEAR SIR.—Reporting on medical examination of the Indians of Lesser Slave agency, made during June, 1943:

The examination covers the bands at Hay Lake, Fort Vermilion, Little Red River, Chippewyan Lake, Long N. Wabiskaw, S. Wapiskaw, Whitefish and Lubicon Lakes.

I was interested in the children of the mission residential schools at Ft. Vermilion and S. Wabiskaw (R.C.) and at N. Wabiskaw and Whitefish.

These children enjoy fresh vegetables, milk, butter, fruit, eggs, bread and good beds—for the six or eight years, they are in residence but the priests, clergy, nuns and teachers all tell the same story, that they revert to teepee life of bannock, lard, and the ground when they leave school.

I do not agree with the present policy of the missions in keeping the children in residence continuously for six or eight years. If the Indian is going to be a national asset it will be as a trapper. The children should be sent to the trap lines with their parents, where they learn early the business they are to follow.

From May to the end of September they could be gathered into the schools and taught the elements of white life.

And a further report from Dr. O'Brien states:—

At Hay River I talked with the wife of the chief. She was a woman of 27 years, has had six children. She had spent 6 years at a mission, spoke English well, and was a superior type.

She had two girls, 4 and 6, with her, and they were as clean, as well dressed and as alert as two similar children in one of our towns.

I asked her what she fed her girls for breakfast—"Bannock". "How do you make the bannock?" "Flour and water, sometimes we use baking soda and we eat it with lard."

"What do you give them for dinner? and for supper?"

"Bannock".

She took me to see a two months infant whose mother had died. The infant was emaciated. They were feeding this infant—bannock.

There is no doubt that in all the bands this is the staple food for weeks and maybe months. The children are fat enough, but it is of the "hanging cheek" variety.

When a moose is killed or when they get fish they have meat. At the mission schools they eat vegetables, milk and a mixed diet, but mission teachers and traders all told me that when they leave the mission they go back to teepee life in nearly all cases.

The Indians do nothing from the time they come out from the trap line early in May until they return in the middle of October. They make no attempt to do any gardening.

This raises the whole question of the best way to help the Indian. He is going to make his living at trapping. He likes it and does fairly well at it.

It seems to be a mistake to take these children and keep them in a school between the ages of 8-14. They should be out with their parents learning the job at which they are to make their living.

My notion is that a large school should be available where the children may be gathered between May 1 and October 15, given milk, vegetables, etc., and shown how to garden and look after animals, then chased out to the bush for the winter. Gradually something may sink in.

These children enjoy games at school, the same as our children do, but there seems to be a lot of waste motion in teaching them extensive religious forms. An ideal place for such a farm would be somewhere between Ft. Vermilion and Hay Lake.

We have still to remember that physical well-being of the native depends on fur, and that fur will not thrive unless we take care of the forests and water courses where fur thrives. Intelligent damming of certain water courses between Lesser Slave Lake and Ft. Chippewyan and in the Hay Lake area would establish a permanent industry for the Indian.

A beginning has been made, I believe, in Manitoba, and it can be extended widely in the Driftpile agency.

Thanks for the chance to make the trip. It was a bit rough, but it was worth doing once.

Sincerely,

L. J. O'BRIEN, M.D., M.L.A.

I put this last excerpt on the record chiefly to bring out his idea of special seasonal schools, which in my opinion have a great place in the educational system for these northern Indians. I think we all have to admit that the present system of education, judging by results alone, leaves room for vast improvement. I do not believe that I referred to the fact that it was a policy of the health service to give preference in employment to natives. We have had at various times three Indian doctors in our employ; we always have a number of Indian nurses working for us. Some of the Indian girls have been gold merallists in their classes. An Indian girl was class president of one of the graduating classes of the Ottawa Civic hospital. She was so well accepted by her nurse associates as to have been chosen by them as the president of her class. I think at the present time we have four or five Indian nurses employed. It is difficult to say just how many there are at any given time, because they come and go. The Indian girls, curiously, once they become established in their profession leave our service to work in the white hospitals. We have had a number of them who did that, but if they ever want to come back we employ them immediately. That has always been our policy. We have a continual recruiting campaign going on on the reserves to use Indian girls for maids and we train them as ward aides. We bring them along as far in our system of hospitals as their basic education will allow; but, unfortunately, there are not sufficient of these girls who have enough basic training to proceed even to the point where we would pass them as nurse's assistants or ward aides, according to how much responsibility can be delegated to them by the nurses. With the present shortage of nurses we are using unqualified nurses in any job to which they can be

assigned to work under the supervision of nurses, and a lot of our Indian girls are getting valuable training. This has a definite benefit in the Indian home. I have had occasion to visit homes, around Fort Qu'Appelle for example, and the File Hills agencies, where the girls who had worked for a number of years in our Fort Qu'Appelle Indian hospitals had absorbed sufficient training which they applied in their homes to the advantage of themselves and their families. We find in many cases this good effect does follow through in the way they look after their children, but in some ways it didn't appear to be getting across. I have an Indian on my staff at headquarters, P. J. Bernard, who has been over twenty years with us, and I want to say this for him, that he is one of the most reliable and efficient civil servants in Ottawa.

Coming back to administration for a moment, the key men in the Indian administration are the Indian agents. At this time I would like to record appreciation of a very fine body of public servants who have carried out a difficult task under adverse conditions; often overworked and underpaid; often without adequate supervision and with inadequate assistance. They have a great problem to deal with; they have to deal with the whole gamut of human relations; and too often their reward is a tirade of abuse from a disgruntled, dissatisfied unhappy Indian who vents his spleen on a long-suffering agent. His job is an important one, and I do not think too much emphasis can be placed on care in the selection of an Indian agent. I feel that a forward step would be to abolish appointment by district or by provinces. I know something of the difficulties which the Indian Affairs administration are experiencing in trying to find suitable agents in a district as defined by present regulations, when they have to be recruited from a certain area.

Mr. MATTHEWS: How large is such a district?

The WITNESS: It often corresponds to a federal constituency, and local preference will apply to that area. I know of cases where the whole progress of four or five thousand Indians have been impeded over the years because the department could not find in that area a man suitable for appointment as an agent. They tried one after another after another over a number of years without success. I would strongly recommend better working conditions and an adequate staff, both clerical and with respect to farm instructors, for the Indian agent.

I think another very important point is about the training of these Indian agents. In far too many cases a man just comes in and applies for appointment as an Indian agent. Too often he will start in with no experience and little, if anything, in the way of instructions to guide him when taking over the responsibility for possibly 5,000 people. Just recently, comparatively speaking, an excellent manual has been prepared which is placed in the hands of newly-appointed Indian agents. This is not always the case; very often the instruction he got was some circulars from headquarters, supplemented by infrequent visits from inspectors. The new manual of instructions which the Indians Affairs branch has put out is a great help to agents. I have in mind the sharp contrast to this procedure in the Department of Trade and Commerce. There, when they appoint a man to act as the trade commissioner to some foreign country they are allowed wide latitude in the selection of the individual and they bring him in for a course of intensive training before he is sent to his post abroad. I think that every candidate for appointment as an Indian agent should have special training before he goes out and takes over his job. I think, too, that more of the headquarters officials should have field service training.

Mr. CASE: I agree with you on that.

The WITNESS: I do not think it is fair to put a man in charge of a whole branch of the field service who has not had experience in the field. It may be that it might be difficult to find a man in the field service to fill the necessary positions, but I think this might be construed as a criticism of the field

service not having been of the calibre who can be brought on to positions as executives. And I think there should be an interchange between head office and field position to a greater extent than has been the case in the past. I think they can both learn a lot more about their responsibilities if there are opportunities for interchange between head office and field staff.

Now, Mr. Chairman, with your permission, I would like to make some observations about a question which I know is contentious in western Canada, that is the permit system. I was for eight years on a reserve where the permit system was in effect. It was the policy of the government through the Indian Affairs Branch to supply bulls and that kept the stock up to a very high standard. That is shown to-day in the very excellent breeding of much of the stock on these Indian reserves. Had it not been for this permit system I do not believe there would be a pure bred animal on these reserves, if the Indian had been allowed to sell just whatever he chose. I think the permit system has often resulted in a great deal of protection for the Indian; and I have seen the Indian agent interfere time after time, getting the Indian fair prices, or keeping him from trading off his products; produce that he needed for his own use for, say, an automobile or a radio. It gives the Indian agent a chance to act as a guide and counsellor for these people. Now then, as the Indian progresses my recommendation would be that on the advice of the chief in council and on the recommendation of the Indian agent, the provincial inspector should have authority to issue to any individual Indian an open permit; that is, a permit under which he can sell. The time would come when the progressive Indian could get an open permit, and if he abused it it could be revoked either by the inspector, or by the inspector on the advice of the agent and referred back to the chief in council. If the Indian knew that he had to handle his affairs in a businesslike manner or lose his open permit, this privilege I think it would be a big incentive to him to act wisely. I think such an arrangement would be welcome to many Indians and I think that many Indians have sufficient background to justify the extension of such a privilege. I observed that the Manitoba Indians did not advocate very strongly the abolition of the permit system. My advice to the committee would be to give very serious consideration to that point, because it has very, very far-reaching effects in the administration of Indian affairs in the western provinces.

Mr. CASTLEDEN: Would you say that there have been cases indicating abuse?

The WITNESS: You can't get a system that one can't find a way to defeat; but I believe this system of open permits being available might tend to eliminate some of the abuse, if an Indian who it was decided was entitled to an open permit had an opportunity to obtain one.

Mr. CASTLEDEN: I agree with you there. I think we should recommend that, and that it should come up for particular discussion at some future time.

The WITNESS: I think the chief in council could make a recommendation to the Indian agent or the inspector in the province, and if he thought—

The CHAIRMAN: That is a matter which will come up for discussion later.

The WITNESS: Yes.

I think that regardless of which service employs them there should be some trained welfare and social workers working among the Indians. The greatest progress that I have seen on any reserve has been the result of enlisting nurses who probably were spending more of their time on social welfare work than on actual nursing. It is really the welfare side of the work that is important. I have seen differences that were apparent from work after even a year or so of the proper type of social welfare worker.

It is my opinion that the whole administration of Indians and Eskimos would function well under the Department of National Health and Welfare. One of the reasons—the chief one, of course—is that it would bring two services under the administration of one department. I would be averse, from the experience that I have had for two years working with the Department of Health and Welfare, to leave that service. I think there are so many advantages in having the health service tied in with the Department of National Health and Welfare, I feel it would be a very retrograde step if my service were to be detached from the Department of National Health. There are other reasons for my being, well, not being timid about offering these opinions: and I feel the work in this department, welfare itself, under the Deputy Minister of Welfare, has trained welfare workers and social workers. Also, they administer the old age pensions, they have the blindness control division and the division of physical fitness, health, education, and T.B. administration, family allowances—and, after all, if this whole Indian problem is not a welfare problem, what is it?

Mr. BRYCE: Do you think the Indian would just become a side line with Health and Welfare?

The WITNESS: It has not proven so as far as medical services are concerned. My service is the biggest service in the department and it has been given a very senior place; and it has been given every assistance and co-operation from the rest of the department; all that any one could ask for. It occupies a very senior place in the administrative set-up.

Mr. MACNICOL: Mr. Chairman, if I might interrupt; it is not always possible to be here in the afternoons, and this apparently is the last occasion on which Dr. Moore will be here for us to ask questions. I am wondering if it would not be well for us now to ask him questions.

The CHAIRMAN: I was going to suggest that Dr. Moore will be here on other occasions. I was wondering if it would not be best to dispense with the afternoon meetings.

Mr. MACNICOL: That would not help me. I have some questions I would like to ask him now. The doctor has been here for a couple of days now and he has given us a very full outline of the background of his section of the work. I think from what he has said we should now turn to questioning.

The WITNESS: Well, Mr. Chairman, I have just about completed my presentation.

The CHAIRMAN: Let us just settle this. Dr. Moore has to leave Ottawa Friday night. We do want an opportunity of questioning him rather fully. Would it be in order if we were to meet, say on Thursday and Friday mornings but not in the afternoons? Do you think that would give us enough time to complete our questioning of him?

Mr. MACNICOL: Friday morning would suit me fine. I have to be on another important committee which is just about finishing up its work. It meets this afternoon. I would really like to be able to devote all of my time to this committee, but it does seem that that is not possible.

Mr. REID: There is a rather important point which I had hoped to bring to the attention of the committee this morning. It relates to the discharge of a school teacher out on the west coast, and that apparently has raised a great deal of criticism of Indian Affairs; and more particularly of this committee. That is a rather urgent matter which I think should receive immediate attention, and it was my purpose to bring it to the attention of the committee this morning.

The CHAIRMAN: In the meantime, gentlemen, I think we shall let this witness complete his presentation and then he will be available for questioning. Is that agreeable?

Some Hon. MEMBERS: Agreed.

The WITNESS: I would now like to refer to the increase in the estimates for Indian health services. They were published in the brief presented by the Honourable Brooke Claxton last year, and you will note that the table shows an increase from \$3,900 up to \$2,329,163 for 1945-46; which was the last year that the estimates were prepared for submission through the Department of Mines and Resources. For 1946-47 the estimates provide \$4,103,390; and in the printed estimates which have not yet been dealt with in this House up to this time, there appears the sum of \$4,638,808; and, grants to hospitals of \$219,320.

The CHAIRMAN: That table is found at page 66 of the 1946 Minutes of Proceedings of this committee.

The WITNESS: As I said, I was putting my remarks in two categories; those which were direct and affected the medical services; and the others, when I said I would be bold enough to offer some of my own observations and opinions. To return to the strictly health problems, I have a few specified recommendations to make, and that will complete my evidence. My first recommendation would be to leave the Indian and Eskimo health services in the Department of Health and Welfare.

Certainly, I would recommend an extension of the system of departmentally operated hospitals, and putting hospitals at such posts as Norway House, Sioux Lookout, Moose Factory and other points, these hospitals to have contributory to them a series of nursing stations; and those nursing stations should be equipped with a two-way radio so that the nurses could frequently consult with the doctors; and a prime necessity would be to make available an air service so that patients could be taken to proper hospitals for treatment and so that the doctor could make frequent visits to those nursing stations.

My third recommendation would be the provision of adequate noonday meals at all day schools. I think that all authorities will agree on the benefits that would be derived from this procedure. Various studies and investigations have been going on throughout the world into this matter of noonday feeding of school children and they all point to the benefits going far beyond the trouble and expense involved.

I recommend the appointment of more fulltime medical officers, more public-health officers and nurses.

I think the authority of the department for the compulsory treatment of venereal diseases, tuberculosis and trachoma in particular should be strengthened when the Act is revised.

I recommend the appointment of a fulltime trachoma control officer. Trachoma is a troublesome disease in certain areas, particularly in the prairie provinces and in Ontario—southern Ontario—and in British Columbia.

I recommend that the department proceed with an adequate nutrition program. I would consider that advice from this committee would be very acceptable to the administration regarding the eighteen months' clause for payment of medical services to Indians who have been away from their reserve for that length of time, regarding the payment from band funds of medical costs of Indians who are in a position to be able to pay their own medical expenses.

I think consideration should be given as to how far the department should go with complete dental services to Indians, with the supplying of glasses, hearing aids, or thopedic appliances and such procedures from public funds. It is something upon which we have no established policy. We have dealt with each case on its merits in relation to our budget.

Of all these recommendations the most urgent I consider to be the construction of three or four more key hospitals and nursing stations.

That completes my presentation, gentlemen.

The CHAIRMAN: Thank you very much, Dr. Moore. Now, if it is agreed Mr. MacNicol will ask his questions.

By Mr. MacNicol:

Q. I have been impressed with what the doctor has said. I may be a little definite in my fixed position as to whether the medical services should be under the Department of Health or the Department of Indian Affairs, but in my opinion I think they should be under the Indian department, because it looks to me to be a division of authority to have two departments, looking after one body of people. In fact, I think you criticized—I interpreted your criticism of past medical services as rather severe and quite a reflection on the Indian department—on the medical services of the Indian department. If these services have been so ineffective that you now feel you should reverse the whole picture and take the whole Indian medical department from the Indian department and hand it over to some other department, it looks like a very severe criticism of the Indian administration.—A. It was not a criticism.

Q. Have you been in charge of medical services in the Indian department?

—A. Yes.

Q. I think you very severely criticize your former department if you now take the position that all of that should be reversed and that particular work should come under National Health and Welfare, because there is a division of authority there.

Mr. CASE: He gave that opinion for a very good reason. He said that after all health services are health services.

The WITNESS: I tried to point out—

Mr. MACNICOL: It means that the next move will be to take the educational system out from under the present administration. However, I have very few questions to ask.

By Mr. MacNicol:

Q. This morning, Doctor, you mentioned something about the teaching of religious forms and you read a report—from someone else, I presume—that the time taken up in religious forms in the day schools and residential schools did waste a lot of time which could be more effectively used for teaching the children something which would help them to get along in life. Now, I want to know why that is allowed, and who has control of it?—A. What I put on the record was an observation by a field medical officer; it was incidental to these other recommendations. I think any questions regarding education should be properly addressed to either Mr. Hoey or to one of his officers.

Q. That observation you read this morning was similar to what we have heard before. Personally, I am in favour of the Indian having religious teaching, but there is a place to teach religion. The children should be taught how to get along in life in the schools, and they should be taught religion somewhere else; and what you read this morning was something along that line.

Now, there was something said about giving the chief in council more leeway in connection with the issue of permits. What do you recommend in that regard, and how would you bring that about?—A. I recommended that the chief in council be given the power to recommend to the Indian agent—the Indian agent always attends council meetings—and this body, the chief in council and the Indian agent would have authority to recommend open permits to Indians who could handle their own business, and the inspector could delegate the issuing of those permits to the agent as long as the Indian is able to handle his own

business and demonstrates that he can, and that would allow him to sell any of his own produce and cattle. If the Indian made foolish decisions and was disposing of his herd and was improvident to his family through the sale of his produce the permit could be cancelled. A good deal of that authority both to recommend the issuing of the permit and the cancellation of it, should be left with the Indian council. The Indian council is capable of doing that and will do a good job.

Q. If the Indian agent has power to upset the decision of the Indian council, what then?—A. The Indian council certainly would have an appeal, and that is where the inspector would come in. He would be able to judge whether the Indian agent was acting wisely or not.

Q. To whom would they appeal?—A. They would write to the department. We get letters from Indians all over the country and we investigate those circumstances.

Q. I said that the time has come to give the Indian joint council and chief much more authority than they have at present. Something was said this morning about inspecting residential schools. Recommendations have been made to the medical services department that such and such conditions should be changed to a certain extent and that the medical conduct of certain residential schools has been condemned; but apparently you do not have the power to enforce your condemnation?—A. That is correct.

Q. How can we change that? Certainly that is an important matter. If the recommendations of the medical services in the residential schools are disobeyed some authority should rest with the department to see that those recommendations are obeyed.—A. At the present time we are powerless to enforce the recommendations.

Q. Now, you mentioned something about the government proposing to build hospitals; how would that be operated?—A. I recommend that they be operated by the department.

Q. I agree. Now, where would the nurses come from?—A. They are appointed. Our nurses in the Indian health service are exempt, for the purpose of appointment, from the Civil Service Act, but they can become civil servants once they are appointed. However, it is left to the department to appoint the nurses. We have recommended that procedure because it makes it much easier for us to secure nurses. We can deal with them directly rather than deal through the Civil Service Commission.

Q. How is the hospital at Ohsweken operated?—A. By the department. We employ the doctor but his salary is paid from the band funds—Dr. Davis, the superintendent. The second doctor, Dr. McCormick, is paid by the department, and all the staff is appointed by the department, and all the operating costs of the hospital are paid by the department.

Q. You mentioned the setting up of a general hospital at Moosonee, James Bay. Would it be at Moosonee or Moose Factory?—A. The decision has not been made. I made a definite recommendation that it be built at Moose Factory due to the fact that this Indian reserve is on the island and the majority of the Indians live on the island.

Q. Yes, they are all around there. You also said something about Fort Norman; that is at the mouth of the Bear river?—A. Yes.

Q. That would be a government operated hospital?—A. There was a mission hospital there which was built by the Anglican Church and partially financed by a grant toward capital construction from the department. This was purchased from the Church of England and was run as a department hospital; but unfortunately in March 1946 it was destroyed by fire. The doctor who was in charge there was transferred to Aklavik and we are using the doctor's residence as a nursing station. We have two nurses, a graduate and a lay nurse there, but the graduate nurse had to go out for medical care, an operation, and we are sending in another nurse.

Q. That hospital would be operated by the government, not by the Church of England?—A. Yes, by the government.

Q. I have nothing against any church, but that is a better arrangement. I am in favour of government operation of hospitals as much as possible. I will make one observation in reference to a reserve I called at—Gull bay on Lake Nipigon. I was taken down there on a boat on a two-day round trip. I went around and examined the sick to see what was wrong with them, and I asked, "How often does the doctor come here?" I was told, "He comes here when the treaty money comes." I asked, "How long does he stay?" I was told that he goes away with the treaty money party. Now, he cannot do anything in that length of time. I presume that condition obtains in 99 out of 100 places in those areas. Now, how is the new service going to get over that condition in looking after the poor Indians? What would you recommend for that?—A. There is one improvement in the specific place you mentioned, Gull Harbour; we have a full time nurse attached now to that agency. The nurse goes there by boat. The Indian Affairs department operate a boat on the lake, and the nurse is taken there by the Indian agent. She boards there at the Hudson's Bay post or with the school-teacher and remains in residence at that reservation for a week or two at a time several times throughout the season.

Q. I am glad to hear that. The school-teacher there is a bright girl; she had the rudiments of some medical knowledge. She is one of the best equipped school-teachers I have met.—A. To carry that matter just a little further. What the nurse there would do is this: if she came across cases requiring a doctor's help those patients would be taken out by boat for hospitalization, and we have sent in doctors by plane on several occasions.

Q. One final question. I have mentioned before the Tobique reservation near Perth in New Brunswick. I called the doctor there on the telephone. I presume he is a part time doctor. He lived across the St. John river from the reservation. I told him about a young man who was afflicted with T.B. of whom the nurses at the hospital had spoken, and he told me nicely and civilly, but in so many words, that he was a medical practitioner and that he had a practice and that he had not had time to attend to that case. Now, how are you going to have part time doctors to do that work—to handle a case like that one at Tobique reservation, where the nurse in the hospital requests him to take care of a young man? How are you going to see that he does it?—A. Well, we have been woefully weak in supervision of our medical services in the past. One of the reasons for recommending that wherever it is at all practicable the appointment of a full time doctor to look after Indians should be made is just to overcome this type of thing. We do get a man appointed—I am not saying this with special reference to this particular doctor or to any particular doctor—but they are appointed on a part time basis and they certainly do give their first call to the rest of their practice and we get their second best.

Now to overcome such an instance as you have mentioned we have recently, since this service has been under the Department of National Health divided the country into eight districts, and we have a regional superintendent, a qualified medical officer, appointed to those districts. Unfortunately, we have not our man installed in the maritime provinces. We are putting one man in charge of the maritimes. It will be his job to go around from reserve to reserve and inspect our medical services, to tell us what is being done or is not being done as regards mapping out ways and means on the spot to provide better medical attention.

Q. That would be an improvement.—A. The man who was appointed for the maritimes unfortunately became ill. He was an excellent man. The position regional superintendents have all been appointed and are on the job at present. This is now in the process of being filled by the Civil Service Commission. Our western This is a very forward step in our service.

Q. Mr. Chairman, I wish to thank the committee for the courtesy extended to me. There are many other questions but I will ask them later.

By Mr. Matthews:

Q. I was very much interested in the doctor's presentation. He made a remark that the ultimate aim of those studies should be absorption or assimilation. There was no definite aim set forth when the committee was formed, but I think that you agree that that should be the aim eventually. I should like to hear a little more about this matter when we have the opportunity. I should like to hear a little more about the process of assimilation and particularly in regard to that tribe, the Wyandottes. I have not heard of them before. I was glad to hear your references to the Indian agents. Some of them, no doubt, have been very good men, judging from what we can learn, and I think there was a lot of petty criticism expressed with regard to some Indian agents whom we believe are good men and are doing a good job. Now, I was interested with regard to the Indians on one reserve—I forget the name of the band—at Fairford. There is no doubt that that is a pretty hard case. It appears that they have no farm land that is any good—or it is of little use—being mostly rocky and covered with muskeg. I think that is what you said. Are you of the opinion that any worthwhile number of the Indians would take up farming if they had suitable land?—A. I think you would have to start with the younger generation. I do not believe that you will make farmers out of the older Indians.

Q. That is the condition as far as the farms are concerned; and they have no timber to fall back on?—A. It is pretty well depleted. It never was good for lumber; it was more cordwood; but even that is becoming depleted.

Q. Now, there is trapping and fishing; and going out as labourers, which seems to be the only work they have?—A. The fishing is now practically all in the hands of the big fishing companies and the Indians only get an opportunity to work as labourers for the big fishing companies. The Indian has not the means to engage in fishing on his own or of selling his fish.

Q. Are there any facilities for fishing on the reservation?—A. No.

Q. And I suppose the same thing would apply largely to trapping?—A. They have to go outside of the reserve and then they are in competition with the white men on the trap-lines.

Q. They are pretty well restricted. Now, this thought occurred to me and I was wondering what your idea would be about it: it would seem that that reserve is of very little physical value—almost valueless; so would it be practicable to get other land in some other locality, land that would lend itself to the needs of the Indians, and would they be willing to accept a transfer if that could be done? Would they be willing to go away from that place to another?—A. It is hard to get an Indian to tear up his roots, but it seems to me there are areas where that is about the only solution for some of these people with the natural increase of the tribes. At the time when the reserves were set up the Indian was permitted to roam wherever he liked; but with the restrictions now encircling him it seems that the only solution is to try to get more land.

Q. It would seem to me that we would have to get land that would be of some value to them. There is no use buying them a lot of rock and setting them up upon it. Now, I want to express my commendation with regard to your idea of granting open permits. I do think that the well-to-do Indian, the man who shows some evidence of being progressive, should be given more authority than he has, and I believe that additional authority will help him a great deal. I also believe that the granting of an open permit to an industrious Indian would stimulate his thinking and would serve as an incentive to others who are not so progressive.—A. I have seen that work.

Mr. MATTHEWS: That is all, Mr. Chairman.

By Mr. Case:

Q. I would certainly like to join with Mr. MacNicol and Mr. Matthews in complimenting Dr. Moore on his presentation. It was a very fine presentation. I believe it was probably one of the most constructive and helpful presentations I have listened to. I am going to ask some questions but I am not going to expect answers to all of them if the doctor feels that he should not answer them at the moment. I have one or two observations to make as to particular reserves, but the broad question which is going to weigh heavily with me as a member of the educational sub-committee is this: Do you think the time has come when the schools and hospitals should be progressively taken over and administered by the Department of Indian Affairs or the Health and Welfare branch, as indicated?—A. Well, I have no hesitation in recommending that any future hospitals be built and administered by the department. With regard to existing hospitals, I do not think the department is in a very good position to interfere with present arrangements. I think that where a particular mission has constructed a hospital and has put a lot of its own money into it, that the only change should be made on a voluntary basis—for instance, in a place like Aklavik, if we could make an agreement with both churches to purchase both hospitals and to operate them as departmental hospitals—I think that would be a forward step.

Q. I assume that there would have to be proper compensation and consideration given and that this could not be done over night, and that is why I use the word “progressively”. But I think you will agree that there should be greater departmental administration even in the mission hospitals?—A. Yes.

Q. That cooperation should be sought?—A. There is ample reason for saying that.

Q. You have said that our object should be assimilation. Down in the maritime provinces we visited two reserves, one at Shubenacadie and another at Eskasoni where there is an effort being made to centralize those Indians into what we would regard more or less as the hinterland. The authorities are taking them away from the white settlement and the industrial centres, so to speak, near Truro, Fredericton, and Sydney. How do you reconcile that move there with your thought at the present time?—A. Mr. Chairman, I am on record fairly strongly on that matter in other quarters. I opposed it at the time with any voice I had in administration. I still do not think it was the best move for our ultimate aim. It certainly will solve a lot of very serious problems that have confronted the administration, but I think in view of the ultimate aim of the department it was, to my mind, a step in the wrong direction. I did not agree with it when it was done. I do think however, it gives us a better opportunity to give this complete and adequate medical service, which we will do.

Q. I see that advantage. Would you go so far as to say that if the movement is encourager it should be on a voluntary basis? When the Indian feels he can still fend for himself, he should be encouraged to do so?—A. Yes, that should be the keynote of the administration.

Q. I am coming to Tobique. My recollection of that hospital was that there was a limited amount of bed accommodation on the ground floor; that the nursing sisters occupied the second floor; but it did seem to me that if there was a proper nurses' residence established there would be much more bed space available at that particular point, because the hospital was well kept and very attractive, but it did seem to lack bed space. The point I wanted to ask you about was this: What does the present system comprise?—A. Well, at Tobique—

Q. I am speaking now of the hospital.—A. The hospital should not be called a hospital in the strict sense of the word; it is a nursing station. It is one of

those affairs that has its roots almost in antiquity. It was set up as a residence for teachers in the school with a limited capacity for nurses, and actually while it is departmentally owned the agreement with the sisters who operate it is this, that we buy the hospital supplies and we pay the salary of one nurse and then we pay them a daily rate for patients that they take in and they provide the funds for the food that is used in the institution and so on. Actually the people in there are not boarding at the expense of the department. The teachers from the school are there and we have no control over the staff whatever. We do pay the salary of one nurse and then we pay so much a day for the patients in there. I worked out the actual cost to the department and for two years. Our patient days came to 1,640. That would be about three patients a day on the average—a little over two patients a day—and it cost us \$3.83 to maintain those patients there per day.

Q. Can you give me a comparison of their per diem cost?—A. If this were a hospital where they were doing hospital work with a doctor in attendance or who visited the homes, that would be different, but there is no surgery done. There is just bed care with probably advice from the doctor over the telephone, and at most places we pay up to \$2 a day for that type of service.

Q. You have some plans for Tobique?—A. Yes, it will have to be worked out in conjunction with the schools branch if we build a teacherage. If we build it for that and take it over wholly as a hospital we would try to put it on a better basis as a hospital.

Q. Where do the Indians from the Devon reserve obtain hospitalization?—A. They go into the Fredericton General Hospital.

The CHAIRMAN: Does \$3.83 cover everything?

The WITNESS: No, there is extra for supplying drugs which go to the hospital and some is used by the nurse on the reserve. The nurse does go out to the homes.

Mr. MATTHEWS: That is not \$3.83 per patient?

The WITNESS: Per patient day.

The CHAIRMAN: Per patient per day.

The WITNESS: The total cost for the 1,640 days' hospitalization was \$6,294.10, plus \$243.71 for drugs.

Mr. MATTHEWS: If there were more than two patients the cost would be approximately smaller?

The WITNESS: Yes, that is a pretty fixed overhead.

Mr. CASE: It is very difficult for me to imagine how they got that many hospital days in that limited space.

The CHAIRMAN: That is for two years.

The WITNESS: Eight hundred and twenty hospital days. A number of these patients would be infants in cribs.

The CHAIRMAN: There would not be very many. There was room for only one, was there not?

Mr. CASE: One. But they regulate that. I do not think I have any more questions to ask the doctor. I wish to thank Dr. Moore for the information he has supplied to us in his presentation.

The CHAIRMAN: Before we move on to the next series of questions, there were several questions put to Dr. Moore last week by various members of the committee. I think Mr. Bryce submitted some questions. Have we a transcript of the evidence?

Mr. REID: I submitted three or four questions and I was told to wait until Dr. Moore came back. I have those questions here now and I shall ask them when my turn comes.

Mr. CASE: I submitted a question about schools and hospitals, but that matter has been covered.

The CHAIRMAN: I believe that those questions should be put now.

Mr. REID: I have quite a number of questions I want to ask, and those two or three questions have to do with the questions I want to ask, and I am going to repeat them.

By Mr. Reid:

Q. Doctor, how much do we pay to the various Indian hospitals per day for Indians?—A. In the various Indian Affairs hospitals or in the hospitals where we put Indians and do not operate ourselves?

Q. I am thinking particularly of a mental hospital at the moment.—A. Well, with the departmental hospitals we assume total cost of operation. We pay all the staff and buy everything in connection with the hospital, and those places are audited by the treasury branch to establish the per diem cost. It varies in various institutions. The highest cost we have at present is in this new army hospital we took over in Edmonton where our cost will run—I think the last figure was \$4.08 a day. That pays for the medical staff, the stores, a complete and advanced chest surgery. There is not a finer chest surgery unit in Canada than we are operating, and the surgeon in charge is a recognized thoracic surgeon, a member of the American College of Thoracic Surgery.

Q. How much do you pay to the private hospitals per day for Indians?—A. In these hospitals the doctors' salaries are not usually included, but hospital costs have increased markedly. There was a time when we hospitalized most of our Indians in public wards for about \$2.50 a day. That figure has markedly increased and most hospitals across the country are now asking \$4 for public ward care per day. There are cases where we are paying as high as \$7 per day for public ward care.

Q. I am quite well aware what the hospitals are asking, but what are you paying to various private hospitals? Is there a difference in each province? What would the average be? I want to know what you are paying.—A. We do negotiate rates for every individual hospital; we have no set rate. The hospital makes a request to us for a per diem rate. If they are asking for an increase—which they always are—we ask them to produce figures to substantiate what they claim. The per diem cost is for public ward care, and I must admit that we are often in controversy with some of the institutions. We feel that in arriving at public ward care of patients the hospital should maintain all the special services that they render, and that the Indian will have the benefit. It costs more to operate a private ward than it does a public ward. We have never asked for private wards. That is where our dispute comes with the various hospitals. We have more than 450 hospitals across Canada where Indians are hospitalized, but there is no standard rate. What I am driving at is this—

Q. I want you to come to the point; I do not want you to go round about it. I want a comparison, to know what you actually pay hospitals compared with what it costs in government hospitals. I know that there has been controversy and a demand made by hospitals throughout this country challenging the government and stating it was most unfair to pay only \$3, or much less than a private patient paid. Now, hospital costs have gone up; everybody knows that. That is true both of departmental hospitals and private hospitals. Some will tell you that where the government put an Indian in a private hospital the government should be responsible to take care of him, just as in the case of a white person. They are getting the same care, I understand, and I would like to know what they are paying and how that compares with the cost of a government hospital.—A. We operate our government hospitals cheaper than what we are called upon to pay to outside hospitals. I have not the figures available, but I can get them for all our departmental hospitals.

The CHAIRMAN: Could you get them for this afternoon?

Mr. REID: I think it is important for the committee to have that picture because if it is costing more in private hospitals then it lends argument to the belief that there should be more government hospitals.

The WITNESS: It is a fact, Mr. Chairman; that we operate our government operated departmental hospitals for less than we are called to pay in outside institutions. We can show an economy. I can produce the figures on our costs of hospitals.

By Mr. Reid:

Q. My next question is: Did the government contribute in the operations of mission hospitals and if so how much?—A. Practically all the mission hospitals have at one time or another received something in the way of a grant toward the capital cost. This is difficult information to obtain under our present system of accounting because some of these grants were made quite a number of years ago and the closed files have been removed, but while I tried to get information in the last few days they have not been able to get those closed files to go back far enough to give a complete picture as to grants. The institutions are varied all over the country. I have a list of grants that have been made to various institutions at various times.

Q. Could you tell us what the per capita cost amounts to in these mission hospitals as compared to the per capita cost in government hospitals, and what you are contributing to private hospitals? I want to get a complete picture of this.—A. Mr. Chairman, that is a difficult question to answer briefly.

The CHAIRMAN: Would you like to put some time on it.

The WITNESS: I will quote you a few examples amplifying what I mean. We will admit it costs a great deal more to operate a hospital at Chesterfield Inlet or Pangnirtung than it does in the city of Brandon. Formerly, the Eskimo service, before it was under the Department of National Health, supported those two hospitals in various ways. They paid them a per diem cost of \$2.50 per day, and they paid them subsidies in the way of freight, and the salaries of the two nurses, and they also had guaranteed if the revenue of those institutions fell below a fixed sum they were to be paid whether or not they had to perform the service. They themselves quote us their costs and we review the costs of those institutions where missionary societies are operating hospitals and we arrive at a rate. They were paid from April 1, 1946, \$7 a day. In addition to that we are paying the salaries of the doctors but I may also state the facilities offered by those hospitals are very limited and the reports from various medical officers are quite critical.

By Mr. Reid:

Q. I am anxious to know from a health point, whether you take a per diem cost in those hospitals of patients because I know, for example, there are some mission hospitals which are attached to schools and settlements and I would like to know how you make the grant to those hospitals? On what basis do you make those and what does it amount to? Let us have these facts so we can make a comparison between the government and the mission hospitals and the private hospitals? After all, we have got to make a finding on this matter, and I cannot make a finding until I have the information. Surely you can tell us how the grant is made to the mission hospitals.—A. I pretty nearly have to take you through a whole description. There is a different arrangement with every institution and that is one of the statements I think I must make. I will pretty nearly have to go back and describe to you each institution.

Q. Can you give us the figures? Can you tell us, in the various provinces, for instance, what does it cost and what assistance are you giving? We cannot

intelligently discuss this unless we have that information.—A. I will prepare that for you because, when I am giving figures, I would like to quote accurate ones. I will get something for you, Mr. Reid, for this afternoon.

The CHAIRMAN: Could you have it for this afternoon or Thursday?

The WITNESS: If I cannot get it for this afternoon I will have it for Thursday.

The CHAIRMAN: Well, gentlemen, the way we are getting along, perhaps we could dispense with this afternoon's meeting and we could discuss this in our proceedings on Thursday.

Mr. CASE: I do not think our questioning is going to be very extensive.

The CHAIRMAN: Could I have an expression of opinion?

Mr. MACNICOL: The morning of Thursday would be all right with me.

The CHAIRMAN: What do you think Mr. Reid?

Mr. REID: It is all right with me.

The CHAIRMAN: We will proceed until 1.00 o'clock and then continue on Thursday.

By Mr. Reid:

Q. Well I do wish to have the information later on. Now do you supervise the mission hospitals or what supervision is given? Can you tell the committee how it is done?—How do you check up and how do you find whether patients are treated well or do you just hand out a sum of money and take it for granted that all is well? I would like to know.—A. Our supervision of hospitals has been very lax. Where we have a salaried doctor in attendance we are able to get a much better picture of what is being done but in the mission hospitals we have nothing. So much depends on the staff and the qualifications of the staff as to how patients are fed. We have had bitter complaints registered on the question of attention.

Q. We are just getting the facts now, and we should have had them before.

—A. About all we are able to do is to bring these things to the attention of the church authorities. That really is about as far as we can go.

Q. How many men are there in the Department of Health, and I am speaking now about that department because you are connected with it and I will have more to say about it later, but how many doctors and supervisors are there to check up?—A. We have these positions for eight regional superintendents. In my earlier presentation I gave the number of full time doctors that are employed. I do not just recall the specific figure but it will be in the previous minutes. It is somewhere in the neighbourhood of forty to forty-five full time officials.

Q. Where are they, are they spread out all over the country?—A. Yes.

Q. Full time doctors?—A. Yes.

Q. What are their duties in regard to this particular question?—A. For instance, we have full time doctors employed at Aklavik, Pangnirtung and Chesterfield Inlet, who assume the medical care of the patients in those hospitals.

Mr. MACNICOL: Does that apply to both hospitals in Aklavik?

The WITNESS: Yes, both hospitals at Aklavik and one each at the other points. Now, if the doctor does not get along with the mission authorities, he has a rather tough time. It is a difficult and administrative problem.

By Mr. Reid:

Q. Can they chase him out, let us have it? We are digging into this and I want to know.—A. I could not say that. I do not know of a specific case where you could say he has been chased out, but I know of places where the doctor has had a pretty uncomfortable time.

Q. I do not mean by chasing out, that they actually took physical measures, but have they made it so uncomfortable that he had to get out?—A. We have had requests for transfers and we have had doctors refuse to go back because they did not like the conditions under which they had to work.

Q. Another question, what check-up is made of the treatment of Indians when they are sick and under the care of private hospitals in the various cities? Now I have heard various complaints of Indians who are treated as nothing on earth, they are charges of the government. Is there any check-up to see that the Indians entering a hospital are well looked after and are receiving medical attention the same as other patients?—A. That is the prime reason we have initiated these medical superintendents. When we get them across the country the answer will be yes. Up to the present time the system of check-up is fairly lax because although a man may be a full time employee he still may be a poor doctor and will not give proper attention to his patients and it is pretty hard to tell that from here in Ottawa. Now when this system of regional superintendents comes into effect we will have them operating and going into these hospitals to check on the kind of treatment our patients are receiving. There are between four hundred and five hundred hospitals where they treat Indians. We have got to have a big organization if we are going to do things you suggest.

Q. Have you had any complaints from Indians?—A. Yes, I had a bitter complaint from some Indians from British Columbia about a hospital that is operated under the joint auspices of the province and the mission. The complaint was that the Indians were compelled to use the back door of the hospital. One of my assistant directors, who has been at this hospital since, has put in a very bitter report on the hospital which I forwarded to the church authorities, serving them notice that we were not going to continue to support that type of institution.

Q. They would be receiving the same amount of money for those Indian patients as they would for white patients?—A. Yes, we are paying a fee which is the same as the fee for an ordinary patient.

Q. It seems to me a great deal remains to be done with respect to hospitalization and health from a departmental point of view?—A. We feel that one of the greatest single advancements that has been made is the system of regional superintendents where men will go around and report to us.

Q. What other help do we give the mission hospitals, apart from grants?—A. In nearly all instances they are supplied with free drugs for their treatment of patients. We ship the drugs from our central medical stores and a certain amount of hospital supplies find their way into those shipments. Then up until the beginning of the fiscal year the department was paying the salary for a number of the nurses. For instance in the two mission hospitals at Aklavik, the department was paying the salary of the two nurses in each hospital there. We have served notice on the institutions that we were discontinuing that payment and that we would just pay a per diem rate for each patient. We have asked them to submit figures to us in order to establish their cost. We do not expect those places which treat Indians should operate at a loss and if they can establish a cost we will meet it.

Q. With regard to the admission of Indian patients to mission hospitals, are Indians admitted freely irrespective of their religious denomination? Do they take all and sundry into the hospitals? Tell us about these mission hospitals? Suppose there is a hospital run by the Church of England and an Indian happens to be a Roman Catholic, would he be taken in? If it was a Roman Catholic hospital would non-Roman Catholic Indians be admitted there?—A. I do not think the hospitals as such, would refuse to take in any Indian patient that required treatment. I have never heard of that but the missionaries themselves exert great pressure upon the Indians to go to one of their own hospitals.

Q. That is important, can you tell us of any cases of Indians who have suffered by that attitude?—A. No, but certain of the church briefs have laid stress on the fact that there should be free choice of hospitals for the Indians. Might I answer your question by saying, with all things equal, the administration would have no objection to an Indian having his own free choice of hospital.

Unfortunately you cannot always have all things equal. I think I can best exemplify what I mean by saying that at point B on the map there is a hospital operated by one of the mission societies; we find that an Indian has tuberculosis of the form that requires a special type of treatment; now the Indian, whether he is influenced by his advisers or not says "I want to go to this mission hospital," or "I do not want to go away to that hospital". I do not think the administration would be justified in spending the taxpayers' money to keep that Indian in the hospital that he wishes or wants to go when, by sending him where he would get adequate treatment, his length of treatment, might be shortened, and consequently our expense, from five years to one year. I think there are many cases where the length of treatment might be substantially cut if the patient was sent where he could get adequate treatment.

Q. I notice it is 1.00 o'clock but could one say the treatment in hospitals is entirely different to the manner in which education is handled in the school. In the schools, those of one faith go to one school and those of another faith go to another school. As far as the hospitals are concerned are they open to all Indians?—A. Yes, there is no directive or established policy whatever, although there is often strong objection raised, particularly by the missionaries and some of the church authorities, where Indians of one faith are treated in a hospital of another faith and our files show many instances of charges by one church of proselytization. It has not been confined to one church, but there are various churches which have objected because an Indian of one faith has been treated in a hospital of another faith and has changed his religion.

Mr. CASE: It is a matter of dual administration.

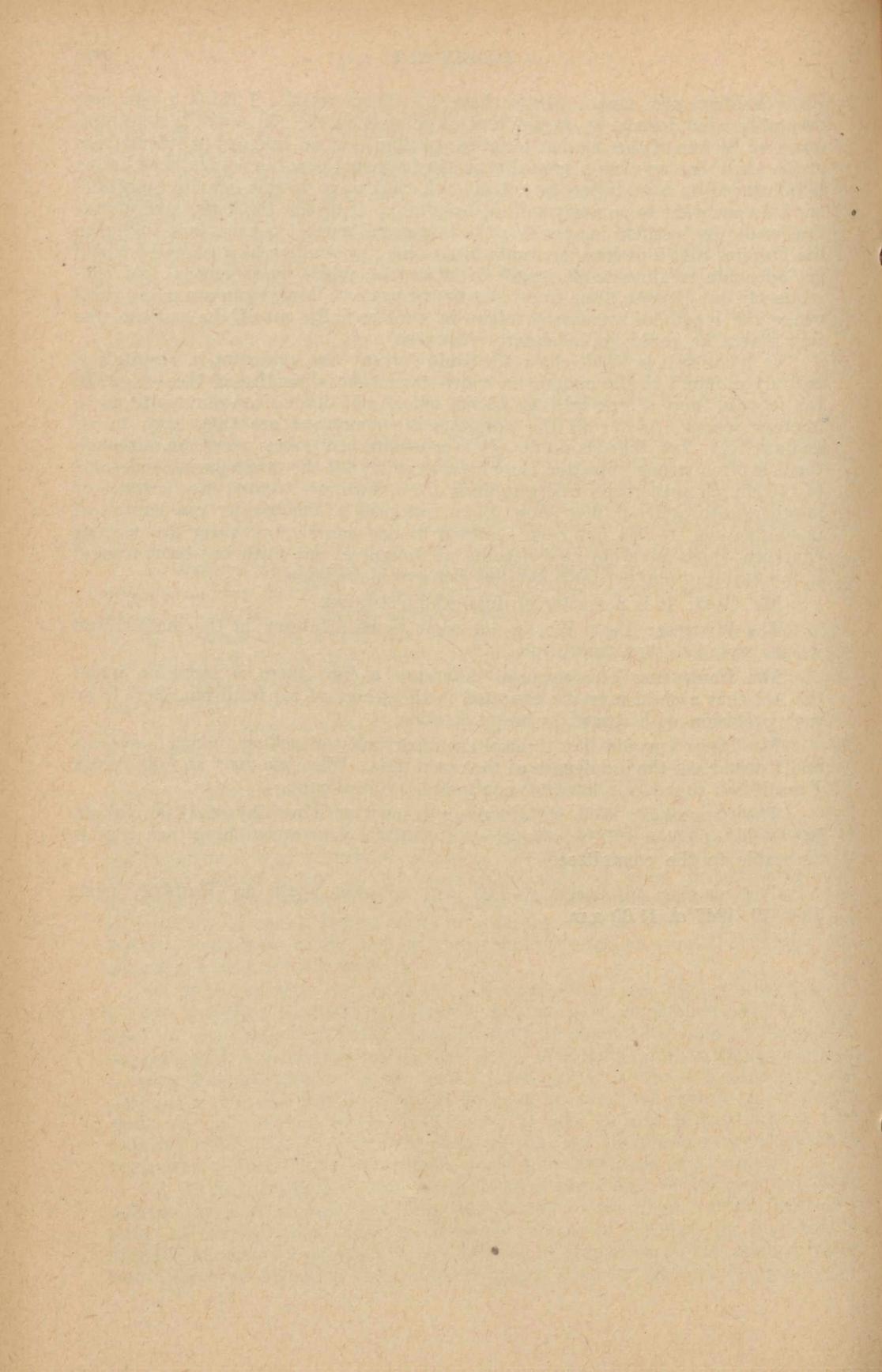
The WITNESS: Yes. We do not want to be arbitrary in the matter, and we are trying to do a health job.

Mr. HARKNESS: The essential difference is that there is provision under the Act that a child must be educated in the school of his faith but there is no such provision with regard to hospitalization.

Mr. REID: I would like to have an opportunity of asking further questions and I would ask the indulgence of the committee. When we meet at 4.00 o'clock I would ask that I be allowed to continue my questioning.

The CHAIRMAN: Well, we are going to meet on Thursday at 11.00 o'clock, Mr. Reid, and you will be permitted to continue your questioning then if it is agreeable to the committee.

The meeting adjourned at 1.05 p.m. to meet again on Thursday next, June 19, 1947 at 11.00 a.m.



SESSION 1947



SPECIAL JOINT COMMITTEE OF THE SENATE
AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE
EXAMINATION AND CONSIDERATION OF THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 36

THURSDAY, JUNE 19, 1947

WITNESS:

Mr. P. E. Moore, M.D., D.P.H., Director, Indian Health Services, Ottawa.

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY

1947

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,
THURSDAY, 19th JUNE, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

Presiding: The Honourable Senator Taylor and Mr. D. F. Brown, M.P., Joint Chairmen.

Present:

The Senate: The Honourable Senators Fallis, Johnston, Macdonald (*Cardigan*), McKeem and Taylor—5.

House of Commons: The Honourable Mr. Stirling and Messrs. Brown, Blackmore, Bryce, Castleden, Farquhar, Gibson (*Comox-Alberni*), Little, Matthews (*Brandon*) (Vice Chairman), MacLean, Raymond (*Wright*), Reid, Richard (*Gloucester*)—14.

In attendance: (From Indian Affairs Branch): Messrs. R. A. Hoey, Director; Hugh Conn, Supervisor, Fur Developments; B. F. Neary, M.B.E., Superintendent, Welfare and Training; G. Armstrong, Welfare; (From Department of National Health and Welfare): Doctors Moore, Falconer, Proctor and Leroux; also, Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Mr. Reid brought to the attention of the Committee certain publicity which has been appearing in the Vaucouver Daily *Province News Herald* and the Kelowna *Courier*, with regard to the administration of Indian Affairs in British Columbia.

Messrs. Hoey and Neary made statements in connection therewith.

Dr. P. E. Moore, Indian Medical Services, Department of National Health and Welfare made a statement with regard to an article in the Kelowna *Courier*.

On motion of Mr. Matthews, it was

Agreed: That a marked copy of the minutes of this day's minutes be sent to the Editor of the Kelowna *Courier*, with a letter asking that the same publicity be given to the statement of Dr. Moore as was given by that paper to statement by Dr. Wilson, of Kelowna, B.C.

P. E. Moore, M.D., D.P.H., Indian Medical Services, recalled, and was questioned.

The Committee adjourned at 1 o'clock p.m., to meet again on Friday next, 20th June, at 11 o'clock a.m.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

HOUSE OF COMMONS,
June 19, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 11.00 a.m. Hon. W. H. Taylor (Joint Chairman) presided at the opening.

The CHAIRMAN: Gentlemen, if you will come to order; we have a quorum. We have before us this morning Dr. P. E. Moore of the Health and Welfare department who was before the committee when we adjourned on Tuesday last. Is it agreeable to the committee that he proceed with the answering of questions?

Some Hon. MEMBERS: Agreed.

Mr. REID: Mr. Chairman, you will recall that Dr. Moore having completed his presentation it is now a matter of asking questions by the committee; and you will also recall that I laid before him a half a dozen questions on which I expected to receive answers this morning.

The CHAIRMAN: I recall now. It was agreed that you would continue this morning.

Mr. D. E. Brown, Joint Chairman, (assumed the Chair).

Mr. REID: And I think that there was an understanding given that because of the urgency of a matter which has cropped up in British Columbia the committee agreed that this matter would be dealt with to-day, and that we would have an opportunity of hearing from Mr. Hoey on the matter before we proceed with our questioning of Dr. Moore. The reason I am bringing this up is because of the newspaper publicity which has been given to the matter; in my opinion it should be dealt with for the protection of the Indians and the committee and so that a true record and complete statement of the matter may be before the public. I think as complete a statement as is now possible should be made by Mr. Hoey, and that the committee should have a statement from Mr. Hoey as to what actually happened regarding the statements made by the school teacher. What I want to ask Mr. Hoey is this; and I might explain that the school teacher was brought out, or came out from England one year ago and he was given a school in the Department of Indian Affairs. Now he has had some trouble with the department and he has made certain statements in the press; he has gone I believe so far as ordering Indian agents off the reserve; and he has made the further statement to the paper that he had enough information, to use the words of the street, to "blow the lid off." I think it is time we had a statement on it because the newspapers set reporters out to look into the matter. And it will be remembered that the matter was mentioned by me previously; I said that I had taken it upon myself at my own expense to go and visit the entire district and I met one hundred Indians comprising thirteen tribes and from my contacts with them had gathered that they did not have any such complaints, at least none were placed before me. May I ask Mr. Hoey if any course has been adopted to place before this committee a true and complete statement of the facts along with the publicity which has appeared in the papers?

Mr. HOEY: Mr. Chairman and gentlemen; this matter was first brought to my attention about four or five days ago when I received from the office of the minister a number of newspaper clippings, the majority of them I think from the Vancouver Province. Conditions at Chilliwack, or on the chief Skwah reserve had not been brought to our attention, and I immediately wired Commissioner MacKay of British Columbia for a report. That report come in this morning. I was over at the Civil Service Commission and I had not had time to read it so I do not know what the explanation of the commissioner is; but I am going to ask Colonel Neary, Superintendent of Welfare and Training, to read it to you in a moment. I would just like to say to the members of this committee that Commissioner MacKay was before you on more than one occasion. I have unshakeable faith in him as a man of high standing and character and a man of sound judgment; and it is simply inconceivable to me that conditions half as bad as they are described in the Vancouver Province could exist 40 miles from Commissioner MacKay's office. However, I am now going to ask Colonel Neary to read the report which I have not had time even to open.

Mr. B. F. Neary, M.B.E., Superintendent, Welfare and Training Division, Indian Affairs branch, Department of Mines and Resources, called:

The WITNESS: Mr. Fellowes was hired by the department, effective the first of December, 1946. He was recommended by Archbishop Duke. As Mr. Reid knows only too well this is a Roman Catholic reserve and in accordance with a section of the present Indian Act we are required to employ Roman Catholic teachers. He was also recommended for the position by Commissioner MacKay. We received the usual application form from him in which he stated that he had attended Jesus College, Oxford university, England, and had worked there towards his law degree, and then he has attended extra-murally for about 3 years the University of London where he hid general work towards a degree in social science, specializing in child welfare work. He also stated that he had been employed as an associate child welfare officer by the Civil Defence of the city of London during the war, and that previous to that he had run a school with his wife for special children; I presume by that he meant subnormal children. Therefore, as far as we were concerned he was well qualified even though he did not hold a teacher's certificate granted by one of the provinces of Canada, and he began his service.

Mr. BRYCE: What was his age?

The WITNESS: Fifty-two, I believe.

Mr. REID: When did he come to Canada?

The WITNESS: I have no record of that, but I believe he came just before he accepted the position. We are now digging further into his record through the Department of External Affairs.

Now, Mr. Chairman, I would like what I have to say next to be off the record.

The CHAIRMAN: Is that agreeable to the Committee, that this statement should be made off the record?

Some Hon. MEMBERS: Agreed.

The CHAIRMAN: All right.

(Mr. Neary's statement continued off the record.)

The CHAIRMAN: Now, gentlemen, to resume the record; there were certain statements that have been made by this teacher to the press; were those the same statements he made to the department when he accepted the position, Colonel Neary?

The WITNESS: In answering that question I would like to quote from Commissioner MacKay's letter to our department, of June 14, which reads as follows:—

Mr Fellowes admitted that he had been granted no teaching certificate and the British Board of Education had given him only a permit to operate a private school, probably on the strength of his wife's teaching qualifications. He advised Archbishop Duke that he had taught 18 years in England, his application of November 22, 1946, showing 10 years. He gave out to the press and told the inspector that he held an L.L.B. and M.A. (Oxon), where he was a resident student of Jesus College 1931-32, and that he secured his B.Sc. (London) after taking social science there in 1938-41, both of which periods were included in that of the operation of a private school and associate child welfare officer. I am confident that the man has no academic standing of importance. Inspector Davey's report on the school would appear to support this conclusion.

In other words, Commissioner MacKay points out that during the time he said he was attending these universities he also stated that he was employed running a school.

Mr. RICHARD: That could be, couldn't it?

The WITNESS: Quite right, that is why I am checking that anyway. Now I will read a paragraph from the report made by Mr. Davey, inspector of schools:—

The work of this teacher shows lack of professional training. His methods of teaching reading and languages are particularly weak. Grades 2 to 4 inclusive are attempting to read work far too difficult for them and should be given material of a difficulty a grade below their present classification. The work of the class in arithmetic is satisfactory. The Grade 2 pupils have not started cursive writing and should be started on this immediately.

Another extract I want to read is this:

Mr. CASTLEDEN: Could we not have the whole thing?

The WITNESS: Yes. I am quite prepared to place the whole thing on the record. What I want particularly brought to your attention now and put on the record is this:—

Mr. Fellowes is inclined to act without first being sure that his information is correct. He informs me that he has solicited the aid from some group in the town of Chilliwack to assist in paying the tuition fees for one of his pupils who expects to enter the Junior-Senior High School. This has apparently given the impression in the locality that the department is not willing to assist Indian pupils to receive a secondary education. Mr. Fellowes has now been correctly informed on this matter.

The first report of the Vancouver Daily *Province* with which I wish to deal is the one headed:—

VETERAN'S FAMILY FORCED TO LIVE ON CHILD GRANTS

INDIANS UNABLE TO OBTAIN "LAND AND BENEFITS"

The CHAIRMAN: And that is from the Vancouver *Province* of June 7, 1947.

The WITNESS: I should like to read the first part of this to give members of the committee other than the British Columbia members an idea of the statements that were made in the newspaper concerning this veteran's family:—

Gordon James is a strong, hard-working Indian who served three years overseas in the Canadian Armoured Corps. At present he is camping alone on an Indian reserve near Rosedale in the Fraser valley, clearing land for the day he can establish a home for his pretty wife, Martha, and their six children.

Conditions in the plain wooden cottage on Chilliwack reserve where the James family now lives are far from good. Each week-end Gordon comes home to see his family and asks if his "awaiting-returns" cheques from D.V.A. have finally come through. For, ever since Gordon James' war service gratuities were spent in June, 1946, the family has had no income other than the children's family allowance cheque—about \$33 a month.

Gordon James is an example of the sort of neglect that seems to be common among Indians. The sadly understaffed Department of Indian Affairs hadn't arranged for this veteran's awaiting returns benefits (provided under the Veterans' Land Act) to come through in almost a year.

And the next heading is:

"CANADIAN LEGION LODGES PROTEST"

And it goes on:

Last week the James case was being investigated by D.V.A. after protests from the Chilliwack branch of the Canadian Legion. And meanwhile, the three oldest children are picking berries across the border.

My children are working in Linden, Wash., to earn money to help us out and to buy clothes, as they have no clothes at all declared Mrs. Martha James, in a signed statement witnessed by Rev. Father Edward J. Clark and by George W. Fellowes, schoolmaster on the Chilliwack reserve.

It was Mr. Fellowes, a social worker with three university degrees, who notified the Vancouver Daily *Province* of the conditions under which the Chilliwack Indians were living. He sent his resignation to the Department of Indian Affairs, charging the department with lack of co-operation and indifference and stating malnutrition was rife on his reserve.

We have never received a resignation from Mr. Fellowes, either directly or indirectly. Now dealing frankly with the James case, I have phoned the Department of Veterans Affairs and checked with their supervisor of awaiting-returns benefits. I did this for the reason that we have no say whatsoever in the granting of awaiting-returns benefits. That is handled by the Department of Veterans Affairs. Usually they check with the Indian agent. This veteran I found had received \$871 in awaiting-returns benefits.

MR. CASTLEDEN: As of what date?

THE WITNESS: As of August, 1946; that is a year ago. As you know, Mr. Castleden, the veteran is entitled to twelve payments of a maximum of \$100 each, providing he makes a statement each month showing the reason why he is entitled to such returns. He received eight payments of \$100 each, and one payment of \$71; presumably it was a part of the month in which he made his first statement. They had received no further statement from him and that is the reason why awaiting-returns benefits were stopped. This report from which I will next read is that of the inspector of Indian agencies, Mr. Coleman, who works with Major MacKay in Vancouver. It is dated June 16, 1947, and it specifically deals with the various cases that the newspaper articles handled. The first extract from the report deals with the actual newspaper account. It really reiterates what is in here so I need not again read it. The second extract is one referring to the Vancouver Daily *Province* story of June 7, 1947, just read.

Mr. MATTHEWS: Who is this that is talking?

The WITNESS: This is Inspector Coleman who visited the reserve at our request to investigate the reports made by the Vancouver *Province* and the *News Herald* and he states:—

The facts of this case, as related to me by Mrs. Gordon James, are that while her husband was overseas she saved \$1,100 from her dependents allowances, investing it in Victory Bonds, and shortly after her husband's return he took these savings, purchased an automobile, picked up a woman in Vancouver and went on a drunken holiday, finally wrecking the car and returning to his family. These escapades and neglect of his family forced the Indian Agent to request discontinuance of the D.V.A.'s "awaiting returns allowances," of which he had been paid three monthly amounts of \$100.00.

And then we have the statement from D.V.A. that they paid up to \$871.

The payments were later resumed for three months but administered through the Indian Agent to ensure proper provision for the family.

In other words the agent had the payments stopped and had them started again but in the second instance he administered them for this particular Indian veteran.

While this man has drawn six months allowances, amounting to \$600.00, his clearing operations apparently consist of only slashing about three acres of timber, some of which he has sold. An application is now before the Department for the purchase of a team, which he has in possession, under his Veterans Land Act grant.

To leave Inspector Coleman's report for a moment I would say that we have had the application from this veteran for the usual \$2,320. It was passed about a year ago and he has spent about \$600 in the purchase of household equipment and a team of horses and other items which he requires on his farm. The main item out of the \$2,320 is the purchase of building materials and it is that item that has not yet been spent. Continuing with the report of Inspector Coleman:

The house in which the family resides is of frame construction, as are nearly all buildings in the Province. It had been fairly well constructed but in need of minor repairs. It was painted outside and reasonably clean inside, but contained only the barest essentials in furnishings, which is typical of Indian homes in the interior of the Province. There was a good sized lot around the house with fruit trees, but very neglected and overgrown with no garden. He also had other property on this particular reserve and it is hard to understand why he would put in work in uncleared land six miles away and not, at least, establish a garden on the Reserve where he would have the assistance of his family. Plenty of work has been available in the district and there is absolutely no necessity for any inferior standard of living in this family or the children having to work in the berry fields of the United States.

Now that deals with the Gordon James case.

Mr. CASTLEDEN: Does this report regarding Mr. James come from Mr. Fellowes or is this a different case entirely? I just do not get the link-up.

The WITNESS: To answer Mr. Castleden's question; Fellowes enters into the case because he notified the Vancouver *Province* of the conditions under which these Indians were living and apparently a newspaper reporter went down there to get a statement.

Mr. CASTLEDEN: From Mrs. James?

The WITNESS: No, but Fellowes signed the statement about "My children are working in Linden, Washington, to earn money to help us out and to buy clothes, as they have no clothes at all," declared Mrs. Martha James, in a signed statement witnessed by Rev. Father Edward J. Clark and by George W. Fellowes".

Mr. REID: Did Mr. Fellowes go out to secure that signed statement?

The WITNESS: That is something on which I have no information, unfortunately, Mr. Reid.

The next story is from the *News Herald* of June 12, 1947, headlined as follows:—

AUTHOR TO LIFT LID ON INDIAN RESERVES

U. S. MAGAZINE TO BARE STORY OF "DEPLORABLE" CONDITIONS

Mr. REID: That bears out what I said about the seriousness of the matter and the duty of this committee. They are going to publish these things across the line.

The WITNESS:

Chilliwack.—George Fellowes, \$125-a-month school teacher whose revelations of "deplorable" conditions on the Chilliwack Indian reserve, seem likely to lead to a Dominion-wide campaign, has been offered \$7,500 for a series of articles on Indian reserves.

The offer, he said Wednesday, has been made by an American news magazine and newsreel company. He has also been notified that Universal Pictures wants to visit him with a view to filming the conditions.

"I cannot, of course, keep a cent of the money," said Mr. Fellowes "It will all go to help the Indians."

Mr. Fellowes also revealed that he has been invited to Vancouver to meet the executive head of the Red Cross and that a Dominion-wide Red Cross campaign on behalf of the Indians is envisaged.

"BOMBSHELLS COMING"

Later, he will undertake a tour of B.C. reserves, although there may be legal difficulties in the way.

The greying, bespectacled teacher decided to bring the conditions of impossible to educate the children properly when so many of them left Indians to the notice of the public, he said Wednesday, because he found it school at an early age to work.

Mr. REID: How long did you say he had been in Canada.

The WITNESS: He started to work for us in December, 1946.

I have other bombshells in store he said.

For instance, I am investigating how a certain Indian agent was able to buy an \$18,000 house, and the transfer of a sum of money from an Indian for land purchase of which there is no written record.

Mr. REID: That looks like definite accusation against some official.

The WITNESS: The next heading is:—

"NOT AFTER PUBLICITY"

I am not after publicity for myself or money.

It is the Indian children of whom I am thinking chiefly.

Although Mr. Fellowes has been on the reserve only one year, coming here from Middlesex Priory, a school for mentally deficient in Harrow,

England, he is of Canadian parentage and is married to an American girl. He went to England 15 years ago and wears ribbons of the First World War.

"CONDITIONS WIDESPREAD"

Author of three books: "Chicago Child," "London Child" and "Insurance Collectors," he specializes in child psychology.

In spite of the fact that I have sent in my resignation as teacher, I am quite prepared to continue my work if the conditions which I have censured are remedied.

He said that the Roman Catholic Church wishes to recruit in England teachers like himself, interested in Indian children and welfare problems.

A personal representative of Cardinal McGuigan, former newspaperman Frank Bell, recently visited at the Chilliwack reserve in the course of an investigation of B.C. reserves sponsored by the Cardinal. Mr. Fellowes admits that conditions at Chilliwack are no worse than on other reserves. The chief points he advocates are old age pensions for aged Indians, mothers' allowances and better housing conditions.

The second item concerning "Further Bombshells" that he intends to throw and so on, is dealt with by Inspector Coleman, and this part more or less repeats the facts I have already revealed with respect to the variance between what he has claimed to us as his educational background and what he has given to the newspapers as his educational background. It is somewhat of a repetition but it deals with the overlapping of the years.

The CHAIRMAN: Do you want it written in our records?

The WITNESS: I can read it out, it will not take very long.

The press reports were considerably enhanced by Mr. Fellowes' claim to high academic standing, which stated that he "has enough academic background to be a university professor. He has a B.Sc. degree in social science from London University; an LL.B. and an M.A. from Oxford." In view of the great importance of such degrees to a teacher it is noteworthy that no mention of them was made in his formal application for the position, which shows that he secured Junior Matriculation at St. Joseph's R.C. School, Toronto, which he attended 1912-14. He claimed "senior matriculation and Catholic Teachers Course for special schools" in 1930 at Brompton Oratory, London, England, but stated that he had taken no senior matriculation in England and its universities had accepted his Canadian Junior Matriculation for his admission. His application shows that he took part time law studies at Jesus College, Oxford University 1931-32 and in the same form "from 1932 to 1940 conducted with my wife a special school for retarded and backward children." He assured me that he was a resident student at Oxford. His private school period 1932-40 also includes part of the 1938-41 period taking his B.Sc. degree by the London University, the balance overlapping into the period following the loss of his private school in 1940 until 1945, when he states he "acted as Assoc. Child Welfare Officer, Civil Defence." His form shows ten years teaching experience, which is not borne out by his own statements or any other evidence. He insisted that he had the degrees referred to and that he wrote part of his B.Sc. in German. I feel that these degrees should be verified.

The CHAIRMAN: I have just been informed that Brompton Oratory is not a school, it is a church.

The WITNESS: That is right, I know. However, I am not sure enough to make the statement here before this committee and that is why I have asked that this evidence be checked through External Affairs.

The press reports claim that he "promptly raised the school's standard from Grade 4 to Grade 8, taught history and geography for the first time, instituted hot meals at noon, doubled its attendance and instituted the B.C. Department of Education Course of Study."

He informed me, when seeking clarification of the Grade 4 to Grade 8 report, that he succeeded in bringing several Indian children from Grade 4 standing to that of Grade 8, but that these children were now all in the U.S.A. I don't think that such a claim warrants any comment, particularly in view of the fact that he did not commence teaching at the school until January last.

He stated that the children's education had been badly neglected by his predecessors, including Miss K. Finan, whom he succeeded. This teacher has taught for us in several schools, has professional standing and is held in the highest regard, not only by this Department, but the residents of Chilliwack and it was unfortunate that indifferent health forced her to accept a position at the Kamloops Indian Residential School, who also value her services very highly.

So far as his doubling school attendance is concerned, Miss Finan's last quarterly report showed an average attendance of 23.6 and that of Mr. Fellowes for the first quarter of 28.01.

Hot meals have been served the pupils of this school long before Mr. Fellowes took over and the Provincial Course of Study has been the standard for at least fifteen years, a number being purchased and distributed to the schools annually.

Mr. REID: That, then, was a misrepresentation about the hot meals.

The WITNESS: Yes.

He said that the reason for the migration of the Indians to the berry fields was to clear up their indebtedness in the local stores and that on the recent visit of Frank Bell, a reporter, stated by him to be Cardinal McGuigan's representative, they had both made a store to store canvass in Chilliwack securing from them a statement of indebtedness of their Indian customers. I informed him that I considered this an act of colossal impudence and that we would not tolerate such wholesale interference in the private affairs of an Indian. He countered by stating that he was an Indian Welfare worker and I informed him that he was employed as a Day School teacher for the Reserve and must act under the direction of the Indian Agent, referring such non-educational matters to him, a course that he was not prepared to follow giving as a reason that his demands were not met, informing us that he was having blankets shipped in for all the Indians from some outside organization. Being told that he could always get them for necessitous cases he claimed that he had asked for some recently without success. That he had made such a request was immediately denied by the Agent and nurse who were present.

Dr. Henderson, who is medical officer in Chilliwack, complained that the man persisted in issuing drugs to the Indians in quantity after he had instructed him not to do so, and requested the Agent to remove the remainder from the school.

Mr. REID: What kind of drugs would that be?

The WITNESS: Usually it is cough medicines and cold tablets. I would not like to vouch for what drugs actually were in the school. They are usually of a very minor nature.

The CHAIRMAN: Nothing dangerous.

The WITNESS: No.

He said that he was close enough to the village, about a mile and a half, to attend promptly to their medical requirements and would not tolerate this interference with his work.

Fellowes stated that the Indian Commissioner, when he visited the school with Major Davey, the Inspector of Schools, instructed him not to teach religion. Having been previously informed by the Inspector that no such statement was made by the Commissioner, and being aware of Departmental policy on the subject and the instructions printed on the school register setting aside twenty-five minutes a day for such instruction, I told him that he was wrong in making such a statement. This resulted in an exhibition of temper, claiming that he was being intimidated, that I was "just another Major MacKay" and that he "would get me with the rest of them" and ordered me to leave the Reserve.

The next section I would prefer to read to the committee with the provision that it might be deleted from the record if you so desire. I will leave it up to the committee if you so desire.

The CHAIRMAN: Would it be agreeable to hear this first before we place it on the record?

Agreed.

(Off the record)

By Mr. Reid:

Q. I have a general question to ask. Before a teacher is appointed and after his application has reached the department, is his statement regarding his qualifications accepted or do you ask, before the teacher is appointed, that he submit testimonials and records to show and support the claims that he is making as to his educational qualifications?—A. It depends entirely on who recommends the teacher. After all, this man was recommended by both Archbishop Duke and Major MacKay and they both accepted him. When an application is submitted to the department naturally under those circumstances it is not normal to check. If, however, some person makes a straight application we always insist on the inspector's report and verification of qualification.

Q. What is this man's status now? Is he with the department or has he left?—A. He states in all his newspaper accounts that he has submitted his resignation to the department, but we have never received it.

Q. Have inquiries been made regarding the statement that he has submitted it?—A. We have wired Major MacKay requesting complete details as to where his resignation is or was sent.

Q. And do you still pay him, if he has not resigned?—A. I would not say that.

Q. Here is a case where a man is not only making public statements, not only throughout this country but in the United States and who is having articles printed with regard to various conditions after being only a short time in Canada. Is he going to be allowed to occupy his time doing that while he is a teacher for the Indian Affairs Branch?—A. I doubt that very much, but at the present time I have not the information from Major MacKay to enable me to give you the answer to that question.

Q. Is it true that he chased or endeavoured to chase the Indian agent off the reserve?—A. He endeavoured—

Q. What took place? Did the Indian agent go when he was ordered off the reserve? It is important to know if a teacher on that reserve can order the Indian agent off the reserve for carrying out his duties, and particularly if the Indian agent complies with the request, when the Indian agent is the supervisor both of the reserve and the school.—A. In that regard, unfortunately,

I have not a letter here which I thought I had, but I can give you the information that he did order Inspector Coleman off the reserve. That statement was made by Major MacKay in a recent letter which I have not with me.

By Mr. Richard:

Q. Is that man still employed as a teacher?—A. We are waiting, as I say, for Major MacKay to verify a telegram which we have sent to him before I can answer that question.

Q. Is he on the pay-roll?

Hon. Mr. STIRLING: Is he still at this school?

The WITNESS: That is right.

By Mr. Reid:

Q. Would you state in the light of the evidence you have given this morning that most if not all of the statements made by Mr. Fellowes are erroneous?—A. I would say that the statement with regard to the named veteran's family, the statement with regard to the school, and the statement about the general welfare conditions are completely erroneous; that a mixture of untruth and half-truth has been concocted to give an entirely wrong picture of the conditions that exist on the Skwah Indian reserve.

Q. Would you go as far as to say that his qualifications, according to his statement, are not good?—A. I would not care to go that far until I receive other information.

By Hon. Mr. Johnston:

Q. You would not consider the department has sufficient information to suspend this man, would you?—A. I say quite probably that Mr. Fellowes has been suspended by Major MacKay, as he is the local official in charge. We will be hearing further from Major MacKay as time goes on.

Mr. CASTLEDEN: This man certainly has been reported on adversely. He has been charged with misrepresentation and making false statements and he has been attacked. I do not care how guilty he is, I think he has a right to be heard; and I would like to see us go into this matter completely. I do not think any person should be condemned without a hearing, and if this man has statements to make I think, perhaps, he should be asked to make them before this committee, if necessary, so as to clear this matter up. At any rate, it has come out of the discussion that the department has been hiring on recommendation teachers who are not fully qualified. Following that up, I suggest that perhaps we could get a report from the department as to how many teachers have been employed as teachers in the Department of Indian Affairs who have not proper qualifications. Probably if this kind of thing has happened it may be more common than we suspect. I wonder if we could get some figures in that regard?

The CHAIRMAN: Before we do that, may I say this to the committee, that in the first instance we were not the aggressors and the department was not the aggressor. The matter was brought forward by Mr. Fellowes whilst in the employ of the Department giving statements to certain newspapers.

Mr. CASTLEDEN: That is right.

The CHAIRMAN: We have not laid any charge against Mr. Fellowes. We have not said anything about him. It is he who has charged the government and who has charged the Indian Affairs Branch. Now, there must be an answer.

Mr. CASTLEDEN: I agree to that.

The CHAIRMAN: Now, if Mr. Fellowes wants to go any further in this matter we must be willing to go with him.

Mr. REID: Mr. Chairman, I believe I was perfectly right in bringing this matter to the attention of the Indian department and to this committee—particularly this committee. This committee, of which I am a member, was particularly under some stigma for neglect. This man went to the press and made these statements, and I make no apology for asking for an answer from the officials. Now, the answer is on the record and if Mr. Fellowes wants to do anything further about it we are here.

The CHAIRMAN: It is regrettable—

Mr. REID: We have never attacked him.

The CHAIRMAN: It is regrettable that a man of this type would not wait until at least he had got his feet muddy with the soil of our country before he started making attacks on the department which employs him.

Mr. CASTLEDEN: He was recommended by certain people.

Hon. Mrs. FALLIS: I understood Colonel Neary to say that this appointment was made on two recommendations and that one recommendation was from Major MacKay. Did Major MacKay not check on this man's credentials before recommending him?

The WITNESS: That is something I cannot answer.

Hon. Mrs. FALLIS: It seems to me if he did not that he as an official was very negligent.

The WITNESS: Senator Fallis, if I were to produce for you here, as I certainly wish the committee would let me do, the application form of Mr. Fellowes I think you would agree, in view of the great shortage of teachers that exists across this country and the number of non-qualified teachers who are being hired by the provincial departments of education that there would be no doubt that he would be a satisfactory teacher.

Hon. Mr. FALLIS: It seems to me it would have been a very simple matter, if he claimed to have certain degrees, for Major MacKay to ask to see his certificates.

The WITNESS: That is something I cannot answer. He stated—and this is one thing I believe he is correct in—that he had a permit from the British Board of Education to conduct one of these—I believe they are called special schools in the old country. The name has been changed recently and I believe they are now called approved schools. He stated he had taught at that school for ten years. Apparently that information is correct. As far as we can find out, a man of that teaching experience is a lot better than some of the teachers—(at least on the surface)—that we have in our schools to-day and who are teaching white children in the provincial schools.

The CHAIRMAN: Thank you, Colonel Neary. If that closes the matter we will now proceed to examine Dr. Moore.

P. E. Moore, M.D., D.P.H., Indian Medical Services, Department of National Health and Welfare, recalled:

The CHAIRMAN: Now, I believe at our last meeting certain members submitted questions, and I wonder if, for the purpose of facilitating the work of the committee, we could know those who have submitted all their questions and those who still have questions they desire to ask of Dr. Moore? I shall prepare a list now of those who wish to ask further questions of the witness.

Now, shall we commence with Mr. Reid who was questioning Dr. Moore at the termination of our last meeting?

Mr. REID: Does the committee wish answers from Dr. Moore? There were certain answers he was going to give but which required a short time to prepare.

The CHAIRMAN: I believe that Dr. Moore has some other matters he would first like to submit to the committee.

Mr. REID: I asked a number of questions; and he was to give us the answers to-day.

The CHAIRMAN: Dr. Moore is going to make a general statement on another matter as well.

The WITNESS: Mr. Chairman and members of the committee, an honourable member of the committee has brought to my attention a clipping from the *Kelowna Courier* dated June 12, 1947, which is headed:

DOCTOR DECLARES NATIVE INDIANS ARE BECOMING EXTINCT BECAUSE OF T.B.

This news item goes on to state:—

The British Columbia native Indians, as a race, are becoming extinct. Too late, the government has realized the tremendous inroads made on the province's Indian population by tuberculosis. The true B.C. Indian will soon be no more.

Members of the Junior Chamber of Commerce, at their regular monthly dinner meeting at the Royal Anne Hotel last Thursday, sat stunned as Dr. Gordon Wilson, of Kelowna, disclosed how the despoilment of T.B. had doomed the Indians in this province.

Dr. Wilson, taking exception to the "poor treatment" of the Indians as a whole, told the Jaycees that since the turn of the century, 50 per cent of the B.C. Indians had died from the slow death of tuberculosis.

And to further quote Dr. Wilson:

Something is being done now, but it is too late to save the Indian population. He disclosed that 75 per cent of the B.C. Indians have active or inactive tuberculosis.

Now, in commenting on that statement . . .

Mr. REID: Who made it?

The WITNESS: Dr. Gordon Wilson, of Kelowna, B.C., according to this press report. In commenting on this I should like to state that the statements are quite inaccurate. The Indians in Canada have been steadily increasing in number since the turn of the century. Unfortunately, I have not a copy of the 1939 census here, but I recall a figure for the whole of the Indian population which was 118,000-odd whereas the 1944 census, which I have before me, shows a total Indian population now of 125,686. This figure will not record the number of Indians who have become enfranchised during that period, which would be considerable.

Mr. HOEY: About 500 a year.

The WITNESS: About 500 a year. In five years there would be another 2,500 added of an increase. I think that discounts the statement that the Indians as a race are becoming extinct, and we know—and I make this statement—that the British Columbia Indians have as healthy an increase as have the Indians in any other part of the country.

Certainly, a very erroneous conclusion can be drawn from this statement that 75 per cent of the B.C. Indians have active or inactive tuberculosis. To make a fine scientific distinction, I suppose most of us in this room have had tuberculosis. That is, if an allergy test were made of our skin it would show that at some time in our career we have become infected with the tubercle bacillus. I know I have myself, although I have never suffered from tuberculosis. However, I think that would be the case with most of the people in this room. We have done very extensive X-rays of the Indians in British

this room. We have done very extensive X-rays of the Indians in British Columbia. We have been X-rayed in the last four or five years, and I think our average shows about 3 per cent as having the actual disease.

Now, in my statement regarding hospitals you will recall that I said we are at present operating three hospitals exclusively for the treatment of Indians and in which the majority of the beds are used for the treatment of tuberculosis. Three miles from Chilliwack we have 185 beds; we have 200 beds at Nanaimo and 150 beds at Prince Rupert; and we have on our staff some of the outstanding tuberculosis specialists of Canada, and we are conducting a campaign for the eradication of the disease that is second to none anywhere in the province of British Columbia.

Now, we must admit that our rates in the past have been high. Tuberculosis is the leading cause of death among the Indians, but at the same time I think the department is doing practically all that can be done to eradicate this disease.

By Mr. Castleden:

Q. Have you made any of the other tests, apart from the skin test? One test, I understand, reveals the extent of the activity of the T.B.—A. No, that is not quite correct. The Mantoux test, the skin test with tuberculin, only reveals whether or not the patient at some time or other has had tubercle bacillus in his body.

Q. And now the result of that test is classified as 1, 2, 3 and 4?—A. No. That classification can be used, it is often used; but it only shows positive and negative classification. The 1, 2, 3, 4 is quite meaningless.

Q. It is just positive or negative?—A. Yes.

Q. Have any of these skin tests been given to any group of Indians, or has that service been used to any extent?—A. Yes. The general practice with the adult population is to X-ray everybody, but when you are dealing with the children the general practice is to skin-test the children as you will find quite a number of children with skin negative and where you have a negative test there is no use X-raying them.

Q. What do these tests show as to the extent of tuberculosis in Canada among the Indians?—A. I have no accurate figures. They vary a great deal. You will find bands that probably have not had a great deal of contact with tuberculosis and their tests would be largely negative, according to the skin test, while another band may have a very high percentage. Really, the ones with the negative skins—this is a very intricate subject, and potential developments through later contact may have a series of major consequences. When they become exposed to this disease it is not at all unlikely that they may very rapidly succumb.

Q. Is that what you are doing at Coqueleetza?—A. No. That is why we recommend the use as soon as possible of what we know as B.C.G. When that is used properly it changes the skin reaction from negative to positive, and that change shows an immunity to the tubercle bacillus.

Q. Is that being used now?—A. Yes, it is being used by Dr. Barclay at Coqueleetza, and by Dr. Galbraith.

Q. Who are the doctors you named?—A. Dr. Barclay at Coqueleetza and Dr. Galbraith at Miller Bay hospital at Prince Rupert. Those are the two who are presently using it in British Columbia; but we will extend it as soon as possible throughout Canada.

The CHAIRMAN: Now, somebody had a question to ask; it was Mr. Richard, I believe.

By Mr. Richard:

Q. Who is this Dr. Wilson, is he in the employ of the department?—A. No, he is not employed by this department. I am not sure whether he is employed by the provincial government or not but I am going to check on that.

Mr. REID: One thing this committee has done has been to create a great deal of interest throughout the country in the Indians. A lot of people that never gave them a thought before, are now thinking about the Indians. To me, I think that is all to the good. I make no apology to any man for that statement.

The CHAIRMAN: I do not think you should. I think you can thank the newspaper gentlemen who have been in attendance here for a lot of that. Their reports have created a great deal of interest in the Indians.

Mr. MATTHEWS: Where is that doctor located, did you say?

The WITNESS: That report is from Kelowna, B.C.

Mr. MATTHEWS: Mr. Chairman, I was going to suggest that a marked copy of Dr. Moore's statement be sent to Dr. Wilson at Kelowna.

The CHAIRMAN: Is that agreeable, gentlemen?

Carried.

The clerk will see that that is done.

Have you anything else that you would like to add by way of a general statement before retiring, Dr. Moore?

The WITNESS: I think that is about all. I will now proceed to answer the questions Mr. Reid left with me the other day. Before giving the specific information I would like to make a general statement on the subject and to repeat what I said before; we deal with some 450 to 500 hospitals across Canada, and there are very many factors which enter into the cost of hospitalization and the rate paid. For instance, a hospital operating in a remote area has high costs, particularly of transportation, of supplies; they cost more to operate, fuel has to be shipped in. Then, too, some hospitals supply very complete service which costs more money. The little hospital in the hinterland which we probably should not call a hospital at all—there is no doctor in attendance—takes in patients and does what it can for them. The larger expenses are pretty generally confined to the personnel and to the food and heating costs, and, compared to modern city hospitals the costs of treatment available is away out of comparison. Therefore, I try to make this point; to use just purely the rates is not an indication of the service or operative costs of the institutions. I collected information which I will put on the record of costs of operating departmental hospitals; that is, those which are fully owned, staffed and operated by this service. And, as I read them off there are certain explanations which it is necessary to make; otherwise you will certainly question the wide variance in the per diem cost per patient.

INDIAN HEALTH SERVICES

June 17, 1947.

HOSPITALS	COST PER DAY
Lady Willingdon Hospital, Ohsweken, Ont.	\$2.4145
Manitowaning Indian Hospital, Manitowaning, Ont.	2.83
Squaw Bay Indian Hospital, Fort William, Ont.	1.6635
Fisher River Indian Hospital, Hodgson, Man.	2.7685
Fort Alexander Indian Hospital, Pine Falls, Man.	3.3783
Norway House Indian Hospital, Norway House, Man.	2.4399
Dynevour Indian Hospital, Selkirk, Man.	1.9309
Clearwater Lake Indian Hosp., The Pas, Man.	5.7005
Qu'Appelle Indian Hospital, Fort Qu'Appelle, Sask.	1.95
Blackfoot Indian Hospital, Gleichen, Alta.	1.9732
Blood Indian Hospital, Cardston, Alta.	1.538
Morley Indian Hospital, Morley, Alta.	5.7251
Sarcee Indian Hospital, Calgary, Alta.	—
Peigan Indian Hospital, Brocket, Alta.	4.6107
Charles Camsell Indian Hospital, Edmonton, Alta.	4.084
Coqueletza Indian Hospital, Sardis, B.C.	2.673
Miller Bay Indian Hospital, Prince Rupert, B.C.	—

(From latest Audit Reports.)

Lady Willingdon hospital, Ohsweken, Ontario, on the Six Nations reserve, \$2.41 per day. This is a busy hospital with almost full surgical facilities. Major operations are done in this hospital; and if less surgery were done the cost would be somewhat lower.

Manitowaning Indian hospital at Manitowaning, Ontario. This is a residence which was purchased in the town and converted into a small hospital. It has been used for keeping tuberculous Indians. Treatment facilities were not sufficient there to warrant using the full capacity of the hospital and it is often not operated to full capacity. It is only a small institution. We were able to give about sixteen and then we installed X-ray equipment which took up the space of four beds and that has cut down its capacity to twelve beds. The staff there could probably take care of an institution twice the size, and it is the intention in future to use it more as a nursing station and for a maternity station, and when we do that I think we will find that our cost will come down. At present the cost is \$2.83.

Squaw Bay Indian hospital, Fort William, Ontario. This is a building which was obtained on the reserve and remodelled so that 20 tubercular Indians could get treatment there under the direction of the Fort William sanatorium, so these Indians are under first class auspices and we are operating there at a cost of \$1.66 per day.

Fisher River Indian hospital, Hodgson, Manitoba. That is in on the reserve in northern Manitoba, at Hodgson, and our costs there are \$2.76 per day.

Fort Alexander Indian hospital, Pine Falls, Manitoba. We have just recently had a full time medical officer there and the best use has not been made of this institution as yet. We know that when used in the manner that it should be, our per diem costs probably will come down a great deal.

Norway House Indian hospital, Norway House, Manitoba. This is an inadequate plant and expensive to operate but still it has done a great deal for the people there. It has been operated in a remote section of the country at a cost of \$2.43 per day.

Dynevov Indian hospital, Selkirk, Manitoba. This is a 50-bed hospital operated for us by the Sanatorium Board of Manitoba where tuberculous Indians get first-class treatment at \$1.93 per day.

Clearwater Lake Indian hospital, The Pas, Manitoba. This is also operated by the Sanatorium Board and in both of these institutions—I refer to Dynevov Indian hospital too—the salaries of the medical officers are included in the figures. In this case it is \$5.70 at the present time; but there are other factors which make this cost out of line with our other institutions; first, it was an American army hospital and was designed more for a dispersal unit rather than for economy of operation, and to correct that a contract has now been let which will give us another 100 beds and once those beds are in operation I will predict that our costs will be less than half what they are now. Secondly, in this figure, I cannot tell you how much capital account has been included. I fancy there is a considerable amount of capital cost in that, so it is not an accurate figure because of that.

One of our oldest institutions and one of the hospitals which has done the best work among the Indians is at Fort Qu'Appelle, Saskatchewan; and our most recent cost there is \$1.95 per patient day.

Blackfoot Indian hospital, Gleichen, Alberta, is operated at a cost of \$1.97 per day. The Indians are paying this operating cost from their own band funds, in the case of this hospital on the Blackfoot reserve.

Blood Indian hospital, Cardston, Alberta, costs \$1.53 per patient day.

Then, there is a small hospital, the Sarcee Indian hospital, on the Sarcee reserve near Calgary; that hospital operates at a cost of—sorry, I haven't the cost of that here.

Then there is the Morley Indian hospital, at Morley, Alberta, which operates at a cost of \$5.72 per patient day; but, again, to give an explanation of that figure, this property should not be classed as a hospital; it is more of a nursing station where we can keep a resident nurse and an assistant. They take in emergency cases and they keep them there until they can be transferred elsewhere; and the nurse uses it as headquarters for her reserve, and that cost is all reflected in the per patient day cost, which is hardly fair.

The Charles Camsell Indian hospital, Edmonton, Alberta. This is a new, large hospital which we took over from the American army. It is a 350-to 400-bed institution giving the most advanced treatment that is obtainable on the North American continent. There is no place on the North American continent where any more advanced surgery can be done than is being carried out at this hospital, giving such operations as the removal of a lung and operations on the heart. These are being done in our hospital; even provincial patients are referred there for special treatment. That operates at a cost, including medical staff, of \$4.08 per patient day. That is in the city of Edmonton.

Coqueleetza Indian hospital, Sardis, British Columbia. Again, expert treatment is carried out under the direction of a skilled medical staff. That is operated at a cost of \$2.67 per patient day. That would be comparable to one of the provincial institutions such as Prince Albert or Fort Qu'Appelle provincial sanatoriums, where their costs are, in the case of Fort Qu'Appelle, \$4.50 per patient day, and in the case of Prince Albert, \$4.50 per patient day.

By Mr. Reid:

Q. Right there, Dr. Moore, may I ask if that Edmonton hospital with a capacity of 450 beds is a general hospital, just to cater to all diseases?—A. Not 450; it is from 350 to 400. One small section of the hospital is used for maternity cases for the reason that there are Indian bands near Edmonton, and we have probably 20 or 30 beds for general work.

Q. I think you already said there was a hospital at Coqueleetza which cost \$2.67; compared to Edmonton the hospital at Coqueleetza is for T.B. and nothing else. I would not presume to go against your opinion, but according to my view I think these hospitals could be run much cheaper if they had everything up to date.—A. If you go into expensive surgery such as we require to do in Edmonton that would not be entirely the case. I think that is demonstrated in the provincial institutions. I know at the Weston Sanatorium, where they do expensive surgery, the cost rose to \$4.69, as I recall it; and some of the other Ontario provincial institutions were in the neighbourhood of \$3.30. I think the average is \$3.35.

By Mr. Castleden:

Q. You gave the cost as \$4 per day at Fort Qu'Appelle?—A. The provincial government hospital, that is at Fort Sand. The hospital at Fort Qu'Appelle works out at \$1.95 per patient day.

Q. Those are the departmental hospitals?—A. Yes, the others are provincial, operated by the Saskatchewan Anti-Tuberculosis League.

By Hon. Mr. Stirling:

Q. Did I understand you to say that these figures do not take into account interest on capital account?—A. That is correct.

Mr. FARQUHAR: Mr. Chairman, is it understood that we are to ask questions as the doctor proceeds?

The CHAIRMAN: The doctor is making a general statement now. I will admit that I have been very lenient, to say the least. If it is your pleasure we will let him complete his statement without questioning. I think the questions so far have not been ones that have been prepared by the members but more generally have a pertinent and direct bearing on a particular statement.

Mr. FARQUHAR: I thought probably you had changed your decision because they were all to ask questions now.

The CHAIRMAN: I did not intend to change the method although I have been very lenient. If it is the wish of the committee I would be glad to tighten up.

Mr. REID: Personally, I cannot see any objection to having a question asked on a very pertinent point when a man is making a statement.

Mr. FARQUHAR: I am not objecting, I am just asking if the system has been changed.

The CHAIRMAN: It has been the practice of the committee to permit the statement to go in and then ask questions. As this is a very short statement I have been very lenient.

Mr. FARQUHAR. Well there were two or three questions that I would have liked to ask.

The CHAIRMAN: Do you want to ask them on this particular statement?

Mr. FARQUHAR: Yes.

By Mr. Farquhar:

Q. It is in connection with the Manitowaning Hospital. The Doctor mentioned the cost but I did not get the cost per day.—A. The cost per day where?

Q. At Manitowaning?—A. \$2.83.

Q. You have a full-time doctor there, does that include any portion of his salary?—A. No, this figure does not include the doctor's salary.

You mentioned that this hospital was to be turned into a nursing station, what is the reason for that when you have a full-time doctor employed there?—A. Well for a place of that size it would be very expensive to put in complete surgical facilities. We think we will use it primarily for maternity work and medical cases, and for a headquarters for nurses who will do travelling work to the reserves; also, the doctor will hold his clinics there. There is X-ray there now. Surgical cases will be sent to Mindemoya or to Little Current.

Q. The hospitals at Little Current and Gore Bay I understand do not accept tuberculosis cases?—A. Well we cannot say that we have ever considered our treatment at Manitowaning was adequate. It was more with the idea of isolation when sanatorium beds are so scarce. We have been getting most excellent co-operation from the Ontario division of tuberculosis control. Their officials have always given us better than a fair break on their waiting lists. When they have waiting lists we often get preference.

Q. Where is the closest tuberculosis hospital serving this section?—A. Gravenhurst. Now I attended a meeting about a year ago in Sudbury and there is a plan under way to build a sanatorium that will serve Sudbury and the Sault Ste. Marie district and we are watching developments and if it looks to be to the advantage of our Indian health program we will recommend to the government that it make a grant to this institution to make a number of beds available at Sudbury. I understand that plan is going ahead soon and if it does we certainly could not want to undertake tuberculosis care at a little place like Manitowaning. We feel much better use could be made of the larger institution in our health program.

Q. Wikwemikong is, I think, one of the largest reserves in the province of Ontario if not on the continent. Having so many Indians in that district I thought the department might consider having a tuberculosis hospital somewhere centrally located?—A. In our experience, to get fully adequate treatment, it is necessary to be able to put on a big enough staff. If you get much under 75 beds it becomes a very expensive operation.

Q. How many Indians do you consider it is necessary to have in a certain section before you would consider the building of a hospital?—A. Oh, I would

think about 5,000. You see there are quite good hospital facilities for so many Indians in that area, Sault Ste. Marie, Sudbury, North Bay, and Sturgeon Falls.

Q. I understand those hospitals there are filled to capacity practically all of the time?—A. I think that is true of all of hospitals in Canada. There is a shortage of hospital beds everywhere. .

The CHAIRMAN: Before we proceed, can we now decide whether or not we will meet this afternoon or to-morrow morning. You know the difficulty of meeting when the House is in session with so many committees meeting and if it is agreeable I would suggest that we meet to-morrow morning.

Agreed.

We must finish to-morrow by one o'clock because Dr. Moore is leaving the city to-morrow.

Then, if it is agreeable, we will proceed with Mr. Reid's questions.

The WITNESS: I have finished placing on the record the cost of our departmental hospitals.

By Mr. Matthews:

Q. You mention one of the hospitals or perhaps more than one Doctor, where I understand you administer the hospital and the expenses are borne out of band funds?—A. That is correct in a few instances, and the Blackfoot Indian hospital is an example. At the Lady Willingdon hospital the Six Nations band pay the salary of one medical officer and the government pays all the rest of the expenses.

Q. Is the band represented in any way such as on the hospital board or anything like that?—A. Where the band is supplying the money it would have a vote on the council and the council would recommend to the department how much money would be set aside for the particular purpose.

Q. How does the per diem cost there compare with the others?—A. Do you mean the Blackfoot?

Q. Yes, I am talking of the expense of running that hospital?—A. It is low, very low.

Mr. BRYCE: \$1.97 per day.

The WITNESS: Yes, \$1.97. You will find everywhere that reference is made to the fact that hospital costs are up to about \$5 a day and so if we can operate for \$1.97 we feel we are getting pretty good value.

Mr. MATTHEWS: Would the fact the band funds are used is associated in any way as a contributing factor to the lower cost?

The WITNESS: No, it is operated exactly the same as the other institutions staffed with civil servants, and purchases are made through our purchasing division.

To proceed further with the reply to Mr. Reid's questions we made a full survey of all our costs of operation in all institutions in Canada and it took a clerk over two months to compile these figures last year. The latest available full figures are for 1945 and the very extensive list which I handed to Mr. Reid contains that information. I will leave it with the committee as I do not think it would serve any purpose in putting in on the record, and, again, the costs as recorded there will have doubled by now.

The CHAIRMAN: Which statement is that?

The WITNESS: That is a statement of rates paid for hospitalization in all hospitals in Canada where we have patients, regardless of who operates the hospital.

By Mr. Castleden:

Q. And what was the total expenditure of hospitalization at that date?—
Have you any figures on that?—A. It was between \$750,000 and \$1,000,000.
I think the exact figures show on the statement.

Q. And this year you have in your estimates, I notice, the figure \$2,000,000?
—A. Yes, that is the primary. Hospital bills are paid from that but expense of
operating our own hospitals would not be included under that primary; it will
be in other primaries.

By Mr. Lickers:

Q. You say the increase over 1945 up to now is almost double the cost?—
A. In many instances. In Montreal up to 1945 we were paying \$2.50 to the
Montreal General, and I think \$3, and later \$3.50, to the Royal Victoria.
Those hospitals are both demanding \$6 a day now.

Q. What about the per diem cost of government hospitals, has that
increased proportionately?—A. No, there has not been a proportionate increase
in our costs. They have gone up, but they have gone up to the extent city
hospitals are claiming, and for which they produce figures substantiated by
audited statements.

Q. What percentage of increase would you say there was in the govern-
ment hospitals?—A. I think 20 per cent would be about as accurate as I could
estimate. Some of our costs are still not reflected because we have had very
marked salary increases but those have only been in effect for three months.

The CHAIRMAN: I think we will have to adopt our regular practice of
letting Dr. Moore complete his statement and then we will ask him questions.
Following Mr. Farquhar's suggestion, if it is agreeable we will proceed without
questioning.

Agreed.

The WITNESS: Running over this list of charges I will just pick out, at
random, a number of hospitals across the country where there are large numbers
of Indians hospitalized from time to time. The per diem rates in the Vancouver
General Hospital are \$3.50; in Nanaimo General Hospital \$3.50.

Saskatchewan is in a little different category because the government of
that province brought forward a scheme of hospitalization where they are
paying hospital costs for patients admitted to Saskatchewan hospitals. They
forward each month a list of what the province is paying and we pay practi-
cally similar rates when Indians are admitted to Saskatchewan hospitals.

The whole question of rates paid to hospitals has been a very contentious
one. We have endeavoured as far as possible to protect our Vote and get the
best deal we can with any hospital and keep our costs down, trying to get value
for what we are spending but we have had many arguments on rates with a
great many hospitals. We are at the present time revising our whole structure
of rates paid and most of the figures I am quoting to-day will probably be
inaccurate to-morrow, particularly since Dr. Procter has just returned from a
trip across the country visiting those institutions and getting their complaints
at first-hand.

By the Chairman:

Q. What is Dr. Procter's position?—A. Assistant director of Indian and
Eskimo Health Service, in charge of administration.

Q. Connected with what department?—A. The Department of Health and
Welfare.

Q. And Dr. Procter is also present here to-day?—A. Yes. This list of
hospitals for Saskatchewan covers seven pages and, if it is the wish of the
committee, that can be put on the record (See Appendix GI) but they vary

from quite high, about \$4.75, to places where they are probably only nursing stations and there the rates are in the neighbourhood of \$2. \$5.35 is the rate at Saskatoon.

Mr. CASTLEDEN: Hospitals are classified according to the service they are able to give?

The WITNESS: There is a point system. Hospitals that have a fuller service, like the Saskatoon hospital, receive a higher number of points. The Saskatoon hospital rates 823 points and they get \$5.35 a day as compared to the Rose Gill hospital at Rabbit Lake which has only 588 points.

By Mr. Reid:

Q. Are you giving us the rates charged by the hospital or the cost of the patient in the hospital? That is important.—A. These costs that I am speaking of now are compiled by the Government of Saskatchewan Department of Public Health, Hospital Planning and Administration.

Q. I am not questioning them but the others you gave for Vancouver and Nanaimo. You are now dealing with Saskatchewan. Are those costs the rates which the hospital charges per day or the actual costs, because some of these hospitals are going in the red all the time?—A. They are the rates we are presently paying. Again I would state they are under adjustment at the present time.

By Mr. Castleden:

Q. What is the rate at Lestock?—A. \$3.86 per day.

By Mr. Reid:

Q. The figure which you quoted for Saskatchewan, is that what you are paying there? For Vancouver and Nanaimo you gave the figure of \$3.50 and you now mention a figure in Saskatchewan of \$4.75 and down to \$2.50 for nursing stations. Do those figures represent what you are paying or do they represent the costs of the hospitals? Let us have a clear picture. I am sorry I have not a clear picture in my mind.—A. Those are the only guides which we have at the present time for adjusting our rates unless we have negotiated a deal with the hospitals. They submit their actual costs to us.

Q. Are you paying from \$4.75 to \$2.00 in Saskatchewan? You gave those figures a moment ago.

Mr. BRYCE: Those are the actual costs.

The CHAIRMAN: Those figures represent what the Indian Affairs Department pays to the individual hospital.

Mr. REID: It is most important to know that.

By the Chairman:

Q. This is what the Department is paying to the individual hospital. This is the deal which the Department of Indian Affairs has been able to make with each separate hospital?—A. That is not quite 100 per cent correct. The list of figures which I am submitting for the record are those compiled by the Saskatchewan government as the rate that government will pay to Saskatchewan hospitals. You must understand we have accepted that schedule only very recently. There are some hospitals for which we are not following this schedule in its entirety. We are asking some, for instance, to accept a new-born child at less than the full rate for an adult.

Mr. REID: Your statement of a moment ago affects every member of this committee and every member of parliament because, as you know, we have been endeavouring through the various hospitals to have the Indian Department pay the same fee as private people and we have been given the brush-off. Now, we hear from you that you are paying from \$4.75 to \$2.00 in Saskatchewan. I am glad you are doing it. But, when you come to British Columbia, you are paying only \$3.50 in Nanaimo.

The WITNESS: Mr. Reid, I can only say in answer to that that I hope probably, this will clear it up in your mind. These rates have been adopted only in the last month or two. In all all British Columbia and other hospitals we are asking each institution to submit to us a statement of its cost for *public* ward care.

Now, I should like to make that latter statement very clear because there is a great discrepancy between public ward care and the total cost of running a whole hospital, including the private wards. We are attempting to negotiate a satisfactory rate for the hospital which it will accept and with which it will be satisfied. This whole rate structure is under review at the present time. I think Dr. Proctor has been spending almost his whole time on it. We will try to make a satisfactory adjustment.

Mr. REID: All I am saying is that I am sorry you are going away to-morrow because this is one of the most important subjects before this committee and we have only scratched the surface. I do not feel we are getting enough information and I doubt if we could get it if we sat up until one o'clock to-morrow. This matter affects every province and every hospital. I want to know what you are doing and whether there is any discrimination. You are telling us now you are getting out public charge rate which will be applied to some of the Indians. I am objecting to the Indians being charged public charge rates. They should be treated the same as other people.

The WITNESS: I fear you still misunderstand. We are not asking the rate for public ward care. We do not admit Indians as *private* patients. If you go to any hospital, there is a rate for public ward, for semi-private and for private wards. We have never felt justified in spending the taxpayers' money to provide more than *public* ward care unless the medical condition of the patient was such that his doctor certified to us that his life or recovery was in danger by not having *private* ward care. If he was that sick and required a special nurse, we did give that service.

By Mr. Reid:

Q. You have asked for that information from all hospitals throughout Canada, where Indians are admitted?—A. That is not quite correct. In so far as these institutions which object to our rates are concerned, we are in correspondence with them now before establishing a set rate. We will continue that policy of attempting to establish a rate which is mutually satisfactory to the hospital and ourselves.

Q. I do not know about the other provinces, but I know in British Columbia, nearly every hospital of which I know from one end of the province to the other, has been protesting the low rates provided them by the Indian Department for their Indian patients?—A. Mr. Reid is quite correct in that statement. It is a condition we are trying to remedy. We have had a disagreement of policy with the British Columbia Hospital Association. We do not feel we are justified in negotiating one flat rate for the whole province which is what we have been asked to do.

Q. You have just told me you are doing it in Saskatchewan?—A. No, these Saskatchewan hospitals are all classified according to the service the hospital renders. I will submit the statement for the record and you will see that is brought out clearly in it. (Appendix S.L.)

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Q. You have just told me you are doing it in Saskatchewan?—A. No, these Saskatchewan hospitals are all classified according to the service the hospital renders. I will submit the statement for the record and you will see that is brought out clearly in it. (Appendix S.L.)

By the Chairman:

Q. We understand that in Saskatchewan you made a different deal with each hospital according to what has been figured out by the Provincial Department of Health?—A. That is correct.

Q. So, each Indian then is given the same treatment as the white people in Saskatchewan?

Mr. REID: Personally, I can see nothing wrong with that at all. I want to see it extended to other provinces.

By the Chairman:

Q. I understand now you are trying to extend it to other provinces?—A. The Canadian Hospital Association has recommended payment of this upon a system; that is, a hospital which supplies all facilities as higher costs than a hospital which merely supplies bed care and nothing more. A hospital which supplies bed care and nothing more, certainly should not be paid the same rate as the Vancouver General. That is what we are asked to do, to make one flat rate for the whole province of British Columbia.

Mr. REID: The reason I interjected these questions was to try and get a clear picture in my own mind. I have not a clear picture. When you referred to Saskatchewan and mentioned the figures of \$4.75 and I looked back at Vancouver and Nanaimo and found the figure of \$3.50, it was then that I asked the questions. The \$3.50 which you mentioned is just a tentative amount until you get the statement from these hospitals as to their costs?

The WITNESS: Those rates are under discussion at the present time.

Mr. REID: Then, they are not comparable. The \$3.50 for Nanaimo and Vancouver is not comparable to the \$4.75 because you are asking these individual hospitals to send in their costs. I agree with that. I know that some of our hospitals are charging far more than \$3.50. Hospital costs have gone up everywhere. I am not sure what the rates in Vancouver and Nanaimo are but I am sure they are far more than \$3.50, the figures which you have given. I see these figures cannot be compared because one is just a tentative amount.

The WITNESS: Until a few months ago, we were paying the Saskatchewan hospitals \$2.00 per day and in some instances \$3.00 per day.

Mr. REID: I am glad to learn what has been done. It was not clear when you made your earlier statement.

By Mr. Matthews:

Q. You cannot make a flat rate for province and pay the same rate for all classes of hospital. That would be out of the question.—A. This has been one of the most difficult problems this service has had to deal with. The officers of the department have had a terrific amount of work and worry when they were trying to make the funds they had meet the hospitalization demands which were placed upon us. I think most of us have gone through times when there were not sufficient funds available and patients died outside of hospitals when probably hospital care would have saved them. That is a bad statement to have to put on the record but unfortunately it is true.

By Mr. Castleden:

Q. That is the only way we are going to have that matter brought up. Have you got figures with regard to what you pay in the outlying hospitals and nursing homes in British Columbia or Alberta?—A. In an attempt to try to clear this picture I divided them into departmental hospitals, general hospitals, across the country, and the type of hospital that we class as a mission hospital. Those are mostly operated by the missionary societies. Their patients are practically

all Indians. They have no other source of revenue except what we pay, or the odd indigent halfbreed who is paid for by the province or, if it is in the north west territories, that administration pays for the maintenance.

In general these rates again are in a period of adjustment. I have set a tentative rate in some cases and a firm rate in the others. As I explained at a previous meeting there were so many indirect subsidies being given to these hospitals we are just gradually getting it straightened out to bring into the clear what we really are paying.

Take, for instance, two of the mission hospitals, one at Chesterfield Inlet and one at Pangnirtung. While it appeared in our records we were paying \$2.50 a day I found the actual payment was nearer \$6, and that at those prices the mission hospitals were claiming they could not operate. As a trial for the period of a year I am giving them \$7 per day.

In fairness I must say I am not satisfied with the service we are receiving for that. I think it only fair to the committee that I make this statement, and I will make it prefaced by these remarks, that the church societies and missionaries undertook medical work among the Indians long before the government ever accepted responsibility in that regard. I think a great deal of credit should be given for what they have accomplished, often through devotion of their people who undertook those duties. However, as more funds are being voted by parliament to meet the obligations of medical service to the Indians our experience with mission hospitals is not altogether satisfactory. There are various reasons for that. I think the chief one is that the prime obligation that these people take on is the missionary effort amongst the people where they are working. Our experience with these mission hospitals is usually that the missionary effort overshadows their medical effort. Our medical people never have difficulties with the nurses, whether they be nuns who are nurses or whether they be lay nurses employed by the church, but they always seem to have difficulty with the missionaries themselves. The missionary thinks one thing and the doctor thinks another, and the missionary is running the hospital.

I know this a controversial subject, and I speak with some hesitation, but I think I owe it to the committee to place my views on record. We have had very unsatisfactory things occur in the past. We do not want repetitions of them. I can only say as honestly as it is humanly possible, that from the experience of myself and all our officers we firmly believe that where a hospital is serving solely the native population it should be fully under government direction. We feel that if the churches have an obligation now it is to supply the religious comfort they claim their patients need in those hospitals, and we will co-operate with them in every way humanly possible. We feel that ultimately we will have to bear all the costs involved and that we should have more control than we now exert.

To give further examples so as to clear my position and the position of my officers in this matter let me say that there is some resistance from missionary societies to people belonging to their faith being treated in a hospital belonging to one of the other missionary societies. We do not believe that it is practical to try to operate full treatment hospitals scattered around in these remote areas. It is impossible to get medical attention there, and things occur in those hospitals that should not. There should be medical attention everywhere but it is impossible. You only have to look at the map of Canada and see the numbers of people involved to realize that. We think, therefore, that this system of nursing stations, where patients will be evacuated to proper hospitals, is the system that should be employed. If these so-called hospitals operated by the missions continue to spring up all over the country we immediately get resistance to the transferring of patients. The staff there is not under our direction and we cannot get the patients sent out to proper hospitals. We

meet resistance. I do not say we cannot, but we meet resistance in transferring patients where we know they would get far more adequate attention and thereby probably recover to a greater extent, and certainly the length of treatment for which we pay a per diem charge, in every instance, would be lessened.

I hope I have made that point clear from my viewpoint. I know it does not meet with the full approval of the various missionary societies. I think you have have that recorded in their briefs here. Again I say it has been with much hesitation that I have made this statement.

Mr. CASTLEDEN: I think the committee appreciates that and will find it very valuable.

The CHAIRMAN: Have you finished?

Mr. CASTLEDEN: There is one question he did not quite answer.

The WITNESS: As to the rates paid I quoted the highest at Pangnirtung and Chesterfield Inlet.

By Mr. Castleden:

Q. That is in the northwest?—A. That is in the eastern Arctic.

By Mr. Reid:

Q. The highest is in the eastern Arctic?—A. Yes, \$7 a day for those two institutions. We have not cleared up the rates that are to be paid to mission hospitals operated by Bishop Trocellier under the Roman Catholic Episcopal Corporation of Mackenzie. He has five hospitals. Again the salaries of nurses were being paid in those hospitals, two nurses in some cases and one in others, and other payments were being made. In a number of cases the federal government contributed a grant towards the capital cost of the institution. We were paying rates there of \$2.50 and \$3 per day. We have tentatively raised those rates to \$3.50 per day. We have asked the church authorities to submit to us for analysis a statement of their costs, and this \$3.50 will probably have to be revised.

The same is true of the hospital operated by the Anglican church at Aklavik. This dual system of hospitals, which the department has been asked on many occasions to endorse, is exemplified at Aklavik where side by side stand two church hospitals. As an example of what medical opinion would be, if we were operating those hospitals we would utilize one of those institutions fully for the treatment of tuberculosis and the other for general cases. The way it is now if we are going to treat a tuberculous Indian from Aklavik without shipping him 1,400 miles to Edmonton he has to be put in wards with non-infections cases which is not medically sound. We can design hospitals, and they cost a good deal of money if they are done properly, where we can have a section of the hospital where tuberculosis can be safely treated and non-tuberculous cases safely treated, but it is impossible in those hospitals at Aklavik.

I do not think any other clear cut information would come out of such figures and statistics as we have available. Again I must say to the committee something I mentioned in my first statement that this service is terrifically handicapped by lack of space. I have three of my medical officers working in one small office. We have made arrangements with the Dominion Bureau of Statistics to give us a statistician. There is a girl trained in that work, and we have not got a square foot of space we can get her into to start her to work. I apologize for not having better statistics for the committee.

By Mr. Castleden:

Q. You are working on that. You are getting some millions of dollars for a building program in the estimates this year?—A. Unfortunately that is not to be spent in Ottawa.

The CHAIRMAN: It is 1 o'clock. There will be no meeting until tomorrow morning at 11. Mr. Reid, we hope you get started promptly with your questions tomorrow morning, if that is agreeable.

Mr. BRYCE: Let us start the questioning right away at 11 o'clock.

The CHAIRMAN: Unless something urgent and unforeseen comes up, and then I will not be responsible.

Mr. CASTLEDEN: Before we leave, I believe a letter has come to the committee from a group on the Caughnawaga reserve asking that Indian representatives be allowed to sit in with this committee.

The CHAIRMAN: Yes, I got a letter.

Mr. CASTLEDEN: The other matter I have I should like to put as a notice of motion. I wonder if the officials of the department would place on the record, or give us at some future time, the number of teachers employed in day and residential schools in each of the provinces and in the Northwest Territories along with their qualifications, those who are qualified and those who are not qualified, and in giving the qualifications give what school training, what normal school training and what special qualifications they may have, and if possible the length of time they have been teaching.

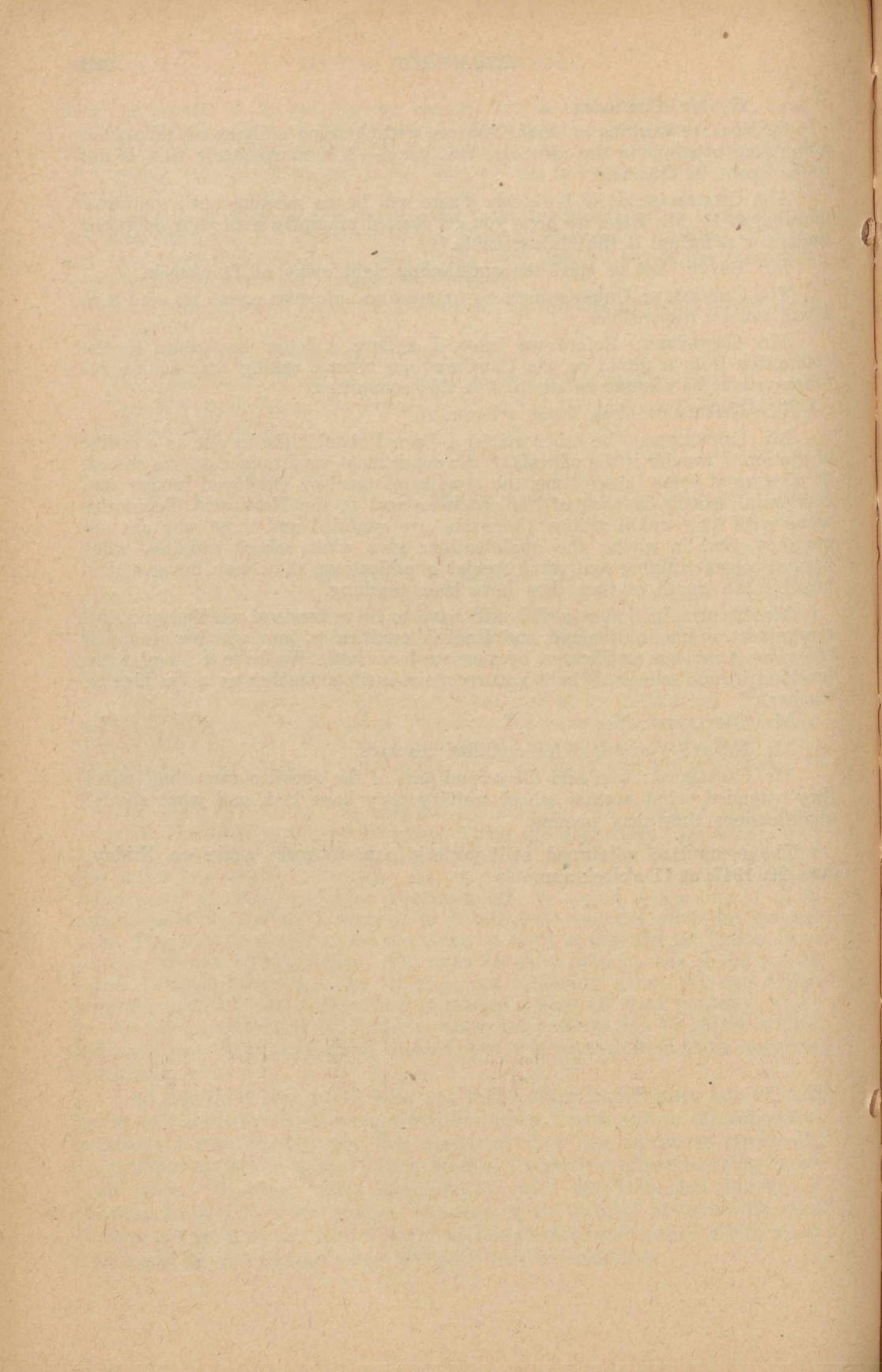
Mr. NEARY: In that regard it will have to be understood whether you will recognize training in England and English certificates, and whether you will recognize American certificates, because we have both. We have a lot of them teaching in our schools. Would you recognize such a teacher as a certificated teacher?

Mr. CASTLEDEN: Yes.

Mr. NEARY: You asked for qualified teachers.

Mr. CASTLEDEN: Yes, and the second part of the question was what school they attended, what normal school training they have had, and what special qualifications they may possess.

The committee adjourned at 1 o'clock p.m. to meet again on Friday, June 20, 1947, at 11 o'clock a.m.



APPENDIX GI

DEPARTMENT OF PUBLIC HEALTH
HOSPITAL ADMINISTRATIONREGINA,
2450 Broad Street,
April 5, 1947.Dr. H. A. PROCTER,
Assistant Director,
Indian Health Services,
Department of National Health and Welfare,
Ottawa, Ontario.

DEAR DOCTOR PROCTER:—

Re: 50-1 Sask.

Attached hereto you will find one copy of the list of rates payable to the various hospitals in the province of Saskatchewan for the month of April, 1947, from the Saskatchewan Hospitalization Fund.

Sincerely yours,

C. J. KIRK, M.D.,
*Director of
Hospital Planning and Administration.*

CJK: JD

Att. 1

RATES OF PAYMENT FROM THE SASKATCHEWAN HOSPITALIZATION
FUND FOR THE MONTH OF APRIL, 1947

APPROVED HOSPITALS—

Location	Name of Hospital	Number of Points	At rate of	At rate of	At rate of
			6.5 mills for first 10 days	6 mills for second 10 days	5.5 mills thereafter
			\$	\$	\$
ARCONA.....	Brock Union Hospital.....	634	4.12	3.80	3.49
ASSINIBOIA.....	Assiniboia Union Hospital.....	627	4.08	3.76	3.45
BALCARRES.....	Balcarres Union Hospital.....	625	4.06	3.75	3.44
BENGOUGH.....	Bengough Municipal Hospital.....	565	3.67	3.39	3.11
BIENFAIT.....	Bienfait Community Hospital.....	646	4.20	3.88	3.55
BIGGAR.....	St. Margaret's Hospital.....	686	4.46	4.12	3.77
BIRCH HILLS.....	Birch Hills General Hospital.....	610	3.97	3.66	3.36
BROADVIEW.....	St. Michael's Hospital.....	705	4.58	4.23	3.88
CABRI.....	Cabri Union Hospital.....	697	4.53	4.18	3.83
CANORA.....	Canora Union Hospital.....	684	4.45	4.10	3.76
CARROT RIVER.....	Mitchel Memorial Hospital.....	530	3.45	3.18	2.92
CENTRAL BUTTE.....	Central Butte Union Hospital.....	608	3.95	3.65	3.34
CUDWORTH.....	St. Michael's Hospital.....	711	4.62	4.27	3.91
DAVIDSON.....	Davidson Union Hospital.....	620	4.03	3.72	3.41
DODSLAND.....	Doddsland Union Hospital.....	543	3.53	3.26	2.99
EATONIA.....	Eatonia Union Hospital.....	631	4.10	3.79	3.47
EDAM.....	Lady Minto Union Hospital.....	594	3.86	3.56	3.27

RATES OF PAYMENT FROM THE SASKATCHEWAN HOSPITALIZATION
FUND FOR THE MONTH OF APRIL, 1947—*Concluded*

Location	Name of Hospital	Number of Points	At rate of	At rate of	At rate of
			6.5 mills for first 10 days	6 mills for second 10 days	5.5 mills thereafter
			\$	\$	\$
ELROSE.....	Elrose Union Hospital.....	653	4.24	3.92	3.59
ESTERHAZY.....	St. Anthony's Hospital.....	667	4.34	4.00	3.67
ESTEVA.....	St. Joseph's Hospital.....	712	4.63	4.27	3.92
ESTON.....	Eston Union Hospital.....	648	4.21	3.89	3.56
FOAM LAKE.....	Foam Lake Union Hospital.....	645	4.19	3.87	3.55
FRONTIER.....	Frontier Community Hospital.....	627	4.08	3.76	3.45
GRAVELBOURG.....	St. Joseph's Hospital.....	708	4.60	4.25	3.89
GRENFELL.....	Grenfell Union Hospital.....	670	4.36	4.02	3.69
GULL LAKE.....	Gull Lake Union Hospital.....	681	4.43	4.09	3.75
HAFFORD.....	Hafford Union Hospital.....	673	4.37	4.04	3.70
HERBERT.....	Herbert Community Hospital.....	582	3.78	3.49	3.20
HUMBOLDT.....	St. Elizabeth's Hospital.....	731	4.75	4.39	4.02
LE A LA CROSSE.....	St. Joseph's Hospital.....	—	4.04	3.72	3.41
IMPERIAL.....	Imperial Union Hospital.....	621	4.04	3.73	3.42
INDIAN HEAD.....	Indian Head Union Hospital.....	675	4.39	4.05	3.71
KAMSACK.....	King Edward Hospital.....	647	4.21	3.88	3.56
KELVINGTON.....	Kelvington Union Hospital.....	647	4.21	3.88	3.56
KERROBERT.....	Kerrobert Union Municipal.....	663	4.31	3.98	3.65
KINCAID.....	Kincaid Community Hospital.....	582	3.78	3.49	3.20
KINDERSLEY.....	Kindersley Union Hospital.....	658	4.28	3.95	3.62
KINISTINO.....	Kinistino District Hospital.....	636	4.13	3.82	3.50
LAMPMAN.....	Lampman Union Hospital.....	641	4.17	3.85	3.53
LASHBURN.....	Lashburn and District Union.....	645	4.19	3.87	3.55
LEADER.....	Leader Town Hospital.....	600	3.90	3.60	3.30
LESTOCK.....	St. Joseph's Hospital.....	594	3.86	3.56	3.27
LLOYDMINSTER.....	Lloydminster United Municipal.....	692	4.50	4.15	3.81
MACKLIN.....	St. Joseph's Hospital.....	703	4.57	4.22	3.87
MAPLE CREEK.....	Maple Creek Union Hospital.....	703	4.57	4.22	3.87
MEADOW LAKE.....	Meadow Lake Community Hospital.....	621	4.04	3.73	3.42
MELFORT.....	Lady Minto Hospital.....	677	4.40	4.06	3.72
MELVILLE.....	St. Peter's Hospital.....	705	4.58	4.23	3.88
MILDEN.....	Milden Community Hospital.....	599	3.89	3.59	3.29
MOOSE JAW.....	Moose Jaw General Hospital.....	794	5.16	4.76	4.37
MOOSE JAW.....	Moose Jaw Providence Hospital.....	750	4.88	4.50	4.13
MOOSOMIN.....	Moosomin Union Hospital.....	650	4.23	3.90	3.58
NIPAWIN.....	Nipawin Union Hospital.....	689	4.48	4.13	3.79
NOKOMIS.....	Nokomis Community Hospital.....	619	4.02	3.71	3.40
NORTH BATTLEFORD.....	Notre Dame Hospital.....	696	4.52	4.18	3.83
OSBOW.....	Oxbow Union Hospital.....	620	4.03	3.72	3.41
PARADISE HILL.....	Paradise Hill Community.....	578	3.76	3.47	3.18
PONTEIX.....	Gabriel Hospital.....	666	4.33	4.00	3.66
PRECEVILLE.....	Preceville Community Hospital.....	605	3.93	3.63	3.33
PRINCE ALBERT.....	Holy Family Hospital.....	762	4.95	4.57	4.19
PRINCE ALBERT.....	Victoria Hospital.....	749	4.87	4.49	4.12
RABBIT LAKE.....	Rose Gill Hospital.....	588	3.82	3.53	3.26
REGINA.....	Regina General Hospital.....	815	5.30	4.89	4.48
REGINA.....	Regina Grey Nun's Hospital.....	814	5.29	4.88	4.48
ROSETOWN.....	Rosetown Union Hospital.....	689	4.48	4.13	3.79
ROSE VALLEY.....	Rose Valley Union Hospital.....	619	4.02	3.71	3.40
ROSTHERN.....	Rosthern Community Hospital.....	623	4.05	3.74	3.43
SASKATOON.....	Saskatoon City Hospital.....	823	5.35	4.94	4.53
SASKATOON.....	St. Paul's Hospital.....	813	5.28	4.88	4.47
SMEATON.....	Women's Missionary Society Hospital.....	594	3.86	3.56	3.27
SHAUNAVON.....	Shaunavon Union Hospital.....	677	4.40	4.06	3.72
SWIFT CURRENT.....	Swift Current General Hospital.....	746	4.85	4.48	4.10
TISDALE.....	St. Therese Hospital.....	687	4.47	4.12	3.78
UNITY.....	Unity Union Hospital.....	670	4.36	4.02	3.69
VANGUARD.....	Vanguard Union Hospital.....	664	4.32	3.98	3.65
WADENA.....	Wadena Union Hospital.....	691	4.49	4.15	3.80
WATROUS.....	Watrous Union Hospital.....	625	4.06	3.75	3.44
WEYBURN.....	Weyburn General Hospital.....	687	4.47	4.12	3.78
WHITEWOOD.....	Whitewood Community Hospital.....	583	3.79	3.50	3.21
WILKE.....	Wilke Union Hospital.....	671	4.36	4.03	3.69
WILLOW BUNCH.....	Willow Bunch Union Hospital.....	629	4.09	3.77	3.46
YORKTON.....	Yorkton General Hospital.....	752	4.89	4.51	4.14

SANATORIA—

	Rate for first 10 days	Rate for second 10 days	Rate after 20 days
	\$	\$	\$
FORT QU'APPELLE SANATORIUM.....	4.50	4.00	3.50
SASKATOON SANATORIUM.....	4.50	4.00	3.50
PRINCE ALBERT SANATORIUM.....	4.50	4.00	3.50
QU'APPELLE INDIAN HOSPITAL.....	4.00	3.50	3.00

APPROVED NURSING HOMES—

Location	Name of Nursing Home	Number of Points	At rate of 6.5 mills for first 10 days	At rate of 6 mills for first 10 days	At rate of 5.5 mills thereafter
			\$	\$	\$
ANTLER.....	Antler Community Hospital.....	581	3.78	3.49	3.20
BORDEN.....	Borden Municipal Hospital.....				
CLIMAX.....	Climax Community Hospital.....	605	3.93	3.63	3.33
CRAIK.....	Craik Community Hospital.....	580	3.77	3.48	3.19
CUT KNIFE.....	Cut Knife Municipal Hospital.....	519	3.37	3.11	2.85
DINSMORE.....	Dinsmore Community Hospital.....	552	3.59	3.31	3.04
EASTEND.....	Eastend Union Hospital.....	575	3.74	3.45	3.16
GLADMAR.....	Gladmar Maternity Hospital.....	586	3.81	3.52	3.22
GOODSOIL.....	Goodsoil Community Hospital.....	562	3.65	3.37	3.09
LA FLECHE.....	LaFleche Hospital Association.....	564	3.67	3.38	3.10
LANGENBURG.....	Langenburg Nursing Home.....	641	4.17	3.85	3.53
LIMERICK.....	Limerick Memorial Hospital.....	569	3.70	3.41	3.13
LUCKY LAKE.....	Lucky Lake Community Hospital.....	561	3.65	3.37	3.09
MAIDSTONE.....	Maidstone and District Hospital.....	531	3.45	3.19	2.92
OUTLOOK.....	Outlook Community Hospital.....	540	3.51	3.24	2.97
QU'APPELLE.....	Qu'Appelle Memorial Hospital.....	662	4.30	3.97	3.64
RADVILLE.....	Radville Community Nursing Home.....	529	3.44	3.17	2.91
SALTCOATS.....	Saltcoats Nursing Home.....	475	3.09	2.85	2.61
SOUTHEY.....	Southey Hospital.....	584	3.80	3.50	3.21
SPALDING.....	Spalding Community Hospital.....	510	3.32	3.06	2.81
SPIRITWOOD.....	Spiritwood Community Hospital.....	543	3.53	3.26	2.99
TURTLEFORD.....	Turtleford Municipal Hospital.....	498	3.24	2.99	2.74
VAL MARIE.....	Notre Dame Hospital.....	634	4.12	3.80	3.49
VICEROY.....	Viceroy Community Hospital.....	569	3.70	3.41	3.13
WYNYARD.....	Wynyard Community Hospital.....	600	3.90	3.60	3.30

VETERANS' HOSPITAL—Saskatoon: \$5.00 for first twenty days; \$4.50 thereafter.

VETERANS' CONVALESCENT HOSPITAL Regina: Flat rate of \$4.00 per day.

RED CROSS OUTPOSTS—

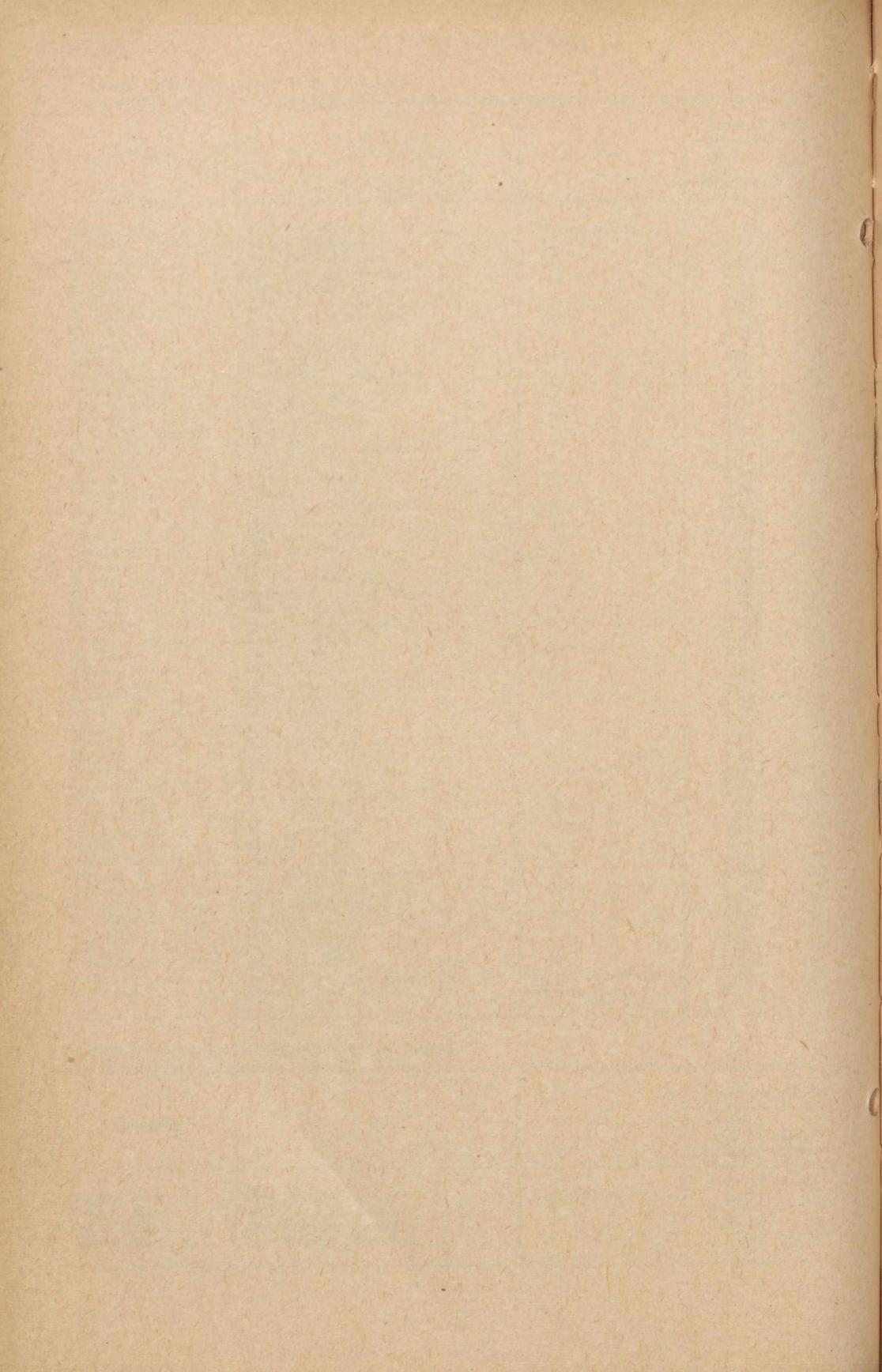
Location	Number of Points	At rate of 6.5 mills for first 10 days	At rate of 6 mills for second 10 days	At rate of 5.5 mills thereafter
		\$	\$	\$
CARRAGANA RED CROSS OUTPOST.....	559	3.63	3.35	3.07
ENDEAVOUR RED CROSS OUTPOST.....	545	3.54	3.27	3.00
HUDSON BAY JUNCTION RED CROSS OUTPOST.....	591	3.84	3.55	3.25
LEOVILLE RED CROSS OUTPOST.....	551	3.58	3.31	3.03
LOON LAKE RED CROSS OUTPOST.....	513	3.33	3.08	2.82
PADDOCKWOOD RED CROSS OUTPOST.....	529	3.44	3.17	2.91
PIERCELAND RED CROSS OUTPOST.....	535	3.48	3.21	2.94
ROCKGLEN RED CROSS OUTPOST.....	559	3.63	3.35	3.07

NURSING HOMES OPERATING UNDER PERMITS—

Location			Rates Payable	
			Adults and Children	New-born
			\$	\$
ARBORFIELD.....	Mrs. N. Lemire.....	Nursing Home.....	2.00	0.50
AVONLEA.....	Mrs. A. Monkhouse.....	" ".....	2.00	.50
ARBORFIELD.....	Mrs. G. S. Jackson.....	" ".....	2.00	.50
CANWOOD.....	Mrs. Anna Lidstrom.....	" ".....	2.75	.50
CARLYLE.....	Mrs. Lydia Evans.....	" ".....	2.25	.50
CARNDUFF.....	Mrs. Thos. Reed.....	" ".....	2.00	.50
CARNDUFF.....	Mrs. L. T. McDonald.....	" ".....	2.00	.50
CEYLON.....	Mrs. A. Willis.....	" ".....	2.75	.50
CHAPLIN.....	Mrs. Carrie Heffel.....	" ".....	1.75	.50
CHELAN.....	Mrs. Ann Bergh.....	" ".....	2.50	.50
CORONACH.....	Coronach Nursing Home.....	" ".....	3.00	.50
CREELMAN.....	Mrs. F. Foster.....	" ".....	2.50	.50
EARL GREY.....	Mrs. E. E. Pennock.....	" ".....	2.00	.50
FIELDING.....	Mrs. A. Garnet.....	" ".....	2.00	.50
FORT QU'APPELLE.....	Mrs. Rose Pointer.....	" ".....	2.25	.50
FRANCIS.....	Mrs. Winnifred Haines.....	" ".....	2.25	.50
HALBRITE.....	Mrs. C. B. Smith.....	" ".....	1.75	.50
HANLEY.....	Mrs. C. Hanson.....	" ".....	2.00	.50
IMPERIAL.....	Mrs. Jane Aitken.....	" ".....	2.00	.50
IMPERIAL.....	Mrs. Margaret Atkinson.....	" ".....	2.00	.50
LIPTON.....	Mrs. Amelia Senft.....	" ".....	2.00	.50
LIPTON.....	Mrs. Fred Huber.....	" ".....	2.00	.50
LIVELONG.....	Mrs. M. W. Cox.....	" ".....	2.00	.50
LUMSDEN.....	Mrs. M. Inglis.....	" ".....	2.00	.50
MANOR.....	Manor Nursing Home.....	" ".....	3.00	.50
MARYFIELD.....	Maryfield Nursing Home.....	" ".....	3.00	.50
MIDALE.....	Mrs. M. Hultien.....	" ".....	2.00	.50
NIPAWIN.....	Mrs. C. E. McCrindle.....	" ".....	2.00	.50
OSAGE.....	Mrs. M. Johnston.....	" ".....	2.00	.50
PANGMAN.....	Dr. E. Allaire.....	" ".....	2.50	.50
PANGMAN.....	Mrs. F. Wells.....	" ".....	2.25	.50
QUILL LAKE.....	Quill Lake Nursing Home.....	" ".....	3.00	.50
ROSTERN.....	Mrs. A. Heinrichs.....	" ".....	2.00	.50
ROSTERN.....	Mrs. H. Luetke.....	" ".....	2.00	.50
REGINA.....	Mrs. C. Waldeck.....	" ".....	2.50	.50
REGINA.....	Mercy Hospital.....	" ".....	3.00	.50
REGINA.....	Grace Haven Hostel.....	" ".....	3.00	.50
SASKATOON.....	Bethany Nursing Home.....	" ".....	3.00	.50
STRASBOURG.....	Mrs. Matilda Retzer.....	" ".....	2.00	.50
STRASBOURG.....	Mrs. Sarah Gustafson.....	" ".....	2.00	.50
STRASBOURG.....	Mrs. Mary Pirie.....	" ".....	2.00	.50
STRASBOURG.....	Mrs. Cora Adams.....	" ".....	2.50	.50
SEMAN.....	Mrs. M. Bregg.....	" ".....	2.50	.50
STAR CITY.....	Mrs. A. Penvidic.....	" ".....	2.00	.50
STAR CITY.....	Mrs. Margaret Francoeur.....	" ".....	2.00	.50
STOUGHTON.....	Mrs. R. H. Richardson.....	" ".....	2.00	.50
St. BRIEUX.....	Mrs. Lea Lacharite.....	" ".....	1.75	.50
St. WALBURG.....	Mrs. Theresa Erhardt.....	" ".....	2.00	.50
TORQUAY.....	Miss C. Ruland.....	" ".....	2.50	.50
WAPPELLA.....	Mrs. E. Miller.....	" ".....	2.00	.50
WARMAN.....	Dr. W. I. Wilkin.....	" ".....	3.00	.50
WAWOTA.....	Wawota Memorial Union Hospital.....	(Temporary Quarters)	3.00	.50
WOLSELEY.....	Mrs. Elizabeth Kyle.....	Nursing Home.....	2.00	.50

MANITOBA-SASKATCHEWAN BORDER NURSING HOMES—

Location			Rates Payable	
			Adults and Children	New-born
			\$	\$
MELITA, MAN.....	Mrs. Sarah Mainland.....	Nursing Home.....	2.00	.50
MELITA, MAN.....	Mrs. Cora Forsyth.....	" ".....	2.00	.50
PIERSON, MAN.....	Mrs. William Daniels.....	" ".....	2.00	.50
ROBLIN, MAN.....	Mrs. Margaret Saunders.....	" ".....	2.00	.50



SESSION 1947



SPECIAL JOINT COMMITTEE OF THE SENATE
AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION
AND CONSIDERATION OF THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 37

FRIDAY, JUNE 20, 1947

WITNESS:

Mr. P. E. Moore, M.D., D.P.H., Director, Indian Health Services, Ottawa.

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY

1947

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

FRIDAY, 20th June, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee met this day at 11 o'clock a.m.

The Joint Chairman, Mr. D. F. Brown, M.P., presided.

Present:

The Senate: The Honourable Senators Fallis and MacDonald (*Cardigan*)—2.

The House of Commons: The Honourable Mr. Stirling and Messrs. Brown, Blackmore, Bryce, Castleden, Charlton, Farquhar, Harkness, Matthews (*Brandon*) (Vice-Chairman), MacLean, MacNicol, Raymond (*Wright*), Reid—14.

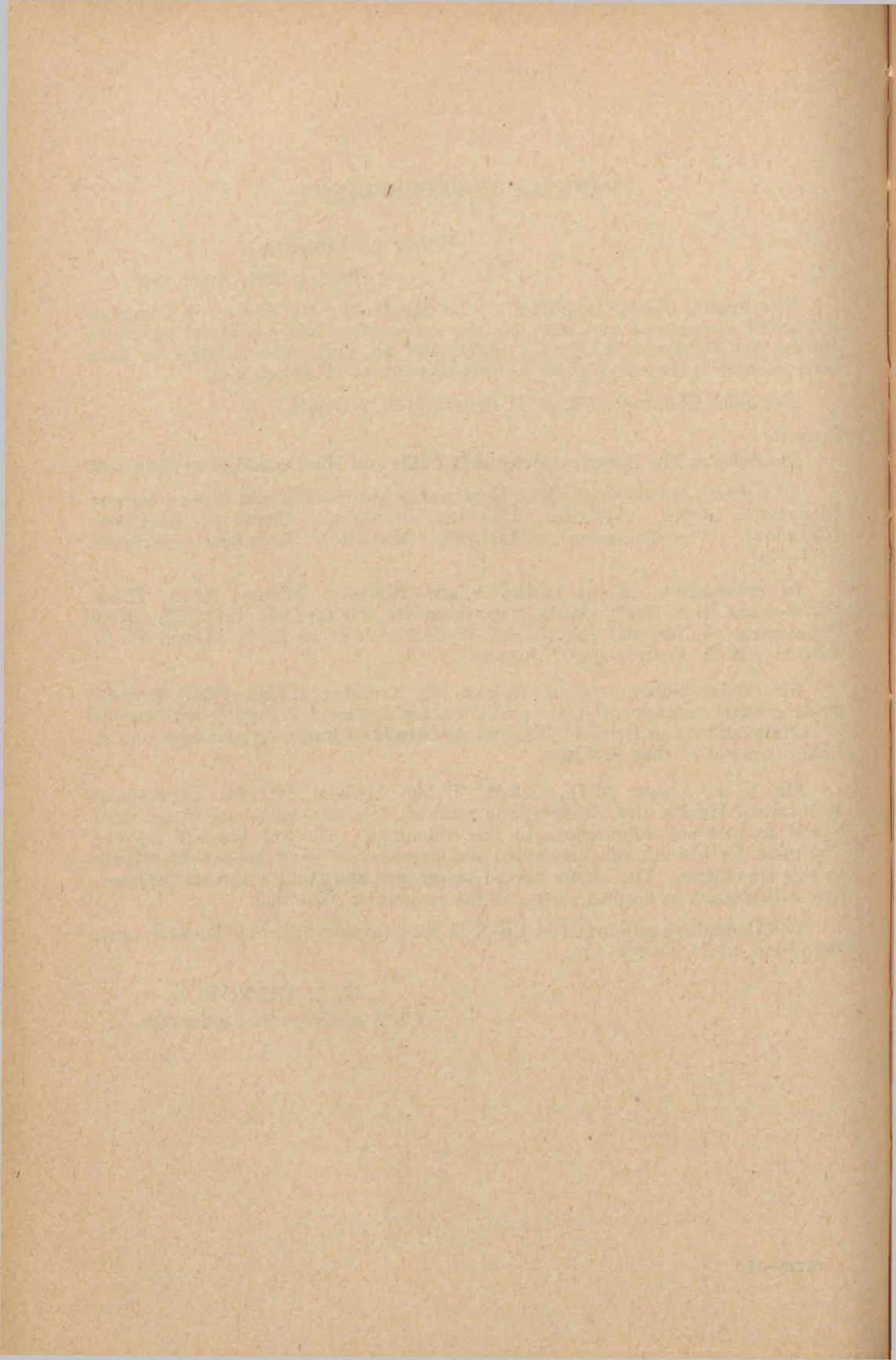
In attendance: (From Indian Affairs Branch): Messrs. R. A. Hoey, Director and B. F. Neary, MBE., Superintendent, Welfare and Training; (From Department of National Health and Welfare): Doctors P. E. Moore, W. L. Falconer, H. A. Procter and O. Leroux.

Mr. Neary, Superintendent, Welfare and Training, Indian Affairs Branch, made a further statement relative to a matter discussed yesterday with regard to certain articles in British Columbia newspapers concerning a teacher on an Indian reserve in that province.

Mr. P. E. Moore, M.D., D.P.H., Indian Medical Services, Department of National Health and Welfare, was recalled, and was again questioned with regard to previous submissions to the committee. He was thanked by the Chairman for his valuable assistance and was excused from further attendance on this committee. Dr. Moore agreed to prepare and furnish further information with regard to hospital costs, at the request of Mr. Reid.

The Committee adjourned at 1 o'clock p.m., to meet again on Tuesday next, 24th June, at 11 o'clock a.m.

T. L. McEVOY,
Clerk of the Joint Committee.



MINUTES OF EVIDENCE

HOUSE OF COMMONS,

June 20, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 11.00 a.m. Mr. D. F. Brown, M.P. (Joint Chairman), presided.

The CHAIRMAN: Attention, please. Before taking up the agenda of this meeting, we were discussing yesterday a matter brought to our attention by Mr. Reid. It dealt with considerable newspaper publicity in British Columbia in connection with one Indian reserve in that province. There is further word in connection with this case and probably Colonel Neary could come forward and tell us what further information he has. There was a question as to the academic background of the person appointed to teach in the school on that reserve.

Mr. CASTLEDEN: That is a little bit late.

The CHAIRMAN: When we have found that a mistake has been made it should be rectified.

Mr. CASTLEDEN: I agree with that.

The CHAIRMAN: And if a mistake has been made we are here to recommend that it be rectified, and that it be rectified immediately.

Mr. B. F. Neary, M.B.E., Superintendent, Welfare and Training Division, Indian Affairs branch, Department of Mines and Resources, recalled:

The CHAIRMAN: I understand, Colonel Neary, that you have been considering further the matter of the eligibility of this person to teach and that you have, to that end, tried to confirm the information given by the applicant at the time that he made application for a position; is that not correct?

The WITNESS: The point as I made it yesterday was that in the newspaper account he claimed he had degrees of B.Sc. (in social science) from the university of London, and an M.A. and LL.B. from Oxford.

Mr. CASTLEDEN: Was that in his application?

The WITNESS: That was not in his application, Mr. Castleden, but it was in the newspaper account, quite definitely, while in the application he states that he had attended "both of the universities mentioned", but he did not state in his application that he had any degrees from them.

Mr. CASTLEDEN: So it may be just a newspaper report.

The WITNESS: He still claims that he attended these universities; and if you will permit me to read from his application which I have here in front of me and as I read it to the committee yesterday, he states that in 1931 and 1932 he attended Jesus college, Oxford, England, for part-time law studies; and from 1938 to 1941 he attended London university extension course.

Mr. CASTLEDEN: Extension or extra-mural?

The WITNESS: It might be extension or it might be extra-mural. He put "exten" down, and we took that to mean extension. Unfortunately, when I read

the cablegram we received, all the information there is on it is that he took a special course in social science and child welfare. That is on the application form signed by himself.

Mr. REID: What is the date of that?

The WITNESS: November 22, 1946. Now, the latest information which we have received is by cablegram only and has not yet been confirmed in writing and is to the effect—

Mr. MACNICOL: From whom did you receive that; was it from the Canadian High Commissioner in London?

The WITNESS: Yes, from the Canadian High Commissioner in London. It is to the effect that they have checked by telephone with both London university and Oxford university concerning Fellowes; London university has no record of his having a degree there or having been either internally or externally a student; they also state that they have no such degree as B.Sc. in social science; and Oxford has no record of Fellowes taking a degree or having been a student at Jesus college. As I say, I wish to emphasize that this is a cablegram only and has not yet been confirmed in writing.

The CHAIRMAN: I understand, Colonel Neary, that Oxford university does not give a degree of LL.B.; do you know anything about that?

The WITNESS: I would not like to say. I think Mr. McEvoy, here, would have more information on that than anybody else in the room, probably.

The CHAIRMAN: He is the clerk of this committee, and he read law at Oxford. He tells me that Oxford does not grant the degree of LL.B. It may be that other members of the committee have other information.

Mr. REID: I think that information is pertinent in view of the fact that it disproves the information in the press that this man was very highly educated and had a lot of degrees.

The CHAIRMAN: I think that until further information has been obtained we can pretty well leave the matter. Now, there is another matter which I would like to have Colonel Neary bring forward and that is in connection with the evidence given by him concerning the veterans' allowance to a veteran on that reserve. Would you like to give us that now?

The WITNESS: Yes, in further verification of the information which I presented to the committee yesterday we have now received from Mr. Holdsworth, the supervisor of awaiting-returns benefits of the Department of Veterans Affairs, the following information:

The CHAIRMAN: That is in connection with?

The WITNESS: Gordon James.

The CHAIRMAN: That is the one referred to by Mr. Fellowes, the school teacher in British Columbia?

Mr. CASTLEDEN: I do not think he was a school teacher.

The WITNESS: Yes, he was. It quite definitely states that Mr. Fellowes and the priest on the reserve certified the statement. He made that clear.

Mr. CASTLEDEN: It would be very important whose statement they were verifying.

The WITNESS: You will find that in the newspaper report.

Mr. CASTLEDEN: Oh yes, I read the report.

The WITNESS: The supervisor's statement is to this effect:

Awaiting return allowance in payment November 5, 1945, to August 4, 1946.—8 months at \$100 per month, 1 month at \$71. Total payment \$871.

The allowance was discontinued as the veteran failed to submit required monthly statement. The Indian agent was then contacted and he reported that the veteran was otherwise employed.

He reapplied for further assistance May 17, 1947, and his case is now under consideration and will be adjudicated on the basis of the investigator's report.

The CHAIRMAN: Thank you very much, Colonel Neary.

If there is no further comment we have Dr. Percy Moore with us again to-day, and if it is your pleasure we will now proceed with the further questioning of Dr. Moore.

P. E. Moore, M.D., D.P.H., Indian Medical Service, Department of National Health and Welfare, recalled:

The CHAIRMAN: We were trying yesterday to get down to a point where Mr. Reid could start his questioning. Did you complete your presentation, Dr. Moore?

The WITNESS: Yes, sir.

By Mr. Reid:

Q. The doctor answered four or five questions I put before him the other day, but about his evidence yesterday there is just one question I would like to ask and then I will pass on to a few other questions I have. When you gave the cost of the various departmental hospitals with figures posted such as \$1.53 and all the way up to \$5.70, did you include in that the cost of doctors?

—A. In certain of these departmental hospitals medical officers' salaries are included and in others they are not. The ones where the doctors' salaries would be included would be the Clearwater Lake Indian hospital, the Coqueleetza Indian hospital and the Charles Camsell Indian hospital at Edmonton.

Q. Well, Mr. Chairman, I realize from the statement made by Dr. Moore that the cost of hospitals is a very important matter. I realize that we probably have not time at this session to go into it as much as I would like to. I would like to ask for this information to be available for the beginning of the next session when we come back. I would like to have a detailed statement including all costs of doctors and all outside costs, what it is costing the department to run these hospitals the total cost and a breakdown. I think that is very important when we come back next year to make our recommendations on that. I for one feel that without such detailed information I would not be in a position to form anything like a sound decision on the matter. I would like to have that information available when we come back at the beginning of the next session, and I think other members of the committee would like to have it, too.—

A. I think we will be able to get that. I gave Mr. Reid yesterday a summary which was prepared on our 1945 costs. To give the committee some idea of the work involved, it took a clerk over two months to collect this information from the various files. But it is information that is very pertinent and we feel we should have it for our departmental purposes and I will endeavour to see that it is prepared and made available.

Q. Now, to come to my question. My question would be this; you, doctor, made the statement that if the hospital administration were taken from the Department of National Health and Welfare and placed back under Indian Affairs it would be a retrograde step. Now, if you have only been in the two departments less than two years what evidence can you give the committee to support your statement that it would be a retrograde step? What changes have taken place since the administration of the health of Indians was taken over by the Department of National Health and Welfare? That is one of

the important questions before this committee. We realize that the two departments are quite separate, and I was rather interested in what you said that it would be a retrograde step to go back to the old arrangement.—A. I think the first reason for recommending a continuance of these services in the Department of National Health and Welfare is the readily available assistance which comes to our service from the special divisions that are set up in the department of health. I have direct access to and control of these various services; that is, control through the deputy minister. I make my requests to our deputy minister and he immediately directs, let us say, that the nutrition division establish certain services for us; or a specialist who is in charge of venereal disease control is sent out to such a clinic as was held in Driftpile agency last year where some 150 Indian half-breeds were found to have had syphilis—we believe that this was the result of abnormal movements of persons building the Alaska highway, but we found this condition and we gathered these people into camps and borrowed tents from the army and put them under canvas; and, in conjunction with the operative division of venereal disease control we sent our own specialist out there and these people were all given this rapid treatment for five weeks and rendered non-infectious, practically cured. This type of cooperation is so much easier when you are part of the Department of National Health; and our experience seems to be that we find it easier to arrange for operations with the provincial departments of health, apart from national health, there is a direct channel, it seems to me, between the various departments and the federal department. My experience when I was in another department was that there was not the same ease; we are now more on one side of the general health picture in the country more than when we were a division under Indian Affairs in another department.

I do not wish my remarks to be interpreted as being critical in any way of the former administration. In conversation with the Director of Indian Affairs he pointed out that the circumstances surrounding the whole administration over the past years had to be considered in the light of the fact that we just had been through a depression and were only slightly getting under weigh again when the war hit us. But the ease with which we have been able to make progress in establishing new positions and getting salary adjustments; in getting suitable staff arrangements made for our hospitals—I attribute that to the fact that the senior decisions are being made by a medical department.

Mr. CASE: Mr. Chairman, may I ask Dr. Moore this? Would it change your opinion, if Indian Affairs were under a separate minister, a separate department entirely which would handle the whole matter of Indian Affairs; or would you still feel it would be better to have it all under Health and Welfare?

The WITNESS: Yes. I would. I feel very definitely on the subject. I probably should not predict this, but I think this is the picture as I see it; and I feel that we would never have a separate minister, we would only become the appendage of another large department. I do not believe that there will be a separate ministry established. It would be under one of the present cabinet ministers under another portfolio. My own opinion is that I certainly think that the man in charge of Indian Affairs should have deputy minister status.

Mr. REID: Your department is looking after family allowances which has to do with the education of children and the clothing and feeding of children, and you are now offering them health; what would the effect be if the Department of Health and Welfare took over the balance of Indian Affairs?

The WITNESS: I made that statement very definitely in my evidence; that it was my opinion that the whole administration might very well be placed in the department. As I view it, in the Department of National Health and Welfare there are two divisions, a division of Health under a deputy minister; a division of Welfare Services with a deputy minister at its head; and the Indian administration would very logically fit into the welfare side of the

picture. They are dealing with welfare problems all over Canada and the Indian welfare picture could very well be tied in with the Department of National Health and Welfare.

Mr. REID: You think that would be an improvement?

The WITNESS: In my opinion I think it would.

Mr. MacNICOL: That is a reflection on previous administrations.

Mr. REID: That is a terrible statement to make when you say that because the Department of Health has taken over one or two services that they could take the rest and make a better job of it than the present Indian Affairs branch are doing. I think that is a terrible statement for you to make to this committee; and I may tell you that I am not very much impressed with it. The reason I asked you that question was to focus attention on your remarks. I notice that at almost every step you touch on the importance of education in Indian life. I could not help but wonder just how deeply involved the Department of Health is in Indian affairs. Now, the question I want to put to you is this: do you think that the Department of Health could do a better job if they had charge of the whole thing?

The WITNESS: You mean, if Indian affairs were all under the Department of Health and Welfare?

Mr. REID: Yes, under the Department of National Health and Welfare. You said that in your opinion they would not need a separate minister.

The WITNESS: That opinion, I know, would not carry very much weight.

Mr. REID: We have had one statement which should be answered. I will take the stand here, Mr. Chairman, that too often we do not get an adequate check on statements made before this committee. A statement was made by one of the witnesses who appeared before the committee which related to this branch of the service. You recall that when Chief Andrew Paull was before us he made the statement that to his knowledge two women had died in childbirth. Now, I would ask Dr. Moore if he has any statement to make about that. Did that happen after his branch of the service was transferred to the Department of National Health and Welfare? I want him to make a statement on that, because there was a definite statement made here by Chief Andrew Paull which I think should be cleared up. He said it was due to some doctors or some departmental official. I think the committee are entitled to some statement on it. I was wondering whether your branch was under the Department of Health and Welfare at the time or whether that was before you had been transferred that this occurred.

The WITNESS: Mr. Chairman, might I place on the record at an early date a written statement regarding these cases? I would like to consult the field officials. I have some recollection of some charges that were made regarding the doctor at Port Alberni. My recollection is that there was some evidence that everything had not been done that should have been done, but it was not nearly as drastic as has been put before the committee. Rather than make a positive statement I would much prefer to have an opportunity of investigating the facts. This was investigated at the time.

Mr. REID: What was the date, do you know?

The WITNESS: It must have been in 1941 or 1942; because the doctor in question just about that time went into the armed services.

Mr. REID: You were still under the Department of Indian Affairs at that time?

The WITNESS: Yes.

The CHAIRMAN: If I might refresh the memory of members of the committee by referring to the Minutes of Proceedings and Evidence on this point—

this will be found at page 899 of the 1947 edition of our Minutes of Proceedings and Evidence—I am referring to the examination of Mr. Andrew Paull, near the bottom of the page:

The WITNESS (Andrew Paull): Yes. I appreciate very much the improved efforts of the Department of National Health and Welfare concerning the health of the Indians. Now, we had some serious trouble in that regard a few years ago. Indian women were refused admittance into hospitals at the time they were giving birth to children. I hope we can be assured that that kind of condition will not happen again, because many Indian women died, especially on the west coast, because they were not hospitalized.

And, farther along, (page 900):

By the Chairman:

Q. When was the first case?—A. I mentioned that in the complaint which I lodged with Major MacKay.

And:

A.—There was an Indian woman brought to the hospital and when she went to the hospital she was told that the Indian agent had given instructions that no Indian was to be admitted to hospital as an emergency case.

Dr. MOORE: I might remark that I do not believe that statement. Such an interpretation could not be put on any departmental directive.

The CHAIRMAN: Then, Mr. Paull at page 901, said:

I asked for an investigation and Dr. Moore was in the office of the commissioner. I made my appeal for an investigation to both Dr. Moore and the Indian commissioner, Major MacKay, at the same time. Both of them were there and I handed each of them a copy of my letter and that letter will be available in Vancouver. Dr. Moore might even have it here.

Major MacKAY: I am not suggesting that the complaint is not valid but I cannot recall the details. Certainly I cannot recall a case of that character, but Dr. Moore says he recalls that a complaint was made to him, but just what the nature of the complaint was I cannot recall.

Do you recall anything about that now, Dr. Moore?

The WITNESS: I recall the evidence that was given, Mr. Chairman; I must apologize to the committee for not having checked up on this previously. I had intended to do it but I neglected to do it; but, as I say, I will get a complete statement regarding this. My memory of it is this: I remember Andrew Paull bringing the subject up and I remember going to Alberni and talking to the Indian agent.

By the Chairman:

Q. How many years ago would that be?—A. I think that would be in 1942.

Q. Five years ago?—A. Somewhere in there. And the facts, again speaking from memory, and the facts as reported here to the committee by Andrew Paull are not the same as we found at that time. There had been probably too abrupt action on the part of a doctor there. In dealing with these cases over a number of years due to lack of funds we were forced to issue instructions that normal maternity cases should not be admitted to hospital. If the doctor had any reason to suspect any abnormality or any trouble in connection with a maternity case they were to be admitted. I regret that I cannot recall just at the moment the whole story behind this incident.

Q. When will you have that report before us?—A. I will send telegrams away this afternoon. I will be out of town but Dr. Proctor will make it available to the committee as soon as we get a report back. Dr. Proctor is present now.

The CHAIRMAN: That can be done the first of the week. Is that agreeable to the committee?

Mr. REID: Now, in view of the complaints that I had when I was visiting the Indians last fall I wonder if you would explain to the committee the mechanics and how it operates when an Indian falls sick and is in charge of the Indian department and has to contact another department before he is admitted to a hospital; and then, tell us the mechanics of when an Indian is dismissed. Take Coqueletza as an example. Tell us how the Indian agent is made aware that an Indian has been dismissed from the one department to the other. Now, that is most important, because I have had some plain statements made that it was not working just as simply as the doctor has told the committee. That is because there is so much red tape. The Indian is left on his own without them telling the Indian agent in the other department that he has been dismissed from hospital. Can you tell the committee the mechanics of that; to whom does he apply, to whom does he go; whether it is the hospital or the local agent. Give us the whole story of the routine for admission and the routine for dismissal from hospital, and how it is working out.

The WITNESS: In either of these types of arrangement I must stress that there is no difference now in the procedure than there always has been in my service time with the Indian Affairs branch of the Department of Mines and Resources. On any reserve there is somebody who represents the government, whether it is a clerk of the Department of National Health and Welfare or of the Department of Mines and Resources. The facilities vary on the different reserves. In some places it might only be the school teacher or the farm instructor or someone that we had appointed as a dispenser—

Mr. MACNICOL: When you say "we" who do you mean?

The WITNESS: The Department of National Health and Welfare—we will say the Indian health services had appointed a dispenser. Whoever was there would be responsible for getting word to the nurse or medical attendant. At many places it would be the Canadian health service nurse. If it is on a reserve where there is a responsible nurse it would naturally be her duty to make arrangements. On a reserve where the only government official was, say a farm instructor, the farm instructor would use his own judgment. If it is a serious case very often if people are able to be moved he will put them in his own car and take them either to a hospital or a doctor. If the patient is not able to be moved he will call a doctor to come. There certainly is no red tape in the way. These farm instructors have been using their cars. We pay them mileage for health services of that kind which they perform, I mean for transporting these patients. We are passing accounts of that kind every day. If it is a place where there is a doctor the sick Indian would himself probably arrange for the doctor to be called. If it is a case where there is only a part-time doctor in a nearby town he would be called directly. If there is a long distance involved, the doctor, due to past experiences with useless calls, might investigate before he goes. This is just another of those cases, one of them was brought to my attention this morning—the difficulties that some of our medical people are having regarding the reluctance of the Indians to supply their own transportation. They may have it well available and yet they will expect the doctor or the nurse to come and pick them up and transport them. We have had cases brought to our attention where the Indian had actually been at the hospital and gone home apparently feeling fine and then after a few hours travel would call and ask to be taken back to the hospital just because he had decided that he would

like to have the trip back and he would send for either the doctor or the nurse to have him brought back in. We are having cases of that kind up all the time. I was eight years on field work of this kind and I know something about what I am talking about. Let me again emphasize that there is no obstacle put in their way by the officials of either the Indian Affairs branch or the medical services of National Health. They have one object; that is, to make the best medical service that we have available to the Indian with the greatest ease. A farm instructor has just as much authority as either a doctor or a nurse; he has authority to call a doctor or a nurse and the doctors are instructed to respond. I think that answers the first part of your question.

Now, for the second part of your question: the superintendent of the hospital, regardless of who he is employed by, regardless of whether it is our hospital or the Vancouver General hospital or St. Paul's hospital; they are supposed to notify someone when the patient is ready for discharge. If it were at their Coqueleetza hospital it would be the duty of the hospital superintendent, regardless of whether he is employed by Indian Affairs or Health and Welfare; it would be his duty to get in touch with the Indian agent about the patient; particularly in cases where the patient is not able to transport himself or is without friends to take care of him. It is the duty of the superintendent of the hospital to get in touch with somebody in authority and to make the necessary arrangements. All Indian agents across the country have books of transportation warrants that are sent out. Any Indian agent has the authority to give a sick Indian one of these transportation warrants which any transportation company will accept. When that comes to Ottawa, there is a space on it which gives the reason for travelling; if it happens to be a case of destitution it goes to Mr. Hoey's division and is paid from welfare; and if it is a case of sickness it comes to me and we pay it. It is just exactly the same as when we were under Mines and Resources. The Indian agent has the same book of warrants.

Mr. REID: All I can say is that I hope it is working out well, but generally speaking two departments dealing with the same group of people usually creates lots of difficulties.

The WITNESS: I think Mr. Hoey can confirm this, that the working arrangement we have has caused very little confusion or difficulty. There is a slight amount that has come up but I think that is more than offset by the added facilities that we have.

Mr. REID: Mr. Hoey could probably say whether that was a fair statement or not.

The WITNESS: He could give it to you much more clearly and precisely than I could.

Mr. CASE: With respect to the venereal problem to which you referred on the Alaska highway, you would not have had nearly as good cooperation with the provincial authorities—I understand they are the ones who are principally concerned in dealing with a matter of that kind—would you?

The WITNESS: Very probably it could have been arranged, but it would have been more difficult to arrange it. There is sometimes difficulty in getting the cooperation of the provinces. You see, the venereal control division of the provinces get a grant from the federal department.

Mr. MacNICOL: Mr. Chairman, I am amazed beyond measure, absolutely amazed, at what the doctor has been saying about the Indian medical services. If the Indians have been getting that kind of treatment under their treaties they have not been getting any treatment at all. And I would like to know now who was the head of the Indian medical services branch when the whole of the service was under the Indian Affairs branch; who was in charge of it, Mr. Hoey?

Mr. HOEY: Mr. Chairman, when I came in in 1936 Dr. H. L. Stone, who now is supervisor of medical services for the province of Alberta, was in charge. He was designated as superintendent of medical services. Then Dr. Moore a few years later was brought in from the field as Dr. Stone's assistant. Then Dr. Stone joined the armed forces—that was in 1940, wasn't it, doctor?

The WITNESS: Yes.

Mr. HOEY: And then Dr. Moore took charge from then on.

Mr. MACNICOL: You have heard what Dr. Moore has told the committee, that a large amount of the educational work in the Indian Affairs branch is closely related to health and medical services. If things are so much better now under the Health and Welfare department, and I hope they are, then the medical service which has been available to the Indians in the past has been something deplorable. Someone must have had responsibility for the control and operation of the plant before it went over to this other department. Was the medical branch of your department entirely under your control? Surely its operation in earlier days must have left much to be desired if it is so much better run now under the Department of Health and Welfare. Have you any statement to make to the committee on that?

Mr. HOEY: As I pointed out the other day, I think it is only fair to the committee that this statement should be made. I was in charge of two departments in Manitoba in what was undoubtedly the most critical period in Canadian history. I went in 1927 and came out in 1936. You remember what those days were like in the province of Manitoba. I took a 25 per cent cut in salary plus a 2 per cent wage tax. Mr. Bryce well knows about that. And everything was simply cut to the bone to maintain the credit of the provinces. Now, fortunately for me, I was defeated in 1936 and I came down here; but, what were the conditions I found here in 1936? Civil servants took a thumping cut in their salaries; economies were effected in almost every branch of the public service in an attempt to maintain the credit of the dominion. The dominion government at that time were disbursing millions of dollars to maintain the credit of the western provinces, particularly in the drought-stricken areas where day schools—we talk about Indian schools being closed—where we had white schools closed (as Mr. Matthews well knows) we had white schools operated six months, eight months, but very few of them were operating ten months. When I came in here I remember very distinctly the first time I submitted my estimates for the welfare and training division and Dr. Stone submitted his for health services. Why, the tendency of the government, at times supported to some extent by the will of parliament, was retrenchment and economy.

The CHAIRMAN: When was this?

Mr. HOEY: From 1936 to the outbreak of war. That was the prevailing policy of the government; and I will go so far as to say that that policy was supported by substantial citizens of Canada. There are times when governments are called upon to retrench; and I do not want to pose as a prophet, but I think those days will come again when governing bodies, whether they be municipal, provincial or dominion, will have carefully to survey the whole administrative set-up with the object of reducing expenses and lowering costs. There is a point beyond which you cannot go in taxing the citizens of any country; particularly when you are a strip along the northern side of a very wealthy neighbour lying to the south. From 1936 to 1939 we were confronted with economy and retrenchment. We did not get the money necessary to launch a worthwhile medical program. I personally was the first man to approach Dr. Stone with respect to the establishment of a hospital in British Columbia. I said we have a school at Coqueleetza, a residential school; it is operated by the United Church of Canada and it is one of their oldest missions. There was a sentimental attachment there. I said that I was prepared to go to the United Church, to the

assistant secretary of the Home Mission Board—he is a personal friend of mine—and try to put up to him the desirability of abandoning that as a school and turning it over to your service as a hospital; and Dr. Stone worked on it and I worked on it, with the result that they finally abandoned the residential school and it was taken over by Dr. Stone as a hospital.

Mr. REID: And it is doing good work.

Mr. HOEY: Yes, it is doing good work. The site was suitable for hospital purposes but it was in the wrong location for a residential school, one of the reasons being that there were very few United Church children who could attend it in that locality. Well, we were just beginning to get our sea legs—and I am not seeking at this time to fix responsibility and I am not expressing any criticism. I think Dr. Stone and Dr. Moore during this trying and exacting period did all that was humanly possible to work the matter along. The war came along, and I do not need to tell a group of members of parliament that the regular services were just pushed into the background because of the importance and necessities of the war effort; and I think the government that pushed these services into the background in the interests of the war effort was carrying out the will of the Canadian people, or a majority of them; if they were not, at least I have never seen anybody stand up and say that they were doing wrong. I think they were supported by a majority of the people that the war effort should be given first place. And, in any event, that is the stand the government took which was supported by parliament. We could not get additional members for our staff. We could not get expenditures for the establishment of hospitals for the control of tuberculosis or other diseases.

Now we are emerging from the war period, we are just emerging. It takes time to get staff adjustments. It takes time to arrange your program to get approval by the minister. But with what are we confronted now? We are confronted with an acute shortage of labour, an acute shortage of materials. I have had an item in the estimates for I think three years now for the rebuilding of a school which was burned down some twelve years ago on the Caughnawaga reserve within eight miles of the city of Montreal. That school was burned down around 1940 or 1941. It is a deplorable condition. That school should have been rebuilt long ago. If you were in my place, or in the place of the minister, what would you do? We have sent out tenders for the erection of an R.C.M.P. barracks on the Six Nations reserve. We had advertisements inserted in every paper in that part of Ontario but we did not get one single reply, not one single bid. We finally removed the item from the estimates.

And now, the fact which I would like to bring home to this committee is this; that it is unsound to base policy on either a subnormal or abnormal period. You have got to face the facts. If the Indians did not receive the medical care to which they are entitled when that service was under Indian Affairs it was not due to the fact that the Indian services were under the Department of Mines and Natural Resources, it was due to circumstances over which the minister had no control, over which the doctor had no control; and first the depression and then the war effort and now the acute shortage of labour on the one hand and of building materials on the other. I do not care whether you keep the Indian services under the Department of Health and Welfare or bring them back under the Indian Affairs branch, the Indians are going to get a better deal because times are becoming more normal, building materials will become available in due course, skilled labour will be more plentiful and our program is going to proceed regardless of which department is administering it; for public opinion today on the Indian question is more aroused than it has ever been at any time since confederation. I know and you know that governments in a democracy move forward in response to the pressure exercised by an enlightened public opinion, and they are going to move forward in this case.

The CHAIRMAN: Thank you very much, Mr. Hoey. If I might refer the committee to page 66 of the 1946 report of Proceedings and Evidence where the Hon. Brooke Claxton presented a brief to the committee and in which he said:

8. The first attempt at an organized medical service was the appointment in 1905 of a General Medical Superintendent in the person of Dr. Peter H. Bryce, spoken of in the records as a "great humanitarian." He ceased to be employed about 1910 and there was little in the way of organized health services until after the first great war.

9. About 1922 some travelling nurses were appointed, but it was in 1927 before there again was an organized service with a Superintendent in Ottawa. Col. E. L. Stone, C.M.G., M.B, who for several years had been medical attendant to the Indians of the Norway House agency, was appointed Superintendent of Medical Services at Ottawa. Col. Stone had scarcely begun to get his organization together when the depression of 1929 swept the country. This resulted in a sharp curtailment of service in keeping with reduced funds. For example, Col. Stone was forced to issue an order that no cases of pulmonary tuberculosis could be hospitalized.

Then there follows a table which shows that the appropriation for medical services for the fiscal year 1879-80 was \$3,901; and that has increased in small amounts until in 1930-31 it was \$1,061,278; then it has risen steadily over the years since the depression, until for the fiscal year 1945-46 it was \$2,329,000. From that you will see that there has been a gradual improvement.

Mr. CASE: Mr. Chairman, that is a matter of record or evidence given by the Hon. Mr. Claxton. How long was he Minister of Health and Welfare?

The CHAIRMAN: He was the Minister of Health and Welfare at this time, that was in 1946. I think he came in in 1945. The records will show that.

Mr. CASE: In other words what you have there is a summary of the experience of the past, it is not a matter of the personal knowledge of the minister himself. I think it is very important that when we are dealing with a matter which has to do with a field service that we should have evidence from people who have a working knowledge in the department; we should have the evidence not only of history but of those who have had actual experience in the matter.

The CHAIRMAN: Well, we have this on record now.

Mr. CASE: That is what I mean. You are simply reading from the brief submitted by the minister.

The CHAIRMAN: And I pointed out to refresh the minds of members of the committee as to the evidence that has already been received.

Mr. MATTHEWS: That is a statement of fact.

Mr. BRYCE: Before we go further, Mr. Chairman; we have only about 55 minutes left. Some of the members of this committee have questions they would like to ask Dr. Moore and some of us have not had any opportunity of asking questions yet. I hope you will see that the time is divided up so that some of us other fellows can get in a question or two.

Mr. CHAIRMAN: I think that is fair and I have had that in mind. I will admit that I have been very lenient so far; I might say, unusually so.

The WITNESS: Mr. Chairman, may I make a brief statement?

The CHAIRMAN: Yes.

The WITNESS: If my remarks have been interpreted or are capable of being interpreted as a criticism of any former administration I sincerely regret that that interpretation has been placed on them. There was nothing further from my thoughts. I only want to look forward. I must say that at all times departmental cooperation has been excellent in either department. I probably should

not have spoken at all about certain things which are outside of my field. As for my own service, both myself and my officers are firmly convinced that we can do a better job in national health and welfare than we can in a non-medical department. We feel that all federal health services—that is the general feeling of medical officers engaged in government health work—will function best under one department. I will quote one example and then I will stop. At Churchill at the present time the Harbour Board employs a doctor seasonally. There are at least five other departments that are interested in getting some medical service there; and it is the proposal of the National Health and Welfare Department that we will appoint and keep a full time doctor to look after all the services including giving health services to Indians and Eskimos who are in such small numbers that would not justify a medical officer. Now, you may say, "Why cannot that be done by the Harbour Board doctor?" We find that it cannot. He is working for the Harbour Board and he looks on his services as those of a private practitioner when he condescends to go and see Indians and Eskimos, and we get a bill for \$100 or \$1,000 for services for a day or so. We have received a bill for almost \$1,000 for three days' services, which we did not pay.

The CHAIRMAN: From what department?

The WITNESS: From an individual doctor. But the other department would not say that this chap was on salary for one government service; his services would be for all government departments. That is our policy. I am working now straightening out salaries of medical officers in the Northwest Territories. Medical officers were put up there and paid meagre salaries. They augmented them by charging to the Royal Canadian Corps of Signals; the Department of Transport and the Northwest Territories administration fees for services over and above their salaries. What we have attempted to do is to raise those salaries to a decent range so that the doctors will work for the Department of National Health and do any federal government work. It has been beyond me to arrange these things under another department.

Mr. REID: I am sorry I have taken up so much time, but I am going to stop asking questions now. My questions are on the record and I am glad they are. They will be for the good of the entire committee. Mr. Bryce's questions are just as important as mine, so I am going to stop and leave the rest of the time to other members of the committee.

Mr. BRYCE: I hope you do not think that I was referring to you, Mr. Reid; I meant to divide the time around.

Mr. REID: I have been the one who has been occupying the time of the committee.

The CHAIRMAN: I do not think, Mr. Reid, that any apology is necessary. Mr. Bryce does not expect it.

Mr. BRYCE: No. I am sorry if I hurt Mr. Reid's feelings.

The CHAIRMAN: These matters have been of interest to Mr. Bryce and to other members of the committee and they could have been asked by any member. I think now that we can follow our regular routine allotting ten minutes to each member, if that is agreeable.

By Mr. Farquhar:

Q. We have all been interested in the answers brought out by Mr. Reid's questions, and the answers given by Dr. Moore are reasonable. I would like to ask whether the Department of Health and Welfare is taking over the hospital buildings which would include the maintenance of hospitals as well as the service?—A. Where we have taken over a building, yes, we take it over completely. The only buildings that have been taken over will be those that have been built for the Department of National Defence.

Q. Will they not be taken over now as the department is taking over that branch of the service?—A. Do you mean hospitals, for instance, that were formerly operated under the Department of Mines and Resources?

Q. Owned by the Indian Affairs branch. Health and Welfare has taken over the Indian health services branch and I am asking if they are taking over the buildings, which includes the maintaining of the hospitals?—A. Yes, that is correct. The order in council that provided for the transfer of these services also provided for the transfer of all the buildings and physical assets used by the health services. I think Mr. Hoey has some problems to settle, such as where there is a doctor and an Indian agent who live in a house, and where you will need two houses now. This would be the same under one department because we do not believe it is feasible to employ a doctor as an Indian agent. There is a full time job for either one of them, and both services would suffer. We need two houses now, but who owns the houses? Mr. Hoey's service or mine?

Q. That will relieve the Department of Indian Affairs of a large financial responsibility?—A. Yes.

By Mr. Bryce:

Q. When the fire took place at Norway House you were carrying out an experiment in nutrition; were the records lost?—A. No.

Q. Can you tell us for the record what the benefits from feeding with nutrition biscuits were as the result of that experiment?—A. Mr. Chairman, Mr. Bryce's question will have to be answered in two parts. Firstly, a number of years ago we started working with fortified biscuit that would give more of the protective foods to the children when supplied with them in the day schools. It had been the policy of the education branch to supply some of these biscuits which are somewhat similar to a sea biscuit. We started working with this biscuit and we developed a carrot biscuit with carrot as its base.

Now, with regard to your question about this investigation, and the information as to where the most marked deficiencies occur, may I say that vitamin A is one of the most pronounced deficiencies, and carrots are a very great source of vitamin A. In preparing this biscuit we used one-third by weight of raw pulp carrot. There were certain things added: iron, calcium, milk powder, brewer's yeast and other ingredients; so that a two-ounce biscuit contained practically a full day's supply of a number of these protective foods, and we supplied a formula, and the school branch bought thirty tons of this biscuit which were shipped to the various day schools, and which have been distributed for about five years. Is that right, Mr. Hoey?

Mr. HOEY: Yes.

The WITNESS: The use of the biscuit has met with great response. The school-teachers have written to say that they think they can see a difference in the children since they have been given these biscuits. We would like to recommend that the diet be further augmented by a milk drink. We recommend still further that the children be provided with a noonday meal. The practical thing would be a milk drink so they could get part powdered milk plus these biscuits.

Hon. Mr. STIRLING: How big is that biscuit?

The WITNESS: It is about three-sixteenths of an inch thick and about three inches in diameter and weighs approximately two ounces and is especially prepared to ensure keeping properties.

By Mr. Bryce:

Q. I have been told that it is fairly expensive. Could you give the committee any idea of the cost?—A. Of the investigation?

Q. No, of the biscuit.—A. I am not sure of recent figures; it is running about 18 cents a pound. Colonel Neary could tell you that.

COLONEL NEARY: It ran between 18 and 20 cents a pound.

By Mr. Bryce:

Q. There was only one firm made it; you never asked for competitors, did you?—A. Tenders were called in each case.

Q. You talked about the Norway House hospital. I know that hospital well myself, and there is the one at Tobique in New Brunswick. One has sixteen beds and the other has four beds. At Norway House the figure is \$2.43 per patient per day; what is it where there are four beds?—A. Speaking from memory, it is \$3.83.

Q. For small hospitals, what would be the most economical unit?—A. About fifty beds.

Q. There is one thing you failed to tell us, and that is that while Norway House has a sixteen bed hospital if you check into your figures you will see that they carry at least thirty-two to thirty-four beds the whole year round. They often have beds out in the corridors. It was a real fire trap if a fire had happened.—A. We know the conditions at that hospital and we regret them. The staff there have done an excellent job. Our nurses have worked long hours. There have been times when we have had only one nurse for forty patients and she was on duty for twenty-four hours a day. She caught a sleep when she could.

Q. I am referring to Manitoba. Have you made arrangements there that the Indians will be admitted to the hospital? I have a letter here which says that you were only paying \$2 at Portage la Prairie and that an Indian could not get in there. I might quote a little bit from a letter I have here from a doctor in Manitoba:—

I was called to an Indian shack thirty-five miles from my home. I had great difficulty in locating the shack but finally found the patient about two miles off the highway.

The shack was about ten feet by twelve. In it were the father, mother, five children, and a sister of the mother. There was no water except melted snow water which had an inch of scum on top. One bed and a makeshift cot was the entire furnishing. The place was heated by a small tin heater. Sanitation was extremely bad, with bugs and filth in every corner.

The mother had tried earlier to get into Portage hospital, and was refused because the government pays only two dollars a day.

I sized up the situation and put the mother in a sleigh then took her forty miles to the Portage hospital myself. Since a doctor had brought her, she was admitted. Later that afternoon she was delivered. The delivery was followed by a severe hemorrhage which would have caused the death of the mother had she remained in the shack where I first found her.

Now, has that situation been corrected? This happened in May of this year.—A. I was going to say as you were describing this place that we know that those conditions do exist.

Q. You could not live in Manitoba without knowing it.—A. In this article I have here we put in some pictures of shacks, with a picture of the interior of one and the furniture that is in sight. We published that. As regards the Portage la Prairie hospital, I think it was about 1941 or 1942 that we were paying the Portage la Prairie hospital—and this war at their own request—we were billed at \$2 a day plus extras which were ordinary hospital services. We entered into correspondence with that hospital and asked them to accept an inclusive

rate of \$2.50 a day. We worked out the number of accounts and we established the fact that they were receiving more money at \$2.50 over the year's business. Some controversy developed between ourselves and the hospital which was not brought to a satisfactory conclusion. At that time we had no field representative in the province and there had been a change of doctors due to the former medical attendant leaving—I do not know whether he went into the army or went into practice elsewhere—I think there was a change or two of medical officers right after that. The Indians were being admitted, although there was some dispute with the hospital. The thing never came up again until this year. The hospital never wrote to us and asked us for a different rate. It was carried on by sending us a bill and our fixing the sum at \$2.50 a day. But since this time—about March—we instructed our regional superintendent to visit Portage la Prairie and interview the hospital board and to try to work out a satisfactory recommendation which we would meet.

Q. From what you say now I can be assured that if an Indian goes there and needs attention he will get it?—A. Yes, he will get attention. There were cases—just to keep the record straight—the Portage la Prairies hospital refused to take and they were taken on to Winnipeg.

Q. This was a maternity case. Maternity cases can still go to Portage la Prairie?—A. Yes.

Q. Would you tell the committee what you think about matrons whom we have at residential schools? Do you think it would be an advantage to have them also, and trained nurses?—A. In my brief I recommended that there be a nurse in every residential school whether the salary was paid from the health vote or from the school vote. I think there should be a fully qualified nurse in every residential school. I think that the nurse should be responsible to the health services and not to the school principal. Now, that same statement would apply to either Indian Affairs or National Health. I think the nurse who is looking after that school should be directly responsible to the doctor.

By Hon. Mr. Stirling:

Q. Would the matron have no say?—A. You mean the matron of the school? She certainly would have every say except with regard to health matters; but I think when you are dealing with matters of health, the health people should make the decisions and that it should not have to go through two or three intermediaries. If a person's family is sick they want a doctor, and they want the doctor to act. They do not want to have to consult the owner of an apartment block or a street car conductor or several other people until action is taken. That is the point I am trying to make in saying that the nurse in the school, as far as health is concerned, should be directly responsible to the medical officer and not to the school authorities.

By Mr. Bryce:

Q. Coming back to the hospital again, I was asked a question by a clergyman in this room. Your department only paid \$1.25 per patient in some hospitals while you paid \$5 in others. I think you have pretty well explained that matter because in some of these hospitals where you pay \$1.25 they would not have a doctor. I think that is the answer to that question. That is the reason you pay only \$1.25 but you pay other grants as well?—A. The reason for that arrangement being made goes back to the fact that there were a whole series of so-called hospitals established—they are not hospitals, but we will call them nursing stations. They are being brought into existence in various remote parts of the country where it was impossible to supply medical services. The patients were encouraged to enter those places and they were being kept there. Some of those places were not even in charge of a trained nurse. We were being asked to pay hospital rates and they were being paid. We were paying as much in

some of these places as in a hospital such as Ottawa Civic. There seemed to be a great tendency for these institutions to expand, and at the time the situation was explained to the minister and he issued a directive that these places which could not qualify for a licence as a provincial hospital should be paid only \$1 per day for children under sixteen and \$1.25 a day for adults. That rate has since been raised to \$2 a day.

Q. When I asked you the question about the different hospitals you were going to read me a report about the Tobique hospital?—A. I was going to corroborate the cost of \$3.83 per day that I quoted from memory. As far as Tobique hospital is concerned, it is not properly called a hospital; it is a nursing station, and it was provided originally as a residence for school-teachers plus a nursing station where they could take in a few patients.

The CHAIRMAN: How many people live there?

The WITNESS: I have not the accurate information. There are about seven or eight sisters who live in the building; one of those sisters is a nurse. Some of them are teachers, I think.

Mr. BRYCE: It was originally built as a residence—a nursing station?

The WITNESS: Yes, combined.

Mr. BRYCE: I thought it was a hospital.

The CHAIRMAN: I thought it was a hospital, too.

The WITNESS: It has always been used as a teacherage.

The CHAIRMAN: They have a qualified doctor there, have they not?

The WITNESS: No. I was answering Mr. Bryce's question. No, the beds are not always full. They have not a full time doctor. He is a part time doctor who practices in Perth, I think.

Mr. BRYCE: Mr. Chairman, I have taken twelve minutes, so you had better let someone else ask questions.

By Hon. Mr. Stirling:

Q. Doctor, you described a biscuit which contained vitamin A and then you said that you would like to see the children get a midday drink of milk or even a meal; would that be in addition to family allowances?—A. There are a number of scientifically conducted studies underway with regard to the value of a proper noonday meal for school children. There is a very instructive pamphlet written by Sir John Boyd-Orr which the schools branch circulated to various teachers and officials. It is known as "Nutrition and Psychology" and it states from experiments conducted by Sir John Boyd-Orr that in comparative schools with comparative children there were a number of factors that were definitely improved when proper nutrition was ensured even with children of the intermediate economic group. The only way we can ensure proper food for children is by this noonday lunch or meal. The Canadian Red Cross are at the present time running a very extensive survey in the city of Toronto on this subject, and all the evidence points to vast benefits being derived from a full noonday meal for children attending school, and given at the school.

Q. How beneficial do you find the family allowance is? In other words, is it being properly used for the purpose for which it is intended of adding to the care of the Indian children?—A. Well, every report that we get from across the country pays tribute to the benefits being derived by Indian children from family allowances. When it was first known that family allowances were going to be extended to the Indians, Mr. Hoey and I worked out a program which was adopted by his service or later expanded into the family allowances' division of the service administering the family allowance to Indians. Indeed, Indians were placed loosely in various categories whereby an Indian who was sufficiently advanced to handle his own affairs got his family allowance cheque the same as anyone else. The intermediate category took in people who needed some

guidance and the Indian agent administered the funds for them. In the third group were the more primitive people and in that case lists were prepared in which we specified only the things that would be supplied under family allowances. The money is not sent to the Indian at all; credit is established at his trading post where he goes to purchase his supplies, and that trading post manager may issue only certain specific items. These items were selected with great care. The Indian can buy powdered milk products, he can buy cereals, he can buy baby foods and tomato and fruit juices—items which are nutritionally good—but he is not allowed to buy staples such as flour, lard and tea. Those things should be a matter of relief, not children's allowances. They can buy underwear, rubbers, children's clothing, layettes. This policy has worked out very well, and I think it has to a large extent ensured that this money is being spent for the purposes for which it was intended.

Q. I saw it stated the other day—with what truth I do not know—that they were going to be permitted to buy outboard motors in certain instances where the people are fishing people?—A. That is a policy that has been followed more, I think, in the Northwest Territories administration than in Indian Affairs. They feel that if they make a hunter well equipped to get supplies of native food they are doing more for him than by issuing store supplies when freight rates are so high. That can be arranged in the Indian Affairs administration also where the special need in a family for food is not as important as for equipment. Through application and arrangement this stuff may be issued, but it has to be carefully investigated before. That is substantially correct, Mr. Stirling.

By Mr. Harkness:

Q. I have not been in attendance on another committee for the last two or three days and I do not know what questions have been answered, but I have one or two questions to ask in connection with hospitals in Alberta. Have the Blackfeet at Gleichen made application for you to take over their hospital and run it or are they going to continue to pay for their own doctor? I understand that they were going to try to get out of that obligation.—A. They made an application. They have to vote the money through their council to operate the hospital. We have always directed the hospital. The staff of the hospital are civil servants although paid from band funds. Supplies and so on for the hospital are purchased in the usual manner through the departmental purchasing agent. This year they refused to vote money for the operation of the hospital. We corresponded with them. I took objection to it. We pointed out they were one of the richest municipalities in Alberta, and we did not think it was fair of them to ask the taxpayers to assume their medical costs, a band that has almost \$3,000,000 in band funds among less than 1,000 people, and to whom the government is paying 5 per cent interest on their band funds. The result was they retracted their decision not to pay their costs. I bring this to the attention of the committee as an example and ask that in the revision of the Act that some attention be given to this problem of whether or not an individual or a band wealthy enough to pay their costs should not be made to do so. In my opinion they should.

Q. They are going to continue?—A. They have agreed for this year.

Q. Then as far as the Stoney reserve is concerned I understand you have had a doctor from Cochrane acting there on a part-time basis but that has been ended. Is there going to be a doctor stationed at Morley or is it going to be served by a doctor in Calgary?—A. The present situation is that Dr. William Barr Murray was the medical superintendent of the Stoney Indian reserve, and also Indian agent. He resided on the reserve in the only residence available. He was granted leave of absence for military service. We have had various arrangements during his time of military service. He returned to our service,

and as I have mentioned on various occasions we have found it does not work to have a doctor as the Indian agent, too. He is not prepared to advise them on farming and carrying on their affairs the same as a man who has made that his field of work. The work he does on that side causes him to neglect his medical work.

We have only one residence at Morley. We have been carrying on with this part-time arrangement and employing Dr. Murray elsewhere. There is some movement under way whereby a number of these people are going to be settled elsewhere. Until that is clarified we do not want to build. We are going to have Dr. Murray reside in Calgary and make four trips a week to Morley and two trips to Sarcees. The nurse in the hospital will be at Morley. If there is any emergency arising and she cannot get Dr. Murray she can call the nearest doctor, anybody she can get. That is the way we are carrying on for the time being.

Q. One reason I have asked that question is that the people at Cochrane have complained over the fact the use of the man there as a part-time man was being discontinued which they felt was going to cause him to move because he did not have enough practice in Cochrane without the Indian practice to justify him remaining there. They were very anxious that the arrangement should be continued. I wondered whether there was any chance it would be.—A. It would be very difficult. This is Dr. Murray's position. He owns a house in Calgary. The housing situation enters into these matters if we try to put him some place else. It would be very difficult to arrange. In fairly recent times there has been representation from Exshaw. They want to get some support for the doctor there.

Q. Are you having much difficulty now getting tubercular Indians to go up to the hospital at Edmonton? At one time there was some considerable disinclination on the part of the Indians to go so far from home to enter that hospital. I wondered if that had been overcome?—A. I do not think there is a tribe of Indians living in the civilized section of the country where the influence of the old native medicine man is as strong as it is among the Stoney Indians at Morley. There has been a great disinclination on the part of the Indians to accept the white man's medicine. We have had that nice little hospital there for a number of years and a lot of the time it is empty. We were not able to persuade the Indians to come in and accept treatment.

Q. The hospital at Morley?—A. Yes, at Morley right on the reserve. There has been a strong inclination not to go for treatment. I think that is gradually being broken down. There are a number of Stoney Indians now at the Charles Camshell hospital. We seem to have broken the ice and the Stoneys seem to be fairly well satisfied with our Edmonton hospital.—Q. I was thinking not only of the Stoneys. I was thinking also of other Indians. I know there were some people who had tuberculosis and it was very difficult to get them to go up to the hospital.—A. There is always a disinclination on the part of either the Indian or the white man who has tuberculosis to accept sanatorium treatment. It is a long arduous sentence he has to serve. We believe in compulsory treatment where necessary. We think we should exhaust persuasion first and then have the authority to compel them to enter for the protection of others.

Q. I think I understood you to say previously at some time that there is now a nursing station with a nurse at Hobbema. That is correct?—A. Yes.

Q. How do those people get the services of a doctor? There was a considerable amount of complaint over the fact the doctor went there only once a week from Wetaskiwin, and if there were 20 Indians and he had time to look at only 10 the other 10 did not get any attention. They have complained about that on numerous occasions. Is that problem solved yet?—A. Yes. There was considerable dissatisfaction with the medical service there. The doctor in Wetaskiwin had the work on a part-time basis. He was very busy. He was

overworked. There was a shortage of doctors in the town. The only response he would make to us when we complained to him was that all his patients were complaining and he was giving the Indians a fair share of his time. The rest of it had to be done by the nurse who would take her car and collect these people and take them to the hospital in Wetaskiwin, which is overcrowded, or to the doctor's office. It was not a satisfactory service. We have now appointed a full time doctor for that agency. We have not been able to find a place for him to live. We have not been able to build him a house. He is living in Edmonton at the Charles Camsell hospital but he goes out every day to the reserve and a number of patients are brought back to Edmonton for treatment.

Q. That situation is fixed up pretty well?—A. It is improved. It will be better still when we get him a residence either at Hobbema or Wetaskiwin.

By Mr. Matthews:

Q. I should like to ask Dr. Moore if he has found any tendency on the part of some hospitals to charge more for government service than they do for private service patients who are on their own? Do you know if that has arisen sometimes?—A. Oh, it has arisen before now that I can recall. It has not been much of a problem lately. We have not raised our rates as fast as the hospitals have raised them, and consequently in many instances they are asking private patients to pay more than we pay.

Q. Mr. Farquhar mentioned a matter that I want to follow up. I refer to the hospital at Brandon which you know about. I do so because I assume it illustrates some others. It was erected and then operated for a time by National Defence and then D.V.A. and then your department. I understand it is now under the sanatorium board of Manitoba. Who owns those buildings?—A. They were transferred by order in council to the Department of National Health and Welfare. The official minute has still to come through from the War Assets Allocation Committee but it was directed by order in council that they award those buildings to the Department of National Health and Welfare.

Q. In all probability you will retain control?—A. Yes, this agreement with the sanatorium board is that they will staff and operate the hospital for us on a per diem basis.

Q. Do you own or will you own the land?—A. We are at present negotiating with the City of Brandon for this land. We asked them for a purchase price and they, I think, are somewhat reluctant to sell because federal property is not subject to taxation. They have countered us with an offer of an annual rental which would be what they consider the annual taxes would be.

Q. Then, who is responsible for the upkeep of the building?—A. The Department of National Health and Welfare.

Q. How many beds are there, do you recall?—A. The hospital can accommodate up to 240 patients.

Q. Now, what type of patients are supposed to occupy those beds, Indian patients mostly?—A. The treatment will be confined to the treatment of tuberculosis and tubercular Indians will be given a preference. We will use every bed necessary for Indians up to the capacity of the place. At present, these tubercular Polish immigrants are housed there. I think we have it down to about 40 now.

Q. About 30, I think?—A. We have agreed to look after them. There will be sufficient beds available. The D.V.A. has asked us if we would allow tubercular veterans from the Brandon area to be housed there. We have agreed to that provided the beds are available. Ordinary citizens of the area, if they wish, will be hospitalized there. We will work out the necessary financial transaction with the province.

Q. Is the staff under your department or the sanatorium board or the provincial civil service?—A. Under the sanatorium board of Manitoba.

By Mr. Lickers:

Q. Does your department recognize provincial health laws of the province as applying on any reserve?—A. The regulations of the medical service which were put on the record provided by section 5, paragraph (d).

Unless otherwise provided for in these regulations, the regulations of the department for the control of communicable disease among Indians on any agency shall be the health regulations of the province or territory in which the agency is situated.

Q. Then supposing, say on the Blackfeet reserve, in view of the fact they are paying all the hospital costs, what control would your department have over the personnel in the administration of that hospital? Supposing the Blackfeet took out a provincial licence to operate a hospital?—A. Supposing the Blackfeet did that, you mean?

Q. Yes.—A. The arrangement is that where a band are paying these funds, they are paying only the cost of the administration. We run the hospital and the medical services for the reserve just the same as we do in any other case. They provide funds whereby they meet the costs involved.

Q. I was just going by your statement that you asked the committee to take under advisement the matter of any tribe with sufficient funds paying all their own medical expenses. Now, in a situation of that kind, supposing on any one reserve a provincial licence to operate a hospital is taken out. Then, what provision would you have in connection with the administration of it?—A. Well, the regulations for the control of disease would be just the same as, for instance, in a municipality in which the medical costs are paid by the municipality. Just because the municipality is paying, that does not override the authority of the provincial Department of Health.

Q. What you have then is a conflict between the provincial authorities and the dominion regulations?—A. No, because we have provided for that in our regulations. The provincial health laws are usually very carefully thought out to meet the conditions for that particular province and are probably about as good a piece of legislation as anything we could devise, so we would use the provincial ordinances.

Q. Then, supposing some band of Indians took out a provincial licence to operate a hospital. What would you suggest in connection with the personnel as to whether they would be civil servants or not?—A. I would recommend that they be civil servants under the control of the department.

Q. Where the whole thing is financed by the tribe, would you then suggest that all the personnel of the hospital be civil servants?—A. I think so.

Q. Who would have control? Supposing they also appointed a hospital board. Would not the hospital board have any authority in connection with hiring or firing of the help?—A. Well, it would have to be a special arrangement if that were the case. If they had any reason for recommending a change of officials, we would certainly have to act on it. I think it would be a disadvantage to the hospital itself if the staff were not civil servants. The salary which can be paid to a salaried position cannot compare with what a person can make in practice. The only incentive to take this salaried position is the security provision and the leave privileges you get as a civil servant.

By the Chairman:

Q. Let me understand this; if any particular reserve wanted, on its own, to build a hospital you would have no objection to them so building a hospital? They would pay for it themselves?—A. Quite.

Q. Then, they would man it themselves. You say that those nurses should be civil servants?—A. I would recommend it, but I would have no power to enforce it if the Indians wished to do it on their own.

Q. We are thinking of this as a recommendation. We, as a committee, are strongly of the opinion we should try to encourage the Indians to assume more responsibility to help themselves. We are trying to help them to help themselves. Now, under those circumstances, would you think it would be advisable that the nurses should be civil servants?—A. Yes, I would think so.

Q. Then, by the same reasoning, all nurses in all hospitals should be civil servants?—A. Not necessarily. Let me make a distinction. We are going to assume the responsibility for general health conditions—

Q. We do not want to do that. We want to have the individual supreme. We want the individual to assume his own responsibility and when I say "individual" I mean individual reserve. We want them to help themselves the same as any other incorporated municipality. At least, I feel that is the opinion of the committee.—A. I follow your reasoning and I will answer it by drawing a comparison with the municipality—I don't know the name of the municipality up near Arnprior. Now, they built a hospital and formed a local hospital board by means of which they had full control. They could hire and fire as they saw fit. To carry out the comparison, I think that could be applied to an Indian reserve provided the Indians were sufficiently advanced to undertake the full operation of a proper hospital and the employment of a proper staff. So I might change and say I would recommend against that; but I would still recommend that we have more control on health with that. The provincial governments still maintain their health services and the provincial public health nurses and the health officers; and through them they enforce health conditions.

The CHAIRMAN: If the government is going to pay for the establishment and maintenance and operation of any institution they should control it; I agree with you there. But if on the other hand the Indians will assume the construction, operation and maintenance of an institution I should say they should have absolute and full control.

The WITNESS: In any of these recommendations I have made I have made a distinction between ordinary hospitals and communicable disease control. And now, with the Blackfeet we are not asking them to pay for the hospitalization of their tuberculous cases, we are offering them free hospitals. And we send clinics there, we send public health nurses there to visit homes on various public health matters which are not paid for by the Indians. We intend to ask the bands to contribute towards their salaries.

By Mr. Lickers:

Q. The province used to pay us for that in any event.—A. Yes, and we try to follow that same pattern.

Q. Are you having much difficulty fixing rates for the hospitals?—A. Yes.

Q. Where the rate is fixed do the Indians still get the same treatment as anyone else?—A. Yes. We insist that the Indians get the same treatment. We objected strongly when they start talking of separate wards for Indians.

Q. Until the rate is fixed some hospitals are not going to take Indians; what would you do then?—A. In one or two instances it has been necessary to hospitalize them elsewhere. I have in mind one case in Portage la Prairie where some Indians were refused admission and we took them on to Winnipeg.

Q. Is that attitude general?—A. No, it is not. I can only recall two places where there has been discrimination. There is a place in southern British Columbia where they have told us they would not take Indians. We offered to pay \$4 a day for the patient. That is a reasonable price for a hospital having the facilities available there.

Q. Do they think that that is a reasonable price?—A. No, they want about \$6.

Q. Apparently you are readjusting rates right across Canada?—A. We are trying to.

Q. If a hospital is not satisfied with the rates you are offering naturally they will not give the Indian the service they would ordinarily give to any other patient.—A. I think it does not work out quite that way. I would think that when a patient goes to a ward in a hospital he is a patient, the financial arrangements are done in the front office. The front office does not have much say as to what happens up in the wards.

Q. In one instance, yes. If the patient does not pay his hospital bill and goes back to the hospital again, that is where the difficulty arises in connection with service.—A. Our experience is that once a person is admitted the treatment is the same.

Q. Who appoints the doctors at the residential schools?—A. The Indian health service.

Q. You say you are not getting cooperation from the residential schools operated by— —A. That is a general statement. There are many places where we get the fullest possible cooperation; but there have been instances where we have not.

Q. I suppose the only way in which you could get 100 per cent cooperation would be for the Department of Indian Affairs to take over the total operation?—A. That would eliminate the dual control.

Q. You mentioned plans for nursing stations out in the remote areas; and in the development of that plan are you cooperating with the Department of Indian Affairs in connection with, let us say, education, so that you would have the teacher and the nurse use the same staff building?—A. We are co-operating to the fullest possible extent. In some places the buildings are occupied jointly. We are working together as closely as possible. We have gone even further and we are doing the same thing with the provincial services.

The CHAIRMAN: And I assume by that you mean educational and nursing services provided by the provinces?

The WITNESS: Educational, nursing and, for instance, the game and fisheries people. As an example I might tell you that one of these points under this remote operations plan I have already arranged to put in a lighting unit for the whole area and they are supplying the radio. We supply the light and power and they supply us with the radio apparatus to be used at that point.

The CHAIRMAN: That is interesting.

By Mr. Lickers:

Q. What is the cost of building or constructing and equipping a hospital, say, per bed?—A. It is terrific at this time. I have heard as high as \$1,100 per bed quoted. It averages about \$800.

Q. I suppose the price depends on the facilities?—A. Yes. I would say at the present time that it varies between \$600 and \$900.

Dr. FALCONER: It costs as much as \$8,000 in some cases.

The CHAIRMAN: Per bed?

Dr. FALCONER: Yes.

By Mr. Lickers:

Q. In connection with the per diem cost of operating hospitals on a per patient basis, do you include in the figures you gave us the other day the cost of the construction of the building and the amortization of the capital?—A. There is nothing included in those costs to cover insurance, depreciation or interest on capital charges.

Q. So that if those were included your cost of operating a hospital would be about the same, would it, as for an ordinary hospital in a municipality?—A. As far as we have been able to judge, making allowance for those items mentioned, we still think we can operate our hospitals for less.

Q. How much less would you say, on a percentage basis?—A. Oh, I would think about 25 per cent would be a fair estimate; and there is a reason for that; we do not, for instance, require an elaborate system of bookkeeping for keeping the records of private patients as private hospitals do. We do not provide the private patient services with special facilities catering to individual cases that you have to provide for private ward patients and so on. We have one type of treatment for everybody and that is more economical.

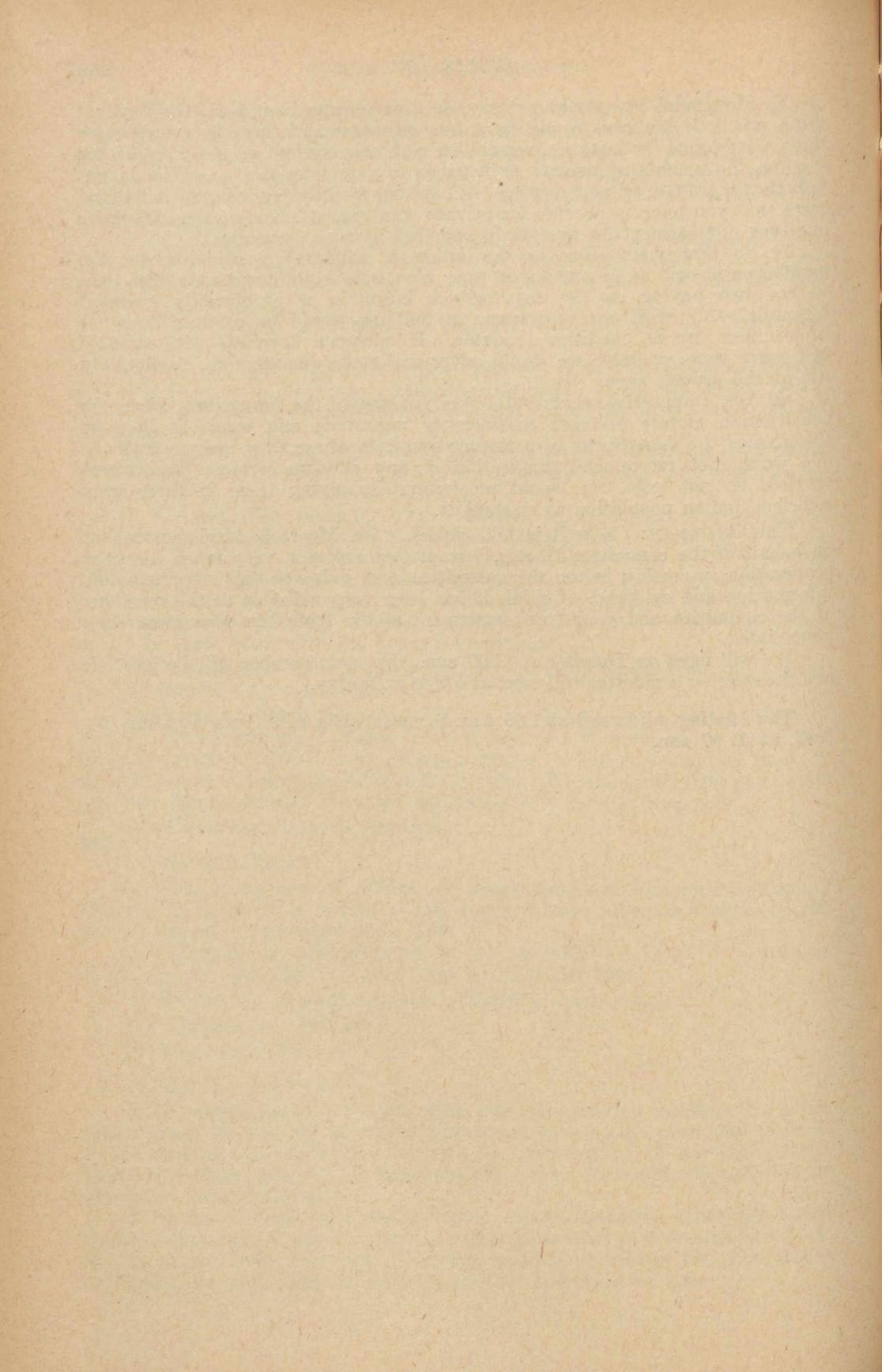
Q. So that your plan for the future is wherever possible, where the population is such as to warrant it, your plan is to build hospitals rather than to continue paying out to, say, private hospitals or provincially operated hospitals?—A. Well our programme of building would be confined to areas where there are no facilities available. If adequate hospitals with suitable bed space were available we would never undertake construction, particularly not at the present time.

Q. Yes, I appreciate that; but I was thinking of the future, say, when the construction picture becomes considerably improved; and would it then be the plan of the department to construct hospitals where they are needed?—A. We would not recommend duplication of any existing services, but, where services do not exist, we would recommend supplying them if there were sufficient Indian population to warrant it.

The CHAIRMAN: Now it is 1.00 o'clock. Dr. Moore is leaving now, but on behalf of the committee Doctor, I want to thank you very much for your cooperation in coming before the committee and giving us this very valuable information and evidence. I think it has been very valuable to the members of the committee and your frank statement of the facts has been more than appreciated.

We will meet on Tuesday at 11.00 a.m., the room number will be notified, and the steering committee will meet at 5.00 p.m. to-day.

The meeting adjourned at 1.05 p.m. to meet again next Tuesday, June 24, 1947, at 11.00 a.m.



SESSION 1947



SPECIAL JOINT COMMITTEE OF THE SENATE
AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION
AND CONSIDERATION OF THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 38

TUESDAY, JUNE 24, 1947

WITNESS:

Mr. R. A. Hoey, Director, Indian Affairs Branch, Ottawa

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY

1947

MINUTES OF PROCEEDINGS

House of Commons,
Tuesday, 24th June, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman, and later The Honourable W. H. Taylor, Joint Chairman.

Present:

The Senate: The Honourable Senators Fallis, Macdonald (*Cardigan*), Robicheau and Taylor—4.

The House of Commons: The Honourable Mr. Stirling and Messrs. Brown, Blackmore, Bryce, Case, Castleden, Charlton, Farquhar, Gibson (*Comox-Alberni*), MacLean, MacNicol, Reid—12.

In attendance:

Mr. R. A. Hoey, Director, Indian Affairs Branch; T. R. L. MacInnes, Secretary; B. F. Neary, MBE., Superintendent, Welfare and Training; G. Armstrong, Welfare; also, Mr. W. J. Ford Pratt; also, Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Mr. Bryce presented the Eighth report of the subcommittee on agenda and procedure. (For text, see Minutes of Evidence).

On motion of Mr. Bryce, it was

Resolved: That the Eighth report of the subcommittee on agenda and procedure be adopted.

The Chairman read a letter from the Corporation of the Town of Cochrane, Ontario, and the secretary of the Cochrane Board of Trade inviting the Committee to "visit Cochrane for the purpose of studying the problems of the James Bay Indians".

On motion of Mr. MacNicol, it was

Resolved: That this invitation be acknowledged with thanks but with regrets that owing to the imminent end of the session it will not be possible for the Joint Committee or even a portion of it, to visit Cochrane.

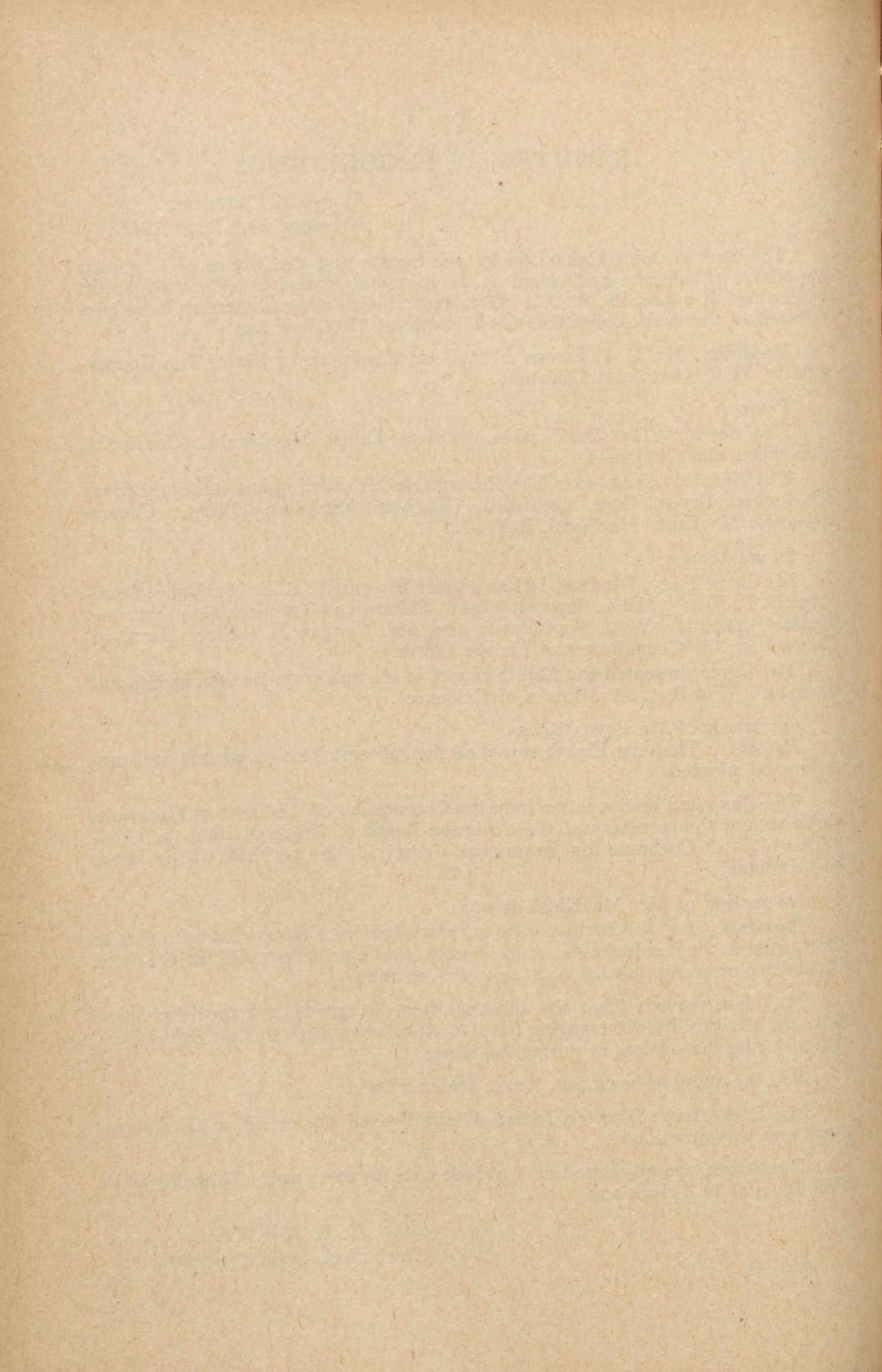
Mr. Case moved: That the subcommittee on agenda and procedure consider the advisability of arranging for a small subcommittee to visit James Bay, either during the session, or during the recess.

And the question being put, it was declared lost.

Mr. R. A. Hoey, Director, Indian Affairs Branch was called, made a statement and was questioned.

The Committee adjourned at 1 o'clock p.m., to meet again Thursday next, 26th June, at 11 o'clock a.m.

T. L. McEVOY,
Clerk of the Joint Committee.



MINUTES OF EVIDENCE

House of Commons,
June 24, 1947.

The Special Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 11 a.m. Mr. D. F. Brown, M.P. (Joint Chairman) presided.

The CHAIRMAN: Mr. Bryce will read the eighth report of the subcommittee on agenda and procedure.

Mr. BRYCE:

EIGHTH REPORT OF SUBCOMMITTEE ON AGENDA AND PROCEDURE

24th June, 1947.

I. Notice of motion given by Mr. Castleden on June 19, 1947

Your subcommittee is of opinion that, in view of the length of time required to collect and collate the information with regard to qualifications of all Indian school teachers, it will not be possible to have the return before the end of the present session.

Your subcommittee, therefore, recommends that the request be forwarded to the Director of Indian Affairs Branch, in order that the required information may be compiled and be available for any committee appointed in the 1948 session to deal with Indian affairs.

Your subcommittee further recommends that if any member of this committee needs any information with regard to our order of reference, his request for the information should, as soon as possible, be filed as a notice of motion; and the Director of Indian Affairs Branch will be asked to have the return available for the 1948 session.

II. Request of some executives of North American Indian Brotherhood.

Your subcommittee has considered a request signed by some "executives of the North American Indian Brotherhood" that:

the joint committee name and authorize the appearance of nine Indians: three from the Western area; three from the central division; and three from our Eastern part; the selection to be from Indians who have appeared and given evidence to the joint committee . . . to be in attendance when any further evidence . . . from others than members of various Bands, including officials of the various government departments is heard by the joint committee.

Your subcommittee is of opinion that, as your committee has not proposed to hear any further evidence this session, the receipt of this request should be acknowledged and the signers advised accordingly, with the suggestion that should the North American Indian Brotherhood name and authorize representatives to attend public sessions of any 1948 committee on Indian Affairs, they could attend at their own expense. The attendance of representatives from other organizations of Indians, under similar conditions, should also be accorded.

Mr. REID: I have only one comment to make with regard to this report.

The CHAIRMAN: Just a moment. Does Mr. Bryce move the adoption?

Mr. BRYCE: Yes, I move that.

Mr. GIBSON: I second that.

Mr. REID: I have one comment to make. If you send out what is set forth here in reply to the Indians' request it may very well be they would take this as their right to attend, meaning their right to appear and speak before this committee. I am not sure whether the subcommittee or this committee consider whether, if Indians appear here before a committee next year, they will be heard, but I am drawing attention to that point. We understand fully what the word "attend" means, but if the Indian is told that he can attend here he may well think, "if I can attend I am going to be heard." I think, therefore, if it is not the intention to hear them it should be made plain when communicating with them.

The CHAIRMAN: I think you are quite right. I want to thank you for drawing that to our attention. The letter which will go to this Indian organization will clearly state that. I believe that no person other than a called witness has the right to speak to a committee. In the event that Indians did attend here they could make their wants known through one or more members of the committee, but as of right, this being a parliamentary committee, they would have no right to come here and take part in the discussions of the committee.

Mr. REID: It is merely that I do not want any misunderstanding because in the request from these executive of the North American Indian Brotherhood they are asking to be heard by the joint committee. If your answer is that next year they will have the right to attend they may interpret that as acceding to their request for the year 1948.

The CHAIRMAN: Now that you have drawn it to the attention of the committee this will go out in the reports of the proceedings of this committee and it will be clear to all that if they do want to attend—and we welcome their attendance—they will have no part in the discussions of the committee.

Mr. CASTLEDEN: Do I understand from this that in case any member of the committee wanted to ask these Indians a question with regard to any evidence presented before the committee they would not have the privilege of answering?

The CHAIRMAN: You understand so far as a committee is concerned the committee is the sole judge as to the right of calling further witnesses. The plan was adopted last year and carried out this year that the evidence to be received will be completed this year. Next year we will proceed with the revision of the Act. If, of course, the 1948 committee in its wisdom decides to change that procedure that committee will do so.

Mr. MACNICOL: I have one question with reference to something you said there about the evidence being completed this year. With that I agree, but we have not had any Indian agents before us yet.

The CHAIRMAN: Yes, we have. We had Mr. Larivière. We had the man from St. Regis, Mr. Bannah.

Mr. CHARLTON: And Mr. Gooderham.

The CHAIRMAN: He was an inspector.

Mr. CHARLTON: If, as Mr. Castleden says, we have these Indians here would we not lay ourselves open to having to pay their expenses if we ask them questions and they are required to answer them?

The CHAIRMAN: Not if they are sitting in as spectators as any member of the public has the right to do. Even members of parliament who are not members of a committee have no right to come and take part in the discussions of a committee. Of course, we, as members of a joint committee of the Senate

and the House of Commons, may not even be on the Indian Affairs committee next year. We do not know. Is there any further discussion? Are you ready for the question? All in favour of the adoption of this report? Contrary? Only Mr. Castleden. Anyone else contrary? I do not know what your objection is, Mr. Castleden.

Mr. REID: Then it is contrary to a part of his own recommendation. To what part is he objecting?

Mr. CASTLEDEN: The second part only.

Mr. REID: Then he should state that. He just said "no, contrary".

Mr. CASTLEDEN: I would be very pleased to state my position.

The CHAIRMAN: You do not need to stand.

Mr. CASTLEDEN: The request of the Indians to appear at the time when any evidence is being heard is a natural one. When the Indians were giving their evidence there were officials of the department here, and when their evidence is being presented to the committee it seems only right and proper that the Indians, who themselves are on these reserves, who are so deeply affected, should be—

The CHAIRMAN: Just a minute.

Mr. CASTLEDEN: I am going to state my position.

The CHAIRMAN: I do not want to waste the time of the committee on going over old straw.

Mr. CASTLEDEN: I was asked this morning if I would make a statement as to why I was opposed to the report. I am giving it. If you do not want it I will not give it.

The CHAIRMAN: Be as brief as possible. This is all old straw. We have been all over it. If you have any feasible idea as to having the Indians come here to sit in with watching briefs now is the time to give it.

Mr. CASTLEDEN: I was asked to give my reasons why I opposed this motion. At the request of one of the members of the committee I was going ahead to do so, merely stating that it was my opinion that if the Indians made a request to have representation here they should be accorded that representation and given a full opportunity. If they are going to be notified it is going to be at their own expense they could be so notified.

The CHAIRMAN: That is what is stated in the report.

Mr. CHARLTON: That is stated in the report.

The CHAIRMAN: Then I take it you are agreeable to this report? Are you agreeable to this report?

Mr. CASTLEDEN: There are certain parts to which I object.

The CHAIRMAN: What is the part, so that we may be clear on it?

Mr. CASTLEDEN: There is a request here by some executives of the North American Indian Brotherhood that they want to send representatives here so that they can be present at any time that any officials of the department or Indian agents are giving evidence.

The CHAIRMAN: We are quite content that they be here. Do you want us to go back over everything and hear all the witnesses again?

Mr. CASTLEDEN: That is ridiculous.

The CHAIRMAN: I agree it is ridiculous.

Mr. CASTLEDEN: I think they ought to be here so that they may be questioned, if necessary. We have not covered this matter completely. We have had very few Indian agents here. There have been a lot of charges placed before the committee with regard to the conduct of agents. If agents and other officials

are going to be here to be cross-examined by the committee I think it is only fair and right that the Indians who made the charges should be here and if necessary be available for questioning.

The CHAIRMAN: I quite agree with you we have not heard all the people who want to be heard, and we never could hear them if we were to sit here from now till doomsday. What we are trying to do is to get an Act which will be of help to the Indians. We will never do that if we are going to sit here and do nothing but talk about it.

Mr. FARQUHAR: I do not think we can decide that. The 1948 committee will have to decide if and whom they want to call.

Mr. CASE: I should like to make this observation. It seems to me that this committee is charged with a certain responsibility. We have listened to many witnesses. We have heard the case presented by many Indians. Our responsibility is to redraft the Indian Act. When we have the Act redrafted I have no objections then to submitting it to any Indians who may want to review it, but I do not think they are in a position to advise us with regard to all the evidence they have already put before us. That would be simply shirking our responsibility. The proper procedure is for this committee to get down to business and see what we can do with the new Act.

The CHAIRMAN: All in favour of the adoption of the report? You are still opposed, are you, Mr. Castleden?

Mr. CASTLEDEN: That is right.

The CHAIRMAN: We have now to consider a letter from the corporation of the town of Cochrane dated June 19 and addressed to myself as joint chairman.

THE CORPORATION OF THE TOWN OF COCHRANE

Cochrane, Ont.

June 19, 1947.

Mr. D. F. BROWN, Joint Chairman
Special Joint Committee
on the Indian Act,
House of Commons,
Ottawa, Ont.

DEAR SIR,—We the undersigned, clerk-treasurer of the Town of Cochrane and secretary of Board of Trade, have been requested by motion of council and Board of Trade to issue an invitation to your committee to meet jointly with the two bodies and to this end extend to you an invitation to visit Cochrane for the purpose of studying the problems of the James Bay Indians either as a full committee or through a group of members.

It would be appreciated if this invitation be accepted and a meeting arranged as early as possible.

Yours truly,

E. J. MacVITTIE,
Clerk-Treasurer.

L. R. GUERTIN,
Secretary, Board of Trade.

This matter has not been submitted to the subcommittee on agenda and procedure because it was felt it was a matter that should be considered by the committee as a whole. With the tremendous duties that are now confronting

members of parliament I do not know what your attitude will be with respect to the invitation at this time. However, I might point out that rule 610 of Beauschene reads:

Committees may be authorized by the House to adjourn from place to place as may be found expedient, or meet at a particular place, but no committee can sit after a prorogation.

In the event that you decide to accept this invitation we will have to report to the House asking that the committee be empowered to meet at Cochrane, Ontario.

Mr. REID: This raises the question that I have had in my mind for quite a long time. You will remember that some time ago, on at least one or two occasions, I asked for a full report on the commission which travelled in the east. I would like to get a report on their expenses. It has been said that the government cut down on that kind of visiting because travelling expenses were too high. I am very sorry that there was not followed the policy adopted by the war expenditures subcommittees. They travelled the length and breadth of this country on a basis of \$12 a day.

It seems to me that somebody said that that subcommittee which travelled as a commission to the maritimes last year involved expenses of between \$6,000 and \$8,000. You will remember that at the beginning of the war we operated as subcommittees of war expenditures and we did that work on a basis of \$15 per diem. I think this committee might have been able to do more visiting and more effective visiting if they had kept their expenditures per member down to \$12 per diem. If on that trip down to the maritimes last fall the subcommittee travelling as a royal commission spent from \$6,000 to \$8,000 I think that was altogether out of line. And another thing, Mr. Chairman, if the commission went down there they also should have gone out to the west coast. They should have visited the Indians of the Rockies and on the coast. Why, Mr. Chairman, out there there are Indian communities where they have electric lights, water, heat, modern sanitary conveniences and everything just as the white people have. Had the commission gone out there they could have seen that and having seen that could have used that knowledge as a guide to help out some of these less fortunate poor Indians in some of the other parts of the country. If you go out to visit one or two or three groups of Indians why not do it with the others also. I am only one member of this committee but I am anxious to know what is the report of that commission, and I also want to know what it cost; and if it did cost \$8,000, I want to know why. This is a matter in which I am especially interested.

The CHAIRMAN: I may tell you now, Mr. Reid, that the report will soon be tabled in the House and we are trying to hasten that.

Mr. REID: Surely you know what it cost.

The CHAIRMAN: We know that the total expenses amounted to nearly \$8,000 but the discussion should take place in the House when the supplementary estimates are tabled.

Mr. REID: \$8,000, for how many?

Mr. CASTLEDEN: It was not that much, surely, for ten persons. They should have been able to go from one end of the country to the other for that amount.

The CHAIRMAN: You will have a detailed statement in due course. I repeat the proper place for this discussion is in the House when the estimate to cover that is tabled.

Mr. REID: I have worked for many years in this parliament. I do not know of one single member who lost a dollar on the allowance of \$15 or

\$12 per day that we received when travelling as members of subcommittees on war expenditures; and I may tell you that some of us travelled from Halifax to Vancouver. The subcommittee on shipping on war expenditures travelled this whole country and not one member lost a single dollar on the amount he accepted as an allowance for expenses.

Mr. CASE: Maybe he did not have to drive out miles into the country as we did.

Mr. REID: Yes, we drove into the country; not hundreds of miles out but we drove into the country to visit airplane factories.

The CHAIRMAN: I am told that the appropriation for the commission was twice the amount used, but that we established a "new low" for committee or royal commission expenditure.

Mr. REID: But originally it was recommended the whole committee should go.

The CHAIRMAN: I believe that the war expenditures subcommittees cost far more than this commission did. However, that is a matter for us to discuss in the proper place at the proper time. Let us get all the facts; don't let us have a one-sided discussion. It is really out of order.

Mr. HARKNESS: I think it is idle to discuss it right now. We will have a statement later on. I agree with Mr. Reid that a statement should be presented but at the proper time.

The CHAIRMAN: That is right; that is what we are trying to do—to get to it as quickly as possible, but we must remember that we must obey the rules of the House.

Mr. REID: Tell me this; can you give me the reason why we should have to wait from last fall until now to have the final report from that commission?

The CHAIRMAN: There are many reasons; one reason is that there are about 900 pages of evidence; and there will be a unanimous report which it was our desire to present. That took time and several meetings, with ten members on the Commission. Those meetings could be held only after the House met. Need I say more on this?

Has anybody else anything to say on this motion to adopt the report of the subcommittee?

Mr. CASTLEDEN: Yes. Have the members who went on the commission been paid their own expenses?

The CHAIRMAN: No.

Mr. CASTLEDEN: They have not been paid yet?

The CHAIRMAN: No.

Now, if there is nothing further, we will proceed. We now have to deal with this matter of the invitation to Cochrane.

Mr. MACNICOL: In my opinion, Mr. Chairman, it is too late for us to go there. The House is expected to recess on or about July 15. We could hardly do it in that time. I would suggest that you acknowledge the invitation expressing the appreciation of the committee, and also regret that time does not permit of us taking advantage of their very kind invitation.

The CHAIRMAN: Is that a motion?

Mr. MACNICOL: Yes, if you like.

Mr. CASE: I would more or less agree. Is the evidence for this year now supposed to be complete.

The CHAIRMAN: That is my understanding; that is the plan of the subcommittee.

Mr. CASE: I do not think we could go up there then if we have enough evidence on which to proceed with the redrafting of the Act.

Hon. Mrs. FALLIS: If we were to accept this invitation would it not, perhaps, open the way for other invitations.

The CHAIRMAN: That may be. I think, as Mr. Reid pointed out, the committee should have done a great deal more travelling to find out at first hand the conditions in all parts of the country, but we have not found time so to do; and the work of the House, of course, is such that when the session is on members just can't be away. While the House is in recess there is some objection from members of the committee to travelling, apart from the fact that government must first authorize a travelling commission.

Hon. Mrs. FALLIS: Mr. Chairman, it seems to me that while it would be very desirable, in some respects, for the committee to visit every major Indian reserve in Canada it does not seem very practical. We have members on this committee—for instance, Mr. Reid—who has given us wonderful reports as to conditions among the Indians in British Columbia, and others from other provinces—and don't you think we may accept their reports as evidence just as well as if we went to those reserves to see for ourselves?

The CHAIRMAN: As one of those who went with the royal commission last year, I know that I profited greatly by the experience of seeing at first hand conditions in the Maritimes and Eastern Quebec. I had no conception of those conditions before. Now, I am only one member of the committee, but I am sure other members have had the same experience.

Mr. REID: I don't want to labour the question, Mr. Chairman; but I do think it would be only fair for a committee of this kind to visit not only the poor districts but also those districts which have done very well, so that we could see what they have done, and from that experience see if we cannot work out some system which will benefit the poorer Indians. You will find at some places they have towns which are run on exactly the same lines as towns run by the white people. They have their own police policing the towns, they have electricity, they have water systems; everything is the same as would be found in a community of white people. I tell you if you were to see one or two of these communities it would give you something to think about.

The CHAIRMAN: What is your pleasure about this invitation, gentlemen?

Mr. FARQUHAR: Mr. Chairman, I see no possibility of accepting the invitation. We might as well leave it until the session ends and our work is finished for the year.

The CHAIRMAN: I, for one, am not prepared to travel all over the country. I have other interests, the same as the rest of you. We just can't do it, much as we would like to. It would be very pleasant and all that, and we would like to do it; but I, for one, am not prepared to travel right now or even for some weeks after prorogation.

And now, Mr. MacNicol, your motion is that we acknowledge this invitation with thanks and express our regret at being unable to accept?

Mr. MACNICOL: Yes.

Mr. CASTLEDEN: Speaking to that motion, Mr. Chairman—

The CHAIRMAN: Just a moment, does anyone second that?

Mr. FARQUHAR: I would second it. Possibly we should add that if they wish to do so they might send us a brief and we could have it put on the record.

Mr. CASTLEDEN: Speaking to the motion—

The CHAIRMAN: They filed a brief last year. Our appendix AA, at page 641 of our 1946 minutes.

Mr. FARQUHAR: I thought possibly they might have something new to bring up.

The CHAIRMAN: Now, Mr. Castleden.

Mr. CASTLEDEN: I am in agreement with what Mr. Reid says. I think the more this committee travels the better. If there was \$15,000 appropriated for travelling expenses for this committee and only a part of it has been used, would it not be possible for some select subcommittee or commission to go up to Cochrane or out west? I have in mind, of course, those members who might be available to go. In that way we would get very valuable information, information of a kind one can get only by visiting in the field. I think we should accept the invitation; and if it is not convenient for the committee as a whole to visit Cochrane, then arrangements might be made for a commission or subcommittee to do the work during the recess.

The CHAIRMAN: Of course, when the report of this committee goes to both Houses there will be no more committee, and there will be no more committee because all committees cease to function with prorogation. You would have then to ask the House to set up another commission.

Mr. CASE: There is only one thought which occurs to me; I understand that the Indians in the James Bay area are in great distress. It would be worth while to make the trip, but I do not see how it could possibly be arranged. If it could be arranged that a subcommittee or commission of four or five go there, by all means let's have them go so that they can see these people and the conditions which prevail. If that could be arranged I would be all for it, but I do not see any possibility of rushing up there now.

Mr. MACNICOL: Well, Mr. Chairman, to go to Cochrane would not do the committee much good because you would not be able to get to see the Indians concerned. Most of the Indians about whom we are concerned in this area live at places like Moosonee and Moose Island. That is where the Indians are. They are usually encamped along the Abitibi river. I saw a large number of them there, and you would have to go right up there to see them and the conditions under which they are living. You can hardly expect them to come down to Cochrane.

The CHAIRMAN: Now, are you ready for the question?

Mr. CASTLEDEN: Well, then, if we were to accept this invitation and the committee were to go as far as Cochrane, at least we would be a little closer to the Indians in the James Bay area than we are here.

Mr. MACNICOL: As I said, you would have to go up the Abitibi river, to around Moose Factory, Moose Island and Moosonee and all around the Albany river. It would not be practical to bring the Indians all the way down to Cochrane. That is a long distance for them to come. I would not oppose sending perhaps one or two members right to Moosonee—a subcommittee or a commission such as we had last year—but I do not think it would be practicable for the whole committee to go. I covered quite a number of reservations when I was up there. I travelled in my own car, but everybody can't do that. I have no objection to those who can make proper arrangements being sent to this area. I know what my expenses were. There was quite a lot of talk from the department itself that they might assume those expenses if we had to pay anything. There was some talk from the department—I refer to the Department of Mines and Resources—that these expenses would be paid, but they have not yet been paid.

Mr. CASE: I wonder if we could not dispose of this whole matter by voting in favour of Mr. MacNicol's motion and then passing a motion that the committee authorize the such committee, if possible, to arrange for a small delegation to visit the James Bay area, and we should provide also for them to take evidence.

Mr. BRYCE: If they are going to visit the James Bay area they might as well go the rest of the way and visit the Winnipeg district.

Mr. CASE: That is it; it just opens up the whole field.

Mr. BRYCE: Come along with me, I am going anyway, and I will see that you don't get lost.

The CHAIRMAN: Can we have the question put? All those in favour of Mr. MacNicol's motion?

Hon. Mr. STIRLING: Mr. Chairman, in passing this motion I would suggest that the reason be given for our not going up there. We might say, for instance, that the committee has not yet been able to formulate its plans for the period following the session.

The CHAIRMAN: There will be no committee, you see. As has been pointed out, we cease to function with prorogation and there is no committee in existence between sessions.

Mr. GIBSON: I do not think we could do that anyway.

The CHAIRMAN: All in favour of the motion?

Carried.

The next item of business is hearing from Mr. Hoey, Director, Indian Affairs Branch.

Mr. CASE: Mr. Chairman, would you care to put the other part of the motion? I would move that the subcommittee on agenda and procedure give consideration to the advisability of sending a small delegation to the James Bay area to take evidence and to inspect conditions there.

Mr. CASTLEDEN: I will second that motion.

The CHAIRMAN: Let us have some opinions here. Mr. MacNicol's motion was that so far as Cochrane was concerned we decline with thanks. The motion by Mr. Case is to refer the matter to the subcommittee on agenda and procedure for the purpose of considering the advisability of a visit during the recess to the James Bay area; and Mr. Bryce wants to couple with that a visit to the Lake Winnipeg area—

Mr. BRYCE: No, no.

The CHAIRMAN: —and that the whole matter be left in the hands of the steering committee.

Mr. BRYCE: I think it is better to have it refer just to visiting the Cochrane district.

Mr. REID: I want some of you to come out to the Pacific coast.

Mr. BRYCE: There is a problem at The Pas where they are opening up a new reserve and moving the Indians down to that reserve. You will need to go there and look into that situation and Mr. Reid wants you to go British Columbia.

The CHAIRMAN: Will you amend your motion, Mr. Case, to leave the matter in the hands of the subcommittee on agenda and procedure as to inter-session activities?

Mr. CASE: Thank you, Mr. Chairman.

Mr. BRYCE: Why leave it to the subcommittee?

The CHAIRMAN: Because the subcommittee, as you remember, has very broad shoulders.

Mr. FARQUHAR: I am afraid that is passing the buck.

Mr. BRYCE: Sure it is; it doesn't mean anything anyway.

Mr. CASE: I take it the subcommittee will report back here yes or no; so, let us get on now with our work of the morning.

The CHAIRMAN: Those agreeable to the motion indicate.

I declare Mr. Case's motion lost.

Now, shall we get along with the evidence of Mr. Hoey. Mr. Hoey is here and we are hoping to wind up the public sessions of this committee this week. If it is agreeable to you we will meet today until one o'clock and, if necessary, on Thursday from eleven o'clock to one o'clock.

Mr. CASTLEDEN: Do I understand that we are going to try to finish the work of this committee at the session this morning?

The CHAIRMAN: Perhaps.

Mr. CASTLEDEN: What are we going to do about a report?

The CHAIRMAN: When I say that we are going to clear up the work of the committee I mean that we are clearing up the hearing of evidence; I do not mean that we are going to finish the task of the committee this morning. Our report will have to be considered after we have heard all the evidence; that will be the final activity of the committee.

Mr. CASTLEDEN: Do you think it will be possible for us to complete the terms of our reference after the evidence is heard? The terms of our reference were that we were to complete the work of this committee at this session.

The CHAIRMAN: We will report that we could not complete the task assigned to us.

Mr. CASTLEDEN: Will we make no report this session?

The CHAIRMAN: We will present our Fourth report.

Mr. MACNICOL: There will be the report of the commission which went to the maritimes, for our consideration?

The CHAIRMAN: When the committee's report goes in it will refer to the report of the commission.

Mr. REID: We will complete the evidence, and present a sessional report.

The CHAIRMAN: This committee will submit a report.

Mr. CASTLEDEN: But the report of the commission will be tabled?

The CHAIRMAN: That is right.

Mr. CASE: The report is ready and will be tabled soon.

Mr. CASTLEDEN: Will this committee give any consideration to the revision of the Act this session?

The CHAIRMAN: Not this year.

Mr. CASTLEDEN: When was that decided upon?

The CHAIRMAN: That was discussed several times in committee and in the subcommittee. It was found that we would not have time, assuming now that the House is going to prorogue in the middle of July. If, of course, it looks as if the session is going on until next fall that may change things.

Mr. CASE: Will the subcommittees on education and revision and so on function after this committee has concluded its labours, so to speak?

The CHAIRMAN: When this committee has concluded its labours the activity of any subcommittee will have ceased also. I will now call on Mr. Hoey.

Mr. R. A. Hoey, Director of Indian Affairs Branch, recalled:

Hon. Mr. W. H. Taylor (Joint Chairman) assumed the chair.

The WITNESS: Mr. Chairman, Senator Fallis and gentlemen, the regular meetings of this committee, as I understand, are now rapidly drawing to a close. Certainly, they are drawing to a close so far as this session of parliament is concerned. I wish to be personal for a moment, if I may, and thank the members of this committee, first of all, for their unflinching courtesy to the members

of my staff and to myself during the course of this inquiry. That courtesy, it seems to me, was very much in evidence at all times, and I appreciated it more, perhaps, than I can easily express in words.

Then, too, I should like to refer to the attitude of the members of this committee toward the Indians who appeared as witnesses before the committee from time to time. It seemed to me that nothing could exceed your kindness to them, the patience you displayed, your anxiety to hear their cases in full, to extend to them every opportunity that could be extended in view of the somewhat limited time at the disposal of the committee; and I liked that kindly, sympathetic attitude on the part of the committee toward the Indians.

Then there were a number of members of this committee—perhaps the majority—who were very regular in their attendance in the past two sessions, and to them I wish to express my personal appreciation. Their regular attendance here, despite the thousand and one matters which are forever calling for attention, was to me an indication of their deep interest in the problems confronting the department in the administration of Indian Affairs, and was to me and to the staff very gratifying.

Now, there is really very little that I have to add to the statement made by me in my first submission on Thursday, May 30, 1946; but there are two or three matters to which I should like to refer very briefly. First of all, I got the impression—and in this I may be wrong—that there was a feeling at times that if we could secure more funds a great many of our problems would disappear: more funds to provide tuition grants, additional funds that would enable us to undertake more generously the care of the aged and the physically unfit.

Now, a day or two ago I referred to the conditions in the '30's. It was impossible then to secure adequate funds for almost every branch of the public service. Then I referred to the war, when the regular services were pretty much pushed into the background in the interests of our war effort. Now, we are emerging from war conditions, and it is my duty and responsibility, as I see it, to present the facts and not to theorize, much as I should like to do so. But we have actually reached the stage in public administration—how long it will last I cannot say—when money means very little to us; and it would be erroneous for the committee to get the impression that if we had more money we could make greater provision for the Indians. We cannot do so at the moment because of the acute shortage of fully qualified teachers and the acute shortage of men offering to take over the Indian agencies. For Walpole Island we had twice to advertise a position that carries \$3,600 a year plus a house and light. We advertised a position at Selkirk, a year or so ago, and there was only one candidate who appeared. He had only the minimum qualifications. As I indicated a moment or two ago, I do not know how long present conditions will last. I have before me a statement which I am going to put on the record, with your permission. It indicates the amount of money voted last year for Indian administration, including medical services. The figures show the amount allotted as \$11,249,037.46.

Mr. MACNICOL: That is for 1946?

The WITNESS: For the fiscal year, the last fiscal year—1946-47—\$11,249,037.46. We actually spent \$9,968,810.32. So there was no attempt on my part and no attempt on the part of anyone during the last year to restrict expenditures where we felt expenditures were sound and where the need justified the expenditures.

Mr. CASE: May I interrupt you for a moment, Mr. Hoey? That figure has nothing to do with the band funds; it refers only to departmental expenditures?

The WITNESS: That is wholly departmental, including medical.

Mr. CASTLEDEN: That includes the vote for the Department of National Health and Welfare?

The WITNESS: Yes.

Mr. CASTLEDEN: How much of this was spent by the Department of National Health and Welfare on medical services?

The WITNESS: Medical services were voted \$4,403,390; they spent \$3,853,425.34.

The CHAIRMAN: This statement will be put into the record. (Statement follows.)

DEPARTMENT OF MINES AND RESOURCES—INDIAN AFFAIRS
BRANCH

TOTAL OF ENCUMBRANCES AND EXPENDITURE BY VOTES—YEAR 1946-47

Surveys and Engineering Branch expenditure included.

Name of Vote	Amount Allotted		Total Encumbrances Less Refunds		Net Expenditure	
	\$	cts.	\$	cts.	\$	cts.
Branch Administration.....	70,305	00	61,534	26	61,534	26
Indian Agencies.....	1,168,559	00	1,074,686	39	1,074,686	39
Reserves and Trusts.....	732,831	00	663,412	83	663,412	83
Annuities.....	295,847	00	295,847	00	295,847	00
Fur Conservation.....	200,000	00	161,110	79	161,110	79
Medical.....	4,403,390	00	3,853,425	34	3,853,425	34
Grants to Hospitals.....	204,320	00	4,320	00	4,320	00
Welfare.....	1,291,115	00	1,230,868	05	1,230,868	05
Grants to Exhibitions.....	6,725	00	5,085	16	5,085	16
Indian Education.....	1,081,971	00	952,925	33	952,925	33
Grants to Res. Schools.....	1,692,355	00	1,585,795	42	1,585,795	42
B.C. Special.....	100,000	00	78,180	29	78,180	29
Pensions and Other Benefits.....	1,200	00	1,200	00	1,200	00
Gratuities to families of Deceased employees.....	419	46	419	46	419	46
	11,249,037	46	9,968,810	32	9,968,810	32

Mr. Brown resumed the chair.

The WITNESS: It is my hope that next year the committee will undertake and complete the revision of the Act. The longer I remain in the Indian service the more I am convinced that it is largely an administrative problem. I cannot see—for the life of me—at the moment, how you could revise the Act, or in what way you could revise it, that would mean much to the Indian population in the absence of sound administrative effort. I would say offhand that ours is about two-thirds an administrative problem and, perhaps, about one-third a legislative problem.

Now, one of the matters upon which there seems to be a difference of opinion is the matter of education. You have had before you witnesses advocating the operation of schools by the government and others advocating denominational operations or, indeed, denominational control. I should like to make one or two suggestions, and I am making them now for the simple reason that I should like the members of the committee to turn my suggestions over in their mind during the period immediately ahead of us so that they will be able to express an opinion when they actually get down to the revision of the Act.

If you will turn to the Indian Act, and look at section 100, you will see that it relates to the power of the band council to make regulations; and subsection (2) reads:—

If a majority of the band belongs to any one religious denomination the teacher of the school established on the reserve shall belong to the same denomination. The Protestant or Catholic minority of any band may, with the approval of and under regulations made by the Governor in Council, have a separate school established on the reserve.

I would take section 100, if I were revising the Act—which is not my responsibility—and I would link it up with section 9 of the Act. That is to say, I would give the Indians the right to determine for themselves exactly what type of school should be operated on a reserve. I think it would be a good thing for the educational effort. I believe it would be a good thing for the missionary effort. I do not know of anything more apt to retard missionary effort on a reserve than to have an unpopular teacher in charge of the school. Therefore, I believe this would be a good thing for the educational effort and a good thing for the missionary effort. I think it would be a practical step in advance. I would give the Indians the right actually to say what schools should be operated on their reserve.

Mr. MacNICOL: May I interrupt you there? You did mention about a portion of the band being of one religion and a portion being of another religion; what would you do with the minority? Would they be compelled to accept the religion of the majority?

The WITNESS: Suppose in the band voting the majority were in favour of a school operated under a particular denomination; that would simply mean that it would be a departmental school but the teacher selected would have to belong to that particular denomination. That is all it would mean. It would not mean control by the denominational authorities. It does not really mean control by a denomination now. The Indian day school teacher under those new regulations would be a civil servant. Two things could happen. If the vote decided that a denominational school should be established then we might make arrangements whereby the members of the other denominations on the reserve would be exempt from the religious exercises that usually take place between 3 and 3.30 p.m. or 3.30 and 4 p.m.

Q. Of course, if you had public schools there would not be any religious exercises?—A. I would give the Indian the right to say whether it should be a public school or a denominational school. I do not see how we can go further at this stage. The whole Indian educational system, as I see it, is a superstructure. The churches were in there first—years before government took an interest in Indian education. They are still in there. They have a great many trained workers. They are engaged in a missionary effort. They are going to be there anyhow. I would put the responsibility back on the Indians as to whether they want a public school or a denominational school. I would make provision whereby a vote would be undertaken and carefully recorded on each reserve.

By Mr. Reid:

Q. In the province of British Columbia we never raise any question, in the public schools, as to whether a boy or girl is a Roman Catholic or a Protestant. I know many splendid Roman Catholics who are teaching in our Protestant schools. We never raise any question at all and we have got along fairly well.—A. I think perhaps in British Columbia the Indians would vote the same way, but you must admit both British Columbia and the province of Manitoba are rather unusual in that respect. Provision is made in practically all other provinces for a separate school system to which certain people have become acclimatized in this country. In any event, I think the Indian should have the right, and I would extend it to him, to say exactly what type of school he wants.

By Hon. Mr. Stirling:

Q. Would you suggest that vote would be subject to revision after so many years, or would that vote be final for all time?—A. No, I think either in the Act or in the regulations it should be provided that after a reasonable period of time—say ten years—they should have the right of repeal if they so desired. Conditions change. I believe they should have the right of repeal.

By Mr. Castleden:

Q. How about minorities? It might be possible, as we had evidence given to the committee, that one group might be Roman Catholic, another group might be Protestant and there might be a group of people who do not believe in any Christian religions. They hold to the old Indian beliefs. You are still going to run up against the problem of deciding whether or not those people have any rights as minorities. The establishment of a school for a minority, what is known as a separate school, whether it be Protestant or Roman Catholic, is still entirely out of the hands of the Indian. It is in a departmental branch. Are you going to build four or five little schools?—A. I think in practice it would work out reasonably well. In the province of Manitoba where we have in the outlying districts say a Catholic in charge there may be a few Protestants or non-Catholics in the neighbourhood. Under the regulations issued by the advisory board they are exempt from religious instruction. It seems to work out reasonably well. Then it is incumbent upon the department to see that instruction other than religious instruction is academic and neutral.

By Mr. Reid:

Q. Yet the problem still remains, especially in British Columbia, where you have had day schools closed for two years or three years due to the fact that a certain church says, "We cannot get a teacher of this denomination", and the children lack education. That has applied to both the Roman Catholic and Protestant churches. Your suggestion would not cover that at all. It would not cure that.—A. No, I do not think you can cure that, frankly, until conditions change. Educationists have expressed the view recently there is going to be an acute teacher shortage for perhaps ten years. Until that shortage is overcome, and until we give the members of the teaching profession a higher status and attach the importance to their work that should be attached to it. I do not think you can correct that. In the old country from which I came, and from which some of you came, the clergyman and the doctor and the school master were on the same level. In rural Ireland the clergyman, the doctor and the school master—and there was invariably a school master—were the leaders in the community. They enjoyed the same social status. I was shocked when I came out to Canada to discover that the members of the teaching profession were relegated to an inferior position. I think that is all wrong. That is the reason why we have not more school masters in Canada. We do not appear to attach the same importance to the work in which they are engaged as we did in the old country. Anyhow that is my idea. I should like to say that I am not speaking at all dogmatically. If you say, "You are 100 per cent wrong" that will not offend me at all.

The CHAIRMAN: Ladies and gentlemen, could we not let Mr. Hoey proceed without questioning until he completes his presentation? A great deal of our discussion now has been on the revising of the Act.

The WITNESS: That is my first suggestion.

Mr. CASE: I think it is far better to question as we go along.

The CHAIRMAN: Is it the committee's pleasure to do that?

Carried.

The WITNESS: I should like to make discussion as informal as I can. The next question on educational effort is the operation of Indian day and residential schools. Frankly I do not think that problem is one that need give us a great deal of trouble. It would require at least \$200,000 today to build and equip a fireproof Indian residential school. The cost of operation would run between \$200 and \$300 per year per pupil. I care not what government is in power and

I care not who may be director of Indian Affairs; the officials in the future will have to put up an extremely strong case for the establishment of Indian residential schools.

As a matter of fact, I have now been almost eleven years in the department, and I cannot think at the moment of a single new residential school built in that period. They are just too costly. A few that were burned have been replaced. That means that we will carry on with the residential schools already in operation plus a few additional residential schools in the northern regions of the dominion. As the Indian population increases Indian pupillage is increasing at the rate of 300 a year. To keep abreast of that increase we would need to build each year one Indian residential school with an enrolment of 150, and 5 Indian day schools, without stopping to pull in the slack rope of 12,000 for whom no provision has yet been made at all. Consequently the Indian residential school is going to become taxed for space. It is so taxed now. I think where it becomes unduly so taxed the department should build a detached four room school. I think that school should be in exactly the same position as an Indian day school, the responsible minister in such cases entering into an agreement with the particular church concerned whereby the church would look after the dormitory accommodation, food, clothing, and extra-curricular activities, such as football, hockey and the like. I think the churches, under trained leadership, are ideally equipped for that work I think it is work in which they would excel. I think it is a task to which they could turn with greater hope of success on the whole than the department, but I think the educational end of it should gradually—in fact, I am sure of it—come under the control of the department. The principal and his staff should gradually come under the control of the department. I do not think the churches would take any reasonable objection to that.

Speaking of Indian residential schools, when Dr. Scott was deputy superintendent general we had a contract with all residential schools in which the duties and responsibilities of the church were clearly defined, and the duties and responsibilities of the department defined with equal clearness. For some reason or another that contract lapsed before I came into the department. I think in the Act it should be clearly stated that the minister has the authority to enter into such contracts just the same as the contracts we enter into now with provincial governments for the joint operation of schools in northern Saskatchewan, northern Manitoba and the northern sections of other provinces. I think the minister under the Act should be given the power and authority to enter into contracts with the churches for dormitory care and for providing extra-curricular activities for groups of children here, there and everywhere, but I think the trend is to have the educational side of the work brought under the control of the department. That would solve what, at the moment, looks like a rather awkward problem. It would enable teachers engaged at residential schools but working under the direct control of the department to become to all intents and purposes Indian day school teachers, and would enable them to qualify for the benefits that exist under the Civil Service Superannuation Act.

By Mr. Lickers:

Q. What about the principal? Would you also make him a civil servant?

—A. Yes, not the principal of the dormitories who in all probability would be a clergyman, but the principal of that four-room or three-room or two-room educational unit attached to the school should definitely be a trained educationist and he should have complete control over the pupils from when they enter the class rooms in the morning at 9 or 10 until they are discharged at 3 or 4 in the afternoon. There should not be any conflict of jurisdiction in that case.

By Mr. Reid:

Q. Does the principal not have that power right now? In the various schools I visited the principal or the one in charge of the institution had that right and power now regarding the education of the children.—A. The principal of a residential school now theoretically—I do not know how it works out in practice in all cases—is really the administrator and the head educationist and the head farmer, and he is in complete charge and complete control. I would give him the dormitories, the agricultural operations, the extra-curricular activities, and everything else that relates to the physical well being of the child and his spiritual advancement, but I think the other unit, just the same as they have at Alberni, should be under the direct control of the department. Anyhow, that is a matter you can think about.

The other matter which took up an unusually large amount of your time was this permit system in the west.

By Mr. Castleden:

Q. Before you leave the educational system, the present system of inspection is left entirely to the provinces except for British Columbia?—A. British Columbia.

Q. The provincial school inspectors seem to be operating in a field where they have not had special training, where they pass their reports to officers at Ottawa. I was wondering whether or not you have any recommendation with regard to the establishment of an efficient inspection system of the actual academic work being done in the schools. It might be operated by the department here or in some other field. Do you pay the provincial governments for the inspection work?—A. Yes, so much per class room.

Q. And do you find it is more efficient in British Columbia or do you find the system of provincial inspection is more efficient?—A. We have been without an inspector there for three or four years. When the inspector who retired, Captain Barry, was on the job, I think that on the whole it was better, but I think Colonel Neary will support me in this, that the school inspectors recently appointed by a number of the provincial governments are rendering a marvellous service. They seem to be just as much interested in the educational advancement of the Indian as the agent or any official at Ottawa. They are continually making suggestions. They do a rather thorough job. We did not get as good service from some of the older men who were sincere but academically minded. They just could not see vocational instruction. We had a great deal of trouble with them. They thought an educated man was a man who graduated from high school, took a classical course with very few modifications, got a university degree, and then perhaps a degree in pedagogy, but if you talked about black-smithing as education they just could not see it. Those men are disappearing. The new men are becoming more reasonable in their attitude to vocational instruction. I do not know whether or not I should say this on the record, but if I were answering that question, quite frankly and quite honestly I have shied away from it, for the simple reason I was afraid that if I appointed an inspector of one denomination a demand would immediately arise for an inspector of another denomination. I thought I had trouble enough on my hands without stepping into that in the meantime.

Mr. CASE: I think that is very sound.

Mr. CASTLEDEN: That is another argument for state schools.

By Mr. Castleden:

Q. Do you have all your Indian schools inspected once a year by an inspector?—A. No.

Q. What percentage do you get?—A. Oh, I would say all the schools are inspected with the exception of schools in the northwest territories.

Q. Once a year?—A. Oh, more than that. They are very liberal. Take a reserve like Caradoc. Inspector Gordon Young who was in charge at one time, and who is still there, I believe, is around there maybe once a month. He is really interested. He is constantly giving advice. The same thing applies to the school inspector at Brantford. I would not be surprised if he had been on the reserve maybe more than once a month.

By Mr. MacNicol:

Q. What about the schools at White Sands and Gull Bay on Lake Nipigon?—A. They will be inspected; by whom I could not say at the moment.

Q. There must be somebody from Port Arthur.—A. Yes.

By Hon. Mrs. Fallis:

Q. I should like to ask Mr. Hoey a question in regard to the inspection of schools. You pay the provincial inspector so much per class room. In that agreement is there any stipulation as to how often he must inspect the schools? Is there anything compulsory about it?—A. No. In some cases we pay the provincial Department of Education and allow them to make whatever arrangements they like with their inspectors. In other cases the cheque for the work goes direct to the school inspector.

Q. In other words, it is left pretty much to the discretion of the inspectors?—A. It is, because they work in certain areas and the reserve is a part of that area. The average educationist is just too conscientious and too public spirited to pass an Indian day school or Indian residential school without inspecting it or without calling in to see what is going on. I do not know what Colonel Neary's experience has been, but I got marvellous service from them. They visited them quite regularly. They undertook the inspection with a great deal of patience. Of course, they have no power to do anything other than to send in their reports to us, but they go into lighting facilities, sanitary conditions, the health of the children, their academic progress, very thoroughly.

By Mr. Reid:

Q. At the same time, do they also put in a report as to the teacher? I know in British Columbia the inspectors going around the public schools not only put in a report regarding the pupils but also put in a report as to the teacher. The Department of Education has reports on file all the time as to the aptitude of the teacher and whether she is fully capable of teaching that class. I am wondering if the inspectors of the Indian schools do that.—A. Yes.

Q. They do that in the other provinces? They put in a report?—A. Yes.

Q. And has action been taken in the past where a report has been made that the teacher was not suitable or was not doing her work properly?—A. Yes. We have a standard form. We follow the provinces pretty closely in that regard. They report on the health and professional standing and other matters relating to the teacher and her work.

By Mr. Case:

Q. As a matter of fact, it certainly is a definite part of the inspector's work to inspect the teacher?—A. Yes.

Q. The teacher's qualifications, aptitude, and so on; that is a part of his work as much as inspecting the progress of the children.—A. Yes.

By Mr. Reid:

Q. Has it not been one of your great difficulties in regard to many of the reports you receive as to the qualifications or aptitude of teachers that those teachers are protected and cannot be removed in many instances? In my travels

I ran across at least two cases where I considered that the teachers should not be there. When I inquired from the Indian agent he said, "Oh, well, we have been asking for two or three years for the removal of that teacher but we are told that she cannot be removed." Has that not been one of your greatest troubles? We are trying to dig into this matter and find out how it works.—A. I would say without any hesitation that a teacher would have to be very bad—during the recent war period—for us to consider her dismissal seriously because when we dismissed a teacher it simply meant the closing of the school. We were confronted with closing the school on the one hand or keeping the teacher despite his or her incompetence, on the other hand. Of course, if there were any charges against the teacher's character that would be a different matter. When an inspector comes along and says that her pedagogical methods are faulty, or something like that, we check up, but we certainly would not seriously consider dismissal. We could not. If you have in mind that because a teacher is nominated by a religious body that we might have some difficulty in dismissal I might say that I have never consulted the churches in the case of a dismissal. I just dismiss and let them complain afterwards. They do not often complain. The churches are usually very reasonable. They are no more anxious to keep an incompetent teacher than we are. Are there any other questions on education?

By Hon. Mr. Stirling:

Q. How would you deal with the situation which arose in the Okanagan district where a good school and teacher's house have been vacant for two or three years during the period when the war created great difficulties in this regard? The nomination of the teacher was under the Roman Catholic bishop. He was not able to make a recommendation and the name of a Protestant teacher and his wife was submitted but was not acceptable to the bishop. In a case like that covered by the recommendations which you have been asking us to consider?—A. I think so. I think it should be made clear in the Act that where Indians vote in favour of a denominational school that the department is still in control. It just means that the teacher is to be of the same religious faith as the majority who voted for the denominational school. The churches cannot take any exception to that. That is in force in Manitoba.

By Mr. Reid:

Q. They could and they would if there was a certain length of time which was to be given over to religious instruction. There would be various objections to another teacher coming in. You can see the reason for their objections.—A. Charges are made from time to time about the inordinate amount of time given over to religious instruction. Frankly I do not take such charges very seriously. In the schools I have visited they were living right up to the curriculum, but when a teacher becomes unpopular or a principal becomes unpopular it is the easiest thing in the world to direct charges against them and say that they are devoting too much time to religion. That is just about as good a charge to lay as any other.

By Hon. Mrs. Fallis:

Q. I am not very clear as to the instance which Mr. Stirling quoted. In that case would the department have no say? Would it allow that school to be closer for two or three years when there was a teacher of another faith available?

MR. REID: They did just that.

THE WITNESS: If you turn to the Act—

HON. MRS. FALLIS: If that is in the Act it seems to me it is a matter to which we should give attention as to whether children are going to be denied an education, in such circumstances.

The WITNESS: I would refer you to subsection 2 of section 10. Here is what the officials are up against:

Such school shall be the nearest available school of the kind required, and no Protestant child shall be assigned to the Roman Catholic school or a school conducted under Roman Catholic auspices, and no Roman Catholic child shall be assigned to a Protestant school or a school conducted under Protestant auspices.

Immediately you ask what is a Protestant school or what is a Catholic school? In practice it means that where a Catholic is in charge it is designated a Catholic school and where a Protestant is in charge it is looked upon as a Protestant school. Therefore when the bishop failed to secure a teacher Colonel Neary would look at the Act and he would say, "I can secure the services of a Protestant teacher". But the Act provides that no Catholic child shall be sent to a Protestant school or a school conducted under Protestant auspices.

Mr. REID: You are speaking of the teacher.

Hon. Mrs. FALLIS: I realize that part of it.

Mr. REID: They were speaking of the teacher.

Hon. Mrs. FALLIS: We are speaking of revising the Act. I am wondering if that is a condition that should be allowed to continue; that the school should be closed for an indefinite period of time and these children denied an education because, although a teacher is available, church authorities will not accept that teacher.

The WITNESS: Senator Fallis, I think it may be clear in the Act that the denominational schools, if you are going to have such, are your responsibility. The taxpayer should only be asked to go as far as the payment of the teacher; not the missionary, not the department. And the teacher, whether a Catholic or a Protestant, should be a civil servant subject to discipline ordinarily imposed on civil servants, appointed and dismissed by the department. There should be no evasion.

Hon. Mrs. FALLIS: Under those circumstances an incident of this kind could not occur?

The WITNESS: No, it could not occur.

By Hon. Mr. Stirling:

Q. And under those circumstances you would not look to the bishop for a recommendation for the appointment of a teacher?—A. Unless, of course, we could not get a Catholic. Personally, I would try to do so even if we had to ship one, say, from as far away as Prince Edward Island. We would try to get one of their own denomination for them.

Q. Tell me, in regard to the incident to which I am referring and of which you must be aware, has a vote, a decision been taken on that point?—A. No, there is no provision for a vote, at present.

Q. Then how did it come that the Roman Catholic bishop hitherto has been in that preferred position?—A. Because the majority of the members on that reserve are Catholic, and in all probability the Roman Catholic church was the first to establish and maintain a mission there for a great many years.

By Mr. Reid:

Q. But in the past you have not been able to take action in regard to the filling of vacancies for teachers although you have quite a number who have been picked for a long time; you have no power apparently at the present time to fill these positions with teachers?—A. If it came to legal power, I do not

know whether we have the power or not; the established practice over a long period of time extends to the bishop or the clergyman or the church the right of nomination.

Q. You have gained that from experience; I realize how things drift.—A. To speak frankly, I think a great many of these things would have been looked into more carefully since I came to the department if it had not been for the fact that, from time to time, we were promised either a royal commission or a committee somewhat comparable to this one, and that has been promised to us for over twelve years. I know it was referred to the first year I came to Ottawa. Then, of course, there was the depression, and then the war came along and we just didn't get it.

By Hon. Mr. Stirling:

Q. Then, Mr. Hoey, if we do arrive at what some of us might think to be an ideal arrangement, having education entirely under the direction of the department, then religious instruction will be given by that religious denomination which is in the majority in the area? Could they take another step and say that if there are denominations of another kind present in the neighbourhood willing to give religious instruction at other times they would be permitted so to do?—A. Yes. Let us take one province. If 25 Catholic children were attending a rural school in Manitoba and 10 Protestants were attending the same school, religious instruction would be provided by the priest or the teacher in charge. There is no objection at any time for the trustees giving permission to make any arrangement with a Protestant missionary or a Protestant clergyman in that locality whereby he would come once or twice a week and give religious instruction to the minority.

Mr. MacNICOL: Is religious instruction given every day in the week in schools of all denominations?

The WITNESS: Provision is made for adequate religious instruction, Mr. MacNICOL; and I think, in a majority of the cases it is given. Now, Mr. Chairman, may I make a statement off the record?

The CHAIRMAN: Is it agreeable to the committee that Mr. Hoey have permission to make a statement off the record?

Carried.

(Statement by Mr. Hoey continued off the record.)

The WITNESS: With regard to religious instruction in the schools, may I say that when I was in charge of the Manitoba department of Education and Welfare we brought up from Chicago university a man who was the head of the faculty of education and we had a rather heated discussion that afternoon about religious instruction in the schools and how it should be provided. And this was a distinguished educationist, a Cambridge graduate and head of the department at Chicago University, and this is what he said: Ladies and gentlemen, if you have the proper character at the head of your school, a man or a woman of exemplary character, a certain spiritual quality, one who is interested in the advancement of his or her pupils, religion is taught in that school from ten o'clock in the morning until four o'clock in the afternoon; it is taught in mathematics, it is taught in history, it is taught in accuracy in writing; but if you have at the head of that school a selfish individual, a man or woman whose moral integrity is in doubt, then religion is not taught in that school at any time, even though you make creeds and the Bible your only text books.

Some Hon. MEMBERS: Hear, hear.

The WITNESS: And that is a fact. It is the character and the example of the teacher which means everything in educational effort.

The CHAIRMAN: Are there any questions?

Mr. MACNICOL: I would like to ask Mr. Hoey a question, but not about education.

Mr. CASTLEDEN: Was Mr. Hoey not going to tell us something about permits?

The WITNESS: I said that I was interested in the importance which the western Indians attached to the permit system. I think, frankly, power should be given to the provincial inspector of agencies to recommend that any band which appeared to be capable of undertaking such work should have the right extended to them of issuing their own permits rather than the agent on the one hand or the farm instructor on the other. I am not speaking of the case of the Indian who is indebted to the department or others, I mean when the Indian agent goes to a store or a farm implement agent and says: if you provide this Indian with a harrow or a plow I will see that you get paid. But I think where Indians are in the clear the council of the band should have the right to issue a permit. They will make statements. You are bound to have dissatisfaction when you have a condition existing where the Indian can do his own marketing in Ontario and is refused that right in Manitoba. There has simply got to be a modification of that. I know the inspectors are vigorously opposed to it but a start has to be made; we can't go on doing everything for the Indian. He will make mistakes, but it just appears to me that he has got to learn by making mistakes. That section of the Act, in my judgment, should be modified.

By Hon. Mr. Stirling:

Q. I think you said that you advocated the council or the band granting permits in a case where they knew the man to be in the clear; what do you mean by that?—A. I had in mind the case of a man who might be indebted to the Department, and our understanding was, let us say with the storekeeper or the implement agent, that the agent would have control of the sale of a carload of wheat or livestock until that account was paid. I do not think it would be fair to grant a man a permit until we were satisfied that he was getting a fair proportion of his loan repaid; and I think the same would be true in the case of the implement dealer. We have told these people in effect that we will see that the debt incurred by the Indian gets paid. But where the Indian is indebted to no one, I think he should be given certain latitude. How are we going to develop sense of responsibility in the Indians otherwise?

Q. Yes, I understand and agree with you there; but I understood you to make particular reference to the Indian being in the clear and I was wondering how the council or the band could be expected to know sufficient about the financial affairs of each individual Indian to know whether or not he was in the clear?—A. Well, most of them would actually know about it, and the agent would be there to act as adviser; and it is just unthinkable to me that any band would issue such permits without consulting the Indian agent.

And now, we come to a matter of band funds. Here again we have to extend to the Indian the right to spend more freely the money that is in the interest account. I think there is something between \$17,000,000 and \$17,600,000—whatever it is—of capital and that should be very zealously guarded; but I think the interest that accrues from that capital amount from year to year should be more freely available to the Indians who are entitled to receive the benefit of it. Take the case of the Six Nations, they will probably have \$50,000 to \$60,000 a year. I would give them greater liberty.

Mr. CASE: In other words, you would give them a greater measure of self-government on their reserve?

The WITNESS: Yes, in the expenditure of their funds. Again I say, how in the world are we going to develop a sense of responsibility if we keep the fund here year after year. We just can't do it.

By Mr. Castleden:

Q. That brings up the whole question of their being wards of the government, and that depends directly on the extent to which they are completely directed or free to develop themselves.—A. When the Indian population was comparatively small it was not a very serious matter whether government administered the band funds or not, but the Indian population to-day is increasing. We have 130,000-odd Indians and they are increasing at the rate of at least 1,500 a year. As we go in more and more for preventive medicine the increase will be accelerated. One hundred and thirty thousand, 140,000 or 150,000 people leaning on the government and continuing to lean on the government in the sense that they are leaning on the government now is not a good thing for the nation and it is not a good thing for the Indian.

Q. Certainly not.—A. And that is why the demand is arising now for the abolition of the Indian department in the United States. I expressed the view the other day that some day somewhat similar demands might arise here. The terms of the proposal in the United States at the present time are to divide the country into nine zones with a director in charge of each, extending to the director practically all the authority now enjoyed by the Indian commissioners at Washington and Chicago. They think that will be an intermediate step towards complete abolition of the Indian service in the United States. Whether we will ever follow in their footsteps in that regard or not, I do not know; but I think that there are certain things like extending to the Indians the right to deal more effectively with band funds which might be one step that could now be taken.

Mr. LICKERS: Mr. Chairman, may I ask a question here?

The CHAIRMAN: Yes.

By Mr. Lickers:

Q. Would you be in favour then of transferring each year, at the beginning of each fiscal year, the total interest on the band funds to the more progressive reserves and let them regulate it throughout?—A. I might; but the Indians would oppose that, Mr. Lickers, for the reason that they claim they would lose. I do not know how the treasury branch would view it.

Hon. Mr. STIRLING: They would lose, what?

The WITNESS: We are paying 5 per cent interest on their money and they claim if the advance was made at the first of the year they would not be entitled to interest on that money for that year. We pay them 5 per cent per annum on the money in that fund. They claim that they would be worse off through the loss of the interest on that fund. I would personally be in favour of transferring it and letting them spend it by resolution of the band.

Mr. MACNICOL: Arrange the necessary authority and then let them regulate their expenditures; use the money any way they want to.

Mr. LICKERS: Even if we have to push them a little to get them to take that under consideration?

The WITNESS: I think it is advisable.

By Mr. MacNicol:

Q. I wanted to ask you about a New Brunswick reserve; I think it is just out of Woodstock. The people there seem to be very much excited over some program for moving them away from there to some other reserve. They do not want to go because they say it would change their whole mode of living. There are not so many of them. They do some work of their own there; I think they do basket-weaving, make snowshoes and things of that kind, and I also understand that some of them work across the line in the States. They don't want to be moved. Have they been consulted? Has the band

itself been consulted as to whether it wants to go or not? What has been the decision of their council?—A. That began, Mr. MacNicol, when a number of returned men there applied for a grant under the Veterans' Land Act and it was discovered by the inspector that the land available was not sufficient for them to be able to qualify, so we bought—I can't say at the moment just how many acres we bought—but there was a house and a barn on the land and it was good agricultural land. We said to these people that if they wanted to qualify for a grant under the Veterans' Land Act they would have to take up residence on this recently purchased land because they could not qualify by remaining where they were. I have received a number of letters of protest, but the department has no authority to compel the Indians to move off the reserve on which they are residing and on which they have resided for centuries maybe.

Q. Well, you are conversant with the whole situation. I hope nothing has been done which would upset them down there. I was there last summer. I saw this land to which you referred. It is just across the road from where the reserve now is. As I got the story, years and years ago, through some error, the land allegedly had been sold without the consent of the band and they say that if they had that land back again they would have sufficient land to let these fellows go ahead and farm. However, you say nothing has been done?—A. Nothing whatever has been done to compel them to move.

Mr. LICKERS: Aren't the Indians advised or compelled to take up land at some other location?

The WITNESS: They are not compelled; but what we say is: you cannot qualify under the Veterans' Land Act unless you move to an area where you can qualify.

The CHAIRMAN: A great many veterans, as I remember, did qualify and were building very suitable homes on that very reserve. Isn't that so, Mr. Bryce?

Mr. BRYCE: Yes, there are lots of them.

The CHAIRMAN: That is where we also found the elderly people living quite contentedly.

Mr. MACNICOL: They tell me that this particular band has been in that neighbourhood for a long time—perhaps two hundred years or more. They do a lot of nice work there, and I believe the chief has a small factory right on the reserve—I forget what it makes.

Mr. HARKNESS: They make baskets, snowshoes, and a number of small things of that kind.

The CHAIRMAN: As I recall it, it is not a very large factory. It is nearly only the chief's workshop.

Mr. MACNICOL: No, not really a factory.

Mr. CASTLEDEN: Mr. Chairman, I wonder if Mr. Hoey will be before us again?

The CHAIRMAN: Yes, on Thursday next.

Mr. CASTLEDEN: I was wondering if he would outline in his next report any plans he has regarding the freeing of the Indian from the position in which he finds himself? In many cases he is isolated on unprogressive reserves, and unable to make a decent living. Would Mr. Hoey tell us what his plans of development are with respect to giving assistance to such Indians so that they may be able to make a living in many cases where they apparently have not the opportunity of getting such a living at the present time. Will you do that for us?

The WITNESS: Yes.

Mr. CASTLEDEN: I was talking to Colonel Neary regarding the qualifications of teachers. He told me he could give me some of the information I want

probably by next week. I asked with regard to the number of persons employed as teachers in Indian schools; how many hold teachers' certificates recognized by provincial departments of education? I asked about those with permits, and those with certificates from other countries. He indicated to me that he would be able to get that information for me within the next two weeks.

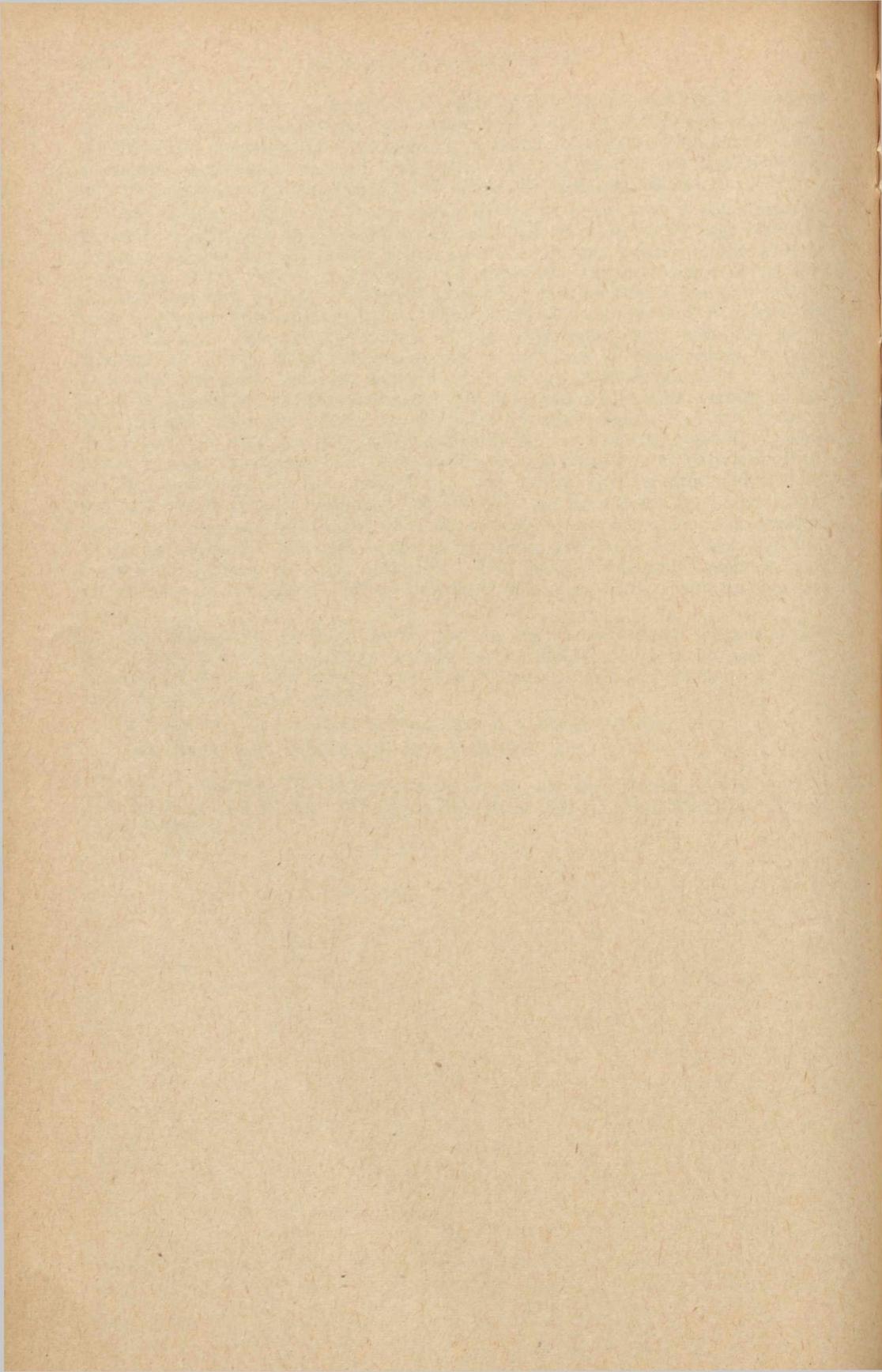
Mr. BRYCE: When Mr. Hoey comes before us again here is something on which he might give us some information: when we were in the east we came across a number of cases where Indians were really not looking to the government any more; they were working as electricians, carpenters and so on and making their own living. Nevertheless, they are still looking to the government with respect to adult education, and they want also schools and education for their children. The general answer of the department was: well you go to Eskasoni or you go to Shubenacadie and we will find all these things for you. Here are Indian men who are living away from the reserves but they still have that old inclination that the government are obligated to give them certain things. For instance, they are asking for education in some cases. And the reply of the department was that they had to move to the new reserve to get it. I think it is a mistake to require them to move to a reserve when you already have them off the reserve earning their own living. Our fellow member Stanfield told us, you will recall, that he employed Indians and that they make good wages with him. But they are still doing what they were doing when they were children of the government. They say to the government: give us these things; and that applies particularly to adult education. The reply of the government is: you go back on to the reserve and we will build you a good house and schools and so on.

Mr. HARKNESS: In other words, the one big problem down there was that the Indian in order to qualify for the various benefits had to go and be an Indian and live on the reserve, and if he did not go and live on the reserve he was cut off from these benefits.

Mr. BRYCE: You will agree that that is a backward step.

Mr. HARKNESS: I believe it is a backward step.

The CHAIRMAN: The subcommittee on agenda and procedure will meet at four thirty o'clock to-day. The joint committee will sit again Thursday next at 11.00 o'clock a.m.



SESSION 1947



SPECIAL JOINT COMMITTEE OF THE SENATE
AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION
AND CONSIDERATION OF THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE
No. 39

THURSDAY, JUNE 26, 1947

WITNESS:

Mr. R. A. Hoey, Director, Indian Affairs Branch, Ottawa.

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY

1947

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

THURSDAY, 26th June, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927, (and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

Presiding: Mr. D. F. Brown, M.P. (Joint Chairman).

Present:

The Senate: The Honourable Senators Macdonald (*Cardigan*) and Taylor.—2.

The House of Commons: The Honourable Mr. Stirling and Messrs. Brown, Blackmore, Case, Castleden, Charlton, Farquhar, Harkness, Matthews (*Brandon*) (Vice Chairman), MacLean, MacNicol, Raymond (*Wright*).—12.

In attendance: Messrs. W. Ford Pratt; R. A. Hoey, Director, Indian Affairs Branch; B. F. Neary, M.B.E., Superintendent, Welfare and Training; also, Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Briefs were filed by Mr. Blackmore and Mr. Lickers.

Mr. B. F. Neary, M.B.E., Superintendent of Welfare and Training made a further statement with regard to conditions on the Squah Reserve, Chilliwack, British Columbia.

Mr. R. A. Hoey, Director, Indian Affairs Branch, was recalled, answered questions previously submitted by Messrs. Bryce and Castleden, made a statement with regard to some aspects of Indian Affairs administration, particularly "centralization" in the Maritime provinces, and was questioned. He recommended that there should be some statutory provision for the care of aged Indians.

The Committee adjourned at 1 o'clock p.m., to meet again on Wednesday next, 2nd July, at 11 o'clock, a.m., when at least part of the meeting will be in camera.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

HOUSE OF COMMONS,

June 26, 1947.

The Special Joint Committee of the Senate and the House of Commons, appointed to examine and consider the Indian Act met this day at 11 a.m. Mr. D. F. Brown, M.P. (Joint Chairman), presided.

The CHAIRMAN: May I have your attention, please.

It would almost appear that there should be some formal recognition of this occasion because of the fact that this is the 65th session of the committee this year and Mr. Hoey becomes our 100th witness.

Mr. MATTHEWS: Mr. Chairman, he does not look like a centenarian.

The CHAIRMAN: I suppose we should give him a top hat, a gold-header cane or something of that kind; why not a tomahawk, that would be appropriate. However, so much for levity.

We have here a number of briefs. There is one from the Fort Chipewyan Indian reserve. If it is your pleasure we will have this filed and it will become a part of the record.

Carried.

Mr. BLACKMORE: Mr. Chairman, I would be quite agreed. I have two briefs; one from a Blood Indian reserve and one from the Stoney Indians. Would it be possible for me to submit them and have them filed?

The CHAIRMAN: We have the Stoney brief. It will be published. The Blood brief is already in our record as Appendix AV at page 876 of our 1946 minutes.

Mr. BLACKMORE: This is a separate submission. It is another brief about the management of the reserve since 1918.

The CHAIRMAN: If you would like to submit it, Mr. Blackmore, I am sure the subcommittee on agenda would consider it. I do not know about putting it on the record.

Mr. BLACKMORE: What would be the deadline?

The CHAIRMAN: I do not know that we could say. There is no deadline as long as we are here, we can always call a meeting up to the time we submit our sessional report. Why not submit it to us and we will take it up at our next meeting. Mr. Hoey as presently planned will be the last witness who will appear before us but we will have other meetings to consider the report we are to submit to the House. You could submit it to me, or to Mr. McEvoy—or to Mr. Lickers—and he will see that it comes before the subcommittee for early consideration.

We also have a brief from the Mississauga of the Credit Indian reserve.

Mr. LICKERS: That adjoins the Six Nations reserve.

The CHAIRMAN: They have submitted a brief which I presume you will wish to have incorporated in the minutes.

Mr. FARQUHAR: Did you say that was from Mississauga?

The CHAIRMAN: From the Mississaugas of the Credit.

Mr. LICKERS: And there is another submission by the Six Nations public school teachers

The CHAIRMAN: Is it your pleasure to have this one incorporated in the minutes—the submission of the Six Nations public school teachers?

Carried.

Mr. LICKERS: I have another one here from Mr. Henry Castillou, K.C., of Vancouver, B.C., covering the Coldwater reserve. Apparently it is a brief which he submitted to Mr. T. R. L. MacInnes, in 1942. It is rather lengthy and it has a number of pictures of dwellings and barns on the reserve.

The CHAIRMAN: We cannot reproduce the printed pictures. The brief is rather lengthy. I wonder if it should not be submitted to the subcommittee for consideration before being printed.

Mr. CASTLEDEN: How many pages of typed matter are there in the brief?

The CHAIRMAN: There are about 14 pages.

Mr. CASTLEDEN: And that is foolscap?

The CHAIRMAN: Yes. It might be submitted to the subcommittee. We could print the typed material but we could not reproduce the pictures in our record.

Now, we will continue with Mr. Hoey, if it is your pleasure.

Mr. R. A. Hoey, Director, Indian Affairs Branch, Department of Mines and Resources, recalled:

The WITNESS: Mr. Chairman, Mr. Reid was anxious that a written reply should be made to certain statements that had appeared in the press with respect to the conditions at Sqwah reserve at Chilliwack, British Columbia.

I have had the Superintendent of Welfare and Training summarize from the reports now on hand—

Mr. BLACKMORE: Mr. Chairman, before Mr. Hoey launches into his main job I wonder if I might ask him to answer later one particular question?

The CHAIRMAN: Yes.

Mr. BLACKMORE: It has been intimated to me that a number of young men on the Blood Indian reserve in my constituency have sought special assistance to enable them to set themselves up in agriculture. I was just wondering if Mr. Hoey had received such a request from them; if so, if he has given consideration to the matter; and, if he would tell the committee what he now proposes to do about it?

The CHAIRMAN: We will proceed with the brief first, Mr. Blackmore; and he can deal with that matter later.

The WITNESS: I think Colonel Neary perhaps had better read this material which was prepared as a reply to Mr. Reid's question about the Sqwah reserve.

The CHAIRMAN: Yes.

Mr. B. F. Neary, M.B.E., Superintendent, Welfare and Training Division, Indian Affairs Branch, Department of Mines and Resources, recalled:

The WITNESS: The information in this report is based entirely upon facts presented in letters from Major MacKay and Inspector Coleman:—

THE SKWAH INDIAN RESERVE

This reserve is some 313 acres in extent and lies between the westerly boundary of the town of Chilliwack and the east bank of the Fraser river. The population of the village is 112 and that of the nearby communities

of Skwah and Suiala 47. The Indians of the Skwah, Skway and Suiala reserves participate in accounts Nos. 371 and 134, the total sum of which is in excess of one hundred and fifteen thousand dollars.

The Indian agent is Mr. J. Gillett, whose headquarters are in New Westminster. The medical officer is Dr. W. E. Henderson who has been a resident of Chilliwack since birth. There is also a nurse, Miss Dean, employed by the Department of National Health and Welfare. The village presents a fairly neat appearance, most of the houses having been painted. The village has a water system and fire hydrants but this does not extend to houses on farms out of the village, which are mostly served by wells. This latter group of Indians are no worse off in regard to domestic water than their white farm neighbours in many parts of the district, as it is obviously impossible for the department to pipe water into every Indian home.

Educational facilities are available at the Skwah Indian day school, which is a fairly modern building and well equipped, with teacher's residence attached.

Hospital facilities are provided by the Coqualeetza Indian hospital, situated at Sardis, B.C.

The land on which this reserve is situated is good farm land and if developed should be capable of supporting the band population of 112, particularly as the band has three other reserves also capable of considerable development. A great deal of time and effort has been expended, particularly during the war period, in endeavouring to establish the Indians on their reserves in the lower mainland. The Farm Labour Board commissioned leading Indians to secure and hold urgently needed Indian labour for farm work in Canada.

A judge of the Supreme Court once threatened U.S. labour scouts with jail sentences. Inspector Coleman spent considerable time on a flax growing project, assisted by the Dominion experimental farm, but without effect. In spite of endless repatriation troubles, the Indians insist on taking their annual trek to the hop fields across the border.

The indications are that the Indians of this band have ample resources and services to provide them with a high standard of living. Insofar as their welfare conditions are concerned, there is nothing to indicate a single case of what might be described as long term hardship on this reserve or on neighbouring reserves.

Witness retired.

The CHAIRMAN: And now, do you wish to continue, Mr. Hoey?

Mr. HOEY: Yes, Mr. Chairman.

Mr. R. A. Hoey, recalled:

The WITNESS: I would rather prefer this morning to deal with a number of questions that I promised to answer at this session. The first question was one put by Mr. Bryce, and he wanted an explanation with respect to the centralization program that is taking place in the province of Nova Scotia at Escasoni on Cape Breton island and Shubenacadie, near Halifax.

In 1941 the department gave a great deal of thought to the conditions prevailing on the 19 Indian agencies in Nova Scotia. The records going back to 1911 indicated that the population of Indians in Nova Scotia had remained practically static at 2,000, or a little over. The departmental expenditures for the maritimes had gone up from an expenditure of \$54,779.26 in the fiscal year

1910-11 to \$323,352.10 in the fiscal year 1939-40. I believe there were 19 agencies, and the Indian agents in charge, without exception, were part-time agents.

Mr. MACNICOL: On all nineteen?

The WITNESS: Yes. You can see that with 2,000 Indians spread over 19 agencies they were in comparatively small groups, and the number in no case would justify the employment of a full-time Indian agent. The population appeared to be remaining static but the expenditures appeared to be mounting rapidly. The minister then in charge of the department, the Hon. Mr. Crerar, decided to have a thorough investigation undertaken. He selected Mr. W. S. Arneil. Mr. Arneil had served four years with the Soldier Settlement Board and had served on the Canadian Farm Loan Board as appraiser, and had been associated with the Dependents' Allowance Board in Ottawa, and the minister felt, and the officials of the department felt, that he was ideally qualified to undertake such an investigation. The present program of centralization was undertaken following Mr. Arneil's recommendations and I want to read very briefly one or two statements from his report:—

...The part-time agent has little time to act in an advisory capacity to the Indians and still less time to act as the agent in securing part-time employment or assisting the Indians in the sale of their handicraft products.

Another factor standing in the way of any substantial reduction in annual expenditure is the existing system of medical care. This system despite its unreasonable costs appears to be wholly inadequate to maintain a reasonable standard of physical fitness amongst the Indian population. One might refer particularly to the ravages of tuberculosis, evidence of which was encountered periodically during the course of my inspection. Nor was I convinced that the attempts made by our medical officers to control venereal diseases have been wholly successful. I could not escape the conclusion that unsanitary home conditions—one might refer to them as filthy conditions—are in no small measure responsible for the origin and spread of diseases which render hospitalization, with its resultant cost, necessary if not imperative.

Then, later he states:—

...One finds the problem of illegitimacy in evidence more or less on all the mainland reserves and the Sydney agency, Cape Breton island, with little or no attempt made by the part-time agent to correct this condition. One might be justified in stating that the young Indian girl is looked upon as legitimate prey by a section of the population. When I refer to a section of the population I have in mind particularly transients, negro and white, who periodically drift into the province. It is gratifying to report, however, that one is not confronted with the problem of illegitimacy in three of the agencies in Cape Breton island; Glendale, Iona and Christmas Island. In these three agencies the average population is greater than that of the mainland agencies. These Indians, however, live on their reserves which are not close to urban centres. I am definitely of the opinion, after a careful investigation, that the standard of morals and decency reached by these Cape Breton Indians is due almost wholly to the supervision and influence of the parish priests. It is significant and worthy of note that in each of these agencies the parish priest is the Indian agent. The last illegitimate child born at Glendale agency was in 1933 and one would have to go back much further to find a case of illegitimacy on the Iona or Christmas Island reserves.

The fact that there appears to be less consumption of alcoholic liquor on these reserves can be attributed also to the wholesome and uplifting influence exercised by the agents.

We decided from that report—many of you have read the complete report—to abolish 17 of the 19 agencies that existed at the time and to centralize in groups, one at Escasoni and the other at Shubenacadie. Now, the original acreage of the reserve at Escasoni was 2,800 acres. The branch immediately purchased approximately 3,860 acres of which acreage 860 is agricultural land and 3,000 is timber land. The cost of the land purchased at Escasoni to this date is \$30,888.48. At Shubenacadie the original reserve consisted of 1,715 acres; 1,768 acres were purchased at a price of \$10,477. Now, members of the committee who come from the west and who are accustomed to large holdings, and who have witnessed the operation of large holdings will be disturbed a little perhaps at this limited acreage; but if you will turn to page 10 of your minutes of 1946, table No. 3, you will see that the total acreage of the reserves taken over under the centralization program was 18,188; of that area 17,441 were heavily wooded; and the acreage cleared but not cultivated was 531½ and the acreage under actual cultivation was 215½.

However it was decided to centralize these groups and to put in full-time agents. Two full-time agents are already employed. Also employed at each reserve is a full-time medical officer and we want to establish on each reserve a nursing station with a qualified nurse in charge. And perhaps, most of all, we want to establish on each reserve a 4-roomed Indian school.

Now, I would not be fair to the committee if I did not state that, from the outset, there was a division of opinion in the department itself with respect to the feasibility of this whole program. I have always taken the position that unless our schools function properly by carrying out a program of education based on the actual needs of the group concerned, bringing them up to a point where their education and moral standard will permit their leaving the reserve and taking their places as blacksmith, mechanic, carpenter, fisherman, and so on then the project must, of necessity, fail. It was never our intention that these two reserves should be used for anything other than a training ground, and a home of refuge, if you like. Now, any Indian gainfully employed in the province of Nova Scotia can remain where he is. No compulsion has been exercised, but we have used our powers of persuasion because the educational, medical and administrative set up is such that we think we can serve them at these two points better than when and if they were scattered all over the province. It is just lately, at a conference of the Indian agents for the province of Quebec and the maritimes that I discussed with the Indian agent in charge of Escasoni the advisability of setting up one or two small factories on that reserve—probably lumbering—and he suggested that there was a great opportunity for the establishment of an axe-handle industry and he thought perhaps a basket-making project should be still further developed. We now have at that agency a co-operative store. That store will be operated under an advisory board made up of the Indian agent, the principal of the school, the chief of the band and any others whose assistance they may seek.

Now, I do not know that there is much that I can say other than that. What the future will hold in store is something that I cannot prophesy with any degree of certainty. At the time it appeared to be the only thing we could possibly do. Complaints came from the homes of the white residents, where we have these small groups of Indians, about the moral relations, the temptations besetting their sons—some of these complaints have come to members of parliament, and some have come by way of letter. It was really very, very disturbing. We thought that this was the only thing we could possibly do. Now, a number of members visited most of these spots and their

opinions on the worthwhileness of the set-up will be even better than mine, because I have not had the opportunity of visiting either of these reserves.

Next, I would like to answer a question put by Mr. Castleden. Mr. Castleden was anxious to know what program we had in mind for groups of Indians living on reserves where the land and resources were wholly incapable of supporting Indians, such as Indians who are living on land which is not capable of producing crops and where there were insufficient hunting grounds. We made a start in the province of Alberta, last year, as Mr. Harkness knows. We bought \$225,000 worth of land for the Stoney Indians. Mr. Allan, our superintendent of reserves and trusts, is out there at the present time negotiating with the provincial government for the purchase of additional land for the Nordegg Indians. We have \$160,000 in our supplementary estimates this year to purchase additional land for the Nordegg Indians and one or two other groups there.

Then you come to the province of Manitoba; development of the Summerberry area and other areas was decided on by the department to supply the Indians with a resource and with an opportunity to become self-sufficient and self-reliant. Where you have a group—such as the group which appeared before the committee who claimed that their reserve land was wholly incapable of supporting them, and we have Mr. MacNicol's word for that—I would say that the only thing we can do at the moment is to stake out additional land. If they are a hunting and trapping group of Indians, then we should seek to secure from the provincial government the leases on the hunting and trapping ground necessary to maintain that group of Indians. In the north country it is comparatively simple. When you get down south and wish to purchase land there are reactions. Already in Alberta the purchase of land in the well-settled districts has a disturbing effect on municipal government in that the purchased properties become tax-exempt. When you go into a well-settled district in Canada where you have a municipal government functioning, purchase of land on a large scale cannot be done without causing a great deal of disruption and dissatisfaction; but in the north country it can be done with comparative ease.

Now, to come to Ontario. Since I came into the department, we have leased from the Ontario government 47,000,000 acres of land for selection and development. I refer particularly to the beaver projects. Of these projects, only one or two have begun to come into production. But I think that the development of these projects in northern Ontario and northern Quebec is one of the biggest things the Indian department has ever attempted.

Perhaps I mentioned before in answer to a question in this committee, that Dr. Cooper of Washington university, who has spent 32 years in anthropology, travelling between Prince Edward Island and the Queen Charlotte islands, and has lived among these people for 32 years, in a brief statement to the department made a declaration that Canada was unique in that it had resources in that north country, potential fur resources, which in his judgment would enable this country, if well conserved and scientifically developed, to pay off its national debt in a comparatively short period of time. Members of the committee must have been deeply impressed by the statements made to this committee by Mr. Conn. The Ontario government has now become deeply interested in the development of a larger district up there and we hope shortly to be in a position to secure leases for other large areas. I am confident that the Ontario government will ask for the development of that northern area as a provincial project, although there is now way of being certain of that at the moment. We are hopeful that they will develop a large area in northern Ontario as a provincial project, and we have the assurance that should they do so the Indians will be amply provided for because the Indian is unexcelled as a trapper and hunter. That is what Dr. Cooper said: other countries of the world may have potential fur resources, but in Canada we have not only the potential

fur resources, but we have the personnel, people who have become over a period of centuries acclimatized to living there in a way that the white hunter and trapper never has. I have delivered a great many speeches in this country in which I declared that agriculture was the great basic industry of Canada. I have been wondering within the last two or three years if I was not misleading the public; fur, after all is a great basic industry in the Dominion of Canada. There is a real foundation in the North for future development, providing it is carried on along scientific lines. And you will recall, it was the fur resources which led to the opening up of the North American Continent.

And now, in Quebec, in addition to the leasing of land in the north we have been purchasing land at Oka, and I have already indicated what we are doing in the maritimes.

Finally, I come to Mr. Blackmore's question. I have stated that Mr. Allan, superintendent of reserves and trusts, is already in Alberta, and has been there for a couple of months. He is authorized to conduct negotiations with respect to the purchase of additional land. We asked him to visit the Blood reserve and have a look at conditions there, and if possible, to meet a group of young Indians who are deeply interested in becoming established as agriculturists on small holdings of from 50 to 100 acres. By the way, we have received a report from Mr. Allan and I have put an item of \$25,000 in the supplementary estimates for this year for the purchase of tractors and seeds, power plants, threshers and one combine; and Mr. Allan in one of his preliminary reports on this matter—and I am particularly anxious to bring this to the attention of the committee—indicated that the Blood band was about to receive \$200,000 from the Prairie Farm Rehabilitation scheme, and maybe another \$100,000 from the St. Mary's irrigation project. If Mr. Allan and I had a free hand we would place that money to the credit of the Blood band and use the interest almost wholly for the establishment of the young Indians who are anxious to become farmers, or who are interested in agriculture and want to remain on the reserve, or make a contribution to the band by operating farms. We would put it on deposit and use the interest, and perhaps supplement it, in the establishment of these young men. But here is what we are confronted with from the administrative standpoint: if that money is paid to the Blood band, the older men particularly the men from 65 to 70, are going to demand a substantial cash distribution. \$100,000 has been mentioned. Well, we do not believe that such a cash distribution would be a good thing, even for the elderly Indians.

Mr. ALLAN: I do not think it is a good thing to disburse funds, but the demand will be made. Those funds will have to be disbursed in conformity with a resolution of the band. If the band pass a resolution asking that distribution be made, then the minister is rather helpless in the matter. And now, let us put ourselves in the place of the old Indian. He has lived for years on the Blood reserve, he is finally incapable of continuing to earn his living—remember he would be around 65 or perhaps even 70—and he says: if this is added to the capital of my band what hope have I of benefiting in any way from the annual interest payments that accrue from year to year; what I need is a little help, now; what I need is social security, now; what I need is repairs to my home, now. One can readily understand his position. That leads me to express this view; we are confronted with that problem not only at the Blood reserve but at a great many other reserves. If a contemplated sale had gone through at Sarnia we would have been confronted with such a demand there.

That leads me up to the point where I must express regret that there has not been some statutory provision made for the care of aged Indians. It would simplify a problem, especially the one which confronts us now on the Blood reserve, and it would relieve our Indian agents of a great deal of detail work which takes up—as some of the Indian agents have told me—two-thirds of their time, providing relief; settling disputes at the store; checking up as to whether the recipient has actually received the relief to which he is entitled;

sending in distinct and separate vouchers for each recipient; answering departmental correspondence. They are really a relief agency. Again, again and again I have been told by the Indian agents that they are relief agents, that they have no time to devote to worthwhile constructive programs on their reserves such as the promotion of agriculture, such as the request for establishment from this group of young men. And you will find in my original submission in 1946 that I estimated that, of the \$1,000,000 provided for welfare through the department, until the outbreak of the war, 82 per cent was spent in relief. At the present time I would hazard a guess that 70 per cent of that \$1,000,000 is spent in relief. It is not the cost I am dealing with at the moment. It may be adequate, or it may be inadequate. I am bringing up some of the administrative difficulties that arise, from the standpoint of the Indian agent and his care of the Indians, by reason of the demands that come to us from time to time for cash disbursements, such as the demand which is likely to come from the Blood band, and which force us to make disbursements which we do not think are sound, either from the standpoint of the department or from the standpoint of the Indian himself.

Mr. CASTLEDEN: If the Indian were more economically secure you will agree there would not be the need for these relief distributions?

The WITNESS: Oh, no. I would be in sympathy with the old Indian who has the greatest problem to face.

Mr. CASTLEDEN: My problem is this. If that Indian had been given an opportunity to make a living for himself and had built up proper provision for his old age, there would not be the necessity for this large expenditure for relief. If you have a large number of Indians—and it is quite evident that there are quite a large number—who are living on reserves where they cannot make a living, if it were not for that, the need would not be so great, would it?

The WITNESS: Well, if the Indian had the opportunity, and had taken advantage of it and had provided for his old age, he would have a sense of security and he would not present any particular problem; but a great many of them have not had the opportunity or have not taken advantage of it if they had it, and they have no real sense of security, they are really in need.

Now, Mr. Chairman, as I said at the last meeting of the committee, in my judgment the Indian service is largely administrative, or perhaps two-thirds administrative and one-third legislative. I have noticed that members of the committee from time to time when our senior officials were on the stand, that is the senior officials from the provinces, the members were constantly asking how many agencies they had under their direction, how many farming instructors they had and so on; and I have a statement here which I thought would be helpful to the committee and I am going to suggest that it be put on the record.

The CHAIRMAN: Is it your pleasure that this statement be put on the record, gentlemen?

Carried.

The WITNESS:

BRITISH COLUMBIA—

Population, 25,515.

Indian agencies, 18; Indian farming instructor and constable, 5.

Schools:

Residential, 13.

Day, 56.

Enrolment, 4,160.

Hospitals, 3; Beds, 590.

Land, 832,085 acres.

ALBERTA—

Population, 12,441.

Indian agencies, 10; Farming instructors, 19.

Schools:

Residential, 19.

Day, 1.

Enrolment, 1,987.

Hospitals, 5; Beds, 467.

Land, 1,403,851 acres.

SASKATCHEWAN—

Population, 14,158.

Indian agencies, 9; Farming instructors, 31.

Schools:

Residential, 14.

Day, 28.

Enrolment, 2,652.

Hospitals, 2; Beds, 103.

Land, 1,193,452 acres.

MANITOBA—

Population, 15,933.

Indian agencies, 7; Farming instructors, 10; (seasonal), 1.

Schools:

Residential, 9.

Day, 43.

Enrolment, 2,650.

Hospitals, 6; Beds, 210.

Land, 483,130 acres.

ONTARIO—

Population, 32,421.

Indian agencies, 24; Farming instructors, 3; (seasonal), 1.

Schools:

Residential, 13.

Day, 76.

Enrolment, 4,426.

Hospitals, 3; Beds, 77.

Land, 1,303,485 acres.

QUEBEC—

Population, 15,194.

Indian agencies, 18; Farming instructor, 1.

Schools:

Residential, 2.

Day, 30.

Enrolment, 1,548.

Hospitals, Nil.

Land, 183,375 acres.

NEW BRUNSWICK—

Population, 2,047.

Indian agencies, 3.

Schools:

Residential, Nil.

Day, 10.

Enrolment, 357.

Hospitals, Nil.

Nursing stations, 4.

Land, 37,753 acres.

NOVA SCOTIA—

Population, 2,364.
 Indian agencies, 2; (before centralization, 19).
 Schools:
 Residential, 1.
 Day, 9.
 Enrolment, 533.
 Hospitals, Nil.
 Land, 19,787 acres.

PRINCE EDWARD ISLAND—

Population, 266.
 Indian agencies, 1.
 Schools:
 Residential, Nil.
 Day, 1.
 Enrolment, 28.
 Hospitals, Nil.
 Land, 1,667 acres.

NORTHWEST TERRITORIES—

Population, 3,816.
 Indian agencies, 3.
 Schools:
 Residential, 4.
 Day, 2.
 Enrolment, 272.
 Hospitals, Nil.
 Land, 5,918 acres.

YUKON—

Population, 1,531.
 Indian agencies, 1.
 Schools:
 Residential, 1.
 Day, 6.
 Enrolment, 192.
 Hospitals, Nil.

Indian Population as of 1944

Alberta	12,441
British Columbia	25,515
Manitoba	15,933
New Brunswick	2,047
Northwest Territories	3,816
Nova Scotia	2,364
Ontario	32,421
Prince Edward Island	266
Quebec	15,194
Saskatchewan	14,158
Yukon	1,531
Total	<u>125,686</u>

Parliamentary Appropriation for 1947/48

Indian Affairs..	\$ 6,761,254
Indian Medical Services..	4,638,808
Total..	<u>\$ 11,400,062</u>

Indian Affairs Staff

Employees in the field (including 427 casuals and 339 school teachers)	1,160
Employees at Indian Affairs Branch H.Q., Ottawa	<u>72</u>
Total..	<u>1,232</u>

Annual Production Figures for Province of Alberta
Grain Production 1946

	Bushels
Wheat..	246,862
Oats..	258,992
Barley..	38,274
Flax, Corn, etc.	6,674
Total..	<u>550,802</u>

Live Stock as of 1945

(1946 figures not yet available)

	Head
Departmental bulls..	247
Steers:	
3 yrs. old..	317
2 yrs. old..	1,760
1 yr. old..	2,205
Cows..	7,318
Heifers:	
2 yrs. old..	1,789
1 yr. old..	2,200
Total..	<u>15,836</u>

Fur Conservation

Total Indian revenue to date from 6 fur preserves....\$ 471,299 46
 It is to be noted that 5 of the 6 preserves have not yet attained full revenue producing status and that the above figure includes revenue from the Summerberry fur rehabilitation block alone the sum of.....\$ 311,648 81

I do not think there is anything more I have to submit at the moment.

Mr. MACNICOL: Can we go ahead and ask questions now?

The CHAIRMAN: Yes. I believe Mr. Farquhar has a question he wants to ask, first.

By Mr. Farquhar:

Q. There is a question I would like to ask about the Indians on the Brunswick House reserve up in my constituency, that is the reserve near Chapleau. Their complaint is that the reserve on which they were located 25 years ago was sold, and when it was sold there was a definite understanding that they would be provided with another reserve, and they claim that has not been done. Can you give some information on that?—A. Yes. That reserve was sold, as they state, to the provincial government. The land was sold, but the timber remained the property of the Indians and it has not all been disposed of, yet. Then we entered into negotiations with the government of Ontario for the purchase of a suitable reserve to take the place of the one disposed of; and about a year ago I took the matter up with the Deputy Minister of Lands, and Inspector Arneil and I had agreed then on the location of the reserve and its acreage, and they promised to go into the matter and let us have a new reserve for a nominal sum. We could not just agree during the course of that interview on the price. It was a very nominal price, but we pointed out that we had surrendered the old reserve for a nominal price and they should be a little more reasonable. I left that interview on the understanding that the deputy would take it up with his minister; but I do not know, Mr. Farquhar, what progress has since been made but I would be surprised if Mr. Arneil has not come to some definite understanding with them already in the matter. I can check upon that for you and let you have a report. It is now just a matter of working out the price.

Mr. CASTLEDEN: But the matter is twenty-five years old.

The WITNESS: Well, the disposal of the timber tied things up for a while. It was finally agreed with the province that the timber would remain the property of the Indians.

Mr. CASTLEDEN: That should not interfere with the establishment of these Indians on a new reserve. How many Indians are there there?

The WITNESS: I forget. There were not many of them.

Mr. FARQUHAR: I think there were about 125, around that.

The WITNESS: Yes.

Mr. FARQUHAR: I would also like to take up a matter which came to my attention a while ago. It was in connection with repairs to schools. There are some schools up there which are not in very good repair.

The WITNESS: You refer to residential schools?

Mr. FARQUHAR: Yes.

The WITNESS: Do you mean the one at Chapleau?

Mr. FARQUHAR: Yes, at Chapleau.

The WITNESS: Colonel Neary can tell us about that.

Mr. MACNICOL: The children are playing around all the time instead of being in school.

Mr. FARQUHAR: I didn't hear about that. Was that at the separate school at Chapleau?

Mr. MACNICOL: I think that is it.

The CHAIRMAN: Would that not be the one at Temagami. And there is a school at Gull Lake. There were complaints about those, too.

Mr. MACNICOL: I thought it was at Chapleau.

The CHAIRMAN: Shall we proceed in the usual manner, around the table?

By Mr. MacNicol:

Q. You were speaking about the Blood reserve. You have been over the Blood reserve. You know the topography of the ground; roughly it is about 260 feet from the escarpment down to the St. Mary's river which forms the boundary of the Blood reserve. Perhaps I should put it this way, it is 260 feet from the river level to the height of land on which the reserve is located. When the dam on the St. Mary's river is completed, I believe it is to be about 155 feet high, there would not be any reason that I can see why water could not be pumped from the reservoir, or lake if you like, up onto the land on the reserve. That is the only way I know of by which you could make that land worth anything. The Indians on the Blood reserve cannot do anything without water, but they can do a lot if they have water there. So I would say to the department that they should have pumps installed to irrigate the land on this Blood reserve. That is not very far from Cardston where they irrigate the land and they get tremendous crops. You could do the same thing on the Blood reserve and that would take care of these soldiers to whom you contemplate giving land. You could follow the same programme there as they are following down in the United States where they give 80 acres of irrigated land to the boys. You would need to develop a very considerable programme of irrigation to build up the Blood Indian reserve. Have you any such plan in mind?—A. I cannot truthfully say that we have. I think that is one of the phases which Mr. Allan will be studying now because he is out there for that purpose. We think he will have something to report in that regard. The development of the reserves, that is the reserve set-up, comes in his division.

Q. I think you ought to do something of that kind because the public around there will not put up forever with land of that high quality remaining uncultivated. I know that on each side of the reserve the people are protesting about it not being developed. Tremendous crops could be taken off that land. Therefore I recommend that the department consider that as a very reasonable suggestion. All they are raising out there now is cattle, and there is not very much in that.—A. Perhaps the committee might be interested in the acreage here. It serves as a striking contrast to the acreages in the east. There is 349,288 acres.

Q. Yes, it is a big acreage, and it is divided almost exactly by the St. Marys and the Belly rivers. It is a tremendous area of land.—A. Yes, and at Lethbridge all those people around there and around Cardston will not tolerate that land lying uncultivated very much longer.

Mr. CASTLEDEN: It is capable of supporting large numbers in wealth.

Mr. MACNICOL: Decidedly. They could do a tremendous job there.

By Mr. MacNicol:

Q. Now, Mr. Chairman, I am going to refer to a question which I asked a day or two ago and with respect to which we received some varying replies; as to what had been done in New Brunswick about the movements of some Indians at Oromocto. That is one of the points which was visited when some were down there as a royal commission last year. I see the name mentioned here in this copy of the *Sentinel-Press*, of Woodstock, N.B., dated June 12, 1947.

I would just like to read into the record certain parts of this letter written by Chief William Saulis, of the Tobique reserve:

TOBIQUE RESERVE, N.B.,

June 3, 1947.

To the Editor,
The *Sentinel-Press*.

I wish that you could spare space in your press for my appeal to the public in eastern Canada for the welfare of the Indian race. The public by now knows the condition of the Indians and their reserves and that a special joint committee of the Senate and the House of Commons is inspecting the Indian Affairs branch, which was appointed at the time of Confederation by the dominion government to be the guardian and the trustee for the whole Indian race in Canada, and that it has had full power for administration over the Indian race to its own taste, and the Indian himself has had no choice. Whether or not the laws of the Act fulfill the requirements for his welfare, he has to live accordingly. Many men have visited the Indian reserves from the Department of Indian Affairs branch in all these years, complaining about the Indian not being self-supporting.

I will not read all of it, although I think it should all be on the record. And it continues:

I will make my appeal with Chief Paul of the Oromocto reserve and with Mr. E. T. Adney of Upper Woodstock. I protest at having this go on and I call on the rights of the public to send their protests to the joint committee in the House of Commons for this is not the wording of the treaty. The wording of the treaty is that the Indians were to be left peacefully on their reserves. They were not to be molested by any of His Majesty's subjects.

I judge that the Indian Affairs branch is overstepping its trusteeship, going beyond His Majesty's word of honour. Those that sympathize with the Indians should act at once.

I would like to refer for a moment to Mr. E. T. Adney, of Upper Woodstock. I believe he is perhaps the best-informed man on Indian affairs that we have to-day in that part of the country. My own idea was that it would have been well for us to have invited Mr. Adney here so that we could question him before this committee.

Now, my question relates to the proposal to remove these Indians away from Oromocto which the commission visited, and which I also visited some years ago. May I ask if it is correct that these people are being forced to move from the Oromocto reserve?—A.No, that is not correct.

Q. Could you give me any information as to why a report of that kind should get around? I think the department is capable of following the proper procedure, but whatever is done should be done with the approval of the chief of the band of that reserve.—A. The Oromocto reserve is a very small reserve, about 125 acres.

Q. Oh yes, it is small.—A. I had the assistant chief of the division of reserves and trusts look into that in the absence of Mr. Allan following your question, and here is what he said in reply:

As requested, the following information is furnished in connection with the purchase of land at Escasoni and Shubenacadie, Nova Scotia, and Kingsclear, New Brunswick:

Escasoni

Acreage of original reserve—2,800.

Branch purchased approximately 3,860 acres. Of this acreage 860 is agricultural land and 3,000 timber lands. The cost of all land purchased at Escasoni is \$30,888.48.

Shubenacadie

Acreage of original reserve—1,715.50.

1,768 acres purchased and the purchase price is \$10,477.

Kingsclear

Approximately 500 acres purchased from Mr. Charles Murray and negotiations proceeding with the Roman Catholic church for an additional 10 acres. The purchase price is \$13,000 to Mr. Murray and \$400 to the R.C. church, making a total of \$13,400.

It is my understanding that this land was required to provide better agricultural land for the Indians of the St. John river valley, that is, the Ormocto, Woodstock, St. Mary's, Devon and Kingsclear reserves, and particularly for the purpose of locating Indian veterans who were eligible for grants under the provisions of the Veterans' Land Act.

As you are aware, we have had some correspondence with Mr. Adney of Woodstock, N.B., regarding a complaint from the Indians that they would be compelled to move to Kingsclear. However, it is my understanding that it was the intention that centralization would be on a purely voluntary basis and that it was not the intention to compel any family to move to Kingsclear against their wishes.

(Sgd) M. McCRIMMON
for D. J. Allen, Superintendent,
Reserves and Trusts.

Now, myself, I have not written but I have signed several letters declaring emphatically that no compulsion would be exercised, and the head of a legal firm in the city of Ottawa—I forget his name at the moment—came to see me a few days ago and I told him exactly what had taken place and what was likely to take place and he went away apparently satisfied, and he said he would write at once and reassure his clients that there is no element of compulsion in the *maritimés*. We have no statutory right or departmental right or ministerial right to ask any group of Indians to abandon their reserve.

Mr. MacNICOL: That ought to be satisfactory. I quite appreciate that you want to give land to the veterans, and they cannot always be accommodated on the home reserve. As I recall it, one of the things made there is baskets.

The CHAIRMAN: Yes, some make baskets, and some make axe handles.

Mr. HARKNESS: While we are on that point; Mr. Hoey says that there is no compulsion used to force an Indian to leave or go to a particular reserve. In my opinion there is compulsion, and a very considerable amount of it, particularly in so far as the veteran is concerned; because the veteran is told, if you go to this reserve—in this case it is Kingsclear,—we will approve your grant for \$2,320; we will build you a house and get you started on a farm; but if you do not go to that reserve we will not approve of it. In other words, there is compulsion to the extent of his \$2,320 on an Indian veteran down there to move off his own reserve in order to get the benefits due him under the Veterans' Land Act. In fact, there is a considerable measure of compulsion.

The WITNESS: But if he cannot qualify on his own reserve, he has to move to one where he can get his \$2,320 grant. The only way he could get that and remain on his own reserve would be through an amendment to the Veterans' Land Act, as it stands now; otherwise, he cannot qualify, and that is something over which parliament alone has control.

The CHAIRMAN: What should he do then?

Mr. HARKNESS: Well, there are several reserves on which there is sufficient land to enable the veteran to qualify. He needs only three acres to qualify, and that is available on most of these reserves. Let us take Devon reserve; even there there are several veterans settled and more could have been settled; and on the other reserves there is room to qualify all these people who are applying, so far as I can see, but they are not allowed to build or go ahead under that scheme. That applies particularly at Oromocto. From what I have seen it appears to me that there is ground for serious complaint about the way in which the administration of the grants to veterans is being carried out down there.

The CHAIRMAN: Is it not a fact, Mr. Hoey, that if they want the veterans' grant they must move off their home reserve?

The WITNESS: Yes, because of its size.

Mr. CASTLEDEN: But if they want to stay on the home reserves?

The CHAIRMAN: They want to be on the home reserves, but it is a question of whether it is economically feasible for them to make a living at the only location where they can qualify under the present Veterans' Land Act regulations.

Mr. CASTLEDEN: I understood that they do want to stay on the reserve.

The CHAIRMAN: No, I don't believe so.

Mr. HARKNESS: In my opinion, it was much more advisable to give these Indians the advantage of this grant on those reserves where they are close to a town where they are employed than it would be to remove them to a place like Kingsclear where they will have no prospect of work, where they will be far away from town and where they could not get employment. It seems to me that by compelling them to remove to Kingsclear you are taking them away from the possibility of their making themselves economically independent.

The CHAIRMAN: Of course, on this Devon reserve, to which you referred, there are some veterans' houses being erected. We saw that when we were there, did we not?

Mr. HARKNESS: No, there were not. There were actually only three on the Devon reserve as I remember it, that had been erected, and for which permission had been given; but the whole thing has been stopped, and other veterans who were applying were told that the only condition under which they could get the benefit of the \$2,320 would be by moving to Kingsclear, that they could not get it otherwise. That is why I say it is not only compulsion, but I think it is an indignity to the Indian veterans themselves.

Mr. CASE: May I ask Mr. Harkness if there was any more land available at Devon?

Mr. HARKNESS: There is a certain amount of land at Devon, but I believe more land could be acquired nearby; but apart from Devon altogether, on these other reserves there was plenty of land available. Devon was the only one on which the question of land entered into it at all; and the Indians from the other reserves were told that in order to get the benefit of this grant they would have to move to Kingsclear.

The CHAIRMAN: What we must keep in mind is what is to the advantage of the Indian. If it is to the advantage of the veteran that he should move out of a reserve such as Devon, then I think that is what we should recommend.

Mr. CASE: It seems to me that the Indian veteran is just as much entitled to receive the benefit of his land grant of \$2,320 as is any other veteran, and he has a right to have some say as to where it is to be spent.

Mr. MATTHEWS: Is not this a matter which would come entirely under the Department of Veterans' Affairs?

The CHAIRMAN: Yes, I think so. But take Devon, you will recall that the houses there were very close together.

Mr. HARKNESS: Say we leave Devon out of it. The same situation applies at other reserves. Actually, also at Devon there was sufficient land for at least three or four more to be located on that reserve but they are not allowed to build. On the other reserves there was plenty of land, and they were not even trying to go ahead. It seems to me that this is an absolute scheme to compel and force these Indian veterans to go to Kingsclear. There is no question in my mind about that. I think Senator Taylor and Mr. Lickers agree that that is the case.

The WITNESS: What nearby reserves did the committee visit?

The CHAIRMAN: We visited most of the reserves along the St. John river.

By Mr. MacNicol:

Q. The reserve in that area that is causing most trouble is the Oromocto reservation, and they claim that some land across the road from the reservation used to belong to the reservation and was sold by someone who had no authority to sell it, and they claim that if they had that land back again they would have all the land they need for their veterans.—A. At Woodstock there is a total acreage of 153 acres.

Q. Have you got the original acreage, long ago?—A. The records show there was transferred to the dominion government at confederation 152 acres and they have it yet.

Q. How did they get the idea that they had some more land?—A. Oromocto has 125 acres. I do not see how you could settle any returned veterans on that. I did want to say to the committee that following Colonel Harkness' representation, a few weeks ago I arranged with Major Patrick to go down there immediately following the Quebec conference of Indian agents. He is visiting all those points personally and meeting the returned men.

The CHAIRMAN: Will you tell us, for the purpose of the record, who Major Patrick is?

The WITNESS: Major Patrick is the senior branch official in charge of administration of the Veterans' Land Act, and his was one aspect of our administration that I hoped would be carried through with dispatch and without criticism and with a good deal of warmth and enthusiasm. I think in the whole of the dominion this present case is, perhaps, the only criticism we have had, and I think it all arose from the fact that the local administrative officers were convinced that it would be a cruel thing and a hardship to establish a man on three acres of rock or three and a half acres of rock. We bought a farm at a substantial cost to the department—good agricultural land—in an attempt to let these men have a beautiful home and barn. You can see by the price that it is a good farm. We had to use persuasion to get it. Maybe we made a mistake; maybe we should have let them settle on a rock-bound reserve and paid out the money. When Major Patrick comes back—maybe before the sittings of this committee end—you will be able to question that experienced official who has been on the ground and who has had discussions with the veterans concerned and who can be far more helpful to you than I could possibly be. I can speak only to the general program we had in mind.

By Mr. Harkness:

Q. The point is that you bought only 500 acres and most of that is not good agricultural land. If you try to settle thirty or forty veterans there

they cannot make a living by farming. In my opinion it is far better to have them build on the reserve they are on. Consider the people at Devon, even if they have only an acre or less, they have employment at Fredericton.—A. We could not, Colonel Harkness, under the existing regulations. They would have to have three acres.

Q. The only place that applied was at Devon. You could have put up more veterans at Devon. It did not apply at other places. I do not look upon this as being anything but an excuse for the compulsion to make Indian veterans leave their own reserve and go to Kingsclear.

Hon. Mr. TAYLOR (*Joint Chairman*): At Devon the Indians had full employment in Fredericton and wanted to stay there. If they move to Kingsclear they may be deprived of employment. But if they stayed in Devon they could not receive the benefits under the Veterans' Land Act.

Mr. MACNICOL: Do they not send the children from Oromocto in to the high school at Woodstock? Some of them have been educated there.

Mr. HARKNESS: It all seems to me to be an effort down there to force all these Indians away from the edge of the town where they are employed to Kingsclear which is an isolated spot and where they would have no opportunity to make their living. They would be there with a few acres of poor land on which nobody could make a living.

Mr. MACNICOL: Where is Kingsclear?

The CHAIRMAN: About 15 miles north of Fredericton. It was called French village.

Mr. MACNICOL: Is it on a river?

The CHAIRMAN: It is on the St. John river and it is on the highway. There is a nice farm there.

Hon. Mr. TAYLOR (*Joint Chairman*): As far as agriculture is concerned, I think it is ideal.

Mr. HARKNESS: It would be all right for two or three men, but is it hopeless for thirty or forty to make a living there by farming.

Hon. Mr. TAYLOR: For the veterans who want to follow agriculture it is fine.

Mr. HARKNESS: There is only enough land to support two or three farmers.

Hon. Mr. TAYLOR: I would say it would support more than that, if land on the present reserve was cleared.

The CHAIRMAN: Do the Veterans' Land Act provisions permit a person building on a 40 foot lot?

Mr. HARKNESS: No, he is supposed to have two acres.

The CHAIRMAN: He cannot get two acres at Devon and at Devon there is nothing but rock.

Mr. HARKNESS: I was leaving Devon out of it. The same policy has been followed as far as the other reserves are concerned where they can get three acres.

Mr. MACNICOL: Would it be possible for the committee to recommend that the pertinent legislation amended in so far as the Indians on the St. John river are concerned, because they have been there for 300 or 400 years?

The CHAIRMAN: It is to be hoped that early next session if this committee is reconstituted, as I expect it will be, we will get into the revision of the Indian Act immediately.

Mr. HARKNESS: There may be some chance along that line.

Mr. CASE: I wonder what Mr. Hoey would say about the representations made by the Indian veterans which were in effect to be permitted to stay on

the land that belonged to them on the reserve, and that that would not be a grant. That is what they complained about; that they should have consideration given to the fact that the land really belongs to them.

The CHAIRMAN: I should say it belongs to them as a sort of joint venture; it belongs to the band.

Mr. CASE: Yes, if you grant an Indian that land, conversely you are taking it from the Indians of the band.

The CHAIRMAN: I do not think you grant the Indians the land.

The WITNESS: Before he can qualify under the Veterans' Land Act he has to be given a specified area which has got to be surveyed and allotted to him. Until that is done he owns it only in the sense that we who sit here own the parliament buildings. We may, but we cannot dispose of them. There are other people interested. The Indian owns reserve land in common until he gets his location ticket; then he can lease it at the consent of the band or he can sell it to another Indian. When he dies his heirs inherit it.

Mr. CASTLEDEN: That was one of the objections.

The WITNESS: Yes.

Mr. CASTLEDEN: Many of the Indian bands do not like to allocate land; they like to hold it, in a community way.

The WITNESS: When we had the Saskatchewan chiefs before the committee one of them, whose name I have forgotten, promised me definitely that that would present no difficulty.

The CHAIRMAN: It is fair to state that the Indian, if he is off the reserve, can get the same benefits under the V.L.A. as a white person.

Mr. HARKNESS: That does not enter into this matter. In the Veterans Affairs committee we passed this provision that as far as Indians are concerned they could get this grant of \$2,320 on the reserve, and the situation in New Brunswick and also Nova Scotia is that the Indians—because of the regulations or the policy to be followed by the Indian Affairs Branch—are not allowed to take advantage of that grant unless they go where the Indian Affairs Branch say they must go—to certain specified places like Shubenacadie, Ecasoni or Kingsclear.

The CHAIRMAN: Would you be in favour of keeping them on that reserve at Millbrook, outside of Truro, where those dilapidated houses are?

Mr. HARKNESS: I would, most definitely.

The CHAIRMAN: That is a matter of opinion.

Mr. HARKNESS: Any Indian veteran in that area that wants to build a cottage—and they were building two when we were there—should be permitted to do so. The Indian Affairs Branch started to carry out the provisions in regard to veterans' land grant, as it was intended by the Veterans Affairs committee they should be carried out, but the policy was changed and now they say suddenly: "No Indian veteran can take advantage of this grant unless he goes where we say."

The CHAIRMAN: Well, Major Patrick will be back next week and he can give us a complete report.

Mr. HARKNESS: I will be contented if Indian Affairs revert to what apparently was the policy when this matter first came up and let the Indian go ahead and build on his own reserve. It creates bad feeling also in that certain Indian veterans who came back early started in building houses on their home reserves and are fixed up satisfactorily but other Indian veterans who came back later are denied those conditions.

Mr. MACNICOL: The first ones were afforded the privilege.

Mr. HARKNESS: Yes, but the Indian Affairs branch changed their policy and later said no.

The WITNESS: We changed, Colonel Harkness, only when the Veterans Land Act was changed. The change in the acreage was compulsory. That was the time our change was made.

Hon. Mr. TAYLOR (*Joint Chairman*): When it was increased from half an acre to three acres?

The WITNESS: Yes, we were going along smoothly until then.

By Hon. Mr. Stirling:

Q. With regard to Mr. Hoey's declaration about taking certain groups of Indians in Nova Scotia and placing them in two areas, were those two reserves already in existence and were the Indians consulted about moving, and did they acquiesce in moving? Did they all move?—A. Yes, they were all consulted, and then we brought the Indian agents up and we had a number of conferences, and we asked for every consideration of opinion from them. The minister himself met them. He asked what should be done, and they expressed the view that this centralization policy would be sound. Even in Nova Scotia we have no power to compel an Indian to abandon his reserve. All we can say is that if he goes he will have medical care and a co-operative store, a nursing station, wholesale prices, and perhaps later there will be a little factory. It was hoped in the case of Escasoni that St. Francis Xavier University (Antigonish) would take an interest in it, as a sociological experiment and give it a certain amount of guidance and direction. As a matter of fact, conditions had become so shocking in Nova Scotia that white people were demanding action. We are not compelling Indians to move, except in the sense that Mr. Harkness speaks of compulsion. We are not asking any Indian gainfully employed at Truro to go to Shubenacadie.

Q. Did you have to build new buildings to house those who were moved?—A. Yes.

Q. And what happened to the houses they formerly occupied?

The CHAIRMAN: They usually went up in flames.

The WITNESS: They were a source of infection and filth.

Hon. Mr. STIRLING: Are they demolished?

The WITNESS: The majority of them have been burned.

By Mr. Harkness:

Q. In connection with the centralization scheme is it not a fact that the majority of the Indians in Nova Scotia are opposed to it?—A. No.

Q. When the evidence that we took when the commission was down there is published I think you will find that the majority of the Indians questioned were opposed to the centralization plan; they complained constantly that they were being forced into this plan and were being told that if they did not go to Escasoni or Shubenacadie they could not get any education for their children or medical attention or any relief, and they would be out of employment. In other words, they would lose all their Indian rights. I think the commission evidence will bear me out that that was the general tenor of the stories we heard from most of those Indians. And, furthermore, the Indians who were the original inhabitants of Escasoni were complaining about all these people being brought in on them which they thought, and I think they are quite correct in so thinking, would make it impossible for them to continue to make on the particular reserve.—A. Well, it is just possible that additional land may have to be bought at both points; but I rather hope that our educational and economical policy would be sufficiently sound to render that unnecessary.

Now, when people say that the central reserve system is a retrograde step, they usually refer to it as a bar to assimilation. The facts do not bear that out. I do not think I know of any group of Indians in Canada more progressive than the Six Nations group. They live on the reserve. The overwhelming majority of them are opposed to enfranchisement, voluntary or involuntary, and they are very proud of their race and their position. I recall that there were five girls sent from that reserve to receive higher education and they all married white men. One of them was a graduate of Toronto university and she married one of the most distinguished citizens of Brant county. There is no reason in the world why, if by educational effort, we bring these people up to a certain standard of development, and exploit their skills, there is no reason why the process of assimilation cannot proceed; but it all depends upon properly superintending welfare and training, and the educational policy. We must not continue to let them leave school from Grades III, IV or V—we should keep them in school until they are 25, or until they are fit in mind and body to compete with a fair hope of success among white people. That is the thought the advocates of centralization had in mind. Others say it is impossible. Maybe it is, I do not think so.

Q. How many Indians do you think this Escasoni reserve could provide with an adequate means of support?—A. I could not answer that question because there are timber resources there, they have a sawmill in operation there. I do not know how limitless these resources are at all. Maybe it would be possible and even desirable to purchase additional land; and Inspector Arneil refers to Crown land, no doubt owned by the province, adjoining that limit being available. All that was very thoroughly investigated. I would think we might be able to take care of a thousand Indians on that reserve.

Q. My personal opinion was that the place would not support anything like a reasonable standard of living for more than 20 families. The amount of agricultural land is very limited and the amount of timber apparently was not so very extensive, and the timber is rapidly disappearing. That was my chief objection to the centralization scheme. I do not think the people at Escasoni are any better off than those at Shubenacadie, and I do not think there are sufficient economic resources there to support one-tenth of the number of people being put on that place. It seems to me the result of that centralization policy is going to be that you will make these people perpetually a charge on the dominion government; in other words the taxpayer is going to have to support them in perpetuity, rather than leaving them on the reserves where they are at the present time and where they have good prospects of making a living for themselves for the most part.

The CHAIRMAN: I would refer the committee to the brief from Shubenacadie which will be found at page 868 of the 1946 Minutes of Proceedings, where it says in part:

We suggest they should further the education so as to enable the students to become self-sufficient after they leave school.

Yes, there are other matters far too numerous to go into detail with at this time, but I would like to bring this one to your attention. The majority of the Indians of this reserve are labourers, others are basket-makers and axe-handle makers. At the present time there is plenty of work for everyone, but in time to come there should be some other means of making a living. We would suggest a box mill, chair factory, basket factory or something to provide work for those who cannot go to other places to work or to hunt for jobs. We also believe in centralizing the Indians on one big reserve so that it will be possible to have a medical centre here. Our doctor has his office about ten miles from here and sometimes he is not available for some urgent cases.

That is signed by Chief Stiplus Knockwood, Councillor Martin Sack and Councillor William Paul.

Mr. HARKNESS: I would suggest as far as the eastern Indians themselves are concerned—from the evidence we took when we were down there—that I do not think there is any question that there was general complaint.

The CHAIRMAN: It is a matter which we must discuss and to which we must give serious consideration. There is a variety of opinion on it. We have to think of what is to the best advantage of the Indian himself. That is what most concerns us.

By Mr. Harkness:

Q. I have just one other question with respect to the Indians at Nordegg; have the Alberta provincial authorities reached any agreement, or indicated their willingness to enter an agreement, about the matter?—A. They have intimated that they would be glad to discuss the matter with Mr. Allan at the time of his visit, and they have expressed a willingness to allot land; but whether they are prepared to transfer to us a particular tract which we have in mind as ideal, or not, I am not prepared to say. Negotiations are continuing.

Q. There has been no further real progress?—A. That I do not know, due to Mr. Allan's absence. He will be back in about ten days and I would expect that he would perhaps have some more information on that plan.

Mr. MACNICOL: That land at Nordegg would have to be irrigated, too, would it?

Mr. HARKNESS: No.

By Mr. MacLean:

Q. Can you tell me how many acres are on the Indian reserve at Whyecomagh?—A. I am sorry, I cannot give you the number of acres.

Q. Or the population on the reserve near Sydney?—A. Well, so many of them are employed in the United States, and a number of them have moved either to Shubenacadie or Escasoni, it is exceedingly difficult to state how many would be there now. Whyecomagh has 1,555 acres.

Q. How many acres are there at Nyanza?

The CHAIRMAN: We can get that information at some other time.

By Mr. MacLean:

Q. Then may I ask this question: have any boats, nets or other fishing gear been supplied to the Indians at Escasoni?—A. I could not say, Colonel Neary could check up on that for you.

Q. And another thing, at Escasoni are they using the lumber for public sale?—A. Not yet, it is all being used for the construction of Indian homes.

By Mr. Case:

Q. Mr. Chairman, Mr. Arneil, the superintendent of Indian agencies for Ontario, is reported to have made a special trip to Sarnia to deal with a situation there. I wonder if Mr. Hoey would like to comment as to what is the situation there?—A. Well, a proposal was made by an oil company to lease quite a substantial acreage at the Sarnia reserve and the offer was rather an attractive one. The Sarnia band discussed the matter on more than one occasion with Mr. Arneil and in his absence as well, and they rejected the offer, they refused to lease. This company was exceedingly anxious if they could not get the larger acreage to get a smaller acreage, on which to establish tanks, I think, and they entered into negotiations with two or three locatees, men

who hold a particular acreage to whom it had been allotted, and entered into an agreement with the oil company for a long-term lease. And now, the band are very indignant at that action on the part of certain Indians leasing their private holdings, so to speak, when the band refused to lease the larger acreage. They have had one or two indignation meetings. I think they are having another one on Friday night. Mr. Arneil went down to a meeting some time ago and informed me by wire, and he also sent in a brief report in which he intimated that the Indians had expressed great indignation at the action of the department in sanctioning these leases. That is the last word that I have had.

Q. Would the individual Indian be within his rights in proceeding in that way?—A. Strictly, yes.

Q. Subject to the approval of the department, of course? As you say, you do not want to stand in the way of the individual Indian?—A. That is correct.

Q. Then the band's appeal is not at all likely to succeed?—A. I can't see how. Under existing legislation we never refuse to approve a lease. An Indian has a summer cottage to lease, or forty or fifty acres of land which a white neighbour of the Indian wants to cultivate. We never refuse to permit a lease in those circumstances.

By Mr. Lickers:

Q. Does not the department have to have band consent to allow these people to go on the reserve?—A. Well, that is all endorsed on the lease, Mr. Lickers; those rights are set out in the lease.

Q. Does not the department ask the band or the council of the band to give its consent to allowing lessees to come onto the reserves?—A. If it were held in common by the band we never take action without consent of the band and without approval of the band. The approval of the band must be secured first and the surrender obtained, before any steps can be taken to lease; that is true at Walpole Island and Sarnia and on the Six Nations, as you know.

Q. Yes, that is why I was wondering. In connection with the Six Nations the procedure is the lessee makes an application before the council for approval to reside on the reserve and after he gets that approval then the question of the lease is considered.—A. That is not the policy followed usually, in so far as locatees are concerned. An Indian who has secured a location ticket can lease his land or rent it, subject to department approval. That is what was done in this case.

Q. That is violation, or an encroachment by the white people on the reserve in connection with a lease. Do I understand it is different with a locatee?—A. It seems that there are times when it would be desirable; you take the case of summer cottages. Summer cottages provide an important source of revenue on many reserves.

The CHAIRMAN: That applies to Walpole Island, for one.

The WITNESS: Yes, and particularly to summer cottages. If the owner or locatee had to obtain the consent of the band it would be exceedingly difficult, if not impossible, at certain seasons of the year to secure even a meeting of the band; so, under the Act, the locatee can lease, subject to departmental approval, at any time.

By Mr. Case:

Q. Now, I come to my next point; what method does the department follow in checking the rolls as to the number of Indians who are eligible for treaty money or the disbursement of funds.—A. Where treaty payments are regularly made over a period of years, rolls are exceedingly accurate and complete, births

and deaths are recorded and accurate details kept. Now in the western provinces and in sections of eastern Canada where treaty payments have not been regularly made, Mr. Case, where there is an apparent encroachment of white settlers on a reserve—suppose for instance we take the Caughnawaga and St. Regis—the rolls, in my judgment, are rather incomplete and perhaps inaccurate. We have under consideration at the moment the appointment of a senior official to go from one end of Canada to the other to work out new rolls and with authority to determine who should be a band member and who should be excluded.

Q. In connection with the old rolls, whose responsibility would it be to remove the name of deceased Indians?—A. The Indian agent of course.

Q. And if he failed to remove them they could remain there?—A. They are checked very closely at treaty payment time. If you were to observe treaty payments you would be amazed at how complete it is, and how all the amounts necessary, whether \$5 or \$50 are checked very closely.

Q. Then I take it that these old rolls are pretty carefully checked.—A. Yes, we keep a close check on the old rolls.

Q. To make sure that the names of deceased Indians are removed.—A. And this commissioner will have the special duty of making a federal investigation and check on all treaty payment rolls.

Mr. LICKERS: It will take a matter of years to do that.

By Mr. Castleden:

Q. I was wondering, Mr. Hoey; how would you classify the Indians on various reserves? You have about 132,000 Indians in Canada. It is quite evident from the evidence we have had before us that there are some who are in very excellent condition financially, some Indians who possibly earn from \$8,000 to \$10,000 or more a year; there are others where conditions are not quite so good who have a fairly decent standard of living; and then there are some who are only fair, where the income is probably less than \$1,000 a year. I am wondering if there are any great number who are really very badly off, and what the proportion in these other three classes I have indicated may be; and, particularly, how many there would be in the very low income group. I was wondering if you could classify those approximately by percentage and how you would divide them up?—A. Well, the other officials of the department might not agree with me in this, but when I was superintendent of welfare and training—when we had our first discussion with respect to the revision of the Act—I thought one-third of the Indian population reasonably well-advanced, in many cases indistinguishable from the white man. For instance, when you came to a band like the Six Nations it is exceedingly difficult, if not impossible, to detect any difference between that group of men and any ordinary municipal council. I think one-third across the dominion are reasonably well-advanced and reasonably well off, including those Indians of British Columbia who are engaged in the fishing industry, and particularly so since the departure of the Japanese.

By Hon. Mr. Stirling:

Q. You are referring to the western Indians?—A. All of them across Canada, I say that one-third would be reasonably well off.

Q. Oh, it was all across Canada?—A. Yes. Take Caughnawaga. I suppose it would be hard to estimate the earnings of some of those Indians, they are steel-workers, and some of them make quite substantial daily wages.

By Mr. Castleden:

Q. They go to the States and work on structural steel, do they not?—
A. Yes. They are well off. They are in great demand at all times for work on buildings like the Empire State and other big structural steel works.

Q. How many would you put in that class?—A. I would put about one-third in that. Then there is an intermediate one-third that work as section foremen and do a little hunting and trapping and a little guiding and in addition have subsistence gardens and work in lumber mills. Their economic base is not as broad or as dependable or as thorough, and their life is more hazardous, but on the whole they make a fair average living. Then there are the Indians in the extreme north, right across—with the exception, of course, of the Indians in the coastal area of British Columbia—they are the people to whom we have to devote the most attention and for whom we are trying to secure leasing of grounds for hunting and trapping, and for whom we are trying to develop the business of fur-bearing animals. It is the absence of the fur-bearing animals and the depletion of the lakes of fish that has affected their economic welfare. They are the ones who are the most urgently in need of help, and I think the department is making a real attempt to bring relief to them. Their condition became much worse after the return of the natural resources to the prairie provinces because the Crown land in the right of the dominion over which they could hunt and trap became Crown land in the right of the provinces, and the provincial game guardians naturally felt it was their responsibility to enforce discipline on the Indians and the Indians did not like that. I think that contributed to their economic destruction. I remember a chief, coming from Mr. Bryce's constituency, who came down to Winnipeg where he took the full arts course in St. Boniface college and then he went to one of the business colleges and took a course of training there. He was a particularly well-educated man. I asked him how he could leave Cross Lake, I think it was, and spend six years in Winnipeg acquiring an education. He said it was the result of the living obtained by his father from the fur industry, particularly beaver. And I said to him, how would you say the fur resources are to-day compared with the fur resources when you were a boy—and I am speaking from memory now, but I think he said that he hadn't seen a live beaver in that area for a period of ten years.

Q. Well, then, you think there are about one-third of them living under really subnormal conditions?—A. I would say so, yes.

Q. Now, as to your recommendation in regard to restoring the economic status of the Indian; in that you refer to the long-range plan; do you think there is any possibility of giving relief to these Indians who need it in the way of economic re-establishment within five years? Do you think you can bring those Indians back to a position of economic stability within five years?—
A. Where land exists, such as exists in northern Alberta where a survey has been undertaken by engineers employed by Ducks Unlimited and where an accelerated development is possible, relief is almost immediate. That was our experience at Summerberry, within a year or two. But when you undertake the development of a beaver preserve and you have to bring in live beaver from Algonquin park or other districts, you cannot think of any increment for a period of ten years. I do not see much that you can do for these people in the meantime outside of working out a proper relief schedule that will enable them to live in a state of comparative comfort. They are just going to be charges on us. I cannot see any way around it.

Q. I think you also mentioned in your outline the need for a revolving plan, a fund, out of which money would become available to any Indian wishing to establish himself on farms or other projects; that is, money would be available out of this fund for the purchase of land or for the purchase of machinery and equipment in cases where land is available, to help them in becoming self-sustaining. How can we get money for that purpose? There is not sufficient money in the band funds and as I understand it the Indian cannot get it on his own. In the United States they have undertaken a big objective of that kind and it is a major factor in their re-establishment program. Has any survey been made as to the amount of money that can be used at the present time to help the Indian establish himself in an economic position somewhat similar to what is being done in the States through their revolving funds?—

A. We have \$300,000 in our revolving fund. Now, we have never drawn more than a fraction of it for the simple reason that we have not been able to get the equipment, supplies and so on, necessary to make it work. I think I can not do better than refer to the work which was undertaken by Dr. Robertson in Saskatchewan, who established a number of community farms. He used to get loans from the revolving fund, at the Pelly agency in particular; and they were remarkably successful. One of the things which has made the use of the fund difficult has been the great shortage of agricultural farm machinery. We sent over representations day after day—I had a call the other day from the purchasing agent who said: I will do my best but I cannot promise when it will be available. There is still an acute scarcity of plows, tractors and equipment necessary for these men to make a success. In loaning money from that fund we have encouraged young Indians in groups of four or five to take up 500 or 600 acres; in other words, where land is available, to work on a co-operative basis until they redeem or liquidate their obligation to the fund, and then they can split it up. That was Dr. Robertson's original idea and I would like to see it continue. Where there is an individual who has a reasonable chance of success and we know that he can secure the proper equipment, whatever he wants, that is the advice we give him.

Q. Who gives approval to the application, is it the agent?—A. The agent, the inspector and the minister.

The CHAIRMAN: Before you go further, are you going to be very long?

Mr. CASTLEDEN: If there are going to be no further meetings of the committee I still have one or two questions I would like to ask while Mr. Hoey is here.

The CHAIRMAN: Well, you know we are trying to wind up the business of the committee before the close of the House. We hope the House will close pretty soon.

Mr. CASTLEDEN: I think it will be continuing for a couple of weeks.

The CHAIRMAN: Is that a prophecy or a threat?

Mr. CASTLEDEN: Nobody knows, if you are not a prophet I must say that I am not.

The CHAIRMAN: We are going to meet on Wednesday, and for a part of that time, at least, we will be in camera. We might then be able to continue questioning Mr. Hoey while he is still before the committee, but for a part of that time at least we will be in camera.

Mr. CASTLEDEN: That is agreeable to me.

The CHAIRMAN: Before we close, there is a report from the inspector of schools in connection with Caughnawaga. If it is your pleasure we will have it filed as part of the minutes.

Carried. (See Appendix GJ).

Mr. MacNICOL: When he comes back, Mr. Hoey might put on the record the exact position of that Oromocto reserve, where the chief told us he once farmed his own land on the west side of the road—I forget the name of the man to whom it was given or sold—but the chief farmed his own land there and it was given away, or sold, by someone connected with the reserve who had no right to sell it and he claims that if he had that land back he would be all right. I would like to have a report from Mr. Hoey on that and any information as to exactly what the rights of the Indians on that reserve are.

The WITNESS: I shall be glad to do that.

The CHAIRMAN: We will meet again on Wednesday next.

The committee adjourned at 1.05 p.m. to meet again on Wednesday, July 2, 1947, at 11.00 a.m.

APPENDIX GJ

DEPARTMENT OF EDUCATION, QUEBEC

5851 Clanranald Ave.,
Montreal 29,
June 13, 1947.

The Director,
Indian Affairs Branch,
Department of Mines and Resources,

Sir:

I have the honour to submit the report of my annual inspection visit to the schools of the Caughnawaga Reserve.

As you may see by the accompanying reports on the individual classes, I found the general progress very satisfactory.

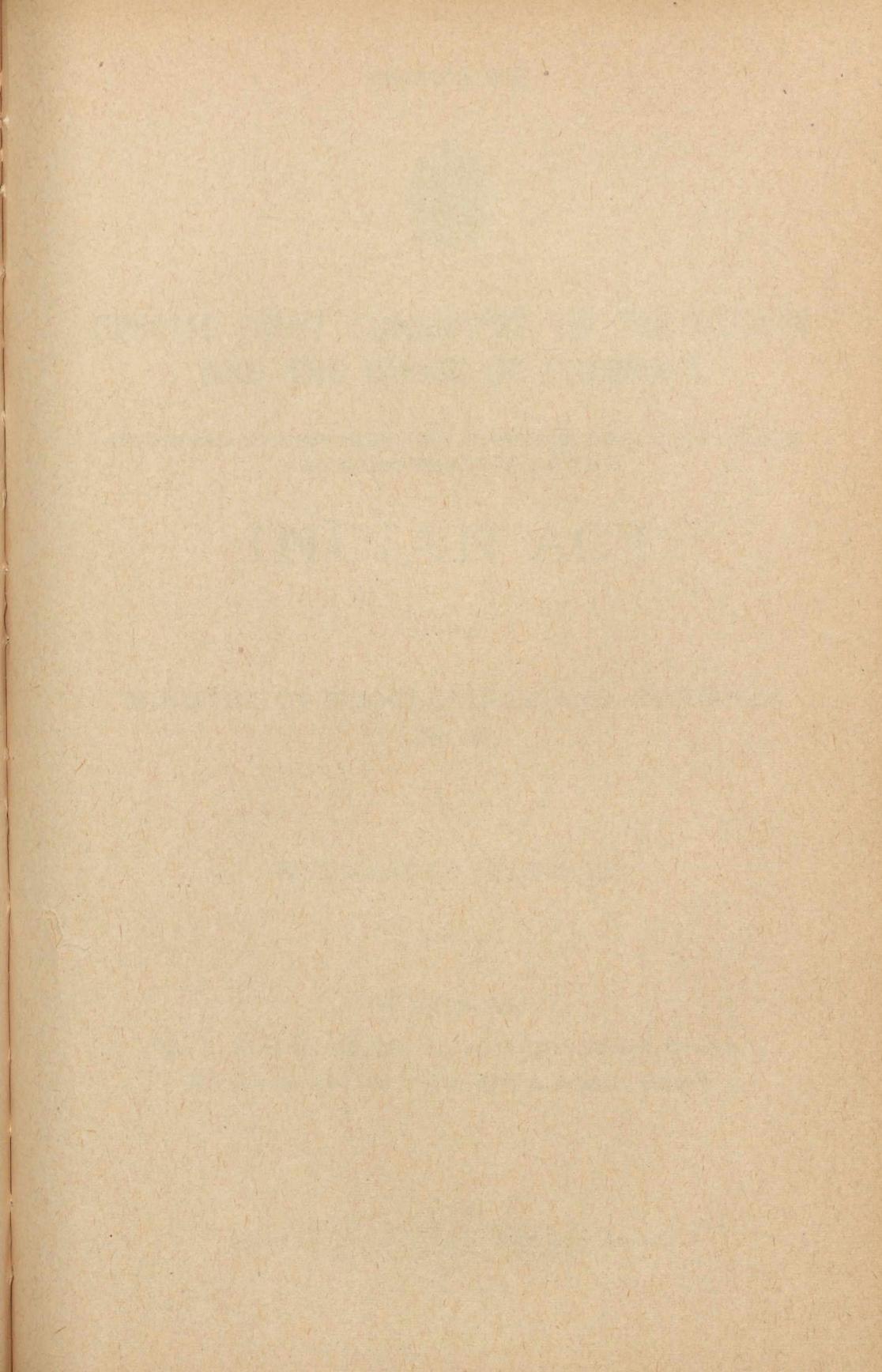
The Principal, Sister M. Albertus, seems to be very active in the administration of the schools and in the supervision of the classes. She spends half of each school day in the Eastern School and the other half in the Kateri School. That her supervision of the teaching is constant and vigilant is evident from her knowledge of the progress of the classes and of the individual pupils.

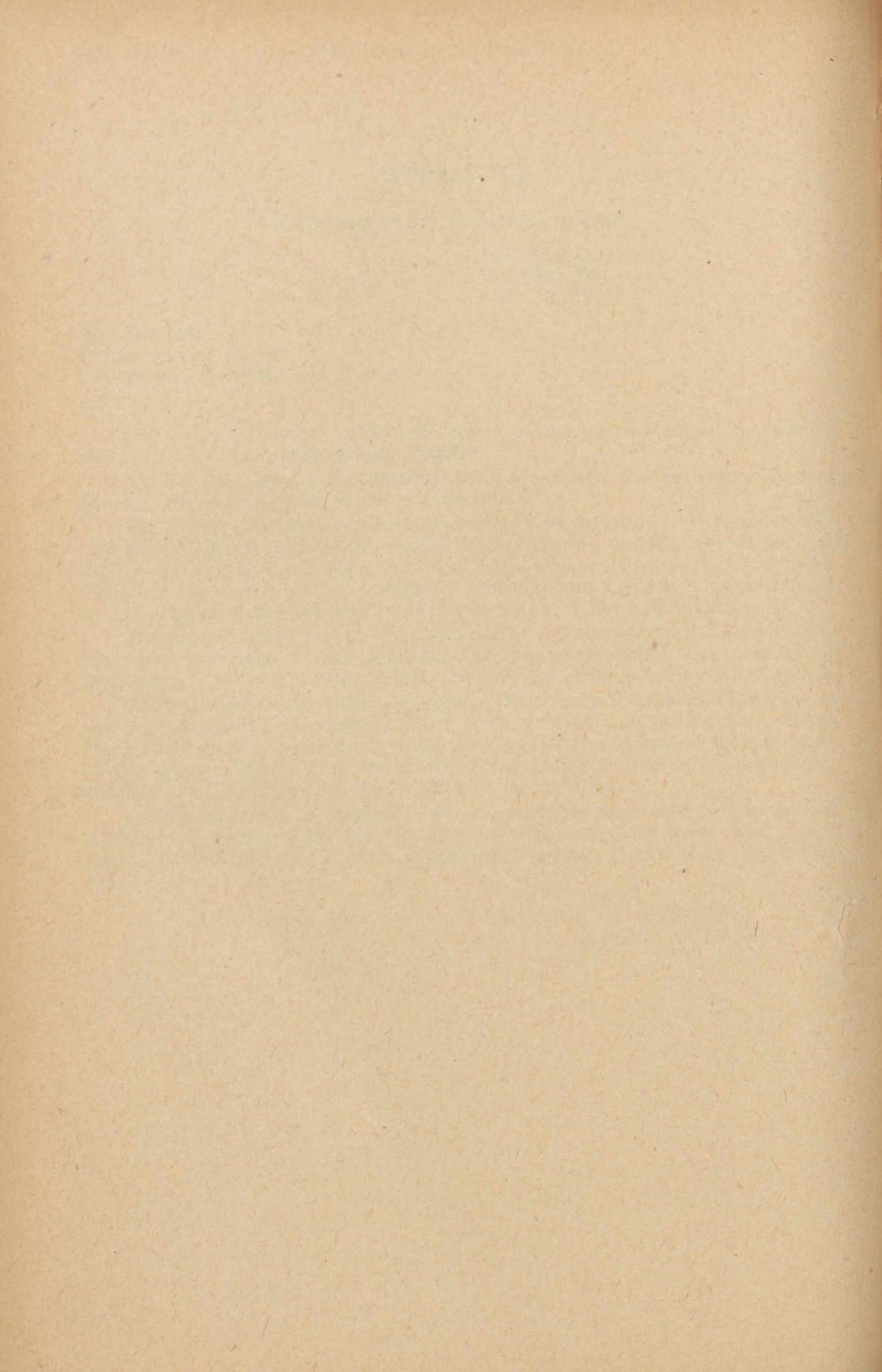
The general behaviour of the pupils seems to be very good. I believe that there are few cases of bad conduct. The pupils are polite and friendly in their attitude towards a visitor. Their oral language shows constant improvement.

The schoolrooms are clean and orderly. They have been made as attractive and as comfortable as possible. There is no point in mentioning the lack of blackboard space in some of the temporary rooms, or the lack of light in some of the others. This will be remedied by the building of a new schoolhouse, which, I understand, will be undertaken in the near future.

During my visit, I inspected the woodworking shop and the household science room. Some interesting and useful articles have been made. The pupils' interest in the activities of these departments is even greater than in previous years.

(Signed) A. E. WESCOTT,
Inspector of Schools.





SESSION 1947



SPECIAL JOINT COMMITTEE OF THE SENATE
AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION
AND CONSIDERATION OF THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE
No. 40

WEDNESDAY JULY 2, 1947

WITNESSES:

Mr. R. A. Hoey, Director, Indian Affairs Branch, Ottawa;
Mr. George Patrick, Indian Affairs Branch, Ottawa.

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

WEDNESDAY, 2nd JULY, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

Present:

The Senate: The Honourable Senators Blais, Macdonald (*Cardigan*), and Taylor—3.

The House of Commons: The Honourable Mr. Stirling and Messrs. Brown, Blackmore, Bryce, Castleden, Charlton, Farquhar, Gariépy, Gibson (*Comox-Alberni*), Harkness, Matthews (*Brandon*), (Vice-Chairman), MacLean, MacNicol, Reid and Stanfield—15.

In attendance: Messrs. W. J. Ford Pratt; R. A. Hoey, Director, Indian Affairs Branch; Major George Patrick, i/c Veterans' Land Act Administration, Indian Affairs Branch.

From 11 o'clock until noon, the Committee met in closed session.

On motion of Mr. Matthews, it was

Resolved: That the subcommittee on agenda and procedure be authorized to prepare and submit to this Committee for consideration a draft report of the recommendations to be made to Parliament before the close of the present Session.

Mr. George Patrick, officer in charge of the administration of Veterans' Land Act, Indian Affairs Branch, was called and made a statement with regard to the V.L.A. allotments to Indian veterans on certain reserves in the Maritime provinces, and was questioned.

Mr. R. A. Hoey, Director, Indian Affairs Branch, was recalled and concluded his presentation with regard to matters about which he had previously been questioned.

At 1 o'clock p.m., the Committee adjourned to meet again at the Call of the Chair.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

HOUSE OF COMMONS,

JULY 2, 1947

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11.00 a.m. Mr. D. F. Brown (Joint Chairman) presided.

Closed meeting from 11 o'clock until noon.

The CHAIRMAN: We will now go into the open meeting.

Mr. MATTHEWS: I would move that a draft report be prepared by the subcommittee for consideration by the joint committee.

The CHAIRMAN: That is the next matter of business. We must prepare an interim report of this committee to parliament. Now, in order to do that, it was thought advisable that you authorize your subcommittee on agenda and procedure to prepare a draft of a report which will be brought back to this committee, for consideration and approval before presentation to both Houses.

A motion has been put, authorizing the subcommittee to prepare a draft report which will come back some day next week for your consideration.

Have we a seconder?

Mr. REID: I will second the motion.

The CHAIRMAN: All in favour?

Carried.

Now, gentlemen, we have Mr. Hoey and Mr. Patrick here.

Mr. CASTLEDEN: Before we go into that I would like to ask if a brief has been received from the Vancouver branch of the Canadian Civil Liberties Union?

The CHAIRMAN: I thought every member of the committee had received a copy of the Civil Liberties Union brief, but apparently that is not so. The brief will be submitted to the subcommittee on agenda and in all probability will later be printed as an appendix to our proceedings.

Mr. CASTLEDEN: I would ask that the subcommittee on procedure should take some action with regard to the recommendations contained in their brief.

The CHAIRMAN: You can make a motion. It is really not necessary, because when the matter comes before the subcommittee it will take all necessary and proper action.

Mr. GIBSON: I wonder if the whole committee would like to give some general direction to the subcommittee. I wonder if the subcommittee should draft any specific recommendations.

The CHAIRMAN: The only idea would be to expedite proceedings. You would either accept, reject, add to or subtract from the subcommittee's report. You can make a suggestion now if you would like to do so. It will be the committee that is going to present the report and not the subcommittee.

Mr. GIBSON: Perhaps we had better go on as we are.

The CHAIRMAN: Have you any suggestions to make either privately or publicly?

Mr. GIBSON: I am on the subcommittee. I have some suggestions, but probably we should work on your suggestion.

Hon. Mr. STIRLING: Do I understand that the "steering" committee is the subcommittee referred to?

The CHAIRMAN: Yes.

Hon. Mr. STIRLING: It would be very much more helpful to the committee, I think, to have something in draft form before it for discussion.

Mr. BLACKMORE: What are the things we have to do to-day?

The CHAIRMAN: We are to hear Mr. Patrick and Mr. Hoey. Mr. Patrick has been down in the Maritimes, I believe.

The CHAIRMAN: In what connection?

The CHAIRMAN: In connection with the Veterans' Land Act dealings on Indian reserves in the Maritimes.

Mr. BLACKMORE: Speaking for myself, Mr. Chairman, may I say that while I want to hear Mr. Patrick I believe that remarks such as Mr. Hoey has made to this committee are of very great value and I would rather spend fifteen or twenty minutes listening to him.

The CHAIRMAN: I agree with you that Mr. Hoey's remarks have been very instructive and interesting and I have no doubt that many members of this committee would like to spend many hours examining him, but we are being criticized now for taking too long over our work and not bringing in a new Indian Act or a revised Act. I think there must be a termination somewhere at some time.

Mr. BLACKMORE: Is the report we are to listen to something that will help us in changing the Act or is it additional evidence?

The CHAIRMAN: This is to assist us with our knowledge of the operation of the Veterans' Land Act on Indian reserves, and for that reason we will be in a definitely better position in bringing in a new Act or revising the Act, or what pertains to that work.

Mr. CASTLEDEN: Is there going to be any allocation of time?

The CHAIRMAN: Yes, you have about fifty-five minutes. We will proceed in the usual way. I will now call Mr. Patrick.

George Patrick, Indian Affairs Branch, recalled:

The WITNESS: I understood, Mr. Chairman, that I was here to answer some questions raised by Colonel Harkness at the last meeting.

The CHAIRMAN: Yes, but Colonel Harkness is not here at the moment.

Hon. Mr. STIRLING: He had to go to another important committee.

The WITNESS: The chief question had to do with our compelling an Indian soldier to move to an Indian reserve other than the one to which he belonged before he could get the Veterans' Land Act grant. That was particularly the discussion involved, as regards New Brunswick. I can say that in no place, with the exception of Nova Scotia, which was explained the other day and where there is a concentration taking place at Escasoni and Shubenacadie—in no place in Canada have we refused to accept an application from an Indian because he asked to settle on a certain reserve. We have not refused to take an application from an Indian or have we said to him that we do not want him to settle there because we want him to settle some place else.

Hon. Mr. TAYLOR: How about the Devon reserve?

The WITNESS: This discussion revolved around Devon—that part of New Brunswick around Fredericton. For Devon I have sent back two applications. One of them was for S. J. A. Brooks who had been granted only one-seventh of an acre on the Devon reserve and the other was for M. P. Sapier, who had been granted only one-seventh of an acre at Woodstock. There is another one—

The CHAIRMAN: Why would you not grant it when there was only one-seventh of an acre?

The WITNESS: Because the regulations of the Veterans' Land Act demand that the applicant must have at least three acres.

Mr. BRYCE: It was half an acre to start with.

The WITNESS: There has been a great deal of hard feeling and criticism over this thing, both from the white veterans and the Indians. When the Veterans' Land Act was first brought into force applicants were allowed to settle on small holdings of half an acre. It was even reduced to 20,000 square feet—that is 100 by 200, slightly under half an acre, but as you probably recall, a little over a year ago the Act was revised by order in council and the provision was made that for a small holding two acres were required when the cost was over \$500 per acre.

Mr. CHARLTON: \$500 or over.

The WITNESS: Yes, or over; and when it was over \$500 three acres were required. Both of these were subject to a reduction of 20 per cent on account of irregularity—on account of some uncontrollable topographical feature. That boils down that the two acres may be reduced to 1.6 and the three acres may be reduced to 2.4, which is the absolute minimum the regulations allow. In the Devon reserve it was not possible to get that much property on the little street on which Indians are living; but at the conference in Quebec I pressed on the agents that while the requirement was for three acres there was nothing in the regulations to say that those 3 acres should be all in one block, and we have no objection to a man having a building site, say, of half an acre and his farm site somewhere else, to complete the three acres, so that we can meet the requirements of the V.L.A. I do not know whether I am wrong in making that statement in an open meeting or not, because I do not want to pull anything over the V.L.A.; but they do not say that we must have the land in one block. Therefore, I say we are justified in doing what a lot of people do and that is live in one place and garden in another. We give our Indians that latitude, and we think that will overcome the objection at the Devon reserve.

The CHAIRMAN: Do you mean that they could live at Devon and have their farm at Kingsclear?

The WITNESS: No, no, Devon is quite a fair sized reserve, but part of it is back in the bush. As you go up the road from Fredericton they are situated on a little village street, but in the hinterland there is other land.

By Mr. Charlton:

Q. Are you inferring that they can buy two pieces of ground, one piece being a half acre and the other two and a half acres?—A. Yes.

Q. And on one piece of land they can build their house and the other piece may be half a mile away?—A. Yes, as I understand it.

Q. What is wrong with that?—A. I cannot see anything wrong with it.

Q. I doubt if you could get away with it.—A. I am here to tell you gentlemen I am doing everything which is humanly possible to give all Indian veterans everything that they may be or may not be entitled to, but which they may have providing they meet all the qualifications of the regulations.

The CHAIRMAN: That is your job.

The WITNESS: That is my job. It does not say in the regulations that the land must be all in one piece or even that it should be contiguous to another part. We have no objection to a man having his house here and his garden a little way up the road.

(Discussion off the record.)

The WITNESS: At the time that this change was made from half an acre to three acres I considered that half an acre was quite ample. This is only a part-time scheme, and I know that I would hate to develop or improve anything like three acres in my spare time. I do not think anyone can handle more than half an acre in his spare time.

We wrote to the director, the Veterans' Land Act, as follows:

Reference is made to your circular letter 103-1946, Veterans' Land Act regulation 22A.

It is noted that the minimum area for a small holding has been set at two acres where the cost of land is in excess of the rate of \$500 per acre and three acres where the cost is less than \$500 per acre, subject to a reduction at the discretion of the Director at 20 per cent, being 1.60 and 2.40 respectively.

It is doubtful that there is an Indian reserve where land acquired by the Indian of a band for a small holding should cost anything in the neighbourhood of \$500 per acre and, in fact, in most cases the land is given free.

Since there is no loan featured under section 35A will you please advise if any variation in this regulation will be permissible in the case of small holdings on Indian reserves. This information is being requested in order that we may circularize the Indian agents setting out the new conditions.

We received a reply from Mr. Murchison, the director, the Veterans' Land Act, as follows:

Replying to your inquiry of the 18th in reference to our circular letter No. 103 quoting Veterans' Land Act regulations 22A, I may tell you that this regulation will apply in connection with the establishment of Indian veterans on reserve lands in all cases except those where establishment takes the form of commercial fishing.

Now, in commercial fishing they have permitted us simply a building lot on the assumption that the commercial fishermen, particularly on the coast of British Columbia, would simply want a wharf for his boat, some place to dry his nets and a place to live in shore. We have permitted them to take almost any reasonable amount of land, and the three acres does not apply. We have circularized our agents to have three acres, for the reason that I do not know of Indian reserves in Canada with the possible exception of some in the heart of Vancouver or immediately adjoining where land is worth anything like \$500 an acre. You might conceivably put them there, but those lands are not open for settlement.

To give you an idea: the highest I have paid for land on an Indian reserve was \$125 an acre. We questioned that price, because that is exceptional. This was at New Westminster on the Skwah Indian reserve.

It is noted that \$1,000 is to be paid for eight acres on the Skwah Indian reserve. As \$125 an acre appears to be high for land on an Indian reserve and this will in all probability be questioned by the Veterans' Land Act officials, will you please advise whether this is a fair price and is in line with current prices being paid for similar land in this area.

Mr. Gillett, the Indian agent at New Westminster, replied:

. . . I wish to state that similar land held by white people in the surrounding area is being sold for prices ranging from \$500 to \$1,000 per acre.

The land in question is cleared and fenced and the soil is excellent.

That seemed to justify the price of \$125 which I say is the highest we have ever paid anyone for land on an Indian reserve—from one Indian to another.

By Mr. Gibson:

Q. Did that money go to the band fund?—A. No, it went to the individual locatee who already owned the property. He had the Indian title and had made the improvements.

Now, gentlemen, Mr. Hoey suggested that I give you some statistics on the veterans of Nova Scotia and New Brunswick for the purpose of the record. During the war we attempted, I understand, to get as complete a record as possible of the Indian enlistments. It was not an easy job, but I think the record is fairly complete. In the Escasoni agency we have a record of 51, and in Shubenacadie 62.

By Mr. Blackmore:

Q. May I ask one question there? Are those voluntary enlistments or do they include enlistments under some pressure such as was used to persuade some whites to join?—A. I could not answer that. There were very few—as a matter of fact in my experience we had very few—NRMA Indian soldiers; they were nearly all voluntary enlistments.

By Mr. Bryce:

Q. Will you tell the committee how you are going to find homes for those soldiers in Escasoni and Shubenacadie? We saw some who could not get homes?—A. Well, there is a sawmill at both Escasoni and Shubenacadie. The development started only a year or so ago. The practice is to allot a parcel of land to the Indian veteran, and then his house foundation is dug and the wall is put in and the labour is provided and the material. The difficulty has been getting materials more than anything else.

Q. The department do not finish the inside of the house, do they; they just put up the frame?—A. There is only \$2,320 available and that certainly will not now complete a house. The frame is finished and the outside is finished, and in some of them the interior is well completed.

Q. To get those benefits the Indian has to go back on the reserve, and when he does there is no opportunity for him to make his livelihood?—A. No, no, he has the same privilege as I have, and that is of coming under the Veterans' Land Act and obtaining from them a grant or a partial loan of \$6,000 to build anywhere he cares; or he can come under section 35 which is settlement on provincial-Crown land. There are three separate schemes under the V.L.A. One can get from the director of the Veterans' Land Act \$6,000, but he must pay 10 per cent down on the value of the land and buildings and must finally take on a loan of something in the neighbourhood of \$3,200 payable over a period of twenty-five years. That is open to an Indian veteran just as it is to anyone else.

The CHAIRMAN: There is no differentiation between a white man and an Indian?

The WITNESS: None whatever. They are being told that as veterans.

By Mr. Bryce:

Q. Is any consideration being given to the reserve you closed up near Sydney which had one or two acres on it? That could have been made into a settlement for Indians where they would be close to their employment.—A. We cannot use it. Indians were moved out of there by an Exchequer Court ruling. That reserve was closed down.

Q. Why?—A. At Sydney? Because it was within the city limits of a city having a population of over 10,000.

Q. We are trying to assimilate the Indians, why not give them a chance there?—A. We cannot do that.

Q. That seems to be what is happening all along—you are driving the Indians farther back. We should be trying to bring them forward rather than driving them back.

The CHAIRMAN: What do you mean by assimilation?

Mr. BRYCE: Bringing them in among the white people.

The CHAIRMAN: Do you mean have him marry and take his place in our society?

Mr. BRYCE: Yes, take his part in our society.

The CHAIRMAN: He is free, I think, at Sydney to take his part in society, because there he is living right in the city and he is not on a reserve.

Mr. BLACKMORE: Subject to all the disadvantages to which Mr. Farquhar has referred.

Mr. BRYCE: Just a minute. Under the Indian Act or elsewhere he has had his treaties' rights taken away. Now, we want them to go back on a reserve and they will get everything that is coming to them.

Mr. BLACKMORE: Whatever that may entail.

Mr. BRYCE: Whatever that is—medical attention and so forth.

The CHAIRMAN: I agree. We must try to assimilate the Indian, and I think your definition is correct; that is, to have them assimilated into our society we do not want them to lose their blood stream by any means, and we want them to be assimilated into society. Now, we cannot assimilate them, as you suggest, by keeping them in the hinterland on reserves, we want to bring them out into the open, into the Canadian body politic.

Mr. BRYCE: Government regulations to-day are driving them back into the hinterlands.

The CHAIRMAN: The reserve should be a training ground for citizenship.

Mr. BRYCE: They have been on the training ground for the last eighty years. Have they made a fair job?

The CHAIRMAN: That is why this committee was formed. We see that something has to be done, in that direction.

Mr. BLACKMORE: What would constitute encouragement? We have the ghastly situation Mr. Hoey referred to in his off-the-record speech. Is that an encouragement to go off the reserve?

The CHAIRMAN: What about you and me? We have to meet our obligations as citizens.

Mr. BRYCE: We did not once own the country; we are only immigrants. I do not know what you are or what your dad was—

The CHAIRMAN: I am a Canadian of a couple of generations anyway.

Mr. MATTHEWS: Mr. Chairman, I suggest that we proceed with the witness.

The WITNESS: I gave you figures regarding Escasoni and Shubenacadie. At Escasoni we have eight applications approved; at Shubenacadie we have six.

In New Brunswick, in the northern district, there were twenty-nine enlistments and we have eleven V.L.A. applications out of the twenty-nine who are eligible. In New Brunswick west, there were one hundred enlistments and we have ten applicants—around Fredericton, Woodstock and St. Mary's. In Fredericton east there were sixty-six enlistments and we have ten applications approved.

The CHAIRMAN: Could you tell us something about Oromocto reserve?

The WITNESS: Oromocto reserve is a small reserve east of Fredericton. I have not got a single application from any member of the Oromocto reserve

on record; no one has applied from there. Now, I discussed that with the agent, and the Indians are just sort of sitting on the fence wondering if they want to go to Kingsclear or if they want to stay at Oromoeto. They have not given us a decision. Partly the reason we do not get a decision is that there is lots of work to be done by the Indian who wants to work, and he is not very keen on bothering about this settlement until such time as he is a little bit squeezed. You ask about someone and they say, "Oh, he has gone to Maine to work on the farms, to dig potatoes.

Hon. Mr. TAYLOR: I think the main request there was from the elderly people.

The WITNESS: That is a matter of welfare and has nothing to do with the Veterans' Land Act.

By Mr. Bryce:

Q. You know where the street was—the rows of houses that were built by the department?—A. That is at Devon.

Q. You are not going to allow any more houses to be built there under any arrangement?—A. We have not made that decision. These Indians work in the city of Fredericton, and so long as they get three acres of land I am not interested in whether they remain there or not.

Q. They would not get three acres of land in that town.

The CHAIRMAN: Mr. Bryce, the houses are all close together, but the three acres are away back of the place.

By Mr. Blackmore:

Q. Would the three acres in the town be subject to municipal taxation?—

A. No; it is all reserve land. Up until the 31st of May we had 504 Indian veteran grants across Canada. That amounts to a total of \$1,019,551.41, with an average of \$2,023 apiece. Of that \$1,019,551.41 we have been able to expend to date only \$426,269, chiefly because we cannot buy machinery and materials and we cannot get people to work for us.

By Mr. Bryce:

Q. Why cannot you get people to work for you?—A. Because they are quite keen to work in cities rather than to go out and work on Indian reserves. They take the line of least resistance.

By Mr. Lickers:

Q. What do you offer these chaps in Devon—the fellows kicking around—to help dig cellars and build houses? Should they take that work?—A. No, I question that very much. I went to Devon after these people had finished their work and I met these veterans, and there were several houses built there. We have no objection to settling anyone at Devon as long as we can get the three acres demanded by the Veterans' Land Act.

By Mr. Castleden:

Q. Do you think you could settle some of these veterans on land if the regulation with regard to the three acres were not there?—A. We did it before at Devon and at one or two other places. We have people settled on half an acre, or less than three acres.

Q. And making satisfactory advance?—A. Yes.

By Mr. Bryce:

Q. Their work was not done?—A. And the others, after the change was made, cannot understand or won't understand why they could not have the same half-acre as the other fellows.

By Mr. Castleden:

Q. Do you not think it would assist you if you had the power to do that?—A. Yes, it would, I am quite sure. There are many small reserves where it is difficult to get more than half an acre for anybody's settlement.

Q. I think it would be a good thing for this committee to recommend some change such as that which would assist individuals on reserves; but we often run up against this particular situation.—A. It is only in a very few places that we would require that, because in most places we have ample land. It is only in the isolated case where we come across restricted areas with a large number of veterans. The difficulty occurs of getting three acres of land out of a small reserve with a large population. The other answer is to go out in the market and buy more land to add to the reserve. That is a difficult question.

The CHAIRMAN: Now, Mr. Patrick's evidence has all been given previously to this committee on pages 258 to 268 of our Minutes No. 6. We will now call Mr. Hoey. Are there any questions you wish to ask Mr. Hoey?

R. A. Hoey, Director, Indian Affairs Branch, recalled:

Mr. LICKERS: I have a few questions to ask Mr. Hoey.

By Mr. Lickers:

Q. Mr. Hoey, you were here when Mr. Zimmerman from the United States gave his evidence in connection with their administrative set-up?—A. Yes.

Q. Having the country divided up into districts?—A. Yes.

Q. Do you think that would be feasible in Canada?—A. I think that proposal at the present time under consideration in the United States is a compromise. There has been, as you know, a strong demand in congress for a number of years for the abolition of the Indian Affairs branch or department, and I think this has been worked out by certain members of congress as a compromise. It is their hope that by zoning the United States into nine zones and giving the man in charge of each zone all the power enjoyed by the Indian commissioners at Washington or Chicago that that will be a substantial step toward the assimilation of the Indian and, perhaps, toward the abolition of the department.

Q. In the meantime, would you suggest that the committee recommend the holding on the reserves of an election or a referendum as to the type of administration or government that they want now, so that an expression of opinion could be made known by next session?—A. In reply to Mr. Castleden a few days ago I said there were three groups of Indians, the well-off, an intermediate group, and others urgently in need of assistance. I think, Mr. Lickers, from the standpoint of administration there are equally three groups. I visited the Caughnawaga's over the week-end to speak at a convention of homemaker's clubs. After the meeting I went around the reserve with the council and I was deeply interested in matters to which they directed our attention. Sanitation was one, very poor roads another, and cows roaming on the highways.

How in the world are you going to consider matters like that in Ottawa. I think the committee will have to give consideration to the incorporation of Caughnawaga as a village or town, assigning them definite rights and responsibilities, and putting an official in charge comparable to a municipal clerk. I would give that man a great deal of authority. The Indians seem to be able to cross the river and make real more money as steel workers and so on. They are quite competent in certain other respects.

Q. That could be done by changing the Act by order in council?—A. I would rather see them regularly incorporated.

Mr. CASTLEDEN: Would you place the official in there or would you allow them to elect their own official?

The WITNESS: I would allow them to elect their own official and possibly make them pay for him.

Mr. BRYCE: Yes, and if they failed you could step in and take over.

The WITNESS: I think the reserve could provide the money required.

The CHAIRMAN: As a matter of fact, with respect to the Caughnawaga's I had some of them in my office the other day and I wrote you a letter about these cows, setting out what they said about the matter, including the opinion that there was no reason why they should not impose their own taxes.

The WITNESS: Certainly. Why should I be bothered with cows roaming the highways on Caughnawaga, although I have not particular prejudice against cows.

I think that legislation of the type existing in the United States, whereby they incorporate an Indian town and give them the right to sue or be sued, should be looked over very carefully. I am speaking administratively and I think a number of the advanced bands should be immediately incorporated under some such law as that. I think it should have been done years ago and certainly it should be done now.

The CHAIRMAN: Are there any other questions?

Mr. CASTLEDEN: In view of the fact that it does not seem likely we are going to be amending the Act before 1948, in what fields do you think you could institute some immediate program to alleviate the conditions under the Act as it still stands, or are there some changes in the Act which you think we should recommend immediately, to make it possible for you to carry out the program you envisage.

The WITNESS: The list may appear small to you but I think an amendment such as Mr. Castleden suggested to Major Patrick would enable us to escape a lot of criticism and devote more time to something else. You made recommendations last year that we have not been able to carry out because we ran into a *cul de sac*. You remember the complaints you had last year about the rents on the B.C. coast. A man rents his house out there; it is approved in Ottawa; the rent is paid to the agent, frequently to the commissioner, and from the commissioner it comes to Ottawa. Then the money is deposited in the Consolidated Revenue Fund and there is a requisition for a cheque which has to be made out and signed. Then the cheque goes back to the agent and then to the poor Indian who is renting his farm. I took that up with the treasury officials but I did not get anywhere because the lease is made out in the name of the Crown, and that money must be deposited, according to my information, in the Consolidated Revenue Fund, even though it is deposited at one o'clock and taken out at two thirty the same afternoon. Now I would like to see your recommendation followed up.

The CHAIRMAN: We reported on that to parliament in the third report of this committee under date of August 15, 1946, item No. 8 of our report.

Mr. LICKERS: Apparently nothing has been done about that recommendation.

Mr. CASTLEDEN: That is what he is telling us. He has run into difficulty.

The WITNESS: That is something the officials of the treasury are working on because it is a big thing. We have thousands of these rentals coming in and there are delays. I am interested, more than anything else, in establishing better relations between the department on the one hand and the Indian population on the other hand. I would go a long way in avoiding criticism and establishing better relationship if this delay could be avoided. It is a very urgent problem but we simply have not the staff to take these rentals over. The whole procedure is not necessary and I suggest that the rental should be paid to the agent. He could deposit it in the local bank and issue cheques on it. All Indian agents are bonded and most of the rents are small, \$20 a month or \$25 a month.

Of course in some cases they are much larger but I do not think it is necessary to send all these rentals, from one end of the Dominion to the other, to Ottawa and have the cheques re-issued. I think it is unwise and unsound.

Mr. MATTHEWS: What would happen if the Indian collected his own rent?

The WITNESS: I would be prepared, in some cases, to extend that right. They are usually elderly Indians in their seventies, who have had to give up their little holdings for the rental and it just breaks our hearts to see the delays occur. I am not blaming anybody for the delays because it is part of a circuitous system.

The CHAIRMAN: Are there any other recommendations we made last year, Mr. Hoey, on the 15th of August, that you would like to have re-iterated, or do you recall them?

The WITNESS: Yes, I recall them all.

The CHAIRMAN: How about the speeding-up of appointments of Indian Agents?

The WITNESS: Your committee recommended the speeding up of appointing of agents. I think the Civil Service Commission has attempted to do that but the number of men applying for agencies today is rather discouraging. We advertise a position at \$3,000 plus house, fuel and light, and at \$3,600 plus house, fuel, and light, but the number of candidates who have the minimum qualifications is very small.

Mr. LICKERS: Are there any Indians applying for the position?

The WITNESS: There was one Indian in the province of Quebec who applied for the position of Indian field agent, or Indian agent at large, but none of the applications, including that of the Indian, in our judgment, have the minimum administrative experience and I am not sure we will proceed with the competition.

Mr. MATTHEWS: I think perhaps Mr. Hoey will disagree with me in this, but I do feel that the call for university graduates in many cases is carried to extreme. Good practical men are set aside.

Mr. BLACKMORE: Hear, hear.

Mr. MATTHEWS: Because they have not a university degree. Many of them have something much better.

The CHAIRMAN: They are good horse-traders, but they are being set aside because they have not got a degree and I think you are quite right.

The WITNESS: I am rather disposed to ask for an agricultural graduate from the westerners. However, in co-operation with the Civil Service Commission, we have now decided to ask for university graduates, usually in agriculture, "or its equivalent", which enables us, if a man has a good background and history, to give him an even break with the graduate. I would like to say a further word on this matter. While a university degree may not be everything, still it is an indication that a man has taken a certain amount of training and it could not have done any harm, particularly in agriculture.

Mr. MATTHEWS: But it shuts out the man who has not got the degree.

The WITNESS: It will not do so now because we have inserted the words "or it's equivalent" which enables us to sum up a man's experience.

Mr. BLACKMORE: I would like to say just a word in support of Mr. Matthews. The simple fact that a man has gone to university, and I am a university man myself, is sometimes a disadvantage. A young fellow may go to university at the right age to graduate but he spends such time graduating and getting the degree required that he becomes completely divorced from the practicalities of life. He is right out of touch with everything practical and it is very difficult for him to get back into contact. When he comes out of

university after his training if he is put into a position, for instance as an Indian agent, where there is a certain degree of complexity to his surrounding, he is completely out of his depth. His whole approach to the questions involved is hampered by lack of contact with everyday life while obtaining his university degree and he is a total loss to the Indian because the Indian does not understand how he made good even at the university.

The CHAIRMAN: Well if there are no more questions we will adjourn.

The meeting adjourned at 1.00 p.m. to reconvene at the call of the chair.

Appendix GK

CRESTON VALLEY HOSPITAL ASSOCIATION INCORPORATED 1930

CRESTON, BRITISH COLUMBIA,

18th June, 1947.

The Reverend J. H. MATTHEWS, M.P.,
Ottawa.

DEAR MR. MATTHEWS,—Just after I wrote you on the 26th May a communication was received from Dr. Moore offering us a \$4.00 inclusive rate. This means that they will pay nothing for X-ray, nothing for surgery and nothing for penicillin which last item usually averages \$2 per day when the treatment is given.

Payment is made by the Department of Veterans' Affairs for their patients at the rate of \$4.00 per day, plus X-ray charges, plus surgery charges, plus medicine charges. We have no colour distinction, and demand the same charges for white and Indian patients.

We wrote the Indian Department declining their offer and advising that we would adhere to our original order that Indians will not be admitted to this hospital under any circumstances. We were gipped \$64.50 on the two most recent patients which we admitted for humanity's sake.

I do not think our difficulties with the Indian Department will be straightened out until the whole Indian Department is re-shuffled. The officials in the Department at Ottawa know nothing of conditions in the West, and in any case are severely handicapped by being so far away. The Indians get a poor deal all round. We do not think it right that they should be hauled seventy miles over poor roads when there is a well equipped hospital at their door. The Indians are in no way to blame for the condition that makes them take this tough journey when sick. I am quite sure that a white man would never stand for such treatment.

I understand that at this time a parliamentary committee is enquiring into the whole Indian question, and I hope that all this evidence is presented in some form.

Yours sincerely,

H. A. POWELL,
Secretary.

Referred to committee by Mr. Wm. Bryce, M.P.

Appendix GL

DEPARTMENT OF NATIONAL HEALTH AND WELFARE

OTTAWA, ONTARIO,

June 27, 1947.

Mr. T. L. McEvoy,
Clerk of the Indian Act Committee,
House of Commons,
Ottawa.

DEAR MR. McEvoy,—

*Creston Valley Hospital, B.C.**Patient Day Rate*

The annual financial statement of this institution for the year 1946 indicated that the actual operating cost was \$4.79 per patient day. There was an operating profit of \$38.99 for the year.

In view of the fact that the operating costs include services provided to private, semi-private and outpatient services, none of which facilities are devoted to native patients, it was considered by our Regional Superintendent in British Columbia that a rate of \$4.00 per day inclusive of all services to Indian wards should be acceptable to this hospital. With this we concurred and an offer of \$4.00 per patient day was made. This offer was refused.

We remain of the opinion that the offer was fair and are inclined to resist the pressure which is being attempted through irritation of the local natives. Negotiations with the hospital have been approached in a businesslike fashion by this office and have been countered with an ultimatum which is foreign to the tradition of hospital practice.

Yours very truly,

H. A. PROCTOR, M.D.,

Acting Director, Indian Health Services.

Appendix GM

THE CHURCHES AND INDIAN EDUCATION

by

ANDREW MOORE, Ph. D

In the development of our western civilization the Christian Churches have always pioneered in bringing education to the masses of the people. This has been particularly true in the case of the Indians of Canada.

It is pertinent to recall that the Universities came first in the evolution of general education. During the early middle ages at Oxford, Paris and other European centres, seekers after knowledge came together to sit at the feet of the Masters. In due course many of them found that they did not have sufficient foundation to understand the Masters so preparatory schools arose to

meet their needs and thus secondary education was developed. All this, however, was only for the favoured few, who were mostly in Holy Orders. It was not until many centuries later that education for everyone was even remotely considered.

That is to say universal literacy is a very modern achievement. Prior to the Reform Bill of 1832 in England the great masses of the common people could not read and write. In fact it was not until 1870 that the first Elementary Education Act was passed in England. By that date the burden had become too heavy for the Churches to carry and the State had to take a hand.

The State did not, however, forthwith dispense with the services of the Churches in public education. They were gradually integrated with the State administration and control.

In working out this integration in England the State laid down the educational and other standards and appointed His Majesty's Inspectors of Schools to see that these standards were maintained. Then if say the Anglican Church was doing the job satisfactorily in a certain community it was permitted to continue and it received the same maintenance grants as the State schools so long as, in the opinion of H.M. Inspectors, it maintained the standards laid down by the State. The same policy was applied to the Roman Catholic and to the other pioneering denominations.

Should we not, therefore, profit by the experience of others in similar circumstances and work out some similar arrangement to continue to utilize the services of the four Canadian Churches now co-operating in the education of Indians in Canada?

Experience shows that when the Churches have full control there is a strong tendency to overemphasize religion. On the other hand, when the State is in full control there is a strong tendency to avoid religion and much of the spiritual and moral values which accompany it. That is to say a State monopoly of public education seems to be as undesirable as a Church monopoly and vice-versa. What we need is a balanced utilization of the best features of both.

State education in all the Canadian provinces is too godless. I speak after having seen the results in and from all these provinces. It is an open secret among educators that the high school pupils of to-day, and they form the end product of our provincial school systems, are on the average much more sophisticated, cynical and materialistic than were the high school pupils of a generation or two ago. Unfortunately, also this is cumulative. In short, our state monopolies in education are not turning out to be above reproach.

It is evident, therefore, that a suitable combination of religious instruction (Christian) and secular instruction is essential in all education on the elementary and secondary levels at least. This is particularly true with respect to Indian education because the Indian children in many cases are not very far removed from paganism.

In practice this desirable combination is difficult to achieve. It seems to me, however, that the Dominion authorities now face a rare opportunity of establishing a policy and setting up an organization which will bring to the Indian children of Canada the best features of both Church and State programs.

To accomplish this I would recommend:—

- (a) that in every school where Indian¹ children are under instruction, Christian morals and manners and the inculcation of the golden rule must pervade all lessons and all school activities, but since citizens of

¹ Within the meaning of the Indian Act.

all religious denominations pay taxes for their support neither segregation of pupils for religious instruction nor teaching of any denominational religion can be permitted during the school hours assigned to secular instruction.

- (b) that legal provision be made under which, in every Indian school receiving aid from public funds the last half-hour of the regular school day could be devoted to denominational religious teaching (Christian) where so desired.

The law in this respect in Manitoba, which has been in operation for *circa* fifty years is probably as good as any and it could readily be adapted to suit the present circumstances in connection with Indian education. This Manitoba legislation provides for two types of religious instruction and sets out the conditions under which each may be carried on.

The first is called "Religious Teaching" which permits clergymen of all denominations, or teachers authorized by them, to impart denominational religious instruction for the last half-hour of the school day and to segregate the pupils for this purpose. There is also a conscience clause under which parents may keep their children out of these classes.

The second is called "Religious Exercises" and consists of prayers and Bible readings without comment. These prayers and readings have been agreed upon by both Catholics and Protestants and are to be found in Booklet "Regulations of the Advisory Board regarding Religious Exercises in Public Schools of Manitoba".

For convenience I am quoting below the pertinent Manitoba legislation¹ in full.

"RELIGIOUS TEACHING"

5. Religious teaching, to be conducted as hereinafter provided, shall take place in any public school in Manitoba;
 - (a) if authorized by a resolution passed by the majority of school trustees of the district in which the school is carried on; or
 - (b) if a petition is presented to the school trustees asking for religious teaching and signed by the parents or guardians of at least ten children attending the school in the case of a rural school district, or by the parents or guardians of at least twenty-five children attending the school in the case of a city, town or village school.
6. Such religious teaching shall take place between the hours of half-past three and four o'clock in the afternoon, and shall be conducted by any Christian clergyman whose charge includes any portion of the school district, or by any person duly authorized by such clergyman, or by a teacher when so authorized. Provided that where a school is closed at half-past three o'clock in the afternoon under the regulations of the department such religious teaching shall take place between the hours of three o'clock and half-past three o'clock in the afternoon.
7. Where so specified in such resolution of trustees, or where so required by a petition of parents or guardians, religious teaching during the prescribed period may take place only on certain specified days of the week instead of on every teaching day.
8. In any school in towns and cities where the average attendance of Roman Catholic children is forty or upwards, and in villages and rural districts where the average attendance of such children is twenty-five or upwards, the trustees shall, if required by a petition of parents

¹ Revised Statutes of Manitoba, 1940, ch. 175, secs. 5 to 16, incl.

or guardians of such number of Roman Catholic children, respectively, employ at least one duly certified Roman Catholic teacher in such school. In any school in towns and cities where the average attendance of non-Catholic children is forty or upwards, and in villages and rural districts where the average attendance of such children is twenty-five or upwards, the trustees shall, if required by the petition of parents or guardians of such children, employ at least one duly certified non-Roman Catholic teacher.

9. Where religious teaching is required to be carried on in any school in pursuance of the foregoing provisions and there are Roman Catholic and non-Roman Catholic children attending the school and the school room accommodation does not permit of the pupils being placed in separate rooms for the purpose of religious teaching, provision shall be made by the regulations of the department whereby the time allotted for religious teaching shall be divided in such a way that the religious teaching of Roman Catholic children shall be carried on during the prescribed period on one-half of the teaching days of each month.
10. No separation of pupils by religious denominations shall take place during the secular school work.
11. Where the school room accommodation at the disposal of the trustees permits, instead of allotting different days of the week to different denominations for the purpose of religious teaching, the pupils may be separated when the hour for religious teaching arrives and placed in separate rooms.
12. No pupils shall be permitted to be present at any religious teaching unless the parents or guardians of such pupils desire it. If the parents or guardians do not desire the attendance of pupils during such religious teaching, then such pupils shall be dismissed before the religious teaching is begun, or shall remain in another room.
13. The department may make regulations not inconsistent with the principles of this Act for carrying into effect the provisions of the eight last preceding sections.

RELIGIOUS EXERCISES

14. Public schools shall be entirely non-sectarian, and no religious exercises shall be allowed therein except as provided in sections 15 and 16.
15. Religious exercises in public schools shall be conducted according to the regulations of the Advisory Board. The time for such exercises shall be just before the closing hour in the afternoon, except that in cities, towns and villages the school board by by-law may provide that such exercises shall be held just after the opening of school in the morning. If the parent or guardian of any pupil notifies the teacher that he does not wish such pupil to attend such exercises, then the pupil shall be dismissed before the exercises take place or shall remain in another room.
16. Religious exercises shall be held in a public school entirely at the option of the school trustees for the district, and upon receiving written authority from the trustees, it shall be the duty of the teachers to hold such religious exercises.

I desire to emphasize that these recommendations are based on the merits of the situation and not on religious, political or compassionate grounds. They are designed to secure a balanced utilization of religious and secular instruction. I realize that they must be worked out with co-operation and good will on the part of all concerned but I believe they will be effective if wisely applied.

ANDREW MOORE.

Winnipeg, June 1, 1947.

Submission to subcommittee on Education of Indians, at meeting on
Thursday, 3rd July, 1947.

SESSION 1947



SPECIAL JOINT COMMITTEE OF THE SENATE
AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION
AND CONSIDERATION OF THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 41

WEDNESDAY, JULY 9, 1947

Report to both Houses of Parliament

APPENDICES

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY

1947

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

Wednesday, 9th July, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such matters as have been referred to the said Committee, met in camera this day at 4.00 p.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

Present:

The Senate: The Honourable Senators Fallis, Horner, Macdonald (*Cardigan*), McKeen and Taylor—5.

The House of Commons: Messrs. Brown, Bryce, Case, Castleden, Charlton, Farquhar, Gariépy, Little, Matthews (*Brandon*), (Vice Chairman), MacLean, Raymond (*Wright*), Reid—12.

In attendance: Mr. Norman E. Lickers, Barristers, Counsel for the Committee and Liaison Officer.

The Ninth (and final) Report of the subcommittee on agenda and procedure was presented, considered, and amended.

It was agreed that the Ninth Report of the said subcommittee be adopted, as amended, and it was

Ordered: That the final report of the subcommittee on agenda and procedure, as amended and adopted at this meeting, be presented to both Houses of Parliament as a Fourth Report of this Special Joint Committee.

At 5.30 p.m., the Committee adjourned *sine die*.

T. L. McEVOY,
Clerk of the Joint Committee

REPORT TO THE SENATE AND THE HOUSE OF COMMONS

THURSDAY, 10th July, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed "to continue and complete" the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927) and all such other matters as have been referred to the said Committee, begs leave to present the following as a

FOURTH REPORT

Pursuant to Orders of Reference dated 13th February, 1947, your Committee has held 67 meetings and has heard 102 witnesses, including departmental officials, church dignitaries and Indian representatives from all provinces in Canada except the Maritimes which were visited last autumn by a Commission under the Inquiries Act, appointed by Order in Council P.C. 3797, dated 11th October, 1946.

Embodied in the Minutes of Evidence, as appendices thereto, are 153 written briefs or submissions received by your Committee from Indian bands or organizations and from other Canadian individuals or groups interested in the welfare and well-being of our natives of Indian descent. The Minutes of Proceedings and Evidence cover approximately 2,500 pages.

Your Committee was instructed to "continue and complete" the examination and consideration of the Indian Act. However, the actual recasting, or revision of that Act, which is long overdue, could not possibly be attempted until a full opportunity has been afforded to all interested parties to make representations in that regard.

Your Committee is agreed that the Joint Committee on Indian Affairs which was appointed in 1946 was warranted, as it reported to Parliament, in adopting a program which envisaged the revision of the Indian Act only during the 1948 session of Parliament.

The 1946 Joint Committee on Indian Affairs, on August 15th last, also reported:—

. . . The hearing of departmental officials has disclosed the necessity for certain administrative improvements which can be effected without the revision of any existing legislation and which, when put into effect, will remove some of the causes out of which have arisen grievances and complaints of many Indians. . . .

Your Committee notes with extreme regret that recommendation No. 8 of the said Report of August 15, 1946, which was concurred in by both Houses of Parliament, has not yet been implemented.

That recommendation was:—

. . . 8. That more direct methods be employed for the return of rentals collected on the behalf of Indian lessors.

Your Committee, therefore, recommends:—

1. That immediate steps be taken by all responsible officials to remove without further delay this longstanding grievance with regard to rentals due to Indians,

and your Committee further finds and recommends:—

2. That a Commission, in the nature of a Claims Commission, be set up with the least possible delay to inquire into the terms of all Indian treaties, in order to discover and determine such rights and obligations as may therein be involved, or any subsequent substitution therefor, and to appraise and settle in a just and equitable manner any claims or grievances arising thereunder;

3. That the questions involving band membership be left for definition and determination during the 1948 session when the Indian Act is next examined and considered;

4. That immediately Parliament next reassembles a Special Joint Committee be constituted with powers similar to those granted your Committee on 13th February last;

5. That the matter of enfranchisement of Indians be left for further consideration when the Indian Act is under revision;

6. Certain Indian bands resident on "lands reserved for Indians", particularly in the Province of Quebec, are compelled to pay taxes other than those imposed by dominion legislation. It is therefore recommended that a Reference be made to the proper Court to determine the legality of any taxation imposed on Indians;

7. That encroachment of persons other than Indian upon lands reserved for Indians are not viewed with favour by either the members of the Indian band concerned nor by the Indian Affairs Branch. It is recommended that the Indian Affairs Branch take immediate steps, consistent with the wishes of the Indian bands concerned, to remove from Indian reserves all persons other than Indians who reside in, or carry on business on, an Indian reserve;

8. That the whole matter of the education of Indians be left over for further consideration. In the meantime, however, it is recommended that all educational matters, including the selection and appointment of teachers in Indian schools be placed under the direct and sole responsibility of the Indian Affairs Branch;

9. That the administration of all aspects of Indian Affairs should be under one ministerial head;

10. The Director of the Indian Affairs Branch should be given the status, if not the rank, of deputy minister to permit him to have direct approach to his and other departmental heads; or, he should be named a Commissioner who shall rank as a Deputy Minister and who shall have at least two Assistant Commissioners of whom one should be a Canadian of Indian descent;

11. That Indians who are qualified for any position in the administration of Indian Affairs, at any level, be given a preference for appointment to such positions within that administration for which they qualify or are suited.

12. That when the Director of Indian Affairs becomes aware that an Indian Agent will shortly be leaving the service, he should, in ample time before the said Agent retires, request that the Civil Service Commission select and appoint a successor to the said Agent, so that there shall be no interruption in the carrying out of the duties of that most important office in Indian administration, that of Indian Agent;

13. That the retiring leave of any Agent or officer in Indian administration be granted to him simultaneously with the payment to him in a lump sum of his leave payments instead of retaining him on the payroll pending actual retirement. This in order that the position may be filled without delay by the person selected and appointed to succeed the retiring Agent or officer.

14. That whenever possible a vacant position of Indian Agent be filled by the promotion of an assistant agent who will have had the opportunity of receiving training in all the duties of an Indian Agent;

15. That in view of the fact that Indian reserves are widely scattered across Canada, and in view of the diversity of the problems confronting those charged with the administration of Indian Affairs, the Indian Affairs Branch

should be decentralized and regional directors be appointed to look after and to determine such matters as appropriately fall within their particular regional jurisdiction;

16. That the establishment for the Indian Affairs Branch be increased to provide for the appointment of a sufficient number of Indian agents and Indian Agents-at-large, to ensure the adequate and proper administration of Indian reserves;

17. That when a promotion from the staff of an agency is not possible, a promotion should, when practicable, be made from junior officers in the district who may desire promotion and who are suited and qualified for a senior post;

18. That when promotion within the staff of an agency is not feasible, the field of competition for applications from the general public should be made wide enough to ensure the selection and appointment of a fully qualified person;

19. That examinations, whenever possible, should be conducted by the district offices of the Civil Service Commission rather than at headquarters of the Civil Service Commission at Ottawa;

20. That Indian Agents who have undergone a period of probation satisfactory to the Director of Indian Affairs should be made permanent civil servants at the end of such probationary period;

21. That, by Order in Council, appointments to the Indian Affairs administration should no longer be subject to the "permanent quota" now in force, as imposed by Treasury Board regulations;

22. That the preference accorded to any veteran be consistently accorded with regard to all appointments to positions in the administration of Indian Affairs;

23. That future appointments of officials concerned with the administration of Indian Affairs should, where practicable, be restricted to applicants who have had previous experience in the field. Field officers in the said administration should, from time to time, be posted to the divisional or headquarters office of such administration;

24. That in the best interest of the administration of Indian Affairs, if there be officials therein who are incompetent, or incapacitated, or for any reason unable to fulfil their duties, such officials should be superannuated or retired from the service, without undue delay;

25. That the project of building a central governmental hospital in northern Indian agencies, with nursing stations in far outlying districts, be proceeded with at once; and

26. That some statutory provision be made for the adequate care of aged, infirm or blind Indians; and that in the meantime rations given to Indians should be sufficient in quantity and quality.

Whilst your Committee would like to express due appreciation to all those individuals and organizations who have rendered valuable assistance to the deliberations of your Committee, we feel that occasion must be taken to single out for special mention the very valuable contribution made by Mr. William Zimmerman, Jr., Assistant Commissioner of Indian Affairs, Department of the Interior, U.S.A., who came to Ottawa to inform your Committee with regard to the administration of Indian Affairs in the said United States of America.

A copy of the minutes of proceedings and evidence is tabled herewith.

All of which is respectfully submitted.

W. H. TAYLOR,
DON. F. BROWN,
Joint Chairmen.

CONCURRENCE:

(Senate): 15th July, 1947;

(House of Commons): 10th July, 1947.

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APPENDIX GN

REPORT OF COMMISSION ON INDIAN AFFAIRS, 1946

OTTAWA, CANADA.

To HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

1. By Order in Council P.C. 3797, dated October 11, 1946, the undersigned were appointed Commissioners under the provisions of Part I of the Inquiries Act, Revised Statutes of Canada, 1927, Chapter 99, and were empowered

to sit at such times as the Commissioners shall decide at various places in the Maritime Provinces and Eastern Quebec for the purpose of continuing the inquiry into and reporting upon all those matters mentioned in the Resolutions aforesaid (the Order of Reference to the Special Joint Committee of the Senate and the House of Commons, the Joint Committee was vested with authority to investigate and report upon Indian administration in general and, in particular, the following matters:

1. Treaty rights and obligations.
2. Band membership.
3. Liability of Indians to pay taxes.
4. Enfranchisement of Indians both voluntary and involuntary.
5. Eligibility of Indians to vote at Dominion elections.
6. The encroachment of white persons on Indian reserves.
7. The operation of Indian day and residential schools.
8. And any other matter or thing pertaining to the social and economic status of Indians and their advancement.)

which pertain to the Indian population of the named provinces; to visit such Indian reserves within the said areas as the said Commissioners may deem expedient; to hear evidence of any person or organization who may be affected by the said Orders of Reference and who may desire to be heard by the said Commissioners.

2. Pursuant to the said Order in Council the Commissioners therein named, on October 20, 1946, set out on their itinerary through the "Maritime Provinces and Eastern Quebec", and held their final hearing at Quebec on November 6, 1946.

3. The itinerary was designed to, and did, make it possible for your Commissioners to "visit such Indian reserves in the said areas" as they deemed to be "expedient", in view of the time at their disposal.

Meetings were held "at such places and times as were considered necessary for the purposes of the inquiry".

4. Your Commissioners considered themselves a "fact-finding body" which had the advantage of having been members of the Special Joint Committee of the Senate and the House of Commons appointed in 1946 and, for that reason, fairly well informed with regard to most aspects of the Orders of Reference set out above.

5. In the course of 18 days your Commissioners travelled 2,850 miles by rail, land and water. All Indians were given an opportunity to make representations at well-attended meetings which were held on the following reserves: (in New Brunswick), Eel Ground, Red Bank, Burnt Church, Oromocto, Kings-

clear, St. Mary's, Devon, Woodstock, Tobique and St. Basil; (in Nova Scotia), Afton, Chapel Island, Sydney, Eskasoni, Millbrook, Shubenacadie; Lennox Island, in Prince Edward Island; (in Quebec), Restigouche (Bonaventure County) and Lorette. Chief James Athènes was heard at Riviere du Loup, Quebec. On all reserves visited, Indian homes and schools were inspected, as was the infirmary at Tobique.

Elsewhere in our Report will be found the minutes of our proceedings and of the evidence given by approximately 170 witnesses. The written submissions presented to us form part of the record, as do certain written briefs which were later received by the Commission from members of certain reserves which were not visited.

6. Our findings and recommendations follow.

(a) *Treaty Rights and Obligations.*

Evidence was proffered at several meetings that the Indians of the Maritime Provinces and Eastern Quebec believe that the treaties signed at various times, but more particularly in 1725, between their ancestral chiefs and certain military representatives of His Britannic Majesty are, in all respects, binding upon His Majesty the King in right of the Dominion of Canada. It is the plaint of those who make that claim that the Indians do not to-day enjoy the rights and privileges conferred on their ancestors by those treaties.

Your Commissioners recommend, therefore, that at the next Session of Parliament a Joint Committee of the Senate and the House of Commons be again appointed to continue the examination and consideration of the Indian Act (Chapter 98, R.S.C. 1927) and all such other matters related thereto as may be referred to the said Joint Committee; that when appointed the said Joint Committee be empowered to appoint from its members such subcommittees as may be deemed advisable or necessary to deal with specific phases of the problems involved, but, more particularly, with the matter of treaty rights and obligations. This subcommittee should confer with departmental officials who are conversant with the terms of treaties which affect Canadian Indians and report its findings to the said Joint Committee.

(b) *Band Membership.*

As can be seen from the following statistics, the Indians resident in the Maritime Provinces and Eastern Quebec derive their origin from only two Indian races: the MicMac and the Amalecite.

INDIAN POPULATION IN MARITIME PROVINCES

Province	Racial Origin	
	MicMac	Amalecite
Nova Scotia.....	2,363
New Brunswick.....	1,098	949
Prince Edward Island.....	266
Eastern Quebec.....	969
	4,696	949

This would explain why band membership is not a matter which concerns Indians in the Maritime Provinces to the same degree as it affects Indians in other parts of Canada. But evidence was heard that inhabitants of some reserves are most jealous of the "privileges" which they enjoy at their present location and are not disposed to accept with good grace the infiltration from other reserves, by marriage or otherwise, of Indians of even the same racial origin; nor are some willing to be moved from their present reserves and be

re-located, even in better circumstances at other reserves in the same province, because of a fear of loss of employment from which they now derive some financial gain.

(c) *Liability of Indians to pay taxes.*

Generally speaking the Indian does not feel that he should pay any taxes. It was found, however, at reserves situate close to populous centres, such as Millbrook, just outside Truro, Nova Scotia, where it is possible for an Indian to earn a living "off the reserve" and at Devon, New Brunswick, and Sydney, Nova Scotia, where he can make a living "on the reserve", that there is no objection, as a rule, to paying taxes on income so earned. Reference to the evidence given by Indians at Millbrook Reserve will show that they object to being centralized at Shubenacadie for the stated reason that they could no longer earn the income they presently derive from their employment in Truro factories and homes.

(d) *Enfranchisement, voluntary or involuntary, of Indians.*

It was generally found that the older Indians do not favour enfranchisement. They are of opinion that were they to be enfranchised they would lose certain rights and privileges to which they have become accustomed. The younger generation, particularly the ex-servicemen, realize the advantages to be derived from becoming enfranchised; but, unfortunately, in their formative years they were not shown ways and means of helping themselves to become other than "wards of the Crown."

A great deal of credit is due those ex-servicemen who have availed themselves of the advantages of military training and who are doing their best to improve their homes and home surroundings. Every effort should be made by the Indian Affairs Branch to see to it that these ex-servicemen are informed of their rights under Veterans Affairs legislation which has been passed by Parliament for the rehabilitation of good citizens of the country who willingly went to war.

Your Commissioners are of the opinion that greater consideration should be given by the Indian Affairs Branch to affording the Indian veteran every opportunity under the provisions of the Veterans' Land Act to settle on the reserve of his own choice, and every encouragement to assume the rights and obligations of Canadian citizenship.

It is our opinion that the matter of enfranchisement should be left on a purely voluntary basis. The provisions of the Indian Act concerning enfranchisement should be carefully reviewed and clarified.

(e) *Eligibility of Indians to vote at Dominion Elections.*

There are many Indians who must, and do, pay taxes on the income which they earn "off the reserve". They feel that they should, for that reason, be given the right to vote at Dominion elections. Otherwise, they claim, they are penalized by being taxed without any voice as to how Parliament, in which they are not represented, allocates the taxes which they pay. Generally, those who do not pay taxes do not wish to be given the Dominion electoral privilege.

It has been suggested that the Indian population should be allowed to choose an Indian as the Parliamentary representative of all the Indians in Canada. In this there are inherent difficulties, since the Indian population, under the present basis of representation, would not be entitled to more than two members. It would indeed be difficult to choose any two Indians who would be acceptable to Indian voters in all Canadian provinces. There are other obvious difficulties.

(f) *Encroachment of white persons on Indian Reserves*

Most Indians view with disfavour the existence of persons other than Indians within the limits of a reserve. The Indian Affairs Branch holds a

similar view, and is taking steps to terminate such encroachments on certain reserves within the Maritime Provinces.

(g) *Operation of Indian schools, day and residential*

The education of Indian children in the Maritime Provinces and Eastern Quebec has the unique aspect, not to be found elsewhere in Canada, that regard must be had for the fact that the Indian population in those areas is, and for years has been, wholly adherent to the Roman Catholic faith.

The Indian schools, therefore, are separate schools; the residential school at Shubenacadie is under the direction of a Roman Catholic religious order.

The evidence shows that your Commissioners gave much attention to the schools in each reserve which they visited.

The principals of the schools visited all admitted that the institution and payment of family allowances has meant a decided improvement in school attendance, although in certain schools, at certain periods of the year, attendances does fall off; for example, during the potato-picking season many children are taken away from school and accompany their parents to the State of Maine, in order to take advantage of the very high wages there paid even to children.

The following statistics show the enrolment at Indian day schools as at March 31, 1946, and the number of children between the ages of 7 and 16.

Province	Children 7 - 16	Indian Day School Enrolment
Prince Edward Island.....	62	28
Nova Scotia.....	472	380
New Brunswick.....	454	334
Eastern Quebec.....	324	255
	1,312	997

Cases were noted where the text-books used in the day schools were not those which had been passed upon or accepted by the provincial department of education. The Training Division of the Indian Affairs Branch has concerned itself with the curriculum to be followed in Indian day schools which now is, as near as possible, that prescribed by the provincial educational authorities. All day school teachers should hold requisite certificates from the provincial department of education, and should receive salaries commensurate with their experience and aptitude and, as soon as possible, should be classified and graded as permanent civil servants and so become eligible for civil service superannuation.

We recommend that the Indian Affairs Branch make obligatory, in schools under their jurisdiction in the Province of Quebec, instruction in English as well as in French. Consideration should be given to the need for teaching some commercial subjects in the higher grades of all day and residential schools.

Your Commissioners inspected several schools which are in urgent need of repair and recommend the carrying out of all necessary repairs which departmental officials assured would be made as soon as materials and labour are available.

Shubenacadie Residential School

This school, constructed in 1928, is the only large school of its type east of Ontario.

Although the average attendance is 155 boys and girls, it has had as many as 165 children enrolled. The school provides for orphan and neglected Indian children from the three Maritime provinces. We are told that these children are all Indians, within the meaning of the Indian Act, but "from the appearance

of them, some are quite far removed from the Indian", which can also be said of some pupils in most day schools which we visited.

The building is not of fire-proof construction nor, in the opinion of some Commissioners, is it sufficiently equipped with fire-escapes to ensure the safety of resident pupils and teachers.

The school has facilities for the teaching of crafts such as pottery, wood-carving and other native handicrafts. It also teaches agricultural pursuits, including stock-raising and dairying and owns some excellent pure-bred stock. Girls are taught home-making and domestic sciences, weaving and other handicrafts.

Your Commissioners are of opinion that the Indian Affairs Branch is well aware of the need for the services rendered by this school and takes effective means to ensure that the training and care given the pupils are adequate to enable them to get that good start in life which they might not otherwise have.

(h) *Other matters pertaining to the social and economic status of Indians and their advancement.*

It might be well to repeat here that the Indians in the Maritime Provinces and Eastern Quebec belong to two main racial origins, the MicMac and the Amalecite.

Their forefathers had to be proficient in hunting, fishing, fighting and in providing themselves with clothing and shelter, in order to survive.

During the 350 years since these natives first had dealings with races other than their own, they have, for many reasons, lost the fibre, energy and initiative of their ancestors, and have decreased in population.

The Indian Affairs Branch is obliged to, and does, make provision for the health, welfare and education of the few thousands of Indians in the areas once thickly populated by their forebears.

It is the opinion of your Commissioners, based upon actual investigation, that the Indian Affairs Branch, since 1940, has done much to improve the social and economic status of the Indians in the Maritime Provinces. We agree with the view expressed by Mr. R. A. Hoey to the 1946 Joint Committee (Minutes of Proceedings and Evidence, pp. 27, 28): that

consideration of ways and means whereby conditions on Indian reserves might be improved, and the problems (which confronted) us, appear to lend themselves in the main to a well thought out, long-range program if the Indians of the present and future generations are to be so advanced educationally and economically that they will be able to enjoy the rights and privileges of, and assume all the obligations of, Canadian citizenship.

As time goes on, and the Indians are assimilated into the general body politic, the need for the special services now rendered to these "wards of the Crown" will gradually lessen. In the meantime, however, much as it will cost, Canada has a moral responsibility and a legal obligation to meet with regard to the provision of our Indians with all necessary social services.

At present the Indian is greatly benefited by the receipt of family allowances in the same manner as his neighbours, no matter what their racial origin. True he does not receive old age pensions, as such, nor do blind Indians receive a pension. We were asked by many Indians that such pensions be provided. Your Commissioners are agreed that the Government should give every consideration to providing Indians with an old age pension.

Whilst it is a fact that old Indians do not receive a pension, it is also a fact that they are given shelter, fuel, clothing and rations, without having to pay taxes of any kind. Consideration should, however, be given to the need for increasing or varying the amount and kind of rations, in order that the Indian diet may meet the standards of competent nutritionists.

7. Living conditions and housing.

Your Commissioners found that living conditions varied greatly from reserve to reserve.

Many Indian homes were visited which were quite comfortable and with which the occupants expressed themselves as very content. On the other hand many homes were seen which, from the standpoint of sanitation and comfort left much to be desired. As a matter of fact they were hardly worse, certainly no better, than are to be found in sections known as "slum areas" in other Canadian communities.

Departmental officials blamed such housing conditions on shortages in building materials and the lack of labour, skilled or unskilled, during recent years.

That the Indian Affairs Branch is aware of what must be done to better such conditions is apparent from the records of the 1946 Joint Committee. Speaking to that Committee, on May 30, 1946, Mr. Hoey, Director of that Branch, said:

One of the outstanding needs at the moment appears to be a housing program such as (that) outlined in the government's post-war program The insanitary shacks in which many of our Indians now live should be replaced by sanitary dwellings.

Your Commissioners had the opportunity to inspect some of the modern houses under construction on various reserves and are satisfied that if the housing program of the Indian Affairs Branch be carried out, the living and housing conditions of the Indians in the Maritime Provinces will be vastly improved and will compare favourably with such housing and living conditions as are enjoyed by other Canadians whose income is higher than that earned by most Indians.

Centralization.

Your Commissioners were impressed with what has been done in Nova Scotia, at Eskasoni and at Shubenacadie, where the Indian Affairs Branch plans to have the Indians live in well-organized and completely self-sufficient communities.

Your Commissioners are of the opinion that the success of the policy of centralization undertaken in the Province of Nova Scotia will depend on two factors:

(1) on the educational program provided at the Shubenacadie and Eskasoni reserves, and,

(2) on the provision of sufficient economic resources and opportunities to enable the Indians located on these reserves to make a living for themselves and thus become increasingly less a burden on the taxpayers of Canada.

At these reserves, four-room, fully equipped schools have been established. It is our opinion, however, that in addition to this, fully qualified, experienced teachers should be employed. The course provided, both academic and vocational, should be based on the actual needs of the Indian population. In other words, it is the opinion of your Commissioners that the Indian boys and girls of these reserves should receive the training necessary to enable them to compete successively with white citizens in the province.

Welfare and direct relief.

The one subject about which your Commissioners invariably heard the most complaint was the distribution of welfare and direct relief payments.

This is a matter of departmental administration which was fully discussed with the Indian agents concerned.

Your Commissioners do feel that many improvements can be made in this regard and are confident that the Indian Affairs Branch is endeavouring to make it as easy as possible for deserving Indians to be given every needed

assistance to receive that amount and kind of direct relief as will make the recipient healthy and comfortable. The payment to the Indians of an old age pension would make the payment of welfare and direct relief unnecessary and would also avoid considerable administrative difficulties involved in the present system.

Homemakers' Clubs

There is one project of the Welfare Division of the Indian Affairs Branch which is deserving of every commendation and continued support: the institution of Homemakers' clubs, of which a very excellent example was seen on the reserve at Ste. Marie de Restigouche, Bonaventure County, Quebec. We were given to understand that it is the intention of the Welfare Division to organize similar clubs at other reserves in the Maritimes—and elsewhere in Canada. The need for such clubs and the benefits to be derived from them on all Indian reserves can not be over-emphasized.

8. Administration, generally, of the Indian Act.

At every reserve visited by your Commissioners complaints were heard involving various phases of the Indian Act, or agents who administer it.

Questioning of witnesses brought out the fact that in most cases the abuses complained of took place years ago when it was usual, in the Maritimes, to employ part-time agents.

However, now that, with one exception, Indian agents in the Maritimes are full-time officials, many of the abuses inherent to the old system have disappeared. We had the opportunity to appreciate the manner in which the present agents carry out their responsibilities. We believe that most of them are fully aware of the importance of their office. Yet we should like to emphasize, as strongly as possible, that there are qualifications of an Indian agent which can not be defined nor appreciated by officials of the Civil Service Commission who have not given careful study to the rare qualities, skills and aptitudes which must be possessed by every applicant for the position of Indian agent, or in fact, for any position at an Indian agency. These latter officials must have a sympathetic understanding of the Indians who will be under their charge; they must win and preserve the entire confidence of those Indians and be able to give them leadership and guidance so that the Indian can develop himself morally and economically and fit himself for eventual assimilation into full Canadian citizenship. These officials must also possess a good working knowledge of social welfare. Devotion to duty, self-sacrifice and patience are other essential requisites of any person who intends to devote his life to the health, welfare and education of our Indians.

The Indian Affairs Branch must be given every assistance to recruit qualified teachers, doctors, nurses and social service workers, in order that the Indian population be not deprived of those services which are necessary to assure that population of the same care which is considered the just desert of other Canadians. The Indians of Canada must be permitted, and helped, to maintain themselves and their dependents with at least the same minimum standard of good health and living conditions as are considered necessary for their Canadian neighbours.

The revision of the present Indian Act, which has not been appreciably amended since 1880, undoubtedly should have such an ideal as its object. That

revision should not be undertaken until the committee to which the duty is confided is given a full opportunity to hear from all Canadian Indians and from church and other organizations interested in the present and future well-being of those Canadians whose ancestors were the first natives of Canada.

All of which is respectfully submitted.

Joint Chairmen. { (J. FRED JOHNSTON, Senator,
DON. F. BROWN,
W. H. TAYLOR, Senator,
W. Bryce,
W. GARFIELD CASE,
THOS. FARQUHAR,
WILFRID GARIEPY,
D. S. HARKNESS,
WALTER LITTLE,
LEON J. RAYMOND.

(Submitted to His Excellency the Governor General in Council on the 8th July, 1947).

APPENDIX GO

A BRIEF SUBMITTED, JUNE 28, 1947, BY THE VANCOUVER BRANCH CANADIAN CIVIL LIBERTIES UNION TO THE SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION AND CONSIDERATION OF THE INDIAN ACT.

The Special Joint Committee on
the Indian Act,
The House of Commons,
Ottawa, Ontario.

GENTLEMEN,—The Vancouver Branch of the Canadian Civil Liberties Union wishes to avail itself of the opportunity generously provided by the Joint Committee on the Indian Act to express certain opinions and to submit certain recommendations regarding the treatment, welfare and advancement of the Canadian Indians; and it begs herewith to do so.

In order to introduce our organization to you we are attaching a sheet describing its character and listing its officers. Our reasons for concerning ourselves with the advancement of the Indians will, we trust, be made self-evident by the three following excerpts from our declared beliefs and purposes:—

This Union believes:

- (1) That all members of our democratic society are entitled to, and should be granted, the same rights and liberties.
- (2) That the liberties of individuals and groups within our democratic society should be enlarged as far as, and whenever, possible.
- (3) This Union is devoted solely to promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion. (United Nations Charter)

The Union has long felt that the status imposed upon the native Indians and the treatment that has been accorded them under the Indian Act have failed to accomplish either of the primary aims that were sought by both the original treaties and agreements, and, at Confederation, by the formulation of the Indian Act.

Very briefly we believe that these aims were: (1) to protect the Indians from injustice or exploitation at the hands of a more powerful and more sophisticated race; (2) to provide them with the experience and knowledge required to make them capable of taking their place on equal terms in the new social structure.

That the Indian Act, in achieving its own ends, has, at best, only partially succeeded, and, at worst, has miserably failed, is as much the fault of the last two generations of Canadians as it is of the framers of the Act. If the latter failed to foresee the social, economic and educational changes that were to come, and to provide for them, we who have experienced those changes are much more at fault for failing to make the Act conformable to them.

In effect what has happened is this: In terms of civilized society, the white man driving in his fine carriage found the Indian walking. He gave him a horse and buggy and said "when you learn to keep up with me we will drive side by side." Then the white man got himself an automobile and left the Indian in his Indian-Act-buggy still struggling to catch up, but consistently falling farther and farther behind.

It is not new wheels, grease for his axles, another horse or a better road that the Indian needs. These things might make him more comfortable, but they would not make him catch up. He, too, needs an automobile, a vehicle that operates on a new principle—an Act that will enable him to catch up, not with the society of 1868, but with that of 1948.

It is our belief, after following the Minutes issued by the joint committee, that in asserting that the Indian Act needs not merely to be patched up, but to be rewritten (and, for the psychological effect, probably renamed), we are merely re-affirming an opinion that already exists in the committee itself. And the receptiveness to ideas which it has shown throughout its sittings leads us to hope that our recommendations will be welcomed, as we welcome the opportunity of presenting them to a body that has shown itself intelligently sympathetic to the needs of the Indians.

(In order to simplify reference to the various recommendations in this brief, we have numbered them in an independent sequence that is in parentheses, in the line of the margin.)

Our first recommendation is a procedural one which, because of its nature, needed to reach you as early as possible. Consequently, we sent it to you in advance, by airmail, on June 7th. For the sake of completeness we repeat it here.

In View of The Facts,—

1. That the Indian Act has existed in essentially its present form for the 80 years since Confederation; and,
2. That another examination and revision of it is unlikely to occur within, roughly, another equivalent period; and,
3. That this is the first time Indians have been consulted regarding the provisions and the operation of the Indian Act; and,
4. That numerous Indian and white witnesses, including witnesses from the Indian Branch, have frequently referred with admiration to the treatment of the Maoris in New Zealand, and to certain particular details and trends in the treatment of Indians in the United States; and have requested more or less vaguely “a system similar to that of the Maoris in New Zealand”; and,
5. That it is both widely and firmly felt that in both these countries the systems that have been developed to deal with the aboriginal inhabitants have been, in certain respects, more successful than our own; and,
6. That written accounts of New Zealand’s treatment of the Maoris ordinarily assert that it provides a model for other nations; and,
7. That any reasonable expenditure incurred in improving such enduring and profoundly important legislation as the Indian Act is in reality an economy; and,
8. That the expense (which may well result in effecting a saving) is negligible in comparison to the basic expenditures it is related to. (According to Mr. Hoey’s estimates, for effective administration of the Indian Act, the Indian Branch will require in the next 15 years alone financial grants totalling over \$300,000,000); and,
9. That the investigations of the Special Joint Committee on the Act have been in all other respects so painstakingly thorough, so meticulously careful and so vigorously exploratory that to leave any important area uninvestigated would seem a blameworthy omission that is foreign to the character it has consistently displayed; and
10. That the evidence given by Mr. Wm. Zimmerman, Assistant Commissioner of United States Indian Affairs, regarding the treatment of Indians

in his country was admittedly most instructive and very rich in suggestion; and,

11. That the value of studying any system is enormously increased if it can be examined in operation and on the spot; and if it can be studied at first hand, from the viewpoints of both those who operate it and those whom it controls; and,

12. That, apart from the other benefits that will result, the mere sending of such a subcommittee as the one to be described, will do more than any other action your committee could take to impress upon both the Indians and Canadians at large the thoroughness with which the Joint Committee on the Indian Act is carrying out its exceptionally difficult task;

THEREFORE:

(1)

(a) We respectfully recommend that, before the Indian Act be revised, or any other Act be substituted for it, and before the Special Joint Committee on the Indian Act presents any comprehensive set of recommendations to the House of Commons, a sub-committee be sent to study in considerable detail the conditions that exist among the Maoris of New Zealand and among the native Indians in the United States; to familiarize itself with the past legislation in the two countries that has led to whatever is good or bad in the conditions of the respective aboriginal inhabitants; and to study the relation that exists between present legislation and the present conditions.

(2)

(b) Furthermore, we respectfully recommend (1) that all members of such sub-committee should be ones who have convincingly demonstrated their openmindedness and their intelligent interest in the welfare and advancement of the Indians; (2) that such a sub-committee should contain or have officially attached to it,

(a) an educationalist-sociologist,

(b) an educated, progressive Indian,

(c) A member of the Indian Branch whose work both keeps him personally in touch with the Indians and makes him familiar with administrative problems,

(d) one or two (or more) members of the Special Joint Committee on the Indian Act.

ANALYSIS OF THE INDIANS' SITUATION

The Canadian Indians are a backward and a depressed race whose morale is shattered and whose self-confidence is lost. Educationally they are either illiterate or little better, and economically they are incompetent and dependent.

For this condition the Indians are not to blame. Whenever and wherever they were first encountered by white men no one of these descriptions applied. Early accounts agree in presenting an almost opposite picture.

The arrival of white men with a new civilization might have led either to extinction of the Indians or to the higher development of the good qualities that they possessed. Actually—and by accident—it led to neither. With the worthy intention of protecting them and training them until they were equipped to meet on equal terms the competition of the white man, the government adopted a policy. This policy was one of segregation and paternalism—the reserve system—before the evils of segregation and paternalism had been recognized.

Even the reserve system might not have been harmful had the training it offered been rapid enough, and the government acute enough, to allow Indians to commence to enter into the normal life of the country within one generation. But the training was not rapid and the government was not acute.

The reserve system became a habit both to the Indians and the government with the result that the Indians developed what might be called a reserve complex. They came to depend on the reserve, to feel safe and at home only in the reserve. They sacrificed initiative, courage, and independence and the chance of a larger life in exchange for the government's assurance that it would keep them alive.

This psychological situation is not rare, but it is not recognized by those it affects. It is often found in children as a dread of leaving their homes; and Dr. Jenness, in his hearing before your committee, has pointed out that it has developed to-day in the camps for displaced persons. In another form it is familiar to army doctors who are often afraid to award pensions to certain types of neurotic patients for fear that, by doing so, they will confirm the patients in an ailment from which, under the influence of competition or ambition, they might recover.

What this "reserve complex" started, the limited paternalism of the government increased. With wise guidance and foresight the Department of Indian Affairs might have prevented the worst consequences of the reserve system. But it either lacked the foresight, or was refused the parliamentary grants needed to supply the guidance, for its procedure led only to a further debasement of the Indians.

The fundamental failure was the failure to give the Indians either sufficient education, or the right kind of education to make them understand even the elementary principles and the general nature of the new way of life and to reveal the opportunity it contained, as compared with life on a reserve. And certainly the Indians were not given what the government originally undertook to give them,—an education that would make them economically self-sufficient. Neither were they given within the limits of the reserves the kind of training in governing themselves, in accepting responsibility, in handling money or in planning for the future, that was required to fit them to leave the reserve. They were kept in the role of suppliants or dependents; and all of their actions or decisions were tentative—subject to the veto of the agent or the department. Under these conditions it was inevitable that they should be afraid of the world of affairs outside of the reserve.

The life that they lived within the reserve was degrading in another way, for they were maintained on a bare subsistence level, often in a state of poverty that most Canadians do not know exists in this country. Yet they were apathetic for they felt that they did not control their own lives and that, after all, the Department was responsible for them.

In this way an extremely vicious circle was started. Through being made to feel inferior they became inferior; and as they did so the sense of white superiority became greater and more oppressive. In the end this once proud and independent race, though still potentially capable of doing anything that people of the white community could do, was forced into the position of a lower or a degraded race. They were, in effect, killed by kindness—even though it was a parsimonious kindness.

To some Indians and to some bands this account does not apply. And the exceptions show what the Indians are capable of becoming. Where chance circumstances have raised the economic level of bands or tribes the Indians have themselves raised the level of the education provided or have acquired a sense of responsibility through entering into economic competition with whites. And as a result they have incorporated a much higher standard of living. Mr.

Hoey, Director of the Indian Affairs Branch, speaks, for example, of "groups of Indians in certain sections of Ontario particularly, and in British Columbia, who have advanced to a stage that renders them almost indistinguishable from their white neighbours." These, however, are the illuminating exceptions that show what the Indians in general could be, and are not—even in Ontario and British Columbia.

The same may be said of the list of distinguished Canadians of Indian descent (to use the phrase preferred by Magistrate Martin of Toronto who is himself one of them) who have taken their parts successfully in Canadian society as doctors, clergymen, lawyers, administrators, scientists, scholars, teachers, soldiers and so on. These are the ones who have escaped from the reserve and the reserve complex.

This lengthy analysis is made for the purpose of providing a general foundation for the recommendations that we propose to make. But, before going on to them, there is one other related point that we wish to make.

LENGTH OF ASSIMILATION PERIOD

Indian Reserves—that is to say, our Indian training schools for citizenship—have existed in Canada for at least 187 years. All, or nearly all, have existed for 80 years. Yet, today, witnesses before the joint committee assert, or assent to, the fact that there is still an indefinitely long training period required before the Indians will be equipped to enter actively into a life of full citizenship in this country.

Now, on the other side of the world, the New Zealanders have an aboriginal population of Maoris who may be ethnically equal to the Indians in Canada but whom neither anthropologists nor laymen consider to be superior to them. Doubtless many valuable comparisons could be made, and should be made, between the New Zealand and the Canadian treatment of aboriginal inhabitants and the results that have been secured, but we shall confine ourselves to one point—the time that was required to assimilate the Maoris.

At the beginning of the 19th century the Maoris were "gluttonous" cannibals—not merely ritualistic ones. In 1840 most of their tribes were induced to accept British sovereignty upon being guaranteed "possession of their lands, forests and fisheries". In 1852 New Zealand was granted the right to self-government. In 1856 it established its parliamentary system. For the next 15 years, to 1871, the country was almost continuously involved in intermittent wars with the Maoris; but in 1871 the Maoris were granted an elected representation of 4 members in Parliament without change in their guaranteed rights. And now, 76 years later, the Maoris are said to be fully assimilated or assimilable. They take an equal part with white people in every aspect of New Zealand life. Cabinet Ministers were chosen from amongst them as long ago as the early years of this century, and at least one of them has been knighted. They are ordinarily described as being cordially liked by the New Zealanders.

Between the first independent parliament in New Zealand and the granting of votes to the Maoris, 15 years (which were spent in fighting them) elapsed.

The Canadian period to be compared with this might be variously estimated. It is 187 years since the British guaranteed certain Quebec reserves; it is 156 years since the Constitutional Act was passed; and it is 80 years since Confederation. Yet we have scarcely begun to assimilate the Indians, and even now, have not given them votes.

From this analysis a number of inferences that deserve consideration may be drawn. Three of them are:

1. That adequacy and responsibility may develop more rapidly as the product of meeting a situation that demands them than as a prerequisite to encountering it.

2. That since a lengthy training period may develop a habit-pattern of dependency and postponement of issues, training for citizenship can just as well be too long as too short.
3. That since the Indian Act seems to have hindered, rather than fostered, the development of such essential qualities as initiative, self-reliance and adaptability, it needs to be basically re-oriented in such a way that the development of these and related qualities shall be made a fundamental objective.

FUNDAMENTAL REQUIREMENTS

In presenting the recommendations that follow we have distinguished (not altogether satisfactorily) between ultimate and general aims, on the one hand, and, on the other, particular changes that need to be made at once.

In making each of these sets of recommendations we have been dominated by our belief that there is only one way in which the Special Joint Committee on the Indian Act can produce the "Magna Charta of the Indians" that it has promised.

To accomplish any such result, it must go beyond remedying particular grievances or injustices. It must propose a policy and program for the Indian Branch that are directed in a very positive way toward bringing out in the Indians the qualities of independence, initiative, self-respect, responsibility, self-reliance and, in general, the heightened morale, to the end that, culturally and economically, they shall soon become capable of sustaining themselves in Canadian society, and of being assimilated to it.

And the committee must require the Indian Branch to actively seek this goal by welcoming, advancing and, when necessary, initiating any and every practicable method of developing the qualities just mentioned, by improving the education, the social and economic condition, and autonomy (in respect of the Indian Branch) of their councils.

And it must arrange to equalize, as soon as possible, all legislation applying to Indians and to white people.

And it must deliberately, and according to a well designed plan, attempt to accomplish its aims in the shortest possible time.

GENERAL LONG-TERM OBJECTIVES

With regard to the over-all policy of the Indian Act we make, therefore, the following general recommendations:

- (3) (1) That the revised Indian Act be expressly designed to accomplish its long-term objectives within a specified time of approximately one generation (25-30 years).
- (4) (2) That it contain a provision to the effect that, at the end of such period a committee or commission be appointed to review its accomplishments, and to make such adjustments and revisions as are necessary or desirable for the better achieving of its objectives.
- (3) That its over-all and long-term objectives be:

To educate, train and condition all Indians in such a manner—

- (5) a. (1) That they shall be equipped adequately to maintain themselves in their own traditional economic activities or in new and modern ones, under the conditions of white competition.
- (6) a. (2) That they shall both welcome and be equipped adequately to accept the rights, conditions and responsibilities of citizenship.

- (7) *b.* (1) To liquidate the reserve system gradually and according to a plan, or plans approved by the Indians; such liquidation to be encouraged and accomplished by education, bargaining and incorporation of reserve Indians in companies, societies or municipalities, or by other suitable and acceptable means;
- b.* (2) And in, and as an automatic part of, this process to transfer the Indians or bands from their state of wardship to a state of full citizenship with all its rights and privileges.
- (8) *c.* To work out in consultation with the Indians, and regardless of the time limit proposed above for the Act, a mutually acceptable and just plan to extinguish on a scale of diminishing payments or other compensations, all obligations (financial, social, economic and educational) which the government is under exclusively to the Indians.
- (9) *d.* To establish a state of affairs in which the Indians will stand in the same relationship to the government as do Canadian citizens in general.
- (10) *e.* To take due precautions in carrying out this scheme, to ensure that no Indians are deprived of the benefits of the existing system before they have been sufficiently educated to make it likely that under the new conditions, they will be economically self-sufficient, and that the change to citizenship will not be to their disadvantage.
- (11) *f.* To effect the assimilation of the Indians, or, in other words, their transition from the present state of wardship to that of citizenship, in such a way as to encourage such Indians as wish to do so, to retain such identity of blood, culture, skills and organization as they are capable of maintaining.

Comment

Even though all the objectives described under No. 3 (above) should not be fully accomplished within the time limit suggested we feel that recommendations No. 1 and No. 2 (above) would nevertheless have very beneficial effects.

Re No. 1

- (a) The mere fact that in applying the Act the administration would be striving to attain certain specific goals within a certain specific time would give its efforts an impetus and a definiteness that it would be very difficult to secure in any other way.
- (b) The use of one generation as the time unit is also important. Indians who are now children with all, or most, of their education ahead of them will be the mature leaders in a few years. And changes that are now acceptable to middle-aged or elderly Indians will be, in a few years time, most welcome to the ones who are now young, provided that, in the meantime, they have been given a proper education.

Re No. 2

- (a) To provide for another revision of the Indian Act in twenty-five years will have many advantages. (a) The knowledge on the part of the Indians that such a revision is coming, coupled with a knowledge of both the general direction it will take and the general objectives of the Act (and both of these things should be explicitly indicated in the Act and worked into the school curriculum) will encourage the Indians to make the necessary agreements with the government.
- (b) By providing an incentive that stimulates thought, effort and hope, it will discourage, or prevent, the development, in the minds of Indians who are now young, of a chronic attitude, or of a feeling of apathy, toward the government or the conditions of their lives.

- (c) If, at the end of twenty-five years, the Indian Act has not fully accomplished its objectives, the provision for revising it again at the end of that time will eliminate, for both the Indians and the government, the possibility of its becoming stale and out-of-date, or of the question of the treatment of Indians falling into the limbo of things forgotten and neglected, as it has done in the past.
- (d) At the same time, it will ensure the making of timely adjustments to conditions in the future that we cannot now foresee.
- (e) And it will provide an opportunity to take another step forward by speeding up even further the processes of adjustment by, and assimilation of, the Indians, if education and the arrival at maturity of the now young generation of Indians has made that possible.

Re No. 3(f)

To many Indians the word "assimilation" is repugnant because to them it implies the loss of their identity as Indians. As we use it, no such meaning is intended.

There is no reason why those Indians who wish to do so, should not retain whatever elements of their Indian heritage they wish. Indeed, many of these elements, such as their characteristic arts and skills, their close family relationships, their community organizations and others, would be valuable contributions to Canadian culture.

In becoming assimilated, the Indians need only to add to the background they already possess, the abilities, outlook and knowledge that are necessary if they are to participate independently and responsibly in Canadian life.

But we are convinced that in the final analysis, the Indians really have no choice. They must become assimilated (in the sense in which we use the word) if they are to survive. History shows what will be their own historical fate. Unless, individually, they are able to adapt themselves to the society in which they exist, they are doomed to eventual racial submergence.

IMMEDIATE CHANGES

Many of the long-term objectives outlined above are meaningless by themselves. Their value arises only when they are made orders of reference controlling the changes that are made to improve the immediate condition of the Indians.

Because it is impossible to even mention all the immediate changes that seem desirable, or to elaborate and support all that we do mention, we are compelled for the sake of brevity to present those that we include in two different ways. Some of them which we think are either particularly important, or particularly in need of clarifying, we shall treat with a certain degree of fullness. Others, at the end of the brief, we shall enumerate in a very summary fashion. We request, however that this condensed form of presentation shall not be allowed to suggest that any of them are negligible or even unimportant.

PROGRESSIVE INDIAN STATUS

The first changes that we propose are administrative ones that will need to be kept in mind in considering all those that follow.

We recommend:

- (12) 1. That the Indian Act define three functional relationships in which it will be possible for any Indian band, agency or other unit to stand in regard to the Indian Branch or Department; such relationships or status to be numbered I, II, III, and IV; and such numbers to indicate a progressive independence on the part of the Indian band, agency or other unit, in regard to the authority of the Indian Branch, which in Status IV shall have diminished to zero or advisory strength.

Comment

An illustration—which is suggested *only* as an illustration and *not* as a model—may clarify this point. Four ways in which a five-man joint committee of Indian and Indian Branch representatives can be composed will indicate in a rough way the four status.

Status of Band	Reps.	Status of Dept.	Reps.
I—minority	2	weak majority	3
II—weak majority	3	influential minority	2
III—strong majority	4	official representation	1
IV—full control	5	expert guest adviser	

- (13) 2. That, in the case of Indian bands, a committee of three members, consisting of the relevant Agent, his Inspector of Agencies and one representative of the band concerned, shall immediately award to each band, on the basis of the ability and sense of responsibility it has shown in handling its own affairs, the highest of these status that it can conscientiously assign; and that, in the case of larger units, similar action be taken by the appropriate Indian representative and the appropriate officers of the Indian Branch.
- (14) 3. That Indian bands, or other units, be expected and urged to apply, at intervals of five years, to have their status raised; and that, whenever it is possible, it be so raised; but that, if the circumstances warrant such applications shall be received during the five year period.
- (15) 4. That no band, or other unit may be reduced to a lower status on the authority alone of the Indian Agent and the Inspector of Indian Agencies who administer the area to which the band belongs.
- (16) 5. That all decisions regarding the status of a band or other unit shall be subject to appeal to higher authorities than those making the award.

Comment

The process or experience that an Indian band would go through if this system were adopted would approximate the developing relationship that a son goes through in regard to his father, as the boy passes through the years from his nonage to full manhood.

The situation of the Indian Branch would approximate that of an intelligent father who has sons of different ages, over whom he exercises varying degrees of authority, but each of whom he is gently but constantly urging to develop the ability to stand on his own feet.

It seems both impossible and undesirable for us to attempt to enumerate all of the things to which this scheme of increasing regulation should apply. There will presumably have to be some exclusions. But the larger the number of activities that are included under it, the greater will be its success. And the desirable attitude on the part of the Indian Branch would be that of encouraging the Indians to accept responsibility to a greater degree.

The five-year periods and the four status are suggested with a view to carrying through the transition to full citizenship even the more backward groups, within the time limit of twenty-five years. Certain advanced groups, on the other hand, would presumably be awarded Status IV at once; and in five years would be ready for the step described under Recommendation (8), and for full citizenship.

 ENFRANCHISEMENT

To most people the word "enfranchisement" means "being set free from some kind of bondage", or "being granted citizenship", or both. But for Indians the word has only connotations of loss.

When a Canadian Indian is enfranchised he forfeits his tribal or hereditary rights and takes in their place, the right to vote, and a lump sum from the government, in payment for them. To the basis upon which this capitalization is computed, the Indians have never agreed; and they consider that it is a very inadequate recompense for what they have to give up. In consequence, though numerous individual Indians have been enfranchised to their advantage, enfranchisement has never become a popular step among Indians as a whole; and they have frequently expressed before your committee their disapproval of any scheme of compulsory enfranchisement. It should be remembered, however, that in doing so, what they are really protesting against is not enfranchisement as we understand it, but the deprivations which in their case accompany it.

In giving evidence before your committee, Magistrate Oliver M. Martin, of Toronto, himself an enfranchised Indian, said:—

I know of many Indians who would not consider making application for enfranchisement because they would have to give up their lands and their homes on the reserve, and they do not consider that the sacrifice they would have to make would be worth (making for) the privilege of voting. They have worked hard under difficulties to clear the land, build homes and develop their holdings until they are now worth much more than they could hope to realize in payment through enfranchisement, which is very little. (Minutes, 1946, p. 749.)

This is obviously a very unsatisfactory situation. The Indians want to vote, but it is only natural and sensible that they should be unwilling to make such sacrifices as those described, in order to do so. No one else in this country is required to make any sacrifices whatever, in order to secure the right to vote.

It is sometimes said in reply that to the Indians greater privileges have been granted than to any other group in this country. Though this in no sense constitutes a logical reply, it does give a clue to a very definite confusion that has arisen regarding the situation of the Indian in Canada—a confusion that has become incorporated in sections 110-114 of the Indian Act.

We believe that in these sections (and especially in section 110 and 114) two distinct and unrelated questions or agreements have been improperly telescoped into one; and that they should be separated and settled independently.

The right of the Indian (like that of every other person) to citizenship and the vote should depend upon his having certain qualifications of birth and age. Instead, however, though he has these qualifications, he is denied citizenship and the right to vote in either federal or provincial elections, until he agrees to release the government, on terms laid down by the government, from certain obligations which it owes him.

It is here that the confusion of two issues occurs. There is no reason for the Indian's right to citizenship and the vote being made dependent upon his relinquishing his claims upon the government. Though his claims constitute an issue, it is a distinct and separate one that should be settled without any reference to the question of citizenship and voting. That there is confusion will become clear, we think, if we isolate the two issues.

The first issue concerns only citizenship and the right to vote; and the Canadian Citizenship Act clearly grants both of these to Indians. It reads, in part, as follows:

Sec. 4—A person, born before the commencement of this Act, is a natural-born Canadian citizen (a) if he was born in Canada. (Section 5 says the same for persons born in Canada after the commencement of this Act.)

As for the Indian's right to vote—all Canadian citizens who are twenty-one years of age, or more, are entitled to vote, with the exception of Eskimos and one other minority group. And though, in point of fact, Indians in general are

denied the vote, it is certain that they are not excluded on racial grounds since the vote is automatically granted to those who become enfranchised.

The second issue concerns an entirely different matter that has no logical connection with the one just discussed. It concerns the obligations which the government owes the Indians, and which—quite unreasonably, we believe—it requires them to extinguish in order to secure enfranchisement.

These obligations date back to certain early treaties and agreements under which the British Crown undertook to protect and assist the Indians in return for concessions which the Indians made to the British in allowing them to acquire lands and so on, peacefully. The protection was economic in nature and was designed to prevent the inexperienced Indians from being economically exploited and deprived of their means of livelihood. The assistance that the British undertook to give was also economic in nature and was designed to help the Indians make successfully the transition from a nomadic economy to one that was more complex and static.

In these treaties and agreements, certain things were promised for certain things that were taken; but the deal that was made contained no limitations in regard to citizenship or the right to vote. On the contrary, the British, by welcoming the Indians as British subjects, led them to believe that their status would become equal to that of any other British subject.

Just how these obligations are to be capitalized and paid off is a difficult, but not an impossible, problem. It will, in the long-run, be to the advantage of the Indians to have them terminated. Far-sighted Indians recognize this fact now; and as education is advanced among them, others will see it too. Our recommendation No. 8 deals with this matter. To it, we would only add that in the business world settlements of a similar nature are constantly being made to the satisfaction of both parties involved. But when agreements are being made, it is essential that they be made justly, that the rights of the Indians be scrupulously regarded, and that the Indians be efficiently represented by counsel.

But while this issue continues to exist—and this is our main point here—we submit that there is no logical connection between it and the issue of the Indian's right to citizenship and the vote. He is entitled to that whether the other question is ever settled or not. In consequence,—

We recommend:

- (17) That legislation be passed at once entitling all adult Indians, male and female, to vote in federal and provincial elections; such right to be granted without requiring that applications be made for it.

Comment

All Indians are not even interested in securing the right to vote, and many of them will not, for the present, exercise it. This apathy is the result of inadequate education and should be remedied as soon as possible (just as the corresponding situation among the white population should also be remedied) by teaching the Indians the principles of democratic government and of social responsibility.

On the other hand, there are many Indians now prohibited from voting who are as well, or better, qualified to vote intelligently as large sections of the white population which exercise this right without question. Furthermore, as we pointed out earlier, in a general way, possession of the right to vote will encourage the Indians to become interested in public questions much more effectively than any conditional promise of a future grant of the right.

This blanket grant of the right to vote seems to have worked successfully with the Maoris in New Zealand and with the Indians in the United States.

Mr. William Zimmerman, Assistant Commissioner of United States Indian Affairs, reported to your committee as follows:—

All native born Indians are citizens of the United States. . . . Once upon a time the only Indian who was a citizen was an Indian who had abandoned his tribal relationship and adopted the ways of civilized life. . . . It was not until 1924 (that) there was a blanket act which made all Indians citizens. In theory every Indian is entitled to the same benefits, whether they come from the federal government or the state, as any other citizen. . . . Congress has said that there is nothing incompatible between citizenship and wardship. (Minutes, 1947, p. 1179). He also said that granting citizenship to the Indian in the United States in no way affected his rights or privileges on the reserve (ib., p. 1194); and that "when (Indians) are voting about Indian matters they turn out a little better than the whites, but in national and local elections they vote in about the same proportion." (ib., p. 1236).

One result of granting the franchise to Indians has been that Indians have been elected to such bodies as Congress and the State legislatures. Another consequence that has been particularly galling to Canadian Indians is that where their tribes or families straddle the border in Alaska or the United States proper, those members who are Americans are voting citizens, with the right to become President, while those who are Canadians not only live in poor conditions but have no rights of citizenship. This difference exists in spite of the fact that the Canadian, like the American, Indians pay all taxes except a tax on the lands of the reserve.

REPRESENTATION

We recommend:

- (18) 1. That the Indians vote in the existing ridings for whatever candidates, Indian or white, are nominated in them.

Comment

In the absence of more precise information than we have been able to secure about the Maori method of having four of their own people in parliament, representing them alone, we are opposed to this method. We would have no objection to the idea of having the Indians represented; but we are convinced that special representation of this kind would serve to perpetuate the segregation which we think it essential for the Indians to escape.

In addition, under the established method, they could still nominate Indians; they would be just as likely, if not more likely, to get good representatives as under the Maori method; and the representatives they sent would likely be more influential. There is no reason why, sometimes, a white representative might not be able to do the Indians more good than any available man of their own blood.

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- (19) 2. That Magistrate O. M. Martin's suggestion that a Standing Committee on Indian Affairs be appointed, be adopted.
- (20) 3. That Magistrate Martin's other suggestion that an "Indian Senator-at-large" be appointed, be fully discussed with him; and that if it promises to be advantageous to the Indians, it be adopted also.

EDUCATION

We believe that education is the prerequisite and the foundation upon which any program for the advancement of the Indians must stand or fall; and that, in consequence, the government should look upon the money expended on it as applying, not merely to one section of the plan, but to the plan as a whole.

Adult Education:

We recommend:

- (21) 1. That in addition to providing education through the normal channel of the schools, the Indian Branch should organize, directly or indirectly, a broad and intensive extra-curricular program for adults. This program should include all subjects, both intellectual and practical, in which the Indians can be induced to show an interest. It should be planned along experimental and adjustable lines, so that elements which prove ineffective can be dropped or temporarily suspended. And it should be expressly designed to give the Indians the kind of knowledge that is normally available to intelligently interested members of the white community. Much of this could be done by the organization of self-improvement clubs to study social, political or educational subjects.
- (22) 2. That the Indian Branch should seek the co-operation of provincial, and university extension, adult education officers, in planning and carrying out such a plan.
- (23) 3. That every activity that is initiated, or carried on, in the reserve should consciously, and in an organized fashion, be turned to the service of education. That is to say, whether the activity is the building of a school, the installing of a water system, the establishing of a co-operative or the formation of a club, or any other thing, efforts should be made to engage the interest of members of the community, not only in the aims of such activity, but in the organizational and practical processes it involves.

Schools and Curricula:

We recommend:

- (24) 1. That a general policy favouring the use of day-schools rather than of residential schools; and of public schools rather than of Indian day-schools. We believe, however, that this policy should be an elastic one that will allow the adoption, in any particular reserve or community, of the plan best suited to its needs. And, although we are convinced that residential-schools should cease to play the important part in Indian education that they have in the past, they appear to offer the only means of carrying forward the educational program that we suggest, in certain communities where the social organization is particularly unstable and the habits nomadic. Where they are used, however, their curricula and the time devoted to them should correspond to that of day-schools.
- (25) 2. That as a means of better satisfying the needs of such communities, hostels be established in places where there are day-schools, or preferably public schools, for Indian children to attend. These hostels would supply residence, board and the nearest approach to home supervision that is possible.
- (26) 3. That the use of denominational or church schools beyond the extent to which they are used by the educational department in the province, should be discontinued.

- (27) 4. That in each province arrangements be made with the educational authorities to place Indian schools under the jurisdiction of the provincial educational department; such jurisdiction to apply to all particulars such as standards, curricula, inspectorate, teachers and so on; but that the Indian Branch retain the right to propose to the provincial departments special variations of their programs that would seem to be of particular value to Indian children. We have in mind such things as a knowledge of Indian culture, skills and history; the training in some elementary fields such as keeping a house and so forth, which in the white community is provided by the home, but which, in some Indian communities cannot be so provided.

Comment

We think that no matter how good an educational system the Indian Branch might establish, there should be only one standard of education in each province. Any other system will be unfair to school graduates, for employers, who cannot be expected to make a study of the relative values of two types of education, will automatically assume that the Indian education is inferior to white education. In addition, common standards and organization will do much to remedy the state of psychological segregation that now exists; and they should lead to various kinds of competitive activities between white and Indian schools.

- (28) 5. That Indian children should be given every encouragement to continue their studies beyond the eighth grade; and when they show ability, and when financial assistance is necessary, such assistance should, in all cases, be provided for them through high school or vocational school.

Comment

When students wish to attend institutions of higher learning they should also be encouraged and assisted. So far as an investment in solving the Indian problem is concerned, it would be worth while to pay the basic charges of such an education. But it would probably do more to develop the independence and self-reliance of the student if part of the assistance were given in the form of a loan to be paid off over a considerable period.

- (29) 6. That a system of scholarships or bursaries should be inaugurated on all the school levels.
- (30) 7. That all secondary education should be given in unsegregated schools.

Comment

This practice should be followed not only to avoid the psychological effects of segregation, but to provide Indian young people with the normal school contacts that are likely to be valuable both economically and socially in later life.

SOCIAL AND ECONOMIC CONDITIONS

Although we have intentionally stressed the importance of education, we do not wish to discount in the slightest degree the importance of improving the social, economic and health conditions of the Indians. These four elements are so closely integrated that it is scarcely possible to describe one as being more important than another. Any failure or regression in one will have an adverse effect on all the others; and it will, in consequence, retard the assimilation of the Indians into our society. All four of these conditions are in grave need of radical improvement.

While many Indian reservations remain virtually slums, their populations can be only depressed and backward. While the Indians are living, as many of them are, on a bare subsistence level, their morale cannot be built up; they cannot improve the physical conditions of their own lives; they are not accessible to the ideas that would lead them to a better existence. In these respects the Indians are in no way unique. The same things are true of any depressed population anywhere.

It is self-evident that the low conditions of life that have been described before your committee should be remedied for the sake of the Indians. But it is equally true that they should be remedied for the sake of the country at large. The social and economic consequences arising from the existence of depressed areas or "plague spots" as they are sometimes called—are now so fully recognized, that it has become axiomatic that such areas must be improved. And it is also axiomatic that the impetus for such improvement must, by the very nature of things, come from outside the affected area.

The aim of the Indian Branch should be, however, a more positive one than the elimination of "plague spots". It should be the establishment of distinctly superior conditions which will allow the Indians to advance to the superior levels which they have shown themselves capable of attaining.

Until the Indians have developed superior leadership and the ability to view their own situation with foresight, detachment and intelligence, it is unlikely that they will be able to see the advantages of many changes that are necessary before full assimilation can be accomplished. For an untrained mind, escape from the reserve complex is extremely difficult. In consequence of these considerations,—

We recommend:

- (31) 1. That, in general, the Indian Branch counteract, as far as possible, the credit disability which the Indians suffer as a result of their land and property being legally inaccessible as security; and that it do so by discovering or establishing a fund from which the Indians can secure loans for suitable purposes.

Comment

The Indians are economically helpless without some such assistance; and they are entitled to it since it was not the intention of the framers of the Indian Act to handicap them. In an effort to protect the Indians' property, the framers of the Act unwittingly deprived them of the credit that has become, since the Act was passed, an essential part of the present economic structure, and a necessity for social progress.

We recommend:

- (32) 2. That the Indian Branch encourage Indians and Indian bands to undertake any projects or enterprises which promise, under the circumstances that exist, to improve their social and economic condition.
- (33) 3. That they make possible the carrying out of such projects or enterprises by providing the necessary financial assistance; and that such financial assistance be preferably and ordinarily in the form of loans made from the Indian trust fund, if such loans are legally available; and that, if they are not, and if no other suitable source of such loans exists, an adequate fund be established for the purpose of making such loans; and that when the project is, in a social, economic or educational sense, a particularly desirable one, and if for any reason it cannot be otherwise financed, such project or enterprise be assisted or financed by grants-in-aid.

- (34) 4. That such steps as are necessary be taken to make the Indian trust fund available to both treaty and non-treaty Indians, as a source of such loans as those just described.

We recommend:

- (35) 5. That the revolving fund of \$100,000 be made accessible to non-treaty Indians; and that loans secured from this fund be used only for purposes that are approved by the Indian Councils; and that such purposes be in addition to such undertakings or services as the Indian Branch normally supplies.
- (36) 6. That economic and financial assistance be given to the Indians in a way that either favours those who have shown initiative and responsibility, or develops such qualities in them.
- (37) 7. That all existing social welfare legislation be extended to include the Indians.
- (38) 8. That Community Centres be provided; and that all kinds of community activities be sponsored; and that awards be provided for community competitions in such things as good citizenship, improving property and keeping gardens, and that organizations such as the Boy Scouts, Home-Makers Clubs and so on be inaugurated.

HEALTH

We recommend:

- (39) 1. That a scientific program be inaugurated to improve radically and generally the health of the Indians; and that such a program should include the making of surveys; the elimination of undernourishment by improving economic conditions, and by providing hot lunches for school children, and by other means; the providing of a sufficient number of hospitals, doctors and nurses; the providing of health education for both children and adults; the introduction of safe water supplies, and of sanitary sewage-disposal systems; the development of athletics in schools and clubs; and by every possible means.

RESPONSIBILITY

We recommend:

- (40) 1. That, in all its contacts with the Indians, the Indian Branch and its officers keep prominently in mind the necessity of actively developing initiative and responsibility in Indians, both as individuals and as bands.
- (41) 2. That the responsibility of band councils be extended as soon, and as far, as possible by giving them authority to make decisions on such questions as the spending of the interest (and ultimately of the principal) of band funds, the undertaking of public projects and improvements, the management of schools and teachers, and, in general, the handling of their own affairs.

SALE OF LIQUOR

In making a recommendation regarding the sale of liquor to Indians we wish to insist that we are not concerning ourselves with the "liquor problem" as such. That is a problem that is properly settled nationally, provincially, locally or individually; but it is not a racial problem.

We are concerned only with the facts that the restrictive liquor legislation contained in Sections 126-137 of the Indian Act harms the Indians (a) in that it differentiates between them and society as a whole, and thereby imposes a form of the segregation to which we are consistently opposed; and (b) in that it is an unjust discrimination that exposes the Indians to personal insult and degrading influences.

It is common knowledge that ex-servicemen and other respectable and responsible Indians are constantly subjected to affronts if they so much as enter places where their white equals, friends and companions may have a drink as a matter of course.

That Indians do get all the liquor they want (or poisonous substitutes for it) is also well known. But they are compelled to get it through bootleggers, and in doing so are inevitably thrown in contact with the lower elements in white society. In consequence of these facts,—

We recommend:

- (42) That provincial liquor laws be made to apply equally to Indians and white people; and that the privileges of "local option" or its equivalent be made to apply to Indian reserves as voting units.

SEPARATE INDIAN DEPARTMENT

We recommend:

- (43) 1. That in order to increase the efficiency with which the process of assimilating the Indians is carried out, and in order to secure Ministerial representation, a separate Department of Indian Affairs be re-established, with authority to borrow key personnel from the Department of Health and National Welfare.
- (44) 2. That failing such re-establishment, the Indian Branch be attached to a Department whose interests are primarily humane, and that preferably it be attached to the Department of Health and National Welfare.

We are enclosing with our brief a copy of an Indian monthly, *The Native Voice*, which is the official organ of the Native Brotherhood of B.C. We are sending this paper to you for two reasons. The first is that it contains a re-printing of the brief which the Native Brotherhood submitted to your committee; and we wish both to commend this brief, and, with a few exceptions, to endorse it.

The exceptions are that,—

(1) We do not think that the B.C. Indian Commissioner's office should be abolished; but, on the contrary, we think that provincial commissioner's offices should be established throughout Canada.

(2) We do not think, if preference is given to Indians in regard to employment in the Indian Branch, that standards should be relaxed in order to accept them. Such procedure would not be to the best interests of either the Indians or the work that they undertook.

(3) We are, for reasons already given, unconvinced that the New Zealand system of giving the Maoris direct racial representation will prove, in the long-run, to be the most valuable one.

The second reason is that, though we have not, either individually or as a group, the slightest connection with this publication, we hope you will be interested in it both as an example of what the Indians can accomplish by organizing, and as a proof of their ability to participate on equal terms in the processes of modern society.

In concluding, we wish to thank you for your patience in studying our brief. We can only say that its length springs from the same source as the care and thoroughness which your committee has shown—the earnest desire to see the Indian situation resolved to the greatest advantage both of the Indians and of Canada.

Yours respectfully,

HUNTER LEWIS, Chairman,
Vancouver Branch,
Canadian Civil Liberties Union.

In support of the preceding brief of the Vancouver Branch of the Canadian Civil Liberties Union, the following Auxiliaries of the Women's Missionary Societies of the United Church of Canada, in the Vancouver district, have notified to the Joint Committee that "they approve the brief, wish to support it and urge that its recommendations be given the most serious consideration":—

United Church	W.M.S. Auxiliary	Membership
Cedar Cottage.....	Miller.....	16
Chalmers.....	Naomi Evening.....	25
Chinese.....		15
Chown Memorial.....		60
Chown Memorial.....	Looseca.....	22
Collingwood.....		Not given
Dunbar Heights.....		Not given
First.....		17
Grandview.....		30
Grandview.....	Evening.....	20
Hastings.....		Not given
Knox.....		Not given
Lynn Valley.....		2
Marpole.....		38
Ryerson.....		130
St. George.....		36
St. Stephen's.....		17
Trinity.....	Roberts Evening.....	18
Vancouver Heights.....		Not given
Vancouver Heights.....	Evelyn Graham.....	22
West Point Grey.....		60
West Point Grey.....	Young Women's Evening.....	40
Windsor.....	Afternoon.....	18
Vancouver Presbyterial.....	Margaret Wallace.....	Not given

In addition, The *East* and *West* Association of Vancouver, B.C.

APPENDIX GP

CRESTON VALLEY HOSPITAL ASSOCIATION

Incorporated 1930

CRESTON, British Columbia,

18th June, 1947.

To the Parliamentary Committee on Indian Affairs.

Creston Valley Hospital Association respectfully submits the following brief:

We protest against the "taxing" of accounts for treatment of Indians. By this method, accounts fair in the first place, are reduced approximately 45 per cent. The Department of Veterans Affairs who have many patients in this hospital does not "tax" our accounts, and considers them fair.

Our hospital relies for much of its revenue on donations, sets its rates as low as possible, and in line with the rates of similar hospitals in British Columbia. Were it not for our donations our rates would be higher.

The Indian Department refuses to negotiate with the B.C. Hospitals Association for member hospitals, but will only deal with individual hospitals. This works as a hardship on hospitals, particularly on small ones. This attitude is quite out of date and happily is not shared by more enlightened government bodies such as the Dept. of Veterans Affairs, the B.C. Workmen's Compensation Board, etc.

We respectfully submit that difficulties concerning Indian Affairs are aggravated by the fact that the responsible officials at Ottawa are out of touch with local conditions, and are too remote to make a success of administration.

Due to constant unfair treatment, we have refused to admit Indians to this hospital under any circumstances. Hence sick Indians are hauled seventy miles over a rough road from Creston to Cranbrook Hospital. This is an unnecessary hardship on the Indians, and there may be an unfortunate incident any time through this practice.

In March we received a statement of account from the Indian Dept. (2 dangerously sick cases, admitted solely for humanity's sake: Account rendered, \$145.50; "Taxed" \$64.50; Balance paid, only \$81.00.)

Our experience is not by any means unique. There are complaints from hospitals all over British Columbia re treatment by the Indian Dept.

Respectfully submitted.

CRESTON VALLEY HOSPITAL ASSOCIATION,

H. A. POWELL,

Secretary.

APPENDIX GQ
DEPARTMENT OF
NATIONAL HEALTH AND WELFARE

OTTAWA, Ontario,

June 27, 1947.

51-44-2.

T. L. McEvoy, Esq.,
Clerk of Indian Act Committee,
House of Commons, Ottawa.

Submission of Cochrane Board of Trade with respect to an Indian Health Services Hospital.

Dear Mr. McEvoy.—The location of a hospital which will be the focal point for treatment of Indians and Eskimos of Hudson Bay, James Bay and contiguous areas of northern Ontario and Quebec has received most careful study and MOOSE FACTORY was selected as the *optimum* site.

Moose Factory has the geographic disadvantage of being 175 miles by rail beyond the nearest large centre (Cochrane) and the social handicap of relative isolation. Against these disadvantages are the fact that Moose Factory area has for 300 years of known history been a focal point for natives and has developed as a trading and missionary centre. While it is 175 miles beyond Cochrane it is equally 175 miles closer to the native populations most desperately in need of hospital facilities; more accessible to relatives of the hospitalized natives and in surroundings which will reduce the demoralizing influence of urban life on a natural people. Concomitantly, the rehabilitation of the native to his normal surroundings after hospitalization will be facilitated.

The social disadvantages to the white employees may be considerable in the early periods but it can be anticipated that there will be more and more migration toward the north and Moose Factory may easily become a populous centre. In any event, the program would include the use of a large proportion of native employees and Moose Factory would be more suitable for these people.

While Moose Factory is presently considered to be the site for selection for the proposed hospital, it is not possible to say that the Department is committed to this site and the Minister and Director of Indian Health Services have planned to visit Moose Factory in the very near future. The final decision may be influenced by additional information.

Yours very truly,

H. A. PROCTER, M.D.,
Acting Director Indian Health Services.

APPENDIX GR
DEPARTMENT OF
NATIONAL HEALTH AND WELFARE

9-159

July 9, 1947.

Alleged denial of Hospitalization reported by Andrew Paull on 6th May, 1947, page 900 of 1947 Minutes of Joint Committee on Indian Act.

Mr. Paull claimed that the Indian women were refused admittance into hospitals at the time they were giving birth to children. He made reference to three cases occurring on the west coast, specifically in the agency at which Mr. P. B. Ashbridge was the agent. This is the West Coast Agency on Vancouver Island.

The first case in question is that of Mrs. Nessie Watts of Kildonan who came to Port Alberni of her own volition on 24th April, 1942, and went directly to the West Coast General Hospital without advising either Mr. Ashbridge, the Indian Agent, or the doctor who was responsible for the medical care of natives at Port Alberni at that time. Neither of these officers had been informed that this woman might be requiring medical attention.

When Mrs. Watts could not enter the hospital she took a room at the King Edward Hotel where twin children were born at 5 a.m. the following morning. Dr. Jones was notified, reached the hospital within 20 minutes of the call and had the three removed to hospital in an ambulance. Recovery was uneventful. Why the hospital refused admission in the first place is not known but it is the privilege of any privately operated institution to make regulations in this matter.

The second case in this series is that of Mrs. Johnston Ginger of Dodgers Cove about 35 miles from Alberni. This woman was in the care of a midwife and was seen by the doctor when labour pains first commenced. As the woman was considered to be in experienced hands and the delivery was some time ahead, the doctor left instructions to be called at the appropriate time. The doctor was again called immediately after the child had been born. The patient was not responding and the doctor may have made strenuous efforts to complete the delivery but the woman who called the doctor and who was with him while he attended the patient states that the patient did not cry out in pain, was not slapped on the face and the doctor did not place his knee on her stomach. There is available the report of an interview with the doctor wherein he stated that he has never, on any occasion, put his knee on a patient's stomach. Contrary to Mr. Paull's statement, this was Mrs. Ginger's third child.

The third case is that of Mrs. Willis Mundy who lived 45 miles from Alberni. For the delivery of her fourth child this woman was in the care of her grandmother. The doctor was first called after the child had been born and the patient was not recovering. The doctor arrived within 20 minutes of the call but the patient died shortly after his arrival.

The doctor involved in all these cases was highly thought of in the community. The deaths were investigated by the regional medical superintendent and there is no question of the doctor evading the investigation. He did enlist in the Army Medical Corps and subsequent to his discharge returned to Port Alberni to practise.

P. E. MOORE, M.D., D.P.H.,
Director, Indian Health Services.

The Clerk,
Joint Committee on the Indian Act,
House of Commons,
Ottawa.

APPENDIX GS

DEPARTMENT OF NATIONAL HEALTH AND WELFARE

115-16

Ottawa, Ontario,

July 9, 1947.

For the information of
The Clerk of the
Joint Committee on the Indian Act.

We have followed up the case of the Indian about whom Mr. MacNicol spoke to the Joint Committee, as reported in the 1947 Minutes at pages 131 and 132.

Doctor MacIntosh reported to the Indian Agent McPhail that they had had difficulty in getting this Indian to take treatment for his venereal disease.

The Doctor stated that the Indian has had sufficient treatment to render him non-infectious and that his condition is practically cleared up.

I have written again requesting that the Indian be given another check-up and if compulsory treatment is necessary I have asked the Indian agent to take the necessary steps.

Our thanks have been expressed to Mr. MacNicol for bringing this case to the attention of the Indian Health Services.

Yours very truly,

P. E. MOORE, M.D., D.P.H.,
Director, Indian Health Services.

APPENDIX GT

Lower Post, B.C.
via Watson Lake, Yukon Terr.
July 17, 1947.

The Special Joint Committee of the Senate
and the House of Commons, Investigating Indian Affairs,
Ottawa, Ontario.

Dear Sirs:

We have taken some time to reply to the letter sent out by Mr. Norman Lickers, in June, 1946, and we appreciate this opportunity to express our views on Indian administration, and we hope this letter may not be too late.

Replying to the suggestions in the order they were listed:

(1) As we do not come under Treaty we cannot express views on this, but our Agent tells us that we may benefit from assistance under the B.C. Special grant.

(2) Band membership does not affect us greatly because we live a nomadic type of life, and reserves mean little to us beyond a place to camp when we come to town for supplies. We only have band funds of about \$200.00.

(3) We do not think our people should be obliged to pay taxes because we seldom earn enough to keep our families properly. This is owing mostly to the very high prices we pay for things. Compared with more settled places we pay three times as much for most commodities. Flour costs us between \$10.00 and \$12.00 per 98 pound sack. If we were taxed on our income it would be unjust because an income of \$3,000.00 up here only buys us \$1,000.00 worth of supplies at regular prices, say in Ottawa.

(4) We do not fully understand enfranchisement, but if it means that we should lose the protection and support of the government in times of need, we would not want it. Some of the people would like to be able to buy liquor in an honest way. Those people get it anyway, maybe from a white man who sells them lemon extract or shaving lotion, and for that reason we think things would be much better if those of us who want a drink should be able to buy a bottle of beer openly, and not have to poison our stomachs with extracts. If these people who wish to drink misbehave themselves treat them as you would a white man who gets rowdy on the street: Fine him \$50.00 or 30 days in jail. We think he would soon learn to stay home and keep out of trouble.

(5) First give us schools for our children so they may learn what government means, and what voting means, then let them vote when they get old enough. Right now we do not understand voting.

(6) We would not mind leasing a piece of land to some white person for rent, but no white person should be allowed to take our Reserve land because it was granted to us long ago as a place to camp, and we will always need that camping place. But our reserve at Lower Post is so large that we could easily lease some ground if it is needed by whites.

(7) Right now we really have no schools for our children. A few have gone 700 miles away to Alberta to go to Grouard Residential School, but this is too far. When the children get sick we cannot see them or be with them. One

or two children have died there, even without us knowing they were dying. We love our children and it hurts us to be so far from them, and we know it is hard for the children too, but still we feel they must have some school.

A small day school operates here for two months each summer, but we are not near the school for more than a few weeks, and so the children do not learn anything very much. There are nearly a hundred children of school age in this country, but only about fifteen see school right now. That is, about five at the summer day school, and the rest at Grouard Residential School.

What we ask is for a residential school near home here where we can send all our children, and where they may come home each Christmas, Easter, and summer holidays to stay with us. A day school is no good up here because we live out on our trap-lines for over ten months of the year.

We would also like the school to be a government school. Some of us feel that the religious schools waste too much time in learning religion. We do not know this from experience, but some people who have been to religious schools tell us that they would rather have gone to government school where they have regular teachers, and use all their time learning school work.

(8) We think about hospitals too, and would like to have one near us. Right now we have some of our people in Whitehorse hospital, 300 miles away, and some others in Fort St. John, 500 miles away, and sometimes in Edmonton 1,000 miles away. There should be a good nurse near us in the summer time too. We hardly ever see a nurse now, and may be a doctor only once in two years, or less than that.

(9) One thing we would like to see changed about the Indian Act is some provision made to over-ride the Provincial Game laws about Indians from Yukon not allowed to shoot moose for food in British Columbia. Long before the white man made the maps and marked out boundaries between provinces, we hunted and camped all over the Liard River and Dease River basin; that was our tribal hunting ground. In the summer we camped at the junction of the Dease and Liard Rivers which is in what is now called British Columbia. In the winter we trapped back up these rivers, some of us up the Liard, others up the Dease. The Liard is now in the Yukon, and therefore the B.C. Provincial government call us who trap up there (the Liard River) in the winter, residents of the Yukon, so that when we try to get moose or other game for food when we come to B.C. in the summer time, they make criminals out of us. But our stomachs don't know about any law which says you can't eat because you are now in British Columbia. Our stomachs say, you have walked a long way from the trapping country and you need fat moose to give you strength again. Still we have to go to the store and buy cans of boiled dinner which costs a lot and sometimes even makes us sick because we are used to fresh meat all winter and spring. Could the government not change the law to see that Indians have the right to hunt anywhere for food?

In conclusion we would like to say that we think our greatest needs are these.

- (1) Education for all our children;
- (2) Medical help, including a nurse and doctor;
- (3) Protection of trapping rights as they now are, both in Yukon and British Columbia, and the gradual acquisition of trap-lines now held by white foreigners, so that our children may also have a means of livelihood. By white foreigners we mean the Swedes and Norwegians who have come out to this

country, become naturalized, and taken away part of our trapping grounds. We think that it is not just for white men who could very well make a living in industry where we are barred from on account of no education, to be allowed to come in and take away our living. These white men are always fighting with us about trap-lines too. They think we are trespassing all the time, maybe because they do it themselves. But we Indians never have trouble like that between ourselves. We always know the other man's country and leave it alone.

We hope that this letter will help the Committee to re-adjust the laws which govern our lives, so that it will be better for us and our children.

Yours very truly,

DAN SAITZ, *Chief.*

TOM LIARD, *Adviser.*

APPENDIX GU

SHULUS RESERVE,

British Columbia.

The Joint Committee of the
Senate and the House of Commons,
Ottawa.

Honourable Sirs,—

First question, about treaty:

I, Michael Jack from Pentiction am self supporting I buy my own bulls and stallions and everything I own.

Second question, about membership of band. No trouble.

Third question, about tax. I do not pay taxes and we do not want to pay taxes inside our reserve or outside of my reserve.

Fourth question, enfranchisement. I do not want to be turned into a white man. I want to be an Indian till the end of the world.

Fifth question, election. I do not vote. I am an Indian.

Sixth question, encroachment. There is no encroachment of white people, but I send my grievance already last spring about my reserve.

Seventh question, schools. I am satisfied with my school. I want more education for my children.

Eighth question. I do not want the Indian Act revised. What Queen Victoria laid down as our Indian laws we Indians want that. We do not want the Indian Act revised.

About health. I am satisfied. I have a good Indian doctor.

About education. My only wish is that the children have more education. We are satisfied we have no housing problems. I am well set, me and my people, about agriculture.

Finance. The delegates to Ottawa will be the ones to talk about finance.

(Signed) CHIEF MICHAEL JACK,
of Pentiction.

Written by Julienne Williams.

APPENDIX GV

SHULUS RESERVE,

British Columbia.

The Joint Committee of the Senate and the House of Commons.

Honourable Sirs,—I, Antoine Eli, representative for WEST BANK Indian Reserve No. 9, am ready to answer the eight questions asked by the Senate and the House of Commons.

First, Treaty rights and obligations, we have no obligations under any treaty. We support ourselves. We are not supported by the Government.

Second, Band membership, I do not want band membership. We have a man by the name of Mickey Derrickson on our reserve. He is an American. He and his children have allotments on the American side. He is in the class of encroaching on our reserve. I object to this kind of band membership.

Third, Taxes. I don't pay taxes and I don't want to pay taxes inside of my reserve or outside. I am opposed to pay taxes now or in the future. When the white people enforce the law for us to pay taxes I still object.

Fourth, enfranchisement. I don't want to be enfranchised. I am an Indian and I don't want to sign my name to become a white man. I want to be an Indian always.

Fifth, voting. I am an Indian and I never vote at any white peoples election, but in any Indian election I will vote for my chiefs and councillors now or in the future.

Sixth, encroachment. I don't want the encroachment of any white man or woman on our Indian reserve. We have one white woman encroaching on our reserve, on the cut-off on our reserve, 20 acres, she has fenced off and cultivated. We want that land back.

Seventh, Schools. We prefer a day school at West Bank, for the residential school is too far away from us. We want more education and higher schooling for our children. The children that go to the Kamloops School don't have enough education to understand enough English. And the Catholic priest learns the children too much prayers and less education. It is more preferable if our children had more education: six days schooling and one day's preaching.

Eighth, General. We want the old Indian Act. What our Queen Victoria had made for us. We don't want the Indian Act to be revised.

For Health. We have a good doctor. But our nurse doesn't look after the Indians as she should.

For education. We want our children to get ahead in school. When they pass grade school, we want them to have high school training so to be advanced in life.

For housing, we are satisfied with what we have.

For agriculture, we have all the implements and we get along well as we are.

My son Alec Eli has been in the armed forces for four and one-half years. All he had for the trouble and pain of war was the army clothes he had on and a kit bag. The white soldiers that returned had better treatment than Indian soldiers.

Hunting. Our trap lines have been taken by whites. We want them back as it is the only means of our livelihood in the winter.

(Signed) ANTOINE ELI.

APPENDIX GW

Sea Bird Island Indian Reserve,
Agassiz, B.C., May 5, 1947.

The Joint Committee
of Senate and
House of Commons.
Honourable Sirs,

We the undersigned Chief and members of the Sea Bird Island Band hereby protest against any representatives to the Government making reports against our Catholic schools.

We were all brought up as Catholics and we don't want to change our religion.

So therefore we want all our children to be taught by Catholic teachers. We also want our residential school to remain as they are. That is we want them to remain under the care of the Catholic Church.

Signed,

Chief H. Joseph
Alfred Hope
David Charles
Johnnie Bal
Jimmy Andrew
Arthur J. Peter
Pierre Peters
Lawrence J. Hope
Sandy McIntyre
Chief Peter Emery Yale
Mrs. Mary Charles
Mrs. S. Gabriel
Mrs. A. Harris
Mrs. Ed. Joe
Mrs. Arthur Joe
Miss Irene Victor, Cheam Reserve
Mrs. William Andrew
Miss Mary Agnes Douglas, Cheam
Band
Mrs. Charlie Douglas, Cheam Band
Mrs. Elsie Hope

Mrs. Billy
Ed. J. Peters
Phillip Bobb
Willie Bobb
O. Gabriel
Don Thomas
James Thomas
Henry Charles
Ray Billy
C. Douglas
Wilfred Murphy
Mrs. R. Andrew
Mrs. J. Bobb
Mrs. A. Hope
Mrs. (Chief) H. Joseph
Mrs. P. Peters
Mrs. Jimmie Andrew
Mrs. Susie Charles
Mrs. Dan. Thomas.

APPENDIX GX

Douglas Lake, B.C.,

April 28, 1947

The Joint Committee of the Senate and House of Commons.

Honourable Sirs,

We the Band and Councillors of Douglas Lake are ready to answer the eight questions asked in your letter.

(1) *Treaty Rights and Obligations*

We have no obligations under Treaty Rights. We support ourselves.

(2) *Band Membership*

(No trouble in band membership)

(3) *Liability of Indians to pay taxes*

We the people of Douglas Lake do not pay taxes. We do not want to pay taxes inside of the Indian reserve and also outside of our Indian reserve.

(4) *Enfranchisement of Indians, voluntary and involuntary*

We do not want enfranchisement. We want to be Indians as always till the end of the world.

(5) *Eligibility of Indians to vote at Dominion Elections*

We Indians never did vote at Dominion Elections and don't intend to.

(6) *The encroachment of white persons on Indian reserves*

We don't want the encroachment of white persons on our Indian reserves. We have several fisheries grounds encroached by white people. When we Indians go to catch fish on the encroached fisheries the whites chase us out or put us in jail.

(7) *Operation of Day and Residential Schools*

The majority of the Upper Nicola band are satisfied with the Indian Residential school at Kamloops. We want more schooling and education for the children. We object to instructing farming lessons to the school boys of the Upper Nicola band, as they are instructed by parents at home.

(8) And any other matter or thing pertaining to the social and economic status of Indians and their advancement which, *should be incorporated in the revised (Indian) Act.*

We prefer the old Indian Act; what our Queen Victoria gave us. We don't want the Indian Act to be revised.

(9) *In connection with health*

We deplore the lack of transportation, as we live 35 miles from hospital or doctor. We need some sort of motor vehicle to transport our sick to the hospital.

We want a doctor to look after the Indians alone, as at Kamloops, the Indians have a doctor stationed at the Indian Office. Our doctor has too many white patients to look after and so he neglects to attend the Indians.

(10) *With regard to Education*

The Indian Residential school is 65 miles away at Kamloops.

Some of our children have no room when the school is filled up and the children who can not enter when the school is opened can not have an education until the next term.

(11) *The Housing problem*

Is something which our children have to face when they come out of the Indian residential school.

There is rental money due us from stock grazed on our range land, for years back. We want to know where that rental money went to. This money we could use for a portable saw mill to get lumber to solve our housing problem.

(12) *Agriculture*

We have our own implements to do our own agricultural work.

(13) *Finance*

We will not discuss until we are in Ottawa. We want our delegate or delegates which we will send to Ottawa to represent the Upper Nicola band to discuss this.

We want to hunt, fish and trap inside or outside of our Indian reserves, whether in or out of hunting season, for we have been using wild game for food long before any white man, or any other colour of people set foot on this continent of America.

Wild game, wild fowl, wild fish has been our main food from time immemorial.

We want to have free use of any outside range for our stock, like we used to.

Since our old Chief Chillahitza passed away, the whites have been crowding us out, little at a time, until we are now crowded onto small reserves.

We have the same right as any white man to make a living. Our old ancestors did not surrender their rights and titles. We of the young generation still stick to our old rights and titles. When Commissioner Sproot first came to survey our lands he told Chief Old Chillahitza, when his reserve was being surveyed, that it was being done to hold it as a camping ground for Indians. To keep the whites from crowding us out Commissioner Sproot told Old Chillahitza he was coming back later to make a final survey and to enlarge his Indian reserve; that he had a lot of other reserves to survey and that Queen Victoria promised to enlarge the Indian reserves on that final survey. That was never done. We never surrendered our right and title to the Crown. Our rights include all the trees, wood, timber, soil, stone, minerals, metals and other valuable therein, thereon, and thereunder. So we say, we must have finances at Ottawa.

Signed: Chief Councillor Daniel M. Amuel.

Councillor Michal Tom

“ Edward Shena

“ George Peto

Witness: *Dave Tom

Mrs. J. C. Williams

Frank Paul

APPENDIX GY

LILLOOET, B.C.,

May 1, 1947.

A Brief Containing Recommendations to be Incorporated in the Proposed Revision of the Indian Act, from the Native Indians of British Columbia.

To the Honourable Members,
Special Joint Committee of the Senate and the
House of Commons,
Ottawa, Ontario, Canada.

Honourable Chairman and Members:

We who are Native Indians of British Columbia, registered under the Indian Act, beg to submit to you these recommendations on behalf of ourselves and of our dependent women and children.

We take this opportunity to present to you who have been appointed to examine the Indian Act, some of our conclusions regarding the several sections of the Indian Act as they have been applied to us, with our resolutions which we have made after long and careful discussion.

May we express the hope that the Indians of British Columbia, and all of Canada as well, will be eminently satisfied with the results of your deliberations, and that Parliament will confirm your recommendations with suitable legislation.

We B.C. Indians do not expect, nor would we welcome, legislation that would favour us above other races and groups who make up the population of Canada. But, it should be evident to the elected representatives of the Canadian people, that there is a growing understanding and a popular feeling that the Native Indians, considered individually and as a group, have not yet, but should have, as quickly as the necessary legislation can be enacted, equal opportunities and equal rights, in addition to the obligation of duties imposed upon us without our consent by existing Canadian Statutes.

General Remarks.

1. That it should be the purpose of Parliament to remove, by legislative enactment, any disabilities which the present Indian Act imposes or allows, to the Executive Branch, because of our Indian racial origin.

2. That the principle of self-government for the Indian Bands in civil affairs be accepted by Parliament and incorporated specifically where necessary in the new Indian Act.

3. That legally constituted Chiefs and Councillors be elected by the Indians and appointed by the Department of Indian Affairs, without delay, for every Indian Band. The elections and appointments should be officially posted in a prominent place on the reserves so that all the Indians may be informed of them.

4. That all by-laws passed by the Indian Councils and approved by the Department of Indian Affairs should have legal effect from the time of approval. It should be made impossible, with heavy penalties, for any Civil Service employee to deprive the Indians by personal decree, of any benefit conferred by the Indian Act.

5. That all Chiefs and Councils be provided with copies of the Indian Act, with any amendments that may be made hereafter.

Copies of the Annual Report of the Indian Department, and particularly statements of band funds and trust moneys should be furnished regularly to each council.

A simple procedure for meetings, with an outline as to the extent of their local authority and duties should be compiled for the use of the Chiefs and Councils.

The B.C. Indians who submit this Brief affirm that we wish to keep our tribal chiefs and councillors, our lands and our hereditary privileges of hunting, trapping and fishing, also our water and grazing rights. That is, as a group, we wish to live as Indians with our separate identity and our traditional way of life. But we are eager to co-operate with other people of Canada where our mutual interests naturally merge.

We believe that this statement, coming from us directly, will clear away any misunderstanding that may exist.

Nearly all of our Indian villages and settlements in British Columbia are the ancient living places, fishing, trapping or hunting grounds of our forefathers. Poor as they may appear to be to others, they are rich in memories and traditions for us. We wish to leave them to our children as we received them from our parents. We will not willingly surrender them. We should not be required to surrender them or the privileges attached to them.

SPECIAL SUBJECTS OF THE ORDER OF REFERENCE

1. *Treaty Rights and Obligations.*

We are told that Canada does not recognize the existence of any treaties between Canada and the Indians of B.C., who are under the care of the Indian Commissioner for B.C.

But, according to our Indian Chiefs, there were certain promises made to the Indians of B.C., such as the "Spintlum Treaty," with the Thompson tribes.

These promises were made by persons whom the Indians had every right to consider as responsible government officials. And the fact remains that as a result of those promises, large tracts of Indian tribal territory were occupied by immigrant settlers, from which great wealth has been reaped by the settlers, and taxes by both the Canadian and Provincial governments.

These promises should be taken into consideration when your committee considers the justice of the Indian requirements and the merits of our Brief.

We regard the problem of aboriginal titles, hereditary or other title, as properly a matter for court adjudication.

It is our wish that all treaties and obligations contracted between the Government of Canada and the Indian tribes in other parts of Canada be scrupulously fulfilled.

2. *Band Membership.*

Admissions to band membership, or discharge therefrom, or transfers of persons of Indian blood from one band to another, should be decided by the tribal chiefs and councils. Approval of those decisions on the part of the Department of Indian Affairs should be given promptly in the interest of local authority of the councils, and to stabilize Indian families who, for good and serious reasons, are living on reserves other than their own.

Temporary permits only, should be granted to transient Indians and these should be subject to renewal on the recommendation of the tribal council.

3. *Liability of Indians to pay Taxes.*

We are opposed to taxation without representation in Parliament.

We have paid always, and we are subject to payment of all taxes levied by the Dominion Government, with one exception.

We have paid always, and we are subject to most taxes levied by the Provincial government, viz, gasoline tax, amusement tax, etc.

We are not subject to land taxation by the Provincial government because our land is under the control of the Dominion government.

We are subject to levies for our trust fund account which is usable for local improvements. This system has been satisfactory to us. But we wish to have more control over our trust funds and the spending of them. And we wish to have trust funds built up for the poorer reserves by special government grants.

We ask that the Canadian government grants made to the Indians be equal in the amount to the per capita tax average collected by the Canadian Government from the Canadian people.

There arises here, the problem of Dominion income tax for Indians living on Indian reserves, the one exception mentioned above.

The very low average income earned by Indians of Canada makes this question a very small one, comparatively. There are few Indians to-day earning taxable incomes from work produced on Indian reserves. But we are opposed to any taxation without representation.

4. *Enfranchisement.*

5. *Eligibility of Indians to vote at Dominion elections.*

Enfranchisement to us means that we have to surrender everything that we have inherited from our ancestors. We must leave our homes and our people. We become strangers among strangers. From respectable Indians worthy to be granted citizenship, once we are enfranchised, we become outcasts to our people, trespassers and a cause of discord to the tribe if we seek our own friends and relatives on the reserves.

We ask that the Indian Act be changed so that we can, as Indians, have the same legal rights as white people, without the surrender of our lands or hereditary privileges.

Since 1924, legal rights were granted to American Indians. Quoting from the Meriam Report, from which Mr. Hoey has already made quotation before this Committee: (page 25, 1946 Minutes)

Congress by the Act of June 2, 1924 conferred citizenship on all Indians born within the territorial limits of the United States

Citizenship not incompatible with guardianship and special legislation.

Although prior to the passage of this recent Act, citizenship was often associated with a property right . . . a trust patent, or a fee patent legally there is no intrinsic relation between the two. Citizenship in fee or in trust is a property right. The Supreme Court of the United States has held, moreover: Citizenship is not incompatible with tribal existence or continued guardianship, and so may be conferred without completely emancipating the Indians or placing them beyond the reach of Congressional regulations adopted for their protection.

This decision clearly is in accordance with the law as it is applied to white citizens. Among whites the fact of citizenship does not preclude guardianship, nor does it give unlimited control over any property the title of which is vested

in the citizen The status of the restricted citizen Indian with respect to his property secured through the government is like that of a citizen child with respect to his, except that under existing law the Indian may be declared competent, and thereby given full control. It should be noted moreover that this restriction applied only to the property secured to the Indian by government action. It does not apply to property secured by the Indian for himself through his own efforts. He ordinarily has complete control of his own earnings and of any property purchased with his earnings.

Meriam.—Problem of Indian Administration.—

In any proposed amendment to the Indian Act regarding the conferring of legal rights upon the Indians we ask that discrimination as to racial origin be removed and that only those restrictions be kept in force which are clearly for the common interests of the Canadian people or of the Indians themselves.

6. *Encroachment of White Persons on Indian Reserves.*

From what we have already stated, we consider the Indian lands and hunting grounds as our own. We do not wish other people to intrude on our property without our consent. All other persons should have the consent of the Chief and council and members, of an Indian band, and the approval of the Indian Department, to occupy Indian lands.

7. *Indian Day and Residential Schools.*

We ask parliament to grant us full educational benefits for our children.

There are twelve thousand Indian children in British Columbia. Many of our children have no school of any kind. Parents have to wait in some cases till their children are ten or twelve years old before they can get them into a school. Parents have to take their children out of school too soon in some cases, to make room for others. Some Indian Day Schools are closed because there is no teacher.

We ask:

1. That Parliament recognize the natural right of Indian parents to choose the kind of education for their children, prescribed by the Department of Indian Affairs.

2. That the Indian parents be given full opportunity to express their wishes as to the education of their children.

3. That funds be voted by Parliament for full school training, both for all day class training from Grades I—VIII, and for vocational training, in both the Indian residential schools and the Indian Day schools, for all the Indian children whose applications for admission have been approved by the Indian Department.

4. That money be provided by Parliament for higher education for Indian children, advanced courses to be added to the Indian Day and Residential schools as required, and according to the wishes of the Indian parents and of the children themselves.

5. That the present system of Indian residential and day schools be kept, and that additional grants be provided for buildings and equipment for both Indian Day and Residential schools, until all the Indian children are given the opportunity of an education.

6. That in Indian Day school areas special economic assistance and supervision be given to families attending school, in addition to the Family Allowance, so that the parents of those families will have incomes high enough to feed and clothe their children from remunerative employment in the locality

where they live. At the present time many Indian families have to travel far to make a decent living for their families, causing loss of education unless residential school education is provided for them.

7. We ask that the Indian program of studies for our Indian schools in B.C. be equal to the standard of the B.C. provincial schools.

8. We ask that complete religious freedom be granted by Parliament to the parents of the Indian children in the choice of their school, as already provided in the Indian Act.

9. As all of our Indian families who are forwarding this Brief are of the Catholic religion, we ask that our children may be instructed in the precepts of that religion, and that such instruction may be given under the supervision of the Catholic religious authorities. Wherever it is possible to do so, we prefer to have religious teachers in charge of the children in schools maintained and inspected by the Department of Indian Affairs.

Social Services

We are far behind other Canadian people in the matter of health and social welfare. We ask that funds be provided by Parliament to set up a good system of medical care. We want our Indian reserves visited regularly by medical doctors and nurses.

We want clinics given regularly to each band to prevent and cure communicable diseases such as tuberculosis, measles, whooping-cough, etc., which are responsible for so many deaths among small Indian children.

In any housing program, medical health officers should be directed to make surveys and recommendations as to type of house required, specifications and location. Houses that are unfit for people to live in, should be condemned and destroyed, and in each instance provision should be made for new housing. This should result in economical and capable management of moneys voted by Parliament for housing.

Hospitals

We ask that the present plan of the Indian Department to build new hospitals wherever they are needed for Indian patients in B.C., be continued, and that these hospitals be equipped and put on an equal standard with other hospitals in Canada.

As we are of the Catholic religion, we prefer to have our sick Indians in charge of religious nursing Sisters wherever this can be done. Where this is not practicable, we ask that the spiritual and moral wants of our sick Indians be carefully provided for, by the Department of Indian Affairs.

We ask that Parliament provide funds for emergency cases, so that hospitals receiving Indian patients will be paid according to standard schedules in such hospitals payable by other patients.

Old Age Pensions—Widows' Pensions—Indigent Relief—Disability Benefits

We ask that adequate pensions, comparable to those set for white people, be granted to the native Indians. Relief and pensions have been denied to the Indians on the pretext that the small amounts granted to the Indians could be supplemented by their privileges of hunting, fishing and trapping. This plan failed to take into consideration that most applicants for these pensions are utterly incapable of enjoying those privileges; also that these privileges are seasonal and do not provide a subsistence standard of living at all.

Much hardship has been endured by us in recent years and even no discrimination. If the B.C. Provincial government can give its people generous pensions, there is no good reason why the Canadian Parliament can not do so for the B.C. Indians. Subsistence relief provided by the Indian Department has

been cut very low, and in many cases denied altogether on the same pretext that the Indian applicants for relief could supplement their subsistence allowance by hunting, fishing or trapping. It failed to see that most Indian applicants for relief are not able to hunt, fish or trap. The low incomes of most Indian families have prevented these families from supporting their aged or sick relatives.

Much suffering and misery has been caused among the Indian and much bitter criticism of those responsible for the care of us—even much of the sympathy aroused among white people who knew of our condition, and their insistent demand that these wrongs be set right, which has brought about this Joint Committee, was caused by callous administration and the denial of social benefits to Indians in recent years.

Old Age Pensions, Widows' Allowances, disability and destitute relief when furnished to Indians, should be payable in money, in the same manner as the Family Allowance.

The amount of these pensions should be set by Statute in the Indian Act. They should not be granted at the discretion of the Indian Department, nor the amount set by them. They should not be a charge against the Indian reserve lands.

We ask the Honourable members of this Committee to give very special consideration to this part of our brief.

Agriculture, Cattle Raising, Dairying, etc.

Indians should be encouraged in every way to make their living close to their homes. Indian Departmental policy should be to help Indian families to become independent of Departmental care in order to lessen the burden of Indian Administration.

Hunting, Trapping and Fishing Rights

We regard hunting, trapping and fishing as our natural ways of life. As Indians, wild game and fish are a necessity to us for healthy living. When these disappear, we become subject to all manner of illness. We learn only slowly to accommodate ourselves to other foods.

We ask this Committee to recommend Parliament to put our hunting areas, trapping areas, and our fishing grounds which are recognized as Indian reserves, under the care of the Indian Department, and not subject to the Provincial game and fishing regulations; we want these areas supervised by Indian Departmental officials only

Indian Arts and Handicrafts

The program of the Department of Indian Affairs to encourage Indian arts and handicrafts should be maintained liberally by Departmental funds as a service to the Indians and the Canadian people. Grants for exhibitions and displays of Indian art should be made each year. Indian handicraft instruction should form a necessary part of every school program.

Indian Ex-Service Men

We ask Parliament to make a careful review of the progress made by the Department of Indian Affairs in the rehabilitation of returned men. Our soldiers volunteer for service, or were asked to report for duty without delay. They complied for overseas service, though they were not citizens. Now we ask Parliament to insist that promises and grants made to those men should be given to them through the Department of Indian Affairs, with equal generosity and despatch.

We wish to thank the Honourable members of this Committee for your kind attention. We humbly beg that you will give our requests your favourable consideration.

Very respectfully yours,

J. M. PATTERSON, O.M.I.
Director,

The Catholic Indian Institute of B.C.

Note: The program outlined in this Brief is approved and formally recommended for the B.C. Indians by:—

His Excellency W. M. Duke, D.D., Archbishop of Vancouver.

His Excellency E. Q. Jennings, Bishop of Kamloops.

His Excellency James Hill, Bishop of Victoria.

This brief is sponsored by the Catholic Indian Institute of B.C., an association composed of Indian Chiefs, Captains, Watchmen and other leading Indians who carry out social works on the Indian reserves under the supervision of the Indian missionaries. A number of the signatures and names of these Indians supporting and suggesting this program are attached, who are representative of the approximately 15,000 Catholic Indians of B.C.

J. M. PATTERSON, O.M.I.

APPENDIX GZ

P.O. Box 639,
Steveston, B.C.,
July 13, 1947.

Special Joint Committee
of the Senate and the
House of Commons on the
Indian Act,
House of Commons, Ottawa.

Honourable members of the Committee:

I am instructed by the Confederacy of the Interior Tribes of British Columbia to forward the enclosed brief and respectfully to ask that it be printed in the official record of the proceedings of your honourable Committee.

The Confederacy was organized last week for their own protection, and the reasons are contained in the said brief.

I will anxiously await the decision of the Joint Committee on the matters asked for in this brief and thanking you, remain

Yours very truly,

FRANK ASSU, *President,*
Confederacy of the Interior Tribes of British Columbia.

Resolved that we form an organization of the Native Indians residing in the interior of British Columbia to be known as the Confederacy of the Interior Tribes of B.C.

The object of the confederacy will be to act in unison for the general welfare of our people and to make known to the governments our requirements so that we may assist each other in the attainment of these requirements.

Last year all the chiefs of the interior of B.C. received a circular letter from the Joint Committee of Parliament inquiring into the Indian Act, through our respective Indian agents, wherein we were asked to express our opinions on the eight points contained in the circular letter. Some of the tribes replied to the circular letter, while others did not reply. We had hoped that our accredited delegates would be given an opportunity to make representations to the Joint Committee. We have noted with great concern that the Native Brotherhood of B.C. had presented a brief purporting to be the decision of all the Indians in B.C. We wish to say to the Government of Canada through the Joint Committee that the Native Brotherhood of B.C. did not represent our views or opinions and that their delegates did not have our permission to speak for us and that Guy Williams, the alleged delegate for the unaffiliated did not speak for us, and we repudiate everything he said and every action which he may have taken, as it was performed without our knowledge and consent and contrary to our pleasure.

We do not approve or in any way endorse the brief presented by the Native Brotherhood of B.C. to the Joint Committee of Parliament in Ottawa during the month of May, 1947.

We desire to discuss with the Government, without prejudice, adequate compensation for the rights we, the Indians, have had taken away from us, but it is to be understood that we do not abandon any of our rights until at such time we accept a settlement.

We ask in a most sincere way that a Royal Commission from the Joint Committee make a tour of B.C.

We further and very sincerely ask that the Joint Committee recommend to the Parliament of Canada that a claims commission be appointed to enquire into the claims of the Indians of B.C. for adequate compensation.

While we endorse the representations by Andrew Paull on our behalf on May 6 last, we ask that our accredited delegates be given an opportunity to appear before the Joint Committee before a revision of the Indian Act is made.

Witness our hands at Kamloops, B.C., this third day of July, 1947.

Chief Alex Thomas, Kamloops, B.C.

Chief Narcisse B. George, Oliver, B.C.

Michel Anthony, Chase, B.C.

James Antoine, Coldwater, B.C.

Joe Moses, High Bar, B.C.

*Chief Baptiste Thomas, Athalmer, B.C.

*Chief Peter Tomas, Squilax, B.C.

*Chief Jim Evans, Windermere, B.C.

Chief James Sionie, William's Lake, B.C.

Chief David Johnson, Alkali Lake, B.C.

*Chief Casinius Bob, Hanceville, B.C.

Leo Kenoras, Glen Eden, B.C.

Mr. and Mrs. Martin Sam, Athalmer, B.C.

Eugene Joseph, Athalmer, B.C.

Johnny Pierro, Bonaparte, B.C.

*Mike Basil, Deadman's Creek, B.C.

*Mrs. Narcisse Etienne, Deadman's Creek
B.C.

Miss Grace Ossell, Shuswap, B.C.

Abel Sain, Deadman's Creek, B.C.

and four others whose name or place of residence is not clear.

*signed by mark.

APPENDIX HA

*Extension Work At Indian Residential Schools*SUBSEQUENT TO STATEMENT MADE TO SPECIAL JOINT
COMMITTEE OF THE SENATE AND THE HOUSE
OF COMMONS MAY 27, 1947

The first educational needs of the Indians of Canada were served by the establishment of Residential Schools. These institutions, over the years, have contributed greatly to the advancement of the Indian people not only along educational lines but also physically as well in the building up of strong, healthy able bodies among the children of the race. Following the program approved by the Department of Indian Affairs the Residential Schools have proven their worth. From the few suggestions which follow it can be seen that the Residential Schools can be the instrument of still greater progress among the Indian people.

Using the Residential School as a centre of activity extension work along the line of vocational training projects can be inaugurated on the Reserves. What is felt as the greatest need at present is to establish a link between the School and the home life on the Reserves of the graduate pupils. In the School the child receives a thorough education. The boy, besides the full course of academic subjects, is taught different trades which will be useful to him in the gaining of a livelihood in later life. Likewise the girl, in addition to her classical studies, receives a thorough training in domestic science. When the boy and girl graduate from School it is most important that a follow-up system be established to ensure that the training already received be put to good use. The most practical form at the outset, which this system could take would be a manual training project in the construction, by the graduate pupils, of suitable new homes for themselves on the Reserves.

The manner of proceeding with this project would be to erect a sawmill at the Residential School. Logs from the nearby Reserves could be brought in and sawn into lumber. Sufficient materials for a house for each graduating boy could be prepared. Upon his graduation the materials could be taken to his Reserve and under the direction of the manual training instructor he could begin and gradually complete his own home.

While in School select materials from the mill could be chosen and in the manual training classes the boy could be taught to make useful articles of furniture. These should be marked with his name and set aside until the time comes for his graduation. After he has successfully completed his house, as outlined above, the furniture could be given to him for the furnishing of his new home. Likewise the girls, in their sewing classes, could make very useful articles for the adornment of the home. These also would be retained at the School until the girl is prepared to marry. In this way the young couple would feel that, through their own initiative, they prepared a home of their own choosing and a new interest would thus be awakened in themselves and in their surroundings on the Reserve. They would feel that a link had been created between the School and their life on the Reserve and the desired result would be that the teaching and training which they received in School would never be forgotten and would constantly influence their future lives.

With the establishment of the graduate pupils in new homes further activities from the Residential School could be undertaken on the Reserves. Courses in agriculture could be given and trained Agriculturists from among graduate pupils could be employed by the Department to assist in the cultivation

of the land. Machinery for this purpose could be supplied by the Department. A tractor and bulldozer could be kept at the Residential School and used on the different Reserves for irrigation purposes where necessary and to bring more land under cultivation. A herd of beef cattle could be cared for at the Residential School to instruct the boys in animal husbandry and animals from this herd could be supplied to the graduate pupils. Likewise dairy cattle, hogs and poultry as foundation stock could be supplied from the Residential School.

To assist the Indians on the Reserves social workers could be trained from among graduate pupils and employed by the Department. Where hospitals are erected Indian girls could be trained as nurses. Their duties could also be extended to the maintaining of proper hygienic conditions in the homes and to the care of infants.

The various projects outlined above will have stability in the measure in which constant contact is kept up between the Residential School and the Reserves. This contact, particularly through the construction of new homes, will create in the Indians an interest in their Reserves and their surroundings. They will take greater pride in themselves and in their families. Their living conditions will improve and we will be laying the foundation for a better race of people. The coming generation of Indians thus reared in accordance with the standards of their white fellow citizens will be a credit to the Government and to the people of Canada.

FERGUS O'GRADY, OMI.,

Principal, Kamloops Indian Residential School,
Kamloops, B.C.

APPENDIX HB

INDIAN ASSOCIATION OF ALBERTA

CALGARY, Alberta,

July 8, 1947.

Don. F. Brown, Esq., M.P.,
Chairman, Joint Committee, Indian Act,
House of Commons, Ottawa.

Dear Sir.—I am enclosing a statement and request from the Indians of the Alexis Reserve, No. 133, Edmonton Agency, with regard to fishing.

I am also instructed by our President, Mr. John Callihoo, to request the consideration of Indian rights under the Natural Resources Transfer Agreement. Whereas the Province of Saskatchewan has shown remarkable consideration towards the Treaty Indians, we cannot feel that similar consideration has been shown by the Province of Alberta.

Commercial fishing has shamefully depleted the fish of the lakes in this province. Many of our Indians were originally influenced in their choice of a reserve by the belief that an adjacent lake would furnish them with food supplies. Of recent years commercial fishing has changed all this. White fishermen make this a part time job but our Indians are usually compelled to rely upon fish as a source of food, when in so many cases, their reserve has no real assets other than its proximity to a lake.

Legally, the rights of Indians to fish for food has been scrupulously observed, but no provision seems to have been made to perpetuate this food supply. I am personally acquainted with the conditions on the Alexis reserve and personally vouch for what the members of our Association have stated in the enclosed document.

I may also state that the Indian Association of Alberta speaks with full authority from the Chief and Councillors as well as the rank and file of this reserve.

Yours truly,

JOHN JAURIE,

Secretary.

STATEMENT BY THE INDIANS OF THE ALEXIS BAND

Re fishing in Lac. Ste. Anne, at the west end of the said lake

We, Indians of Alexis Reserve, have been conserving fish in this lake for many years past; we have taken great care not to spoil or to kill more fish than suffice for our immediate needs; often we have refrained from setting our nets, when we might have done so, in order to preserve our fish in this lake for our food.

At the time when the Indians of this reserve were to choose land for our reserve, they chose this area because of the lake whose fish would furnish them with food, and they especially chose the west end of the lake to be by their reserve. Many of the old people thought the lake would be part of our reserve when they chose it.

Up to the present time we believed we had enough fish but outsiders have taken all the fish out of the lake because of its being opened to commercial fishing.

At one time a Superintendent of the Indian Department told us the lake was for the Alexis Reserve.

Ten people set out nets and all they caught was one little fish that weighed about two pounds. We do not want that to happen again.

Now, if ever the lake opens up for commercial fishing we want it to open for the Indians of the Alexis Reserve but *not* to outsiders. We are not preserving our fish for outsiders; we are preserving it for ourselves.

We residents on the reserve are starved out of fish in this lake. Are we supposed to go two hundred miles to get fish now?

This is forcing us to leave our reserve more than ever before. This is not encouraging us to stay on our reserve. We are actually being forced to go out or starve. Yet we are being told to stay in our reserves and keep our women and children at home. We cannot get fish from a hundred miles away with team and wagon in this summertime to feed the children and women, if they are to stay in the reserve.

Now we Indians of the Alexis Reserve ask and pray that this lake, Lac Ste. Anne, be closed for commercial fishing and be kept for the use of the Indians to obtain fish for food purposes. Whenever fish again become plentiful in the lake, we petition that Indians of this reserve alone be granted fishing rights in it.

We pray also that MacLeod Lake (about ten miles north of Whitecourt where our trap lines lie) remain closed to commercial fishing and be kept for the use of Indians for food purposes only. If ever it should happen that this MacLeod Lake be opened for commercial fishing, these commercial rights should be open to the Indians of this reserve only.

APPENDIX HC

Mr. NORMAN LICKERS,
Liaison Officer,
Joint Committee on Indian Affairs,
House of Commons,
Ottawa.

DEAR SIR:—In regards to your letter of June 17, 1946, we the undersigned Chief and Councillor and Indians of the Blood Indian Band, Blood Reserve, Alberta, held a meeting to study your items Nos. 7 and 8 with regard to Indian hospitalization and Indian Schools and the following is our desire:—

We want hospitals centrally located, run by graduate nuns; and we want the Grey Nuns to remain in charge of our hospital. Furthermore, we ask that a tuberculosis hospital, totally separate, be provided on our reserve.

Signed:—

*Chief Shot on Both Sides

John Cotton

Morris Many Fingers

Frank Red Crow

A C E Wolf

Albert Many Fingers

*Brow Spreading Wings

Harry Mill

Jimmy Wells, Jr.

Geo. Fox

John Fox

Allen Red Crow

Mortimer Eagle Tail Feathers

Francis Red Crow

Billy Young Pine

James Wells

*Charlie Panther Bone

Wille S. White

White Quills

Wallace Crow Chief

Jim Young Pine

Bennie Plume

Dick Wells

M. P. Heon

A. G. Grace

Patrick Eagles Child

Howard Beebe

Mike Devine

John Across the Mountain

APPENDIX HD

THE JOINT COMMITTEE ON INDIAN AFFAIRS,
House of Commons,
Ottawa.

We, the Blood Indians of the Blood Indian Reserve, Cardston, Alberta, hereby want the members of the Committee named by the Federal Government to study and prepare the Indian Act to know our desires concerning Residential Schools.

We want the Committee to know that we are fully satisfied with the present system of Residential Schools as run by the Oblate Fathers.

We want our rights to Catholic schools formally guaranteed by the treaty and maintained by the Department of the Interior, later the Department of Mines and Resources, and no changes are desired or will be accepted in the matter.

However, we want the present system improved in the following way:—

1. By building additional buildings in order that all children may go to school. A gymnasium is an absolute necessity;
2. Have graduate teachers in all classes;
3. Follow the Alberta schools curriculum in all its phases and also use Alberta school books;
4. Provide high school training on the reserve, as well as trade schools;
5. We fully disagree with the present ruling whereby no holidays are given. We want our children to come home twice a month on weekends; as well as on other holidays given by the Department of Education in Alberta;
6. The per capita grant should be on a cost plus basis, established by an independent commission;
7. We want the Government to provide ex-pupils with the essentials to make a start in life.

Signed:—

*Chief Shot on Both Sides

John Cotton

Morris Many Fingers

Frank Red Crow

A. C. E. Wolf

Albert Many Fingers

*Crow Spreading Wings

James Wells, Sr.

Francis Red Crow

White Quills

Harry Mills

Jimmy Wells, Jr.

Geo. Fox

John Fox

Allen Red Crow

Alfred Red Crow

Mortimer Eagle Tail Feathers

Patrick Eagle Child

Jim Young Pine

Willie S. White

Bennie Plume

Wallace Crow Chief

*Charlie Panther Bone

John Across the Mountain

Mike Devine

Alfred Sweet Grass

Dick Wells

M. P. Heon

APPENDIX HE

Cold Lake Indian Reserve,
Onion Lake Agency,
Alberta.

At a meeting held on April 8, 1947, the following questions were dealt with and answered.

I. Treaty Right and Obligation. It is our desire that these rights and the obligations of the Federal Government towards the Indian be at all times respected and fulfilled.

II. Band membership. We believe this reserve should be closed to all outsiders who wish to come in the reserve to become members of this reserve.

III. Liability of Indians to pay taxes. Indians up to the present time have been exempt from real taxes for any property owned by them on Indian reserve, but we believe that this exemption should include all other taxes ordinarily paid by Canadian citizens, outside of the real estate tax on property owned by them but not situated on Indian reserve.

4. Enfranchisement of Indians, voluntary and involuntary. The enfranchisement of Indians must be left entirely to the personal desire of each Indian and no compulsion of any sort must be exercised by the Federal authorities in this respect.

5. Eligibility of Indians to vote at Dominion elections.

This is a matter on which there is considerable difference of opinion among Indians all over Canada. For our own part we do not care for the right to vote at any elections and will do so only if that right is granted to us without any of our present privileges being taken away from us.

6. Encroachment of white persons on our reserves.

We believe that Indian reserves are strictly the property of the Indian band and no white person should be tolerated on any of them. The Department of Indian Affairs should also expel immediately all white persons who have homes on Indian reserves and who are conducting business there.

7. The operation of Indian Day and Residential Schools.

The present system of education approved by the Dominion Government and set up by the Indian Affairs Branch is satisfactory to us and no change whatever is either desired or will be accepted by us. The Indian day and residential or semi-residential school system has given satisfaction but must be improved by the building of new schools such as residential in such parts of our reserve as are not provided with them. And here as we have no school, we want a residential school at once. We want also that our children who are fit and willing to continue their education up to Grade 12 should have their expenses paid, by the Indian Affairs Branch. Moreover, the teachers should be members of the Civil Service and be entitled to all the privileges which are given to its members. As far as the residential school is concerned, the per capita grant should be set on a cost plus basis which could easily be established by an independent commission or by the officials of the Indian Affairs Branch.

8. Hospitalization. We are opposed to the present system because the tendency is to establish a hospital near the important civic centres and too far away from the reserve. We believe the hospital should be as they are for the

white people, as close as possible to the families of those that are sick. Moreover we believe in Christian hospitalization and whenever religious can be found to take charge of these institutions, they should be placed under their care. All nurses should be registered. Furthermore, all Indians should have the liberty of choice of the hospital where they will be hospitalized. Placing Indians as it is done at the present time in hospitals that are hundreds of miles away from their home without their being consulted and without their having the right to choose the institution to which they will be sent is certainly contrary to all our principles of liberty. It is a system which would not be tolerated among our white brothers and one which should not be applied to us under any pretence. Also we should be supplied with means of transportation (car or truck) to take our people to hospital, and that means of transportation should be at the farm instructor's place for use in case of emergency.

(Signed)

Harry Janvier
 Teddy Scanie
 Eugene Piche
 Charles Blackman
 J. B. Ennow
 Simon Muskego
 Narcisse Marten
 Sam Watchapis
 Fred Martial
 Alphonse Willie
 Modest Janvier
 Joe Janvier, Sr.
 John Blackman
 Simon Marten
 Pierre Charland
 Lazare Thomas
 George Marshall
 Leo Janvier
 Leo Janvier
 Joe Martial
 Bellamy Noel
 Jean Marie Beaverfoot

Narcisse Janvier
 Matthias Janvier
 Elziare Nest
 Moise Janvier
 Pierre Janvier
 John Desparlais
 Wm. Janvier
 Ben Mechewais
 Steve Amable
 Augustus Janvier
 Victor Amable
 Amable Scanie
 Elaire Janvier
 John Janvier
 Pierre Mechawias
 Joe Janvier
 Pierre Herman
 Ralph Jacko
 Michel Janvier
 Felix Janvier
 Benoit Matchatis
 Eugene Desparlais

APPENDIX HF

Revised brief of the Sioux Indians of Canada prepared for presentation to the Joint Committee of the Senate and of the House of Commons, on Indian Affairs.

INTRODUCTION

I. Treaty Rights

The Canadian Sioux Indians are recognized as non-treaty Indians. The original bands came into this country, from the United States of America, about eighty-five years ago. They did not benefit from the treaties signed by the United States Indians with the United States Government, since that time.

The Sioux Indians came to Canada to be under the British flag, to which they were ever loyal; they had been promised assistance by the British authori-

ties whenever it was needed; they still keep preciously the medals which were given them for the services rendered to the Crown during the war of 1812. They have always received assistance and protection from the Canadian Government; they were given Reserves, where they have led an industrious, peaceful and honest life.

As our people, the Sioux Indians of Canada, came to live permanently in Western Canada, even before the Western Canadian Indians had signed treaties with the Crown;

As we are now all Canadians by birth;

As our people have always wanted to remain under the British flag;

As our young men have served in the Canadian Armed Services during World Wars I and II, and as some of them have been killed in action for the British cause;

As we have always contributed generously to the Canadian Red Cross Society, and to other War Services (Canadian), during the two wars;

We now, therefore, pray the Canadian Government to give us the same treaty status, with its advantages and the security it offers, for our Canadian Sioux people, as is given to all Canadian treaty Indians.

II. *Band Membership*

The acceptance of any person or child with Indian blood as a member of an Indian Band should be left entirely to the discretion of the Band concerned. When a Treaty woman marries into a non-Treaty band this woman should receive in a lump sum her full share of the Band funds (including Treaty money) from the Band of which she was formerly a member. (Of Indian Act Sec. 15, Ss. 2).

III. *Taxation*

Indians should be exempt from Income Tax when they are working outside the Reserve; they should also be exempt from certain heavy taxes as imposed on agricultural implements, building materials, etc., so as to help them improve their economic situation.

Indians should also be given free licences for fishing, trapping and hunting on or off the Reserves, as these occupations are essential means of livelihood. They should not have to pay royalties on their furs, nor on any other natural resources obtained either on or off the Reserves.

IV. *Enfranchisement*

We wish to keep our Reserves forever, as our domain. We oppose compulsory enfranchisement.

Enfranchisement should be confined to individuals and should be granted only upon application. Contrary subsections of Section 110 of the Indian Act should be repealed accordingly.

V. *Electoral Franchise*

We do not favour the right to vote in either Dominion or Provincial elections.

VI. *Encroachment of Whites on Reserves*

We oppose white persons conducting a business or otherwise encroaching on the Reserves without the consent of the Indian Bands concerned.

VII. *Operation of Indian Schools*1. *Day schools*

We believe no child can develop as it should without the care and affection of family life. Indian children need their mothers' love and care, also the friendly atmosphere of their fathers' counsel and companionship. The association of children living at home while attending school is also an invaluable asset towards adult education and the subsequent improvement in home conditions. Therefore, we recommend that properly equipped and staffed day-schools be established where they are desired.

We make an appeal, here, that Day-Schools be established on the following Reserves:

- 1—Standing-Buffalo No. 78, Fort Qu'Appelle, Sask.
- 2—Birdtail No. 57, Uno, Manitoba.
- 3—Wood Mountain No. 160, Wood Mountain, Sask.
- 4—Oak River No. 58, Roman Catholic, Griswold, Man.
- 5—Oak River No. 58, Protestant, Griswold, Man.
- 6—Oak Lake No. 59, Pipestone, Man.

Liberty should be given the Indian Bands to elect a school board wherever practical.

2. *Where there are no schools on the Reserves*

Where there is no school on the Reserve, Indian children should not be forced to attend boarding schools far away from home, if they desire a day-school education.

The Government should pay tuition fees to the nearest school available.

3. *Religious Instruction*

We are opposed to non-sectarian schools. Indian children should be provided with proper religious and moral instruction in parochial schools of their faith. We believe that religion has a real bearing on the development of character.

4. *Residential schools*

The residential schools should be left open for such of the Indian children who are orphans, or who otherwise need boarding school education.

5. *Per Capita Grant*

The "per capita" grant should be increased in order to provide adequately the Indian children attending school with food, clothing, medical care, and education.

6. *Teachers*

Teachers appointed in Indian Schools should be duly qualified; they should receive a salary equal or higher to the salary paid in the Province; they should also have the same Pension benefits as the teachers in the white schools receive; so that good teachers will be induced to teach in Indian Schools.

7. *Vacations*

The Indian children attending boarding schools should be permitted to spend their midsummer, Christmas and Easter holidays at home with their parents; and they should be given transportation to and from school. (Sec. 9, Ss. 3 of the Indian Act.)

8. *Grants for Higher Education*

Adequate grants should be readily available to all Indian pupils who may desire higher education, as an opportunity to enter the professions.

9. Vocational Training

Vocational Training facilities should be available in all Indian Schools or Reserves. This training will establish ground work for future entrance into some gainful occupation.

VIII—*Economic Welfare—Work for Indians*

For our economic advancement and for the training of our school graduates we should have opportunities of finding jobs on our Reserves.

We suggest a centre where poultrying, dairying, pig-raising, fur-farming, and other profitable agricultural operations could be conducted under competent management, and where the Indians could find paying jobs. A large part of the produce can be marketed at cost on the Reserve, and the surplus can be sold at a profit elsewhere.

Assistance should be given for the establishment of a co-operative store on the Reserves where it is desired. The same assistance should be provided for all co-operative and community projects. These projects would create jobs for the Indians on the Reserves.

Salaried positions either on the Reserves, or in the Indian Service—Agencies, Hospitals, Schools—should be made available to the Indians at the earliest opportunity.

Indians should be trained and given preference in such positions as game wardens, forest rangers, and in Public Works which may require their services.

IX—*Grants and loans for housing, agricultural and other purposes*

Housing

Our Sioux Bands are at a disadvantage without funds. Therefore, assistance in the form of grants or loans should be made readily available to them for agricultural and other profitable occupations. The same assistance should be given to those who need new homes.

Many Indians are living in poorly built houses to-day. The houses are too small, being usually one-room houses; as they are overcrowded this is not good for the general health of the Indians. Therefore, a housing program should be undertaken at once to provide proper accommodation for the Indians. Houses built for Indians should at least have three or four rooms, they should be properly constructed so as to give the occupants some privacy and decent home life.

The loans provided for Indians from the Consolidated Revenue Fund of Canada (Sec. 94B Ss. 1 of the Indian Act) are too difficult to get; these loans should be made easier to obtain.

X—*Trapping and fishing*

Trapping and fishing form an important part of the occupations of the Indians and steps should be taken so that this form of livelihood should be safeguarded. The encroachments of white hunters and trappers who render it impossible for Indians, in many areas, to make a reasonable living, must be prohibited and Indian trappers and fishermen should be given preference over the white people, since it is generally much easier for a white man to make his living at other occupations.

XI—*Roads, water supply, telephone service*

All weather roads should be constructed at once, and maintained on the reserves; these are needed for marketing our produce; they are also necessary for the Doctors, Nurses, Indian Agents and Missionaries.

Wells and dug-outs should be provided for immediately on all Reserves in order to have an adequate supply of water for human consumption and for the stock.

Public telephone stations should be installed on each Reserve, either at the school or operated as a Toll-Station. This would be convenient in emergencies, it would save time and unnecessary travelling.

XII—*Chiefs and councillors*

At present the Sioux Headmen are not recognized as Chiefs and Councillors, and they receive no remuneration for their services. The elective system should be introduced into all Bands. There should be an election of Chiefs and Councillors on all the Sioux Reserves.

Chiefs and Councillors should be adequately paid and have sufficient authority to direct their own affairs in a responsible manner.

XIII—*Band affairs*

Where the Indian Agent lives at a long distance from the Reserves, the Band Council should be authorized to issue permits for the sale of produce.

No Indian Reserve land should be leased or sold without the consent of the Bands concerned.

Indians should have the liberty of voting on all matters pertaining to their Band affairs; and their decisions should be respected.

XIV—*Social benefits*

As it is almost impossible to provide the aged and the destitute with all the necessities of life or their every day needs through the ration system, it is recommended that Old Age Pensions, Mothers' Allowances, Aid to the Blind, and other such benefits be granted to the Indians.

Social Benefit checks should be mailed directly to the Indian beneficiaries, wherever it is practical.

XV—*Indian band funds*

All Indian Bands should be empowered to recommend expenditures of their funds.

There also should be no expenditure made without their consent.

Accounting of all funds owned by Indians should be given to the Indians at regular intervals.

XVI—*Powers of superintendent-general and of indian agent*

An appeal should lie from all decisions made by the Superintendent General of Indian Affairs.

The Indian Agent should not have the power to act as a Magistrate. His role should be that of assisting and encouraging the Indians in their work. He should also act upon recommendations put forth by a majority vote of the Band under his jurisdiction.

XVII—*Health and nursing*

Good health habits and preventive measures should be taught to the Indians in schools and on the Reserves. In order to provide adequate nursing service to all Indians a nursing station should be established on all Reserves.

In emergencies the nearest Doctor should be made available.

Indians should be given the freedom of choosing the nearest hospital for their sick people. When they are sent to far-off hospitals they get fewer visits from their friends and relatives. It is believed this lessens their chances of recovery considerably. It is believed that contentment is a great aid to better health.

XVIII—*Area of Reserves to be Increased*

In establishing reserves the Canadian Sioux were given reserve lands on the basis of 80 acres per family of five with the understanding that more lands would be given to them as they actually might require; in the same areas the Treaty Indians were given land on the basis of 640 acres per family of five; the Treaty Indians were given eight times as much land as the Sioux. It should be taken into consideration that about one-third of the Sioux Reserves land is inferior land such as hillsides, marshes, sloughs and brush, and as such are not fit for agriculture which is the general practice of the Sioux Indians on these reserves.

Our reserves are now much too small to accommodate the ever increasing population. Therefore, we make here an urgent appeal that more reserve lands be granted to us at the earliest opportunity to alleviate this pressing need.

XIX—*Indian Veterans*

Recommendation for Re-establishment Grants to Indian Veterans should not be left entirely in the hands of the Indian Agent; qualifications necessary for Indian Veterans to obtain grants should be made easier.

We make here an urgent appeal so that special provisions be made for the settlement of our Sioux Veterans on tax-free additional land adjacent to our Reserves, which are now too small to accommodate them.

XXI—*Military Service*

We object to conscription of Indians for Military Service. As in the past Wars, Indians will do their part

- (a) by serving in the the Armed Forces on a voluntary basis,
- (b) by voluntary helping increased production on farms, etc.,
- (c) by voluntary donations to the Red Cross and other Services.

The Indians believe that once they laid down their arms in peace with the British Crown, they should never again take up arms for war purposes. Therefore, exemption from compulsory military service should be accorded by law to the Indians of Canada as it was accorded to them in 1917, under an Act of Parliament.

Conclusion

All changes in the Indian Act or in matters affecting the Status of Indians should be made only after consulting the elected Indian representatives authorized duly to represent the Indians nations of Canada. If the Government wishes our delegates to appear before the Joint Committee, we pray that all expenses incurred be paid by the Government.

We wish to express our sincere appreciation for the services rendered to the Sioux Indians by the Government of Canada, and by the religious bodies which have been devoted to their welfare and education.

We, the undersigned, adhere in full to the provisions outlined in the Brief prepared by the Sioux Indians of Saskatchewan and Manitoba, for presentation to the Joint Committee on Indian Affairs.

.....Sioux Reserve, No.....

Signed:.....

for the Birdtail Reserve, 10 names,
 for the Wood Mountain Reserve, 12 names,
 for the Standing Buffalo Reserve, 49 names,
 for the Oak River Reserve, 40 names,
 for the Oak Lake Reserve, 22 names,
 for the Village of Portage La Prairie, 29 names,
 for Round Plains Reserve, Chief Henry Two Bears.

Note: Individual signatures are shown on original brief.

APPENDIX HG

HIGH RIVER,

Alberta.

To the Honourable Ministers of the Cabinet
 and Members of the House of Commons,

Ottawa, Canada.

It is agreed by those most thoroughly informed on Indian Affairs that the Stoney Indians of the Morley Reservation west of Calgary, are in the most pitiable plight of any tribe in Canada. The Reserve consists of about 90,000 acres of land, practically the whole area being little but a rocky, hilly gravel bed, utterly unproductive. On this land approximately 780 Stoneys are supposed to subsist, yet white men, familiar with its resources, assert that it would be incapable of sustaining more than seven white men. The freedom of hunting in the adjacent mountain area to the west, which once was theirs, has been curtailed by the formation of Banff National Park.

About one-third of these Stoneys, unable to maintain themselves on the Reservation, wander through the foothills in an effort to support themselves and their families by doing odd jobs for ranchers. They are developing agricultural skills in this experience, and learning what can be done with productive land. But this is, at best, a precarious existence. Lodged in tepees or deserted shacks, they have little protection against winter weather. They are undernourished, underclothed, and poorly housed. Yet even this is preferable to living on the Reservation.

Educational opportunity is obtained at the residential school at Morley, but it is quite inadequate to accommodate the children and there are at present about 150 children of the tribe receiving no education, growing up in illiteracy.

The difficulty with which practical gardening or farming is taught or practised on the Reserve at Morley may be appreciated by the experience of the past 20 years or more, in which only one crop of potatoes has paid for the planting.

Or, to quote some of the tribesmen themselves:

George Ebenezer says: "In Morley I got piece of land close home. Plant garden. Too many stones, too hot by day. At night always frost. Can't make vegetables. Just top soil belong to Indians. Coal and oil underneath belong government. But I like garden. Can't eat stones. My boys in young life can't eat stones."

Or Johnny Lefthand's troubles with stock: "One day I try make living at Morley like white man. Make cabin and barn. Ask government for two cows. Government give me two cows, two calves. Got up to 32 head, haven't enough hay. In March one winter lost almost all cattle, haven't hay. Start again, get

up to 30. Lost again because can't put up enough hay. Can't raise more than 25. Why don't government treat us to good land to grow lots hay. Then we go forward to raise up children good with milk and vegetables."

Job Stevens, one of the elders: "We want different life for children, plenty to eat so they grow like white men."

Or Amos Wesley, another elder: "At Morley they got school, Indian agency, police barracks, all get living from government. But Indian not so good. Just two (not four) families make good living, but some got cattle so they stay. But these witnesses meeting in the foothills have run away from Morley hardship, and the government doesn't know. I think question never get to Ottawa, and Ottawa don't know about us. We ask government in quiet way to get help to raise families better in new life. Now we suffer in our heart."

Out of this pitiful condition on the Reservation, has come a petition from the Stoney who have been obliged to leave the Reservation. They met in council in the hills, representing about 250 people. This is their petition:

PETITION

Whereas the representatives of all the Bands comprising the Stoney Indians of the Morley Reservation have had for several years under discussion the necessity of petitioning the Federal Government of Canada for more arable and productive land;

And whereas for centuries past the natural habitation of the Stoney Indians has been that foothill land situate South of the present Morley Reserve and more particularly lying between Sheep Creek and the Old Man river;

And whereas it has been for a considerable number of years past, the settled conviction of the Councillors and rank and file of the Stoney Indians of the Morley Reservation that the present reservation at Morley is totally inadequate for other than a small portion of the said tribe to maintain themselves and their families, the reason being the universal hilly, gravelly and unproductive nature of the soil;

And whereas under the changed living conditions of recent years, owing to the encroachment of civilization and settlement of the Foothill Country, the early pursuits of trapping, fishing and hunting have been greatly depleted;

And whereas for a considerable number of years past a large portion of the Stoney tribe have been under the necessity of seeking employment with farmers and ranchers in the foothill district outside the reservation in order to eke out a precarious existence for themselves and their families, which is at best meagre and uncertain;

And whereas by their work and association with the farmers and ranchers of the Foothills District aforesaid, a great portion of the said Stoney tribe are themselves capable of ranching and farming;

And whereas the Federal Government of Canada by Treaty Number 7 made with the said Stoney Tribe of Indians at Blackfoot Crossing, promised more land if required by the Stoney Tribe; and subsequently by implication at least has indicated its willingness to render assistance of this nature to the Stoney Tribe;

And whereas on this 14th day of October, A.D. 1943, all the bands that make up the Stoney Tribe, by their Councillors and representatives in meeting assembled, unanimously resolve to bring to the attention of the Federal Government their present needy plight and existing living conditions;

Now therefore your petitioners, the undersigned Councillors and Representatives of the aforesaid tribe of Stoney Indians, Do humbly pray and will ever pray that the Federal Government of Canada will accede to their request and immediately acquire such further grant of arable and productive land as

may be necessary for their security and well being, and that such land be located in the Foothill country between Sheep Creek and the Old Man river aforesaid in the Province of Alberta; and in the acquisition of such land it is unanimously agreed that it be so acquired only through friendly negotiations.

(Some fifty Indian signatures are appended to this petition.)

Whereas the above petition was submitted to the Dominion Government at Ottawa in the month of November, A.D. 1943, accompanied by the signatures of some fifty Councillors, Sub-Chiefs and members of the Stoney Indian Tribe of Morley, Alberta;

And whereas there has been no definite action yet taken by the government in the matter;

And whereas in meeting assembled on the 15th day of June, A.D. 1945, representing a large proportion of members of the Stoney Indian tribe and with Chief Two Young Man representing the Stoney tribe of Morley as a whole, it was unanimously decided that the Stoney Indian Tribe aforesaid do request that the Dominion Government do immediately appoint a Commission to investigate the subject matter of the said Petition and that such Commission include Indian representatives as set out in the following resolution.

Now therefore, be it resolved that a competent Commission including Indian representatives be appointed to investigate the subject matter of the foregoing petition and it is hereby recommended that the personnel of such commission include Mr. George H. Ross, K.C., of Calgary, a former member of the House of Commons, and John Laurie of Calgary, Secretary of the Indian Association, as representatives on behalf of the Stoney Indian Tribe.

APPENDIX III

Special Joint Committee of the Senate and the House of Commons appointed to consider Revision of the Indian Act.

SUBMISSION OF THE INDIANS OF THE WABASCA BAND, CREE TRIBE

Wabasca, Alberta.

The Indians of Wabasca Band thank those members of Parliament who have taken an interest in the matters brought to the attention of the House and express to the Director and staff of the Indian Affairs Branch thanks for their co-operation during the past years.

We note with great satisfaction that the Government is taking an active and costly task for the Rehabilitation of Indians in Canada. But there is no doubt that the Indians are in need of help and we wish to submit to the Special Joint Committee the following recommendations for their consideration.

Treaty Rights and Obligations

All rights and obligations and privileges expressed or implied, contained in the original treaties six, seven and eight which affect the Treaty Indians of the Province of Alberta must be reaffirmed and recognized in accordance with the original intention of these treaties.

Band Membership

1. Right should be given to any Band to give its assent to accept as membership any person of Indian blood.

2. No treaty Indian should be expelled from treaty.

3. Illegitimate children mentioned in Section 12 of the Indian Act should be given full treaty privileges with the approval of the Band concerned.

4. Subject to the approval of the Band all children of a treaty Indian as mentioned in Section two (2) subsection 1 (ii) of the Indian Act should be recognized as treaty Indian and given treaty rights.

5. Subject to the approval of the Bands all descendants of a treaty Indian ancestor (male) should retain full treaty rights regardless of the ancestry of the female ancestor.

6. All persons expelled in 1941 from Hobbema and Driftpile Agencies should be restored to full treaty rights immediately as they were legally accepted by the Bands and the Indian Affairs Branch.

Liability of Indian to Pay Taxes

Indians, up to the present time, have been exempt from real taxes for any property owned by them on Indian Reserves, but we believe that this exemption should include all taxes ordinarily paid by Canadian citizens. Exception also of excise taxes and sales taxes regularly paid by treaty Indians purchasing at stores.

Enfranchisement of Indians Both Voluntary and Involuntary

Voluntary enfranchisement should not be encouraged in anyway as it appeared in most cases that the Indians having been enfranchised wanted to be reinstated in Treaty Band.

Involuntary enfranchisement must not be allowed and should be abolished.

Eligibility of Indians to Vote at Elections

In this matter for our part we do not care for the right to vote at any election and will do so only if that right is granted to us without any of our present privileges being taken away from us.

The Encroachment of White Persons on Indian Reserves

We believe that Indian Reserves are strictly the property of Indian Bands and no White person should be tolerated on any of them. The Department of Indian Affairs should also expel immediately all white persons who have homes on Indian Reserves.

Operation of Indian Day and Residential School

The present system of education approved by the Dominion Government and set up by the Indian Affairs Branch is satisfactory to us. We have here a Catholic school operated since 1901 and we are very well satisfied of the education, care and training given to our children.

We would suggest that all teachers should have normal training school and their salaries be paid by the Indian Affairs Branch.

As far as the Residential Schools are concerned, the per capita grant should be increased on a cost established by officials of a commission of the Indian Affairs Branch.

Hospitalization of the Indians

The Indian Affairs Branch has expressed its intention of extending the medical service to Indians. This excellent program is very much appreciated.

But we are strongly opposed to sending our sick people to distant hospitals.

We have here an hospital which could give complete satisfaction if substantial aid from the government and pecuniary assistance could be given, as we are able and given the pleasure to visit the sick people frequently.

It could be arranged that a doctor from McMurray or Edmonton could make frequent visits to the hospital.

Liberty to choose the hospital where they wish to be treated should be given to the Indians.

Housing

The problem of housing on our Indian Reserves is one which the Department has done very little to solve. It is the wish of our Indians that they will be helped by the Department to build houses, which will provide good homes.

Also for boys and girls who are establishing a new home.

Farming and Trapping

The Department of Indian Affairs has promised us a farmer instructor. A farmer instructor here would resolve the problem for the Indians to make profitable farming and gardening.

All farm machineries could be kept in a better condition. There should be also enough ordinary tools for wood work and specially for blacksmith work.

Trapping here is the most important factor for self-support. Since six or seven years it is very poor. We would suggest that a fur plan be started in our vicinity for all Indians of the district in order to increase fur crop.

Old Age Pension

Every treaty Indian should get the Old Age Pension at \$30 per month exactly as white people.

All of which is respectfully submitted.

Signed: BIGSTONE BAND,
Wabasca, Alberta.

With a list of 78 names of men.

APPENDIX HI

Peepeekisis Reserve,
Lorlie, Saskatchewan,
May 31, 1947.

Special Joint Committee
of the Senate and House of Commons
on the Indian Act,
Ottawa.

Dear Honourable Members:

We beg your kind attention to the 1947 minutes of proceedings and evidence, Book 19, of May 8, at pages 1004 and 1005, Peepeekisis Band.

We believe this to be an individual grievance, as all that is stated was not discussed by our band and we wish to clear up the general understanding of this information.

1. We appreciate the formation of our File Hills Colony.
2. 80 acre lots, as surveyed, was consented to by most of the band.
3. If a majority vote is legal, the business of 1911 or 1912, as referred to, is legal as far as this band is concerned.
4. The election of councillors on March 4, 1946, was approved by a majority vote by the band, with our Agent, Mr. Simpson, as chairman and taking evidence.
5. The mentioned gentlemen, Mr. E. Goforth, as one of our principal spokesmen, was not by appointment but he has an equal voice and vote as any other member of this band.
6. We support the informant and would greatly welcome an investigation on this matter as well as others that would be appreciated by this band.

Apart from the above statement, our band wishes that the permit system be left for us to decide for our reserve.

Thanking you in advance, we are,

Yours truly,

Councillors:

H. McLeod
Pat. Lacre
Willie Ward

Local Committee of Union of Saskatchewan Indians:

Mervin Dieter
G. C. Brass

APPENDIX HJ

Duck Lake, Sask.

March 26, 1947.

We, the representatives of the One Arrow, Beardy's John Smith and James Smith Bands of Indians in the Duck Lake, Saskatchewan Indian Agency extend greetings to the members of the Joint Committee of the House of Commons and the Senate and wish to express our appreciation and thanks for the invitation extended to us to present our views and wishes of our people in regards to proposed changes in the administration of our affairs and to the Indian Act.

We wish to assure your Committee that we are not affiliated with any other group or organization of Indians and we do not believe that any large organization purporting to represent all the Indians of Saskatchewan can properly convey to your Committee our views in regard to matters effecting our future welfare. We are not in agreement with the views outlined in the brief set out by the Union of Saskatchewan Indians and we respectfully submit the following:

Loyalty

We wish to re-affirm our loyalty to the British Crown and to re-assert our duty to obey and abide by the laws of our Dominion.

Treaty Rights and Obligations

We respectfully request that our treaty rights be carefully guarded and we view with a certain degree of alarm any encroachments or abrogations of our treaty rights. We therefore request that the enactment of any legislation by Dominion or Provincial Governments as effecting our welfare be submitted to our bands in Council for approval in order to assure our people that such legislation does not encroach upon our treaty rights.

*Indian Act**Section 9, Subsection 6*

We request that this particular subsection be abolished.

Section 10, Subsection 2

We request that the Act be amended to read as follows: "Indian parents designate denominational schools at which they wish their children to attend."

Section 11

Should be amended to read: "Majority vote of Band in Council necessary to designate location on Indian reserves for school sites."

Section 14

We request that this Section be amended and revised along the following lines;

Any Indian woman who marries an Indian other than an Indian of the band to which she belongs shall not be entitled to share in the Capital, Interest moneys, rents or assets of the band.

Any Indian woman who marries any person other than an Indian or a non-treaty Indian shall not be entitled to share in the Capital, Interest moneys, rents or assets of the band to which she formerly belonged and she shall cease to be a treaty Indian and shall be paid the sum of Fifty Dollars, basis ten years

commutation of her annuities. Such payment to be made to her on date of her marriage and thereafter she shall cease to be recognized as a treaty Indian in any manner whatsoever.

Section 15

We recommend that subsection 2 be deleted.

Band Membership

We request that admission into membership in our bands be left entirely to our discretion and that approval be authorized only by 100 per cent majority vote of our bands in Council.

Section 16, Subsection 3

We request that any half breed who has been admitted into membership in our band and who desires to withdraw from membership be permitted to do so with the proviso that he shall not be entitled to any share of the funds or assets of our band.

Section 18

We request that this section be amended to permit the band in Council to decide who is or who is not a member of our band entitled to share in the property or annuities of our band.

Section 20

We request that this section be amended and approval of the band in Council be secured before any subdivision of our reserves be made.

Section 21

We request that the following words be deleted "Or from the funds of the band as determined by the Superintendent General (Minister)" and the following substituted, "Approved only on a majority vote of the band in Council."

Sale or Barter

Sections 40 to 45 of the Indian Act

We request that no changes be made in these sections of the Indian Act. We believe this part of the Indian Act affords our people necessary protection for our future welfare.

Section 46

We request that this section of the Indian Act be deleted.

Section 48

We request that this section be amended to read as follows: "No lands on Indian Reservations shall be taken for Public purposes without approval of the Majority vote of the Band in Council."

Section 51

We request that all surrender agreements shall contain therein a clause outlining the amounts to be collected from lands surrendered for lease or for sale and we request that in the future the band in council authorize approval of all matters affecting the income of our band from the proceeds derived from such leases, rents or sale.

Section 52

We request that any action or proceedings instituted under this section be approved only by a majority vote of the band in council.

Timber Lands

We request that all dues or fees in connection with the sale of cordwood be abolished.

Section 90

We request that all matters effecting moneys or funds especially expenditures from Band funds shall be referred to our band in Council for approval before authorization is given.

Section 91.

We request that any reductions or changes in regards to monies due to our Band from sale or rents of Indian Lands should be referred to our band in Council for approval before any action is taken.

Section 92.

We request that any distribution of the funds of our Band be authorized only on approval of our band in Council.

Section 93.

We request that subsection 2 be deleted.

Section 94A.

We request that the operation of farms on our reservations be approved only by a majority vote of our band in council. We wish to go on record as favouring the operation of farms for instructional purposes and in order to prevent misunderstandings and possible conflict among our members in regard to location of such farms we believe that this matter should be given careful consideration by our members before any action is taken.

*Section 94B.**Grants and Loans*

We do not wish to convey the impression that we request any free grants from the Public Treasury. We are in agreement in regards to loans to assist us from time to time, especially where such loans would assist us to increase our income.

Section 95.

We request that the Indian Agent consult with the band in council and be empowered to administer any or all the assets of any member of our band who has deserted his wife and family or is not providing for their maintenance in a reasonable and satisfactory manner. We request, that our Indian Agent be given authority to deal with our members who are not conducting their affairs in a manner conducive to proper living standards for their dependents in any manner he sees fit to produce the desired results and that the Indian Act be amended in such a manner to provide severe penalties to be meted out to Indians who are found guilty and convicted under this section of the Indian Act.

We deplore the actions of our members in regard to their moral conduct and request that the Indian Act be revised and contain therein regulations with proper penalties for all cases arising under Child Welfare, Juvenile delinquency, deserted wives and their maintenance also measures to control illegitimacy and onus of responsibility on the putative father either Indian or non Indian.

We request that these matters be given every consideration and our field officers, Indian Agents and Inspectors should have proper power and authority to deal with these matters under the Indian Act.

Section 99A.

We submit and request that the powers embodied under this section of the Indian Act be revised and our Chief and Councillors be empowered to conduct the affairs of our band. While we recognize the value of the advice and guidance of our Indian Agent we believe that we are now capable of assuming a larger share of the responsibilities of the affairs of our bands and request that this section of the Indian Act be revised along the lines requested.

Section 110.

We request that this section be revised and that the band in Council have the authority to pass judgment in regard to the fitness of Indians wishing to become enfranchised. We are in favour of our members becoming enfranchised and assuming their place amongst their white brothers. However we believe that we now have attained the knowledge and capabilities to be able to judge and recommend the fitness of Indian applicants who may from time to time in the future decide to leave their reservation and relinquish their Indian Status. We also request that the matter of his or her entitlement to a share in the funds or assets of our bands be left to the band in Council to decide.

Section 139.

We request that this section of the Indian Act be deleted. We believe that our loyalty to the Crown and the citizens of Canada is now a proven fact and this section conveys a wrong impression to our young people and to our white brothers.

Section 140.

We request that this section be deleted as our recommendations for a revision of Section 95 covers all possible infractions arising under this Act.

Section 152.

We wish to go on record as favouring any revisions of the Indian Act concerning our future welfare. We do not believe that the powers of our Indian Agent to sit at hearings in connection with infractions of the Indian Act should be reduced or changed. We believe our members will receive a fair and just hearing at all times when appearing before Indian Agents.

Elections

We request that the Indian Act be revised and contain regulations permitting our people to conduct elections and appointments of our leaders, Chiefs and Councillors under our own auspices. We do not adhere to the belief that our representatives should be elected for an indefinite term and request that our Chiefs and Councillors be elected for a period of three years only under a selective system and along lines similar to local Municipal Councils in the areas adjacent to our reservations. We believe that our people are now capable of selecting and electing our most progressive Indians especially younger members who have attained satisfactory education standards.

We recommend that the Indian Act be revised and contain regulations for voting by secret ballot.

We also recommend and request that all matters presented to our bands in council for a decision shall be voted on by ballot only.

Health

We recommend that all medical attendants be employed on a full time basis and visit our reservations at regular intervals and in addition nursing stations or out-post hospitals should be provided especially on Indian reserves where the population exceeds 400. We believe that the services of trained welfare workers are necessary in order to assist and instruct our Indian women

along proper lines in regards to preparation of nourishing foods, cleanliness, care of infants and all matters affecting our physical welfare in our homes on our reservations.

Education

We request that residential schools be continued and operated in the future by our various denominational missionaries. We believe that Indian Residential schools have rendered a great service to our Indians and we recommend that Residential Schools be equipped to provide higher education, vocational training and agricultural courses, especially training in the care and operation of power farming machinery.

We wish to go on record as being opposed to any recommendations put forward to divorce religion from our Indian schools. We are Christian Indians and believe that spiritual training and influence is necessary to our future welfare.

Day schools should be operated on Indian reserves where requested by a majority vote of the Band in Council.

Day school teachers should be capable and receive remuneration of sufficient proportions to induce a higher standard of education being imparted to our children. All teachers employed on our reserves should be fully qualified and capable. Arrangements for contributing to a superannuation fund should be made available to our teachers and we believe if these matters are given consideration and implemented the present difficulty in securing the services of competent teachers will be eliminated and our children will receive highly satisfactory educational training in our day schools.

Housing.

We request that financial assistance be made available to us for the purpose of erecting new homes and improvements to homes in need of repairing.

Agriculture.

We are aware of the necessity of making our living from our lands and recommend that loans be made available to us for bringing new lands under cultivation, seed grain advances, purchase of livestock, farm machinery and necessary equipment. We believe that short courses of instruction in regard to good farming methods are necessary especially during the winter months and recommend that every consideration be given to assist our members along these lines with a view toward increasing our income from the sale of farm produce, livestock, feed and fodder crops.

Finance.

We welcome any suggestions or advice in regards to the handling of our finances and will continue to co-operate with Indian Affairs Branch Officials in this important matter. We recommend that all funds shown credited to our bands be made available for improvements to our standard of living with the proviso that no expenditures be made therefrom without approval of our band in council.

Employment.

We recommend that our younger men and women be given the opportunity to enter into employment in Indian Affairs Branch, especially our ex-service men and women who possess the necessary qualifications.

Hunting and Trapping.

We request that our bands be extended the same privileges in regards to hunting and trapping on all lands as was guaranteed to our representatives when our treaties were concluded at Fort Carlton on the 23rd day of August in the year 1876 and according to the promises made by Lieut. Governor Morris.

i.e. You want to be at liberty to hunt and trap as before. I told you we did not want to take that means of living from you. You have it the same as before, only this, if a man, whether Indian or halfbreed had a good field of grain you would not destroy it with your hunt.

We are unable to find hunting and trapping grounds today outside our Reservations and are informed by Provincial Government authorities that we must hunt and trap according to the laws of the Province of Saskatchewan. We wish to go on record as being opposed to any trapping or hunting regulations that do not comply with the promises made to our Chiefs and Headmen when treaty negotiations were set out and explained to our people at Fort Carlton on the date mentioned.

We are in agreement in regards to any regulations governing hunting and trapping that will tend to preserve all wild life. We do however view present methods and regulations as being a discrimination against our people and today we find that we cannot hunt or trap on any lands outside the boundaries of our reservations.

Vote of Indians.

We request that our bands be given time to consider this matter carefully. We are not in agreement in regard to accepting the franchise or accepting the responsibilities of voting at Dominion or Provincial elections. We submit that this important matter should be left to our people to decide. We do not feel that our people are ready to accept the responsibilities in connection with this important matter and we recommend that the right to exercise the franchise by our band be approved only by a majority vote of our band in Council.

Liquor and Intoxication.

We view with alarm attempts made by whites to induce our people or condone Indians who are addicted to the consumption of intoxicants. Our treaties contained a promise that no intoxicants would be permitted on our reservations and we wish to adhere to the regulations and we request that the officials in charge of the administration of Indian Affairs assist us in preventing intoxicants being given or sold to our members.

We are confronted with a problem in regards to the use of intoxicants by our ex-service men and we do not feel that these Indians should be harshly dealt with. Our young men and women assisted in defending our Dominion in two world wars and we are sorry to see have acquired a liking for intoxicants while serving in the armed forces and we feel that they should not be too harshly dealt with when found inbibing off our reservations.

We are however definitely opposed to the consumption or use of intoxicants on our reservations by Indians.

We request that Sections 126 to 137 of the Indian Act including all sub-sections thereto be retained in its present form. We believe these sections of the Indian Act are necessary for our protection and the future welfare of our people.

Destitute Indians.

We recommend that consideration be given to the payment of old age pensions to our aged, crippled and destitute Indians. We will co-operate fully with the Dominion Government in arriving at a solution to this necessary income for our people who are unable to provide for themselves. We believe our present rationing system should be revised and our Indian Agents be authorized to administer any pension plan put into effect for our destitute Indians.

Indian Veterans.

We are in agreement with the method and assistance provided by Indian Affairs Branch for re-establishment of our Indian ex-service men and women and we believe they are receiving satisfactory attention. We request that our young men and women be given every consideration possible in connection with employment off their reservations provided they possess the necessary qualifications.

Conclusion.

In drawing up this brief for presentation to your committee we have endeavoured to draw your attention to the important matters set out herein and we believe your decisions will result in a highly satisfactory revision of the Indian Act.

We submit this brief to your committee with a belief that the matters outlined therein will receive your consideration and implementation and we believe the recommendations contained herein will assist our people.

May we assure your committee of our co-operation in regard to recommendations or suggestions made for our welfare. We have at all times in the past endeavoured to co-operate with the officials in charge of administering our affairs and we assure your committee that we will continue to do so in the future.

Signed,

DONALD GAMBLE,
Chief of Beardy's Band,

ROBERT BEAR,
Chief of John Smith Band,

S. ALMIGHTYVOICE,
Chief of One Arrow Band,

ABEL McLEOD,
Chief of James Smith Band,

J. B. CAMERON,
Councillor, Beardy's Band,

JOSEPH GAMBLE,
Councillor, Beardy's Band,

GILBERT BEAR, H.M.,
Councillor, John Smith Band,

LEONARD BEAR,
Councillor, John Smith Band,

MARSHALL BRITTAIN,
Councillor, James Smith Band,

JOHN ROBERT McLEOD,
Councillor, James Smith Band.

Note: Signed by Chief and Councillors of James Smith Band with the understanding that this brief is in addition to a brief submitted by the members of James Smith Band to the parliamentary Committee.

APPENDIX HK

The Chairman,
The Joint Committee on Indian Affairs,
House of Commons, Ottawa.

I, the undersigned, Councillor Hebron Moar, of Crane River Indian Reserve, do hereby declare that I do not endorse the grievance No. 8, concerning the Sandy Bay Residential School, as appears in Appendix BJ, page 64, volume 2, 1947 Minutes of Proceedings and Evidence of the Joint Committee on Indian Affairs.

(Signed) HEBRON MOAR.

APPENDIX HL

PEGUIS INDIAN RESERVE,
Fisher River Indian Agency,
Hodgson, Manitoba,
21st June, 1947.

To:—

The SPECIAL JOINT COMMITTEE OF
THE SENATE AND THE HOUSE OF COMMONS,
Appointed to Examine and Consider The Indian Act.
Ottawa, Ontario.

HONOURABLE SIRs:—On behalf of the Peguis Band of Indians, of which I have the honour to be Chief, I beg to submit the following for your earnest consideration:—

In the year 1907, September 23 and 24, a surrender of the St. Peter's Reserve was secured by The Hon. Frank Pedley who was at that time Deputy Superintendent General of Indian Affairs for Canada.

This surrender was secured by fraud and bribery, the particulars of which are as follows:—The said Frank Pedley, for the purpose of bringing about the said surrender, and for the purpose of inducing the members of St. Peter's Band and the Chief and Council to vote in favour of the said surrender, promised the said Indians that in the event of the surrender being made or agreed to, he would immediately distribute among the said Indians the sum of five thousand dollars (\$5,000) cash, which sum of money he then stated, he had with him, but that if the said surrender was not agreed to, he would not distribute any of the said sum of \$5,000 but would take all of the said sum back with him to Ottawa.

During the first day this offer was repeated several times without any success. William Asham, the writer's father, and a former Chief of St. Peter's Band, now Peguis Band, making a very determined fight against the surrender.

On the second day the debate continued till late in the afternoon, when the following offer was made by Frank Pedley after some figuring:—That the sum of ninety dollars (\$90) would be paid to each member of the band the following year, along with our Treaty Money, a total of ninety-five dollars (\$95) in

cash, and would also distribute the \$5,000 right away, if the reserve was surrendered. This offer had the desired result, some members of the Band expressing their opinion that we take the offer. Mr. Pedley, assisted by Mr. John Semmens, who was interpreter, promptly suggesting that a vote be taken right away, and that the vote should be taken outside, as the house was too small.

As the members of the Band were about to divide upon the question of the surrender, Mr. John Semmens, called out in a loud voice in the Cree language: "All those that want \$90 go over there, (pointing to the Chief and Council who were in favour of the surrender), and those who don't want the \$90 go over there" (pointing to William Asham who was against the surrender). The word "surrender" was not mentioned. We therefore voted on the question whether we would accept the money or not. Those wanting the money had a very slight majority.

I find it impossible to give all the particulars due to a sore hand, but other promises are in the terms of the surrender.

Shortly afterwards, the legality of the surrender having been questioned, a Provincial Commission sat, took evidence, and made a finding that the said Surrender, in consequence of said bribery and corruption, should be declared null and void, and an Information was laid by the Attorney-General of Canada on behalf of His Majesty The King, in the Exchequer Court of Canada on the 16th day of October, 1914, claiming that on the grounds set forth in Par. 4, a declaration that the said surrender was invalid, illegal, void, and of no effect, and not binding either on the St. Peter's Band (now Peguis Band) of Indians nor on the Government of the Dominion of Canada; for a Declaration that all patents issued for lands in said reserve should be declared null and void, and delivered up to be cancelled; and that said sales are void and of no effect.

The said action in the Exchequer Court has never been discontinued and is still pending in the Exchequer Court.

On or about the 18th May, 1916, The St. Peter's Reserve Act was passed by the Dominion Government of Canada being Chapter 24 of 1916, purporting to confirm and make good, patents issued, of lands in the said reserve.

About the 7th April, 1936, I was informed by the Department of Indian Affairs, that the said Department hold that I have no longer any claim to have sales of land in the said reserve set aside and cancelled, by reason of the said statute, and the said Department refuse to proceed with the said action.

The facts involving what has been referred to as "The largest and most scandalous real estate steal in the history of Western Canada," were first brought into the light of day when Mr. G. H. Bradbury, M.P., for Selkirk, addressed the House of Commons on 13th April, 1910 (see *Hansard* of that date). Mr. Bradbury stated: "I desire to call the attention of the House to a matter of very serious importance—a matter that affected the honour of this country—regarding a transaction that ranked in his mind high amongst the meanest ever committed by the Government then in power." "It was," he said, "an outrage against everything that was decent as between the Liberal Government of the day, and its ward, the poor unfortunate Indian, who this country believes, is watched over, guided, and protected by the Government. The manner in which that Government had discharged its sacred duty towards its wards was well exemplified by the way in which it manipulated and secured the surrender of the St. Peter's Indian Reserve."

For value of said land, see '*Hansard*', page 23. It is to be kept in mind that the right to appeal to a Court of Justice, conferred by Magna Carta, is to be preserved as a sacred right by the people of the British Empire. It embraces all, rich or poor, black or white; all alike are placed under the shield of the law.

We have waited since 1907 for the \$90.00 promised. We never got it, and the \$5,000.00 distributed on the day of the surrender had to be paid back, as the terms of the surrender show.

At a band meeting, in April 1936, called for the purpose, the band unanimously passed a resolution requesting the Indian Department to make payment to our Solicitor, R. Mulcaster, K.C., of Prince Albert, Sask., of \$1,000 out of our own band funds, as a retainer. The Department refused to make payment and refused to proceed further with the old action started by the Government in 1915.

A Petition of Right was filed in June, 1936, and it is this Petition which the Minister of Justice, (The late Hon. Ernest Lapointe), refused permission to have brought to trial. The Deputy Minister of Justice writes on the 13th December, 1936, as follows:—

With reference to your letter of July 7th enclosing the Petition of Right of N. Asham et al, I have the honour, by direction, to inform you that The Minister of Justice has reported that this Petition of Right is not one upon which His Excellency the Governor General should be advised to grant his fiat that Right be done.

With bitter disappointment I thought of our Treaty medal, on which is engraved the Sun and a River typifying in language that every Indian can appreciate, that the Sun will cease to shine and the River will cease to flow, before this Treaty will be broken. What a pretty symbol if it was true.

As for the Indian Act as it stands to-day, so binding on the Indian in some clauses or sections; I do not approve of it at all; more so, as the Dominion Government do not, or are not a bit particular, to go by it when it concerns them, as the surrender of St. Peter's Reserve shows.

It is time that Indians should be recognized as Canadian Citizens, given the right to vote in Dominion and Provincial elections; the right to share in Old Age Pensions, and all other privileges enjoyed by the white man.

And now, Hon. Gentlemen of the Special Joint Committee of the Senate and the House of Commons, if it lies within your power, will you help by pressing the Dominion Government to make an honourable settlement regarding the St. Peter's Reserve, and the Peguis Band of Indians?

I would like now to say something about one or two other matters.

Education.—On our Peguis Reserve, we have three Day Schools, but these are not enough for our requirements, and in the south west part of the reserve, there are quite a number of children who have never been to school, because the nearest school is four or five miles away, and some of these children are unable to read and write. One of the three schools we now have, has been closed for over a year, and the pupils that used to attend this school have been without schooling for this period. The reason for this is, that the Indian Agency Clerk and his family are occupying the teacher's residence, as the Government has not yet provided him with a residence at the Agency. We need more schools on our reserve, so that ALL our children may be given an education, and so that the schools shall not be overcrowded, which is unhealthy.

Agriculture.—As our reserve is about 20 miles from the nearest elevator, the grain we grow is chiefly for feed. Many of our Indians have small herds of cattle, but more would have them if it were not for the fact that an Indian has to go to the Agent to get a "Permit" before he can sell one of his own cattle. Many of the Indians used to have cattle, but because of the Permit System they got rid of them, and have none now. They did this rather than have to ask some one else's permission before they could sell what was their own property. They do not like this restriction.

Enfranchisement.—Several of our Indians have become enfranchised, some with their whole families, and we believe that an Indian should have this right without reference to the Chief and Council or the Band, provided he is able to meet the necessary requirements.

Respectfully submitted,

N. ASHAM,
Chief, Peguis Band.

APPENDIX HM

Muncey Council Hall,
March 19, 1947.

Mr. NORMAN E. LICKERS,
Barrister,
Liaison Officer,
Joint Committee on the Indian Act,
House of Commons, OTTAWA.

The proposed amendments to the Indian Act were under discussion by this Band in Council.

Your items one to eight were given examination and consideration.

1. *Treaty Rights and Obligations.*

In the different treaties that were signed by the then representatives of His Majesty the King with the Indians of Canada, such as:

Treaty of Paris, 1763;
The Royal Proclamation, October 7, 1763;
Treaty of Utrecht, Article 15, March 13, 1718;
Capitulation of Montreal, Article 40, 1760;
Gunshot Treaty (No. 196) with George III, 1792;
Treaty of Ghent, 1818;

all solemnly promised to hold good "so long as the grass grows and the waters flow".

The Federal authorities have violated all these treaties without consulting the Indians. Our deep desire is that these rights and obligations be reaffirmed in accordance with the original intentions of these Treaties.

2. *Band Membership.*

This matter being a public concern, the Band should be consulted on the admission of any child or person of Indian blood.

3. *Liability of Indians to Pay Taxes.*

The fact that the Indian has always been considered a "ward" of the Government, consequently as minors, therefore by virtue of treaty rights, Indian people should be exempt from taxes on real property on any property owned by them on Indian reserves. We believe that this exemption should also include Income Taxes.

4. *Enfranchisement, Voluntary or Involuntary, of Indians.*

The enfranchisement of Indians should be left entirely to the personal desire of each Indian; and no compulsion of any kind should be exercised by the Federal authorities in any respect.

5. *Rights of Indians to Vote in Dominion Elections.*

We do not care for the right to vote. However, if the Government wishes to give us the privilege, it should not become a reason to encroach on our treaty rights.

6. *Encroachment of White Persons on Indian Reserves.*

We have had no experience of this on this Reserve, but if a case should arise, the offender or offenders should be displaced, unless there is a just reason for them to be permitted on this Reserve.

7. *Operation of Day and Residential Indian Schools.*

In our opinion Indian Residential Schools should spend some time in the teaching of Crafts and Trades. We know of several boys who have gone away from their Reserves and have taken up bricklaying, carpentry, plumbing, painting, machine shop work, and many other trades. We do not know of any boys from this Reserve who have gone to take up the business of farming. A tradesman can start earning a living with practically no investment of capital, while a farmer has to make a large outlay for farm equipment. The girls should be taught the art of cooking, housekeeping, needlework, and other kinds of domestic work. Our needs in education are technical and practical.

8. *Any other matter pertaining to the social and economic status of the Indian and his advancement, which in the opinion of your Committee should be incorporated in the revising of the Indian Act.*

A. *Old Age Pensions, etc.*

We believe that the Federal Government should grant Old Age Pensions to our Indian people. We also believe that there should be granted Widow's pensions, as many of them have large families to keep.

B. *Fishing and Hunting Rights.*

We submit that by virtue of their Treaty Rights Indians are not liable to any provincial laws, within their territories, respecting fishing and hunting. Therefore, they are not liable to take out licences for such, within their own territories or within any lands covered by their treaties.

C. *Military Services.*

We object to the conscription of Indians for military service, under our treaty rights. In past wars Indians have done their part by serving in the armed forces on a voluntary basis. Many have won distinguished honours and awards. They should enjoy equal privileges with any other Canadian servicemen.

D. *Indian Act, Section 126.*

It is our opinion that this section should be revised, so that the Indian would be governed by the Liquor Laws and Regulations of the Province in which he resides and have the same rights and privileges of buying and consuming liquor as any other resident in the same province.

E. *Local Council Privileges.*

That the local Council of an Indian Band be given full authority in the management of their local affairs. Section 99A which gives the Indian agent too much authority should be revised.

F. *Appeals.*

We believe that we should be allowed to appeal any Indian matter to the courts and that the decision of the Court should be final, and not that of the Superintendent General of Indian Affairs.

G. *The Care of Destitutes.*

Section 95 (d) of the Indian Act.

We are dissatisfied with the way our aged, widows and other destitutes have been looked after in the past. They are given a ration of Five Dollars which they use at the store. This is the ration for one person who is expected to live on it for one month. Furthermore, they can purchase only the items listed on the ration list.

We request that the Government immediately take steps to improve this situation by seeing to it that sound help is given to destitute Indians, on the same basis as is done for white people in the same state.

H. *Indian Act, Section 141.*

This section in its entirety should be abolished.

I. *The British North America Act.*

Section 91, subsection 24 of this Act should be modified. And, further, sections 3 and 4 of the Indian Act which grant very wide powers should be entirely abolished.

J. It is our opinion that as this Band has only small capital funds, just enough to pay the Chief, Councillors, secretary and janitor a small salary, we should be given help from Indian appropriated funds, to be used for public purposes such as roads and bridges.

In conclusion, we would like to remark that we have carefully limited our brief to what we think is really necessary, from our point of view, regarding the revision of the Indian Act.

Yours sincerely,

Signed:

Chief JAMES WADDILOVE

Councillors:

SOLOMON SNAKE,
LESLIE DOBSON.

GEORGE NICHOLAS,

Secretary,
Muncey of the Thames Band,
Caradoc Agency,
Muncey, Ontario.

APPENDIX HN

Supplementary brief filed by the *Union of Ontario Indians*.

The Union of Ontario Indians do hereby petition your honourable body that a general complaint throughout the Province is that on any project authorized by the Department, such roadwork, building, etc. the Department allows only 35 cents per hour for manual labour and 50 cents per hour for team and teamster. These wages are way below proper living conditions. The Indians of the Province request that the Department be authorized to pay current wages on any projects undertaken on an Indian reserve.

The Union of Ontario Indians further submits that the Parry Sound Organizational Convention strongly endorsed the memorandum as presented on behalf of the North American Indian Brotherhood as reported at page 428 of the 1946 Minutes of Proceedings and Evidence of your Joint Committee, with the exception that as regards paragraph 5, dealing with enfranchisement, we want the amendment as we put it on record at page 1305 of the 1947 Minutes of your Committee;

The meeting also endorsed the "preamble" of the North American Indian Brotherhood which appears in your record as Appendix EP, at page 853 of

the 1947 Minutes; Further, the Joint Meeting of several Bands held at Christian Island on May 20, 1947, adopted certain resolutions, of which we wish to bring the following to the notice of your Committee:

WHEREAS we petition the Parliamentary Committee appointed to investigate all phases of Indian life to consider the advisability of fostering self-administration on Indian reserves by abolishing the office of Indian Agent and permitting the elective Chief and the Band in Council direct access to the Indian Affairs Branch in all matters affecting the band and its management. It is considered that the office of Indian Agent is detrimental to and retards in every way the progress of an Indian community; the Chief and Council should receive an adequate remuneration for their services. Carried.

2. RESOLVED, That the elective Indian Council constitute the sole trustee of Indian schools. It is the sincere desire of the Indians of the Province that the management and affairs of Indian schools be under the exclusive control of the Band and Council. Carried.

3. RESOLVED, That the Parliamentary Committee be petitioned to incorporate in the revision of the Indian Act a clear definition of who is an Indian. Carried.

4. RESOLVED, That the Christian Island Band of Indians desires to extend the fishing territory to include the following Islands: Christian, Hope and Beckwith, and that three miles from the outer shores of these Islands be declared for all time to come to be Indian territorial waters and that no licence or royalty be imposed and that no game laws be applied to Indians within the said territory;

5. and it was further RESOLVED, That the Christian Island Band of Indians, as a step towards improving their living conditions, be granted assistance in the way of larger Loan grants and that funds be set aside in the sum of \$22,000, in addition to the present arrangement, for the purpose of purchasing live stock, poultry, fruit, and other essentials to the progress of the community. The details of the expenditure of this \$22,000 was decided at a meeting of the Band held on May 29, 1939, and was duly forwarded to the Indian Affairs Branch;

6. RESOLVED, That the Christian Island Band of Indians petition the Parliamentary Committee to investigate the advisability of permitting the Indians to start a tourist business project on the south end of the Island and that they be given financial assistance to erect summer cottages, or tourist cabins, either as individuals or as a band project as the case may be. This would be an asset and the revenue accruing from this project would greatly improve the general living conditions on the reserve;

It is requested that the Parliamentary Committee investigate the claim of the Parry Island Indians of the loss of a reserve opposite the Island now occupied by them. This lost area covers four miles square on the main shore which it is claimed was taken without surrender by the Parry Island Indians and is the present site of the town of Parry Sound.

It is further requested that the Parliamentary Committee investigate the matter of the Gibson Reserve. It is claimed that the Department permitted irregularities in the surrender of two miles taken from the reserve. That surrender was made during the first great World War when most of the youth and men of the reserve were overseas fighting for justice. Only a handful, a small majority of the Indians on the reserve gave consent to the surrender of the richest part of that reserve. No compensation was ever reported to them. To the present day, it is not known if any money for that surrender was ever received. The Indians of the Gibson Reserve strongly protest and avail them-

selves of this first opportunity to air their grievance to the Parliamentary Committee which they strongly petition to see that justice is done in this case and that these Indians be given a just remuneration for the loss of this valuable territory.

Furthermore, the said Gibson Reserve Indians strongly protest against the Provincial Government diverting streams thus causing damage to timber on one part and drying up streams on another part of their reserve from which the Indians once derived a livelihood by fishing and hunting. A just compensation herein is requested.

The Union of Ontario Indians, representing the Christian Island, Rama and Georgina Island Indians ask for a clarification of the language used on page 47 "Indian Treaties and Surrenders", Vols. I and II. There it states "In 1818 a surrender of 1,592,000 acres to His Majesty's Government for a consideration of the sum of 1,200 pounds currency in goods at Montreal price which sum shall be paid to the said Chiefs as full consideration of the land hereby sold and conveyed to His Majesty, to be paid yearly, every year and forever".

For the last 75 years or more our ancestors have not been informed of this arrangement and the surrender agreement has been discontinued. It is believed the party acting on behalf of His Majesty did not fulfil the contents of this agreement as we have not received any benefit from this sale such as the above quotation would justify.

Further, with regard to page 117, No. 48, "Indian Treaties and Surrenders," Vols. I and II. A surrender was made at Toronto on November 26, 1836. Only one-third of the interest on the sale price was given to the Indians. Another third was to be applied for general use and the residue was to be applied for any purpose, *but not for the benefit of the band*. Herein lies the evidence of the injustices suffered by the Indians in surrendering their lands in the early days. We ask why should a small band of Indians be given only one-third of the price proceeds, when the Government was taking the lands belonging to the Indians for the benefit of the whole country, and yet two-thirds of the sale price was kept by the Government.

A very close survey should be made and an investigation held to determine what Indian tribes, other than the Indians who surrendered the lands in question, derived benefit from the one-third part of the proceeds and for what general purposes the residue was applied.

The Union of Ontario Indians now lodges a protest against the manner in which the proceeds of this surrender were distributed. They were not put to the credit of the Band which surrendered the land.

(Signed) HENRY JACKSON,
Secretary.

Official Delegate of Union of Ontario
Indians to Parliamentary Committee.

APPENDIX HO

ST. REGIS RESERVATION,

June 30, 1947.

THE SECRETARY,
Joint Committee on Indian Act,
House of Commons, Ottawa.

SIR:—On June 12th and 13th, when the Indians of the Six Nations (Iroquois) Confederacy appeared before the Canadian Government Joint Committee of the Senate and the House of Commons, there was a suggestion made that a referendum should be held on the St. Regis reservation to decide whether or not the St. Regis Mohawk Indians wish to have their own Six Nations' tribal form of government known as the life Chief system, or whether they wish to follow the so-called elective system of government.

This reservation as well as other reservations of the Six Nations have had experience before with referendums conducted by the Canadian Government. We have seen fraud practised by Government officials; have seen force, liquor and other unfair practices by government officials to gain their own ends. As an example of what we mean by unfair methods, we refer to what happened at the last referendum, which, for the same reason as suggested above, was held on this reservation on July 27, 1903.

At that time the Government of Canada held a referendum to determine whether or not the St. Regis people wished to retain their tribal system of government or whether they wished the newly introduced elective system. Before the referendum was held, Canadian Mounted Police entered the reservation and arrested all of the life chiefs, placing them in jail. They also threatened those who were in sympathy with the life chiefs. One of our people, John Fire, or Sa-ie-wi-sa-kern, protesting against such an unfair practice, went into the agent's office and was murdered.

Therefore we charge you, the Canadian Government, of hiding behind the excuse REFERENDUM, aided by Canadian Mounted Police, of invading our domains and forcing foreign laws on our people by force of arms.

We do not want this thing to happen again to our people on our reservation.

We can find out the wishes of our own people, in our own way, without any help from the white people.

Interference from outside sources, such as above mentioned, is apt to end in bloodshed and hate.

In the first place, we object, very strongly, to any attempt of the Canadian Government to interfere in our internal affairs. By doing so or attempting to do so, our sacred treaties are violated, and your Government promised not to interfere in the internal affairs of any of our people.

In 1903, when at your request a referendum was held, our people unanimously voted to follow the life chief system. We cannot understand why, then, you wish us again to attempt to have our people change their way of life. You cannot hope to have us believe that the elective system started by you (not by us) will be to our advantage and advancement, when we have been so often deceived in the past.

The elective system came into being by fraud and treachery. In the minds and understanding of our people there can be only *one* government for us: THE SIX NATIONS GOVERNMENT.

Therefore to you, the Government of Canada, we forbid you to attempt to hold any kind of REFERENDUM on the St. Regis (Mohawk) reservation.

We forbid you interfering in our internal affairs under the excuse of a so-called "referendum".

We can and will manage our own affairs, and we need no outside help of any kind.

Signed, we the Council of St. Regis, members of Six Nations Confederacy.

(Signed), the Head Chief, PETER MITCHELL,
We, the St. Regis Band.

Copy.

John Fire was killed at St. Regis, P.Q.,
June 20, 1899.

Referendum: July 20, 1903.

To the
ST. REGIS CHIEFS:

DEAR CHIEFS: I congratulate you on your election. Let all agitation end. The Life Chiefs are now in Power and should be well satisfied. I have every confidence in the Government's intentions. It will never disturb any of your rights. I may not see you for some time but then will do so and talk everything over with you. Do not let any fears spoil the good work we have commenced. Let us learn to respect one another. I know you only want what is right and I know too that the Government wants only the same. Leave matters as they now are. Look after the welfare of the people and all will go well.

I thank you for the kind reception you have given me and shall not forget it.

Your friend,

(Signed) J. A. MACRAE.

APPENDIX HP

SIX NATIONS (MOHAWK) CONFEDERACY

Legal title of the Chiefs of the Mohawk branch of the Independent Government of the League of the Six Nations. Titles of the Grand Life Chiefs and Clan Mothers and of the Chiefs and Leaders of the Mohawks of St. Regis:

Ratiniaten (Turtle) Clan

Chief

1st. Peter Mitchell
2nd Dominic R. Cook
3rd Peter White

Mother

Cecilia Symore
Josephine Thompson
Maggie Jocko

Ratikwao (Wolf) Clan

4th Alec. R. Thompson
5th Jake Point
6th Moses Square

Mary Thompson
Josephine Delormie
Nancy Solomon

Rotiskerewake (Bear) Clan

7th Mose Thompson
8th John C. Jacobs
9th Peter David

Minnie Lazore
Hattie Chubb
Annie David

Rotinesüio (Snipe) Clan

10th John A. Thompson

Marion Mitchell

Rotisennakete (Lesser Turtle) Clan

11th Joe Mitchell

Marion P. Mitchell

Roneniotronon Clan

12th Joe C. Jacobs

Louise Peters

Filed for information of Joint Committee by Peter Mitchell, Chief, First Clan, of Turtle Clan.

APPENDIX HQ

St. Regis Band,
Province of Quebec,
July 23, 1947.

The Joint Committee of the Senate
and the House of Commons on the Indian Act,
House of Commons, Ottawa.

Honourable Sirs: *Re St. Regis Indians.*

I have been consulted by the members of the Mohawk (Iroquois) Indians known as the St. Regis Band of the Six Nations (Iroquois) Confederacy who ask me to take up certain matters before the Joint Committee of the Senate and House of Commons with regard to certain of our grievances which the great majority of our Indian people of St. Regis feel were not made plain to your Committee on June 11, 1947, by Chief Joe Mitchell and Chief Moses Thompson who then appeared before your Committee.

First, we want to know what is and has been the income of the St. Regis reserve under the following legislation: "An Act to change the tenure of certain Indian lands in the Township of Dundee, County of Hutingdon"—Statutes of Canada 1864, Chapter 68;

Second, what is the income from our lands in the Township of Kenyon; part of the Township of Charlottinburg; part of the Township of Roxburg; and part of the Township of Cornwall, under the same legislation;

Third, under what class of Canadian citizenship are the Indians of Canada included;

Fourth, is the Indian Act constitutional as it affects the Mohawk (Iroquois) Indians and more particularly as it affects the St. Regis Band of the Six Nations (Iroquois) Confederacy;

Fifth, more specifically, we claim that the British North America Act, an Imperial statute passed in 1867, which enacted among other matters that the Parliament of Canada has exclusive legislative authority with regard to Indians and lands reserved for Indians, violates the terms of our ancient treaties and also the above-mentioned legislation of 1864;

Sixth, the Indian Affairs Branch of the Department of Mines and Resources was set up to provide certain immediate relief to the St. Regis Band. Such relief has often been refused and back in 1940, when our Indian Agent was Mr. McNaughton, he sold wood from our reserve and at the same time handed out relief at the rate of \$1.50 a week, and that in one case to a family of six.

As regards clothing, we were given second-hand clothing. It is a shame for the Government to do that. Even to-day, we get shoes which are not mates and old army clothing;

Seventh, now if there is no definite treaty between the St. Regis Indians and the Parliament of Canada or the British Crown, we St. Regis Indians ask the Parliament of Canada, for it does come within their legislative jurisdiction under the British North America Act, for a new definite treaty. The Department of Indian Affairs tell us we have no definite treaty with the Government of Canada. And we have no treaty apparently with the British Crown, for we send you herewith a copy of a letter from the Office of the High Commissioner from the United Kingdom to Canada.

Eighth, the St. Lawrence River and all the Islands therein from Prescott, Ontario, up to the Lake Ontario belong to the St. Regis Indians and also all the river down to Beauharnois, Quebec. From the Beauharnois project and any other project along the St. Lawrence River within those limits there must be income and resources from which the St. Regis (Quebec and the St. Regis (State of New York) Indians should derive some benefit;

Ninth, therefore we want the Government of Canada to create an Indian Claims Commission to determine our rights and claims as set out above and we want the Senate and House of Commons in Parliament assembled to so enact.

We are sure our request will receive prompt and appropriate consideration.

Yours truly,

PETER J. JOHNSON,

JOHN C. JACOBS, Asst. Head Chief,
for the St. Regis (Quebec) Indians.

COPY

860/6

OTTAWA,

21st August, 1939.

Sir,—I am directed by the High Commissioner for the United Kingdom to acknowledge receipt of your letter of the 17th August in which you ask whether he is prepared to receive on the 6th September a deputation concerning the affairs of the Six Nations Confederacy.

As you were informed in the letter from this Office, No. 860/5 of the 10th August, the affairs of the Six Nation Confederacy lie within the exclusive competency of the Canadian Government. The High Commissioner is the representative in Canada of the United Kingdom Government and in the circumstance he regrets that he is unable to receive the delegation which you propose.

I am Sir,

Your obedient servant,

(Signed) I. M. R. MACLENNAN.

Mr. Alexander P. Thompson,
St. Regis Indian Reservation,
St. Regis, P.Q.

APPENDIX HR

"OUR MANITOU IS EVERYWHERE"

THE INDIAN COUNCIL FIRE OF CANADA

(Salvaged from the ashes of the past)

Archæology-Ethnology-History-Indian Arts Crafts-Customs-Legends-Traditions, etc.

Jasper Hill (Big White Owl),
6 Cross Street,
Toronto, July 1, 1947.

Mr. D. F. Brown, M.P. (Joint Chairman),
Special Joint Committee on Indian Affairs,
House of Commons, Ottawa, Ontario, Canada.
(Attention: The subcommittee on Agenda and Procedure)

GENTLEMEN:

One year ago I sent a seven point brief to the Special Joint Committee of the Senate and the House of Commons for study and careful consideration. It was printed in the Minutes and Evidence No. 14, page 636, Thursday, July 18, 1946.

Perhaps you might be interested to know that I have been following, with ever increasing interest, the many and varied claims and grievances as presented by the Indian delegates from all parts of Canada. I feel that such contributions, coming directly from the Indians, must serve as a source of great enlightenment and encouragement for that fine group of ladies and gentlemen which is so consistently a part of the Special Joint Committee of the Senate and the House of Commons at Ottawa, Ont., Canada.

I want to tell you, sir, it is really gratifying for me to see that my seven (7) point plan has already, in more ways than one, served its purpose for the influence of good. It was compiled and offered, in the first place, to serve as a nebula for all people that hold dearly the welfare of their fellowmen at heart!

And now, sir, I should like to draw your attention to an error which was made when printing Appendix 3, of my brief. See 1946 Minutes of Proceedings and Evidence, No. 14, at page 641. The following is the correct form as re-copied from my original text:

"Appendix 3. In the new Magna Carta for the Indians of Canada, the following provisions should be made:

That the Director of the Indian Affairs Branch in Ottawa, be authorized to publish an Indian Magazine something like the "*Indians at Work*" booklet as published by the United States Department of the Interior. The Canadian Wartime Board of Information had a very good little booklet "*Canada at War*", and it served its purpose very well. The inhabitants of a young and growing democracy such "*Canada*" should be inhabited by well informed citizens. Therefore, I believe, it would be a very good idea to have a monthly Indian magazine published under the title of "*Our Native Canadians*", and thereby be able to disseminate the news more efficiently with regard to Indian activities taking place in the various provinces of this great country—Canada!

Respectfully, I remain,

Sincerely yours,

JASPER HILL ("BIG WHITE OWL")

APPENDIX HS

DANFORTH AVENUE UNITED CHURCH
WOMEN'S ASSOCIATION

1028 Logan Avenue,
Toronto, Ontario.

Mr. Don. F. Brown, M.P.,
Chairman,
Special Committee on Indian Affairs,
House of Commons,
Ottawa, Ont.

DEAR SIR:

At the last regular meeting of the Women's Association of the Danforth United Church the following resolution was passed:—

The members of the Women's Association of the Danforth United Church are in accord with the work of the Special Joint Committee on Indian Affairs".

I remain,

Yours truly,

(Mrs. W. G.) RUTH VANDEWATER,
Corr. Sec.

APPENDIX HT

Fort Chipewyan,
June 16, 1947.

Mr. Norman E. Lickers,
Liaison Officer,
Joint Committee on Indian Affairs,
House of Commons, Ottawa, Ont.

HONOURABLE SIRS:

In reply to your letter June 17, 1946, we have discussed the different items you brought to our attention and we have come to the following conclusions on the Indian Act.

We are sorry we were not able to meet together before this Spring, all the Indians being scattered all Winter.

We hope our report will not be too late.

We remain, Honourable Sir,

Yours truly,

John X Cowie, Cree Indian Chief.

*Answer to the Questions on the Indian Act**I. Treaty Rights and Obligations*

A. It is in our desire that the rights guaranteed to us by the Act of Treaty and all the obligations assumed by the Federal Government be at all times respected and fulfilled, specially regarding our Hunting and trapping Privileges.

B. It is our desire, too, that the measures to be taken in the future by the Provincial Governments and Laws respect those rights too. It should be clearly and explicitly stated in the New Indian Act and in those Provincial Laws, that those Provincial Laws are not to be applied to Treaty Indians in any case or for any reason.

C. Since Treaty, 1899, we must state that a great number of our Hunting, Trapping and Hunting Privileges were taken away from us, or restricted in a very great deal, so that finally we don't see how we may be able to make a decent living for us and our families. The New Indian Act should reestablish our former privileges and rights guaranteed to us solemnly in 1899.

C. For us, Treaty Indians of Fort Chipewyan, residents of Wood Buffalo Park, we must state specially we have now in 1947, no more means of decent living. Some fur is strictly closed, and there is very little other fur. The moose hunt is restricted to one buck for a season, by family, the Bear hunt is closed all Summer, the duck hunt is closed till September. Although we depended for a great deal on those for our food supply.

So, we have, now, no chance to have, all Summer, even an ounce of fresh meat, which is pretty hard for us, like for any white people.

For the moose, we depended on it for hide necessary for moccasins, the only shoes we wear in this country, and for mitts and gloves in cold winter. We must state that one moose only for one family is unquestionably insufficient. We depended on it for our meat supply in Winter.

So, we Treaty Indians, of Fort Chipewyan, we ask the Government to allow us to kill ducks, moose and bear like before, like it was promised to us by the First Treaty.

D. We know that Government promises the Indians to help them when they will be hungry, on account of the very numerous restrictions on our trapping and hunting rights. But we must state that the help promised will be very insufficient, according to what happened in the past. That help is not fit for us, because the rations don't practically include any meat, or only a very small quantity.

We, like our ancestors, we live always in the Bush, and we need very badly meat in our Food supply. If we are deprived of any ounce of fresh meat all Summer, our general health will be worse and worse, although it is already very poor. We hope you will understand our hard situation, on account of the Regulations restricting all our Hunting privileges.

The white people have something to depend on for their living, but we are not like them. The little amount of fur we may catch in a year is not, even, in many cases, sufficient to clear the credit we have in the stores. So, how could we be able to get a sufficient supply of food, out of the wild life supply, namely by killing moose, bear and ducks without any restriction at all like you promised us by the First Treaty.

II. Band Membership

We believe that all the Indian Bands should have the right of accepting in their membership, upon a favourable vote, any child or person with Indian blood.

III. Liability of Indians to Pay Taxes

Indians have been till now exempted from real taxes, for any property owned by them on Indian Reserves, but we believe that this exemption should include all others taxes, even Royalties to be paid on Fur. We stress to be always exempted from Licenses Fees for trapping or fishing.

IV. Enfranchisement of Indians both Voluntary and Involuntary

The enfranchisement of Indians must be left entirely to the personal desire of the Indian individually, and no compulsion of any kind must be exercised by the Federal authorities in this respect.

V. Eligibility of Indians to Vote at Dominion Elections

We, Indians, we don't want the right to vote. But, as citizens of Canada, like white people, we desire to have a representative in Ottawa, well acquainted with the Indian Affairs, and who would be kind enough to plead our cause in the Government sessions, when the Indian Affairs are treated. That representative would be paid by the Federal Government. He would be, too, a great help for the local Indian Agents who needed to be supported in their local authority.

VI. The Encroachments of White Persons on the Reserves

We believe that Indian Reserves are strictly the property of Indian Bands. We don't want anybody else on our Reserves at Jackfish Lake and Pointe Brulée, and on any of the reserves which could be established in the future.

VII. The Operation of Indian Day and Residential School

The system of education approved by the Dominion Government and set up by the Indian Affairs Branch is satisfactory to us. The Residential Indian School at Fort Chipewyan has given to all of us a great satisfaction. As being all Catholics, we want to have here always a Residential Catholic School for our children.

This place would request a small hospital, with a Doctor, because the other hospitals are too distant from here, and the aeroplanes service is very unsatisfactory in emergency cases. Being all Catholics, we want that Hospital be in care of R.C. Mission. And, besides that, any place where we may be sent to be hospitalized, we want that our Catholic Faith will be always respected, in Government Hospital or Government Sanatorium.

We should have the choice of the hospitals in which we will be hospitalized. We always want to have a priest to attend to our spiritual welfare in those hospitals or sanatoria, and we want it chiefly very badly at our last moments.

VIII. The Indian Affairs Department has done very little so far in this country for our housing needs. Very few cases have received help in this respect. So, we would ask the Government to grant us building materials, namely lumber, nails, roofing paper, flooring and all what is requested for a decent house. If possible, we would like to have these materials not only in the Settlement, but in the bush, the localities where there is a bigger population, to the judgment of the Indian Agent. That lumber would help too, occasionally, for making coffins for our relatives who happen to die out of the town. Many times, it's very hard to have any lumber for the coffins way out in the bush, and we have to make them of rough lumber we cut ourselves.

IX. Old Age Pension for Indians

Till now, the Government supplied to the old aged Indians a certain amount of necessary clothing, and rations supply. If they stayed in the town, he supplied the housing and fuel wood. For which we are all very grateful, but we must state these rations are unquestionably insufficient.

We would like to have old age pension, like white people. But this pension would be in the Indian Agent hands, who would issue it to the entitled ones. By that check the old aged people would get from the stores the requested supply. But if these old aged people stayed in the town, we would appreciate to have like in the past the housing, clothing necessary and wood fuel.

If we can't have the old age pension of the white people, we want the rations given in a greater quantity, and including what is decently requested for an old man and old lady, and, like in the past, the housing, clothing and wood fuel.

X. *Sick and destitute people, chiefly blind people*

We appreciate what was done generally for our sick people, we desire to have it continued, by the decent help in rations and clothing, housing and fuel wood. When the man is sick, and has a big family, the help should be proportionate.

For the blind people, besides the double rations supply, nothing was done so far. It is really too bad, because they are the most destitute in this country.

So, we ask the Government to give them either a far greater help for the rations, which are insufficient to them, or the old age pension, besides the housing, clothing necessary and fuel wood. We will appreciate all what you will do in this respect for our so poor relatives.

For the destitute people, we want you keep helping them decently adding in the amount of rations.

XI. *Trapping grounds, etc.*

We, Treaty Indians of Chipewyan, belonging to the Wood Buffalo Park area, till now we were free to trap any place which suited us the best, and we surely appreciated that. But it is talked about setting areas, by families or groups, and we would not be free any more.

We, on the contrary, ask to be free to trap like in the past, and to have it guaranteed to us by the Treaty Act. We know the troubles arising from the areas, they are greater than the advantages. It is only the trappers, like us, who realize those difficulties. So, we petition very intensely to be free like before on the Wood Buffalo Park.

There is a plan of making dams on the place where we used to stay for many and many years, where our ancestors stayed, all Summer, in the little place called Quatre Fourches. So, probably, after different promises to us, we would be sent out again of this place on which we depend to fish, having so far nothing else to live on. So, be kind enough to list to our petition. *We don't want it all.* If the Government people start to work on that place, we won't be allowed any more to stay there, and we have practically no place to stay besides that in the early summer months.

XII. *Old people pension (added detail)*

For our old aged relatives, we would ask the old age pension from the age of sixty, according to what we requested on No. X. namely Old Age Pension, besides necessary clothing, housing and wood fuel.

And if the old age pension is not to be given to us, we ask for every old people of sixty, a greater amount of rations, and some extra food supply for a decent living. We have all our life a very hard life, and we would like to enjoy like the white people, the privileges granted to them in their old age.

Signed (in cree) by John Cowie, Cree Chief and some seventy-eight other Indians.

APPENDIX HU

To the Joint Committee of the Senate and the House of Commons on Indian Affairs:

We, the Mississauga of the Credit Indians of New Credit, Ontario, submit our "Reactions" to the Questionnaire submitted to the various Indian Reserves:

1. *Treaty Rights*: We request that the rights guaranteed by the Treaties made between the Government of Canada and the Indians, be safeguarded in all points and at all times.

2. *Band Membership*: The Band as a whole, by a majority vote, should decide on who are eligible for Band membership.

3. *Liability of Indians to Pay Taxes*: Since Indians already are paying every form of Dominion and Provincial taxation, except direct taxation on their land and income derived therefrom, we consider this right should continue without question, considering the land now in our possession was reserved under those conditions upon the surrender of much vaster areas to the Crown.

4. *Eligibility to Vote*: Indians should be entitled, on Reserves, to vote in both Provincial and Dominion elections, both male and female 21 years and over, without surrendering any native rights.

5. *Whites on Reserves*: Indian Reserves are strictly the property of the Indian people, and the only non-Indians (white people) allowed thereon should be those holding leases, or having legal business.

6. *Day and Residential Schools*. We approve the present schools of both types where they are properly and efficiently run. Local school boards, where qualified, should be organized, and given more power. Also, Indian Councils should have the privilege of inspecting school houses.

7. *Indian Department*: We are strongly of the opinion that in the interests of our people, Indian Affairs should no longer be a Branch of Mines and Resources, but should be a separate department.

8. *Social Services*: Indians should be given the Old Age Pensions, etc., on the same basis as their fellow Canadians, in view of the large contributions made by our people in all forms of direct and indirect taxation.

9. *Agriculture*: We feel strongly that in many cases our people are not making the best use of the land they own, and while we appreciate the present assistance we are receiving from the Department, we still feel that an investigation of the entire farming problem should be made to seek some manner by which our people with assistance and further encouragement by the Government, could acquire greater progress and results from our farming operations.

10. *Rental Returns*: Rentals should be paid to the local Indian Office, and remitted by the Agent direct to the Indian owner.

11. *Indian Administration*: Indian Agents should be properly trained and qualified academically, with the right temperament for this work. In the opinion of our people, wherever Indians are capable of filling positions in the Indian Services, they should be given preference and the policy of the Department should be to train more of our people so as to make it possible for ever increasing numbers of these positions to be filled by them.

Changes to the present Indian Act:

We believe, in general, that more power should be given to the Indian Councils, and in particular recommend the following:

Paragraph 2, Sub-section (i)—The interpretation of the word “person” as meaning an individual other than an Indian, is objectionable as it reflects on the Indian people as not having personality or existence.

Section 14—An Indian woman marrying other than an Indian should give up all rights as an Indian within the meaning of this Act. In our opinion all words after the word “Act” in the third line should be deleted.

Section 17, Sub-section 2—Should be amended to read “The Superintendent-General may with the consent of the band or Council of the band”.

Section 29—All the words after the word “deceased” should be deleted.

Section 48—Should be limited to read “expropriation only for railways, roads, hydro lines.”

Section 48, Sub-section 3:—Should give the right to the Indians concerned, to name their arbitrator.

Section 50, Sub-section 2:—Should read “The Governor-in-Council may on the request of a Band of a Reserve, issue leases”,—and in view of this sections (a) and (b) are unnecessary.

Section 52: and all sub-sections—Should be deleted.

Section 93, Sub-section 2—Should be deleted.

Sub-section 3—Should be amended to include “of a Band or Council of the Band.”

Section 95, Sub-section 2—Should give the right to the Band or Council of the Band, to appeal to the Governor-in-Council.

Sections 110 to 114—Should be deleted.

Sections 126 to 137—Should be deleted. Indians should have the same rights and privileges as the other residents of the provinces concerned, and should be governed by the same laws.

Section 140A—Should be deleted, along with the following sub-section.

These recommendations were unanimously approved by our people at a public meeting held at our Council Hall at New Credit on the 10th of June, 1947.

A. W. L. CRAIN,
Chief Councillor.

N. A. KING,
Councillor.

ROBERT C. BRANT,
Councillor.

F. W. G. KING,
Councillor.

GRAHAM W. KING,
Councillor.

APPENDIX HV

SUBMISSIONS TO THE JOINT COMMITTEE OF THE SENATE AND
THE HOUSE OF COMMONS INVESTIGATING INDIAN AFFAIRS
BY THE SIX NATIONS' PUBLIC SCHOOL TEACHERS

In our submissions, we are only dealing with education and associated problems on the Six Nations' Reservation and do not propose to speak for any other group or for any other reserve. If any of our recommendations may be applied to other reserves and be carried out so much the better.

Education is the basis of progress of any people or group of people and the cultural and even economic standards of any people or group of people may often be measured by the educational standards which such people or group of people have obtained. In dealing with education, it must be understood that the Six Nations have only recently emerged from a primitive stage in human development. Only then can the sudden contact with a highly organized civilization be understood. Then the whole problem of the Six Nations would resolve itself in finding a system of education which will help bridge the gap between them and the cultural and economic level reached by their white neighbours and to put this system into practice with such speed as is economically sound.

Although the education of the Indians is in the hands of the federal authorities, the curriculum followed is that of the Province of Ontario. The provincial course of study has presumably been prescribed because it seems most suitable and best adapted to the needs of the children of the particular part of the country. It would seem reasonable to presume that the same curriculum would conform more nearly to the needs of the Indian children of the same area than the curriculum of some other part of the country. It would be an error to conclude that the course of study for Indian schools should conform entirely to the pattern of the school for white children in the same area. The latter have a wider range of opportunity than the children living on Indian Reserves. The whites, if they do not find gainful occupation in their own neighbourhood, will drift to other centres where more work, as well as greater variety of work is available. They will probably establish themselves permanently in another part of the country. In time of crisis or of depression, these people will probably remain in their place of adoption and not return to their place of origin. The Indian who has left the reserve of his native land for gainful occupation may always return to his native reserve. It follows logically that the curriculum for Indian schools should be planned to prepare Indian youth for complete living in their future environment, that is to say, for the development of self-supporting community life on their Indian Reserves.

An elementary training is no doubt necessary, but a purely academic training falls far short of preparing the vast majority of our Six Nations' youth for the life which he must live for many years upon his reserve. Our estimate is that at the present time, possibly 5 per cent of the pupils in our schools, by a higher education, can be so trained and educated that when they leave school, they would be able to take their place in competition with their white neighbours. So that for the 95 per cent, a thorough-going vocational training, combined with classroom periods would produce the best results in helping them not only to earn but also to raise their standard of living.

From the earliest grades, the pupils should be trained to work with their hands. Girls should be initiated into the art of sewing from about Grade 3, and gradually taught household sciences as they progress through the Grades. Also the boys should be taught manual training. In fact, at the end of the elementary school, or in a continuation school the children should have the opportunity of exploring the whole range of home-making and handicrafts.

More stress in the school curriculum should be placed on vocational training. What is meant by vocational training has undergone many changes. We believe that vocational training should have as its main objective to make the Indian economically self sufficient. We must find out what our young people need to know. The Six Nations Reserve is primarily an agricultural community and therefore in our vocational training, more stress must be placed on teaching the children farming and other agricultural pursuits. A number of the more talented and more ambitious students could be prepared for training in an agricultural college. After graduation, they should be used as promoters and instructors on the Reserve.

Greater care should be taken in drawing up a list of tests for reading and for literary appreciation to find subjects that will interest Indian children. The children are fond of stories about Indians and the outdoor life. They resent stories which show the Indians in a bad light. It must be remembered that many of the history books have grossly exaggerated the violence of our forefathers in this country. The children resent the story of the Jesuit Martyrs, and the story should be told in such a manner as to show that martyrdom has accompanied the introduction of Christianity into many lands.

The curriculum should be made to introduce Indian lyrics such as "The Song My Paddle Sings", by our own poet, Pauline Johnson, as well as poems about Indians like Hiawatha. Such teachings of literature would help give to our young children a proper pride, which, in turn should stir in them an ambition to make their community successful and self-supporting. Do not think that we are suggesting a training which might lead to racism, which is the cause of our modern world, but, rather to make our Indian Reserve, a proud, self-supporting unit in our Canadian life.

Primary or elementary education is not enough. Provision must be made for the talented pupil to obtain secondary education and university education. The secondary education advanced technical, commercial or industrial education should be available to all students who have the ability to acquire it. In beginning this training practically every child will require assistance. There are a very few parents who are financially able to pay their children's way through high schools let alone through university. Our children must have the opportunity to acquire a career which their talents and culture warrant. To attain that, they require financial aid. The assistance at present given by the Government is totally inadequate and insufficient. The high schools which they may attend are many miles from their homes, and most of the children are without means of transportation. They are without funds to pay for room and board to live in the City or Town where the high school is situated. The Government should not only pay their tuition fees, but could easily alleviate the situation by supplying school buses. It may well be that those students should be assisted by means of scholarships. We know of no other way that the money could be used to better advantage.

The present system of Family Allowances, has increased the school attendance of many pupils. We have on the Six Nations' Reserve some 12 schools with 14 classrooms, staffed by 14 teachers. This to supply the teaching facilities for some 1,000 children under the age of 16 years. There have been no additional teaching facilities or classrooms provided for the last 20 years and with the increased number of pupils the present facilities are very inadequate. The schools are overcrowded which is not fair to the pupil and less fair to the teacher, this situation should be remedied as soon as possible.

To have a healthy mind, one must have a healthy body. Health and education are of necessity kindred subjects. One of the first essentials of civilized society is health and sanitation. The health of our children has been sorely neglected. Facilities should be placed in each school to serve hot lunches

at the schools to the children at lunch time. This could be very well worked out in connection with a household science course for the girls in higher grades. Milk should be supplied to the children at a school. Adequate dental service should be provided and periodical medical examination should be supplied at each school. In this regard, the sanitary facilities at the schools should be improved immediately.

Although the sanitary conditions of the homes on the Reserve need improvement, this is due not only to the economic conditions of the people but also to lack of knowledge of public health. The Government should undertake an adult education program under proper instructions. This has been carried on very successfully in the United States Indian Schools. This adult instructions has been extended there to include public health, agriculture, manual training, and other vocational training.

To give a pupil, be he white or Indian, the confidence and the self assurance he needs to progress mentally and physically, there is no better agency than sport of competition games. We have inter school competition in softball, track, and field events but are badly in need of equipment. There should be properly supervised sport at all the schools under competent instructions and with proper equipment.

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