LIBRARY OF PARLIAMENT

BIBLIOTHÈQUE DU PARLEMENT LIBRARY OF PARLIAMENT
3 2354 00301 9620

DATE DUE

GAYLORD

PRINTED IN U.S.A.

Replacement copy

LIBRARY OF PARLIAMENT
CANADA

MAR 13 2000

BIBLIOTHÈQUE DU PARLEMENT

LIBRARY OF PARLIAMENT
CANADA
MAR 13 2000
BIBLIOTHÈQUE DU PARLEMENT

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 1

TUESDAY, MAY 28, 1946

THURSDAY, MAY 30, 1946

WITNESS:

Mr. R. A. Hoey, Director, Indian Affairs Branch, Department of Mines and Resources, Ottawa.

OTTAWA
EDMOND CLOUTIER
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1946

MEMBERS OF THE SPECIAL JOINT COMMITTEE

Appointed to Act on Behalf of the Senate

Honourable Senator J. Fred Johnston, *Chairman*,
and Honourable Senators:

Blais, A.,
Dupuis, V.,
Fallis, Iva C.,
Ferland, C. E.,
Horner, R. B.,
Jones, G. B.,
Macdonald, J. A. (*Cardigan*),
MacLennan, D.,
Nicol, J.,
Paterson, N. McL., (x)
Taylor, W. H.

(x) Replaced by Stevenson, J. J.

Appointed to Act on Behalf of the House of Commons

Mr. D. F. Brown, *Chairman*,
and Messieurs:

Arsenault, B.
Blackmore, J. H.,
Brunelle, H. E.,
Bryce, W.,
Case, W. G.,
Castleden, G. H.,
Charlton, J. A.
Farquhar, T.,
Gariépy, W.
Gibson, J. L.,
Glen, Hon. J. A.,
Harkness, D. S.,
Little, W.,
MacNicol, J. D.,
MacLean, M.,
Matthews, J. E.,
Raymond, J. L.,
Reid, T.,
Richard, C. T.,
Stanfield, F. T.,
Stirling, Hon. G.

T. L. McEVOY,
Clerk of the Joint Committee.

ORDERS OF REFERENCE OF THE SENATE

THE SENATE

THURSDAY, 16th May, 1946.

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 opinion of such a committee, should be incorporated in the revised Act.

That the following Senators be appointed to act on behalf of the Senate on the said joint committee, namely, the Honourable Senators: Blais, Dupuis, Fallis, Ferland, Horner, Johnston, Jones, Macdonald (*Cardigan*), MacLennan, Nicol, Paterson and Taylor.

That the said committee have power to appoint from its members such sub-committees as may be deemed advisable or necessary to deal with specific phases of the problem aforesaid, with power to call for persons, papers and records, to examine witnesses under oath and to print such materials from day to day as may be ordered by the committee for the use of the committee and members of the Senate and the House of Commons.

That a Message be sent to the House of Commons to inform that House accordingly.

TUESDAY, 28th May, 1946.

Ordered: That the quorum of the Senate Section of the Joint Committee be reduced to two members.

Ordered: That authority be granted to the Senate Section of the Joint Committee to sit during sittings and adjournments of the Senate.

WEDNESDAY, 29th May, 1946.

Ordered: That the name of the Honourable Senator Stevenson be substituted for that of the Honourable Senator Paterson on the Senate Section of the Joint Committee appointed to examine and consider the Indian Act.

Attest.

L. C. MOYER,
Clerk of the Senate.

65442—1½

ORDERS OF REFERENCE OF THE HOUSE OF COMMONS

HOUSE OF COMMONS

MONDAY, 13th May, 1946.

Resolved,—That a joint committee of the Senate and House of Commons be appointed to examine and consider the Indian Act, Chapter 98, R.S.C., 1927, and amendments thereto and to suggest such amendments as they 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 opinion of such a committee should be incorporated in the revised Act.

That the following members be appointed to act on behalf of the House of Commons on the said joint committee, namely Messrs. Arsenault, Blackmore, Brown, Brunelle, Bryce, Case, Castleden, Charlton, Farquhar, Gariépy, Gibson (*Comox-Alberni*), Glen, Harkness, Little, MacNicol, MacLean, Matthews (*Brandon*), Raymond (*Wright*), Reid, Richard (*Gloucester*), Stanfield, Stirling.

That a message be sent to the Senate requesting their Honours to appoint Senators to act as members of the Senate on the said special joint committee.

That the said committee have power to appoint from its members such sub-committees as may be deemed advisable or necessary to deal with specific phases of the problem aforesaid with power to call for persons, papers and records, to examine witnesses under oath and to print such materials from day to day as may be ordered by the committee for the use of the committee and members of the House of Commons and the Senate.

That the said committee shall report from time to time and that the provisions of Standing Order 65 limiting the number of members on special committees be suspended in relation thereto and that a message be sent to the Senate to acquaint their Honours therewith.

WEDNESDAY, 29th May, 1946.

Ordered: That the quorum of the said Committee be reduced to nine members.

Ordered: That the said Committee be granted leave to sit while the House is sitting.

Attest.

ARTHUR BEAUCHESNE,
Clerk of the House.

REPORT OF THE SENATE

TUESDAY, 28th May, 1946.

The 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, beg leave to make their first report, as follows:—

Your Committee recommend:—

1. That the quorum of the Senate section of the Joint Committee be reduced to two members.

2. That authority be granted to the Senate section of the Joint Committee to sit during sittings and adjournments of the Senate.

All which is respectfully submitted.

J. FRED JOHNSTON,
Chairman, Senate Section.

With leave of the Senate,
The said Report was adopted.

REPORT TO THE HOUSE OF COMMONS

WEDNESDAY, 29th May, 1946.

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, begs leave to present the following as a

FIRST REPORT

Your Committee recommends:—

1. That the quorum of the Special Joint Committee be reduced to nine members.

2. That the said Committee be granted leave to sit while the House is sitting.

All of which is respectfully submitted.

DON. F. BROWN,
Chairman.

By leave of the House,
The said Report was concurred in this day.

MINUTES OF PROCEEDINGS

Room 268, House of Commons,

Tuesday, 28th May, 1946.

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 11.00 o'clock a.m.

Present:

The Senate: Honourable Senators Blais, Dupuis, Fallis, Johnston, Macdonald (*Cardigan*), MacLennan, Paterson, Taylor—8.

The House of Commons: The Honourable Messrs. Glen and Stirling and Messrs. Arsenault, Blackmore, Brown, Bryce, Castleden, Charlton, Gibson (*Comox-Alberni*), Harkness, MacNicol, MacLean, Matthews (*Brandon*), Raymond (*Wright*), Reid—15.

On motion of the Honourable Senator Taylor, seconded by the Honourable Senator Fallis, it was

Resolved, That the Honourable Senator J. F. Johnston be Chairman of the members of the Committee for the Senate.

On motion of Mr. Matthews (*Brandon*), seconded by Mr. MacNicol, it was

Resolved, That Mr. D. F. Brown be Chairman of the members of the Committee for the House of Commons.

The Chairmen thanked the members of the Committee, pointed out that the Orders of Reference were very comprehensive in their terms and asked the Committee to arrive at meetings on time and in sufficient numbers, in order that the Committee may complete as expeditiously as possible the very important task of revising the Indian Act and reporting upon all other matters which have been referred to the Committee.

The Minister of Mines and Resources (Hon. J. A. Glen) made a brief statement with regard to the necessity for the revision of the Indian Act and the careful consideration by the Committee of all matters affecting Indian administration covered by the Order of Reference. He suggested that there be set up a Steering Committee, to advise the Committee on all matters of procedure.

On motion of Mr. MacNicol, it was

Resolved, That the Chairman nominate members to act with them as a Steering Committee and that such subcommittee report from time to time with regard to the agenda and procedure to be followed by the Committee in carrying out the terms of the Orders of Reference.

It was agreed that the following be members of the subcommittee on Agenda and Procedure: The Honourable Senators Johnston and Ferland and Messrs. Brown, Bryce, Gibson (*Comox-Alberni*), Harkness and Stanfield.

The finding of a quorum is difficult, because of the many committees presently in session, both in the Senate and the House of Commons. After discussion, in the course of which the Honourable Senator Paterson suggested that it might be possible to arrange that Senators normally resident in Ottawa replace Senators who might not find it convenient to attend meetings during adjournments of the Senate.

On motion of the Honourable Senator Taylor, it was

Resolved, That the quorum of the Committee be reduced to nine, of whom two shall be members of the Senate.

The Honourable Senator Dupuis asked that the Committee consider the advisability of *not* meeting during adjournments of the Senate. In discussion which followed it was pointed out that it was the usual practice for the Senate to grant Committees of the Senate authority to sit during sittings and adjournments of the Senate.

On motion of the Honourable Senator Paterson, it was

Resolved, That the Senate be asked to grant authority to this Committee to sit during the sittings and adjournments of the Senate.

On motion of Mr. Castleden, it was

Resolved, That the House of Commons be asked to grant leave for the Committee to sit while the House is sitting.

The Chairman (Mr. Brown) pointed out that the Order of Reference gave the Committee power "to print from day to day such materials as may be ordered by the committee for the use of the Committee and the members of the Senate and the House of Commons". The only matter, therefore, to be decided was the number of copies to be printed.

On motion of Mr. Blackmore, it was

Resolved, That 500 copies in English and 200 copies in French be printed of the Minutes of Proceedings and Evidence to be taken before the Committee.

The Minister of Mines and Resources informed the Committee that Mr. R. A. Hoey, Director, Indian Affairs Branch of that Department, would make a statement to the Committee at the next meeting, and that in the meantime there would be distributed to members of the Committee copies of an Office Consolidation of the Indian Act and amendments thereto.

The Committee adjourned to meet on Thursday, 30th May next, at 11 o'clock a.m.

MINUTES OF PROCEEDINGS

Room 262, The Senate,

THURSDAY, 30th May, 1946.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, and all such other matters as have been referred to the said Committee, met this day at 11.00 o'clock a.m.

Mr. D. F. Brown, M.P., Joint Chairman, presided.

PRESENT:

The Senate: The Honourable Senators Fallis, Ferland, Horner, Johnston, MacLennan, Stevenson and Taylor—7.

The House of Commons: The Honourable Messrs. Glen and Stirling and Messrs. Blackmore, Bryce, Case, Castleden, Charlton, Farquhar, Gariépy, Gibson (*Comox-Alberni*), Harkness, Little, MacNicol, Raymond (*Wright*), Reid, Richard (*Gloucester*), Stanfield—18.

The Honourable J. F. Johnston informed the Committee that arrangements had been made to ensure that a quorum of Senators would be present at Committee meetings during the adjournment of the Senate.

The Chairman expressed the thanks of the Committee to the Senate for making available to the Committee the use of the Senate Railway Committee Room to-day and also during the adjournment of the Senate. The substitution of the Honourable Senator Stevenson for the Honourable Senator Paterson as a member of the Committee was announced.

Mr. R. A. Hoey, Director, Indian Affairs Branch, Department of Mines and Resources, Ottawa, was called, read a statement and was questioned thereon.

Mr. Hoey fyled a synopsis entitled "Indian Treaties" which is printed herewith as "Appendix A".

Mr. Castleden gave notice of the following motion:—

> Whereas the amendment of the Indian Act will establish, for years to come, the type of control which will determine the standards of life, training and, perhaps, the very existence, of these subordinated human beings to whom democracy is denied in Canada, and
>
> Whereas without democracy there can be no economic or social well-being and no pride or self-respect,
>
> Therefore be it moved that this Committee immediately invite the Canadian Indians to send at least five Indians to represent the following five parts of Canada: (1) British Columbia and Alberta; (2) Saskatchewan and Manitoba; (3) Ontario; (4) Quebec; and (5) the Maritime Provinces; to sit in on all the deliberations of this Committee with watching briefs and to be available to be examined as witnesses under oath.

The notice of motion was accepted and will be referred to the subcommittee on agenda and procedure which will meet tomorrow, 31st May, at 11.00 o'clock, a.m., in Room 155, The Senate.

It was agreed that the Committee would meet on the following days: June 4; June 6 and June 11.

The Committee adjourned at 1.00 o'clock p.m., to meet on Tuesday next, 4th June, at 11.00 o'clock a.m.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

The SENATE,

May 30, 1946.

The Special Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11 o'clock a.m. Mr. D. F. Brown, M.P., (Joint Chairman) presided.

Hon. Mr. JOHNSTON: (Joint Chairman): May I say at the opening that arrangements have been made to see that the Senate quorum is here during the recess which will continue during the next two weeks, and the steering committee have arranged to have with us this morning Mr. Hoey, Director of Indian Affairs. We will hear Mr. Hoey this morning.

The CHAIRMAN: I think we shall have it understood that whenever the masculine term is used it will indicate both masculine and feminine. I hope our lady member, Senator Fallis, will agree to that.

I believe we should express our appreciation to the Senate for allowing us the use of this room, although that is hardly necessary, because this is a joint committee of the Senate and the House of Commons; still, we do appreciate it. We have a Senate substitution in our membership, Senator Stevenson, who replaces Senator Paterson, and I will ask him to rise so that we may all see him. We would like to have this room during the Senate recess, and I presume that will be arranged.

Is it your pleasure to hear Mr. Hoey now?

Mr. MACNICOL: I move that the committee hear Mr. Hoey now.

Robert A. Hoey, Director of Indian Affairs, called:

The CHAIRMAN: Mr. Hoey is going to explain to us something of the operation of his branch.

The WITNESS: Mr. Chairman, Senator Fallis and gentlemen, I shall try to go through my brief hurriedly and I hope I shall be able to make my meaning fairly clear.

SUMMARY OF HISTORY AND FUNCTIONS OF THE INDIAN AFFAIRS BRANCH DEPARTMENT OF MINES AND RESOURCES

The Department of Indian Affairs became a branch of the Department of Mines and Resources by the Department of Mines and Resources Act, 1 Edward VIII, Chapter 33, 1936. Section 9, sub-section (2) of the Act reads as follows: "the chief officer in charge of the branch of the department in which is included Indian Affairs, may under the Deputy Minister perform and exercise all the duties, powers and functions with respect to Indian Affairs which are or may be vested in the Deputy Superintendent General of Indian Affairs by an Act of the Parliament of Canada or by any order or regulation made under the authority thereof."

The primary function of the Indian Affairs Branch under the Mines and Resources Act and the Indian Act is to administer the affairs of the Indians of Canada, who number at this date approximately 128,000, in a manner that will enable the Indian to become increasingly self-supporting and independent.

The Indian Affairs establishment, with headquarters at 165-7 Sparks Street, Ottawa, is divided into the following Services:—

Administration—Office of the Director, Office of the Secretary, and Records Service,

Welfare and Training—

Reserves and Trusts—

Indian Agencies—(Field Administration),

Medical—(Transferred to Department of National Health and Welfare by Order in Council, effective November 1, 1945).

The functions of these services, in brief, are as follows:—

DIRECTOR'S OFFICE—

Administration—Direction of policy and general supervision of all work of the branch. All matters of importance affecting policy are referred by the heads of the services concerned to the director for decision. Among the specific duties under the immediate supervision of the director are parliamentary returns and questions, branch estimates and public relations. The branch personnel administrative unit is located with the office of the director and functions under his immediate supervision, but is staffed by head office of the Department of Mines and Resources, from its personnel section.

SECRETARY'S OFFICE—

Officer in charge—Secretary, Indian Affairs Branch—

The work of the secretary consists in the main of general correspondence, information bureau service, memoranda to council, law enforcement and special legal services, election of Indian chiefs and councillors, communication services, interviewing of delegations and visitors, office supplies, publications and publicity, Indian rights and concessions, petitions, claims, complaints by Indian groups or individuals and miscellaneous secretarial duties. During the war years, duties connected with Indians and the war, including military service of Indians, application of war regulations and related matters, came under the supervision of the secretary.

RECORDS OFFICE—

The records of the department date from 1723, and include many valuable historical documents, such as original Indian treaties and surrenders. Owing to the long period covered, the custody of these records is archival in scope. In some cases, the continuity of correspondence on particular subjects extends for more than a century. There are at present approximately 300,000 subject files The volume of current correspondence is indicated by the summary for the fiscal year 1945-46:

Letters received	58,272
Letters sent	35,291

The records of the branch are kept, in part, at 165-7 Sparks Street, and at 187 Slater Street, and also at the Public Archives. Those at the latter place include the most important historical correspondence and documents.

WELFARE AND TRAINING SERVICE—Officer in Charge—Superintendent of Welfare and Training—

Welfare Division—The welfare division is responsible for the promotion of Indian welfare programs, the issuance of relief to needy Indians, the promotion of agricultural projects, the organization of community farms and agricultural fairs on Indian reserves, the purchase of live stock, farm machinery and seed grain, the administration of the Veterans' Land Act on Indian reserves, the rehabilitation of returned Indian veterans, the organization of Indian handicraft projects and homemakers' clubs, the supervision of Indian industrial assistance and advancement, including employment projects, the administration of the Revolving Fund for assistance to Indians and the general supervision of the social and economic welfare of the Indian population.

A new activity recently attached to the welfare division is the administration of family allowances for Indians, pursuant to the Family Allowances Act, 1944. This division is responsible for administration of regulations controlling the payment of family allowances to Indians in the nine provinces, the Yukon and the Northwest Territories, recommending suspension of payments if necessary under regulations, specifies allowances to be made in lieu of cash payments and provides for the purchase and distribution of such allowances, directs the registration of Indian children and arranges, in co-operation with the Department of National Health and Welfare, for inspection trips.

Training Division—This division is responsible for the education of Indians, including the administration of 255 departmental Indian day schools and the supervision of 76 residential schools, conducted under the joint auspices of the department and religious denominations. The duties and responsibilities of the division include the maintenance of school buildings, the employment of day school teachers, curricula revision, inspection of schools and assistance to ex-pupils.

RESERVES AND TRUSTS SERVICE—

Reserves Division—The reserves division has charge of the negotiation of surrenders of Indian lands, supervision of sales and leases, and the selection and purchase of lands. This division controls the granting of rights of way and easements, occupational rights and privileges, and issue of leases and permits to trade and hunt on reserves, application of regulations applying to petroleum, natural gas and mining operations on reserves, conservation and supervision of the cutting and sale of timber and irrigation projects, readjustments of Indian boundaries, reclamation and development, supervision and control of band membership, the supervision and administration of estates of deceased Indians, and the enfranchisement of Indians.

Trusts Division—The trusts division is responsible for the administration of the Indian trust account amounting in total to $17,096,473.21 in 480 accounts, most of which represent community funds of Indian bands. One of these 480 accounts amounts to $383,487.27 and is comprised of 2,200 subsidiary accounts being the respective savings of individual Indians. This division is responsible for the supervision of the distribution of treaty annuity and interest distributions, as well as control of band membership and the insurance of band property against fire, where such insurance is carried.

INDIAN AGENCIES—Officer in Charge—General Superintendent of Indian Agencies—

Field Administration—

This service consists of the office of the general superintendent of Indian agencies at headquarters, and a field establishment, including 98 Indian agencies, the office of the Indian commissioner for British Columbia, offices of inspector of

Indian agencies for Manitoba, Saskatchewan and Alberta. For convenience, the inspectors for Ontario and Quebec occupy offices at headquarters. This service is responsible for general field administration, including supervision of personnel, construction, maintenance and repair of Indian agency buildings, purchase of equipment and stock, the construction and upkeep of roads, bridges, water-courses and other building and engineering operations at Indian agencies and on Indian reserves, and the carrying out of departmental policy in the field in co-ordination and co-operation with the welfare and training, reserves and trusts and other services in their respective activities, also public negotiations in connection with field administration.

Fur Conservation—

This service, under the direction of the superintendent of reserves and trusts, provides for the maintenance and extension in co-operation with the provinces in the development of fur conservation projects in the interest of the Indian population. These projects usually take the form of the acquisition of registered traplines on provincially owned land, the development of muskrat-producing areas by water control methods, the re-stocking of selected beaver preserves, and the management of fur-bearing animals thereon. This service provides assistance to the provinces in the management and protection of fur resources in areas where the population is predominantly Indian.

This service until now is provided by special parliamentary vote and at present the staff is on a temporary basis. There are ten employees on full-time annual salary at this date—other employees are hired for shorter periods throughout the year as required.

Indian Medical Services—

At the time of the passing of the Mines and Resources Act, the Indian medical services, comprising the medical branch in the former Department of Indian Affairs, was included in the new Indian Affairs Branch. By an order in council dated November 1, 1945, this service was transferred with the personnel, to the Department of National Health and Welfare. The medical service is conducted under the superintendent of medical services through a small headquarters staff and a dominion-wide staff of physicians, nurses, field matrons and dispensers, and is responsible for medical attention and hospitalization, field nursing and general health services. While the transfer of this service to the Department of National Health and Welfare took place officially on November 1, 1945, the superintendent of medical services and the members of the staff still occupy offices with the other divisions of the Indian service in the Booth Building.

The following is a statistical summary showing the number of employees in the various Indian services as at March, 1946, and for comparative purposes like statements for November, 1936, immediately prior to the amalgamation and for the years 1900 and 1918. A historical summary showing the growth of the service up to the beginning of the present century is also submitted.

DEPARTMENT OF MINES AND RESOURCES

Indian Affairs Branch

Administration	22	
Welfare and Training	362	
Reserves and Trusts	19	
Indian Agencies	367	
Fur Conservation	10	.. 810

Of the above positions—71 are at headquarters and 739 are in the field—

EMPLOYEES

DEPARTMENT OF INDIAN AFFAIRS

1936

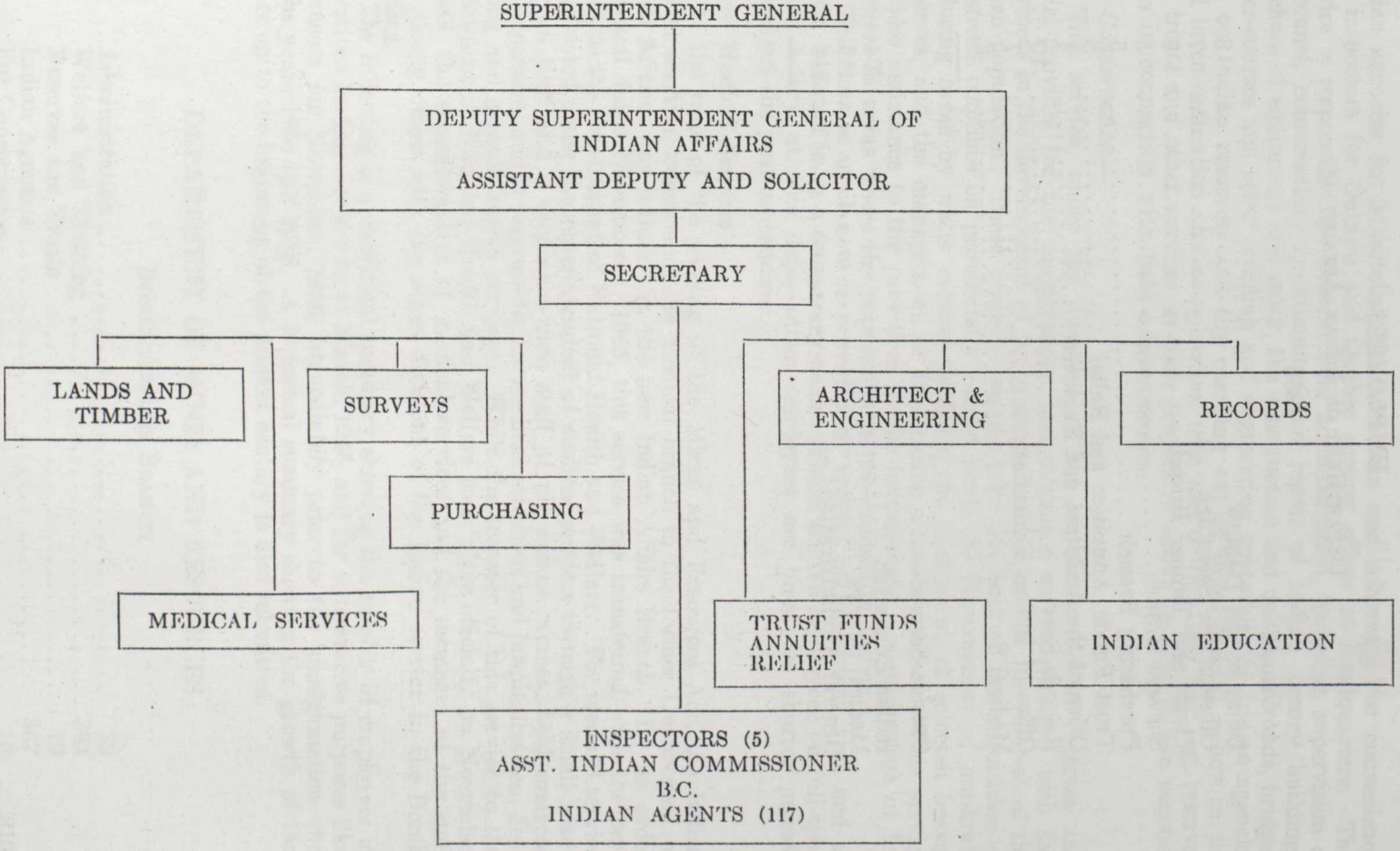
At Ottawa—

Office of the Deputy	8	
Office of the Secretary	7	
Lands and Timber Branch	8	
Surveys Branch	5	
Purchasing Branch	5	
Trust Funds, Annuities and Relief	5	
Office of the Architect and Engineer	4	
Records Service	10	
Office of Indian Education	7	
Medical Service	6	65

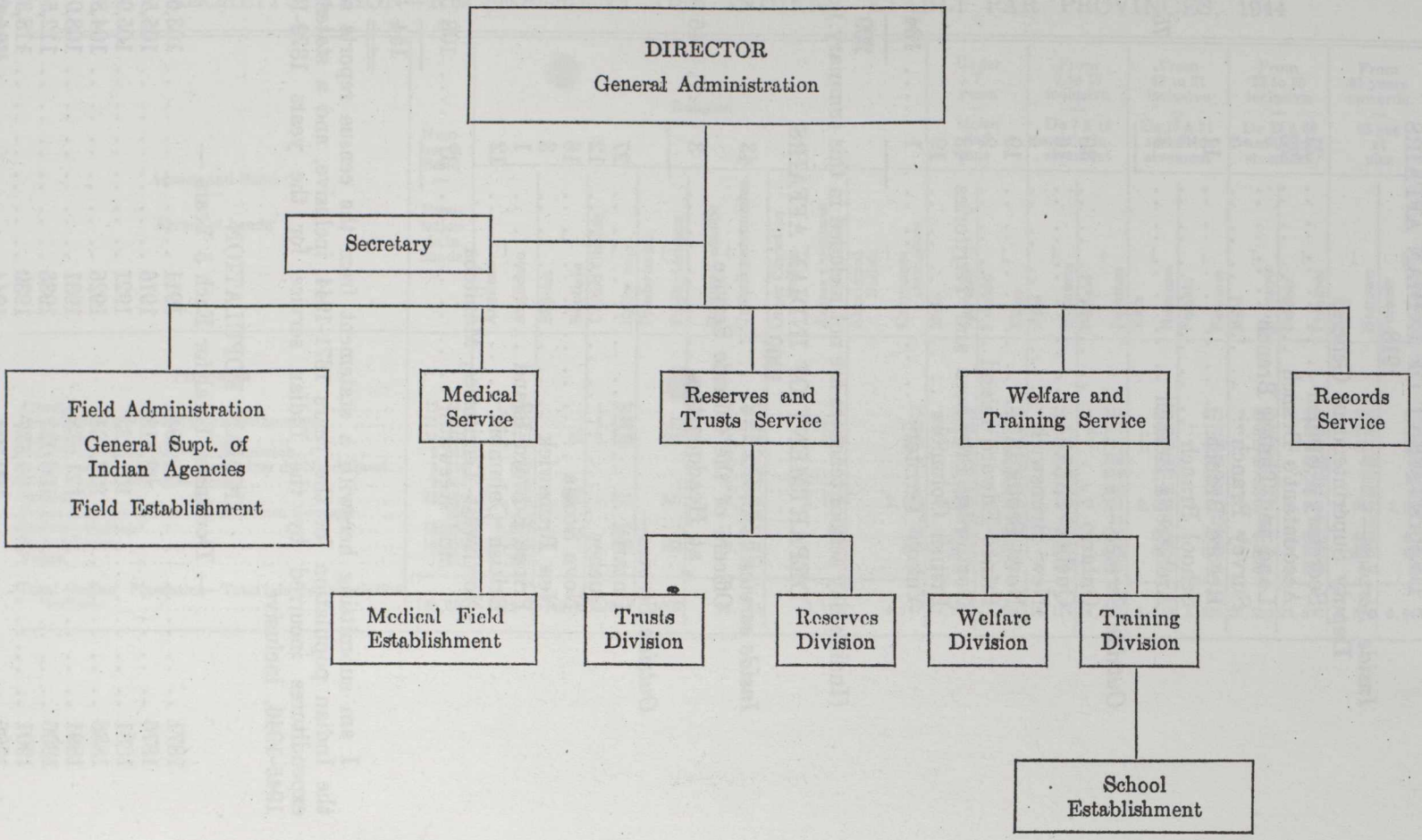
Outside Service—

Indian Education	304	
Medical Service	456	
General Administration	364	1124
		1189

DEPARTMENT OF INDIAN AFFAIRS ESTABLISHMENT
1936.



ORGANIZATION CHART, INDIAN AFFAIRS BRANCH
1946.



DEPARTMENT OF INDIAN AFFAIRS
1918

Inside Service—			
Deputy Superintendent General			
Secretary's Branch	21		
Accountant's Branch	23		
Land and Timber Branch	7		
Survey Branch	5		
Record Branch	11		
School Branch	5		
Architect's Branch	3	....	75
Outside Service—			
Ontario	30		
Quebec	16		
New Brunswick	4		
Nova Scotia	19		
Prince Edward Island	2		
Northwest Provinces and Territories	43		
British Columbia	19		
Yukon Territory	1	....	134
			209

(Indian day school teachers are not included in this summary.)

DEPARTMENT OF INDIAN AFFAIRS
1900

Inside service	43		
Officers of the Outside Service at Headquarters	3	....	46
Outside Service—			
Ontario	27		
Quebec	12		
Nova Scotia	16		
New Brunswick	3		
Prince Edward Island	1		
British Columbia	12		
Northwest Territories, Manitoba and Keewatin	37	....	108
			154

I am submitting herewith a statement from the census reports showing the Indian population for the years 1871-1944, inclusive, and a statement of expenditures incurred by the Indian service for the years 1879-1880 to 1945-1946, inclusive.

INDIAN POPULATION
— Dominion Total for Each 5 Years —

1871	79,594	1911	103,661
1876	92,518	1916	105,561
1881	107,722	1921	105,998
1886	128,761	1926	104,894
1891	121,638	1931	108,012
1896	100,027	1936	112,510
1901	99,527	1939	118,378
1906	109,394	1944	125,686

RECAPITULATION—CENSUS OF INDIANS: ARRANGED UNDER PROVINCES, 1944

RÉCAPITULATION—RECENSEMENT DES INDIENS—ÉTABLI PAR PROVINCES, 1944

Agency and Band — Agence et bande	Number in Band — Population de la bande	Religion										Under 7 years — Moins de 7 ans		From 7 to 16 inclusive — De 7 à 16 ans inclusivement		From 17 to 21 inclusive — De 17 à 21 ans inclusivement		From 22 to 65 inclusive — De 22 à 65 ans inclusivement		From 65 years upwards — 65 ans et plus	
		Anglican — Anglicane		Baptist — Baptiste		United Church — Eglise unie		Presbyterian — Presbytérienne		Roman Catholic — Catholique romaine		Other Christian Beliefs — Autres croyances chrétiennes	Aboriginal Beliefs — Croyances aborigènes	Male — Garcons	Female — Filles	Male — Hommes	Female — Femmes	Male — Hommes	Female — Femmes	Male — Hommes	Female — Femmes	Male — Hommes	Female — Femmes
PROVINCES																					
Alberta	12,441	1,518				1,537				6,347			72	1,380	1,439	1,551	1,515	581	571	2,495	2,224	309	376
British Columbia—Colombie-Britannique	25,515	5,831				4,425		62		14,465		694	38	2,350	2,573	3,056	3,171	1,238	1,127	5,548	4,808	825	819
Manitoba	154,933	5,791		52		3,438		528		5,388		438	298	1,663	1,665	1,828	1,711	1,020	1,005	3,012	2,923	461	555
New Brunswick—Nouveau-Brunswick	2,047									2,047				210	202	244	238	109	105	445	414	46	34
Northwest Territories—Territoires du Nord-Ouest	3,816	667								3,149				374	403	434	436	212	209	775	745	90	138
Nova Scotia—Nouvelle-Ecosse	2,364	6						1		2,357				259	259	231	240	130	131	534	457	65	58
Ontario	32,421	10,494		1,281		5,925		307		10,338		1,147	2,929	2,630	2,739	3,189	3,351	2,094	2,101	7,283	6,904	1,042	1,088
Prince Edward Island—Ile du Prince-Edouard	266									266				27	22	28	34	14	15	57	57	5	7
Quebec—Québec	15,194	2,932				557		1		11,517		93	94	1,319	1,360	1,750	1,718	804	878	3,471	3,010	463	421
Saskatchewan	14,158	4,804				1,499		163		6,934		42	716	1,572	1,611	1,683	1,646	642	639	2,828	2,779	355	403
Yukon	1,531	1,224								307				147	157	180	195	74	71	331	278	54	44
Total Indian Population—Total de la population indienne	125,686	33,267		1,333		17,381		1,062		63,115		2,414	4,147	11,031	12,430	14,174	14,255	6,918	6,852	26,869	24,599	3,715	3,943

TABLE No. 3

Indian Land: Private and Public Buildings and Property

Province	Total Area of Reserve (Acres)	Acres under Wood	Acres Cleared but not Cultivated	Acres under actual Cultivation	Acres Fenced	Private Property								Public Property					
						Stone, Brick and Frame Dwellings	Other Dwellings	Outbuildings, etc.	Ploughs, Harrows, Drills, etc.	Mowers, Reapers, Binders, Threshers, etc.	Carts, Wagons and Vehicles	Automobiles	Tools and small Implements	Churches	Council Houses	School Houses	Saw Mills	Other Buildings	Engines and Machinery
Alberta	1,296,272	435,034	809,428	51,810	443,108	436	1,834	2,524	2,334	1,508	2,414	102	9,805	22	8	8	1	144	287
British Columbia	829,515	542,258½	249,511	37,745½	227,754	4,137	2,815	4,246	2,737	942	2,271	492	42,117	155	74	59	7	65	161
Manitoba	545,888	406,895	124,248	14,745	62,000	198	2,982	1,977	1,033	734	1,451	124	8,760	60	17	41	3	117	49
New Brunswick	36,963	35,559	1,104½	299½	1,168	380	40	225	51	18	56	17	1,100	6	5	10	.....	5	3
Northwest Territories	1,924	1,815½	34	74½	81½	.....	368	188	4	.....	.....	.....	481	.....	.....	1	.....	.....	.....
Nova Scotia	18,188	17,441	531½	215½	795	207	27	45	33	10	26	8	570	5	3	7	4	4	.....
Ontario	1,346,690	1,210,937½	103,962½	31,789½	100,565	2,943	2,251	5,293	3,850	1,179	3,007	588	45,945	107	45	89	12	142	129
Prince Edward Island	2,741	2,425	200	116	500	27	1	14	3	6	13	.....	4	1	1	1	.....	.....	2
Quebec	198,930	178,062½	14,265	6,602½	15,036	1,530	514	2,364	637	282	1,402	154	6,484	24	4	30	1	27	40
Saskatchewan	1,286,976	490,402	741,946	45,628	345,624	269	2,396	3,048	2,492	1,821	2,971	34	15,926	49	24	19	3	56	65
Yukon Territory	6,804	6,852¾	8¼	2¾	21	12	47	9	3	1	4	5	503	1	.....	.....	.....	1	.....
Total	5,570,951	3,336,682¾	2,045,239¼	189,029	1,196,652½	10,139	13,275	19,933	13,177	6,501	13,615	1,524	131,695	430	181	265	31	561	736

DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

ORDINARY AND SPECIAL EXPENDITURE FROM PARLIAMENTARY VOTE

Year	Total	Medical	Welfare	Education	Fur Conservation	Annuities	Administration
	$	$	$	$	$	$	$
1879-1880.....	709,175	3,901	217,954	12,065	.....	232,064	243,191
1889-1890.....	1,166,102	16,293	415,081	241,630	.....	147,836	345,262
1899-1900.....	1,093,429	46,623	219,091	370,972	.....	173,877	282,866
1909-1910.....	1,406,771	120,645	190,187	403,270	.....	191,388	501,281
1919-1920.....	2,673,385	286,373	384,910	1,057,663	.....	183,096	761,343
1929-1930.....	5,332,503	927,628	727,348	2,339,256	.....	219,416	1,118,855
1930-1931.....	6,068,827	1,061,278	841,954	2,768,923	.....	222,143	1,174,529
1931-1932.....	5,081,357	887,520	1,002,606	2,019,593	.....	224,292	947,346
1932-1933.....	4,499,144	837,010	952,871	1,725,281	.....	229,321	754,661
1933-1934.....	4,380,022	812,905	867,828	1,629,275	.....	233,135	836,879
1934-1935.....	4,541,420	862,596	868,051	1,834,407	.....	236,426	739,940
1935-1936.....	5,161,509	1,084,645	915,924	2,152,470	.....	240,105	768,365
1936-1937.....	5,071,007	1,058,126	1,006,922	1,842,786	.....	245,063	918,110
1937-1938.....	5,013,532	1,072,777	1,075,545	1,877,927	.....	252,644	734,639
1938-1939.....	5,345,332	1,289,884	1,004,814	1,951,337	38,000	253,189	808,108
1939-1940.....	5,840,082	1,525,417	1,020,660	2,116,430	63,733	259,594	854,248
1940-1941.....	5,277,398	1,363,193	909,119	1,933,874	65,149	259,920	746,143
1941-1942.....	5,082,184	1,390,949	743,013	1,878,726	71,056	262,127	736,313
1942-1943.....	5,074,375	1,458,115	678,531	1,850,450	75,124	261,741	750,414
1943-1944.....	5,252,810	1,532,519	685,818	1,929,082	74,022	268,700	762,669
1944-1945.....	6,232,582	2,095,827	800,023	2,156,882	68,342	284,563	826,945
1945-1946.....	6,796,826	2,329,163	913,651	2,244,978	104,303	291,825	912,906

With respect to Indian expenditures, unless care is exercised these may prove somewhat misleading. These figures do not in any real sense represent the total amount spent on the services rendered the Indian population from year to year; for example, the preparation of plans for Indian day and residential schools and agency buildings are prepared by the officers of the surveys and engineering service without cost to the Indian Affairs Branch. Supervision of the construction of these buildings is also provided by these officers. Indian agency offices and offices of Indian inspectors have been established in post office and other public buildings at a number of centres throughout the dominion. No rent is charged by the Department of Public Works or paid by the Indian Affairs Branch for such offices. The service rendered by the R.C.M.P. in law enforcement on Indian reserves and the distribution of relief, medical supplies in remote regions is also rendered without cost. Subsidies are paid by a number of the provinces for the construction of main highways on Indian reserves and for the construction of bridges. In the case of Ontario, this subsidy amounts to approximately 50 per cent of the cost, plus engineering service. In a number of the provinces also extension service workers organize and promote short courses on Indian reserves free of charge. It must be borne in mind also that a number of Indian residential schools have been established on property outside regularly recognized Indian reserves. This school property, with the adjoining farm lands, is exempt from taxation and these exemptions, in fact, represent a substantial contribution by the municipalities to Indian education: but perhaps the greatest contribution made to the cost of Indian advancement, apart from the yearly expenditures incurred by the government, is made by the churches. These contributions in the case of Indian residential schools represent substantial expenditures.

Indian Education—

The records indicate that at confederation Indian schools were supported for the main part by missionary societies, religious orders and funds provided by Indian bands; a little financial assistance being provided by the legislatures.

Low salaries and irregular attendance contributed in the main to the inefficiency and ineffectiveness of these schools. When the British North America Act placed on the federal government the responsibility for the care and general advancement of Indians, reports from Indian schools were forwarded to the Department of the Secretary of State, a branch of which was made the administrative office for Indian Affairs. In 1867, one residential school, the Mount Elgin Institute, Muncey, Ontario, with an enrolment of fifty-two, and forty-nine day schools, with a total enrolment of 1,664 pupils, all operating in Ontario and Quebec, were recognized by the Indian office. There were several Indian schools, wholly missionary in character, that did not make returns to the government. The two most important of these were the Mohawk Institute at Brantford, established and supported by the New England Company, a missionary society, and the Roman Catholic boarding school at Wikwemikong. Since confederation, the government of Canada has accepted the co-operation Indian day schools. The four churches co-operating with the government in the nomination by the church authorities of teachers employed at a number of Indian day schools. The four churches co-operating with the government in the operation of residential schools at this date are the Church of England, the United Church, the Roman Catholic Church and the Presbyterian Church.

With respect to the method of financing the operation of Indian residential schools, it may be interestiong to note that an order in council passed on October 22, 1892, authorized the per capita grant method of financing these schools. In 1892, the per capita grants varied from $60 to $145, and the average grant for the succeeding twenty years was $84.

In response to a request from the churches for larger grants for residential schools, the department in 1911 prepared a schedule based on geographic divisions and types of buildings and a formal agreement was made between the department and those responsible for the management of residential schools at that date. This agreement was in effect from April 1, 1911, to April 1, 1916. The average grant paid by the department during that period was $115.

In 1919, a bonus or flat increase of $10 on the basic rate was allowed all residential schools and in 1921 an additional $10 or a total bonus of $20. This bonus increased the average rate for all residential schools in Canada to $135. In 1924, this bonus was incorporated in the regular scale of grants. In January, 1926, there was another upward revision, at which time an effort was made to deal more fairly with the small schools and schools in remote regions. This particular revision was continued for five years and by 1931 the average per capita grant paid to Indian residential schools amounted to $172. Owing to economic conditions, however, existing during the period following the year 1930, the per capita rate was reduced by 10 per cent, or, in other words, the average per capita grant for 1932-33 was approximately $155. A further 5 per cent reduction was made during the years 1933-34 and 1934-35, bringing the average to $147.

In 1935-36 and subsequent years, the 15 per cent was restored, bringing the average per capita rate back to the same as existed in 1931-32, approximately $172. As a result of representations made by the churches, a special payment of $10 per capita, over and above the regular per capita rate, was made for the calendar year 1942, and a similar amount was paid during the year 1943. In the year 1944-45, this special allowance was increased to $15 per pupil. The following tables show the number of Indian residential schools and the present enrolment by provinces:

RESIDENTIAL SCHOOLS

DENOMINATION

Province	Number of Schools	Church of England	Presbyterian	Roman Catholic	United Church	Total Enrolment
Nova Scotia	1	..	..	1	..	155
Quebec	2	1	..	1	..	37
Ontario	13	5	1	6	1	1590
Manitoba	9	1	1	4	3	1110
Saskatchewan	14	3	..	9	2	1804
Alberta	19	5	..	12	2	1900
Northwest Territories	4	1	..	3	..	212
British Columbia	13	2	..	9	2	2014
Yukon	1	1	..	..	..	43
Total	76	19	2	45	10	8865

CHURCH-OWNED INDIAN RESIDENTIAL SCHOOLS

Name of School	Authorized Pupilage
Quebec	
Fort George C.E.	50
Fort George R.C.	20
Ontario	
Albany R.C.	80
Fort William R.C.	95
Moose Fort C.E.	100
Spanish R.C.	250
Manitoba	
.....	
Saskatchewan	
Thunderchild R.C.	120
Alberta	
Ermineskin R.C.	165
Grouard R.C.	90
Holy Angels R.C.	80
Joussard R.C.	125
Sturgeon Lake R.C.	90
Vermilion R.C.	65
Wabasca C.E.	35
Wabasca R.C.	110
Whitefish Lake C.E.	30
Youville R.C.	160
Northwest Territories	
Aklavik C.E.	50
Aklavik R.C.	40
Fort Resolution R.C.	80
Providence Mission R.C.	65
British Columbia	
Cariboo R.C.	123
Christie R.C.	110
Port Simpson U.C.	35
St. Mary's Mission R.C.	210
Squamish R.C.	60
Yukon	
Carcross C.E.	60

These schools, the property of the churches, are included in the number of residential schools (76) in operation at this date.

Day Schools

Province	Number of Schools	Total Enrolment
Prince Edward Island	1	23
Nova Scotia	9	243
New Brunswick	10	324
Quebec	27	1,273
Ontario	75	2,209
Manitoba	43	1,054
Saskatchewan	26	531
Alberta	1	25
Northwest Territories	2	24
British Columbia	55	1,636
Yukon	6	138
Total	255	7,480

A small number of Indian pupils, approximately 93, attend schools that are usually referred to as *Combined White and Indian Schools*:

Province	Number of Schools	Total Enrolment
Quebec	1	13
Ontario	2	53
Manitoba	2	23
Saskatchewan	1	4
Total	6	93

The last table contains a summary of all schools in operation at this date at which Indians receive instruction, the cost of which is borne either in whole or in part by the department.

SUMMARY OF SCHOOL STATEMENT

	Classes of Schools				
Province	Day	Residential	Combined	Total Number of Schools	Total Enrolment
Prince Edward Island	1	..	..	1	23
Nova Scotia	9	1	..	10	398
New Brunswick	10	..	..	10	324
Quebec	27	2	1	30	1,323
Ontario	75	13	2	90	3,852
Manitoba	43	9	2	54	2,187
Saskatchewan	26	14	1	41	2,339
Alberta	1	19	..	20	1,925
Northwest Territories	2	4	..	6	236
British Columbia	55	13	..	68	3,650
Yukon	6	1	..	7	181
Total	255	76	6	337	16,438

At Indian schools, both day and residential, the curriculum of the province in which the Indian school is located has been followed with certain modifications. In order to make the Indian educational program more practical, the department has in recent years encouraged vocational training for both boys and girls. With the single exception of British Columbia, where the inspection of schools is undertaken by an inspector appointed by the department, Indian schools throughout Canada are inspected by provincial school inspectors. These inspectors report direct to the department on the academic and professional qualifications of teachers, the condition of school buildings, progress of pupils, etc.

Mr. BLACKMORE: Do they report to the Department of Education of the province or to the department at Ottawa?

The WITNESS: They report to us.

(The committee took a five-minute recess.)

The CHAIRMAN: We will proceed. May I ask before we continue hearing Mr. Hoey's brief whether there is any objection to the committee sitting next Tuesday and Thursday?

Mr. MACNICOL: We shall have to find out what the other committees are doing on that day.

The CHAIRMAN: As regards rooms, we have no difficulty next week because the Senate will be in recess. The following week we may have the use of this room for Tuesday. While the Senate will still be in recess some of the members of the Senate would like to be here, and I wonder whether you will object to sitting Tuesday and Wednesday?

Mr. CASTLEDEN: Wednesday is not a good day; there are caucuses held on that day.

The CHAIRMAN: Well, we had better proceed now with the reading of the report.

Mr. CASE: Before Mr. Hoey proceeds, it would be interesting to us to know how long he has been with the department.

The WITNESS: I was appointed superintendent of welfare and training on the 1st of December, 1936, and I was made director in March 1945. I shall continue with my report.

It will be noted from the tables submitted that we had enrolled at Indian day and residential schools at the close of the last fiscal year 16,438 pupils. In this connection, it is significant to note that there are, according to the 1944 census, 28,429 Indian children between the ages of seven and sixteen. It will thus be seen that there are approximately 12,000 children for whom no educational facilities have been provided. These children reside in the northern sections of the provinces, in the Yukon and in the Northwest Territories. This condition, I may state, is not peculiar to Canada. The Director of Education, Office of Indian Affairs, at Washington, D.C., estimates that there are approximately 10,000 Indian children between the ages of six and eighteen not in attendance at school. His explanation may be of interest to the members of the committee. He states:—

> Many of these are drop-outs, many live in remote areas not served by federal or public schools and whose parents are averse to their attending boarding schools.

He suggests as a remedy the substitution of a program of educating the adults to the desirability of schooling for their children, for the old coerced compulsory education.

To provide a worthwhile educational program for the children of Indians nomadic in their habits and who are engaged in hunting and trapping on a large area of land and with no fixed residence, is an exceedingly difficult task. There is little, if any, agreement with respect to the courses that should be provided, the type of building that should be constructed, or the qualifications of the teachers that should be employed. I am personally disposed to think that the first step should consist of educational surveys by capable and experienced educationists to determine the educational needs of these children. The proposal now under consideration that nursing stations be established in the more remote areas of the dominion, with a qualified nurse and perhaps an assistant in charge, might be dovetailed into an educational program whereby the teacher or teachers and the nurse would occupy the same building. In the absence of such an arrangement, difficulty would be experienced in securing teachers with the necessary academic and professional qualifications, plus a certain amount of experience to undertake the operation of schools in these comparatively lonely and remote regions.

Indian day school teachers are classified as temporary civil servants. They do not contribute to the superannuation fund, nor do they qualify for pensions under the Superannuation Act. The department at this time, however, is considering ways and means whereby teachers employed at Indian day schools would become permanent civil servants. My own judgment is that consideration will be given to the appointment of welfare and training officers who would serve in remote districts, not during the regular school period of ten months but for a twelve-month period less the regular statutory holidays. These officers in many cases would act as sub-Indian agents and become responsible, in addition to their schoolroom work, for the distribution of drugs, promotion of subsistence gardening, the organization of homemakers' clubs and welfare work in general.

In so far as the revision of the Indian Act is concerned, only a few minor amendments to the educational sections are being submitted for your consideration. Sub-section 2 of section 10 reads:—

> 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.

From the administrative standpoint, a great deal of difficulty is experienced when the parents of children enrolled at a residential school transfer their membership from the church under the auspices of which the school is operated to another religious body. Difficulty is also experienced in the case of children of mixed marriages. My personal opinion, and I hold this opinion strongly, is that when such disputes arise the religious status of a child should not be decided by departmental officials, as is now the case, but by an independent officer or officers appointed by the minister.

One of the most perplexing and discouraging problems relating to the operation of Indian day schools was the irregular attendance of pupils. It is gratifying to be able to report that since provision was made for the payment of family allowances, attendance at these schools has shown a substantial and encouraging increase.

Welfare—

The term "welfare" is an unusually comprehensive one and a term that might be appropriately applied to the whole Indian service. I am attempting at the outset to deal with it in a more restricted or administrative sense, or in the sense in which it is applied to the welfare division. It can be stated that during the period 1929-39 the welfare program consisted in the main of the distribution of relief supplies to old and physically incapcitated Indians and to unemployed Indians. Approximately 80 per cent of the welfare appropriation voted by parliament was spent on direct relief. This condition prevailed for almost a year after the outbreak of the war. Gradually, however, able-bodied Indians were able to secure gainful employment, with the result that the figures for the last fiscal year indicate that of the welfare appropriation:—

68·6 per cent was spent on relief.
5·2 per cent was spent on equipment.
1· per cent was spent on maintenance of equipment.
9·4 per cent was spent on construction of Indian dwellings.
2·2 per cent was spent on repairs to Indian dwellings.
6·4 per cent was spent on miscellaneous.
7·2 per cent was spent on sundry, freight, etc.

It is not my intention to hide from the members of the committee the fact that this particular division of the Indian service has been subjected to a great deal of criticism from time to time. It would appear only fair, however, to the department to point out that this criticism has frequently been based on a misunderstanding of the government's responsibility. It frequently happens that an Indian woman who marries a white man will return to the reserve, having been deserted by her husband, or immediately following her husband's death. She is no longer an Indian in a statutory sense, nor is she the responsibility of the Indian Affairs Branch. Indeed, it can be said that the money voted by parliament is voted on the distinct understanding that it is for the welfare of Indians and cannot be spent for the relief of white citizens. It frequently happens also that Indians employed from time to time in cities, towns and villages become unemployed and a charge either on the Indian Affairs Branch or on the municipality in which they reside. The members of the committee will readily appreciate that we have no administrative machinery to care for such cases. It is true that an arrangement might be entered into with the civic or municipal authorities whereby the social welfare agencies maintained by them would provide relief and medical care for Indians residing in their midst, on the understanding, of course, that the costs would be borne by the federal government. Experience shows that when relief is

extended—that is, in cities and towns—it has a tendency to encourage other Indians to take advantage of this service. The officials responsible for the administration of relief feel that when an Indian has resided in a municipality for eighteen months he should become the responsibility of that municipality. It is unnecessary to add that the provinces, with one or two exceptions, and the municipalities do not take kindly to this suggestion.

The administration of an Indian relief and welfare program is an exceedingly difficult and exacting task. It is a task that demands the exercise of patience at all times. Nevertheless, there have been a number of developments within the last decade or so that have proved not only a source of encouragement to our officials, but point as well in the direction of worthwhile and permanent accomplishment. The first of these is the organization of homemakers' clubs, made up of women of course. These clubs ,started first of all in 1937 in the province of Saskatchewan by the late Doctor Robertson, have multiplied rapidly and have become centres where the gospel of self-help is not only preached but practised. These Indian women meet regularly for the remodelling of clothing, for the canning of fruits and vegetables, to study elementary domestic science and problems such as school attendance and a number of other such matters. An annual conference has already been held, attended by delegates representing these clubs. A second conference will be held at an early date.

Without doubt, the most encouraging and constructive feature of our Indian program has been the organization of projects for the propagation of muskrat and the leasing of preserves for the conservation of beaver and other fur-bearing animals. These fur conservation projects aim at the development of muskrat producing areas by water-control methods, the restocking of selected beaver preserves and the management of the fur-bearers thereon, the acquisition of registered traplines on provincially-owned lands, and through these three controls are designed to assist the province in the management and protection of fur resources in areas where the population is predominantly Indian. Although the projects heretofore undertaken are limited in scope, they have shown definite results and have served as an experimental ground on which to perfect techniques of administration and management that will be applicable to the larger field of similar developments on a nation-wide scale. Since the productive stage has been reached in each type of project, the theory behind them requires no further proof that the projects are definitely out of the experimental stage. This program, we feel, can now be applied wherever concentrated groups of trapping Indians live and where beaver and muskrat have at some time been found in their natural habitat. Members of the committee will be interested in this paragraph.

An eminent American anthropologist, Dr. Cooper of Washington, who spent thirty years of his life among the northern and primitive tribes of Indians in Canada, once remarked that under proper management the profits resulting from our fur resources would enable us to pay off the national debt. The brief summary I am about to submit of results achieved in the very limited areas at present under development would seem, in part at least, to substantiate his statement and serve to remind us that the fur industry is still one of the basic industries of this country.

Muskrat Rehabilitation Project—

Although several early experimenters tried various methods of rehabilitating the muskrat, it was not until the last decade that any practical solution for the problem was worked out. The first practical suggestion came from Thomas Lamb of Moose Lake Settlement, near The Pas in Manitoba. Mr. Lamb was the son of a trader at that point and had seen the fur resources of the delta diminish from year to year, until of the five trading companies operating in the area only his father remained. Since, in his own lifetime, he had seen the waters

on the marshes recede and portaged his canoe where in his younger days he had paddled in fairly deep water, he evolved the theory that the disappearance of the muskrat was caused not by epidemic disease or by over-trapping, as some claimed, but was due to the lack of feed caused by the recession of the waters.

In 1932, being willing to support his theory with his hard-earned money, he secured from the government of the province of Manitoba a lease of 54,000 acres of marsh land and immediately undertook to restore the water levels by damming the small creeks draining the marsh and providing openings where water could be taken to the marsh while the river was at flood level in the spring. In the year preceding Lamb's experiment only 125 rats had been trapped on this lease, but by the spring of the fourth year, in spite of the fact that the area selected was not ideal, he took off a crop of 11,000 rats, followed by a crop of 26,000 rats the next year. It is estimated that the local muskrat population in this period (1932 to 1937) increased from 300 to 60,000. Thus, his thesis that the muskrat population could be restored by water-control methods was amply proven. The initial success of this first practical application of the now well known technique of muskrat development has continued to the present time. The government of Manitoba had practical observers on the Lamb area during the initial development and as soon as the theory was proven, embarked on their own program.

Mr. MacNicol: I think you should say in your report what further was done. I have been there in the summer time. The marshes dry up and the water does not run from the river into the marshes but Mr. Lamb has purchased huge pumps to pump the water out of the river into the marshes. Are you mentioning that?

The Witness: I do not think so. As a matter of fact, I experienced considerable difficulty in keeping this statement within bounds; but you will have before you later the fur superintendent who is the man directly interested and who has charge now.

Mr. MacNicol: Your report is very good, but it is not conclusive, if you leave out how Mr. Lamb protected the rats in the summer time by pumping water out of the river into the marshes. The water does not run into the marshes any more in the summer time, it is pumped in.

The Witness: Yes. I shall continue.

In 1934, the provincial government laid plans for the development of an area of 135,000 acres, which is now known as the Summerberry Game Preserve, and during 1935-36, with the assistance of the dominion government completed a construction and engineering program at a cost of $90,000. At the termination of the fourth year, that is in April, 1940, the first crop of approximately 126,000 rats was taken and sold at a gross aggregate price of over $160,000. In 1941, a crop of 191,562 rats was taken and sold at $361,179.

Meanwhile in 1938, the dominion government obtained a lease of 160,000 acres in the same area and during the next three years, that is to say until 1941, carried on a construction and development program along the same general lines as the program at Summerberry. During this time, the local muskrat population, which was estimated at 650 in 1938, had increased to 85,000 and in 1942, the area was turned over to the province of Manitoba and consolidated with the adjacent Summerberry project, together with the intervening lands. The first crop in 1942 had a value of approximately $50,000, which was included in the returns from the consolidated projects. This joint venture by the dominion and provincial governments has been eminently successful. At this date, 235,000 rats have been trapped and are either in the fur auction houses at Winnipeg or are awaiting the opening of navigation to be shipped from The Pas. It is anticipated that with present high market levels the returns from this one project will be over three-quarters of a million dollars.

As a matter of fact, figures have come in since this statement was prepared, and it is over a million dollars.

In addition to the consolidated projects still referred to as the Summerberry development, two small areas near the south end of Lake Winnipeg have been developed in co-operation with the province. The total production for the current season in Manitoba will be close to $1,000,000, which compares favourably with the total value of production, possibly $20,000 ten years ago.

In addition to the Manitoba projects, another development was started in the province of Saskatchewan, known as the Sipanok Fur Development. This area has been under lease since 1939. While a little trapping has been permitted from the beginning, the 1943 crop was the first substantial indication of the effect of planned management. This year's returns indicate that 9,161 rat pelts and ninety-eight beaver skins will be taken from this area, at an estimated value of approximately $40,000. We have also in Saskatchewan a lease on a small area at Onion Lake which, from a few rats, has progressed until this year a crop of approximately 7,000 was taken.

Beaver Preserves—

While the muskrat rehabilitation program was developing in The Pas area, a somewhat similar plan, with even wider application and greater potential value to the country, was being worked out in the James Bay area in Northern Quebec. J. S. C. Watt, an employee of the Hudson's Bay Company, had witnessed over a period of years the diminishing returns from beaver, until the beaver had practically disappeared. Only two beaver houses, in fact, remained on the vast territory tributary to his post. Calling his Indians together and enlisting their co-operation and support, he purchased the last two houses of beaver from them and being willing, like Tom Lamb, to support his ideas with hard-earned cash, sent his wife to Quebec City, where she was fortunate in meeting in the person of L. A. Richard, the Deputy Minister of Game and Fisheries, a man who was quick to grasp the potential benefits of the plan. Mrs. Watt returned to Rupert House with a fifteen-year lease on an area of 7,000 square miles. This, it may be stated, formed the first beaver preserve established in modern times.

Since the beaver, unlike the muskrat, undertakes his own water-control work and propagates his kind at the same time, no works construction plan was necessary and the scheme was one wholly of conservation. The area had reached the state of depletion, as the result of the wrecking of aboriginal conservation practices by the intrusion of white trappers. It was necessary, therefore, to close the area to trapping until the stock of beaver could be built up to a point where the annual increment would maintain the trapping population and leave something to spare.

From this small beginning the general plan has become enlarged until at the present time in the provinces of Quebec and Ontario the department has over 45,000,000 acres under lease and an area almost equal in size is being developed by the Hudson's Bay Company, which company took over the original lease from Mr. Watt. Very satisfactory increases have taken place on all preserves. At the present time two of the earlier projects are in production and during the current season have produced 2,000 beaver, valued at $140,000.

This crop is being taken on what we call a partial production basis or, in other words, we are taking only one-third of what experience shows to be the annual increment.

Our supervisor of fur conservation projects, while recently engaged in the organization of a new preserve, explained the basic value of such projects to the Indians. When the official had finished his explanation, the old chief of the band remarked, "This is just like money in the bank." If we convert the

increased total in beaver on the Nottaway Preserve into banking terms, dollars and cents, we find that our actual capital assets as represented by beaver increased from $17,850 in 1938 to the sum of $447,300 in 1945.

If one keeps in mind the fact that the only requirements, outside of protection, for the successful rehabilitation of beaver, are running water and deciduous trees, both of which this dominion has in abundance, it will be readily appreciated that the fur conservation program has almost unlimited potentialities.

Mr. MacNicol: With regard to beaver fur and the Lamb property in northern Manitoba to which we have already referred, he got his beaver in New York State, and he cut wood and put it through the ice the first winter they were there. I am pleased with what you have written about Mr. Lamb; he is a wonderful man, and his method of introducing beaver in northern Manitoba is most creditable. Beaver were not native there; he brought them in from New York State.

The Witness: Yes, he really discovered something there.

Mr. MacNicol: You have not got anything in particular about that in your report, although you have something about James Bay beaver which is really good. However, I would like to see something more said about northern Manitoba beaver.

The Witness: We will see that that gets into the report. I do not know if I shall be able to present it.

Mr. MacNicol: I believe it would be worth while to bring Mr. Lamb down here as a witness later on.

The Chairman: Mr. Hoey is trying to get through his report today, and I think we should try to keep the continuity of the report.

The Witness: I shall continue.

Registered Traplines—

Reference has been made to the encroachment of white trappers and the attendant depletion of fur resources. One of the major difficulties in practising fur conservation has been the conflict of interest between the Indian and the white trapper in the more settled sections of the dominion. The depletion of an area after white intrusion is not altogether caused by the depredations of the white man himself, but is due, in part at least, to the sense of insecurity the white man's presence and unrestricted trapping leaves with the native population.

Recently a method of management has been worked out which seeks to overcome unfair trapping practices, while at the same time gives assurance of a constantly increasing number of fur-bearing animals. Unlike the beaver and fur preserves where the trapping population is almost entirely native and where these natives have no conflict of interest with their neighbours, registered traplines are designed to divide the trapping territory into individual holdings and to restrict the area over which a trapper may operate, thus avoiding any interference with his neighbour. Under this system, each trapper—Indian, white or half-breed—enjoys a sense of security on his ground and can practise sound conservation methods assured that the fruits of his labour will not be taken by unscrupulous operators. This plan originated in British Columbia and has since spread to all parts of the dominion with the exception of the maritimes, with unvarying success.

The participation of this department varies by provinces in accordance with provincial conservation policies. In British Columbia, it consists of the acquisition of individual lines; in Ontario and Quebec, in the setting aside of exclusive Indian trapline blocks; in Alberta, in the organization of the northerly half of the province along somewhat similar lines to the developments that have taken place in Manitoba.

This system permits the application of the same principles which have met with outstanding success in muskrat and beaver rehabilitation work, the only

difference being the method of administration and the fact that under registered traplines the leases are held in the name of the individual Indian and not in the name of the department. This system has in many cases proven more acceptable to the provinces, who have to consider at all times the interests of their own white and half-breed populations. This department is ready to assist any province in instituting works of this nature and assuming its share of the cost, in the direct proportion that the Indian trapping population bears to the total number of trappers.

The basic theories have been worked out and amply proven through actual experience. The three plans of organization and management are also beyond the experimental stage. In Indians, we have persons skilled in the art of harvesting the fur crop and it would appear that all that is necessary to rehabilitate this basic industry on which the prosperity of the country was founded is the judicious expenditure of public funds and the active co-operation of the provincial governments.

Family Allowances—

Chap. 40, Family Allowances Act, 1944, Sec. 11 (*d*) "provides that in the case of Indians and Eskimaux payment of the allowance shall be made to a person authorized by the Governor in Council to receive and apply the same."

Early in 1945 an understanding was reached between the Department of Mines and Resources and the Department of National Health and Welfare with respect to the provisions of Chap. 40, The Family Allowances Act, 1944, and the application of the provisions of this Act to the Indian population.

By this agreement, our understanding was the Department of National Health and Welfare would accept responsibility for:—

(*a*) issuance of cheques monthly to Indian families qualified for the receipt of family allowances in cash.

(*b*) issuance of cheques monthly to Indian agency trust accounts where administration is necessary.

(*c*) issuance of credits monthly to the Indian Affairs Branch in favour of Indian families qualified to receive family allowances in kind.

The Department of Mines and Resources to accept responsibility for:—

(*a*) supervision of moneys spent under The Family Allowances Act.

(*b*) the administration of family allowances moneys through agency trust accounts where necessary.

(*c*) buying specially selected foods and clothing for Indian families qualified to receive family allowances in kind.

Where family allowances are payable in kind, individual credits are set up monthly for each eligible family and a cheque representing the total is paid monthly to Chief Treasury Officer, Indian Affairs Branch.

Immediately following this understanding a senior official with the necessary stenographic and clerical help was appointed to the Indian Affairs Branch and charged with the administration of all family allowances payments for which the branch had assumed responsibility.

Registration—

Indian families registered under The Family Allowances Act as at December 31, 1945, total 16,215 representing 47,021 Indian children.

Registration of eligible families is very nearly complete with the exception of a few families principally from the Six Nations, Caughnawaga and Tyendinaga agencies.

Any distrust and suspicion as to the motives of The Family Allowances Act are gradually being dispelled with the Indians realizing there are no strings attached to this new social movement.

Payments to Indian families are being made as follows:—

(*a*) cheque direct to Indian	10,105
(*b*) cheque direct to Indian but mailed % Agent	1,959
(*c*) allowances administered through agency trust accounts	602
(*d*) allowances being administered in kind	3,549
	16,215

Due to the geographical location, transportation and mailing facilities, considerable difficulty was encountered in registering the Indians in the northern regions. This was mainly completed at treaty payment which in some cases is the only time that vital statistics can be brought up to date.

The following breakdown shows the registration and method of payment by provinces:—

Provinces	Families Reg.	Children Reg.	Payment (*a*)	(*b*)	(*c*)	(*d*)
British Columbia	3,712	10,945	3,047	363	134	168
Alberta	1,902	5,689	1,071	217	94	520
Saskatchewan	1,948	5,809	1,033	648	45	222
Manitoba	2,314	6,852	1,445	524	220	125
Ontario	3,716	10,369	2,144	117	81	1,374
Quebec	1,315	3,806	546	90	3	676
Prince Edward Island	38	108	38	..	..	..
Nova Scotia	331	898	331	..	..	..
New Brunswick	290	847	265	..	25	..
Yukon	165	483	..	..	..	165
Northwest Territories	484	1,245	185	..	..	299
	16,215	47,021	10,105	1,959	602	3,549

Welfare—

From agents' reports and general observations of the field staff, it is apparent in the majority of cases family allowances are being spent to good advantage on behalf of the children. Indian children attending day schools are much better dressed than before.

Indian parents are spending these moneys on nutritious foods such as milk, eggs and vegetables. The same holds true in the far north where allowances are being paid in kind. The traders are co-operating to ensure that the Indian children are being supplied with food and clothing in accordance with the approved list prepared on the advice of medical officials of the branch and dietary authorities of the Sick Children's Hospital, Toronto.

The payment of family allowances in kind, while presenting considerable administrative difficulties, would appear to be sound.

This method of payment is still too much in its infancy to produce figures reliable enough to present an accurate comparative price chart. However, it is all too apparent, that the purchasing value of a dollar declines rapidly as the distance from rail-head increases.

The following table of comparative retail prices is given by way of illustration:—

Trading Posts	Milk, per tin	Powdered milk, per lb.	Klim, per lb. tin	Rolled Oats, per lb.	Flour, per 49 lb.	Sugar, per lb.	Butter, Fresh, per lb.	Butter, 1 lb. tin	Pablum, per 1 lb. tin	Spork, per tin
	c.	c.	c.	c.	$ c.	c.	c.	c.	c.	c.
Ottawa, Ontario	0.09	.....	0.67	0.05½	1.86	0.08	0.40	.....	0.45	0.33
Nemaska, Que	.25	.65	.....	.18½	.....	.....	.....	.75	.75	.50
Moosonee, Ont	.12	.50	.....	.06½	2.13	.10	.45	.....	.50	.35
Windigo Lake, Ont	.....	.65	.....	.19	7.00	.....	.....	.85	.50	.50
Ogoki Post, Ont	.....	.....	.85	.16	6.00	.....	.....	.75	.50	.55
Waterways, Alta	.11½	.50	.....	.06	1.75	.10	.42	.....	.50	.35
Upper Hay River, Alta	.20	.....	.90	.10	.....	.14	.....	.65	.....	.....
Ft. Chipewyan, Alta	.15	.50	.74	.08	2.00	.11½	.50	.....	.....	.34
Yellowknife, N.W.T	.16	.60	1.00	.10	3.50	.15	.55	.....	.....	.45
Ft. Wrigley, N.W.T	.25	.50	.....	.10½	4.00	.20	.60	.....	.50	.45
Telegraph Creek, B.C	.15	.50	.....	.12½	3.50	.12½	.....	.65	.55	.32
Teslin, Y.T	.20	.....	.75	.15	5.00	.17½	.....	.65	.....	.45
Ft. Selkirk, Y.T	.17	.50	.....	.12½	4.00	.13½	.....	.65	.50	.40

School attendance—

A betterment in school attendance over previous years is indicated by day school monthly reports. A new monthly day school attendance report has been designed to provide information with respect to school attendance insofar as it affects the Family Allowances Act.

It is considered that in the light of family allowances being of a voluntary nature, a moral obligation is undertaken to spend the money on the children and to send them to school regularly.

Under section 4 (2) of the Family Allowances Act, where school facilities are available, the procedure adopted is to warn the parents immediately if a child shows an unreasonable absence of over five days in a month. If the next month does not show improvement, allowances are immediately suspended until such time as the child returns to regular attendance.

General Advancement of the Indian Population—

May I now turn to a more general discussion of ways and means for the welfare and advancement of our Indian population. It must be borne in mind, in this connection, that we are called upon to deal with a group who differ widely in economic achievement and in cultural attainments, a group the members of which cannot be described as, in any sense, homogeneous. When we pause to consider material and social advancement, we immediately think 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; but we must think also of the nomadic bands in the north who still live in tents, dilapidated shacks or tepees. This group has, in my judgment, a peculiar claim on the resources of the nation to provide them with the educational, medical and other facilities necessary to their well-being and gradual advancement.

A tendency persists to use the term "Indian" somewhat loosely. The definition in the Indian Act reads:—

"Indian" means

(i) any male person of Indian blood reputed to belong to a particular band,

(ii) any child of such person,

(iii) any woman who is or was lawfully married to such person—

In practice, this difinition means that a person of pure Indian blood may marry a white woman, thus reducing the Indian blood in his offspring to 50 per cent. The son of such a union may follow in the footsteps of his father, reducing the Indian blood in his children to 25 per cent, and one can readily follow this reasoning to its logical conclusion. The question that has always disturbed me since entering the department, is the question relating to the moral authority of parliament by statutory enactment or a government by regulations or policy to deprive persons with 50 per cent or more white blood of the full rights of Canadian citizenship. Another question equally relevant is where should our duties and responsibilities to these persons begin and end? From the standpoint of equity and justice, certainly a definition more in accord with the advancement of the racial group with whom we are dealing should read, "An Indian is a person with 50 per cent or more native or Indian blood". I am not optimistic enough, however, to believe for a moment that this definition is likely to be incorporated in the revised Act. I have learned from experience that it is not an easy matter to suddenly detach human beings from the traditions, practices and policies to which they have become acclimatized over a long period of years. The final responsibility for working out a definition more in accord with the advancement of the Indian or the so-called Indian in the light of his present-day needs is not my responsibility. This is the responsibility of parliament and perhaps it is well that such is the case.

Hon. Mr. FALLIS: Am I correct in understanding from what you said a moment ago that if an Indian woman marries a white man she ceases to be an Indian, yet she is not a white woman? If her husband deserts her, or dies, she is left destitute and there is nobody to look after her? That does not apply in the case where an Indian marries a white woman. It seems unjust to the Indian woman who marries a white man because neither the white people nor the Indians want her.

The CHAIRMAN: That is a matter which will be considered by the committee.

The WITNESS: It is an awkward problem. I shall continue.

I want, if I can, to forget for a moment the difficulties that are likely to be encountered in working out a proper definition and discuss with you the Indian problem that now confronts us. It can be stated in this regard that the whole Indian problem is essentially an educational one. Commissioner Burke of the United States in his foreword to a book entitled "The Red Man in the United States" has this to say:—

> Practically all our work for the civilization of the Indian has become educational: Teaching the language he must of necessity adopt, the academic knowledge essential to ordinary business transactions, the common arts and crafts of the home and the field, how to provide a settled dwelling and elevate its domestic quality, how to get well when he is sick and how to stay well, how to make the best use of his land and the water accessible to it, how to raise the right kind of live-stock, how to work for a living, save money and start a bank account, how to want something he can call his own, a material possession with the happiness and comforts of family life and a pride in the prosperity of his children.

The problem of Indian administration in the United States was thoroughly investigated a few years ago by a survey staff with Lewis Meriam acting as technical director. This investigation was conducted under the Institute for Government Research at the request of The Honourable Hubert Work, Secretary of the Interior. The report, usually referred to as The Meriam Report, is in my judgment one of the most comprehensive and one of the most informative available on this question. Under the heading "Recommendations", the investigators have this to say:—

> The fundamental requirement is that the task of the Indian Service be recognized as primarily educational, in the broadest sense of that word, and that it be made an efficient educational agency, devoting its main energies to the social and economic advancement of the Indians, so that they may be absorbed into the prevailing civilization or be fitted to live in the presence of that civilization at least in accordance with a minimum standard of health and decency.
>
> To achieve this end the Service must have a comprehensive, well-rounded educational program, adequately supported, which will place it at the forefront of organizations devoted to the advancement of a people. This program must provide for the promotion of health, the advancement of productive efficiency, the acquisition of reasonable ability in the utilization of income and property, guarding against exploitation, and the maintenance of reasonably high standards of family and community life. It must extend to adults as well as to children and must place special emphasis on the family and the community. Since the great majority of the Indians are ultimately to merge into the general population, it should cover the transitional period and should endeavor to instruct Indians in the utilization of the services provided by public and quasi public agencies for the people at large in exercising the privileges of citizenship and in making their contribution in service and in taxes for the maintenance of the government. It should also be directed toward preparing the white communities to receive the Indian. By improving the health of the Indian, increasing his productive efficiency, raising his standard of living, and teaching him the necessity for paying taxes, it will remove the main objections now advanced against permitting Indians to receive the full benefit of services rendered by progressive states and local governments for their populations. By actively seeking co-operation with state and local governments and by making a fair contribution in payment for services rendered by them to untaxed Indians, the national government can expedite the transition and hasten the day when there will no longer be a distinctive Indian problem and when the necessary governmental services are rendered alike to whites and Indians by the same organization without discrimination.
>
> In the execution of this program scrupulous care must be exercised to respect the rights of the Indian. This phrase "rights of the Indian" is often used solely to apply to his property rights. Here it is used in a much broader sense to cover his rights as a human being living in a free country. Indians are entitled to unfailing courtesy and consideration from all government employees. They should not be subjected to arbitrary action. Recognition of the educational nature of the whole task of dealing with them will result in taking the time to discuss with them in detail their own affairs and to lead rather than force them to sound conclusions. The effort to substitute educational leadership for the more dictatorial methods now used in some places will necessitate more understanding of and sympathy for the Indian point of view. Leadership will recognize the good in the economic and social life of the Indians in their religion and

ethics, and will seek to develop it and build on it rather than to crush out all that is Indian. The Indians have much to contribute to the dominant civilization, and the effort should be made to secure this contribution, in part because of the good it will do the Indians in stimulating a proper race pride and self respect.

Taxation

With respect to the taxation of Indians, the report states,

> Most of the property of restricted Indians under national supervision is exempt from taxation. The fact that many Indians pay no direct state and county property taxes is advanced as a reason why the state and local governments should perform no service for the restricted Indians. Even when they migrate from reservations and as regular industrial workers in a white community contribute as great a share to the prosperity of a community as do the poorer white workers, they are frequently denied rights accorded recently arrived Mexican immigrants and other workers, such as free attendance at public school and county hospital care when unemployed or otherwise unable to pay full fees.
>
> The fact is that the problem of taxation of Indian property has not been given the study and cooperative consideration by both national and state officials that it requires. No plans have been worked out on the basis of a thorough analysis of the problem and an application of sound economic and social principles in its solution.
>
> The primary concern of both the national and the state and local government should be that the Indians, citizens of both the nation and the state, should be developed to the point where they are able to maintain themselves and their dependents in accordance at least with a minimum standard of health and decency in the presence of white civilization.
>
> To avoid any possibility of misunderstanding regarding the position taken with respect to the taxation of Indians, it should be clearly stated that it is regarded as highly desirable that the Indians be educated to pay taxes and to assume all the responsibilities of citizenship. The survey staff by no means advocates the permanent existence of any body of tax exempt citizens or a policy of indefinitely doing for people what they should be trained to do for themselves. The matter of taxation, however, like other problems in the Indian Service, should be approached from the educational standpoint. In the first lessons in taxation the relationship between the tax and the benefit derived from it by the Indians should be direct and obvious. The form of the tax should be one that has real regard for the capacity of the Indian to pay. The old general property tax has many defects as a system for well established white communities; it is often ruinous as a first lesson in taxation for an Indian just stepping from the status of an incompetent ward of the government to one of full competency. His chief asset is land which bears the full brunt of his tax, and he has relatively small income from which to meet it. An income tax would be far better for the Indian just emerging from the status of incompetency than the general property tax. What is advocated, is not that the Indian be exempt from taxation, but that he be taxed in a way that does not submerge him.

Mr. CASTLEDEN: Is it presumed from your statement that you intend to tax these people without giving them any representation?

The WITNESS: No. I am just putting this in the record for the guidance of the committee, to show that the matter has been given consideration by other bodies.

Mr. RICHARD: You are reading from the Meriam report.

The WITNESS: Yes. My brief continues:

General conclusions

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. A great deal would depend, of course, on the sound practical value of our educational program and the extent to which we can arrest the ravages caused by tuberculosis and other communicable diseases. I should add that the figures quoted include the amounts likely to be required for medical services, but do not include family allowances payments.

The additional funds in the early years would be required for the construction and repair of school buildings and hospitals, the construction of Indian homes, the employment of capable farming instructors—preferably agricultural college graduates—and experienced officers for the promotion and extension of our fur conservation program, and the construction of roads and irrigation projects on Indian reserves. In this connection, it is interesting to note that the money allowed each year for the repair and construction of roads on Indian reserves throughout the dominion does not greatly exceed the amount required to build one mile of a standard trunk highway. There appear to be widespread demands for the erection and operation of Indian day schools. I find it difficult to convince myself that this program can be in any sense successful with Indian reserve roads, if I may refer to them as such, in their present condition. Provincial educational authorities have been engaged for some years in the consolidation of rural one-room schools by the erection of consolidated schools at central points, and by provision for the transportation of pupils. It is unnecessary to state that the graded school, for reasons that will readily occur to you, is a much more efficient unit than a one-room school can possibly be, regardless of the qualifications and efficiency of the teacher in charge.

I intimated in the earlier part of my submission that there were approximately 12,000 children for whom no educational facilities have been provided. I hope you will agree with me when I state that these facilities should be provided at once. In addition to this, our school population is increasing at the rate of approximately 150 pupils per annum. To follow the present policy and provide residential school accommodation for 50 per cent of these and Indian day school accommodation for the other half, would mean the construction of a residential school which, fully equipped, would cost today approximately $175,000, and five Indian day schools at an approximate cost of $8,000 each. Nor is this all. Fortunately, for humanity, we have reached a stage when we look upon education not as something injected into us during our sojourn at school, the effects of which gradually wear off in later life, but a life process that should begin at birth and end only at death. If this statement is accepted, provision should be made in the program to which I have briefly referred for the erection on Indian reserves of community halls or community centres, equipped to carry forward an up-to-date adult educational program, buildings equipped for visual instruction and wholesome and edifying entertainment. Not until such buildings have been established will we be in a position to take full advantage of the extension courses provided in many districts by the provinces.

Finally, let me state that when we turn to the Indian population and to the consideration of ways and means whereby conditions on Indian reserves might

be improved, the problems confronting us appear to lend themselves in the main to a well thought out, long-range program. The education and ultimate assimilation of the Indian population will be, in my judgment, a slow and painful process and one that will likely demand the exercise of devotion, self-sacrifice and patience on the part of the men and women engaged in this challenging and constructive task. One of the outstanding needs at the moment appears to be a housing program such as the program outlined in the government's post-war rehabilitation program. If our health program is to be carried forward with any hope of success, the insanitary shacks in which many of our Indians now live should be replaced by sanitary dwellings. There is need too for a worthwhile program of physical education. There is no reason of which I am aware why the Indians of the future should not be, in a physical sense, the best developed citizens in the dominion. Where attempts have been made to promote on a small scale a program aimed at the physical development of Indian children, such as the program inaugurated at St. Mary's Residential School in British Columbia, the results were outstanding.

Indians remain the largest single land owners in Canada and attempts will be made, no doubt, from time to time to alienate the best of these lands for use by white farmers, returned veterans and for industrial development. These attempts can only be successfully resisted by a program that will aim at bringing unused Indian reserve lands into a state of cultivation and production. With the up-to-date machinery at our disposal, there is no valid reason why this task should not be undertaken at once. With the Indian population increasing at its present rate, these lands will be urgently needed; indeed, without them it is difficult to see how a worthwhile betterment program can be carried forward. I have already referred to the need for extending our fur conservation projects. This need should be constantly emphasized, particularly in the interests of hunting and trapping Indians and as a source to which we might well turn for additions to our national income. Indians should be encouraged to assume more responsibility for the administration of their own affairs. A start might be made by organizing advisory groups for the administration of family allowances, the care and beautification of school grounds and for the promotion of athletics—baseball, football, hockey and other such activities. It is difficult to understand how the Indian can develop as a citizen, physically or mentally, in the absence of these and other related responsibilities.

It is imperative that the objectives of the Indian Affairs Branch should be clearly stated and constantly emphasized. I am not, I hope, speaking critically when I state that these objectives appear to be obscure and confused at times. Is it possible that in the past we have given too much thought to what might be termed the machinery of administration and not enough thought, perhaps, to the task for which this administrative machinery was created? In Indian administration we need, more perhaps than in any other branch of the public service, a simplification of the procedure followed in the transaction of our administrative tasks. The remoteness of the areas in which a great many Indians live, the lack of roads and telephone and telegraphic communications result in exasperating delays and not infrequently in unnecessary suffering and hardship. When you add to these the circuitous routing of correspondence both at Ottawa and in the field and all that we have in mind when we use the term "red tape", you have a condition that develops a sense of frustration and helplessness in the minds of your staff and is a constant source of misunderstanding and annoyance to the human beings we are seeking to help. Fortunately for us, we live in an age when scientific research, or to speak more accurately, the results of this research, is enabling us to rapidly overcome the obstacles once created by time and space, and I am optimistic enough to believe that the ingenuity of the human mind will in the not too distant future, enable us to transact the business

of the nation as efficiently and with the same despatch as it is now undertaken and accomplished in a well organized and up-to-date industrial or commercial organization.

It is unnecessary to add that I have reviewed these matters and prepared this submission somewhat hurriedly and not without interruptions. It is altogether likely that a number of matters of equal or even greater importance have been overlooked. If such is the case, it is my hope that I shall have an opportunity of submitting supplementary recommendations in due course.

It is my intention, with your permission, to have officials of the branch submit statements on—

1. Treaty rights and obligations—
2. Band membership—

and statements also on a number of subjects with which I have dealt somewhat briefly.

The CHAIRMAN: While we are not dismissing the witness, may I express to him the appreciation of the committee for his very excellent presentation to us this morning. I will ask the committee to reserve questions until our next meeting when Mr. Hoey will be with us again and he will be able to go into all phases of his report with us.

The WITNESS: With your permission, Mr. Chairman, there is one suggestion I would like to make. Treaty rights and obligations are likely to come up and to prove controversial. We have made a summary of all the treaties entered into by the government with the Indians. I have this material with me. I do not see how the members can study the matter unless they have this synopsis incorporated in the report.

The CHAIRMAN: Is it the pleasure of the committee to accept the synopsis of the treaties and have it incorporated in the record?

Mr. RICHARD: Is this the only source we have for these treaty rights?

The WITNESS: There are several books; this is just a synopsis. It gives you the name of the treaty and a short summary of the terms.

Mr. RICHARD: These have never been published?

The WITNESS: Oh, yes they have.

(Summary of Indian treaties appears as Appendix "A".)

Mr. GARIEPY: The point raised by the lady senator with regard to the status of the Indian woman who marries a white man is very important. May I ask the witness if there is anything in connection with that point in the Meriam report?

The CHAIRMAN: Would you be prepared to wait for your answer to that question until Mr. Hoey comes before the committee again?

Mr. GARIEPY: I have no objection.

Mr. CASTLEDEN: Mr. Chairman, this committee is deliberating the matter of the revision of the Indian Act and the welfare of our Indians who heretofore have been considered as wards of the government and are, therefore, entirely at the mercy of those who direct their affairs and were appointed to do so. As a preamble I should like to say that whereas the amendment of the Act will establish for years to come the type of control which will determine the standards of life training—perhaps the very existence—of these subordinated human beings to whom democracy is denied in Canada; and whereas without democracy there can be no economic or social well-being and no pride or self-respect, therefore I am going to move, seconded by Mr. Bryce:

That this committee immediately invite the Canadian Indians to send a representation of at least five Indians to represent the following five parts of Canada: (1) Alberta and British Columbia; (2) Saskat-

chewan and Manitoba; (3) Ontario; (4) Quebec; (5) the Maritime Provinces; to sit in on all the deliberations of this committee with watching briefs and to be available to be examined as witnesses under oath.

Surely, when we are discussing these contentious matters which are going to affect the very life of these people and as a result of which we will determine whether or not any form of democracy will be allowed to them, without which we cannot assimilate them, and without which we cannot tax them, I think these people should at least be granted the privilege of sitting in and watching the deliberations of this committee. I will give that as a notice of motion for our next meeting.

The CHAIRMAN: We shall refer your motion to the steering committee for consideration and report to this Committee.

Mr. MACNICOL: We shall have to arrange a program. We have Mr. Hoey's report. The steering committee will prepare a program, and perhaps Mr. Castleden's suggestion will be incorporated in the report of the steering committee.

The CHAIRMAN: There are many who are asking to appear before us. Their applications will be considered by the steering committee to whom we will refer this resolution I will ask the members of that committee to meet to-morrow morning at 11 o'clock in Room 155, if convenient. If the members of the Committee have any suggestions to make I shall be glad to receive them at any time during our meetings, or in private, and I am sure Senator Johnston would feel the same way.

Hon. Mrs. FALLIS: In view of the fact that the Senate is going to be in adjournment for two weeks, I wonder if we are going to miss an opportunity to ask Mr. Hoey some questions on his report and whether his examination will be over by the time we get back? That would be very unfortunate.

The CHAIRMAN: I should not like to make any statement in that regard.

Hon. Mrs. FALLIS: Perhaps the committee could receive some other reports in the meantime. We can always read reports but we cannot always be here to ask questions.

Mr. BLACKMORE: Probably the senators could draft their questions and have someone here to ask them and the questions and answers would then appear on the record.

The CHAIRMAN: Or it might be that you could have Mr. Hoey recalled at a later date. Mr. Hoey will be here at all events, but I am sorry that we cannot hold up the proceedings of the committee.

Hon. Mrs. FALLIS: I was wondering whether there were not some other reports that could be presented while the senators are away. That may not be practicable; I do not know.

Mr. BLACKMORE: It seems to me that the logical thing for the senators to do would be to read the printed report, draft their questions, and have them submitted by someone who is here.

Mr. RICHARD: There may be other questions which would arise from the answers.

Mr. BLACKMORE: They would have to submit those at another time.

Hon. Mrs. FALLIS: It is not very satisfactory.

The CHAIRMAN: It is not as satisfactory as we would like. We regret that the Senate has decided to take a recess. We will adjourn until Tuesday next.

The Committee adjourned to meet on Tuesday, June 4 next at 11 o'clock a.m.

DEPARTMENT OF INDIAN AFFAIRS

CANADA

INDIAN TREATIES

From the time of the first British settlement in New England, the title of the Indians to lands occupied by them was conceded and compensation was made to them for the surrender of their hunting grounds. The Crown has always reserved to itself the exclusive right to treat with the Indians for the surrender of their lands, and this rule, which was confirmed by the Royal Proclamation of October 7, 1763, is still adhered to.

In 1670, during the reign of Charles II, instructions were given to the governors of the colonies, which, among other matters, directed that Indians who desired to place themselves under the British should be well received and protected.

For nearly a century the Indians most intimately associated with the English were the Five Nations, living in what is now the state of New York. These were known as the "Iroquois League" and at first comprised the Mohawks, Oneidas, Cayugas, Onondagas and Senecas. In 1715 the Tuscaroras from North Carolina were admitted to this league, which from that time has been known as the "Six Nations".

There are still of record numerous agreements and treaties, dating back as far as the year 1664 and made by the British with the Indians of New England, while Canada was still under French Government.

Quebec

Unlike the British, the French did not admit the Indians had any title to lands but claimed them for the Crown by right of discovery and conquest. Reserves were, however, set apart from time to time for the use of the Indians and these were confirmed by the British in Article XL of the Articles of Capitulation signed at Montreal on September 8, 1760, which reads, in part, as follows:—

> The Savages or Indian Allies of his most Christian Majesty, shall be maintained in the lands they inhabit, if they choose to remain there; they shall not be molested on any pretence whatsoever, for having carried arms and served his most Christian Majesty.

In later years other reserves were set apart for Indians in the province of Quebec under authority of an Act of the Province of Canada dated August 30, 1851 (14 & 15 Victoria, Cap. 106).

Maritime Provinces

Two of the reserves in Prince Edward Island were grants from private owners and the third was purchased by the Dominion Government for the Indians. In New Brunswick and Nova Scotia some reserves were set apart by the Provincial Governments before Confederation and others have been purchased for the use of the Indians by the Dominion Government since that date.

Ontario

The whole of Upper Canada has been surrendered to the Crown by treaties made by the Government with the Indians, reserves of sufficient extent being set apart for their use at points chosen by the Indians. In addition to the indigenous tribes, it was necessary to provide lands for the Six Nations Indians who came to Canada after the American revolution to compensate them for the loss of their lands in the Mohawk Valley. Reserves were set aside for them on the Bay of Quinte and on the Grand River.

Up to the year 1818 the compensation for the lands, whether in goods or money, was paid to the Indians at the time of treaty but since that date it has taken the form of an annuity.

Previous to the year 1829, the custom was to pay these annuities in goods of the same description as the annual presents, by which practice the Indians, having already received an adequate supply of clothing, had a strong inducement to dispose of the remainder for any object of more immediate want or attraction, among which liquor ranked foremost.

In 1829, Sir John Colborne, being desirous of checking the evils of this system and to promote the settlement and civilization of the Indians, obtained permission from the Secretary of State to apply the annuities towards building houses and purchasing agricultural implements and stock for such members of the several tribes, interested in the payments, as were disposed to settle in the province; and from that time the issue of goods in payment of annuities ceased. The change seems at first to have been unwillingly adopted by the Indians but was later generally approved of. Within two or three years the settlements at Coldwater, the Narrows, St. Clair and Munceytown were established by means of these funds and later several other settlements were formed or enlarged.

In consequence of this change it became necessary to credit each band, yearly, with the amount of its annuity and to direct the expenditure of the money for its benefit. This has led to the admission of the Indians to a voice in the disbursement of their funds. The Government has not abandoned control but still exercises a restraint on improvident or improper expenditure and directs undertakings for their advantage, but the general practice is for the Indians to determine among themselves how the money is to be spent, sending a resolution of their Council to the department covering each item.

There have been many surrenders of land for the purpose of sale or lease, the proceeds of which are placed to the credit of the Indians, and there have been others for railway purposes, roads, churches, schools, etc., but the principal surrenders were made under Treaty and cover practically the whole province.

Old Upper Canada Treaties

By treaty of May 15, 1786, the Ottawa and Chippewa Indians surrendered Anderdon township and part of West Sandwich, Lambton County; also Bois Blanc Island in the Detroit River.

By treaty of May 19, 1790, the Ottawa, Chippewa, Pottawatomie and Huron Indians surrendered parts of Kent and Elgin and Middlesex counties, containing about 2,000,000 acres of land, in consideration of goods to the value of £1,200 currency delivered at the time of treaty.

By treaty of December 7, 1792, signed at Navy Hall, the Mississagua Indians surrendered Norfolk and Haldimand counties and parts of Lincoln, Wentworth, Brant, Oxford, Middlesex, Elgin and Welland counties, containing about 3,000,000 acres of land.

This surrender was taken to correct a defect in one taken on May 22, 1784. The consideration in this case was £1,180.7s.4d. sterling.

By treaty of September 7, 1796, the Chippewa Indians surrendered part of Middlesex and Oxford counties, on the north side of the River Thames, in consideration for which they were paid £1,200 Quebec currency, in goods, at the time of treaty.

By treaty of September 7, 1796, the Chippewa Indians surrendered part of Lambton and Kent counties, in consideration for which they were paid £800 currency, in goods at the time of treaty.

By treaty of August 21, 1797, the Mississagua Indians surrendered part of Nelson township, in Halton county, containing about 3,450 acres in consideration of goods to the value of £75.2s.6d. delivered at the time of treaty.

By treaty of May 22, 1798, the Chippewa Indians surrendered part of Simcoe county, including Penetanguishene harbour and islands therein, for the sum of £101 paid to them in goods at the time of treaty.

By treaty of June 30, 1798, the Chippewa Indians surrendered St. Joseph, Cariboux or Payentanassin Island, between Lakes Huron and Superior—one hundred and twenty miles in circumference—in consideration of goods, to the value of £1,200 Quebec currency, delivered to them at the time of treaty.

By treaty of September 11, 1800, the Ottawa, Chippewa, Pottawatamie and Wyandott Indians surrendered part of Essex county, containing 2,412 acres and a roadway, in consideration of the payment of £300 in goods delivered at the time of treaty.

By treaty of August 1, 1805, the Mississagua Indians surrendered Etobicoke, York and Vaughan townships and parts of King, Whitechurch and Markam townships, York county.

This was in confirmation of a surrender signed on September 23, 1787, when "divers goods and valuable consideration was given." Ten shillings was paid at the time of this confirmation.

By treaty of September 6, 1806, the Mississagua Indians surrendered part of Peel and Halton counties to the extent of about 85,000 acres, in consideration of goods to the value of £1,000 9s. 1¾d. delivered at the time of treaty.

By treaty of the 17th and 18th of November, 1815, the Chippewa Indians surrendered part of Simcoe county containing about 250,000 acres, on consideration of £4,000 paid to the Indians at the time of treaty.

By treaty of August 6, 1816, the Mississagua Indians surrendered part of Thurlow township, Hastings county, at the mouth of Moira River, Bay of Quinte, containing about 428 acres, in consideration of £107 paid to the Indians at the time of treaty.

By treaty of October 17, 1818, the Chippewas of Lakes Huron and Simcoe surrendered part of Gray, Wellington, Dufferin and Simcoe counties, containing about 1,592,000 acres, in consideration of an annuity of £1,200 payable in goods.

By treaty of October 28, 1818, the Mississagua Indians surrendered parts of Wellington, Dufferin, Peel and Halton counties to the extent of about 648,000 acres, known as the Mississagua Tract, in the Home District. The consideration in this case was an annuity of £522.10s. to be paid in goods.

By treaty of November 5, 1818, the Chippewa Indians surrendered Ryde township and parts of Muskoka, Morrison, Draper and Oakley, Muskoka district; part of Ontario county; Victoria and Peterborough counties; and parts of Durham, Haliburton, Hastings and Northumberland counties, containing about 1,951,000 acres, in consideration of an annuity of £740, province currency, payable in goods.

By treaty of February 28, 1820, the Mississagua Indians surrendered part of Toronto township, Peel county, containing about 2,000 acres in consideration of £50 currency paid at the time of treaty.

By treaty of July 8, 1822, the Chippewa Indians surrendered part of Middlesex, Lambton and Kent counties, containing about 580,000 acres, in consideration of an annuity of £2.10s. in goods to each man, woman and child of the Chippewas then inhabiting and claiming the said tract of land, and who shall be living at the respective times appointed for the delivery of the said merchandise, during their respective lives and to their posterity for ever, provided that the number of annuitants should not at any time exceed 240, being the number of persons then composing the said nation claiming and inhabiting the said tract.

By treaty of July 20, 1820, the Mohawks of the Bay of Quinte surrendered about 52 square miles, in consideration of an annuity of £2.10s. for each man, woman and child but not to exceed the sum of £450 a year.

By treaty of November 28, 1822, the Mississagua Indians surrendered parts of Carleton, Lanark, Renfrew, Frontenac, Addington and Hastings counties, containing about 2,748,000 acres, in consideration of an annuity of £2.10s. in goods, to each man, woman and child, provided the number of annuitants shall not at any time exceed 257, being the present number of persons entitled to the same.

By treaty of July 10, 1827, the Chippewa Indians surrendered parts of Waterloo, Wellington, Huron, Lambton, Middlesex and Oxford counties and all of Perth county, containing about 2,182,049 acres, in consideration of an annuity of £1,100 payable in goods.

This was in confirmation of a treaty signed by them on April 26, 1825, but giving the area surrendered more exactly.

By treaty of August 9, 1836, the Ottawa and Chippewa Indians surrendered their claim to Manitoulin Island to be used as a reserve for all Indians.

By treaty of October 25, 1836, the Moravian Indians surrendered their lands on the north side of the River Thames, containing about 2,500 acres, in consideration of an annuity of £600.

The annuities granted to the Indians under the Old Upper Canada treaties were capitalized some time previous to Confederation and the interest placed each year to the credit of their respective accounts and distributed to the Indians entitled to them semi-annually with the interest derived from sale of their lands, timber, etc.

By treaty of September 7, 1850, at Sault Ste. Marie, the Ojibway (or Chippewa) Indians surrendered the land on the north shore of Lake Superior, including the islands, from Batchewana Bay to Pigeon River, and inland to the height of land, except reserves mentioned, in Algoma and Thunder Bay districts, in consideration of an immediate payment of £2,000 and an annuity of £500. If the territory ceded should produce a sufficient amount the annuity to be increased to £1 currency for each individual, provided the number of annuitants shall be two-thirds of their present number (which is 1,240). This increase of annuity was authorized by Order in Council of July 22, 1875, and arrears of increase paid for the years 1853, 1854, 1856, 1872, 1873 and 1874.

By treaty of September 9, 1850, the Ojibway (or Chippewa) Indians surrendered the eastern and northern shores of lake Huron, including the Islands, from Penetanguishene to Batchewana Bay, and inland to the height of land, except reserves mentioned in Muskoka, Parry Sound, Nipissing and Algoma districts, in consideration of an immediate payment of £2,000 and an annuity of £600. If the territory ceded should produce a sufficient amount the annuity to be increased to £1 currency for each individual provided the number of annuitants shall be two-thirds of their present number (which is 1,422). This increase of annuity was authorized by Order in Council of July 22, 1875, and arrears of increase paid for 1873 and 1874.

Treaty 9

In the years 1905 and 1906 Treaty Commissioners Duncan C. Scott and Samuel Stewart (for the Dominion) and Daniel George MacMartin (for the Province of Ontario) negotiated a treaty with the Ojibway and Cree Indians north of the height of land and a surrender was obtained of a tract of land described in the treaty, containing about 90,000 square miles, under the following conditions: Lands to be reserved for the use of the Indians to the extent of one square mile for each family of five. A present of $8 to be made to each Indian at the time of treaty. An annuity of $4 for each Indian and schools to be established for the Indians where necessary.

This treaty was signed at:—
Osnaburg, on July 12, 1905.
Fort Hope, on July 19, 1905.
Martins Falls, on July 25, 1905.
Fort Albany, on August 3, 1905.
Moose Factory, on August 9, 1905.
New Post, on August 21, 1905.
Abitibi, on June 7, 1906.
Matchewan, on June 20, 1906.
Mattagami, on July 7, 1906.
Flying Post, on July 16, 1906.
New Brunswick House, on July 25, 1906.
Long Lake, on August 9, 1906.

The annuities granted to the Indians under the Robinson Treaties and Treaty No. 9 are distributed yearly to the Indians entitled to them.

Adhesion to Treaty No. 9.

In 1929 Mr. W. C. Cain, Deputy Minister of Lands and Forests, and Mr. H. N. Awrey were appointed Commissioners to negotiate an extension of the James Bay Treaty No. 9, with the Ojibway, Cree and other Indians. Mr. Cain acted for the Province of Ontario and Mr. Awrey for the Dominion Government.

By this adhesion to Treaty No. 9—128,320 square miles, in the District of Kenora (Patricia Portion) were ceded to the Crown and the deed was signed at the following places:—
Trout Lake on July 5, 1929.
Wendigo River on July 18, 1930.
Fort Severn on July 25, 1930.
Winisk on July 28, 1930.

Chippewa and Mississagua Treaties of 1923.

In 1923 a Commission was appointed to negotiate a treaty with the Chippewa Indians of Christian Island, Georgian Island and Rama and the Mississaguas of Rice Lake, Mud Lake, Scugog and Alnwick to extinguish the Indian title to certain lands. On this commission Mr. A. S. Williams, Solicitor of the Department of Indian Affairs, represented the Dominion Government and Mr. R. V. Sinclair and Mr. Uriah McFadden represented the Province of Ontario.

The Indians ceded to the Crown the following lands:—

Parcel No. 1.—A tract of land lying to the east of Georgian Bay and north of Lake Simcoe (described in the treaty) containing 17,600 square miles.

Parcel No. 2.—A tract of land lying in the Counties of Northumberland, Durham, Ontario and York along the shore of Lake Ontario (described in the treaty) containing about 2,500 square miles to cover the "Gunshot Treaty" of 1787.

and all other lands other than those reserved for them by the Crown.

The Chippewas were, in consideration, each paid the sum of $25.00 and the sum of $233,375 was placed to their credit in trust account.

This treaty was signed by the Commissioners, Chiefs and Headmen at Georgina Island on the 31st of October, at Christian Island, on the 3rd of November and at Rama on the 7th day of November 1923.

The Mississaguas were, in consideration, each paid $25.00 and the sum of $233,425 was placed to their credit in trust account.

The treaty was signed by the Commissioners, Chiefs and Headmen at Alderville on the 19th of November, at Mud Lake on the 15th of November, at Rice Lake on the 16th of November and at Scugog on the 21st of November 1923.

Manitoba and the Northwest Territories

By treaty of July 18, 1817, the Chippewa or Saulteaux and the Killistine or Cree Indians surrendered a large tract of land in the Red River district, now in Manitoba, for the Selkirk Settlement, in consideration of an annuity of 100 pounds of tobacco to be delivered to each of the two nations. The Earl of Selkirk had purchased the rights of the Hudson Bay Company to this land on June 21, 1811, for the consideration of ten shillings and certain agreements and understandings contained in an indenture. In 1836 the Hudson Bay Company bought back the whole tract from the heirs of the Earl of Selkirk for the sum of £84,000 the rights of colonists, who had purchased land between 1811 and 1836 being respected.

This tract of land was afterwards included in Treaty No. 1, 1871.

By Treaty No. 1 dated August 3, 1871, Treaty Commissioner Wemyss M. Simpson obtained a surrender from the Chippewas and Swampy Crees of a tract of land (described in the treaty) reserving 160 acres, for each family of five Indians, in several localities in consideration of an annuity of $3 for each man, woman and child, Her Majesty agreeing to maintain a school on each reserve for the use of the Indians.

By Treaty No. 2, dated August 21, 1871, Treaty Commissioner Wemyss M. Simpson obtained a surrender from the Chippewa Indians of a tract of land (described in the treaty) reserving certain lands for the use of the Indians to the extent of 160 acres for each family of five persons, in consideration of an annuity of $3 for each man, woman and child, Her Majesty agreeing to maintain a school on each reserve for the use of the Indians.

By Order in Council of April 30, 1875, Treaties Nos. 1 and 2 were amended raising the amount of annuity from $3 to $5 with an additional $20 per annum to each Chief and giving a suit of clothes every third year to each Chief and Headman. Headmen also received $10 extra.

An acceptance of this amendment was signed by the Indians on August 23, 1875.

By Treaty No. 3 (Northwest Angle), dated October 3, 1873, the Treaty Commissioners, Hon. Alexander Morris, Lt.-Governor of Manitoba and the Northwest Territories, J. A. N. Provencher and S. J. Dawson, obtained a surrender from the Saulteaux and Ojibwa Indians, of a tract of land (described in the treaty) comprising an area of about 55,000 square miles, reserving certain lands for the use of the Indians, to the extent of one square mile for each family of five, in consideration of a present of $12 for each man, woman and child and an annuity of $5 for each Indian. Her Majesty further agreed to maintain a school for the Indians on each reserve and to supply the Indians with $1,500 worth of ammunition and twine (annually), also implements and cattle. And that the Chiefs be paid a salary of $25 a year and the sub-chiefs (three to each band) $15 a year. The Chiefs and sub-chiefs were to receive a suit of clothes once every three years and a medal and flag to be given to each Chief.

On June 9, 1874, the Indians of Lac Seul, Trout and Sturgeon Lakes signed an adhesion to Treaty No. 3 (Northwest Angle).

By Treaty No. 4 (the Qu'Appelle Treaty), dated September 15, 1874, the Treaty Commissioners, Hon. Alexander Morris, Lt.-Governor of Manitoba and the Northwest Territories, Hon. David Laird, Minister of the Interior, and W. J. Christie, obtained a surrender from the Cree and Saulteaux Indians of a tract of land (described in the treaty) upon the same terms as Treaty No. 3, with the exception that four sub-chiefs were allowed to each band and the annual grant for ammunition and twine was $750.

The following adhesions were signed to Treaty No. 4, at:—
Fort Ellice, on September 21, 1874.
Swan Lake, on September 24, 1874.
Qu'Appelle Lakes, on September 8 and 9, 1875.
Fort Pelly, on August 24, 1876.
Fort Walsh, on September 25, 1877.

By Treaty No. 5 (Lake Winnipeg Treaty), dated September 20 and 24, 1875, at Berens River and Norway House, the Treaty Commissioners, Hon. Alexander Morris and Hon. James McKay, obtained a surrender from the Saulteaux and Swampy Cree Indians of a tract of land (described in the treaty) containing about 100,000 square miles.

The terms of this treaty are similar to those of Treaty No. 3.

The following adhesions to Treaty No. 5 were signed by:—
Chief Thick Foot's Band on September 28, 1875.
Bloodvein, Big Island, Dog Head and Jack Head bands on July 26, 1876.
Grand Rapids, on August 4, 1876.
Black River Band, on September 27, 1876.
Pas, Cumberland and Moose Lake band on September 7, 1876.
Split Lake, on June 26, 1908.
Nelson House, on July 13, 1908.
Norway House, on July 8, 1908.
Cross Lake, on July 15, 1908.
Fisher River, on Aug. 24, 1908.
Oxford House, on July 29, 1909.
Gods Lake, on August 6, 1909.
Island Lake, on August 13, 1909.
Deer Lake, on June 9, 1910.
Fort Churchill, on August 1, 1910.
York Factory, on August 10, 1910.

By Treaty No. 6, dated August 23 and 28 and September 9, 1876, at Fort Carlton, Fort Pitt and Battle River, the Treaty Commissioners, Hon. Alexander Morris, Hon. James McKay and Hon. W. J. Christie, obtained a surrender from the Plain and Wood Cree Indians of a tract of land (described in the treaty) containing about 121,000 square miles.

The terms of this treaty are similar to those of Treaty No. 3.

Adhesions to Treaty No. 6 were signed by the Cree Indians at Fort Pitt on August 9, 1877, and August 19, 1878.

By the Crees at Blackfoot Crossing and Bow River on September 25, 1877.

By the Stony Plain Indians on August 29, 1878.

By the Wood Crees at Carlton on September 3, 1878.

By Crees (Michel Calistrois) on September 18, 1878.

By Little Pines band on July 2, 1879.

By Big Bears band on December 8, 1882.

Robert and William Charles bands signed an adhesion to Treaty No. 6 on February 11, 1889, at Montreal Lake and surrendered lands (described in the adhesion to treaty) containing about 11,066 square miles.

The Waterhen River band signed an adhesion to Treaty No. 6 on the 8th of November, 1921.

By Treaty No. 7 (Blackfoot) dated September 22, 1877, at Blackfoot Crossing, the Treaty Commissioners, Hon. David Laird and James F. McLeod, obtained a surrender from the Blackfoot, Blood, Peigan, Sarcee and Stony Indians of a tract of land (described in the treaty).

The terms of this treaty are similar to those of Treaty No. 3.

An adhesion to Treaty No. 7 was signed by Chief Three Bulls on behalf of his band on December 4, 1877.

Treaty 8

A Treaty was made on June 21, 1899, by the Treaty Commissioners, Hon. David Laird, J. A. J. McKenna, and J. H. Ross, with the Cree, Beaver and Chipewayan Indians by which the Indians surrendered a tract of land (described in the treaty) on the following conditions:—

Lands were to be reserved for the use of the Indians to the extent of 160 acres for each Indian.

Each Chief was to receive a present of $32, each Head-man, $22, and each Indian, $12, at the time of Treaty.

Each Chief was to receive an annuity of $25; each Head-man, $15, and each Indian, $5.

Each Chief was to receive a medal and a flag, and each Chief and Head-man a suit of clothes every third year.

School teachers were to be provided for the Indians and implements, cattle, ammunition and twine were to be supplied.

This treaty was signed at:—
Lesser Slave Lake, on June 21, 1899.
Peace River, on July 1, 1899.
Vermilion, on July 8, 1899.
Fond du Lac, on July 25 and 27, 1899.
Dunvegan, on July 6, 1899.
Fort Chipewyan, on July 13, 1899.
Fort McMurray, on August 4, 1899.
Wapiscow Lake, on August 14, 1899.

Adhesions to Treaty No. 8 were signed before Commissioner J. A. Macrae by the Beaver Indians of Upper Peace River on May 30; the Sturgeon Lake band on June 8; the Slave Indians of Upper Hay River on June 23; and by the Great Slave Lake Indians (south shore) on July 25, 1900.

The Slaves and Sicanees Indians of Fort Nelson, B.C., signed an adhesion to Treaty No. 8 before Commissioner H. A. Conroy on August 15, 1910.

Treaty 10

In the Year 1906 Treaty Commissioner J. A. J. McKenna negotiated a treaty with the Chipewayan and Cree Indians by which they surrendered a tract of land (described in the treaty) containing about 85,800 square miles, upon terms similar to those of Treaty No. 8.

This treaty was signed at:—
Isle-à-la-Crosse, on August 28, 1906.
Lac du Brochet, on August 19 and 22, 1906 and
Canoe Lake, on September 19, 1906.

Treaty 11

By Treaty No. 11, dated June 27, 1921, Commissioner H. A. Conroy obtained the surrender from the Indians of a tract of land in the Mackenzie River District (described in the treaty) containing about 372,000 square miles. The terms of this treaty are similar to those of Treaty No. 8, and it was signed by the Indians at:—

Simpson, on July 11, 1921.
Wrigley, on July 13, 1921.
Norman, on July 15, 1921.
Good Hope, on July 21, 1921.
Arctic Red River, on July 26, 1921.
McPherson, on July 28, 1921.
Rae, on August 22, 1921.

The annuities granted by treaty to the Indians of Manitoba and the North-west Territories (now Alberta and Saskatchewan and the Northwest Territories) are distributed yearly to those entitled to them.

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 2

TUESDAY, JUNE 4, 1946

WITNESS:

Mr. T. R. L. MacInnes, Secretary, Indian Affairs Branch, Department of Mines and Resources, Ottawa.

OTTAWA
EDMOND CLOUTIER
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1946

Erratum

At page 9, Minutes of Evidence, Tuesday, 28th May, the number of Indians in Manitoba should be 15,933 and *not* 154.933, as printed in column one.

ORDER OF REFERENCE

HOUSE OF COMMONS

TUESDAY, 4th June, 1946.

Ordered,—That the said Committee be empowered to retain the services of counsel.

Attest.

R. H. GRAHAM,
Deputy Clerk of the House.

65479—1½

REPORT TO THE HOUSE OF COMMONS

TUESDAY, 4th June, 1946.

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, begs leave to present the following as a

SECOND REPORT

Your Committee recommends that it be empowered to retain the services of counsel.

All of which is respectfully submitted.

DON. F. BROWN,
Chairman.

By leave of the House,
The said Report was concurred in this day.

MINUTES OF PROCEEDINGS

ROOM 262, THE SENATE,
TUESDAY, 4th June, 1946.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, and all such other matters as have been referred to the said Committee, met this day at 11.00 o'clock a.m.

Mr. D. F. Brown, M.P., Joint Chairman, presided.

Present:

The Senate: The Honourable Senators Johnston and Stevenson. 2.

The House of Commons: The Honourable Messrs. Glen and Stirling and Messrs. Blackmore, Brown, Bryce, Case, Castleden, Charlton, Little, Gariépy, Gibson (*Comox-Alberni*), Harkness, Little, MacNicol, MacLean, Matthews (*Brandon*), Raymond (*Wright*), Reid, Richard (*Gloucester*). 19.

In attendance: (Department of Mines and Resources); Messrs. R. W. F. Pratt and T. R. L. MacInnes, Secretary, Indian Affairs Branch.

The Chairman pointed out the necessity to order an increased printing in English of the Minutes of Proceedings and Evidence.

On motion of Mr. Raymond (*Wright*), it was

Ordered: That the printing from day to day of the Minutes of Proceedings and Evidence taken before the Committee be increased from 500 copies in English to 1,000 copies in English, and that this extra printing include copy No. 1 of the Minutes already printed and distributed.

The Chairman reported that the Steering Committee had agreed to report to the Committee recommending that the Committee ask the Senate and the House to empower the Committee to retain the services of counsel to act as a liaison between Canadian Indians, representatives of organized Indian Brotherhoods, other bodies and the Committee.

After considerable discussion.

On motion of Mr. Blackmore, it was unanimously

Resolved: That the Committee ask the Senate and the House of Commons to empower this Committee to retain the services of counsel.

On motion of Mr. Matthews (*Brandon*), it was

Agreed that the Committee now hear Mr. T. R. L. MacInnes Secretary, Indian Affairs Branch, Department of Mines and Resources.

Mr. MacInnes, was called, made a statement with regard to Indian Treaties and was questioned thereon.

At 1.00 o'clock p.m., the Committee adjourned to meet at 11.00 o'clock p.m., on Thursday, June 6th next.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

THE SENATE,
June 4, 1946.

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 o'clock a.m. Mr. D. F. Brown, M.P. (Joint Chairman) presided.

The CHAIRMAN: May we come to order, gentlemen. First I want to draw your attention to the printed report of the first meeting. At page 9 there should be a correction; it refers to the census of Indians arranged under provinces, 1944. You will note that it has the Manitoba population at 154,933. That is obviously an error.

Mr. MACNICOL: You mean the Indian population of Manitoba?

The CHAIRMAN: Yes. It is obviously an error because the total Indian population is given as 125,686. Now, before proceeding with the business of the committee and the hearing of evidence, I think we should discuss the question of the business which was brought up before the steering committee which met today at 10 o'clock. The steering committee was of the opinion that we should recommend that we engage counsel to represent the Indians all over Canada, someone who would be a liaison officer as between this committee and not only Indian bands and Indian organizations, but any other organization which has a desire to make representations to this committee.

We then proceeded to interview a man who is himself a member of an Indian band, one of the Six Nations Indians at Brantford. Now, this man is quite conversant with Indian affairs and Indian matters and he has been in correspondence with various Indian organizations. We are recommending, we have unanimously decided to recommend that this committee be given power to retain counsel to be named as I have suggested to represent the various organizations and to see that all Indian matters are properly brought before this committee. Now, is there any discussion arising out of that?

Mr. CASE: Would that suggestion be in line with Mr. Castleden's suggestion about having representative Indians here?

The CHAIRMAN: No, that would not take the place of that.

Mr. CASE: Then this is separate and apart from that?

The CHAIRMAN: Yes, Mr. Castleden's resolution was considered by the steering committee, and we will have recommendations to make in that regard at another meeting.

Hon. Mr. GLEN: The gentleman whom we saw is a practising lawyer or barrister in Brantford, Ontario. He is a member of a Six Nations Band. He is conversant with Indian affairs and he has been in touch at times with a great many of the organizations throughout the Dominion. The proposition that we put to him was that we needed someone who could so direct the representations of the Indians that they might be streamlined into a channel that would be of benefit to our committee. We are having requests now from a great many different organizations throughout the Dominion that wish to make representations. We cannot have them come down in a body and sit around here. They will have to be organized in the order that their representations will be made. The subcommittee thought that someone who was more or less connected with

the Indians would give a degree of confidence to the Indians in the thought that their cases would be properly presented. So, having that in mind, we saw this gentleman this morning and we were impressed with him because he seemed to know just exactly what we require. So we discussed it fully with him. He is a practising lawyer and he would have to devote perhaps two, three, or four days a week to the work of this committee.

The first requisite is that we get in touch with Indian bands and endeavour to arrange the representations to be made from the different provinces, for them to come here with their representatives and make their contributions to the committee's deliberations. The offer which we made, after discussing it, was that in the light of the fact that he was a practising lawyer and that his expenses would be still running on in his own business, we thought of a fee of $50 a day with expenses.

The CHAIRMAN: No, no, that does not as yet come before us at all.

Hon. Mr. GLEN: We made an offer to him that is satisfactory. If we get the power to employ counsel and do engage this man he would then immediately get in touch with the different organizations throughout the Dominion and endeavour to have the evidence brought to us in a form that would be of value to the Indians and to the committee.

Mr. CASE: Do you mean to say that he will present petitions or representations on behalf of all the Indians?

Hon. Mr. GLEN: No, no.

Mr. CASE: Then the Indians will still be privileged to make their own complaints?

Hon. Mr. GLEN: Yes, but he will assist them.

The CHAIRMAN: He will be a representative of all the Indians and will work with the representatives of their various bands.

Mr. CASE: Would he speak on their behalf whether he approved or not of the representations?

Hon. Mr. GLEN: We have not got as far as that, Mr. Case. I would say that he would be counsel before this committee and would be a liaison officer between this committee and the Indians.

Mr. REID: I think we should exercise a little care. Speaking about the Pacific Coast Indians, they have, for some years, I believe, had a counsel of their own, a lawyer who appeared in disputes between the Indians; and I think this committee had better be careful that it does not start an argument between counsel on behalf of the Indians. I can easily see where Indians would want to come down here and camp, and I feel there should be someone to control them; but we should be careful in starting any negotiations with a lawyer, even at $50 a day. We do not want to have lawyers arguing here all the time, while we are debating policies. I do not think we would need such counsel right at the very beginning.

The CHAIRMAN: As I understand it, this solicitor or counsel will really be a liaison officer. It will be he who will channel all of these various bands and organizations and representations before this committee. It would be his job to act as counsel.

Mr. RICHARD: That would not preclude any particular band having their special counsel come here?

The CHAIRMAN: No, as I have said if anybody wants to come in and bring counsel and pay for his own counsel—

Mr. MACNICOL: Apparently the counsel that the steering committee have in mind has already been here.

The CHAIRMAN: He has been here, and he is here now.

Mr. MACNICOL: Who invited him here?

The CHAIRMAN: We did, the steering committee.

Mr. MACNICOL: And why?

The CHAIRMAN: Because the steering committee invited him here to discuss the matter with him.

Mr. MACNICOL: Was the steering committee qualified to select the most suitable counsel from all Canada?

The CHAIRMAN: Not at all; they have not engaged him.

Mr. MACNICOL: I am not finding any fault with it, but I never like a cut and dried business. I agree with my honourable friend from British Columbia that some care should be used in selecting the one most qualified. If we are going to select a counsel at all—I am not just sure that I am in favour of selecting a counsel at all. This committee was set up after debates in the House over many years—for at least ten years—in which we have been arguing that the whole program of our contact with the Indian tribes, and our service to them should be reviewed.

Frankly I am afraid if there is going to be some program, or any program which might in any way curtail the representations before us in reaching the objective of the committee, namely, the alleviation of the whole Indian administration from beginning to end; because, certainly, if any people in Canada have suffered that which they have not merited—if any portion of the population has not had what I call fair play—and I am not blaming anyone for it—it is our Indian population. I have been on at least twenty-five reservations in order to make my own investigations in remote areas, and I have been shocked, over what I have seeen on those reservations. I am not going to blame anyone for it. I have not a word of comment for the department. They have had a big problem; but now is the time to revolutionize the whole business connected with Indian affairs. I am fearful of this program which is suggested now.

The CHAIRMAN: On behalf of the steering committee, would you recommend a more systematic way, or a more orderly way of getting information properly before this committee than by engaging some person who would act as a liaison officer to weed out, to put in order, to put before this committee in a systematic way, the various representations that are to be made to us. Would you suggest that?

Mr. MACNICOL: If this counsel is going to have the privilege of weeding out what comes before this committee, that is just too bad.

The CHAIRMAN: I do not mean to say that anybody wants to—probably the word "weeding" would be incorrect there; if so, I trust you would accept my humble apologies; but you know what I mean?

Mr. MACNICOL: You mean systematize.

Mr. RAYMOND: Do I understand that this man is an Indian himself?

The CHAIRMAN: Yes.

Mr. RICHARD: I do not see any harm in our having a counsel here to see that we discuss things intelligently; otherwise we would be jumping from one point to another and nothing would be discussed properly. I think a counsel would be of great assistance to the committee.

Mr. MACNICOL: I would like to have further information on the selection of a counsel. Mr. Reid says that in British Columbia the Indians have a counsel there now; and I believe they have a counsel in Alberta. I have had communications from such a counsel in Alberta. There are far more Indians

out there than we have down here, although I agree that the Six Nations Band is an extremely important band; but I would like to find out how this particular counsel was selected?

The CHAIRMAN: We have had representations from two in British Columbia.

Mr. MacNICOL: From two counsel?

The CHAIRMAN: Yes, from two who were counsel here in 1926.

Mr. MATTHEWS: Is there any other legal man among the Indian tribes than this man from Brantford?

The CHAIRMAN: We know of none.

Mr. GARIEPY: I submit that, according to my motion, there seems to be a misunderstanding. I do not know who this counsel is, and I have had no say in his choice or selection. I would leave that to the steering committee to recommend. But this counsel would simply be a counsel for this committe in order to direct the kind of evidence and the matters that would be presented. This would not prevent any tribe or tribes from having counsel of their own.

I happen to know some Indians myself who are just banding together in order to have their own evidence submitted through a counsel whom they will select themselves. This particular work will be done in conjunction with the counsel that our committee will have here. We must have somebody to control the work of this committee from a legal standpoint, otherwise we may be sitting here for a year and not be more advanced than we are today.

Mr. REID: The chairman said a few minutes ago that this counsel would be engaged and then that any other Indians who wanted to do so could engage their own counsel at their own expense. Now, I am thinking about British Columbia. Would we be fair to such a counsel should we say to him: no, we do not need you.

The CHAIRMAN: There is as yet no decision on the $50 a day. We are merely suggesting that.

Mr. REID: The figure was mentioned. I must have got it from the chair because I did not dream it up. That is why I say: we had better be careful before we decide.

Mr. BRYCE: There is nothing decided as yet. It is only a recommendation from the steering committee. Perhaps it is the Castleden motion which I seconded that has brought about this discussion; but I was only anxious to see that the Indians were represented from every province. We must endeavour to regain their confidence, and to show them that we really mean to give them that square deal that has been so much talked about before! We have had commissions who sat on this matter before but the Indians never got that square deal to which they are entitled.

The best way to convince the Indians that you are out to give them a square deal is to hire somebody from among themselves. This was the only Indian lawyer that I knew. This lawyer who is here this morning is not yet hired. It will be you gentlemen who will hire him, for the steering committee has not the power to bring somebody in, but merely to make suggestions to the committee. If it has not got power to make recommendations then there is no use in having a steering committee.

I think we should bring in an Indian who will give confidence to his band, for he belongs to a band. You can get lawyers from Winnipeg who have worked with Indian Affairs, and lawyers from all over the country; but here we have a bona fide Indian who has risen from the ranks of the Indians and who should be able to bring the different Indians together and make the various representations here. That would obviate what we said in the first place, that we wanted five representatives to sit in here all the time. Then it was suggested by the steering committee that there should be two from every province. Now, if you

want to have at least eighteen Indians sitting around the table rather than to have a man who would bring them in from the different provinces as required then you will have to get an Indian to do that.

Mr. REID: If you believe in a democracy, you must believe that this committee has the power to bring things before it and that we have the right to discuss them.

The CHAIRMAN: This committee has no power to engage counsel. We have not the authority from the House or from the Senate to engage counsel. We will have to make a recommendation in our next report to the House of Commons and to the Senate for permission to engage counsel.

Mr. MACNICOL: At $50 a day? I would not be in favour of any such thing at all.

The CHAIRMAN: The fee would be a matter which would have to be referred to the steering committee to be considered, to be decided—

Mr. MACNICOL: This committee will decide that.

The CHAIRMAN: The steering committee is merely an off-shoot of this committee.

Mr. MACNICOL: That is so; and when you said that the steering committee would decide it, I interjected that it would be this committee which would decide it.

The CHAIRMAN: But there is nothing decided.

Mr. RICHARD: You have suggested $50 a day?

The CHAIRMAN: Assuming that we do?

Mr. RICHARD: He might require a certain number of days in order to prepare material, before coming here. That is not counted as a day?

The CHAIRMAN: The days he would have to be in attendance in Ottawa; and, as I understand it, for the purposes of this committee's business; whatever decision is made, as to the charges or fee, you will have to be reasonable with the man. After all, if he is going to be leaving his own private practice his expenses will be going on whether he be in Ottawa or wherever he is, and as to that figure—I may tell you, the charges of counsel in the past have been from $150 a day plus expenses down to—

Mr. MACNICOL: It is not much money, Mr. Chairman.

Mr. CASE: What knowledge would this man possess that we have not got access to through the Department of Indian Affairs? Would it not be better to proceed a little further and to clarify certain things first; then we might give consideration to the recommendation of the steering committee, after we have a little more knowledge before us, and we could see how far we can go? I cannot see where counsel at the meeting this morning would make any progress.

The CHAIRMAN: I do not get that?

Mr. CASE: I do not see where an Indian counsel appearing here this morning could make any contribution. I think we should first arrive at a place where we are seeking representations. If the various bands would make their representations through counsel, I think it would facilitate matters.

The CHAIRMAN: You will recall that there is the Castleden resolution before this committee that we have representatives from five different sections of Canada, Indians from the five different sections of Canada, to come here and to sit in on these meetings every day we meet. Now, arising out of that resolution, the steering committee did discuss the matter and they did come to the conclusion that it would be better to have one person as counsel to represent the Indians, and to be a liaison officer. He would not exactly be a counsel but rather a liaison officer between this committee and all the various organizations seeking representation.

Hon. Mr. STIRLING: That is very much the way I have been thinking. I am wondering how, in practice, it could be worked out. I should like to know, roughly speaking, how this committee proposes to carry on its work. We know that we will have Mr. Hoey before us for questioning, but I should like to know how we propose, after that, to proceed.

British Columbia, for instance, is a very long way from here, and the Indian problems there differ very considerably from the problems of the Indians in the centre of Canada. I do not know how a counsel selected from the middle of Canada, whether he be an Indian or not, would be sufficiently knowledgable of the problems of the British Columbia Indians to present them, or to be of very much assistance to us. It may be that it would be a good thing, but as a matter of practicable consideration! Are we proposing to sit twice today?

The CHAIRMAN: No.

Hon. Mr. STIRLING: Once today and again on Thursday?

The CHAIRMAN: Next week it is twice on Tuesday.

Hon. Mr. STIRLING: Well, this week it is today?

The CHAIRMAN: This week it will be two days; and next week it will be one day, but twice that day.

Hon. Mr. STIRLING: That is what I said originally. Other weeks we might possibly have, for some reason or other, to skip a week; and whatever the fee paid to this man, will it be simply paid him on his attendance at the meetings held here, without including the time of travelling, and things of that sort, but merely the day occupied by the committee?

The CHAIRMAN: It was the feeling of the steering committee that he should be paid for the days that he is in Ottawa on this business.

Hon. Mr. STIRLING: And who will decide that?

The CHAIRMAN: It will be decided on the certificate of the chairman.

Hon. Mr. STIRLING: Well, I would like to see a decision on this matter as to how it will be handled. We have a pretty clear conception of how we are going to proceed with this work.

Mr. REID: This fact should not be overlooked: I know enough about Indians to know that they are a very suspicious people; one tribe would be suspicious of another tribe; and if you select a counsel from the centre of Canada, then the tribes at the outer ends of Canada might want to send counsel of their own.

Mr. CHAIRMAN: It was not the thought of the steering committee that this man should be the counsel to question—to present the case, for instance, of British Columbia Indians or of any other tribe or band; but that he would be in a position to correspond with those tribes and to get their ideas and to decide when they should attend in Ottawa.

Mr. GIBSON: To perform work in the nature of a private secretary?

The CHAIRMAN: Yes, to act as a liaison officer between this committee and the various organizations who want to present representations. And it has been already pointed out by Mr. Bryce, I think it would not be wise for us to have two Indians from each of the nine provinces coming here—and I do not know about the Northwest Territories—coming here and sitting here day after day during the deliberations of this committee.

Hon. Mr. JOHNSTON: I think that that suggestion was made with the idea that we do hear evidence from different bands all over the country, and ask them questions with regard to their briefs; their representatives would be curtailed to two members who would come here to present their briefs with their evidence, but they would not stay here throughout the work of this committee.

The CHAIRMAN: Mr. Castleden's resolution, as I understand it was—very well, I'll read it:—

> That this committee immediately invite the Canadian Indians to send a representation of at least five Indians to represent the following five parts of Canada: (1) Alberta and British Columbia; (2) Saskatchewan and Manitoba; (3) Ontario; (4) Quebec; (5) the Maritime Provinces; to sit in on all the deliberations of this committee with watching briefs and to be available to be examined as witnesses under oath.

Now, following the procedure of 1926, when there was an investigation similar to this, it was found rather difficult to determine on one representative of the Indian bands from British Columbia; at that time, I am informed, there were at least five representatives who came here from British Columbia with their squaws and their papooses. Now, assuming that we have a similar number from each of the five districts named in the resolution, we would have at least twenty-five Indian representatives plus their papooses and plus their squaws; and it was with that view in mind, of eliminating unnecessary attendances that we thought it would be best, and we thought so unanimously, that it would be best to have a liaison officer; and if at the same time he could be a solicitor and an Indian, so much the better.

Mr. REID: Was any thought given by the steering committee to ask the Indian agents all over the country, who could be of great assistance to the committee in taking the directions of the committee and telling the Indians not to—because the Indians do have confidence in their Indian agents and the Indian agent might be the best means of controlling an influx of Indians to the city of Ottawa?

The CHAIRMAN: The steering committee thought that we should do everything in our power to see that the Indians were properly represented. I mean to say by that: that they were fully represented according to their wishes, not according to our wishes, and that they would get full and complete representation before this committee. Another matter that was considered to be of importance was that one object of the liaison officer would be to systematize or to put all briefs in such shape that they could be presented before this committee in an orderly fashion.

Mr. CASE: It seems to me that the problems will vary regionally. Some of our Indians have made representations and I believe they have not that confidence that Mr. Reid has indicated in their Indian agents. I wonder if we could not deal with this in a regional manner. Instead of having this one counsel, could we have him assist the Indians from central Canada to prepare a brief on things that they would like the committee to give attention to, and to present that brief along with certain representations that might accompany it. And after that has been done, could we not then take up the Pacific Coast Indians and have them prepare a similar brief, then they could come along with anybody else that they wished to pay who would make their representations; and after we have had four or five or a definite number of briefs filed, we could then give consideration to them much in the way of a fact finding committee, and thus go about our work with their assistance or help, rather than to have any misunderstandings, rather than to have all central Canadian Indians represented by counsel while those from the more distant parts, with probably greater problems, not be represented by counsel at all.

The CHAIRMAN: That is what we have been discussing; that is what we want to do, as you suggest.

Mr. CASE: Would that not help to bring it about?

Mr. CHAIRMAN: That is what we are suggesting.

Mr. CHARLTON: As it happens, I know the gentleman in question personally, and I feel he would be capable of doing this job. As I understand it, he would be a liaison officer between this committee and the various Indian bands all across the dominion, not acting in an official capacity for any particular Indian group, but rather as a liaison officer, arranging the meetings, and arranging those bands to be represented here. I am not prepared to say anything about salary, whether it is fair or not; but as I understand it, he would be paid $50; that is the suggested pay, while in Ottawa, or while at committee meetings. It would necessitate him being here more than just simply the days when the committee meets.

The CHAIRMAN: My understanding is that it would be for the days when he is in Ottawa, as certified by the chairman.

Mr. CHARLTON: That would probably mean more days than the committee actually meets?

The CHAIRMAN: Oh yes.

Mr. CHARLTON: But he would not be paid for his time while travelling back and forth?

The CHAIRMAN: Well he should be paid a certain amount in the way of expenses.

Mr. CHARLTON: But would he be paid for his time while engaged in travelling back and forth?

The CHAIRMAN: Oh, no; I would not think that.

Hon. Mr. GLEN: If you do not do this, then, what are you going to do? It would be impossible for either the chairman or the secretary of the committee to deal with these matters because they have a full time job; so, if you do not do it this way, how are you going to get all the evidence properly prepared and presented to the committee? As you know, and as I have already stated, I want to see that representations are made from every point of view from every part of Canada. This committee could no more refuse somebody in the Northwest Territories who had a point of view to present—this committee could not refuse him coming here to give his evidence before this committee; but the thought in the mind of the subcommittee was this: let us have some orderly way in which the evidence can be presented. Let this officer arrange as Mr. Case has said, perhaps by provinces, for all who wish to come here and who wish to have their own counsel represent them. There was no thought in the mind of the subcommittee that this gentleman should make the actual presentation for anyone. But there is one feature of it, though; that, as a lawyer, as he is, we would need his assistance with regard to the amendments that are to be made to the Indian Act after all the evidence has been given. The Act must be amended. He would be of value to us in interpreting the views and the wishes of Indians. That is one feature of it. But I do not see how it is possible that this committee can function properly unless we have some persons who will receive the requests of the Indians or other organizations, and arrange for the time when they should come to Ottawa. A suggestion was made today —that if they wished to have counsel present their cases, we must hear them; but whether we should pay them or not, is a matter for this committee to decide, that is, whether we should pay for the counsel for all the Indian bands who may wish to send counsel here.

But there is no intention that this man should act as counsel, as the advocate, of any particular band; but he would be the person to arrange that all organizations of every kind, Indian organizations and otherwise—because there will be others—will come at a certain time, and this committee will be able to hear them and consider their evidence. That is the sole intention of it. If you do not do that, what would you do?

Mr. MACNICOL: I would go to Washington or to New York where they have held quite a number of such investigations as we are pointing to here, and where they have done something and greatly improved the status of their Indians. That is what I would do. I would try to find out from someone who has done such work as we now have in hand, what they did.

Hon. Mr. GLEN: Could we not do that ourselves?

Mr. MACNICOL: What?

Hon. Mr. GLEN: Could we not do that for ourselves? There is no problem of the Indians about which there is not evidence here in Canada, either through the department or through the Indian agents as suggested.

Mr. MACNICOL: Why could not we have somebody in the department do all this work?

Hon. Mr. GLEN: One reason is we have not got the men; we could not spare the men at this time.

Mr. MACNICOL: The minister said that this would be a full-time job; that is one of the reasons why the workmen throughout this country are going on strike everywhere demanding just a mere pittance to live; but, if we are to pay a man $50 a day and expenses, a full-time job, that is a lot of money.

Hon. Mr. GLEN: How are we to direct the affairs of this committee in an orderly way, with all the problems of the Indians that will be brought before the committee? That is the point we have got to discuss. What is the best way to do it?

Mr. RICHARD: If this Indian lawyer knows anything about Indian affairs —most of them have given particular study to it; I recall, personally, an experience which I had some years ago. I was acting in a police court against some Indians, and one of them appeared on their behalf. He was not a college graduate, but he talked more Indian law than I ever heard of, and he could point out the flaws in all the Indian Acts, and he could tell me what had been done in practically every state in the Union.

Now, this Indian lawyer has covered the subject of Indian affairs and Indian laws and he would be of great help not only between particular tribes, but on behalf of all the Indians in Canada.

Hon. Mr. STEVENSON: I think that unless there be some person appointed to organize this matter, we will end up in a terrible mess. I think we should have a first class man, and the matter of $50 a day for the days he serves here is a mere bagetelle in comparison to the good work he could do; and unless you have someone working in with all these different bands, you will have and awful lot of delay.

Mr. BLACKMORE: I believe the steering committee's recommendation that we have a liaison officer or counsel to represent the Indians throughout Canada is a sound one; and I believe their recommendation: that this counsel should be an Indian is also sound; and I think the committee can agree on these two propositions, first, and then attend to the details afterwards.

The CHAIRMAN: Would you, Mr. Blackmore, be willing to move that this committee ask both the Senate and the House of Commons that we be empowered to engage counsel, and that the other matters be left to be decided by this committee?

Mr. BLACKMORE: And I would have the wording as follows: that the counsel be to represent the Indians.

The CHAIRMAN: That would be understood.

Mr. BLACKMORE: What I mean is that the counsel should be used in a general way, both for ourselves as well as for the Indians.

The CHAIRMAN: There must be some universality; we have a request from the Arts and Crafts Group of Manitoba, who are not Indian, and there may be other organizations which are not Indian or of Indian origin; but he could be empowered to direct them—no, I should say, to assist them in the preparation and presentation of their briefs, and their opinions before this committee.

Mr. BLACKMORE: I think your idea is right; I would like to put the motion in the proper wording.

The CHAIRMAN: The usual wording is: that the committee ask the Senate or the House of Commons to be empowered to retain the services of counsel.

Mr. BLACKMORE: Then I would be prepared to make that motion.

Mr. CHARLTON: I second it.

Mr. HARKNESS: This man, if we employ him, would have a dual function; and as such he would have the job of what you might call organizing the presentation of all cases, so that we would not have the same brief presented to us by half a dozen different bands from the same area with similar problems and so forth. In other words, he would co-ordinate the Indians' presentation? And on the other hand, his other function, essentially, would be as a representative of the Indians of Canada on this committee, and as such he would be available to assist any of them who needed assistance in the presentation of their cases or in the presentation of their views, or anything else along that line. From the discussion which has gone on, I think there has been quite a bit of confusion in the minds of members of the committee as to just what he should do. Am I correct in that assumption? Is that your idea?

The CHAIRMAN: That was my idea, substantially. How about you, Mr. Bryce?

Mr. REID: I realize the wisdom of having counsel, but what we should guard against is this: You are going to have from all over the provinces, requests from Indian bands who want to send their own counsel here, and the chairman would not be prepared to pay for these other counsel. Now, what would be the duties of this counsel; should he be the spearhead of all Indians in Canada?

The CHAIRMAN: I think that would be a matter which would have to be decided; each case would have to be decided by this committee on its own merits. For instance, I can conceive that there might be two groups in one band of Indians which would want to present the same material. Now then, it is up to this committee to decide whether we should have them come and whether we would pay their expenses or not. This liaison officer would merely collect this information and present it to this committee. We are the ones who would make the decisions. He would not make decisions for us.

Mr. MACNICOL: I would be quite in favour of paying—for instance, if the British Columbia Indians wanted to send down a counsel.

The CHAIRMAN: That matter is not before the committee at the moment.

Mr. RICHARD: Is this counsel that you speak of to be counsel for the Indians as well as counsel for the committee? That is one thing we have got to decide; if he is going to represent the Indians, let him do so.

Mr. CHAIRMAN: What is your thought on that point, Senator?

Hon. Mr. JOHNSTON: My thought is: that there are numerous Indian bands in this country, and if you are going to permit each band to come here with their own counsel, what is the cost going to be? And if you start it in one province, you will have to continue right across Canada.

Mr. REID: That is just why I raised the question. You know what Indians will do? The moment they find out that you are paying one counsel, they will say: we want counsel to represent us.

Mr. MATTHEWS: I would say that this man, if he be engaged, should be engaged on the basis of representing the Indians even more than representing

this committee, and to bring their viewpoints. I do not see the necessity of bringing in a lot of Indians and also their representatives from outlying points. They have their Indian agents and their chiefs, and in some cases they have their own lawyers. These men can prepare their briefs at home just as well, if not better, than they could do so here, and send their counsel to represent them. The man you have in mind can do a proper job and bring their viewpoints before this committee much better than if they appeared here in person. I fail to see, as someone suggested, the wisdom of opening the door and bringing in a lot of representatives here for one reason or another. There would be all sorts of excuses found to come here; and although we want to give the Indians every possible consideration and we want to learn their viewpoints, it does not necessarily follow that they should all come here; and this man, acting as their liaison officer, would be a man with whom we could make contacts, and he could present their views and present them well. We do not want the expenses to run away with us, even in this matter, which they would do if we opened the door too wide. That is what would happen.

Mr. REID: I do not think the committee had in mind the sending of counsel here by every band. Once it becomes known that the committee is considering changing the Indian Act there will be Indians coming down here and camping. We want to obviate that situation, of fifty Indians setting up a camp out here on the grounds. They would say: we are down here to make representations.

Mr. MATTHEWS: We are not inviting them: but they would be inviting themselves.

Mr. REID: I know.

Mr. CHARLTON: But we are forgetting one thing: that this man, in question, is the only Indian lawyer in Canada.

Mr. REID: Oh, no.

Mr. CHARLTON: But I understood that he was.

Mr. REID: There is an Indian lawyer in British Columbia, according to my information.

Hon. Mr. GLEN: And what is his name?

The CHAIRMAN: Do you know of any Indian lawyers?

Hon. Mr. GLEN: Do you know of one, Tom (Reid)?

Mr. REID: My information was that there is an Indian lawyer in British Columbia.

Mr. CHARLTON: It is characteristic of Indians to be a very proud people, as I have found them; and I think they would feel very proud of the fact that they had an Indian lawyer here working with them. He would not be actually speaking for them, but only acting as a liaison officer between all their groups and this committee. I think that would be a very proud fact, for them to know that they had an Indian lawyer here, and for them to know that such a man was working on their behalf and doing what he could for them. I think that is all the more reason why we should try—

Hon. Mr. GLEN: That was the thought which was in the mind of the steering committee, too.

Mr. BRYCE: There is another Indian lawyer in Montreal, but he has been away so long from the Indians—

Mr. BLACKMORE: My conception of the function of this man would be: that this committee would charge this liaison officer or counsel with the responsibility of seeing to it that the case of the Indians throughout Canada is adequately put before this committee.

Mr. MACNICOL: That sounds like good sense.

Hon. Mr. GLEN: The committee itself would have some say as to who should be here and as to who should make representations.

Mr. BLACKMORE: If we are not satisfied with this man, we could tell him so and point out to him how to improve his ways.

The CHAIRMAN: We would not be married to the man.

Hon. Mr. GLEN: When the discussions are taking place and the evidence is being canvassed, the committee could say whether or not certain people should be here. I always felt that was the function of a committee, that the general committee should have the final say as to what persons should come before them, and I am quite sure that this committee is not likely to debar anyone who has a point of view to present or who wishes to appear before the committee; the committee would be, in any event, the arbiter as to the quantity and the quality of the evidence that they wish to have submitted to them, with some idea of what it may mean. That is something which this man could glean from his contact with them, and thus enable the committee to make its decisions. I do not see how you are going to function here competently and efficiently unless we have some person who can so direct the evidence to be put before the committee; but he would always be subject to the will of this committee in the last instance.

In any case, if there is any other way, I would like to know it. The subcommittee canvassed the situation thoroughly. When you speak about remuneration, do not forget that this man is a practising barrister and that he is carrying on an office which he will have to leave, but he will have to continue to pay his staff and other expenses. The $50 a day will not compensate him for the loss of business and the expenses that he will have to incur, and the loss of business which he will necessarily suffer through the fact of his attending here. And I think, as Mr. Charlton has said, if we were to have an Indian act as counsel here before this committee, it would tend to regain, to some extent, the confidence of the Indians, especially when it became known throughout the land, and we would have it thought that we had gone forward in the matter of Indian affairs.

Mr. CHARLTON: The very fact that this man will be acting, more or less, as a liaison officer, will relieve us of the fact of so many Indians coming down here and camping in Ottawa.

Hon. Mr. GLEN: Do you know the gentleman?

Mr. CHARLTON: Quite well.

Mr. CASTLEDEN: The matter which I brought up at the last meeting of the committee with respect to having representatives from Indians across Canada to sit in on our deliberations at this committee while it is in session in order to watch the various representatives and the various groups of Indians across Canada—from the treaties that have been signed, it is quite evident that there are different arrangements with the Indians in different parts of the country. There are arrangements with Indians in British Columbia, while there are non-treaty Indians, with no arrangements at all. So I doubt very much if one man could watch the interests of all the Indians, because I doubt very much if he would be familiar with conditions among the Indians in the various parts of Canada.

The CHAIRMAN: You were not in the committee when we discussed all that; we have decided that we are not in any way trying to stop any representations from any band from any part of Canada, and that this man would merely be a liaison officer to put briefs into system or in order to be presented to this committee. But we will also ask for representations from the various parts of Canada.

Mr. CASTLEDEN: I did not imply at any time that we are going to stop representations coming to the committee; I merely asked that they sit in with us with watching briefs. There would be Indians from different parts of Canada. The technique of bringing in a number of Indians and arranging for contacts through the liaison officer, I think, is a good one. These men would not be here necessarily to give or to present briefs, but merely to sit in and watch the working of this committee throughout its whole deliberations, because we are going to revise the Indian Act on a basis under which we will treat these subordinate people for years to come. My suggestion is that there should be a number of Indians from various parts of Canada to watch over their interests. There is no one to do it for them; so I think there should be representations sent to this committee either through briefs or personally presented from the various Indians across Canada.

The CHAIRMAN: The steering committee has discussed your resolution, and we want to take it up one step at a time, first of all, to get the liaison officer; and then, once we have got a liaison officer, if you determine that you will appoint a liaison officer, then we will determine the representations, and how it will be worked out with the liaison officer and with the committee, through the steering committee.

Mr. CASTLEDEN: You have not dealt with the matter of the Indians sitting in with a watching brief?

The CHAIRMAN: No, we have not. That is correct, Mr. Bryce?

Mr. BRYCE: Yes, that is correct.

The CHAIRMAN: Well, then, are you ready for the motion?

Hon. Mr. GLEN: Yes.

The CHAIRMAN: Mr. Blackmore has made a motion that the committee ask the Senate and the House of Commons that we be empowered to retain the services of counsel.

Mr. MATTHEWS: I will second that motion; and it is to be an Indian counsel?

The CHAIRMAN: No, we have first to be empowered to engage counsel; and whether the man should be an Indian or any other nationality will be determined by this committee. But we have first of all to get permission from the House of Commons to engage counsel.

Mr. MACNICOL: I will support the motion in the belief, as has been said, that this gentleman is an Indian lawyer, a practising lawyer.

The CHAIRMAN: But in this motion there is no particular gentleman referred to.

Mr. MACNICOL: No; but that is the understanding, so that he may give confidence to the Indians and they will know that at least someone is here with qualifications and knowledge.

The CHAIRMAN: All those in favour? All those opposed? None. Shall we say, then; it is unanimous.

Now, the next matter is the question of the printing of the proceedings and the minutes of this committee. We have found that we have not got a sufficient number of copies to meet the demand; so I am going to ask that you move that we increase the printing from 500 in English to 1,000. Will somebody move that?

Mr. RAYMOND: I move that.

Mr. BRYCE: I second the motion.

The CHAIRMAN: It has been moved by Mr. Raymond and seconded by Mr. Bryce that we increase the printing of our minutes in English from 500 to

1,000. All those in favour? We have enough in French, apparently, but not enough in English. All those in favour? All those contrary? Unanimous.

We have here a witness, gentlemen, who will give us some information with respect to Indian treaties. I call Mr. MacInnis.

Mr. BLACKMORE: We have finished this matter of the liaison officer as far as we can go today; but I was wondering if the committee should not consider now whether or not it is advisable to use the men here? Has the steering committee given consideration to that? What I would do is to lay down general principles before we approach the problem of selecting a man. Is that the idea of the steering committee?

The CHAIRMAN: We have no power to appoint anybody; but as soon as we have the power to appoint somebody, we would be glad to make a recommendation, or to listen to any recommendation; but we have no power now, up to the present, to engage anybody.

Mr. BLACKMORE: This matter should be attended to at the next meeting.

The CHAIRMAN: I would think so.

Mr. CASTLEDEN: When will the matter be decided whether or not we should ask the Indians to come and sit in with a watching brief before this committee?

The CHAIRMAN: Once we have obtained authority to engage a liaison officer or counsel; then we will proceed with the next phase of it. Is that your understanding?

Mr. HARKNESS: Yes; and as far as Mr. Castleden's resolution is concerned, I think we might as well deal with it right now.

Mr. BLACKMORE: Are we not dealing with the wording of Mr. Castleden's resolution all the way through?

The CHAIRMAN: As recommended by the steering committee.

Mr. BLACKMORE: It seems to me, Mr. Chairman, that after a liaison officer has been selected, he should be able to give us wise counsel as to whether or not Mr. Castleden's proposal is in our best interests.

Hon. Mr. GLEN: Quite!

Mr. BLACKMORE: And in the case of the Indians, I think anyone who has sat with a group of Indians all through a long day and endeavoured to get them to come to a unanimity of view on one thing must realize the possible dangers with which Mr. Castleden's resolution might be involved. I am not for or against it, but I would like to have an entirely open mind on the matter. I would like to have the advice of counsel on it.

Mr. CASTLEDEN: I am not asking that these Indians who may come in with watching briefs do anything themselves other than to come here, sit here and watch the deliberations of this committee; but they might be prepared if we should become stuck on a point, then we might ask them for their opinion; but we are not going to ask them to come to any decision. It will not be a matter of deliberation for them, but merely to watch the interests of Indians, as this committee proceeds.

Mr. BLACKMORE: I have Mr. Castleden's idea; I think I have that, but I still believe that the advice of counsel would be of considerable weight because, after all, we are going to charge him with the responsibility of seeing that the Indians' case is adequately put.

Mr. CASTLEDEN: I agree with that part of it.

Mr. RAYMOND: So do I, as it would give more confidence to the Indians.

Mr. CASTLEDEN: That is all. I do not know of any better way of doing it.

The CHAIRMAN: Since there is no motion before the committee, I do not think we should go too far here. Would you be content to hear Mr. MacInnes now?

Mr. MACNICOL: Before you proceed, may I ask if there has been any contact with the Indian organization which was set up in Ottawa a couple of years ago?

Hon. Mr. GLEN: The organization from British Columbia, you mean, called the Native Brotherhood?

Mr. MACNICOL: No. I mean the organization that was set up here two or three years ago when Indian representatives were here, I believe, from all the provinces. I saw quite a number of them.

Hon. Mr. GLEN: We had a meeting with them.

Mr. MACNICOL: They set up an organization.

Hon. Mr. GLEN: In September last, they had a meeting and they appointed their officers, and the organization is called: The Brotherhood of North American Indians. There were representatives from all over the Dominion, some from Nova Scotia. Andrew Paull is the president of an organization in British Columbia. He has been writing to us, and he proposes to come down here.

Mr. MACNICOL: Are you referring to the group that was here a couple of years ago?

Hon. Mr. GLEN: No; to the group which was here in September last.

The CHAIRMAN: The Brotherhood of North American Indians, represented by a Mr. W. Murdoch from Toronto.

Mr. MACNICOL: They were here a couple of years ago, quite a number of chiefs from all over the country. I believe Mr. Crerar met them.

Mr. CASTLEDEN: That is the North American Brotherhood.

Hon. Mr. GLEN: We have been in contact with them.

Mr. MACNICOL: Yes, we have been in contact with them.

Hon. Mr. GLEN: Oh yes; they will make representations.

Mr. BRYCE: The home of one organization is in British Columbia.

Mr. MACNICOL: Some prominent man writes to me from Calgary.

Mr. HARKNESS: That is the Indian Association of Alberta, and as I understand it, the Indian Association of Alberta is rather on the "outs" with this outfit of Andrew Paull's. I do not think that this idea of Mr. Castleden's of one Indian to represent British Columbia and Alberta would work out.

Mr. BRYCE: There is another group in British Columbia which is separate from the North American Brotherhood.

The CHAIRMAN: Now if we can get down to the matter before us, if there is no further discussion, may we now hear from Mr. MacInnes?

Mr. MATTHEWS: I move that we hear from Mr. MacInnes.

Mr. RAYMOND: I second that.

The CHAIRMAN: All those in favour? Contrary? Now, Mr. MacInnes, would you come forward please.

Mr. T. R. L. MacINNES, Secretary, Indian Affairs Branch, called:

By the Chairman:

Q. What is your name, Mr. MacInnes?—A. Thomas Robert Loftus MacInnes.

Q. Mr. MacInnes, what is your position?—A. I am secretary of the Indian Affairs Branch.

Q. How many years have you been in that service?—A. 33 years.

Q. Is there any other preliminary question that members of the committee would care to ask Mr. MacInnes? If not, would you proceed, then?

By Mr. Castleden:

Q. He is dealing with treaties?—A. Yes.

Q. Have you got actual copies of the treaties?—A. I have a synopsis here that I prepared some time ago and I had it brought up to date for this purpose. We also have the volume of Indian treaties and surrenders, which is quite a large volume; but Mr. St. Louis who is in charge of our records has that here, if it be wanted.

The CHAIRMAN: Are there any further questions? Very well.

The WITNESS: Shall I stand, Mr. Chairman?

The CHAIRMAN: No. In this committee we decided that we would sit.

The WITNESS: Mr. Chairman, gentlemen: I have been asked by you to speak on the question of Indian treaties. Our Indian treaties are rather a unique device, perhaps without any very close counterpart in the annals of political science. They represent the distinctive—and I might almost say—instinctive anglo-saxon approach to the Indian problem, which differs radically from the methods followed by the other great colonizing people in the Americas.

The Spanish crushed the Indians ruthlessly and gave them no consideration at all. I speak now of the early Spanish settlers. The French were kindly and even benevolent in their attitude towards the Indians, and they envisaged their assimilation among themselves by inter-marriage, by education, and a good deal of that occurred. But they never, as far as we can find from our records, recognized the Indians as having special racial, separate legal, rights to be dealt with by mutual bi-lateral agreement. They were simply subjects of the King of France, like anyone else in the territory.

Now, it remained for the British to recognize an Indian interest in the soil, to be extinguished only by bi-lateral agreement for a consideration. That practice arose very early in the contacts between the British settlers and the aborigines in North America, and it developed into the treaty system which has been the basis of Indian policy both in British North America and continuing on after the revolutionary war in the United States.

Now, the reason I say that is because it is something quite different from anything to be found elsewhere. You are dealing with a peculiar kind of title which, by legal definition and interpretation, is held not to be ownership of the land. That has been made quite clear in the talks that preceded the treaties; and it was never recognized that the Indians owned all the land because they were relatively a small group of people over a vast area. There were some 200,000 of them here, when the white man came, and that is very little more than the war-time population of the city of Ottawa, if as much. So, obviously, they did not occupy the land or settle it in any real sense of the term settlement. They did not cultivate it, except to the extent that some band might do a little agricultural work, but nothing to speak of. So, what has been recognized as Indian aboriginal interests in the soil is not ownership of the land in its entirely, but usufructuary and roving rights over it which, nevertheless, is a material consideration which forms the basis of legal rights which are only to be extinguished by compensation, as in the case of other kinds of expropriation.

Now I think that is important because that question has given rise to a good deal of misunderstanding. It has been said: well, we took the land from the Indians and we did not pay very much for it. The theory is that we took only a certain kind of right in the land from the Indians because they really had not themselves colonized the land. That point might be borne out by the instance of Cartier's second visit to Stadacona, which is now Quebec. You may recall in history that he came there first and found a community of Algonquin Indians;

but when he came back twenty-five years or so later, there was not a trace of them left. That story illustrates the point that the Indians really did not occupy the country in any regular sense of the word "settlement".

Now, the historical basis of the present treaty system was very clearly and definitely defined in what is known as the Proclamation of 1763, a proclamation of King George III following the successful outcome of wars, which resulted in the acquisition of large territories by the British Crown in North America. In this proclamation considerable attention is given to the rights of the Indians and, it is called, I think the expression is very apt, the Magna Carta of the Indians in Canada.

I think it would be useful to read some excerpts from that Proclamation into the records of this committee, not only because of what it says about the Indians but because of what it does not say. The reason is, the Indians are always going back to the Proclamation of 1763 and reading into it all kinds of rights that were never referred to in it at all, things that were not thought of at the time, such as exemption from military service, and taxation, and one thing and another. I think you might find it interesting, Mr. Chairman, if, with your permission, I read an excerpt from the Proclamation.

This was a Proclamation read to the Indians by Sir William Johnson who was the first superintendent-general of Indian Affairs. Incidentally, he was appointed to that office in 1755 in what is now the state of New York in the Mohawk Valley, in the Iroquois country, and it has persisted as the basis for Indian administration in both the United States and in Canada. Of course, after the revolutionary war, the British branch of the service was moved to Montreal while the Americans set up their branch in Washington. But it was carried along on the same basis and with a common origin. And now, this proclamation says:

A PROCLAMATION

Whereas, I have received His Majesty's Royal Proclamation, given by the Court of St. James, the eleventh day of October last; (this is dated, incidentally, on the 24th of December, 1763) together with a letter from the Right Honorable Lords Commissioners for the Trade and Plantations, of the tenth of October last, signifying His Majesty's Commands; that I should cause the same to be forthwith made public in the several parts of my jurisdiction; and that I should strictly enjoin all persons whatever, whom it might concern, to pay a due obedience thereto on their parts, which Proclamation is in the words following:—

BY THE KING

A PROCLAMATION

GEORGE R:—

Whereas, we have taken into our Royal consideration, the extensive and valuable acquisitions in America, secured to our Crown by the late definitive Treaty of Peace concluded at Paris the tenth day of February last; and being desirous that all our loving subjects, as well of our kingdoms as of our Colonies in America, may avail themselves with all speed, of the great benefits and advantages which must accrue therefrom etc. etc.

And whereas, it is just and reasonable and essential to our interest, and the security of our colonies, that the several nations or tribes of Indians with whom we are connected, or who live under our protection, should not be molested or disturbed in the possession of such parts of our dominions and territories as not having been ceded to, or purchased by us, are reserved to them, or any of them, as their hunting grounds.

The words "hunting grounds" are important because the Indians rely a great deal on that expression—"hunting grounds"; and they certainly can quote this proclamation.

> We do, therefore, with the advice of our Privy Council, declare it to be our Royal will and pleasure, that no governor or commander-in-chief in any of our Colonies of Quebec, east Florida, or west Florida, do presume upon any pretense whatever, to grant warrants, or survey, or pass any patents for lands beyond the bounds of their respective governments, as described in their commissions; as also, that no governor or commander-in-chief, in any of our other colonies or plantations in America, do presume for the present, and until our further pleasure be known, to grant warrants of survey, or pass patents for any lands beyond the heads or sources of any of the rivers which fall into the Atlantic ocean from the west and northwest, or upon any lands whatever; which not having been ceded to, or purchased by us, as aforesaid, and reserved to the said Indians, and any of them.
>
> And we do further declare it to be our royal will and pleasure, for the present as aforesaid, to reserve under our sovereignty, protection, and dominion, for the use of the said Indians, all the lands and territories not included within the limits of our said three new governments, or within the limits of the territory granted to the Hudson's Bay Company; as also the lands and territories lying to the westward of the sources of the rivers which fall into the sea, from the west and northwest, as aforesaid. And we do hereby strictly forbid, on pain of our displeasure, all our loving subjects from making any purchases or settlements whatever, or taking possession of the lands above reserved, without our special leave and license for that purpose, first obtained.
>
> And we do further strictly enjoin and require all persons whatever, who have either wilfully or inadvertently seated themselves, upon any land within the countries above described, or upon any other lands, which, not having been ceded to, or purchased by us, are still reserved to the said Indians, as aforesaid, forthwith to remove themselves from such settlement.

That point, I think, is important, because it is where the Crown first asserted the policy of expelling trespassers from Indian lands. The Crown has continued to assume that responsibility of keeping trespassers off Indian lands. That is one thing in which the Crown extends a special protective provision in the Indian's case. Anybody else has to look out for himself to get trespassers off his land, by using the ordinary legal methods open to him; but Indians do not have to do that. We do undertake and have done so throughout both Canada and the United States—not always with success—but we have made it, at least, a policy in law that nobody should be allowed to trespass on Indian land.

> And whereas, great frauds and abuses have been committed in the purchasing of lands of the Indians, to the great prejudice of our interest, and to the great dissatisfaction of the said Indians:
>
> In 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 settlements; but, 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 Colonies respectively, within which they shall lie, and in case they shall be within the limits of any proprietary Government, they shall be purchased only for the use and in the name of such proprietaries, conformable to such directions and instructions as we or they shall think proper to give for that purpose; And we do, by the advice of our Privy Council, declare and enjoin, that the trade with the said Indians shall be free and open to all our subjects whatever; provided that every person who may incline to trade with the said Indians, do take out a licence for carrying on such trade from the Governor or Commander-in-Chief, of any of our Colonies respectively, where such person shall reside; and also give security to observe such regulations as we shall at any time think fit, by ourselves, or by our Commissaries to be appointed for this purpose, to direct and appoint for the benefit of the said trade: And we do hereby authorize, enjoin, and require the Governors, Commanders-in-Chief, of all our Colonies respectively, as well as those under our immediate Government, as those under the Government and Direction of proprietaries, to grant such licence, without fee or reward; taking especial care to insert therein a condition, that such licence shall be void and the security forfeited, in case the person to whom the same is granted, shall refuse or neglect to observe such regulations as we shall think proper to prescribe, as aforesaid. And we do further expressly enjoin and require all officers whatever, as well military as those employed in the management and direction of Indian Affairs within the territories reserved, as aforesaid, for the use of the said Indians, to seize and apprehend all persons whatever, who standing charged with treasons, misprisons of treason, murders, and other felonies or misdemeanors, shall fly from justice, and take refuge in the said territory, and to send them under proof guard, to the colony where the crime was committed, of which they stand accused, in order to take their trial for the same.

Given at our Court at St. James', the seventh day of October, one thousand seven hundred and sixty-three, in the third year of our reign.

GOD SAVE THE KING.

Sir William Johnson ends by saying:—

I do, in obedience to His Majesty's Command, give this public notice to all persons residing within my jurisdiction (being that country justly claimed by the Six Nations—

By Mr. MacNicol:

Q. What was that last, please?—A.—

(being that country justly claimed by the Six Nations, their allies and dependants),

those are Sir William Johnson's words.

Q. Is it reclaimed?—A. No, "claimed"; and "that I will to the utmost of my power cause the same to be observed", and so on. You see, gentlemen, that is the basis on which the Indian treaty system is laid in Canada and also in the United States.

It does recognize an Indian interest, an interest of a relatively small portion of the people over a vast area, which area was opened for colonization by large populations which, I suppose, under established international practice, would have the right to enter in and open it.

(being that country justly claimed by the Six Nations, their allies and dependants,) that I will, to the utmost of my power cause the same to be observed; and I do strictly enjoin all such persons to pay due obedience thereto.

Given under my hand and Seal at Arms, at Johnson Hall, the 24th day of December, 1763, in the fourth 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.

(Signed) WILLIAM JOHNSON.

By order of Sir WILLIAM JOHNSON.

(Signed) WITHAN MARSH,
Secretary for Indian Affairs.

GOD SAVE THE KING.

Now, it is true, that while these treaties are bi-lateral agreements, the Crown being the party of the first part and the Indians the party of the second part, nevertheless, the Indians had to accept the treaties or lose their interests in the land. Anyway, that was inevitable with the process of colonization; and that was very frankly pointed out to the Indians by various Royal Commissioners making the treaties. Under the treaties the most important provision is that the Indians were guaranteed residential reserves for their own use which could not be alienated ever, except by mutual consent of the Indians and the government, or except in cases of special expropriation, of course, which would lie against any land in the hands of private owners, such as lands taken over for war purposes, and then, only upon payment; and then there is the other important provision of the treaty, as the treaty system developed, that education was to be provided; agriculture assistance was to be given, and assistance to various kinds of employment, fishing tackle, ammunition, and various conditions according to the requirements of the particular area in which the group of Indians being dealt with was located.

By Mr. Castleden:

Q. Was there any reference made in this proclamation to the fact of any provision or arrangement made with the French government before that time, or with the French Seigneurs? Could those be terminated, or could the Indians go back to the treaty arrangements made with the French governors of Canada which were made prior to that time?—A. As I mentioned before, Mr. Castleden, we cannot find where there was anything comparable to our treaties, between the French authorities and the Indians. Now, it is true—take an area like Caughnawaga, which was set aside by the permission of the King of France in order for the Indians to have a home and where there would be a Jesuit mission established and maintained for their christianization. There was a similar area at Oka and at St. Regis. There were areas like that but I do not know of any treaty obligations that would either be cancelled out or reverted to at their option, as you suggest.

But I would say that these treaty obligations were a British policy. Now, in the province of Quebec, the British government did not make any treaties at all with the Indians because the Indians there had already been established on a certain relationship with the French colonists and were getting along all right there, so it was not considered necessary to make a treaty; and they are still not under any treaty. The same thing applies to the Maritime provinces, although it is true that there was some agreement there between

the Indians and military commanders of the forces which are referred to as treaties; but they really did not have Royal Sanction as treaties, and those Indians in the maritimes are not under treaty.

The same thing applied in British Columbia because there had been an established arrangement whereby, under the old province of British Columbia and the Crown Colony of British Columbia the Indians had been settled on reserves. There were not treaties there except one of the agreements, on Vancouver Island, with Governor Douglas, first as a factor in the Hudson's Bay Company, and then Sir James Douglas, later as Governor of the Island. But the Indians in Canada were brought under the treaty as Canada went forward into previously unorganized areas. And that began in south western Ontario, from the Niagara Peninsula south-west and all along the Bay of Quinte. That is where the treaty system began, and it spread from there throughout Ontario to northern Ontario and the Northwest Territories, and to the new areas of Manitoba and Saskatchewan, and Alberta as they were opened up as new Canadian areas. But where the Indians had already been under previous dispensation, it was not considered to be necessary for the Dominion government to make new treaties with them.

By Mr. Castleden:

Q. How about their rights? What guarantee did they have of their rights supposing there was some area which was set aside under an arrangement with the French government?—A. They were all protected by the Statute of 14 and 15 Victoria, along about 1851. The reserves in lower Canada were formed as Indian reserves. That was under the United Province of Canada, after the Act of Union, but there was a complication there and in some of the other provinces; and as a result of the decision of the Privy Council in the Star Chrome case, to the effect that the reversionary interest was in the province, and that if any Indian lands were disposed of and sold, no longer being used by the Indians, that goes back again to the old idea that the Indian title was not a beneficial interest but rather a usufructuary title, when they did not revert to the province, with the result that where we had gone ahead and sold, for the benefit of the Indians, some lands which had been surrendered in the regular way, by them, we found that the money had to be paid back to the province, and we did pay it back to the province. Parliament voted it to the province of Quebec, but the Indians did not have to pay. But apart from that consideration, and the reversionary interest to the province, the Indians have had their rights fully protected; not only the reserves they originally had were conserved for them, but additional reserves have been acquired for them by the Dominion, as interest demanded from time to time.

Q. At this time I believe there are some Indians who would differ with that. They believe that certain areas which they thought belonged to them have been taken away from them. It is likely that the Quebec Indians will draw the attention of the committee to that matter.

The CHAIRMAN: I think we were agreed, at first, that we were to hold our interrogations until after the presentation of the report. Now, may I ask for a recess for a few minutes, if you do not mind.

The CHAIRMAN: It is now one o'clock and the meeting will now be adjourned until Thursday next at 11 o'clock, that is, of course, without dismissing Mr. MacInnes, but he will be excused now until next Thursday at 11 o'clock when we will convene in this room.

The Committee adjourned at 1 o'clock to meet again on Thursday, June 6, at 11 o'clock a.m.

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 5

THURSDAY, JUNE 6, 1946

WITNESSES:

The Honourable Brooke Claxton, P.C., Minister of National Health and Welfare, Ottawa;

Dr. F. H. L. MacInnes, Secretary, Indian Affairs Branch, Department of Mines and Resources, Ottawa.

OTTAWA
EDMOND CLOUTIER
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1946

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 3

THURSDAY, JUNE 6, 1946

WITNESSES:

The Honourable Brooke Claxton, K.C., Minister of National Health and Welfare, Ottawa;

Mr. T. R. L. MacInnes, Secretary, Indian Affairs Branch, Department of Mines and Resources, Ottawa.

OTTAWA
EDMOND CLOUTIER
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1946

MINUTES OF PROCEEDINGS

THE SENATE,
ROOM 262,
THURSDAY, 6th June 1946.

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 11.00 o'clock a.m. Mr. D. F. Brown, M.P., presided.

Present:

The Senate: The Honourable Senators Johnston and Stevenson—2.

The House of Commons: Messrs. Blackmore, Brown, Bryce, Case, Castleden, Charlton, Farquhar, Gariépy, Gibson (*Comox-Alberni*), Harkness, Little, MacNicol, MacLean, Matthews (*Brandon*), Raymond (*Wright*), Richard (*Gloucester*)—16.

In attendance:

(Department of National Health and Welfare): G. D. W. Cameron, M.D., A/Director, Health Services and W. L. Falconer, M.D., A/Assistant Superintendent, Indian Health Services.

(Department of Mines and Resources): Messrs. W. J. F. Pratt, R. A. Hoey, Director, Indian Affairs Branch; Eric Acland, Executive Assistant to the Director and T. R. L. MacInnes, Secretary, Indian Affairs Branch.

On motion of the Honourable Senator Stevenson, it was

Resolved: That the Honourable Senator W. H. Taylor be appointed Deputy Chairman of the Senate members of this Committee.

Mr. Bryce, for the sub-committee on Agenda and Procedure, presented the following report:—

> Your sub-committee recommends that the Special Joint Committee retain the services of Mr. Norman E. Lickers, Barrister, of Brantford, Ontario, as counsel and more particularly to act as a liaison officer between the Committee and Canadian Indians and all organizations interested in the well-being of Canadian Indians and to carry out such other duties as may be assigned to him by the Committee.
>
> Your sub-committee further recommends that the fee to be paid him shall be $50 for each day's attendance at Ottawa on the business of the Committee and, in addition, his actual travelling expenses to and from Ottawa and his actual living expenses at Ottawa, as certified by a Chairman of the Committee; the whole subject to termination at any time by the Committee.

On motion of Mr. Bryce, it was unanimously

Resolved: That the report of the sub-committee on Agenda and Procedure be adopted.

On motion of Mr. Case, it was

Agreed: That the Committee do now hear a submission by the Honourable the Minister of National Health and Welfare, Ottawa.

The Honourable Mr. Brooke Claxton, K.C., was called, made a statement and was questioned thereon.

The Chairman thanked the Minister, on behalf of the Committee.

Mr. T. R. L. MacInnes, Secretary, Indian Affairs Branch, Department of Mines and Resources, Ottawa, was recalled, completed his statement with regard to Indian Treaties and was questioned thereon.

The following were accepted as notices of motion and referred to the sub-committee on Agenda and Procedure:—

Motion by Mr. MacNicol: That the sub-committee consider the advisability of a visit by the Chairman and others of this Committee to Washington, D.C., in order to obtain from the Indian Bureau, Department of the Interior, up-to-date information with regard to the administration of Indian Affairs in the United States.

Motion by Mr. Case: That the sub-committee consider the advisability of extending an invitation through the usual channels to United States Government officials responsible for the administration of Indian Affairs to come to Ottawa and give information to this Committee with regard to Indian Affairs administration in the United States.

The Committee adjourned at 1.00 o'clock p.m., to meet on Tuesday, June 11 next, at 11.00 o'clock a.m.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

THE SENATE,
June 6, 1946.

The special Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11 o'clock a.m. Mr. D. F. Brown, M.P., (Joint Chairman) presided.

The CHAIRMAN: Could we come to order, gentlemen. There are two preliminary matters with which we must deal. The honourable Mr. Claxton has to go to Council this morning, and he would like to get away as soon as possible.

Hon. Mr. STEVENSON: I move that Mr. W. H. Taylor be appointed as deputy chairman of this Indian Affairs committee.

The CHAIRMAN: It is moved by the Hon. Mr. Stevenson that Mr. W. H. Taylor be appointed as deputy chairman.

Mr. MACNICOL: I second the motion.

The CHAIRMAN: And it is seconded by Mr. MacNicol. All those in favour? All those contrary? Carried! Now, may we have the report of the sub-committee, Mr. Bryce?

Mr. BRYCE: This is a Report from the subcommittee on agenda and procedure to the Special Joint Committee on the Indian Act.

THURSDAY, June 6th, 1946.

Your subcommittee recommends that the committee retain the services of Mr. Norman E. Lickers, barrister, of Brantford, Ontario, as counsel, and more particularly to act as a liaison officer between the committee and Canadian Indians and all organizations interested in the well-being of Canadian Indians, and to carry out such other duties as may be assigned to him by the committee.

Your subcommittee further recommends that the fee to be paid him shall be $50 for each day's attendance in Ottawa on committee business and, in addition, his actual travelling expenses to and from Ottawa, and his actual living expenses at Ottawa, as certified by a chairman of the committee. The whole subject to termination at any time by the committee.

I move the adoption of this report.

The CHAIRMAN: It is moved by Mr. Bryce?

Mr. HARKNESS: I second the motion.

The CHAIRMAN: And seconded by Mr. Harkness that we adopt this report. All those in favour? Contrary? Carried! Now, we have with us this morning the honourable Mr. Brooke Claxton, Minister of National Health and Welfare, and we would like to hear from him, if it is the wish of the committee?

Mr. MACNICOL: About what?

The CHAIRMAN: In connection with the health and welfare aspects of the Indian Affairs. I should have explained, probably, that we were to proceed to-day with Mr. MacInnes, secretary, Indian Affairs Branch, on the subject of treaties. But the honourable Mr. Claxton, the minister of National Health and Welfare, has to be in attendance in New York three days a week on United Nations' business, and for that reason it is not possible for him to be here at all times. So, the subcommittee, therefore, suggested that we have the honourable Mr. Claxton here to-day in order to get his aspect of this Indian Affairs discussion before the committee at this convenient time. We can hear Mr. MacInnes a little later. This has been agreed to by the departmental officers, and if it is your pleasure, we will now call upon the honourable Mr. Claxton.

Mr. MACNICOL: Does the Indian Affairs Branch not, itself, as it has always done in the past, have full control over the health of the Indians? Or, are we to understand now that the Health and Welfare Department comes into Indian Affairs?

The CHAIRMAN: I think that was explained. If you will look at the report made by Mr. Hoey, you will see that the question of health and welfare of the Indians now comes under the Department of National Health and Welfare.

Mr. MACNICOL: I do not think I have had my minutes yet. Are they out yet?

The CHAIRMAN: Oh yes; they have been out and distributed for several days. The Department of National Health and Welfare is now charged with the responsibility for the health and welfare of the Indians.

Mr. MACNICOL: Very well.

Mr. CASE: I move that we hear from the honourable Mr. Claxton.

The CHAIRMAN: Mr. Claxton?

Hon. Mr. CLAXTON: Mr. Chairman: I welcome this opportunity to present information about the Indian Health Services and also proposals of the department for an improvement in those services. I am also grateful to you for interrupting your program in order to permit me to come here to-day to make this statement. I think it would be useful to you to have this description of what is being done and what it is proposed to do, and then, after you have looked it over, you can let us know what additional information you want, and when you want us back; we will be only too happy to come here, with any officers of the department, or of the Indian Health Service, who may be the best able to give such information. We have prepared a submission which is to be put before you in print for your convenience in following it; and it might be helpful if, as I read it, you will note any further points on which you might desire additional information so that we can get it as soon as, or whenever it be available, for the time when you want us back. I should explain now that Dr. Moore, the acting Superintendent of Indian Health Services is at the present time in the far west on the work of the division; but he will come east at once upon receiving word that he is required by the committee. Until such time as he be required, I think he should carry on his work there, as there is a great deal to be done just now before the possibility of carrying out some work in the summer is ended by the coming of autumn.

SUBMISSION TO THE SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS APPOINTED TO EXAMINE AND CONSIDER THE INDIAN ACT

By the Honourable Brooke Claxton, K.C.,

Minister of National Health and Welfare

I. *Distribution of Indians and Eskimos*

1. In order to appreciate all the implications of providing a health service to the Indians and Eskimos of Canada it is necessary to understand something about their numbers, habits and distribution over the whole area of the country. According to the 1944 census there were 125,686 Indians as defined under the Act and about 7,700 Eskimos.

2. Approximately 80,000 Indians live in settled parts of the country, and the remainder are nomadic or semi-nomadic people who live by trapping, hunting and fishing.

3. So far as can be ascertained by available figures the Indian population of Canada was decreasing until about the turn of the century. Since then it has shown an increase which at present has reached an annual rate of about 1,500. Accurate figures for the Eskimo population are not obtainable. However, from the information available it is concluded that they are just about holding their own. Their birth rate is high, but unfortunately, so is the infant mortality rate.

4. All the Eskimos are nomadic. There are no concentrations of population, largely owing to the fact that the food supply available by hunting and fishing is such that they are forced to disperse themselves over practically the whole of Canada's northern territories. The unit of population among Eskimos is the family, whereas among the Indians it is the band. Eskimos are to be found on both shores of the Hudson Straits, on both shores of the Hudson Bay, scattered through the islands of the Eastern Arctic, along the Arctic shore of the District of Mackenzie, and a few are scattered through the inland District of Keewatin. The attached map, Appendix "A", shows the approximate distribution of both Indians and Eskimos. It will be seen that there is hardly any considerable area in Canada where there are neither Indians nor Eskimos and conversely, with the exception of the Six Nations Reserve near Brantford, there is no place in Canada where there are more than 5,000 Indians gathered in one community. The intrusion of the white man has resulted in the Indians either withdrawing northward beyond the settled areas or congregating on reserves. In the case of the Eskimos the heaviest concentrations of population are from the mouth of the Mackenzie River along the Arctic Coast to the Coppermine River, on the Eastern shore of Baffin Island, on the south shore of Hudson Straits and the east shore of Hudson Bay.

We prepared a map showing the distribution of the Indians and the Eskimos, because we thought it would enable you to appreciate the nature of the problem with which we were faced in trying to provide health services. It shows graphically where they are located. We prepared this map and there is a description of it attached to the brief; but the photographs, unfortunately, do not show the colours; so I might explain that the red circles show the centres of Indian agencies, with the figures indicating the population; and then, every Indian agency is outlined in black on the map, with the centre of population shown in red, and the Indian population written in black beside that figure.

The same was done for the Eskimos with a green circle. Now, it will be seen, from the way these circles are dotted right across Canada, how thinly dispersed are the Indian and Eskimo populations right across the whole country. It constitutes a health problem of exceedingly great complexity and difficulty because there are no concentrations of population in any one place except the Six Nations, and one or two others, which would enable us to give an all around service, at least at provincial rates. We have shown the main Indian bands with small red dots, and the Eskimo winter or secondary centres, with small blue dots; and the Indian winter or secondary centres with green dots. Because of the fact that a great part of this area is such that we can cover it only through the use of air transportation, we have shown aeroplane anchorages as a circle with an anchor in it; and airports and landing fields and strips with a triangle. And then we have shown each of the departmental hospitals with a large green circle; and drawn about that circle the effective area that can be serviced from that centre through air transportation. Then, on the right here, is a list of departmental hospitals* with their location and bed capacity; and below that there is a list of the denominational hospitals with the number of their beds. We thought that this might be useful to the committee in appreciating the nature of the problem of rendering health services to the people in that area.

Mr. MACNICOL: Before you leave the map, Mr. Claxton, I notice that neither of the maps, or the map you have marked, show the large band of Eskimos on Banks Island, a large island at the west end of the map.

Hon. Mr. CLAXTON: Yes, here.

Mr. MACNICOL: You have not got a spot on it, but there is a large band of Eskimos there, and they come once a year to Aklavik. You have not got the principal island Eskimos marked on there either.

Mr. GARIEPY: That list* on the upper corner, will that appear in the report?

Hon. Mr. CLAXTON: Yes, it appears in various forms in the report. Now, in answer to Mr. MacNicol, my information is that the report of there being large bands in those two places, is not in accordance with the information which the department has; that the bands are not relatively large; but if you would not mind, we would be glad to look into that for you and get as full information as we can in regard to both Banks Island and Herschel Island. These small black dots represent larger bands.

Mr. MACNICOL: I do not know just what you would term a large band of Eskimos; I met quite a large group of Eskimos at Aklavik. As a matter of fact, I was going to fly to Banks Island in order to see them, but fortunately for me, and saving me a good deal of cash, they had come in in quite a lot of ships, which brought them all in and they were at Aklavik while I was there.

The CHAIRMAN: Gentlemen, if you do not mind, I think we have agreed that we would make note of these matters, so that when the officials come back for examination we could then take up all such questions with them. What we are anxious to do is to get a complete story in first; then we can discuss the various other phases a little later, if that meets with your approval.

Hon. Mr. CLAXTON: I think, perhaps, the answer to Mr. MacNicol may be found in the fact that there are about 1,000 Eskimos at the western end, and to the west, in the neighbourhood of Coronation Gulf, running from there to the mouth of the Mackenzie. Those are all nomadic Eskimos, and the numbers are shown at the centres to which they come; and after they have gone to those centres they may return to Banks Island or to other hunting grounds.

Mr. MACNICOL: Of course, the Banks Island Eskimos do go to Aklavik.

* See Appendices, pp. 89 to 115.

Hon. Mr. CLAXTON: Yes; there is a figure shown for Aklavik, and I think that would include the Banks Island Eskimos.

Mr. MACNICOL: All right.

Hon. Mr. CLAXTON:

II. *History of Health Services*

5. In the late Dr. Heagerty's "Four Centuries of Medical History in Canada" he quotes from H. P. Biggar's "The Voyages of Jacques Cartier", describing the arrival of Cartier at Hochelaga in 1535, and the welcome he received from the Indian chieftain Agouhanna.

"This Agouhanna, who was some fifty years of age, was in no way better dressed than the other Indians except that he wore about his head for a crown a sort of red band made of hedgehog's skin. This chief was completely paralyzed and deprived of the use of his limbs. When he had saluted the Captain and his men, by making signs which clearly meant that they were very welcome, he showed his arms and his legs to the Captain, motioning to him to be good enough to touch them, as if he thereby expected to be cured and healed. On this the Captain set about rubbing his arms and legs with his hands. Thereupon this Agouhanna took the band of cloth he was wearing as a crown and presented it to the Captain. And at once many sick persons, some blind, others with but one eye, others lame or impotent and others again so extremely old that their eyelids hung down to their cheeks, were brought in and set down or laid out near the Captain, in order that he might lay his hands upon them, so that one would have thought Christ had come down to earth to heal them."

That is a rather interesting story of Jacques Cartier being the first person to land in Montreal, indicating that the Indians looked to the white man for assistance, even at that early date.

6. At the time of the arrival of the first French settlers in Canada and for some years afterward severe epidemics of smallpox, plague, cholera, typhus, etc., were the common lot of the inhabitants of Europe. Unfortunately for the Indians these diseases were brought to Canada by the early travellers and settlers who also brought tuberculosis which assumed the proportions of an epidemic disease in this fertile soil. The death rate from epidemics which swept through the tribes in contact with the early settlers was extremely high, in many cases amounting to total destruction of a band. It is to the credit of the founders of Quebec and Montreal that they established hospitals where they took in and cared for Indians as well as their own people. The Hôtel Dieu in Quebec began to care for the sick in 1639.

I have been over that hospital, the Hôtel Dieu at Quebec; and it has rendered service to the sick and service to the suffering for over 300 years without a single interruption.

It is recorded that in the first year some 200 Indians found relief at the hands of the nursing sisters. The Hôtel Dieu in Montreal was opened on the 8th October, 1644, and was equally generous in caring for the unfortunate natives.

7. Neither law nor treaty imposes an obligation on the Dominion government to establish a health service for the Indians and Eskimos, with the possible exception that in original treaties there is reference to the provision of "medical chests". However, for humanitarian reasons and as a very necessary protection to the rest of the population of Canada, it is essential to do everything possible to stamp out disease at its source wherever it may be within the confines of the country. In the public

archives reference is made to medical attendance on Indians as early as 1774, and in 1794 the Iroquois of Caughnawaga and St. Regis asked for the appointment of a medical attendant. Departmental records show that the medical officers have been paid by the government since 1829, and the Royal Commission's report of 1844 states, "Since 1823 the Indians of Canada East have received advice and attendance, when necessary, from the Army Medical Officers, in consequence of a regulation to that effect established by the Earl of Dalhousie." This is interesting in view of the assistance that has been given to the Indian Health Services by the Army and Air Force medical services during the recent war years.

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 compelled to issue an order than no cases of pulmonary tuberculosis could be hospitalized.

10. The yearly expenditures for Indian Health Services are shown in the following table:—

ORDINARY AND SPECIAL EXPENDITURE FROM PARLIAMENTARY VOTE

Year	Medical
1879-1880	$ 3,901
1889-1890	16,293
1899-1900	46,623
1909-1910	120,645
1919-1920	286,373
1929-1930	927,628
1930-1931	1,061,278
1931-1932	887,520
1932-1933	837,010
1933-1934	812,905
1934-1935	862,596
1935-1936	1,084,645
1936-1937	1,058,126
1937-1938	1,072,777
1938-1939	1,289,884
1939-1940	1,525,417
1940-1941	1,363,193
1941-1942	1,390,949
1942-1943	1,458,115
1943-1944	1,532,519
1944-1945	2,095,820
1945-1946	2,329,163

It will be seen that for the year 1945 to 1946 the amount of $2,329,163 was included in the estimates. The expenditures have not yet become available, but the amount in the estimates for the year 1946-47 is $4,103,390.

Mr. MACNICOL: How much is that again?

Hon. Mr. CLAXTON: $4,103,390, a very substantial increase.

11. In 1936 the Department of Indian Affairs, which had been established as such in 1880, ceased to exist as a separate department and became a branch of the Department of Mines and Resources. On

November 1, 1945, the health services of that department consisting of the Medical Division, Indian Affairs Branch and the Eskimo Health Service of the North West Territories Branch were transferred to the Department of National Health and Welfare, which had been established by Chapter 22 of Statutes of 1944 (of George VI) and brought into force by proclamation on October 13, 1944.

III. *State of Health of Indians and Eskimos*

12. The present state of the health of the Indians and Eskimos can be best appreciated by examining Tables 1, 2, and 3 in Appendix "B", where it will be seen that the principal causes of illness and death among the Indians and Esquimos are those to be found among people whose life expectancy is short, whereas the principal causes of death in the white population are those occurring in older people. In the case of the Indian the first three causes of death in order of numbers are: tuberculosis, pneumonia and diseases of the first year of life; whereas among the whites the first three causes are: diseases of the heart, cancer, and intracranial lesions of vascular origin (stroke), in other words diseases of middle or old age.

13. Reference to Tables 4, 5, and 6 in Appendix "B" reveals that the death rate among Indians for the principal causes of death is considerably higher for the Indian than for the white, with the exception that the rate for heart disease and cancer is higher for the white. The tuberculosis death rate per 100,000 for the Indian was 708·2 in 1944 whereas the white rate for the same year was only 41·6. These are over-all figures for the whole country and do not disclose an important point, which is that in some areas of Canada the discrepancy in the two rates is much greater. This is particularly true in the prairie provinces where the rate in the white population is lower than the national average. Conditions of living play their part, as is to be expected, and is shown by the fact that the tuberculosis rate for the Six Nations Reserve at Brantford is very much less unfavourable in comparison with the rate for whites.

14. It is a well known fact that completely isolated groups of people provide fertile soil for the spread of infectious diseases to which they are not accustomed. In our communities most of us suffer during childhood from the infectious diseases common to this country unless we are protected by inoculation. Throughout our lives we are exposed to the same infections at intervals and it is believed that this serves to reinforce the immunity acquired as the result of the first illness. In contrast the isolated Indian because of his non-exposure to our infections does not acquire immunity. His standard of living is low, a fact contributing to increased illness and immunization is not yet extensive enough to affect the picture significantly. It is the view of the medical officers of the service, who have had long experience in caring for Indians, that they are inherently as able to resist disease as white Canadians, given the same conditions, including similar exposure.

15. Among the Eskimos they refer to a disease which they call "ship fever". It is akin to the common cold, or possibly virus pneumonia. It sweeps through every isolated northern community following the annual visit of the supply ship. Enteric diseases when introduced produce a similar result. As recently as a year ago Major Rawson had to be sent from Chesterfield Inlet to Cape Dorset to treat a band of Eskimos suffering an epidemic of typhoid fever. Recently there have been reports from Norway House of epidemics of influenza. Diseases which we ordi-

narily associate with childhood, e.g. whooping cough and measles, assume the proportions of killers of both children and adults when they break loose in isolated bands. Possibly one of the most remarkable examples of the susceptibility to disease of people living in isolated communities is a report of an epidemic of tuberculosis in a residential school at Norway House. In this case it was found that the cook had an open lung cavity discharging live organisms. Another peculiarity of the health problem of the Indians is their proneness to trachoma. This disease is prevalent particularly among the Western Indians, to the extent that it has been necessary to employ a specially qualified trachoma control officer.

16. Since most contagious diseases are readily transmissible from person to person under unhygienic conditions of living, and tuberculosis is outstanding in this respect, it is probable that the health conditions of the Indians cannot be adequately remedied until their economic status and mode of life are greatly improved.

17. Careful investigations initiated by the service have confirmed a generally held opinion among medical officers caring for the Indians, that poor nutrition plays an important part in lowering their standard of health. Eating habits are in many cases dictated by the necessities of the hunt, which sometimes lead to intervals of semi-starvation. With the coming of the whites they have shown a natural desire to secure foods which are to them luxuries, such as white flour, bacon, lard and other high calorie foods which do not provide the essential elements for a balanced diet. Their infant mortality rate is high and this may be associated in some measure with their inability to secure or properly prepare suitable food for children. They have little idea of hygienic methods of preparing or caring for food. Among the Indians, in contrast to the Eskimos, and especially among those who have adopted white man's food, dental disease is very extensive and is probably an important contributor to their poor health.

IV. *Difficulty and Complexity of Providing Services*

18. Inaccessibility and dispersal are the two major factors that dominate the problem of providing health care for Indians and Eskimos. This is true in even the settled parts of the country where very frequently the reserves are relatively isolated and served by poor roads. Many of the bands are not large enough to require the full-time service of a doctor or a nurse. Unless it happens that two or more reserves are within a few miles of each other the only way to provide medical attention has been to retain the part-time services of a nearby doctor.

19. In the majority of instances the homes on the reserves are not suitable for the care of sick people. This means that a higher proportion of sick Indians should be hospitalized than would be in the case of the whites. This involves in many cases providing food, clothing, and transportation, to and from hospital, and because of the condition of many of the homes hospitalization must be of longer duration and there remains a greater chance of relapse on return to their homes. This is in part a reflection of the general economic position of the Indians and is one of the important factors contributing to their lower standard of health. It is also apparent that the health and welfare of the Indians and Eskimos are interdependent.

20. The two factors of inaccessibility and dispersal assume greater importance in the unsettled thousands of square miles of the hinterland, where ease and mode of travel are dictated by weather and season Practi-

cally the only medical men in this trackless wilderness are employees of the government who are stationed at a few strategic points on the main travel routes. In the North West Territories and Eastern Arctic there are nine doctors. Two are employed by mining companies, and seven by the department to serve a native population of approximately 11,000. There is a mission hospital at all the places where departmental doctors are located.

21. An additional difficulty is that the Indian of the unsettled area is more prone to resist guidance and treatment by a white doctor.

V. *Present Arrangements*

A. Staff

22. At present the Indian Health Service is administered from a headquarters in the Department of National Health and Welfare in Ottawa. The chief executive officers are a Superintendent and Assistant Superintendent. They are assisted by one other medical officer and a clerical staff of seven.

23. In addition to the above there are 24 full-time doctors, in the field, seven of whom are resident in the North West Territories and Eastern Arctic. The part-time services of approximately 700 doctors are utilized to give medical attention to the Indians in the localities where the doctors carry on their practice. 24 field nurses are employed to care for the various bands scattered from Quebec to the Yukon. In addition there is a large number of part-time field matrons and field dispensers. These are often doctors' wives, missionaries, school teachers, R.C.M.P. officers, Hudson Bay factors and other traders many of whom have had nursing or first-aid training and who are supplied with first-aid medicine kits. There is a dispenser in every band, many of whom act without payment. In this connection it should be recorded that officers of the R.C.M.P. have rendered very valuable assistance, not only in dispensing drugs but in transporting and caring for the sick. Drugs and medicines are sent to every band of Indians and every Eskimo centre. The total number of full-time staff in the Service is: 29 doctors; 91 nurses; 252 others. This does not include field dispensers and field matrons unless they are on full-time.

24. In the Arctic many of the dispensers have two-way radio communication with a doctor which enables them to describe symptoms, receive instructions and carry out such treatment as is possible.

B. Departmental Hospitals

25. 17 hospitals with combined capacity of 1,200 beds were operated by the Service in 1945. This year the Edmonton hospital has been opened and a hospital acquired from the R.C.A.F. is about to be opened at Miller Bay, B. C. These will add another 550 beds.

You will see that that is a very notable addition to the bed capacity to be made in one year.

These hospitals and their location are listed in Appendix "C".

This appendix shows the name of the hospitals, the address, the number of days, of patients, and of treatments; the amount expended, and the number of T.B. patients.

Mr. Castleden: The Pas hospital is in Manitoba, is it not?

Hon. Mr. Claxton: Yes.

Mr. Castleden: But it is marked here as being Saskatchewan?

Hon. Mr. CLAXTON: I am sorry.

Included are the Blackfoot hospital at Gleichen, Alta., and the Lady Willingdon hospital on the Six Nations Reserve. These were built by the two Bands which own them and meet their costs of operation, but these, like the remaining 15 hospitals owned by the Department, are administered by the Department.

C. HOSPITALS OTHER THAN DEPARTMENTAL

26. The Department utilizes the services of hospitals and sanatoria in communities across Canada. In the year 1945 a total of 20,685 Indian patients were treated in 417 different hospitals for a total of 581,490 days. Of these approximately 200 were inmates of mental hospitals, and between 950 and 1,000 were under treatment for tuberculosis. Of the grand total, 4,446 were treated in departmental hospitals. A table summarizing information regarding hospitalization is given in Appendix "D". It will be seen that this list includes general hospitals, sanatoria and preventoria. Many of the general hospitals are operated under denominational auspices. In connection with the residential schools for Indian children, arrangements have been made for preventorium care wherever this has been advised by the medical officers of the Service. In all instances the hospitals are paid a per diem rate for the care of patients. In a few cases circumstances have warranted the paying of grants to hospitals at the time of construction or to help meet the cost of additions. In the case of some of the hospitals in the far north, annual grants are made to pay the salaries of nurses. At the present time 12 nurses are being paid in this way.

27. In the more settled parts of the country where alternative institutions are available it is possible to hospitalize Indians of various denominations in the hospitals of their denomination. In remote areas this is not always possible. In departmental hospitals which are not denominational every facility is offered to the ministers of the various religions to visit their people and adequate accommodation is provided for private interview or for religious observances.

D. DEPARTMENTAL NURSING STATIONS

In addition to the hospitals there are five nursing stations located at Hobema and Wabasca in Alta., Crooked Lake, Sask., Muncey, Ont., and Mistassini, Que. These are residences for nurses and in some instances contain one or two beds for emergency cases. At Hay River, N.W.T. there is a nursing station under auspices of the Church of England. All other such stations are nondenominational.

E. ARCTIC PATROL

29. For the past 20 years the R.M.S. *Nascopie* under charter by the Hudson Bay Company has made an annual trip up the coast of Labrador, through the Hudson Strait into the Bay, up the east and north coast of Baffin Island. The ship carries medical officers and supplies to Chesterfield and Pangnirtung hospitals and to dispensaries situated along the route. During stops at the various points where freight is unloaded the two medical officers render such aid to the Eskimos as is possible in the time at their disposal. Very serious cases, especially those requiring operation, may be picked up and transported to the next hospital en route. The trip leaves Montreal towards the end of the first week in July and returns about the second week in October. In view of the shortness of the season and since the principal objective of the chartering company is to carry supplies and trade stores to Hudson Bay

posts, it is seldom possible to stay long enough at any point to deal adequately with the health problems that are presented. This voyage is the means used to get relief medical officers up to the hospitals at Chestergeld Inlet and Pangnirtung. The medical men who make the trip north on the *Nascopie* are selected from among practising doctors, who have rendered great service in this way. Several of these attended a conference which the department held in February of this year.

At that conference we tried to get together all the doctors who had had outstanding medical records and had seen service in the north; and in consequence, we secured very valuable assistance and advice from them.

All agreed that the time at their disposal in the various ports of call is inadequate and they strongly recommended that facilities be secured for extending this service. For further details please consult Appendix "E".

That appendix does give some further information on the Eastern Arctic Patrol, but particularly it gives a list of the doctors who, over the last twenty years have made this trip for us. I think that the honourable members of the Committee will observe that that list contains a roll of distinguished doctors, physicians, and specialists who have rendered this service as a service to their country; and I feel that what the government owes, and what the Eskimos and the Indians owe, to those doctors has never been adequately expressed. You will see that the list contains a number of outstanding doctors, and surgeons, of this city as well as of the other parts of Canada.

F. Air Travel

30. In recent years increasing use has been made of air travel for the transportation of patients, doctors and supplies. Prior to World War II commercial air lines were used exclusively. During the war the R.C.A.F. and U.S. Army Air Corps rendered invaluable service. In the fall of 1945 it was necessary to ship supplies into Cape Dorset where an epidemic of typhoid was spreading through the native population. At the same time there was a shortage of medical supplies at the hospital at Pangnirtung. Major Rawson who had been flown to Cape Dorset by the R.C.A.F. ordered supplies to deal with the typhoid epidemic. Arrangements were made with the R.C.A.F. to pack and ship from Ottawa via Dartmouth, N.S., and Goose Bay in Labrador, approximately 800 pounds of medical supplies. This material had to be parachuted to the landing points at Dorset and Pangnirtung. The only damage sustained was one broken glass syringe. Later it became necessary to call upon the R.C.A.F. again to pick up Major Rawson at Cape Dorset and return him to Chesterfield Inlet. The same plane carried a sick Eskimo from Cape Dorset to a hospital in Winnipeg.

31. On various occasions the U.S. Army Air Corps have evacuated patients from the Eastern Arctic to Goose Bay, from Southhampton Island to Churchill, and from stations along the Mackenzie River down to Edmonton.

32. The Indian Health Service frequently charters commercial planes for special trips to transport doctors. They use them also for the evacuation of patients for hospital treatment. Nowadays many of the treaty trips are made by plane and usually a doctor travels with the party.

33. While undoubtedly the use of air transport will prove to be a tremendous factor in any up-to-date health service of the future, it must be recognized that its use under present circumstances is very

expensive. A single trip from Sioux Lookout to Port Severn and return for the evacuation of one patient costs more than $1,000. In another instance it cost about $1,200 to remove one mental patient with attendants from Fort Norman to a hospital in Alberta.

VI. *Proposed Program*

34. Before outlining the department's proposals for extending and improving the health service for Indians and Eskimos it should be pointed out that this matter is still under active discussion by officers of the department. Also much that will be said regarding future plans was originated in the Department of Mines and Resources when the medical service was part of the Indian Affairs Branch.

35. The department's proposals relate to every phase of health activity. The number of personnel must be enlarged and salary adjustments are essential. Facilities such as hospitals, nursing stations, travelling clinic equipment, air transport, etc., must all be increased or modernized.

36. Turning first to the question of staff, it may be pointed out that salaries must be commensurate with the responsibilities and professional attainments and administrative ability required. In view of the increasing complexity of the service it is considered necessary to provide for two assistant directors at headquarters, one responsible for administration and the other for professional services. In order to decentralize some of the increasing burden of detailed work, it is proposed to appoint a regional superintendent for each of the following regions: (1) Eastern Arctic; (2) Western Arctic, North West Territories and Yukon; (3) British Columbia; (4) Alberta; (5) Saskatchewan; (6) Manitoba and north west Ontario; (7) Central and south Ontario and west Quebec; (8) East Quebec and the Maritimes. Two of these positions have already been established, one for British Columbia, and one for Alberta. The latter position is now occupied by Col. Stone, referred to earlier as the Superintendent of Medical Services in 1927.

37. In addition to the two new medical positions referred to above, 24 other new positions have been authorized. These are to provide for additional hospital staff and field officers. More are contemplated.

38. There is a proposal under discussion to re-organize the medical and nursing staff on a service basis, rather than on the basis of appointment to specific positions. This is advocated in order that there may be free interchange of staff between posts, and to facilitate promotion within the Service. An important objective in recommending this change is to facilitate the more frequent relief of medical officers and nurses serving in northern outposts. It is believed that this arrangement will make the Service a more attractive career for competent doctors and nurses.

39. Provision of more field nurses with public health training is contemplated. This is in keeping with the proposal to extend the number of nursing stations. In addition it is proposed that the department employ qualified nurses to be stationed in the larger residential schools wherever the Service is responsible for the health of the children and adequate health services are not otherwise provided.

40. The problem of providing adequate hospitalization is extremely difficult as will be gathered from the foregoing notes. There are approximately 1,000 deaths from tuberculosis per year. It is generally agreed that there should be provided three beds for every tuberculosis death per year. This would mean the provision of 3,000 sanatorium beds.

It is not considered practical to plan for all of this accommodation at the present time. A program of erection of new hospitals or enlargement of existing hospitals is being developed. The projects included in this year's estimates are as follows:—

Moose Factory—a 250-bed tuberculosis and general hospital.

Fort William San.—providing a grant for 50 additional beds.

The Pas—This is a U.S. Army hospital which should be expanded approximately 125 beds in order to use present plant economically.

Fort Qu'Appelle—Propose to add 50 beds and a nurses' home.

Edmonton—It will be necessary to complete the fitting up of the new hospital to provide a total of 400 beds, of which 100 are earmarked for veterans, and another 100 also earmarked for veterans for a limited period.

Miller Bay—This hospital is almost completed. It will provide 150 beds.

Coqualeetza—It is necessary to add 50 beds, provide a nurses' home and power house.

41. In addition to the foregoing it is desirable to erect or enlarge other hospitals and a number of nursing stations across Canada at points remote from other medical services where Indian bands forgather. These nursing stations are about the size of a small bungalow and contain the quarters for a nurse, Indian maid or housekeeper, and possibly one or two one-bed rooms for emergency cases. They are not hospitals in the ordinary sense of the word but will be centres to which the Indians may go for medical advice and help. It is proposed that they will be equipped with two-way radio for communication with the nearest departmental hospital. In some respects they may be considered outposts of the principal hospitals. The estimates for the current year include funds for the erection of five such nursing stations at:—

1. Fort George on James Bay
2. Bersemis on the north shore of the St. Lawrence
3. St. Regis near Cornwall
4. Eskasoni on Cape Breton Island
5. Gypsumville in the interlake area, Manitoba.

42. Because of the outstanding seriousness of the tuberculosis problem among the Indians it is proposed to intensify control work. Mention has already been made of the program of increased hospitalization. Coincident with and dependent on this it is proposed to augment greatly the facilities for searching out cases of tuberculosis by the use of travelling x-ray teams. Supplementing this but not replacing it there will be carried on a more extended trial of BCG vaccine. This will be a continuation and expansion of the very useful trials of this method of immunization which have been carried on in Saskatchewan and Quebec.

43. The present program for the immunization of children, and where indicated adults, using accepted procedures will be extended as vigorously as possible. Ordinary methods of immunization require two and sometimes three doses of vaccine to be given at intervals of two weeks to a month. However since many bands of Indians are nomadic and may not be seen more than once or twice a year, it will be necessary to devise new methods suited to their habits. A start has been made on this work at Norway House.

44. Mention has already been made of first-aid arrangements in remote areas. It is proposed to expand these by offering improved courses of instruction to responsible people such as R.C.M.P. officers, traders or their wives, missionaries, school teachers and others.

45. In view of the susceptibility to disease of isolated bands consideration is being given to means of providing for the medical examination of all persons going into remote territories. The purpose of this would be to ensure that they are free from diseases which might start epidemics, and also to ensure that they are fit and not liable to become a burden to the medical services. Consideration should also be given to the enactment of legislation requiring those infected with contagious diseases potentially dangerous to other members of the community to take the treatment prescribed by the medical officers.

46. The Department of Transport is now conducting a survey of all government transport facilities in northern areas and the needs of all government departments. It is proposed to develop arrangements with the R.C.A.F., Department of Transport and others concerned for the more extended use of government transportation services, especially air transport for the carrying of doctors, medicines and for the movement of the sick.

47. There is urgent need for intensified research into the problems confronting the health service. This has long been recognized and notable results have been achieved in spite of the slender staff. It is proposed to continue studies on an expanded scale on such problems as nutrition, blindness, trachoma and contagious diseases, utilizing not only technical experts of the health services of the department but also those of provincial departments, voluntary agencies and others who work in or know the North.

48. It is proposed to intensify efforts to co-operate with provincial and other agencies working in the same field of health care with a view to the improvement of the service and the avoidance of needless duplication. In this the position of the half-breeds requires particular consideration.

49. Mention has already been made of the proposal to station qualified nurses, employed by the department, in residential schools for Indian children.

50. In order to provide dental care three mobile dental lorries acquired from the Army, will be placed in operation. These will be staffed by dentists employed by the department and will be kept on the road as long as the season permits.

51. It is proposed to make every effort to train Indians as doctors, nurses and sick attendants wherever this is possible. It is felt that the true interests of the Indians will best be served when they are taking an active part in looking after their own people. This may be taken as a necessary part of the development which is essential to the well-being of the Indians. What must be done is to encourage their natural pride in their own race and customs while at the same time learning ways of life which enable them to live in association with the white man.

Some hon. MEMBERS: Hear, hear!

VII. *General Observations*

52. At the end of another year we expect to have in this department a much more thorough knowledge of the problem and of ways to meet it. In this connection it should be observed that by reason of the inclusion of Indian Health Services in this department a large number of specialist service have become directly available. These include the Division of Hospital Design headed by an architect specializing in hospital construction; Divisions of Nutrition, Venereal Disease Control, Dental Health, Mental Health, Child and Maternal Health, and Public Health Engineering. They are not only available for consultation but are working out with the officers of the Indian Health Services programs in their various specialties. The Division of Information Services is collaborating in a health education program including the use of films.

53. Since about 18,300 Indian and Eskimo families are recipients of Family Allowances for about 55,000 children, arrangements are being made to provide special instructions to them on the most advantageous ways to use these funds which amount to a total of $53,610,000 per year. This is carried on in collaboration with the Indian Affairs Branch of the Department of Mines and Resources. Nutrition instructions in Indian have been distributed, and purchases of recommended foods have considerably increased. Particulars of the operation of family allowances will be made available to the Committee.

54. It is evident that the health of the Indians and Eskimos of Canada is inseparable from their general welfare and economic standing. These matters do not come within the jurisdiction of this department, but we have seen enough of the problem to recognize its fundamental complexity. It is important to remember that one of the greatest factors in self-reliance is provision of adequate food and shelter for one's dependents. Such surveys as have been made indicate consistent nutritional deficiencies in Indians as contributing to their inferior health and economic status. Improved nutrition can be brought about by education and by improvement in economic standing itself. Government assistance should as far as possible aim at putting the Indians and Eskimos in a condition in which they can themselves gain a better living as the basis for good health, greater welfare and a better life. Indians living in organized communities should have advantages similar to those of the white people living in those communities.

VIII. *Summary of Proposals*

55. The proposals put forward in this submission may be summarized as follows:—

Following each of these items is a reference to the relevant paragraph in the submission.

1. Increase the staff and revise salaries (paras. 36, 37 and 39).
2. Reorganize the professional staff on a service basis (para. 38).
3. Increase hospital facilities (para. 40).
4. Increase the number of nursing stations (para. 41).
5. Intensify tuberculosis case finding and extend the use of BCG vaccine (para. 42).
6. Extend and develop specific immunization (para. 43).
7. Improve first aid arrangements (para. 44).
8. Provide for the medical examination of those entering the North (para. 45).

9. Require those who may be a dangerous source of infection to accept prescribed treatment (para. 45).

10. Arrange for fuller use of government transportation facilities for the movement of medical personnel and patients (para. 46).

11. Increase research activity (para. 47).

12. Extend co-operation with all appropriate agencies working in the health field (para. 48).

13. Appoint departmental nurses to residential schools (para. 49).

14. Provide increased dental care (para. 50).

15. Train Indian doctors and nurses (para. 51).

IX. *Conclusion*

In closing may I make a few observations which though based on a short experience of this problem seem so plain as to be almost self-evident. The Indian and Eskimo populations of this country will greatly increase in numbers and wealth if we have any measure of success in our efforts to improve their health. By treaty they are wards of the government of Canada. While it may not be specifically laid down that the government must provide a health service, we are obliged on ordinary grounds of common decency, to exert ourselves to give them every reasonable opportunity to attain sound health. This is important even on the grounds of self-interest because the health of the whole country is dependent to a certain degree on the health of every part.

With the increase in air travel and the penetration of more people into the north country the risk of epidemics is augmented. It is impossible to segregate the Indians for the sake of protecting their health. Without losing their pride in their special place as Indians, they should be welcomed and treated as Canadians as they have every right so to regard themselves. This will mean that they must be given full opportunity for economic development, for the atttainment of an adequate educational standard and for the maintenance of sound health. The program outlined in this brief will help towards this in the provision of more adequate facilities for the health service.

Finally, I should like to add a word of sincere tribute to the men and women who have done such remarkably fine work since the Indian Health Service was established, under conditions far from encouraging. The government and the people of Canada owe them a debt which can be adequately discharged only by ensuring that they are given a reasonable opportunity to implement the program which they better than anyone else know should be put into effect in the interest of their Service and of all of Canada.

Mr. CASE: Referring to expenditures for health services, do you propose to put in your estimates this year $4,103,390 exclusively for health services? And do you provide, for the cost of bringing out—in connection with this boat?

Hon. Mr. CLAXTON: That is right.

Mr. CASE: Does the department bear any expense in connection with that boat that goes up to the Hudson's Bay?

Hon. Mr. CLAXTON: Yes, it does. We pay fares for all the personnel of the department who go up in that boat and also we pay freight on the medical supplies.

Mr. CASE: And you pay the medical personnel?

Hon. Mr. CLAXTON: Oh yes.

The CHAIRMAN: Mr. Claxton has made his presentation, and we appreciate very much his coming here; so, if you do not mind, we will now proceed with

other affairs. We will later call upon the honourable Mr. Claxton and his departmental officers for questioning on various matters that may come to the minds of the members of this committee.

Hon. Mr. CLAXTON: Thank you, Mr. Chairman. We will be available at any time; and if, either through yourself directly or through any member, there be anything for study and research, if you would let us know in advance we can come equipped with all the information on that subject. I extend that invitation to all the members. Let us know what you want to have and we will endeavour to get it for you.

The CHAIRMAN: It is the plan of this committee to obtain, first of all, a general picture, and then we can go back over the record and hear from some of the officials, probably yourself, on such questions as may arise.

Mr. CASTLEDEN: There was a report made by medical men in regard to a survey in the north. Did you indicate that the report would be available to the committee at any time? Could it be made available to the committee now?

Hon. Mr. CLAXTON: We receive regular reports from every medical officer in the service.

Mr. CASTLEDEN: But I understood there was a special survey made in 1945?

Hon. Mr. CLAXTON: There was a survey made on nutrition, and on blindness. We have those available. (See Appendix "F").

Mr. CASTLEDEN: And the individual mortality rate among the Indians?

Hon. Mr. CLAXTON: Yes, we give that in the tables, Nos. 4, 5 and 6 of appendix "B". Under the third item: diseases peculiar to the first year of life, the rate for 1942 is given as 156.5 for Indians as opposed to 50.8 for whites. For the year 1943 the rate for Indians is given as 153.8 as opposed to 55.4 for whites; and for the year 1944 the Indian rate is given as 159.1, whereas the rate for whites is 54.7. It will be noted that this rate is given as the rate per 100,000 of live population. We do not give it in the form which is more frequently given in infant mortality tables, as the mortality rate per 1,000 live births. We have not adequate figures covering the whole area for the number of live births, but I have asked the department to put together as much information as they can, to indicate that rate, and to let us have it. So we are trying to let you have that following the discussion we once had in the House. But you will see, from this, that the actual death rate shows a pretty consistent pattern, of being about three times as high, three times as many as for white children. We have not full figures on the number of births, but we are trying to get as full information on that as we can.

Mr. FARQUHAR: In Algoma East there are two large residential schools and also a hospital, but I do not see anything in the proposal in connection with the work there?

Hon. Mr. CLAXTON: Well, in relation to the submission, we did not endeavour to deal with the problem locality by locality, but rather to give the picture of the problem as a whole.

Mr. FARQUHAR: I notice you outlined it pretty well, but is there any mention made of Algoma East?

The CHAIRMAN: I think if you will refer to appendix "C" Mr. Farquhar, you will see where the Manitowaning hospital is mentioned.

Mr. BLACKMORE: The minister has given us a number of improvements which are to follow, and he has indicated in a general way the nature of those improvements; but has any thought been given to the amount of money which would be necessary to add to his appropriation in order that he might do the things outlined?

Hon. Mr. CLAXTON: Well, there is really no limit to the amount of money that could be spent, if we were to provide services which would be accepted as being ideal; because, that might include provision, let us say, of three or four full-time aeroplanes, and of a ship, a hospital ship. Now, as soon as you go in for transportation equipment of that character, you run into sums of money which are not only large in proportion to the 125,000 Indians and 7,700 Eskimos, but which are really very large sums of money in themselves; so it is quite hard to make an estimate of cost in relation to the general nature of the service and the standard of service that is to be provided. I should say this: that the amount we seek in the estimates for this year, $4,103,390, is virtually all the money that we could usefully spend this next year. I suppose, theoretically, if we had $5,000,000 or $6,000,000 to spend that year, we could spend it; but there is a very great shortage of doctors and a very great shortage of nurses, and also a very great shortage of building or construction materials. I doubt very much if we could spend, in a sensible way—in a planned way— very much more money than we have provided for in the estimates this year. Now, by the time we come to the preparation of the estimates for 1947-48 which will take place around November, we will have had six months more experience in the work with this service, and we will have, in addition, the advantage of discussions and possibly the report of this committee.

The CHAIRMAN: You will hardly have a final report by then.

Hon. Mr. CLAXTON: But we will be in a better position to give consideration to the figures, and to prepare a program of development for the future.

Mr. BRYCE: I would like to suggest that the honourable Mr. Claxton's department give each member of this committee a copy of the report of the work that was done at Norway House; it shows the difficulties and it shows also the need. That was the report in connection with a foundation in New York. Part of it appeared in some of the medical journals, and some of it appeared in the *Saturday Evening Post.* (Appendix "F")

Hon. Mr. CLAXTON: We have copies of that and we will be glad to make them available at once to the members of the committee. It is a very interesting report.

The CHAIRMAN: Could you give them to the clerk of the committee and he will circulate them to the members?

Hon. Mr. CLAXTON: Yes.

The CHAIRMAN: We do not want to get too far away from our present plan of having the general picture first; so, if you would hold any further questions for the honourable Mr. Claxton, I think we might proceed with other business.

Mr. MACNICOL: You do not want the honourable Mr. Claxton to be questioned now?

The CHAIRMAN: No, I wish to express the appreciation of the committee to the honourable Mr. Claxton for coming here to-day and giving us his submission, and I can assure him that it will be given consideration and that we will be pleased to have him come back later to answer the few questions which may arise.

Now we will have a short recess.

The CHAIRMAN: Shall we proceed, gentlemen?

Mr. CASE: Mr. Chairman, just before we proceed, with your permission, I would like to make one observation to which we might probably give some thought later on. With reference to appendix "E", the second paragraph, referring to the *Nascopie.* I think that the department might improve its efficiency if it gave consideration to a proper ship, now that ships are available,

and some are being offered for sale. I understand that the *Nascopie* has some special construction, but I do believe there would be greater efficiency if we had a proper ship equipped to make this trip.

The CHAIRMAN: I would point out to you, Mr. Case, that the *Nascopie* is not ours, but that she belongs to the Hudson Bay Company and we have no authority over it.

Mr. CASE: I know that, but the department might give consideration to the purchasing of a ship.

Mr. MATTHEWS: I think that is a good idea.

The CHAIRMAN: Now, gentlemen, if you are prepared to proceed. At the last meeting of this committee we were dealing with the report of Mr. MacInnes about Indian treaties and their historical features. Now, if it is your pleasure to proceed with Mr. MacInnes, we will do so.

Mr. RAYMOND: I move that we hear Mr. MacInnes at this time.

Mr. MATTHEWS: I second the motion.

The CHAIRMAN: It is moved by Mr. Raymond and seconded by Mr. Matthews that we hear Mr. MacInnes? If there are no objectors, we will proceed with Mr. MacInnes.

Mr. T. R. L. MacInnes, Secretary, Indian Affairs Branch, recalled:

The WITNESS: Mr. Chairman, when we broke off the day before yesterday, you will recall I had just finished reading the 1763 proclamation of King George, which has been referred to as being the Magna Carta of all the Indians of Canada, and which has formed the basis of policy ever since, in Canada and the United States. Now, in answer to a question that was asked, I was pointing out the fact that in Canada only about one-half the Indians are actually what we call "treaty" Indians, or under treaty to-day; and as I mentioned, in answer to a question by Mr. Castleden, I think, there was an historical and geographical reason for that, in that the Indians of British Columbia and the Maritime provinces and Quebec had already been under a form of administration before Confederation, which was carried on, after Confederation. Canada later made treaties with Indians in all the new areas, including Northern Ontario, the three prairie provinces, and all the territories. So, if you would just fix that in your mind, that is the treaty area, starting from the French and Mattawa rivers, about, in Ontario, and everything north and west of that in Canada, with the exception of British Columbia, except the Peace River block which was taken in afterwards—into the treaties—and the Yukon.

Now, while these other Indians, comprising half of all the Indians in Canada, are not under treaty, they nevertheless, receive the same benefits and the same protection as the Indians who are under treaty. They do not, it is true, receive the annual treaty payments, which are merely a token payment of only $5 a head and, in some cases, $4 a head. But aside from that, they get reserves, education, social welfare projects, and health services, about which you heard this morning, and everything else that is regarded as the federal responsibilities in respect to Indians.

By Mr. Blackmore:

Q. Is the $4 or $5 payment an annual or a monthly payment?—A. It is an annual payment, $5 a year in most cases; but in the case of certain treaties in Ontario it is $4 only. That is something that calls for explanation, I think because there is rather a misunderstanding, a mistaken idea abroad, that the treaty Indians were supposed to have a kind of subsistence allowance. In fact,

some provincial administrations have used that as an argument against providing social services for Indians, even to Indians who were off their reservations and living in municipalities, because some provinces said: these Indians get their treaty money from the dominion government. But, that treaty money is only a token of good faith which was agreed upon at the time of the treaty, that each Indian would get a small annual payment.

By Mr. Farquhar:

Q. When they move off the reserve, they do not get that, do they?—A. Oh yes, even if they go out of the country, except, if they are out of the country for five years continuously without permission, when they are dropped from the treaty list; but they are always given permission to leave the country. There has never been an instance where an Indian, as such, has been refused permission to live outside Canada. That gives rise to the question as to whether it is necessary to have that restriction, that restrictive provision, in the Indian Act at all.

By Mr. MacNicol:

Q. How much does a chief get?—A. In some treaties, a chief gets $25; in other treaties, he gets just the per capita payment. The treaties vary on that point. The head men or counsellors, in most of the treaties, get $15. I have prepared a summary of each of the treaties, of each of the eleven treaties made since Confederation, which gives the details of the terms in each treaty, and it will be available for the committee. Of course, there is a great deal of detail and a great deal of variation according to local conditions and the time at which a particular treaty was made.

By Mr. Case:

Q. I notice in certain instances that clothing is involved as well?—A. Yes, that is for the chiefs and the counsellors in the western treaties. They get what is known as triennial clothing, that is, a suit of blue serge cloth with brass buttons usually, and along with it, a stetson hat. When the Indian delegations come to Ottawa, the chief, or head man or counsellor, can be distinguished by that regalia; and apart from its ornamental appearance, it is very good clothing. They get a really good suit of serge cloth each three years, but that, of course, is only for the chief and the counsellors; and the number of counsellors that any band may have is restricted. We get the measurements in for them and we have the suits made to measure for them so that they get a pretty good fit, as a rule.

By the Chairman:

Q. I suppose the obvious question is: where do they get these suits?—A. I would have to check up on just where our triennial clothing orders stand at the present time. It is possible they may be having difficulty but I should think that an honorary chief might qualify for a blue suit, a blue serge suit with brass buttons. They are double-breasted coats and good looking outfits.

That system of paying small annual treaty annuities has been very much criticized. It was criticized in a departmental report of the deputy superintendent-general, who was pretty out-spoken for a civil servant, as far back as 1895 (1): I read that report just the other day, where he said he thought it to be an incentive to waste and that it should be done away with and that the effect of it would be to make the Indians feel they were dependents and more or less paupers. But the way I feel it to be of use is, in the very contingency that the gentlemen just asked about, when they are off their reserve, out of the country, in a foreign country, we know where they are, we know where our treaty Indians

(1) Report of Deputy Superintendent-General, Indian Affairs, 1895, at page XXVI.

are, because they have treaty tickets. They have to have that ticket in order to get their payments, so they always keep it and never lose it. Also, the head of a family in a treaty has to report in to get his payments, for each member of his family, the deaths and births that have occurred in that family; so we know all about our treaty Indians, and we have a very accurate census and individual information about them, because people will give information for a consideration which they will not give otherwise; so, if for no other reason, I believe it to be worth while having that annual treaty payment to enable us to keep such good track of our Indians. On the other hand, it may be quite true that the actual money, in large part, may be frittered away because of folly, for if an Indian be given $5, he will probably spend it for a few little knick knacks or odds and ends, the same day that he gets it; and that is what has given rise to the criticism that we were wasting money by that payment. Nevertheless, it is an obligation which must be fulfilled unless it be extinguished by commutation of some kind to pay it off and discontinue the practice. But the officials who are particularly concerned with the administration of the treaties think it is a useful incident. Possibly I have laboured that point a little, but I did so because of the question that was asked.

By Mr. MacNicol:

Q. I think it is pretty important. Do you want any questions asked about treaties as we go along, Mr. Chairman?

The CHAIRMAN: Our practice has been not to permit long questions.

By Mr. MacNicol:

Q. Well, this is not too long a question. In former days payments of treaty money were accompanied by quite a ceremony; and the annual visit of the agent and the medical man who went with him was quite an event in the life of the band. Certain members of the band would meet the delegation when it arrived at the reservation, and would hoist the flag, and there was always quite a ceremony. Now, one place I was at, the agent and the medical man came in by aeroplane; so that wiped out the ceremony. Is that going to be the practice from now on?—A. It varies in different parts. In the more settled parts of the country, the treaty payment is more or less a pro forma matter; but in the outlying parts where they do not receive visitors very often, it is still a ceremony, even with the planes. I just happened to be talking about that to an official of our department, Major Patrick, who was in charge of treaty payments up until a few years ago; and he told me that when he would land—I have never had the privilege of being on one of those trips myself—at Remi Lake, somewhere up in Ontario, he might land on one side of the lake while the reserve would be on the other side of the lake and the Indians and the chief and the counsellors would come over in a boat, a motor boat—just to show how modern implications come in—decked out in their best clothes; and they would have a flag hoisted on the motor boat; and our treaty officer accompanied by an R.C.M.P. man in his scarlet tunic, would get in the boat and go across to the reserve, and they would hoist a flag, and a tent would be set up, and all the members of the band would parade before the agent to get their money, and the new children would be brought along and presented to the Department Commissioner, and there would be quite a ceremony about it. I think you can take it that that practice still obtains very generally in the outlying districts; but in the settled parts, such as southern Saskatchewan, Alberta, and southern Manitoba, the ceremony is tending to be done away with because the agent is the representative there all the time and the Indians know when their treaty payment is due, and it is just like going to the bank to cash a cheque.

By Mr. Matthews:

Q. A celebration of that kind would not be harmful at all?—A. No, there is nothing harmful about it. The R.C.M.P. are in attendance to prevent any liquor being introduced or anything that might cause any trouble.

By the Chairman:

Q. Shall we proceed? I think we had better dispense with questions so that we can get the presentation made.

The WITNESS: Now, the main conclusion that I would like to put before this committee, from the viewpoint of the department, is that all the Indians in Canada are treated as though they were under treaty, whether they are actually formally under treaty or not. The treaty idea, from that proclamation of 1763, has been the underlying basis of Indian policy, with this primary consideration, that Indians who have lands for their own use, that those lands should be inalienable, except by mutual consent of the Indians and the government; and that the Indians on those lands should be protected by the government, as a government responsibility, from trespass, exploitation, or molestation of any kind.

Then, from that basic idea of protected lands or areas, there follow the other services necessary to provide Indians with proper life on those reserves, sometimes specified in treaties and sometimes not, but always recognized, nevertheless, such as education, with a school system, a special school system for Indians—and you will hear about that later; health services about which you heard this morning; social services and protection, generally.

One item in this has rather a peculiar twist to it: that prohibition of the sale of liquor to Indians was part of the treaty, was written into most of the treaties, and was done so with the Indians' consent as well as the government's, and it became a governmental obligation to the Indians to maintain an Indian list, as it is commonly called. Now, that is something that most of the Indians, possibly, might think ought to be reviewed later; but nevertheless, they were a party to that condition, themselves, and very necessarily so, because the rum-seller along with the rapacious and unscrupulous trader—I do not mean that all traders are rapacious and unscrupulous—but it was usually the rapacious and unscrupulous trader who was a rum-seller as well—and the matter was connected with the whole life and well-being of the Indian as well as with his very existence and survival. So the wise leaders of the Indian people recognized and wanted the liquor provision to be put right into the treaty where it stands to-day.

Now, as I mentioned before, that treaty system has formed the basis of policy, the distinctive Anglo-approach to the Indian problem, not only in Canada but also in the United States; and the question arises as to how each country has worked it out relatively. Now, that, of course, is a matter for considerable argument and friendly comparison for mutual information and benefit; but I would think that it might be of interest for us to know what the United States government had to say officially on that subject.

A commissionner was appointed who made an official report. Perhaps I should not have said the United States government officially, but rather their official commissioner who investigated Indian affairs in Canada. It is the only case where such an investigation was made, and it happened back in 1915; but the conclusions that were drawn then have been reiterated very frequently since by the United States administrators and commentators. Mr. Chairman, do you think this would be of interest to the committee?

Mr. MACNICOL: Yes, indeed!

The CHAIRMAN: Have you more than one copy?

The WITNESS: Yes, I have a copy to leave with the reporter; but the material reads as follows:

The Administration of Indian Affairs in Canada by Frederick H. Abbott, Secretary of the Board of Indian Commissioners. Report of an investigation made in 1914 under the direction of the Board of Indian Commissioners.

Excerpt
Page 88.

Washington, D.C., 1915.

SUMMARY OF RECOMMENDATIONS

Following are some of the features of Canadian Indian law and administration which are worthy of particularly earnest consideration in connection with Indian affairs in the United States:—

1. The brief and simple Indian Act of Canada furnishes a form and plan suitable for a consolidated Indian Act adapted to customs, usages and laws in the United States.
2. A law, similar to Canada's should be enacted defining an Indian.
3. While it is too late to adopt the "closed reserve" policy in the United States we should slow up in the allotment of our unalloted reservations and make beneficial use a condition to making further allotments, following the practice of Canada in granting "locations" to her Indians.
4. The condition of the half-breeds in Canada, if we had no similar examples in this country, should be a warning against too early removal of restrictions from the lands of Indians in the United States.
5. The Canadian plan of cooperation between the government and the churches in the education and christianizing of Indians and the use of government funds to pay for their education and support in denominational schools and to pay part or all the salary of nurses employed in church hospitals which treat Indians, is worthy of serious consideration in this country.
6. The exercise of magisterial authority by Indian agents in Canada is one of the main reasons for the efficiency of administration on its Indian reserves. Similar jurisdiction should be conferred by Congress on Indian superintendents in the United States.
7. The definite judicial procedure for the punishment of offences on Indian reservations in Canada suggests a proper substitute for the anomalous, incomplete, unregulated and irresponsible judicial procedure of the so-called courts of Indian offences on unallotted Indian reservations in the United States.
8. The Indian liquor laws and methods of administering them, in Canada, furnish models which should be adopted by our government.
9. The File Hills colony for ex-pupils embodies ideal methods of dealing with returned students which are practicable to adopt on many reservations in the United States.
10. The simple, liberal and localized plan of supervising the business affairs of Indians in Cañada could be adopted to advantage here.
11. The system of supervising the Indian cattle industry in Canada, especially the system on the Blackfoot reserve, is an ideal one for the reservations of this country and superior to any plan so far developed here.
12. The fact that not a single transfer was made last year in the agency service of Canada is full of eloquent suggestion to those charged with the administration of Indian affairs in this country, where approximately 50 per cent of the service is transferred annually.

These are excerpts which I thought might be of interest to the committee. I think that is, perhaps, the best pat on the back our department has had, and it came from outside, and from an official source.

By Mr. MacNicol:

Q. That was quite a pat on the back!—A. Yes, it was; but it does illustrate the fact that they had encountered a lot of difficulties in the States, and that they thought they could learn some lessons from us, and on the other hand we might learn some lessons from them.

Q. I would suggest, Mr. Chairman, to the committee, that the committee obtain authority to send either yourself along with the superintendent?—A. No, I am secretary of the Indian Affairs division.

Q. Well, send somebody from the Indian Affairs Branch to Albany, where they have, or did have—I do not know whether they have it to-day, because it has been quite a few years since I was there—an Indian Affairs Branch, and also to Washington to the Indian Bureau Department of Interior there, to interview them so that we might get a picture to be brought back here to the Committee of what they are doing. It might help us towards the end of improving the lot of our own Indian citizens. I do not say this in criticism of our own department, but I would be interested in seeing, or in getting, all the information we could. It would be well to have everything we could put before us here. I think the chairman should equip himself with that knowledge, or such knowledge as could be obtained in the U.S.

The CHAIRMAN: I think, Mr. MacNicol, we probably should refer that as a notice of motion to the subcommittee on procedure.

Mr. MACNICOL: Well, you can carry that suggestion to the subcommittee.

By Mr. Castleden:

Q. If you like to make that a notice of motion, I will be glad to second it. It has a great deal of merit. The recent changes in the United States, the recent reports from the United States department, indicate that there has been tremendous improvement there, and I think it started about 1934?—A. Yes, that was when the present enfranchisement or advancement policy of Indians was adopted.

Mr. CASE: I would suggest that a more profitable plan would be to extend a proper invitation to one or two of the people from the United States department concerned to come before this committee, so that we would have the benefit of their knowledge.

The CHAIRMAN: That too could be incorporated in a notice of motion; I would suggest that it too be a matter to be considered by the subcommittee on agenda and procedure.

By Mr. Richard:

Q. No doubt the solicitor acting for the Indians would have a lot of information on the practice of the department in the United States. Now, you spoke about some treaties entered into by the military governors in years gone by, with certain Indians in the maritimes. Are those treaties held as still binding, or what is the practice with respect to those treaties?—A. No, those were not considered as formal treaties, and those Indians are not considered as treaty Indians to-day; they were really just peace agreements between the military commander and the Indians whom he encountered at that time. They did not set out, in perpetuity, any promises or assurances to the Indians.

Q. Did they not grant them certain fishing and hunting rights?—A. There was a reference in some of the conversations between the generals and the

Indians to fishing and hunting, but I think—I know the Indians you refer to—it was in Nova Scotia, and covered what is now New Brunswick as well. That case went before the courts and our department supported the contention of the Indians that they might be entitled to some right there. We wanted to have the matter tested out in the courts; but the finding was against the Indians' claim. I cannot give you the citation at the moment, but it was a judgment, I think, of a Judge Paterson in County Court in Nova Scotia; but the matter was not pursued further.[1]

Q. I remember reading one treaty about which many Indians down there felt that they had never been rightly treated. The treaty is very clear; but if it were judged that the parties to the treaty had no right to bind the Crown, that is, of course, a different question. They were military governors who made the treaty with the Indians?

The CHAIRMAN: We could probably consider that matter later, Mr. Richard.

By Mr. Matthews:

Q. Has Mr. MacInnes finished his presentation?—A. I think it is unnecessary at this stage, Mr. Chairman, for me to expatiate further on the general question of treaties. There will be an opportunity for questions to be dealt with as they arise; but that concludes my general summary.

By Mr. MacNicol:

Q. Will we have copies of all the treaties entered into by the honourable lairds and the commissioners in the northwest, with the Indians?—A. We have them in book form, but there are not enough copies for every member. We could, however, table them here, if required.

The CHAIRMAN: Perhaps Mr. MacNicol, if you would refer to issue No. 1 of the reports of the proceedings of this committee, you will find, appended to that report, a synopsis of all the treaties.

Mr. CASE: Yes, at page 31.

The CHAIRMAN: It is merely a synopsis.

By Mr. Bryce:

Q. When the governors made these arrangements, did they not do so with the backing of the government of which they were representatives at that time? —A. The facts are rather vague and cloudy as to just what happened in the early 1700's in that area.

Q. It is quite evident that the Indians never got the benefit of the doubt? —A. That, of course, as I said, was passed upon by the courts, so I could not express an opinion. But, in regard to the particular question at issue, that of hunting rights by Indians in the maritime provinces, nothing was conceded by the courts to the Indians as a matter of right.

Mr. MACNICOL: All those agreements were made with the military authorities, and they should have consideration.

By Mr. Matthews:

Q. Which would you consider to be more favourably situated with regard to government protection, the non-treaty Indian or the treaty Indian?—A. Well, that was my general conclusion, I think, Mr. Chairman; I think that the Indians, in so far as the dominion government is concerned, have been treated equally, and been given the same measure of benefit, regardless of whether they are formally under treaty or not. They have all been recognized as though they

[1] R. v Syliboy, 50 C.C.C. 389 (1929), 1 D.L.R. 307 (N.S.).

were under the treaty system, according to which the dominion government had an obligation to them; and that obligation, in so far as the dominion is concerned, has been maintained uniformly.

By the Chairman:

Q. I might point out to you, gentlemen, that if we are to have these treaties copied in full, it would mean that each member would have to have a book, because they are now in book form (1). I think a better procedure would be to give us a reference to the volume where these treaties are incorporated. Mr. MacInnes probably could do that for us at the next meeting?—A. Yes, I can leave the volume with you; it is over there on the chair.

Mr. MACNICOL: Well, the book is in the library and we can go there and look at it. If Mr. MacInnes would put in the reference number, we could go to the library and look it up.

The CHAIRMAN: It is now nearly one o'clock. Shall we call it one o'clock?

Mr. CASTLEDEN: There will be further discussions on this whole matter of treaties.

The CHAIRMAN: Oh yes; perhaps we should, before closing, remind the members of this committee that the next meeting of the committee will be on Tuesday, June 11, at 11 o'clock in the morning, and again at 4 o'clock in the afternoon, two meetings next Tuesday; but there will be none on Thursday next, the 13th.

Mr. CASE: I note that in the order of reference, item No. 1 is "Treaty rights and obligations"; so it would appear that that is an important factor in our obligations.

Mr. CASTLEDEN: I would suggest, too, in that regard. in all fairness to the Indians themselves, who are affected in this, I think in all justice, we should have, in the discussions of the various treaties and their rights, we should have the Indians who are affected by these treaties—at least one representative of each of those groups—here. I have a copy of the Northwest Angle Treaty No. 3 and a report of the conversations that took place between the chief and the governor at that time.

The CHAIRMAN: What are you reading?

Mr. CASTLEDEN: A copy of the Northwest Angle Treaty No. 3, report of the proceedings of the conference between the Indians themselves and the governor, at the time of the signing of the treaty.

The CHAIRMAN: Is this an historical sketch you are giving us?

Mr. CASTLEDEN: No, it is an actual copy of the government report of the treaty at the time the treaties were signed between the Indians and the governor.

Mr. RICHARD: But the conversation is not reported in the treaty?

Mr. CASTLEDEN: No.

The CHAIRMAN: Well then, it is an historical sketch; it is not a verbatim report of the meeting that was taken down in shorthand?

Mr. CASTLEDEN: It is a report of the actual conversation. Isn't that true, Mr. MacInnes?

The WITNESS: Yes, that is true.

Mr. CASTLEDEN: This is the type of thing that took place:—

(1) Indian Treaties and Surrenders, Vols. I, II and III, King's Printer, 1905.

The Northwest Angle Treaty, Number Three

Report of the proceedings of the conference between the honourable Alexander Morris, Lieutenant Governor of the North-West Territories, the commissioners appointed by order in council to treat with the Indians inhabiting the country described in the said order in council, the first conference having been held at Northwest Angle, on October first, 1873.

Chief—I hope you will not drop the question; we have understood you to say that you came here as a friend, and represented your charitableness, and we depend upon your kindness. You must remember that our hearts and our brains are like paper; we never forget. There is one thing that we want to know. If you should get into trouble with the nations, I do not wish to walk out and expose my young men to aid you in any of your wars.

Governor—The English never call the Indians out of their country to fight their battles. You are living here and the Queen expects you to live at peace with the white men and your red brothers, and with other nations.

Then, when the war came on, numbers of those treaty Indians—

The CHAIRMAN: To which war are you new referring?

Mr. CASTLEDEN: Any war; this last one. The Indians were conscripted off those reserves.

Mr. MACLEAN: I sent a petition to the National Defence Department twice about it.

Mr. CASTLEDEN: That is the very type of thing—

The CHAIRMAN: Now, just a moment; I think there is an answer for that; could we have the answer, Mr. MacInnes?

The WITNESS: I think, perhaps, it would be desirable, Mr. Chairman, to correct what appears to be a misunderstanding on that subject because, in the great war of 1914-1918, by special order in council, all Indians were exempted from compulsory service. In the present war, that was not done; but special cognizance was taken of the conversation that preceded the particular treaty number three to which Mr. Castleden refers and also to treaties 6, 8 and 11. These were the only treaties in which any such assurance was given. Special instructions were given that no Indians belonging to any bands that adhered to those treaties should be required to perform compulsory military service outside of Canada. That action was initiated by our own department and was followed out.

Mr. CASTLEDEN: I do not want to argue the matter, but what I want to emphasize is: that it seems to me only right that when we discuss these treaty rights and obligations the people concerned should be here to hear the discussions. That was my purpose in moving my resolution that there should be some representatives at our conferences here of the Indians themselves. They should come in and hear the deliberations and be called upon to give their views.

The CHAIRMAN: Well, that matter is still in the hands of the subcommittee, and is being considered now.

Mr. CASE: I think it has some merit; but I think we would be getting into great difficulty if we had too many Indians encamping in Ottawa.

Mr. BLACKMORE: We are driving past one o'clock.

Mr. RAYMOND: Do I understand that we were to refrain from asking questions of Mr. MacInnes?

The CHAIRMAN: Yes, for just now we are trying to get the general story without interruption, if possible. Later on we will go back over the whole ground. The meeting is now adjourned.

The committee adjourned at 1.03 p.m. to meet again on Tuesday, June 11, at 11 o'clock a.m., and again at 4 o'clock p.m. the same day.

APPENDICES

Map of Canada showing distribution of population of Indians and Eskimos..... (*)
Leading Causes of Death, Indians and Whites, 1942.....Table 1, Appendix "B"
Leading Causes of Death, Indians and Whites, 1943.....Table 2,
Leading Causes of Death, Indians and Whites, 1944.....Table 3,
Death rate per 100,000 for 1942.....Table 4,
Death rate per 100,000 for 1943.....Table 5,
Death rate per 100,000 for 1944.....Table 6,
Departmental Hospitals 1945..... Appendix "C"
Recapitulation of Hospitals, Sanatoria and Preventoria utilized in 1945..... Appendix "D"
Eastern Arctic Patrol..... Appendix "E"

(*) Not printed, but distributed to members of Committee.

The following information was appended to the map.

DEPARTMENTAL HOSPITALS

Name	Location	Bed Capacity	
		General Medical and Surgery	T.B.
Lady Willingdon	Ohsweken, Ont.	21	—
Manitowaning	Manitowaning, Ont.	—	13
Squaw Bay	Fort William, Ont.	—	22
Fisher River	Hodgson, Man.	18	26
Fort Alexander	Pine Falls, Man.	12	4
Norway House	Norway House, Man.	22	(**)
Dynevor	Selkirk, Man.	—	50
Clearwater Lake	The Pas, Man.	—	77
Qu'Appelle	Fort Qu'Appelle, Sask.	19	48
Blackfoot	Gleichen, Alta.	28	(**)
Blood	Cardston, Alta.	30	12
Morley	Morley, Alta.	7	3
Sarcee	Calgary, Alta.	9	6
Peigan	Brocket, Alta.	10	—
Edmonton Military	Edmonton, Alta.	180	180
Coqualeetza	Sardis, B.C.	10	183
Miller Bay	Prince Rupert, B.C.	21	129
Fort Norman	Fort Norman, N.W.T.	1	12

(**) Interchangeable.

DENOMINATIONAL HOSPITALS

Location	Denomination	No. of Beds
North West Territories—		
Aklavik	Anglican	48
Aklavik	R.C.	25
Fort Simpson	R.C.	35
Fort Resolution	R.C.	26
Fort Rae	R.C.	30
Fort Smith	R.C.	43
Chesterfield	R.C.	—
Pangnirtung	Anglican	—
British Columbia—		
Fort Simpson	United Church	—
Bella Bella	United Church	—
Vanderhoof	R.C.	—
Saskatchewan—		
Ile a la Crosse	R.C.	—
Ontario—		
Albany	R.C.	—
Moosonee	R.C.	—
Moose Factory	Anglican	—
Quebec—		
Fort George	Anglican and R.C.	—

APPENDIX "B"

Table No. 1

TEN LEADING CAUSES OF DEATH IN 1942

Indian	*White*
Tuberculosis	Diseases of the heart
Pneumonia	Cancer
Diseases peculiar to the first year of life	Intracranial lesions of vascular origin
Accidental or violent	Accident or violent
Diseases of the heart	Nephritis
Influenza	Diseases peculiar to the first year of life
Diarrhoea and enteritis	Pneumonia
Cancer	Tuberculosis (all forms)
Senility	Diabetes mellitus
Whooping cough	Diseases of the arteries

Table No 2

TEN LEADING CAUSES OF DEATH IN 1943

Indian	*White*
Tuberculosis	Diseases of the heart
Pneumonia	Cancer
Influenza	Intracranial lesions of vascular origin
Diseases peculiar to the first year of life	Accidental or violent
Diseases of the heart	Nephritis
Accidental or violent	Diseases peculiar to the first year of life
Diarrhoea and enteritis	Pneumonia
Senility	Tuberculosis
Intracranial lesions of vascular origin	Diseases of the arteries
Cancer	Diabetes

Table No. 3

TEN LEADING CAUSES OF DEATH IN 1944

Indian	*White*
Tuberculosis	Diseases of the heart
Pneumonia	Cancer
Influenza	Intrachanial lesions of vascular origin
Diseases peculiar to the first year of life	Accidental or violent
Diseases of the heart	Nephritis
Accidental or violent	Diseases peculiar to the first year of life
Diarrhoea or enteritis	Pneumonia
Cancer	Tuberculosis
Whooping cough	Diabetes
Measles	Diseases of the arteries

(Exclusive of Yukon and Northwest Territories)

APPENDIX "B"—*Conc.*

DEATH RATES, COMPARATIVE, INDIANS AND WHITES

TABLE No. 4

1942

Cause of Death	Indians		White	
	No.	Rate per 100,000	No.	Rate per 100,000
Tuberculosis	761	672·8	5,219	45·3
Pneumonia	383	338·6	5,395	46·8
Diseases peculiar to the first year of life	177	156·5	5,852	50·8
Accidental or violent	174	153·8	7,997	69·4
Diseases of the heart	172	152·1	2,357	237·4
Influenza	126	111·4	1,101	9·6
Diarrhoea and enteritis	110	97·3	2,290	19·9
Cancer	94	83·1	13,560	117·7
Senility	74	65·4	1,576	13·7
Whooping Cough	66	58·4	494	4·3

TABLE No. 5

1943

Cause of Death	Indians		White	
	No.	Rate per 100,000	No.	Rate per 100,000
Tuberculosis	857	757·7	5,311	45·5
Pneumonia	420	371·3	5,921	50·7
Influenza	192	169·8	2,221	19·0
Diseases peculiar to the first year of life	174	153·8	6,474	55·4
Diseases of the heart	172	152·1	29,110	249·2
Accidental or violent	149	131·7	8,125	69·6
Diarrhoea or enteritis	96	84·9	1,776	15·2
Senility	75	66·3	1,699	14·5
Intracranial lesions of vascular origin	72	63·7	9,170	78·5
Cancer	71	62·8	14,064	120·4

TABLE No. 6

1944

Cause of Death	Indians		White	
	No.	Rate per 100,000	No.	Rate per 100,000
Tuberculosis	801	708·2	4,923	41·6
Pneumonia	404	357·2	5,536	46·7
Influenza	190	168·0	1,674	14·1
Diseases peculiar to the first year of life	180	159·1	6,475	54·7
Diseases of the heart	156	137·9	28,992	244·8
Accidental or violent	140	123·8	7,548	63·7
Diarrhoea or enteritis	125	110·5	2,570	21·7
Cancer	84	74·3	14,187	119·8
Whooping Cough	76	67·2	261	2·2
Measels	73	64·5	166	1·4

(Exclusive of Yukon and Northwest Territories.)

APPENDIX "C"

DEPARTMENTAL HOSPITALS 1945

Name of Hospital	Address	Province	Number of Patients	Number Days	Amount	T.B.
					$ cts.	$ cts.
Tobique Hospital	Tobique	New Brunswick	93	884	1,790 00	198 00
Dynevor	Selkirk	Manitoba	231	17,200	30,470 50	28,619 25
Fisher River Indian Hospital	Hodgson	Manitoba	292	7,077		80 patients
Fort Alexander Indian Hospital	Fort Alexander	Manitoba	254	3,204		20 "
Peigan Hospital	Peigan	Alberta	124	1,005		2 "
Sarcee Hospital	Calgary	Alberta	10	347		11 "
Morley Hospital	Morley	Alberta	183	1,406		12 "
Blackfoot Hospital	Gleichen	Alberta	433	7,462		87 "
Blood Hospital	Cardston	Alberta	849	9,067		26 "
Fort Norman Hospital*	Fort Norman	N.W.T.	101	5,178		136 "
Coqualeetza Indian Hospital	Sardis	British Columbia	232	60,863		150 "
Fort Qu'Appelle Hospital	Fort Qu'Appelle	Saskatchewan	585	23,569		564 "
Clearwater Lake Hospital	The Pas	Manitoba	100	5,483	19,754 00	18,770 00
Manitowaning Hospital	Manitoulin Island	Ontario	18	2,381		102 patients
Lady Willingdon Hospital	Brantford	Ontario	410	12,433		
Squaw Bay Hospital	Port Arthur	Ontario	31	7,062		211 patients
Norway House Hospital	Cross Lake	Manitoba	500	12,139		190 "
			4,446	176,760	52,014 50	47,587 25

Edmonton added in 1946—Edmonton, Alberta.

* Burned—

APPENDIX "D"

RECAPITULATION OF HOSPITALS, SANATORIA, AND PREVENTORIA, UTILIZED IN 1945

—	No. Hosp.	No. Patients	No. Days	Amount	T.B.
				$ cts.	$ cts.
Preventoria	6	94	20,749	.....	11,999 53
Sanitoria	28	497	86,605	23,314 10	223,325 11
Dept. Hospitals	17	4,446	176,760	52,014 50	47,587 25
Mental Hospitals	22	194	55,600	60,350 69	.....
General Hospitals—					
Nova Scotia	25	476	12,991	27,117 24	12,864 75
Prince Edward Island	2	29	420	1,038 75	10 00
New Brunswick	17	413	4,630	11,594 15	891 00
Quebec	36	1,435	29,018	68,962 35	20,862 07
Ontario	92	3,231	54,275	116,950 94	33,193 19
Manitoba	37	1,337	17,762	40,853 68	4,274 00
Saskatchewan	34	1,034	8,740	21,873 11	2,375 75
Alberta	41	1,342	18,127	40,322 32	7,622 00
British Columbia	55	4,882	65,381	186,842 22	54,137 28
Yukon and N.W.T.	12	1,275	30,432	80,831 00	44,553 25
	434	20,685	581,490	731,615 05	463,695 18

APPENDIX "E"

Eastern Arctic Patrol

1. The Eastern Arctic Patrol carries one or more doctors to the ports of call through Hudson Strait in the Bay and up the east coast of Baffin Island. Sometimes the ship penetrates as far as Fort Ross. The time spent at each port is necessarily short because the ship has a large number of calls to make in the ice-free season. The stay of the ship is a time of bustle and confusion; supplies have to be lightered ashore; a great deal of business has to be transacted and in the midst of this confusion the doctor attempts to conduct a clinic and perform such treatments as are possible. The ship then moves on to the next port and the patients will probably not see a doctor until the following year. In exceptional instances where major surgery is required some individuals are picked up and moved on to a hospital at Chesterfield Inlet or Pangnirtung.

2. The *Nascopie* is an old coal-burning ship, 285 feet long and drawing 21 feet. The present cargo capacity of 700 tons is taxed to the limit and of necessity the medical quarters must be kept to a minimum. They consist of a single cabin fitted up as dispensary and treatment room. There is no other sick bay accommodation.

3. In 1945 the Northwest Territories administration who were then in charge of this work arranged with the Canadian National Institute for the Blind to send an eye specialist to make a survey and see what he could do to help the Eskimos. An optometrist was sent with the party who was able to fit metal spectacle frames to 68 of the 112 examined. In addition to these some whites were also fitted. This procedure is being repeated this year. It is felt that this may prove to be an extremely valuable service to the Eskimos. Two objectives were kept in mind: it is essential to the Eskimos' survival that the hunter gets his game; they were fitted for long vision; it is equally essential that his wife be able to make his clothes; they were fitted for close work.

4. Some outstanding names appear in the list of medical men who have served on the Patrol, and at the two hospitals. In 1927 Sir Frederick Banting made the voyage to carry on some scientific studies. Dr. Peter Heinbecker did research work with the Putnam Baffin Island Expedition and in 1930-31 he served as medical officer on the Patrol. Several papers on the metabolism of the Eskimo and his susceptibility to disease were published. In 1926-27 a medical survey was made of southern Baffin Island by Dr. L. D. Livingstone. This survey led to the establishment of the hospital at Pangnirtung. The following doctors have served or are now serving in the Eastern Arctic:—

Bildfell, Dr. J. A.	Pangnirtung	(1933-34—1940-43)
Bruce, Dr. D. S.	Chesterfield	(1930-31)
Birchard, Dr. C. C.	Eastern Arctic Patrol	(1935)
Collins, Dr. A. H.	Eastern Arctic Patrol	(1943)
Crewson, Dr. W.	Eastern Arctic Patrol	(1945)
Douglas, Dr. J. S.	Eastern Arctic Patrol	(1932)
Falconer, Dr. W. L.	Eastern Arctic Patrol	(1944)
Gaulton, Dr. G. E. B.	Pangnirtung	(1944-continuing)
Hamilton, Dr. B. H.	Moose Factory	(1930-31)
Hooper, Dr. Geo.	Eastern Arctic Patrol	(1944)
Jordan, Dr. Dennis	Eastern Arctic Patrol	(1944, 1945)
Klotz, Dr. M. O.	Eastern Arctic Patrol	(1940)
Laidlaw, Dr. C.	Eastern Arctic Patrol	(1945)
Livingstone, Dr. L. D.	Eastern Arctic Patrol	(1922-27)
	Chesterfield	
	Pangnirtung	(1927-38)
	Aklavik	(1938-44)
Martin, Dr. R. D.	Coppermine	(1929-31)
McKee, Dr. W. N.	Chesterfield	(1941-42)
	Pangnirtung	(1942-44)
MacKinnon, Dr. A. G.	Pangnirtung	(1934-37)
	Eastern Arctic Patrol	(1934)

APPENDIX "E"—*Conc.*

McArthur, Dr. N. M.	Eastern Arctic Patrol	(1936)
McCarthy, Dr. G. S.	Eastern Arctic Patrol	(1945)
Melling, Dr. Thos.	Chesterfield	(1936–40)
Melling, Dr. John	Chesterfield	(1940–41)
Orford, Dr. T. J.	Pangnirtung	(1936–39)
	Moose Factory	(1941–continuing)
Parney, Dr. F. S.	Eastern Arctic Patrol	(1940)
Rabinovitch, Dr. I. M.	Eastern Arctic Patrol	(1935)
Rogers, Dr. K. F.	Eastern Arctic Patrol	(1938)
		(1942)
Richards, Dr. A. L.	Eastern Arctic Patrol	(1935)
Rawson, Dr. N. R.	Chesterfield	(1944–continuing)
Stuart, Dr. H. A.	Pangnirtung	(1929–31)
Smith, Dr. W. S.	Eastern Arctic Patrol	(1941)
Tyers, Dr. W. L.	Moose Factory	(1933–40)

5. The doctors who volunteer from private practice go on the Patrol have had their expenses paid and have received a salary during the Patrol at the rate of $2,520 a year.

6. *Costs of Medical care for 1944-45*

Hospitalization—Pangnirtung	$5,627.50
—Chesterfield	5,838.00
Drugs and Medical Supplies (Including $1,350.03 on *Nascopie*)	5,099.41
Salaries of medical officers and nurses:	
Pangnirtung	6,501.00
Chesterfield	6,454.44

7. The program for the current year has been expanded to include not only the physician and surgeon but also the eye specialist who made the trip last year, a dentist, and laboratory and x-ray facilities, including technician. In addition to the regular patrol and the *Nascopie* a medical officer of the service will travel by coastal schooner to the posts on Ungava Bay where there are about 900 Eskimos. These are not visited regularly as the *Nascopie* does not go down into the Bay.

8. The Canadian Government icebreaker *N. B. McLean* will again be carrying a physician into the Strait and down the east coast of Hudson Bay as far as Port Harrison.

APPENDIX "F"

MEDICAL PRACTICE AMONG THE BUSH INDIANS OF NORTHERN MANITOBA

By Cameron Corrigan, B.Sc., M.D., Medical Superintendent,
Norway House Indian Hospital, Manitoba

MEDICAL SURVEY OF NUTRITION AMONG THE NORTHERN MANITOBA INDIANS

By P. E. Moore, M.D., Acting Superintendent,
Medical Service, Indian Affairs Branch
H. D. Kruse, M.D., Milbank Memorial Fund, New York City
F. F. Tisdall, M.D., Consultant on Nutrition, Medical Branch, R.C.A.F.
R. S. C. Corrigan, M.D., Medical Superintendent,
Norway House Agency

A SURVEY OF THE OPHTHALMIC STATUS OF THE CREE INDIANS AT NORWAY HOUSE, MANITOBA

By Wing Commander John V. V. Nicholls, Montreal

SCURVY IN A CREE INDIAN

By Cameron Corrigan, B.Sc., M.D., Medical Superintendent,
Norway House Indian Hospital, Manitoba

Reprinted from The Canadian Medical Association Journal—54, 220-223; 223-233; 344-348; 380-383, 1946

MEDICAL PRACTICE AMONG THE BUSH INDIANS OF NORTHERN MANITOBA*

By CAMERON CORRIGAN, B.Sc., M.D.
Medical Superintendent, Norway House Indian Hospital, Manitoba

Norway House is situated in the northern part of the Province of Manitoba approximately 350 miles north of Winnipeg on the Nelson River. During the summer months there is communication with Winnipeg by water but following the freeze-up in the fall the only communication with outside points is by plane or dog team which makes connection with the Hudson Bay Railway as it runs between The Pas and Churchill. In saying this I have told you much about life in this country. Our biggest problem is one of transportation and communication. Before the war, things were not too bad. We had a weekly plane service, but even with that we had long periods of no communication with the outside, due to the break-up and freeze-up periods. However, planes are scarce here now, except on charter, which is very expensive.

I will try to give you some idea of my practice here. I find it very interesting, though extremely busy. The worst feature is the lack of companionship of any medical men. I must face and handle each problem alone, as it arises.

Actually Norway House is not very far north. We are on the same level of latitude as The Pas and Edmonton, places which must now be well known to the Americans, as since the war they have built large air bases at both these places. However, we might as well be at the Pole as far as isolation goes. The only way to reach this place in summer is by steamer up Lake Winnipeg, or overland by dogs in the winter. A horse can be driven in winter from Wabowden, a point on the Hudson Bay Railway, 150 miles away, but it is a long hard trip, and only safe in the dead of winter. Thus the only way of travelling in this country is by air. I do considerable flying, and plan to do much more as planes become available; indeed our Department plans to base a plane in this district.

There is a radio station at Norway House which connects with Winnipeg. All points inland from Norway House can be contacted by radio, but this service is not of the best, and at times is very poor.

I am responsible for the medical services for a radius of 200 miles north and east of Norway House, and for about 50 miles south of here.

Probably if I described a couple of trips, you would get an idea of the type of work. First though, I should state that the Indians of Northern Manitoba have an incidence of tuberculosis that is over 1,400 per 100,000, and I believe on the increase. Thus, in every case one must consider tuberculosis.

I left here toward the end of January by dog train to travel 60 miles straight north to a point called Cross Lake. Here, a group of 900 Indians live, and at this point the Indian Department maintains a boarding school for 100 Indian children. I had been informed of an epidemic of jaundice. Investigation showed that they had had an epidemic of jaundice, and practically the entire population had been infected. This infection has proved troublesome throughout this country in the past year. On top of this, I found an epidemic, if you could call it such, of gonorrhœa. The Indian is promiscuous, and amoral. Sexual intercourse is an urge to be satisfied as the occasion arises; just as when one is thirsty, one drinks. At Cross Lake, as at all our Indian Reserves, there are missionaries, whom we supply with drugs, including sulfa drugs. I found that some Indians had been treated partially; some had become sulfa-resistant; others allergic to the drug. I carried no microscope. I do not believe an Indian can be treated for any sickness unless he is hospitalized, as he cannot be

*The following was received in the form of a personal letter and has been only slightly altered for purposes of publication.

trusted to take medicine intelligently. Thus I rounded up any cases I could, together with any available information regarding contacts, and started them towards Norway House and the hospital. Some I made walk; some I sent by dog train; and for some I sent a plane. Since then I have treated around 40 cases of gonorrhœa. Also, I had my first experience with penicillin. I believe it is revolutionary. Imagine curing a case of gonorrhœa in twelve hours. Think of the saving, both in money and in hospital days. It now becomes a disease for the out-patient department, or for office practice.

In the meantime, I had received a wire that a pregnant woman at Island Lake, 200 miles from where I was, was two weeks overdue, and had felt no movement for two weeks. Ordinarily I see few maternity cases from any distance, although I handle all the cases at Norway House. Thus, when I am wired that something is wrong, I generally go. I wired for a plane to pick me up. I sent my wire at 4 p.m. and the plane was in at 10 a.m. the following morning. I decided to return to Norway House for an obstetrical bag first, and then we started out. We had to buck a head wind, and my pilot was unfamiliar with the country. Finally, at 5 p.m. as the sun was setting, we decided that we were lost, and went down on to a small lake for a look-see, and prepared to spend the night in the bush. As we circled down we spied a cabin. We landed in front of it, and we were in luck. A white trapper, and his wife, were living there. We were 100 miles off our course. They offered to put us up for the night, but, more important, they gave us a map of the country. We were off again at daylight next morning, and arrived in Island Lake about an hour later—too late. The woman had had twins the day before. It had been a wild goose chase. Mother and babies were doing well.

We returned to Cross Lake that day, where I picked up my dogs, and returned home in the course of a few days. I found a wire waiting for me, saying that there was a man dead at God's Lake, and the Indians claimed that his death was not due to natural causes. Also, there was a man with an injured leg at Oxford House.

As soon as I could get a plane, we started off again. There is an abandoned mine at God's Lake, and 20 miles from where we had to land, we flew over an open river. Immediately we struck a thick fog, so that we had to drop down to 500 feet and follow an old power line across country. However, we landed without mishap, but I don't like flying at that height. That night the local R.C.M. Police and I spent our time thawing out the body and yarning. Early next morning, I was able to do a postmortem. The man had died of pneumonia. The Indians had been alarmed at the amount of postmortem lividity, and claimed he must have been poisoned. At daylight we were off again, and arrived at Oxford House by noon. There I found a man with a fractured tibia. He had been cutting logs and had struck his leg with the pack of the axe. Then he had picked up a large log and carried it on his shoulder, and his leg gave way under him. No wonder. He had a long spiral fracture. How he stood the pain I don't know, but he claimed it was not very sore. I made a box splint and had the man loaded into the plane, and we were away again. We arrived home that evening and I had still to x-ray and set a leg, apply a plaster cast, and clear up jobs which had accumulated in my absence. It was my habit to let a few cases of elective surgery accumulate, and then have one of my confrères come over from The Pas by plane, and clear it all up between us. Last month he was over, and we did an interval appendix, took out a gall bladder, an ovarian cyst, an old pus tube, and repaired a hernia. This month again we did a Cæsarean section; suspended a retroverted uterus; did a perineal repair; and sutured a quadriceps tendon that had been cut with an axe six months before. To finish off, we did a hæmorrhoidectomy after dinner that evening.

What I have described are routine flights or trips. I never go out with the intention of doing anything very much, as there is no one at any place I visit, who can nurse a sick person. Such things as a bad burn; a broken limb; a bad case of pneumonia; a case of tuberculosis; a tuberculous joint, etc., I bring or send back to the hospital. The other day I had word of an Indian getting struck in the eye with a stick while chopping wood. He was 200 miles away. I sent a plane for him, and he was brought in. The eye was punctured; the iris prolapsed; vitreous lost; and the globe partially collapsed. I removed the eye. I take out an eye about once a year.

Every summer in company with the Indian Agent, I visit all the reserves in the agency. While the Agent pays treaty, I carry on a medical practice. I make it my first duty to inoculate and vaccinate everyone in the district. Last year I made up diphtheria toxoid, pertussis vaccine, and typhoid vaccine. Every man, woman, and child got 2 c.c. of this. I had some terrific reactions, and doubt if I will ever use it again. However, I believe it did some good, as we have had no diphtheria, and while other places have had whooping cough epidemics there have been no deaths except in a couple of children born after I had been around, and thus were not inoculated. My next job is pulling teeth, and there are always a lot of these. After that I do what the people want, while there is time. Every place we go I generally have an obstetrical case. Indeed I have had my most difficult cases on treaty trip, where I have had to work under the poorest conditions. Last summer, I had a frank breach with extended legs and arms, in a dirty old tent with my patient lying on the ground. It is hard on the back, and the only reward is seeing the little toddler next treaty time. A treaty trip takes a month. We see some 4,000 Indians. We keep the plane with us all the time, and if need arises, I return home. I am in constant touch with my hospital by radio. Generally I have to return home once or twice during the course of the trip, either to take a patient to the hospital, or to see about some complication that arises in a patient already in hospital.

Still, the big problem is transportation, and communication. Last week I sent a plane to bring in a patient who was vomiting, and had pain in the abdomen. I was a couple of days getting the wire in the first place, and a couple of days before I could get a plane. The man was dead when the plane called for him. When the war is over, we hope to have better service.

I see a fair number of fractures. In fact I seem always to have a fracture under treatment. At the present I have a hip, a knee, a lumbar spine, and a finger, all in casts. On some I have done resections. I believe the Indian withstands surgery as well as anyone if he is first built up. Axe cuts, gun shot wounds, and frost bites, constitute an important part of this type of practice.

One more trip, and that should be enough. In May I travelled over to Cross Lake by canoe. Ours was the first canoe down the river that spring. There was still ice along the shore. We arrived at Cross Lake in the evening, and immediately a man approached to say his baby was sick with a sore throat. Examination showed a case of diphtheria, far advanced, and a second just starting in another baby in the same house. There were three or four families living in a single roomed house. Obviously something had to be done at once. I could go home for antitoxin, but I could not get cultures done at home at that time, so I decided the best thing was to go out by canoe to the railroad and send throat swabs to Winnipeg, and at the same time, try to get antitoxin. A plane was badly needed this time, but Cross Lake had no radio service. I told my canoeman to be ready to leave at daylight in the morning, which at that time of year comes at 3.30 a.m. We got away at 4 o'clock. At 7 o'clock that night I was still 10 miles from the Hudson Bay Railway, but that 10 miles was over a muskeg portage, no road, just muskeg, which had thawed out. I set off with three Indians. Never will I forget that night. Every step you sank

to your hips, and the only thing holding you up was the ice in the bottom. At last, at 7 in the morning, we walked into the small settlement soaked to the waist. I had been going 27 hours, and was ready to drop. My canoeman flopped in some shack and slept until noon, and then they were to start back, and meet me at the end of the portage sometime that night. I went to the hotel, got cleaned up a bit, and then got on a phone as soon as the telegraph office opened at 8 a.m. I phoned our office in The Pas. As luck had it, a gas car was ready to leave, and come up the railroad the 150 miles. I had him bring all the antitoxin available. I then expressed the throat swabs to Winnipeg, and prepared to await the antitoxin. I could not sleep. Around 5 o'clock, the antitoxin arrived. I had supper, and then hired a horse and guide and set off to meet my canoeman. There was a 17-mile portage, over which I was told I could ride. It was some ride. We had to swim our horses over one river, and jump two creeks. Most of the road was on high ground through the bush, but a lot of it was through swamps. However, we arrived at 4 a.m., just as my boys were getting up. We had breakfast, and then away. I slept a bit in the canoe. I needed it. Finally we arrived back at Cross Lake at 10 p.m. It was just dark. I had been on the road 66 hours with hardly a wink of sleep, and was all in. However, I went to see the cases of diphtheria. As I expected, the one child had died that afternoon. I gave the other child antitoxin and all the others prophylactic doses. There was no more diphtheria, and the one child got better. When I arrived home, there was a wire stating that the throat swabs were positive for diphtheria, and I felt my trip was justified.

MEDICAL SURVEY OF NUTRITION AMONG THE NORTHERN MANITOBA INDIANS

By

P. E. Moore, M.D.
Acting Superintendent, Medical Service, Indian Affairs Branch

H. D. Kruse, M.D.
Milbank Memorial Fund, New York City

F.F. Tisdall, M.D.
Consultant on Nutrition, Medical Branch R.C.A.F.

R. S. C. Corrigan, M.D.
Medical Superintendent, Norway House Agency

Economic Aspects of Indian Life

At the present time there are approximately 126,000 Indians in Canada whose health and welfare come under the jurisdiction of the Indian Affairs Branch of the Federal Department of Mines and Resources.* These people constitute no less than 1 per cent of the total population of Canada. This 1 per cent, however, presents a national problem in health and welfare out of all proportion to their numbers.

From the economic and occupational standpoints the Indian may be divided into four main groups. Even before the coming of the white man the Iroquois and associated tribes who lived in Ontario, Quebec and the adjacent areas of the United States were agriculturists to a degree. They lived in small villages and, in addition to hunting, grew corn. To-day descendants of these Indians are largely settled in the populated districts of Ontario and Quebec, and make an important contribution to the argicultural life of these provinces. One of these tribes has become famous as structural steel workers, namely the Caughnawagas. The second main group of Indians are the Plain Indians, descendants of the Blackfeet, Sioux, Assiniboine and Plain Cree tribes. These were the buffalo hunters. To-day they have become ranchers and raise horses and cattle. They do not show great interest in other agricultural pursuits and cannot be regarded as "tillers of the soil". It is even difficult to get them to raise dairy cattle, which observation is significant in view of their aboriginal habits of being meat eaters and hunters of buffalo. The third main group are the Coast Indians of British Columbia who were in the time of Captain Vancouver, and are to-day, fishermen. Their ability as fishermen is great. Unfortunately, before World War II their economic status was reduced by the unscrupulous encroachment of the Japanese. The fourth, and by far the largest group, occupies the hinterland of Canada. They are the descendants of many tribes, such as the Nascopies, Montaignais, Tête de Boules, Chippewas, Saulteaux, Swampy Crees, Chipewyans and Siccannies. These Indians, frequently referred to as "Bush Indians", constitute roughly one-half of the total Indian population and obtain their livelihood largely through hunting, trapping and fishing. The present investigation is limited to a study of a typical group of these Bush Indians.

There was a time when the Indian hunted for food. The skins and fur were used for clothing and covering for his wigwam. To-day, however, he hunts and traps primarily for fur which is traded for food, clothing, and other articles, the products of modern civilization. Frequently he does not buy intelligently and a considerable portion of his income may be squandered on such things as

*Since this report was written the Medical Service of the Indian Affairs Branch has been transferred from the Department of Mines and Resources and is now known as the "Indian Health Services, Department of National Health and Welfare".

radios, gramophones, guitars, trinkets and even—in isolated districts—motor cars. As an example, on a remote island in the Gulf of St. Lawrence, with a trail only three-quarters of a mile long, an Indian after paying his debt at the trading post had sufficient money left to buy and have shipped to the island a motor car. This he drove up and down the trail at all hours during the remainder of the summer. At freeze-up he left the car at the side of the trail without even draining the radiator and returned to his trap lines a hundred miles or more inland. The next year, due to the vicissitudes of the trap line, the same Indian might be destitute and dependent on Government aid for himself and family.

The economic status of the Bush Indians depends almost entirely on the quantity of game, fur and fish available, and the market price of the fur and fish. During the present war many of these Indians have enlisted in the Armed Services and others have made an important contribution to the war as labourers in the harvest fields and lumber camps. This has temporarily augmented their income. While it is impossible to estimate the average income of all the Bush Indians, the yearly income of the adult male before the war in the area where the present study was undertaken averaged $200 to $300. This has now been increased to approximately $400.

Formally the Indians lived in wigwams and still do in some areas. To-day the Indian is copying the white man and lives during the winter months in small one-roomed shacks. Frequently the conditions are almost unbelievable—as many as 10 to 12 people living in a shack 12 feet square. The only furniture may consist of a stove in the centre and a small table or stool. Sometimes there may be one broken-down single bed, but the majority sleep on the floor. The door is seldom more than 5 feet high and is covered by a blanket or old piece of canvas to keep out the wind. Two small windows let in the light, and the sole source of ventilation is the stove and the fairly large hole in the flat roof for the stove-pipe. Their sanitary habits are very primitive. Refuse and excreta litter the snow in the immediate vicinity of the house. With the advent of spring the whole family moves to tents, which they set up a few hundred feet away, and trust to the spring and summer rains to wash away the refuse. During the summer months they frequently change the location of the tents as they move about in their quest for food.

Health Conditions

As is to be expected from their housing conditions, epidemics occur most frequently during the winter months. Influenza, measles, whooping cough and other infectious diseases all take their toll. The infant mortality rate among the Indians studied reached the astounding figure in 1942 of slightly under 400 per 1,000 live birds, with a comparable figure for the white population of Canada of 52. The crude mortality rate for 1942 was 39.04 per 1,000, in contrast with a rate of 8.3 for the white population in Manitoba. In Table I is presented the ten leading causes of dealth with the mortality rates.

Tuberculosis is the greatest single cause of death, with a death rate 14 times higher than that among the white population. In 1942, the death rate for Indians from tuberculosis for all of Canada was 732 per 100,000, with a comparable death rate among the white population of 51.4. However, in certain farming areas, where the Indians are well established, with a higher economic status and comparatively good nutrition, the death rate from tuberculosis is only slightly higher than in the surrounding white population. Among the Northern Indians death rates from 1,000 to 3,000 per 100,000 are encountered. In the area studied the death rate from tuberculosis in 1942 was 1,400 per 100,000. The comparable figure for the white population of Manitoba was 27.1.

Many factors influence this increase in mortality. Poor housing, inadequate sanitation and rigours of climate probably all play their part. Also studies conducted in many parts of the world have demonstrated that poor nutrition is accompanied by excessively high morbidity and mortality rates.

The articles of food most commonly purchased by the Bush Indians are white flour, lard, sugar, tea and a small amount of oatmeal. The Indians living in the remote areas only visit the trading posts once or twice a year to trade their furs for food and other articles. They usually stay in the neighbourhood of the post for three or four weeks before they depart again in their canoes for another year's hunting. The difficulties of preservation and transportation severely restrict both the amount and the kind of food purchased. As a result of this these Indians of necessity live on what flour, lard and sugar they can transport and the berries, game and fish that they obtain. The Indians living in the neighbourhood of the trading posts depend to a much greater extent on "store food" than on food obtained from the country. While these Indians purchase a somewhat greater variety of food, their chief purchases are still flour, lard, sugar and tea (Table II). In some sections a limited amount of potatoes is grown. It would seem to be difficult under these circumstances for the diet of the Indian to be other than deficient in many respects.

The diet of the Bush Indian has deteriorated in the past 40 years. Records kindly furnished by the Hudson's Bay Company, through Mr. D. H. Learmonth, the present factor at one of the Company's posts in Northern Manitoba, who was also associated with the Company in the same area nearly 40 years ago, bears this out. At that time an Indian family consisting of the man, his wife and 2 or 3 children, would set out in October for a period of 7 months with about 100 pounds of flour, a small amount of lard and beef suet, and a few pounds of tea and sugar which were considered luxuries. The main portion of the food was obtained "off the land", caribou, moose, beaver, muskrat, rabbit and fish. Today a typical example from the records is that of an Indian trapper of a better type than average who set off in October with his wife and no children taking with him no less than 600 pounds of white flour, 130 pounds of lard, 50 pounds of sugar and 25 pounds of tea. To-day too the Indian "cleans" his fish and animals and discards highly nutritious organs that were formerly eaten.

It can be stated that without exception in those areas where the dietary habits of the Indian have changed from the consumption of foods from the country itself to "store food", which is largely white flour, lard and sugar, the physical condition of the Indian has markedly deteriorated in recent years.

The Medical Division of the Indian Affairs Branch has long been aware of the poor dietary habits of the Indian and their probable relation to his poor physical condition and high susceptibility to infection. Accordingly it appeared highly desirable to obtain further information on the part that malnutrition plays in the health of the Bush Indian.

Scope of Survey

In March, 1942, a survey was organized by the Medical Division of the Indian Affairs Branch with the assistance of the Hudson's Bay Company, the Milbank Memorial Fund of New York City, and the Medical Branch of the Royal Canadian Air Force. The area chosen was in Northern Manitoba, approximately 350 miles north of Winnipeg. The area is readily accessible by air. The places visited were God's Lake, Cross Lake, Norway House and The Pas. The Indians in this area are representative of the Bush Indians across Canada. The total Indian population of the area is 2,449.

For several reasons the survey was concentrated at Norway House. Here information could be obtained on the food supply. Also Indians were available in large numbers for examination at one site because a band is situated around the post and the local Indian hospital provided excellent facilities for the operation of special instruments and cameras.

Although a dietary survey was not conducted, special circumstances provided reliable evidence on the dietary habits of the Indians studied. All of their staple foods are imported and the trading post is the sole source of them. Through the Hudson's Bay Company records were obtained of the food purchased during the year 1941 by several hundred Indians in the area studied. The basic diet was supplemented by a small quantity of berries in season and what fish and game they could obtain.

More than 400 Indians of both sexes and all ages were examined; records were kept on 215. Of the latter number, 187 were seen at Norway House and 28 at God's Lake.

In addition to a search for the advanced stages of nutritional deficiencies, such as kerato-malacia, beri-beri, pellagra, scurvy and rickets, certain tissue changes which have been attributed by one of the authors (H.D.K.) to nutritional deficiencies were sought.[1 to 6] These changes involve the conjunctivæ, the blood vessels at the corneal scleral junction, the gums and the tongue and have been ascribed by him to avitaminosis A, ariboflavinosis, avitaminosis C, and aniacinosis respectively. Examination was made for gross changes and in approximately half of the subjects the conjunctivæ and the ocular limbic blood vessels were also viewed through a biomicroscope. As a basis of appraising thiamine status an abridged neurological examination included: palpation of calf muscles; tests for triceps and patellar reflexes and vibratory sense.

Considerable difference of opinion exists concerning the specificity of these signs but most workers agree that they are found with greater frequency among malnourished than well nourished population groups.

Results

Available food supply.—The food purchased by the Indians in the Norway House area is recorded in Table II. It is to be noted that of the 1,470 calories purchased per person per day, no less than 1,258, or 85 per cent of the total, were supplied by the white flour, lard, sugar and jam. All these foods are either devoid of or extremely low in vitamins and minerals. A number of the nutritional factors in the foods purchased were calculated. The values are set out in Table III. It is impossible to estimate how much additional food was obtained by fishing and hunting, but due to the depletion of the fish and animals in the area, the amount must have been relatively small.

TABLE III

Nutrients Available Per Person Per Day From Food Purchased in 1941

Nutrient	Amount per person per day in food purchased	Weighted recommended daily allowance per capita calculated for Canada
Calories	1,740	2,544
Protein	34 gm.	66.1 gm.
Fat	40 gm.	....
Calcium	103 mgm.	960 mgm.
Phosphorus	372 mgm.	....
Iron	9 mgm.	11.8 mgm.
Vitamin A	238 I.U.	4,590 I.U.
Thiamine	0.35 mgm.	1.45 mgm.
Riboflavin	0.25 mgm.	2.10 mgm.
Niacin	3.8 mgm.	14.5 mgm.
Ascorbic acid	1.0 mgm.	71.3 mgm.

Physical measurements of the Indians were not taken. The Indian today however is smaller than 40 years ago. The shirts sold then were sizes 16 to 17, now the common sizes are 15½ to 16; the pants were sizes 38 to 44, now 34 to 38. Furthermore, in the past the Indians are said to have been energetic and accounts of their remarkable vigour have been perpetuated by both legent and record. In contrast, at present they generally show listlessness, indolence and inactivity. There is no doubt in the opinion of the older white inhabitants that there has been in the past 40 years a marked deterioration in the physical condition of the Norway House Indian.

No single classical deficiency disease was seen. However, every Indian observed had some abnormality of the conjunctivæ, ocular limbic blood vessels, tongue or gums. The most marked changes were in the conjunctivæ, ocular limbic blood vessels and gums.

Conjunctival changes.—As the changes which have been ascribed by one of the authors (H.D.K.) to a lack of vitamin A develop in the conjunctiva it becomes over-vascularized, thickened, at first translucent, then, opaque, discoloured or even pigmented. Of 194 adult Indians whose conjunctival examination was recorded, all had advanced changes in their conjunctivae characterized by thickness, opacity and discoloration. The thickening was first obvious in children between 10 and 15 years of age, and became progressively more marked with increasing age. In 11 per cent pterygia were also present.

Neurological signs.—It is generally recognized that the early signs of beri-beri include calf tenderness, diminution or loss of vibratory sense, and modification or reflexes, such as hyperactivity, hypoactivity or complete loss. It is obvious that each of these individual signs can occur in conditions other than beri-beri. Nineteen per cent of the persons examined showed neurological signs, chiefly modified or lost reflexes. Because of language difficulties the test for vibratory sense could not be reliably conducted.

Changes in the blood vessels at the corneal scleral junction.—Normally the blood vessels of the ocular limbic plexus do not extend into the cornea. It has been reported[2], [3] that a lack of riboflavin in the diet results in the engorgement of the limbic plexus and vascular proliferation with invasion of the cornea. Coincident with this there may be tiredness of the eyes, sandy sensation under the lids, lachrymation and photophobia.

The only voluntary symptomatic complaints obtained from the Indians were referable to the eyes. The ocular symptoms were distinctly troublesome. Many complained of lachrymation and photophobia and lack of sharpness of vision. Prominent among the complaints were a burning sensation and a gritty feeling in the eyes. Considering that the ground everywhere for several months had been and was covered with several feet of snow, the presence of sand or any other foreign body in the eyes was most unlikely.

The symptoms of snow blindness are essentially the same as those just described but of greater intensity. The condition usually develops in February, March and April, when the days are beginning to lengthen and the amount of light reflected from the snow is becoming very great. The patient has usually been exposed to this bright light for some days. Suddenly, without warning, usually on a day when the sky is a little hazy, he develops in a matter of one to two hours intense pain in the eyes, described by some as a burning sensation, by others as a stabbing sensation, a gritty feeling under the eyelids with swelling, headache, extreme lachrymation and photophobia. In severe cases the conjunctivæ become intensely red due to congestion of the blood vessels. The condition may develop so suddenly that the individual has difficulty in getting back to his shelter or habitation. The treatment employed is simply to lie in a dark room with cold compresses over the eyes. In the course of one to two days the

symptoms subside. It is recognized that the development of the condition is associated with exposure to intense light. A preliminary report[7] has already been given, drawing attention to the similarity of the symptoms to those produced by a lack of riboflavin.

Four per cent of the Indians examined had congestion of the ocular limbic plexus which was seen grossly as a circumcorneal injection sometimes extending over most of the conjunctivae. Lachrymation and photophobia were very marked. Almost all of these subjects volunteered the opinion that they were suffering from snow blindness. Examination by one of the authors (H.D.K.) with the biomicroscope showed extension of injected blood vessels into the cornea. Of the remaining subjects examined with the biomicroscope all showed proliferation of the blood vessels into the cornea but with no marked congestion. Lachrymation and photophobia were present in a large percentage of these.

Gum Changes.—Recently in animal studies, on monkeys,[8] redness, swelling, bleeding and tenderness of the gingivæ have been produced by a chronic lack of ascorbic acid. Studies[9] conducted on Royal Canadian Air Force personnel have shown that gingivitis which had been treated locally recurred more frequently when the diet was low in ascorbic acid than when it contained the recommended allowance of 75 mgm. per day. Kruse[4] in 1942 reported that changes of the gingivæ characterized by redness, swelling, bleeding and tenderness responded to large amounts of ascorbic acid when administered over a period of one year or longer.

In the present survey the gingival tissues were examined for redness and swelling. In addition other changes of a more chronic nature, particularly thickening, loss of interdental papillæ and recession of gum tissue so that a greater length of the tooth surface was exposed, were noted. Ten per cent of the Indians examined had evidences of acute inflammation of the gingivæ; 81 per cent had subacute signs and all of those examined had chronic changes in the gingival tissues, most of which were marked.

No cases of scurvy were seen.*

Tongue changes.—None of the Indians examined showed the severe red, swollen tongue characteristic of pellagra, but most of them exhibited some redness and swelling of the lingual papillæ. Almost all showed atrophic papillæ and fissures. These changes were not of a severe nature.

Discussion

It is obvious that the basic food of the Norway House Indian was deficient in practically every nutritional factor studied. The supplemental game provided some additional protein and due to the habit of the Indian of eating the small bones, some calcium. It also probably provided an appreciable amount of niacin, due to the relatively high concentration of this vitamin in meat and fish. But the entire diet provided little vitamin A, B_2 (riboflavin) and vitamin C (ascorbic acid). The supply of thiamine while greater than that of vitamins A, B_2 and C was still quite inadequate. It should be borne in mind that the above comments refer to average conditions and the amounts actually consumed by many families were even less satisfactory.

It has recently been pointed out that dietary requirements are relative to many environmental as well as endogenous conditions.[10] It has become increasingly evident that light belongs in the list of conditioning factors and that prolonged exposure to it greatly increases the requirements for certain dietary essentials. The extremely intense glare in the region surveyed due to reflection

*In 1944 one of the authors (R.S.C.C.) observed an Indian woman with classical signs and symptoms of scurvy which responded to the administration of ascorbic acid.

from the snow and the necessary prolonged exposure of the Indians to it because of their occupation, places them in need of much higher riboflavin intake than is usually regarded as adequate for unexposed persons in regions of less illumination. Thus in the face of increased need, the Indians are receiving only a small amount of riboflavin. Nor is this the only unusually heavy stress to which the Indian is exposed. The rigorous climatic conditions, the physical labour associated with gaining a livelihood and the almost constant high prevalence of active infectious disease impose extreme stress upon the Indian and conduce to the deterioration of his nutritional status.

It is recognized that there is a diversity of opinion as to the relationship of the tissue changes here observed to nutritional deficiencies. However, if the signs are taken as indicative of nutritional deficiency states, namely, the conjunctival changes as indicative of a lack of vitamin A, the ocular blood vessel changes of a lack of riboflavin, the gum and tongue changes of a lack of ascorbic acid and niacin respectively, the parallel between the prevalence and the severity of these signs and the nature of the deficiencies in the diet is striking.

Although the survey was limited to Northern Manitoba, one of the authors (P.E.M.) has observed similar tissue changes occurring with high frequency and severity in other bands and reservations. The occurrence of tissue changes in such frequency and severity is not peculiar to Indians. Similar conditions in another group have been reported. After a survey of Eskimos in the Canadian Eastern Arctic, Rabinowitch[11] reported that in the vast majority of eyes examined there was intense congestion of the conjunctivæ; pterygium was very common; and snow blindness occurred very frequently during the winter months. He stated that the blepharitis, the dryness of the conjunctivæ, and the sticky shreds of Meibomian secretions on the lid margins were suggestive of vitamin A deficiency. His mention of the occurrence of pyorrhœa indicates that he saw gum conditions comparable to those seen in the Indian in the present survey.

Once again poor nutrition has been found to accompany excessively high morbidity and mortality rates. Voluminous evidence from experiments with animals attests that nutritional status influences these rates. The relatively few human studies on the subject point in that direction. It is not unlikely that poor nutrition is responsible in part at least for many characteristics of the Indian, such as shiftlessness, indolence and inertia which have long been regarded as inherent or hereditary traits. Furthermore, it is probable that their great susceptibility to many diseases, paramount amongst which is tuberculosis, may be attributable among other causes to their high degree of malnutrition arising from the lack of proper foods.

Summary

1. A survey was made of the dietary habits and the nutritional status of more than 400 Canadian Bush Indians.

2. The dietary intake failed to meet the recommended daily allowances for most nutrients. For a number of the nutrients the margin was so far under the recommended levels that it is obvious the diet was markedly deficient. The most pronounced vitamin deficiencies were vitamin A, vitamin B_2 (riboflavin) and vitamin C (ascorbic acid).

3. Multiple and marked tissue changes were encountered in practically every Indian examined, the most marked changes being in the conjunctivae, the blood vessels at the corneal csleral junction and the gums. These changes have been attributed by one of the authors (H.D.K.) to a lack of vitamin A, vitamin B_2 and vitamin C respectively.

4. The parallel between the prevalence and severity of these signs and the degree of the deficiencies in the food supply is striking.

5. The Indian infant mortality rate, the crude mortality rate and the death rate from tuberculosis are many times higher than in the white population. All these conditions present a national problem in health and welfare far in excess of the numerical proportion of the Indian to the white population.

6. In common with the results of studies done in many parts of the world, poor nutrition has been found in a population group with excessively high morbidity and mortality rates.

7. It is not unlikely that many characteristics, such as shiftlessness, indolence, improvidence and inertia, so long regarded as inherent or hereditary traits in the Indians race, may, at the root, be really the manifestations of malnutrition. Furthermore, it is probable that the Indians' great susceptibility to many diseases, paramount among which is tuberculosis, may be attributable among other causes to their high degree of malnutrition arising from lack of proper foods.

Addendum

While this paper was in press the attention of the authors was directed to a monograph "C-Hypovitaminose" by Johns. Hagtvet, Norway, in which the author found that the average vitamin C food supply in Northern Norway was 5, 10 to 15 mgm. of ascorbic acid daily. He reports the marked prevalence of chronic gingivitis, and states, "This under-feeding with respect to vitamin C seems to have as a regular consequence chronic gingivitis, marginal osteitis and a tendency towards spontaneous bleedings."

References

1. Kruse, H. D.: Medical evaluation of nutritional status. IV. Ocular manifestations of avitaminosis A, with especial consideration of the detection of early changes by biomicroscopy, *Milbank Memorial Fund Quart.*, 19; 207, 1941.
2. Kruse, H. D., Sydenstricker, V. P., Sebrell, W. H. and Cleckley, H. M.: Ocular manifestations of ariboflavinosis, *Public Health Reports*, 55: 157, 1940. (Reprint No. 2135).
3. Sydenstricker, V. P., Sebrell, W. H., Cleckley, H. M. and Kruse, H. D.: Ocular manifestations of ariboflavinosis, *J. Am. M. Ass.*, 114: 2437, 1940.
4. Kruse, H. D.: Gingival manifestations of avitaminosis C, with especial consideration of the detection of early changes by biomicroscopy, *Milbank Memorial Fund Quart.*, 22: 290, 1942.
5. *Idem*: The lingual manifestations of aniacinosis, with especial consideration of the detection of early changes by biomicroscopy, *Milbank Memorial Fund Quart.*, 22: 262, 1942.
6. *Idem*: A concept of the deficiency states, *Milbank Memorial Fund Quart.*, 22: 245, 1942.
7. Kruse, H. D. and Tisdall, F. F.: Nutrition in Industry, *Proc. 20th Annual Conference Milbank Memorial Fund*, New York, p. 35, May 7, 1942.
8. Shaw, J. H., Phillips, P. H. and Elvehjem, C. A.: Chronic ascorbic acid deficiencies in the Rhesus monkey, *J. Nutrition*, 29: 365, 1945.
9. Linghorne, W. J. *et al.*: The relation of ascorbic acid intake to gingivitis, *Canada.* M. A. *J.*, 54: 106, 1946.
10. Kruse, H. D.: Tissue changes that are most useful in clinical evaluation of marginal types of malnutrition, *Proc. Nutrition Foundation*, Research Conference on Relation of Nutrition to Public Health, New York, p. 24, October 11, 1943.
11. Rabinowitch, I. M.: Clinical and other observations on Canadian Eskimos in the Eastern Arctic, *Canada. M. A. J.*, 34: 487, 1936.

Résumé

400 Indiens du nord du Manitoba ont été observés au double point de vue de leurs habitudes alimentaires et de leur état général. Les déficiences vitaminiques sont la règle, notamment, les déficiences en vitamines A, B_2 et C. Les altérations de leurs conjonctives, de leur cornée et de leurs gencives traduisent assez nettement les carences précitées. La mortalité infantile est très élevée, notamment, la mortalité dûe à la tuberculose. L'indolence, l'inertie et l'apathie de ces sujets n'est pas un trait racial,—comme on l'a cru trop longtemps,—mais provient plutôt de troubles profonds dûs à une mauvaise alimentation; cette même étiologie est également à la base de leur manque de résistance à l'égard des infections, et plus particulièrement de la tuberculose.

Jean Saucier

A SURVEY OF THE OPHTHALMIC STATUS OF THE CREE INDIANS AT NORWAY HOUSE, MANITOBA*

By Wing Commander John V. V. Nicholls
Montreal

In March, 1944, a survey was carried out by the author among the Cree Indians at Norway House, Manitoba, to determine the frequency with which ocular defects and disease occur. The Crees are traditionally a peace-loving people who have been forced northwards gradually through the last few centuries by more war-like tribes. Many bands of Crees are found today scattered over the unfertile bush country of northern Manitoba, northeastern Saskatchewan and northwestern Ontario. The particular band visited for the purpose of this survey, is situated about historic Norway House at the northern tip of Lake Winnipeg. The land here is relatively unfertile, being composed of scattered muskeg and bush country. The Indians obtain a meagre existence by hunting and trapping. This fact has a double significance. They are exposed for long periods to the rigours of the climate and their diet contains relatively little fresh vegetables, dairy products and meat. The staple element of their diet is bannock, which is a sort of biscuit made from a mixture of white flour, lard and baking soda; sugar and tea and such fish and game as they can secure. The second point of significance is that any ocular defects seriously affect the already low standard of living by reducing the efficiency of the Indian when hunting or on his trap line.

In order to determine the means of improving the standard of living and the health of the Indian, a study was sponsored by the Department of Indian Affairs and by the Hudson's Bay Company. It consisted primarily in an investigation of the dietary habits and the nutritional status of the Indian. The study started in March, 1942, at which time Indians were examined, and groups were given various vitamin and food supplements. The present visit was one of a series and the first in which the author participated. It is recognized that the physical health and prosperity of these people are intimately interwoven. This survey was also of interest to the Royal Canadian Air Force, as it provided an opportunity to observe the effects of prolonged and repeated exposure to severe climatic conditions.

Between March 15 and March 22, 1944, 300 Cree Indians within reach of Norway House were examined. It is felt that this group represents as nearly as possible a random series. One hundred and three of the adults examined had been using vitamin supplements of one type or another for a period of one to two years as part of a nutrition study. All the school children examined were being supplied with a tablespoon of cod liver oil a day (800 I.U. of vitamin D and 8,000 I.U. of vitamin A). As far as could be found out, co-operation in the actual taking of the cod liver oil was good. It is to be pointed out that it is not justifiable to draw final conclusions regarding possible casual relationships between nutrition and ocular disease on the basis of data collected at this stage of the study.

In table I are recorded the age and sex distribution of the subjects examined. It is to be noted that in this table the subjects are divided into two groups, one being composed of those 5 to 18 years of age, and the other group composed of those 18 years of age and older. They are divided therefore into those of school

*Read before the Section of Ophthalmology of the Canadian Medical Association at Toronto in May, 1944.

age and those older. This was done so that data might be obtained for comparison with the data collected by the writer in a previous survey among white school children in a rural community.[1, 2]

Each patient was examined in good light and focal illumination for disease of the lids, conjunctiva, and anterior segment. Doubtful patients were examined with the slit lamp. The visual acuity was determined for each eye separately. For this purpose the illiterate "E" chart was used most frequently, as the

TABLE I

AGE AND SEX DISTRIBUTION OF PATIENTS

Age	Male	Female	Total
Under 18 years	59	68	127
18 years and older	103	70	173
Total of all ages	162	138	300

majority of the subjects were not familiar with their letters. The working distance was 20 feet. All subjects found to have a visual acuity less than 6/6 in one or both eyes were further examined and refracted under a cycloplegic. Ocular muscle balance was examined roughly for maximumu excursion in the cardinal positions and for convergence power. Also a careful cover test was performed.

TABLE II

AGE AND SEX DISTRIBUTION OF PTERYGIA

Incidence by Decades

Decade	Per cent with pterygium	Number of cases
3	7	7 out of 45
4	19	7 out of 37
5	37	16 out of 43
6	40	8 out of 20
7	42	5 out of 12
8	20	1 out of 5

Age	Male		Female		Total	
	No.	%	No.	%	No.	%
Under 18 years	0	0	0	0	0	0
18 years and older	30	29	10	14	40	23
Total of all ages	30	19	10	7	40	13

The commonest abnormality found was pterygium, a fleshy, wing-shaped growth extending into the cornea from the bulbar conjunctiva. In Table II the age and sex incidence of this condition are recorded. It will be noted that it did not occur before the age of 18 years. The youngest patient was 19 years of age. Another pterygium was found in a patient 20 years old. From this age on the condition increases in frequency as shown in the table. Also pterygium was roughly twice as frequent in the male as the female, owing possibly to greater exposure to the elements in the former. In only one case was the pterygium extensive enough to interfere with vision by extending over the pupillary area of the cornea. Twenty-four of the subjects had been given various vitamin supplements, mainly vitamin A, and 16 were controls.

In this survey pinguecula, the yellowish raised areas of the conjunctiva due to hyalin degeneration of the subconjunctical tissue, were not found in the first decade of life, but became rapidly more frequent in the second decade and were practically universal thereafter. Duke-Elder[3] believes that pinguecula and pterygia are not an extension of the same process, but that they have a similar etiology in that exposure to wind and dust are predisposing factors of the first

magnitude. No evidence appeared in this survey to upset this point of view. However, one wonders if glare may not be another etiological factor. Certain it is that snow-blindness, which is a common ailment in this region, produces marked hyperæmia in pre-existing pingueculæ and pterygia.

TABLE III

VISUAL ACUITY DEFECTS UP TO 18 YEARS OF AGE

Cause	Male 59 cases No.	%	Female 68 cases No.	%	Total 127 cases No.	%
1. Visual acuity less than 6/6 in one or both eyes	5	8	12	18	17	13
2. Causes of defective visual acuity:						
(*a*) Refractive errors	3	5	11	16	14	11
i. Hypermetropia	0	0	0	0	0	0
ii. Hypermetropic astigmatism	1	2	6	9	7	6
iii. Myopia	1	2	2	3	3	2
iv. Myopic astigmatism	0	0	2	3	2	2
v. Mixed astigmatism	1	2	1	1	2	2
(*b*) Corneal scars	1	2	2	3	3	2

N.B.—Patients in (*a*) had binocular defects with exception of one case. Patients in (*b*) had monocular visual acuity defects.

Pterygium is looked upon as a degenerative process in the epithelium, Bowman's membrane, and even superficial layers of the substantia propria of the cornea. Schöninger[4] believes that the earliest change that occurs in the cornea is the appearance of small vesicle-like new formations at the points where the nerves pierce Bowman's membrane, and that these correspond to the islands of opacity seen clinically. In the present survey many patients with pterygium were examined with the slit lamp. These vesicle-like formations described by Schöninger were found in many of these cases; in many cases, they were not found or were found in cases where there was no pterygium.

In Table III is recorded the incidence of visual acuity defects in school-age Indian children and an analysis of the cases thereof. In Table IV similar data

TABLE IV

VISUAL ACUITY DEFECTS AT AGE OF 18 YEARS AND OVER

Cause	Male 103 cases No.	%	Female 70 cases No.	%	Total 173 cases No.	%
1. Visual acuity less than 6/6 in one or both eyes	28	27	24	34	52	31
2. Causes of defective visual acuity:						
(*a*) Refractive errors	12	13	15	21	27	16
i. Hypermetropia	4	4	1	1	5	3
ii. Hypermetropic astigmatism	7	7	10	14	17	10
iii. Myopia	0	0	1	1	1	1
iv. Myopic astigmatism	1	1	1	1	2	1
v. Mixed astigmatism	0	0	2	3	2	1
(*b*) Corneal scars	8	8	5	7	13	8
(*c*) Anterior staphyloma	0	0	1	1	1	1
(*d*) Pterygium	1	1	0	0	1	1
(*e*) Cataract	3	3	3	4	6	4
(*f*) Retinal disease	2	3	1	1	3	2
(*g*) Primary opticatrophy	1	1	0	0	1	1
(*h*) Amblyopia exanopsia	2	2	3	4	5	3
(*i*) Phthisis bulbi	1	1	0	0	1	1

N.B. (*f*) One macular chorioretinitis, and two pigmentary macular degeneration.

are recorded for Indians past school age. It is noticed at once that visual acuity defects greatly increase in the older group, being about twice as common as among the school children. This difference is mainly due to the vastly greater

number of disease conditions in the older age group. There is also a slight increase in visual acuity defects owing to hypermetropia and hypermetropic astigmatism, as might well be expected. Among the children, refractive errors are by far the greatest cause of defective vision.

In comparing these data with those found by me among rural school children of white stock in two previous studies, [1, 2] it is noted that the overall incidence of visual acuity defects owing to hypermetropic astigmatism is about the same in Indian as in white children. However, among Indian children, this condition is more common among the girls, unlike the situation among white children. The total and sex incidence of myopic astigmatism is about the same in the two previous studies and in the present one. The incidence of myopia in the previous studies was 7.3% among the semi-urban children of the first study,[1] and 4.5% among the strictly rural children of the second study.[2] In both these studies it was about three times as common among the girls as the boys. In the present survey the incidence was 2%. Again it was more frequent among the girls, being nearly twice as common as among the boys. It is of interest to note that the children in this study are under a less determined educational drive than those of the previous two studies.

In the first of the two previous studies among white children, the total incidence of visual acuity defects was 30%, while under the strictly rural conditions of the second study the incidence was 15%, which compares closely with the 13% of the present study. Among the adults of the present study the incidence was 31%. Thus, it is seen that the Indian possibly has some visual advantage as a child, but that this is lost in adulthood. From a study of Table IV it will be seen that this loss is due mainly to the results of ocular disease. Experience indicates that the incidence of ocular disease among these Indians is high as compared with conditions in the average white colony. It is possible that with a higher standard of living, health education, and less exposure to the hazards of the trap line, this incidence might be greatly reduced.

In discussing disease conditions of the eye, it should be mentioned that three cases of retinopathy were found. In one there was an old inactive central chorioretinitis; the other two patients had fine pigmentary changes in the macula. In no case were arteriosclerotic changes found. This is remarkable when it is pointed out that 80 of the 300 patients were 40 years or older.

Fourteen patients were blind in one or both eyes, that is, they had less than $\frac{6}{60}$ vision. In 3 cases the condition was bilateral. In 6, dense corneal scars were the cause (4 of these were due to lime burns), in 2 there were cataracts and there was one case each of phthisis bulbi, strabismus, pigmented macular degeneration, primary optic atrophy, pterygium and anterior staphloma. In all, 6 patients suffered from cataract; 3 male and 3 female. In one there was a nuclear cataract and in one a mature senile cataract. Both had been taking vitamin supplements. The remainder had posterior cortical cataracts, and had not been taking vitamin supplements. The average age was 59 years, with the youngest a female, being 38 years old and the oldest a male being 70 years old.

Among the adults corneal scars were the second greatest cause for loss of visual acuity. There were thirteen cases in all. Two of them had been given 50,000 I.U. of vitamin A and 5 had been given 9 mgm. of riboflavin by mouth per day, over a period of about 18 months. One patient had been given this dosage of both vitamins for a similar period. An analysis of corneal scars is found in Table V. In regard to phlyctenular keratitis, it should be noted that there is a relatively high incidence of tuberculosis among these people. This and the low standard of living are well known etiological factors in this condition. There were four well authenticated examples of the scarring result of lime burns, and there were possibly two others. It should be noted that it is

the common practice among the Indians to whitewash their houses. Though trachoma is common among the Indians in other parts of Canada, none was found in this survey.

It can be seen, therefore, that the Indians examined in this survey have basically good eyes and vision, but as age increases, this picture changes, owing to the increased incidence of the effects of ocular disease. The reduction of the high incidence of ocular disease lies in the realm of preventive medicine, sociology and public health. No conclusions can be drawn at this time regarding the role played by nutrition deficiency in the incidence or variety of ocular diseases and disturbances found.

References

1. Nicholls, J. V. V.: A survey of the ophthalmic conditions among rural school children, *Canad. M. A. J.*, 42: 553, 1940.

2. *Idem:* A survey of the ophthalmic conditions among rural school children II, *Canad. M. A. J.*, 44: 472, 1941.

3. Duke-Elder, W. S.: Text Book of Ophthalmology, Henry Kimpton, London, 2: 2000, 1938.

4. Schoninger, L.: Pterygium, *Klin, M. Augenh.*, 77: 805, 1926.

Table V

Miscellaneous Ocular Conditions Found Calculated on the Basis of 300 Patients

Ocular Conditions	No.	Frequency Per cent
1. Phlyctenular keratitis (active)	2	0·7
2. Phlyctenular keratitis (inactive)	4	1·3
3. Corneal scars owing to lime burns	4	1·3
4. Corneal scars owing to trauma	2	0·6
5. Corneal scars, unknown cause	4	1·3
6. Strabismus	6	2·0
(*a*) Divergent monocular	2	0·6
(*b*) Divergent alternating	1	0·3
(*c*) Convergent monocular	3	1·0
7. Hordeola	3	1·0
8. Benign melanoma (conjuctive)	2	0·7

Résumé

300 Indiens Cris du Manitoba ont été examinés au point de vue de la fonction oculaire. Il ressort de cette enquête que les Cris ont une bonne vision dans le jeune âge mais que les maladies oculaires augmentent avec l'âge. Cet état de choses est apparemment lié aux conditions sociales et hygiéniques de cette tribu. C'est en améliorant ces conditions que la prophylaxie des maladies oculaires sera créée et deviendra opérante. Il n'est pas possible d'affirmer actuellement que les déficiences attribuables à une mauvaise nutrition jouent un rôle dans l'éclosion et l'évolution des maladies des yeux.

Jean Saucier.

SCURVY IN A CREE INDIAN

By Cameron Corrigan, B.Sc., M.D.
Medical Superintendent,
Norway House Indian Hospital, Manitoba

The following are the findings in a case of frank scurvy in a young Indian woman.

On April 1, 1944, a Cree Indian woman, nursing a three-months' old baby, was admitted to hospital, complaining of inability to eat because of painful gums. She gave her age as 29 years, but looked about ten years older. Her height was 5′ 6″ and weight 135 pounds. Temperature was 99·3°, pulse 84, and respiration 20. She was pale, weak and short of breath on exertion. She had had several nose bleeds lately. Her breath was foul and was offensive even at a distance. On physical examination no abnormality was found in her chest or abdomen, nor elsewhere except as to her gums and lower extremities. The gums were swollen and of a scarlet colour and each interdental papilla stood out like a sack of blood. They bled at the slightest touch. The tongue was smooth, atrophic and pale, except at the tip, where it was covered with enlarged and reddened papillæ.

The lower extremities showed petechiæ and ecchymoses, ranging from bright red petechiae to large livid blotches. These were distributed over the legs and lower two-thirds of the thigh. On questioning, she admitted having pain in her legs but not in the thigh. This stoicism is typical of the Indian. She stated that the marks on her legs were caused by striking them on the oven door. However, nowhere was the skin broken. Laboratory findings were as follows: haemoglobin (Sahli) 66%; sedimentation rate 78 mm. in one hour (Westergren); the capillary fragility test was markedly positive; the urinalysis was negative.

On admission she was given 200 mgm. vitamin C intramuscularly, followed by 100 mgm. next day. As it was unlikely that she had a single deficiency, she was given 15,000 units vitamin A, 400 units of vitamin D, 100 mgm. vitamin C, 75 mgm. nicotinamide, 3·3 mgm. riboflavin, 3·3 mgm, thiamine, and 15 gr. ferrous sulphate, all t.i.d. p.c.

The effect of the vitamin C on the gums could be seen within 48 hours. It was as if "the heat had been turned off". Further marked improvement continued during the ensuing week. The condition of the gums showed a steady improvement during the next two months; they shrank steadily and the colour changed from an angry red to the normal pink. The interdental papillae shrank also and became pointed. No fresh haemorrhages occurred in the legs and the signs of the old haemorrhages faded. The capillary fragility test at the end of one week was no longer positive.

Enquiry into the patient's diet showed that she had been living entirely on "store foods". She had had no potatoes, fish, nor fresh meat all winter, with the exception of an occasional rabbit. During December, January and February she had eaten a few cans of tomatoes, but none after that period. Her diet was essentially white flour, canned meat stew, salt pork, lard, tea, and milk only when taken with tea.

The living habits of any people have an important bearing on their nutritional status. In the past, left to himself, the Cree Indians of Northern Manitoba moved from place to place following the waterways in search of fish, which was his staple diet. He hunted moose and snared rabbits as inclination dictated, or the proximity of game allowed. In summer he ate a fair quantity of

berries, and when moose and berries were plentiful he made pemmican, which was used in winter or when game was scarce. The basis of his diet was fish or meat. It was "ponasked", or toasted over the coals. Much of it was eaten raw. He drank the blood of the moose. He regarded the stomach and intestines as a delicacy. All was eaten, often including the stomach contents, and none was wasted.

Yet the Indian knew scurvy. It was the Indian who saved Jacques Cartier's expedition to Canada, giving them a tea made of spruce needles, and curing their scurvy. Civilization has changed all that. "Indian medicine" while essentially harmless had many good points. The church has relegated it to the realm of witchcraft, so that even such a simple thing as the brewing of spruce needles has disappeared. Settlements have sprung up, being the places for the women and the lazy to congregate. The trapper and hunter go out, and come back to the settlement where they live on "store goods". Civilization has taught them many things, but it has not taught them to buy wisely. The trader handles such goods as sell well, are easily transported, and will stand frost. The Indian may well be compared to persons of low economic status in the southern United States. They have their sow belly and grits. The Cree Indian has his salt pork and white flour. I saw an Indian child die of scurvy within 100 yards of a trading post, and yet not an orange or a tin of tomatoes could be bought there.

Our patient's husband was one of the shiftless; he was neither trapper, hunter nor fisherman. He existed on odd jobs in the settlement. To make matters worse, some well-meaning individuals had helped him to get a cow, a curse in disguise. When he should have been out fishing or working in the summer, he always had the excuse that he had to stay home and cut hay. The animal was never fed enough to give any quantity of milk. Is it any wonder that his wife suffered from malnutrition?

The fact that the patient had been nursing her baby for the past three months, is in line with the observation that pregnancy and lactation bring about acute exacerbations of the deficiency states.

Summary

A case of scurvy has been presented, with coloured photographs, showing typical haemorrhagic lesions of the gums and legs. Pictures taken before and after therapy are shown. Bleeding and swollen gums were noted at the same time as petechiae and ecchymoses. The case responded to vitamin C therapy. The deficiency state appeared to have been exacerbated by pregnancy.

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 4

TUESDAY, JUNE 11, 1946

WITNESSES:

Mr. R. A. Hoey, Director, Indian Affairs Branch, Ottawa;

Major D. M. MacKay, Commissioner for Indian Affairs in British Columbia.

OTTAWA
EDMOND CLOUTIER
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1946

MINUTES OF PROCEEDINGS

ROOM 262, THE SENATE,

TUESDAY, 11th June, 1946.

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 11.00 o'clock a.m. Mr. D. F. Brown, M.P., Joint Chairman, presided.

Present:

The Senate: The Honourable Senators Stevenson and Taylor—2.

The House of Commons: The Honourable Messrs. Glen and Stirling and Messrs. Blackmore, Brown, Bryce, Case, Charlton, Gariépy, Gibson (*Comox-Alberni*), Harkness, Little, MacNicol MacLean, Matthews (*Brandon*), Raymond (*Wright*), Reid, Stanfield—17.

In attendance: (Department of Mines and Resources) Messrs. W. J. F. Pratt, R. A. Hoey, Director, Indian Affairs Branch; Eric Ackland, Executive Assistant to Director; Major D. M. MacKay, Commissioner for Indian Affairs, British Columbia; W. S. Arniel, Inspector of Indian Agencies for Ontario.

Mr. Norman E. Lickers, Barrister, Counsel for the Special Joint Committee and Liaison Officer.

A report of the subcommittee on Agenda and Procedure was presented and

On motion of Mr. Bryce, it was

Resolved, That the report of the subcommittee be adopted. (For said Report, see Minutes of Evidence, page 116).

The Chairman made a statement with regard to a permanent committee room which would also serve as an office for the committee counsel and his clerical and stenographic assistants.

The following was accepted as a notice of motion and referred to the subcommittee on agenda etc.:

By Mr. MacNicol, That Brigadier-General Martin, a Magistrate, York County Court, Ontario, be called to be a witness before this Committee.

Mr. R. A. Hoey, Director, Indian Affairs Branch, was recalled, made a statement and was questioned thereon.

Major D. M. MacKay, Commissioner for Indian Affairs in British Columbia, was called and made a statement.

The Committee adjourned at 1.00 o'clock p.m., to meet again at 4.00 o'clock p.m., this day.

66175—1½

AFTERNOON SESSION

Present:

The Senate: The Honourable Senators Stevenson and Taylor—2.

The House of Commons: The Honourable Mr. Stirling and Messrs. Blackmore, Brown, Bryce, Case, Charlton, Gariépy, Gibson (*Comox-Alberni*), Harkness, Little, MacNicol, MacLean, Matthews (*Brandon*), Raymond (*Wright*), Stanfield—15. The Honourable Senator Taylor, Deputy Joint Chairman, presided.

In attendance: The same officials as were present at this morning's session.

Major MacKay was recalled, and was questioned by members of the Committee and by Mr. Lickers, Counsel for the Committee.

On motion of Mr. Gariépy, it was

Agreed, That the Committee would meet at 11.00 o'clock a.m. on Thursday, 13th June next, for the purpose of continuing the questioning of Major MacKay, and that the first order of business would be questions with regard to Indian Education in British Columbia.

The Committee adjourned at 6.00 o'clock p.m., to meet again at 11.00 o'clock a.m., on Thursday, 13th June next.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

THE SENATE,

June 11, 1946.

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 o'clock a.m. Mr. D. F. Brown, M.P., (Joint Chairman) presided.

The CHAIRMAN: There are some preliminary matters we have to deal with before hearing further witnesses. I should like to call on Mr. Bryce to read the report of the subcommittee on agenda and procedure.

Mr. BRYCE:

MONDAY, 10th June, 1946.

The subcommittee on agenda and procedure met this day at 4.00 p.m.

Present: Messrs. D. F. Brown, Joint Chairman, and Messrs. Gibson, Harkness and Bryce.

In attendance: The Honourable the Minister of Mines and Resources (Hon. J. A. Glen) and W. J. F. Pratt.

1. The subcommittee considered the notices of motion

(*a*) Mr. Castleden (Minutes, 30th May, page ix);

(*b*) Mr. MacNicol (Minutes, 6th June, page iv);
Tabled for further consideration, but in meantime Secretary of Committee will take up by correspondence after consultation with Director of Indian Affairs, Ottawa.

(*c*) Mr. Case. (Minutes, 6th June, page iv);
Same as under (*b*).

2. It was agreed that the committee would hear Major McKay, Commissioner Indian Affairs, B.C., who would complete his statement without interruption, then he would be questioned.

He would be followed by the Inspector for Ontario, Mr. W. S. Arniel. If any time remain tomorrow, June 11, the committee would hear some officers from the Trusts and Reserves Division of the Indian Affairs Branch.

3. The dates for hearing representatives of the North American Brotherhood of Indians, and other organized bodies of Indians will be a matter for consideration at a later meeting of this subcommittee.

4. It was agreed that the House of Commons Chairman, Mr. Brown, take up immediately with the Clerk of the House of Commons the matter of a permanent committee room for this committee which could also be used as office space for the committee counsel.

5. The Clerk of the Joint Committee will arrange by telephone or other means to have Mr. Lickers present in Ottawa for the meeting of the committee tomorrow, Tuesday, 11th June.

The subcommittee adjourned at 5.45 p.m. to meet again at the call of the chair.

The CHAIRMAN: Do you move the adoption, Mr. Bryce?

Mr. BRYCE: I move the adoption.

Mr. RAYMOND: I second that.

The CHAIRMAN: Any comments? All in favour?

Carried.

I might give you a report verbally as to what was done towards obtaining a permanent committee room. With Mr. McEvoy I interviewed Dr. Beauchesne last night. After some discussion it was agreed by Dr. Beauchesne that he would undertake the furnishing of a committee room for use exclusively by this committee. That is what he has undertaken. How he is going to do it, I know not, but in that room which we hope to have very shortly, Mr. Lickers, the liaison officer, will take up his quarters. And any other clerical and stenographic help that will be necessary will also have their accommodation in that room. Any comment? So that you will understand completely what is meant by the report of the subcommittee, the Castleden motion was that there be five Indians to represent the five parts of Canada here through the deliberations of this committee. They should be available to be examined under oath. Now we have considered that matter and we feel that we can see that some phases of that suggestion are quite impractical, others are quite desirable in that we want to have full representation, not only by the Indians, but from all other organizations which may want to present submissions to this committee. We hope to invite, through the press, all of the interested committees or organizations throughout Canada to come, at times agreed upon, before this committee and we will be very happy to hear anything they have to say.

Now as to the second resolution by Mr. MacNicol that the chairman of this committee attend in Washington, D.C., and Albany, New York, in order to obtain from the Indian Bureau up to date information with regard to Indian administration in the U.S. We feel we would like to consider that matter a little further. As matters arise that we are not quite clear about we will consider the advisability of sending some one down to Washington to consult with the officials there.

Now as to Mr. Case's resolution that we invite somebody from the United States to be here to consult with us, that has been tabled for the time being, until some matter may arise when we may find it advisable to invite some official from the United States.

Mr. CASE: I only thought it would be a little more practicable if we could have access to all informaton.

The CHAIRMAN: We have not discussed the resolution. We have tabled it for the time being. So we can give the matter further consideration.

Is there any other matter to be brought up before we call for witnesses?

Mr. MACNICOL: May I advise the committee that during the weekend in Toronto I was called up by a party who suggested that in due course we might invite Brigadier Martin who is a Six Nation Indian, full-blood.

The CHAIRMAN: I know of him.

Mr. MACNICOL: He is the magistrate of the York County Court. I am told, although I have no personal knowledge that he is one of the most outstanding authorities in Canada on Indian affairs. If that is so, he would be an excellent man to call before the committee.

The CHAIRMAN: I think that is very desirable.

Mr. MACNICOL: I suggest before inviting him that when you go to Toronto you might previously advise the magistrate you are coming and after a conference with him you would be in a better position to suggest to the committee

re his coming here to advise us on matters of Indian affairs. I inquired if he knew Mr. Lickers and my information was that he did know him. Whether he does or not I do not know but they both came from the Six Nations Indians and they probably do know each other. It struck me that Brigadier Martin being a man who has been chosen to be a magistrate and a man who was a brigadier in the army, might also be outstanding as an authority on Indian affairs. I am sure you would have some good report after a conference with him.

The CHAIRMAN: We would be very happy to have Brigadier Martin with us. It has been discussed in the subcommittee. We know Brigadier Martin and we do appreciate his value.

Mr. CASE: Is he a lawyer?

The CHAIRMAN: No, he is not.

Mr. CASE: He is a magistrate.

The CHAIRMAN: But all magistrates, unfortunately, are not lawyers.

Mr. MACNICOL: Perhaps they are better for not being.

The CHAIRMAN: I said unfortunately. However we will take that into consideration. We will take that as notice to the steering committee of your request to have Brigadier Martin here. The clerk will make a note of that. As to whether I will be able to go to Toronto to see him is another matter. If there is nothing further to be brought before the committee before we hear the witnesses we will proceed to call them. Mr. Hoey who is the Director of Indian Affairs is here and would like to make some comment as to the reason we are bringing today's witnesses before you. If it is your pleasure we will hear Mr. Hoey. Will you come forward, please.

Mr. HOEY: I am going to take only a moment. If you will look at my submission you will see a graph of the administration setup of the Indian Affairs Branch. You already have had a submission from the director.

The CHAIRMAN: I think, gentlemen, you will find it is in this report No. 1, Minutes of the Proceedings and Evidence, at page 7.

Mr. HOEY: You have heard here from the director of the branch and from the secretary and also you have had a submission from the Hon. Brooke Claxton on the Indian Health Services. Now ordinarily you might expect a statement from the general superintendent of Indian agencies. That position at the moment is vacant and consequently I cannot bring him forward. Then when you come to Reserves and Trusts, the superintendent is at present ill and not likely to report for duty for a couple of months. Then when you come to Welfare and Training Service, the position of superintendent has also been vacant for over a year. An appointment has just been made and a young man reported for duty yesterday, so naturally we can scarcely expect a statement from him. Consequently I am substituting, for the general superintendent of Indian agencies, a couple of field officers. It occurred to me that the committee would be interested in a statement from the men with large knowledge in field administration, so we have Major D. M. MacKay, the Commissioner of Indian Affairs in the province of British Columbia and Inspector Arniel of Ontario. They will be very helpful to you. We have a very limited staff and almost a complete absence of senior officials. If the committee would give some indication with respect to the information they would like to secure, or the officials they would like to have before them after Major MacKay and Inspector Arniel, I will be glad to arrange that. It is my intention to bring in a young man who is in charge of Indian trust funds and Mr. Brown who is in charge of Indian reserves.

The CHAIRMAN: Thak you very much, Mr. Hoey.

Mr. REID: I wonder if I could ask for some information. I realize it cannot be brought forward today but it is in line with what the witness said. Under the

British North America Act, I think, British Columbia is the only province about which it was stated, when they entered into confederation, that Indians were mentioned in the British North America Act. There was an understanding which was written into the Act that the care of Indians by the dominion government would be as generous as that provided by the province of British Columbia before it entered confederation. The information I would like to get, I would just like to know, how British Columbia treated the Indians previous to confederation. They must have been treated very well or that would not have been enacted in the British North America Act. I would like to have what information I can procure some time in the future.

The CHAIRMAN: I think we can take that as a request Mr. Reid which we will refer to Mr. Hoey, and Mr. MacInnis, when we have him come back before this committee that question will be put to him, if agreeable to all of you.

Mr. CASE: Mr. Hoey has said that he would like to have particulars as to whom we would like to hear. Is that to be left to the steering committee to determine?

The CHAIRMAN: Those witnesses who will be brought before the committee, as I understand it, are being considered by the subcommittee.

Mr. CASE: That is all right.

The CHAIRMAN: If there are no further comments and if it is your pleasure we will proceed to hear Major MacKay, the Indian Commissioner for British Columbia. Before we call him may I request that you will withhold any questions, as is our practice, until Major MacKay has completed his submission. We are going to change our procedure somewhat in view of the fact that Major MacKay has come from British Columbia and we will not be able to have him back again. We will hold a special meeting this afternoon at 4 o'clock when you will be privileged to ask him any questions that you have thought of in the meantime or any other matters that may arise in your minds. Major MacKay will not be here long so that any questions you would like to put to him we would like you to be prepared to put today.

Mr. CHARLTON: Would yourself or Major MacKay tell the committee his exact status.

Major D. M. MacKay, Commissioner for Indian Affairs for British Columbia, called.

The CHAIRMAN: If it is agreeable I will ask you a few preliminary questions. You are the Commissioner for British Columbia on Indian Affairs?

The WITNESS: Yes sir.

Mr. MACNICOL: Provincial or federal?

The WITNESS: Federal.

The CHAIRMAN: How long have you been with the department?

The WITNESS: Ten years.

The CHAIRMAN: And what is your particular position? What are your duties?

The WITNESS: I have the administrative control of Indian affairs in British Columbia and I report direct to the Indian Affairs Branch at Ottawa. Under me I have some seventeen agents in charge of the various agencies of the province.

The CHAIRMAN: Is there an agency in every reserve?

The WITNESS: No sir. A number of reserves in an agency. The province is divided really into nineteen agencies, seventeen of them under the jurisdiction of the Indian Commissioner for British Columbia and the other two, Fort St. John and Fort Simpson, the former under the Alberta inspectorate and the latter included in the Northwest Territories administration, the reason being, I suppose, that the Indians there are treaty Indians. I have no treaty Indinas under me in British Columbia.

The CHAIRMAN: Are there any questions any member of the committee would care to ask?

Mr. REID: I would like to ask a question. Particularly in the constituency that I have the honour to represent—I do not know whether it prevails in other parts of Canada or not—we notice claims of Indians to two nationalities. There is a small reserve called the Semikmoo Reserve with a small group of Indians who at certain times of the year move across into the United States to a small reserve called the Lumni Reserve where they claim to be Americans and to come under the jurisdiction of the American authorities. If they get into any trouble in the United States they move over to our side and they then become Canadian Indians. I understand that the band owns property in the state of Washington and also this small reserve in British Columbia called the Semigmoo Reserve. I wonder if you could look into the history back of that or tell me if there is any band or tribe in a similar condition in Canada involving both American and Canadian Indians.

Mr. MACNICOL: May I ask if the reservation is on both sides of the line?

Mr. REID: It is all on one side of the boundary. The other reserve is the Lumni reserve, probably fifty miles from the boundary line. The authorities have considerable trouble trying to sort out their nationality. If they get into trouble on one side they cross over to the other but they claim they are both American and Canadian.

Hon. Mr. STIRLING: Is that not common to other bands in British Columbia? I would say that difficulty arises with regard to Indians in the Okanagan Valley and the Similkameen Valley. Perhaps Major MacKay will pick up that statement and tell us how right it is.

The WITNESS: I think I can deal with that now. We in administration are not concerned with the status of Indians outside of Canada. I have no information that Indians on the Semikmoo Reserve have any double status or that they have been over to reserves across the American border line. I presume that they move pretty freely across the boundary line. We have had studies and investigations from time to time to determine the responsibility for Canadian Indians on Indian reserves in the United States and that has come before the Superintendent General of Indian Affairs. As far as the status of our Indians in British Columbia and those in the United States, we as an administrative unit I do not suppose have shown any great concern through our department, any more than you consider the white men in the United States as compared with other whites on our side. I do not know that a Canadian Indian can at the same time be a member of a band of Indians in the United States. I am quite sure on that point.

Mr. REID: There has been quite a lot of intermarriage.

The WITNESS: There has. You have a very typical example in the Indians of the St. Mary's Reserve in Cranbrook. They originally came from the prairies and from bands in the United States and settled on the Semiknoo reserve and intermarried and eventually became Indians of British Columbia and were accepted as such by the Dominion of Canada.

Mr. REID: One of the particular reasons we are interested in the matter—I do not want to say from an ulterior point of view—there is a small group of

Indians down there who own and control a very desirable piece of Indian territory close to a water resort and a lot of people in that vicinity would like to acquire the operation of that for the public in British Columbia. Under the Indian Act they are prevented from doing so, but here is the situation. These Indians by going across the line pick up an American Indian wife and they keep this band growing. I am wondering if that has been taken up with the American authorities. It has been claimed by many of our people that the Indians on the Canadian reserve are really American Indians who move back and forth. They live three or four months on the Semikmoo reserve and then move across and live on the Lumni reserve. Probably at one time they were American Indians and others here have brought back American wives.

The CHAIRMAN: Are we concerned particularly with the United States? What we are concerned with is the Indians who are considered to be Canadian Indians, are we not?

Mr. REID: Yes, but I had in mind if they keep adding to the band by bringing others in from outside Canada, we must be interested, and I think that we should seriously discuss the matter with the American authorities and clarify the condition.

The WITNESS: What objection should the government of Canada have to an Indian marrying an American Indian and taking her to a reserve in Canada any more than the people of Canada should object to a white man marrying a white woman and bringing her here?

Mr. REID: No more than this point, that we are in charge of Indians in Canada and they are under our jurisdiction and authority and if they step out of line I think it is to our interests and their own that we should understand whether on our reserves they are Canadians or Americans.

The WITNESS: Do you suggest some barrier be placed between intermarriage of Canadian and American Indians?

Mr. REID: No. But we would like the situation defined. If they are American Indians, that is strictly American citizens, they should be under the care of the United States government and the real status of all our Canadian Indians should be known.

The CHAIRMAN: Probably that will become clear to us as we go along with our report.

Mr. REID: I am not going to hold up the committee but Major MacKay comes from British Columbia and I think if we want to discuss it we should do it while he is here.

The CHAIRMAN: I don't think there is any desire to close off anybody but I think we might get along with the report.

Mr. CHARLTON: You wish us to hear Major MacKay.

The CHAIRMAN: Yes.

Mr. CHARLTON: I have some questions but I will hold them until he has made his statement.

The CHAIRMAN: The committee is going to govern this. I am not trying to close off anyone, and have no desire to do so, but we would like to hear Major MacKay.

Mr. MACNICOL: Without interruption and question him this afternoon.

The CHAIRMAN: Yes. Is that your desire?

MEMBERS: Agreed.

The CHAIRMAN: Very well, Major MacKay.

The WITNESS: I have often heard the declaration that the Indians of British Columbia have been forgotten, and evidence on that should be of some assistance to me in what I have to contribute at this time.

I have not any written submission to make to the committee. If that is required it will be necessary for me to prepare it for you. I am going to give you some information with respect to the administrative setup in the province of British Columbia and the state of the Indians in that part of Canada.

We have some 25,515 Indians in the province of British Columbia, or approximately one-fifth of the Indian population of Canada.

The Indians live in some 170 villages. We have that number of villages in which Indians are resident and in addition numerous communities with scattered habitations. The committee may be interested to know that we have over 12,000 of the Indian population of that province under 17 years of age; almost 50 per cent of the population is 17 years of age or under. We have 1,609 Indian reserves in British Columbia comprising in excess of 829,000 acres or approximately 33 acres per capita. Now for the purposes of administration the province, as I said a moment ago, is divided into 19 agencies, 17 of them under the Commissioner of Indian Affairs for the province of British Columbia. Each agency has a small staff comprising an Indian agent, in some cases a field man, and in all cases a stenographer. Perhaps I may observe at this time that one of the weaknesses in the administration there is the lack of staff, particularly in the field division. Anyone who has had experience with Indians knows that it does not do just to advise them what should be done. It is necessary to attend on them constantly, visit them, supervise and assist them. Otherwise their work will be of a haphazard character. The Indians of the province of British Columbia are not far removed from a state of savagery. I recall that it was in 1850 that Sir James Douglas referred to the roving bands of savages being a menace to the straggling white communities. In other words it is not much more than a long lifetime since the Indians of that province were regarded by the white people as in a state of savagery. I think when we endeavour to estimate the progress, or lack of it, that has been made through the years, we should bear that in mind. I doubt very much if any people in the world, with the obstacles that have confronted the Indians of that province, have made greater progress in the same period of time than the Indians in the province of British Columbia have made with all the obstacles to progress in Indian advancement. I would say that one of the obstacles has been that the better elements of white people have sought to ostracize the Indians. That has been a great handicap to begin with. The result is that the Indian is compelled to seek his associations with the poorest element and you find that influence in his life. It creates a little element of problem for the administrator. Another obstacle in the way is that all the governments, apart from the government of Canada, have washed their hands of the Indians pretty well. They do not consider that they have any responsibility whatever with respect to them. They simply say they are wards of the Crown, the dominion, and it is their responsibility and not ours. I think that greater progress could have been made in the years if municipal and provincial governments had accepted some responsibilities, perhaps more responsibility than we have evidence of, in the matter of cooperation for Indian administration with the Dominion of Canada. I said a moment ago that we had over 1,600 reserves in the province of British Columbia. Of these 313 are in what is still known as the railway belt of the province. That is the strip of land twenty miles on either side of the Canadian Pacific Railway which for many years was under the jurisdiction and administration of the dominion government. Some years ago it was transferred to the province of British Columbia.

Now apart from the wages earned in the various activities such as haying, berry picking, hop picking, and so on, the Indians derive their livelihood mainly from four of the basic industries. Agriculture, fishing, trapping and lumbering are those industries.

Let us look for a moment at the picture from the point of view of agriculture. The section of British Columbia lying east of the coast range between the 49th parallel of latitude and the 52nd parallel of latitude to the boundary of the province of Alberta is mainly agricultural and the Indians there are engaged in agricultural pursuits. The Indian by nature is an outdoor man and in my opinion should receive the greatest possible encouragement in endeavouring to make a living out of the land. Part of that section that I have mentioned is what is known as the dry belt of British Columbia and irrigation is necessary there, so that a knowledge of the proper use of water enters into the picture. Now Indians, of course, have to this day felt that the streams belong to them, and that the woods are also theirs and that the range should be open to them without restriction.

The same applies to the matter of trapping. When the province of British Columbia devised the system of water licences the Indians were certainly not the first men to apply for those licences. They opposed it and in some cases they still do. The Indian said, "This belongs to me, why should I have to apply to anyone for the right to use the water?" And the result was, of course, that the white settler recorded water rights that really should have been safeguarded for the Indians in a good many cases, and consequently the Indian in parts of the dry area of British Columbia has not sufficient water for the land that he has the right to claim as his own.

There are two licences issued in British Columbia for the use of water. There is a conditional licence which certainly implies that it is issued under certain definite conditions. One is that certain works will be constructed and that proper use will be made of the water. If the conditions set out by the province are met a final survey is made and eventually the final licence is issued.

It has been very difficult, particularly in the Okanagan division and to a lesser extent in the Kamloops and Nicola agencies, to get the Indians to make proper use of the water, without which, of course, crops cannot be successfully and economically grown. One of the reasons probably that difficulties still exist there is the lack of field supervision.

Mr. MacNicol: Lack of what?

The Witness: The lack of a field officer. An Indian requires constant assistance and supervision. It does not do to suggest certain things to them and leave it at that. You must visit them day after day, or as frequently as possible, and keep track of the progress being made and if there is evidence of non-compliance it behooves the field officer to devote considerable time to these Indians. The Okanagan areas could be made to produce considerably more than they are doing today if the Indians had more water and if we can get them to develop an inclination to use it properly and develop the resources of the land that they have at their disposal.

Of course, many people are under the impression that the department has been somewhat lax in not pushing the Indians into such lines of endeavour as fruit growing, tree fruits and various small fruits. The Indian at the present stage in our province, I am speaking generally, would not make a success in either of those divisions for the simple reason that the nomadic inclination is still strong in them and they do not take intelligently to our ideas of life. When the urge comes upon them to set things aside and go into the woods and other places they long to visit that is all they can do. In that area I should say that it will probably be another generation before Indians can be brought to the state where they will devote the attention that is necessary to the civilized work

of tree fruit growing and small fruit growing on a commercial basis. Most of the Indians grow small fruits and tree fruits for their own use and a good many of them are interested in subsistence farming.

The type of farming that best suits the Indian in that section and in other sections of British Columbia is cattle raising because he can leave his own area and visit here and there. He knows quite well that the cattle will be still on the range when he returns but one cannot take that attitude with respect to berries because of their perishable character and the same applies to fruit. In the area north of the 52nd parallel between the 52nd and the 54th—

Hon. Mr. STIRLING: Would you indicate where that is?

The WITNESS: Somewhere between the town of Clinton, should I say, and Seventy-Mile House on the Cariboo road and parallel 54 is some sixty miles north of the town of Quesnel, in that area. The Indians are engaged almost entirely in cattle raising and trapping in that part of the province. From the 54th parallel north to the north boundary of British Columbia, the Indians are engaged in trapping almost entirely.

On the mainland coast and on Vancouver Island, the Queen Charlotte Islands and other islands in the Pacific, the Indians derive their living mostly from fishing and lumbering.

Now of the great area of land in the province of British Columbia under Indian control there is only something like 37,000 to 38,000 acres under cultivation. There are some 250,000 acres cleared but not cultivated.

Perhaps I may go back for a moment to cattle raising. The Indians of the province own something like 17,000 head of cattle.

Mr. CASE: That is in the whole province?

The WITNESS: Yes, in the whole province. There are also about 1,100 sheep, approximately 1,300 pigs and 45,000 poultry.

We have endeavoured to encourage the extension of the cattle industry among the Indians because it suits them. Our method of encouraging them is to buy for them foundational stock and purebred sires.

Irrigation is necessary to some extent in the Lillooet and Cariboo districts. There has been some criticism of the department for not spending more money on irrigation projects. I do not think that we should go ahead in spending money on the Indians beyond their capacity to use the systems provided. We had an unfortunate experience in that respect in British Columbia where a very expensive installation was constructed only to find that the Indians made practically no use whatever of it. We must, in the matter of expenditures for irrigation, endeavour to determine to what extent the Indians are prepared to make use of the system and the water provided.

I may say this, that I do not recall since I have been in the service an occasion where the department refused to proceed with the construction of irrigation works applied for by the agent, as the result of representations made to him by the Indians. We have a responsibility as servants of the people to protect the public interest in the matter of expenditures.

Let us go on now to the industry of trapping. For many years in British Columbia there was no restriction really with respect to trapping. One could pick up a trapline and say it was his and proceed to trap, but in 1925 the province of British Columbia under the British Columbia Game Act passed certain resolutions, instituted a system or registration of traplines and in the following year they put those regulations into force. The Indians have 1,560 traplines in British Columbia which represents about 50 per cent of the traplines held in that province. Of the 1,560 Indian registrations 258 covered group or partnership registrations. There could be anywhere from 2 to 20 or 28 members in that group. There has been some opposition in certain parts of British Columbia to continuing the system of block registration because of the

difficulty of supervision. It is much easier for the province to supervise an individual trapline than it is to supervise a block registration to determine who is responsible, speaking particularly of poaching, for instance. The solution probably lies in individual registration rather than the block. I think that that will come up eventually for consideration by the game commission of the province.

Now in 1925 when the Indians were advised to register their traplines we experienced the same difficulty as we had in the matter of recording water rights, "Why should we take out licences to trap when that is our heritage and our forefathers trapped without restriction, in view of all the promises that have been made to us by the Queen and the government of Canada?" they asked, and the result was that a good many Indian traplines were not registered in 1925 with the consequent loss to them of available trapping territory. I may say this, I feel without any reflection on those who were in charge at the time or any sort of criticism, that these traplines should have been registered by the agency concerned, irrespective of the attitude of the Indians. I am sure that the province of British Columbia would have accepted the registration under those conditions. The result, as I said a moment ago, is that in some areas of the province some of the very very old trapping grounds, Indian trapping grounds, are now held by whites. The earnings from trapping in the province of British Columbia were approximately half a million dollars. There are decreasing returns from trapping in many parts of the province and because of it the staff, such as we have, endeavor to encourage the Indians to raise stock and to do as much as possible in other fields.

I should like now to give you some information with respect to fishing.

Mr. BLACKMORE: Before you go on would you tell us how long the registration lasts?

The WITNESS: As long as the party complies with the rules and regulations.

Mr. CASE: Without breaking the rules, may I ask for an explanation of one item? You spoke about 17,000 head of cattle and I would like to ask how are they owned, by bands or by individuals?

The WITNESS: Mostly by individuals and I may add that there is no restriction with respect to marketing the stock or any other product in the province of British Columbia so far as the Indians are concerned. They do not have to refer to the Indian agent for authority to dispose of their grain or any other product.

Mr. CASE: That is only in British Columbia.

The WITNESS: I am speaking only of British Columbia. I do not know about the rest of Canada.

Mr. BLACKMORE: One more question. Is there any restriction on the Indians to whom they issue the stock, that is, if an Indian applies for stock is he able to obtain it?

The WITNESS: Well, of course, it is necessary for us to look into his character and his aptitude and holdings to see if he has sufficient range and sufficient acreage to produce hay. Those things are necessary to make a decision but I should say that the department has been very generous because, of course, the Indians receive assistance from the province in that respect. They have a special vote and I will come to that in time.

Now if I may refer to the trapping for a moment I omitted to inform the committee that we found it difficult in the province from time to time to secure traplines that were thrown open, that is the white traplines, because he Indians did not appear to have the same chance in competition with the white man for the traplines that were thrown open for the simple reason that the Indian bought

no trapping licence and so the department agreed to buy the licences in order to place the Indian on the same footing as the white applicant. We found that policy has been most helpful.

Mr. BLACKMORE: Is that the provincial department or the federal?

The WITNESS: We pay the provincial department for the registration. We also buy from the trapper any traplines that we consider are necessary for Indian trapping.

Mr. BLACKMORE: That is the federal authority? You buy the trapline from the white trapper?

The WITNESS: Yes, on the approval of the British Columbia Game Board they are bought for the Indians.

I would like to say a word on the fishing industry. 3,600 licences for fishing in tidal waters were issued to the Indians of the province of British Columbia last year. There are 18 classes of licences issued, so that an individual can have a number of licences.

The return from fishing as far as we can gather, when I left the province, was in the neighborhood of $2,000,000. It is estimated that there are in excess of 1,020 fishing boats of various kinds owned by the Indians in the province of British Columbia.

Perhaps I may be permitted to observe here that the economic condition of the Indians in British Columbia has greatly improved since the removal of the Japanese from the fishing grounds. They were subject to very keen competition and in the years preceding the war with Japan the Indians of the Pacific coast were almost entirely dependent on the government of Canada for support. In other words they had been, because of the Japanese competition, driven from the fishing grounds from which they had been accustomed through the years to derive a living.

The Indian women and children are employed to some considerable extent in the canneries, and housing conditions in those canneries are not what we would like them to be. I think there has been evidence of improvement in recent years but it is extremely difficult for the officials of the Indian Affairs branch in the province of British Columbia to take action in the matter because the responsibility is a provincial one and not a federal one. We have from time to time drawn the attention of the health authorities of the province to the conditions that exist in the hope that some effective action would be taken and in some cases the province did investigate and insist on certain improvements being made. It is very difficult for us where we have no jurisdiction to go in and tell a man what he should do with respect to premises that belong to him. However, I trust that pressure from both provincial and federal authorities will improve a situation which is anything but what it should be in the interests of health.

Halibut fishing is somewhat of a new development on the part of the Indians. They were not commercially interested in the halibut fishing to any great extent until recent years as far as I can make out. However, four or five years ago we encouraged some of them in the Skeena agency to participate in the halibut fishing. The department bought some gear for them and assisted them in other ways in providing food, with the result that some of them took on that type of work and the returns from it were quite encouraging.

I anticipate many questions in connection with the various divisions that I have made reference to so that I need not go into any greater detail, I should think, in the matter of the sketchy information that I am giving you.

I would like to pass on now to Indian education. Indian education in the province of British Columbia had its genesis in the missionary activities of the church and you see in that the background of the position the church still

occupies in that extremely important division of our administration. The church is mainly interested I should say in the residential school system. We have some thirteen residential schools in the province of British Columbia; fifty-five full-time day schools and thirteen seasonal schools.

Of the day schools 15 are closed at the moment for lack of teachers and other reasons. One of the other reasons is lack of pupils. The present attendance at day schools of the Indians is placed at 1,638 and for the residential schools, 2,014. In other words we have 3,650 children attending school in the province of British Columbia and although I have not the exact figures I should say that we must have in that province close to 1,200 children for whom no education facilities have been provided. Of the 55 day schools I would say that almost half of them are in need of extensive repairs or replacement and we probably are in need of 20 additional new day schools.

There have been some criticisms of the place the church occupies in Indian education, quite a bit of it from provincial and other bodies interested in education. I should say that the various churches made a great contribution to Indian education and welfare over the years, yet there has been and continues to be evidence of growing dissatisfaction with respect to the position of the church in that division of our administration.

There was some criticism of it at the Indian Brotherhood Convention at Fort Simpson this spring. The Indian Brotherhood is one of the organizations, perhaps the only organized Indian group, we have in the province of British Columbia.

I should say that wider opportunities should be given to Indian children to attend white day schools. We did open the way for them as much as possible and the department has greatly encouraged us in that direction. I cannot recall a single instance where there has been an application by an Indian to me submitted to the department for higher education and assistance in attending white schools that has been turned down by the department.

Mr. MATTHEWS: The provincial department?

The WITNESS: No, the Indian Affairs branch here in Ottawa. One of our difficulties in the matter of education in recent years has been the lack of adequate and intelligent direction because of the absence of inspection of Indian schools in the province of British Columbia. For a few years following the retirement of our inspector, our schools were inspected by provincial inspectors. I understand that that is the system employed in other parts of Canada. The provincial inspectors no doubt made quite a contribution but it has been a side issue with them. They have their own duties to perform and this was an additional burden placed on them. They have their own schools to inspect and they took on ours. They did it because they were interested in extending that assistance to us. I miss greatly the contact that I formerly had with our own inspectors. We have had the two systems in operation in the province of British Columbia, one where we had our own inspector and the other where the provincial inspector inspected the schools. I say that there is a lack of contact in having the provincial inspectors inspecting the schools that an executive enjoys in having an inspector appointed by the branch to do the work. He is a member of the commissioners' staff and he is available to him from time to time on the matter of educational matters that arise.

Something like 17 or 18 provincial inspectors inspected the schools for a year or so and very few came to the office to discuss Indian education with me, so we miss, as I said a moment ago, the contact that we formerly had and were accustomed to with the man who was a full-time employee of the department and charged with the responsibility of inspecting Indian schools.

I said a moment ago that there was some opposition to the position of the church in Indian education. There is some dissatisfaction with the residential

school system. I should say that one of the great weaknesses of the residential school system is that there is a lack of contact with the Indian home. The Indian day school has that contact and its influence is brought every day to the Indian home. I am not suggesting that Indian residential schools should be done away with. They still have a place to fill in the Indian education and welfare but I should say that the system has probably reached its peak. I do not presume to speak for those in charge of the branch but just from my own experience over the years.

The day school, as the residential school also, requires properly qualified teachers. I think that it can be said that we are looking after some of the problem cases of the church in the matter of our schools. There is a lack of proper qualification in evidence from time to time. I think we should insist on our teachers being properly qualified.

Mr. MacNicol: I agree.

The Witness: I recall discussing the matter with a principal on one occasion who said to me that a certificate was but a piece of paper. I suggested to him that it was more than that, it was the evidence of qualification. I cannot conceive of great progress being made in the matter of education of Indian children until we place in our schools those who have the necessary qualifications for such important work. A little while ago I mentioned that one of the obstacles to Indian progress was the attitude of white people generally, despite the fact, of course, that the people of Canada individually and collectively, have a responsibility in the matter and they have formed a great trusteeship for the Indian. There are other things of course in the way of progress. One is the supply of liquor to Indians.

Mr. MacNicol: The supply of liquor to Indians, did you say?

The Witness: Yes, liquor to Indians.

The Chairman: L-i-q-u-o-r, not our counsel.

The Witness: Yes, the results of which, of course, frequently lead to the debauchery of Indian womanhood, domestic difficulties in the home and neglected children, with the consequent heavy cost to the people of Canada in the way of medical and hospitalization services. Indian children given a fair chance can make progress as quickly as white children of similar ages. That has been demonstrated on various occasions. One of the examples we have in British Columbia at the present time is the splendid showing of the class in provincial recreation activities made before the citizens of Vancouver a short time ago in a provincial-wide competition. St. Mary's school carried off most of the honours and they were competing with children from the high schools and elementary schools from all over the province. I should say that it must have been somewhat embarrassing for the provincial minister of education to find that most of the prizes had to go to Indian children of St. Mary's school.

The Chairman: Were these academic prizes?

The Witness: No, they were not.

The Chairman: They were for physical culture?

The Witness: Yes, sir.

That is all I have to say to you gentlemen but I am prepared to answer any questions.

The Chairman: Now as to procedure. I notice a great many members have made notes of the questions they would like to ask. Shall we proceed one by one or shall we just ask questions at random?

Mr. MacNicol: I would suggest, as you say most of the members have made notes, that when we proceed this afternoon we will proceed with one line of questions and finish that before we go into another. It would look out of

order for me to ask a question on education and my friend on my right ask about fishing while my friend on my left asked about trapping. We would have a conglomerated text to study later on. I would suggest that we each line up our questions and be ready for the afternoon.

The CHAIRMAN: Any further comment?

Mr. LITTLE: I think that Mr. MacNicol's idea is very good, but I think before Major MacKay leaves that he would be able to give some very definite suggestions as to what improvements could be made. In saying this I had in mind practical information for the committee. He has given us a lot of splendid facts. Now what can this committee do towards recommending something that will advance the welfare of the Indian? He knows better than we do and a few suggestions from him would be very helpful to all of us.

Mr. GARIEPY: Cannot we get them now?

The CHAIRMAN: Would you care to answer that now?

The WITNESS: I would like to assemble that and give some thought to the suggestions made. There are a number of ways I feel that the committee could be of assistance.

Mr. CASE: I had in mind reference to the educational situation. When the witness spoke of provincial school inspectors and also departmental inspectors my question was would the Department of Indian Affairs' inspectors be very familiar with the educational situation in the province. Would there be a sense of co-ordination?

The WITNESS: I would think there would be a very definite requirement before you made an appointment. The man we had had had experience as a teacher in British Columbia and was recommended by the superintendent of education of that province before he was appointed.

The CHAIRMAN: Any further comments?

Mr. CHARLTON: Are you proposing to adopt Mr. MacNicol's suggestion of adjournment until 4 o'clock?

The CHAIRMAN: That is entirely within the province of this committee.

Mr. CHARLTON: I do not want to start asking questions if that is not the purpose of the committee.

The CHAIRMAN: Would you like to put that in a motion?

Mr. MACNICOL: My suggestion is that we line our questions up and that we start say on education and finish that up before we proceed to fishing or some other matter. I think the witness gave a most interesting report this morning and a great deal in it warrants many questions.

The CHAIRMAN: Then if there are no general comments I think we might call it 1 o'clock.

Mr. MACNICOL: If we do not do something orderly then our questions are going to be all mixed up.

The CHAIRMAN: Shall we proceed with questions on the various phases of Major MacKay's report? Would you like to indicate as the first one, say agriculture?

Hon. Mr. STIRLING: May I ask if it is possible to supply me with a list of reserves in my constituency giving the number of resident Indians on each? The reason I ask that is that there are a good many small reserves in these two valleys of the Okanagan and the Similkameen and one of them has quite a fishing reserve. It is only when the kokanees are running that the Indians move there and inhabit shacks for a certain number of weeks.

The CHAIRMAN: What are the kokanees?

Hon. Mr. STIRLING: A little fish, something between a herring and a smaller species.

The CHAIRMAN: Is that similar to what we call smelts?

Hon. Mr. STIRLING: No. What I am leading up to is this, that particularly with the rehabilitation of returned men it is a pretty common thing for individuals and the public to point to some excellent piece of agricultural land in a reserve and say that now that it is not being used why cannot they have it to develop it, particularly in the irrigated areas where it is not easy to find land good for their purpose. I want to raise that point and hear whatever Major MacKay has to tell us with regard to that question which is all too prevalent. They say, cannot we get a piece of agricultural land taken from the reserves to use for further settlement?

Now apropos of that I think I would like to make an inquiry here as to what the position is with regard to the McBride Agreement which was a cut-off arrangement between the dominion and the province. I have never been clear in my mind as to how many parcels of land the Indians were ready to give up in trade for how many parcels of land the province was ready to give up. In my earlier years here when discussions took place with regard to the development of another piece of land I usually found that the McBride Agreement stood in the way because I was told it had not been implemented by both the province and the dominion. I rather think that you will tell us that as far as the dominion is concerned it has been implemented by order in council in recent years and consequently land given up, should I say by the dominion on behalf of the Indians of the province, is now open to development under provincial regulations.

The WITNESS: If I can recall, I think there are three divisions to your question. The first one is the number of reserves in your constituency and the number of Indians resident on each reserve. I am afraid I cannot give you that information offhand, but I shall be glad to secure it for you in time.

Hon. Mr. STIRLING: Am I not right in suggesting that on these reserves which you will list there are quite a number of them on which there are no resident Indians? Is that not so?

The WITNESS: I would think that is correct.

The second division of the question is with respect to observations made by people regarding the non-use of Indian lands and the same remark could be made with respect to the non-use of lands held by whites. The Indian lands were set aside for use of the Indians but there was no stipulation that these reserves were to be brought under cultivation and used in a prescribed period of time. I think those who set the reserves aside had in mind it would be many generations before the Indian could be brought to make a proper use of them. If we took this land from them we would deprive them, their children, and their children's children of the opportunity to make a living. You can uproot white people and they can re-establish themselves very readily. It is not so with the Indians. They take deep roots in the land and stay there. The government has spent a great deal of money in assisting them to make use of this land. If you take this land away you will have to start all over again. I recall on one occasion the mayor of one of the larger communities said to me that we should remove the Indian population from the property of the municipality and I asked where we would put them and he said it didn't matter to him, just take them away. That would not solve the Indian problem.

Hon. Mr. STIRLING: May I interrupt there? I would not like it to go on record that this is something I personally am advocating, but it is something one continually hears.

The WITNESS: I understood that. Of course, I can quite understand the attitude of the people where perhaps the requirements of the municipality happen to be on Indian reserves that were not being used. Of course, in the first place the surrender of the Indian owners is required and it is not always easy

to secure a surrender. That is one of the great protective measures of the Indian Act in the matter of Indian land ownership, the consent of the Indian owners is required before the Crown can dispose of the land.

Hon. Mr. STIRLING: But these uninhabited reserves to which you may refer will be under such a demand.

The WITNESS: Yes sir, but the same thing applies. It does not follow because they are uninhabited that they are not being made some use of. It may be for grazing purposes.

Mr. BLACKMORE: I would like to express approval of the witness' ideas regarding the maintenance of the land. It is too bad to think that the coming of white people might deprive them of this right. We must respect that right.

The WITNESS: The other division of your question I would like to answer this afternoon.

Mr. MACNICOL: I have been looking over the notes I have made here. The different heads I have written down in sequence as Major MacKay gave them. First was administration and setup. The second was reserves, just mentioned by Mr. Stirling, and Indian lands. The third subject was the field supervision of Indian groups and so forth. The next one was the production and disposal of their stock, cattle, pigs, hogs and so forth.

The WITNESS: That all came under agriculture.

Mr. MACNICOL: The next one was the trapping lines, and the next was fishing. Something was said about their housing and the places they are living in. The last was education. I believe that he did mention something about health somewhere. I think if we take them up in that order this afternoon and take one item and let the members each ask questions and clear that one heading up before we start another it would be better.

The CHAIRMAN: You were going to say something about health?

The WITNESS: I did not make any reference to health inasmuch as that division of our work is now under the Department of National Health and Welfare. I am not just quite sure what my position is in that setup, nor yet what responsibility I may have in that matter.

Mr. MACNICOL: Perhaps in the interim you may obtain a report of the last meeting at which the Hon. Brooke Claxton told us a good deal about Indian health and then we could ask questions about that.

Mr. GIBSON: You could get a good deal of information from that.

The WITNESS: Yes.

The CHAIRMAN: Could I ask the committee if, in addition to making these headings there are any comments they would care to make?

Mr. CASE: I think we would like to hear something about their houses.

The CHAIRMAN: We have that as a heading.

Mr. RAYMOND: Also miscellaneous, because I have some questions under that heading.

Mr. BLACKMORE: Has it been suggested that we should know whether or not any steps have been taken to restock the streams with fish?

The CHAIRMAN: That would come under fishing, I presume.

Mr. BLACKMORE: It would be interesting to hear if anything has been done with regard to taking care of fur conservation.

The CHAIRMAN: Very well then gentlemen we will adjourn until 4 o'clock.

The committee adjourned at 1 o'clock p.m. to meet again at 4 o'clock p.m.

The committee resumed at 4 p.m. The Deputy Joint Chairman, Hon. Mr. W. H. Taylor, presided.

The CHAIRMAN: Gentlemen, shall we come to order. I might say, first of all, that I want to thank the honourable members from the Senate for asking me to be the deputy chairman, while our chairman is away, and to express to them my thanks and appreciation. They could have done the work much better.

This morning we heard Major MacKay, and it is my understanding that we were to ask him questions for information that we might want, and we were going to do it in an orderly manner by taking certain headings and asking questions with respect to those headings, and getting the answers so that our committee report could be orderly. Now, those headings were discussed, and I believe it was agreed this morning to accept those headings as a basis for questions this afternoon. Could we have Major MacKay now?

Mr. CASE: Just before we get under way, I would like to have something clarified. I understand that we retained counsel for the benefit of the committee as well as for those who might appear before us, the Indians and others who might make representations, and that the counsel would act in an advisory capacity for this committee. Is that correct?

The CHAIRMAN: Would you mind repeating your question?

Mr. CASE: I suggest: we are retaining counsel for the benefit of the committee, and he would represent us and be able to clarify anything we might expect from him in a legal sense, as well as to represent any Indians who might appear before us. Is that correct?

Mr. BROWN: Yes, that is right.

Mr. CASE: Well, could he sit at this table which is not occupied here, where we could see him; because there might be an occasion when we might want to address ourselves to him, and he might care to make notes.

The CHAIRMAN: Now, the order of topics suggested this morning, as I took it down, I believe was: reserves and Indian lands. Are there any questions?

Mr. MACNICOL: I beg your pardon, we said that the first was administration.

The CHAIRMAN: Yes, the first is administration. All right.

Mr. BLACKMORE: Before we mentioned the procedure, would it be a suggestion worthy of consideration if Mr. Lickers, after each witness has spoken to us, ask him any questions he believes would be a good thing to bring out which, for one reason or another, we overlooked. In that way, he would be constantly in touch with everything that is going on, and he could give us help.

Mr. BROWN: Mr. Lickers and I discussed it at noon, and he has several questions he would like to ask the witness too, if he might be permitted, and if that is the intention.

The CHAIRMAN: We will start with administration. Are there any questions in regard to administration, from the committee?

Mr. MACNICOL: Yes. I would like to ask Major MacKay: you said, in effect, although I may not be quoting you just exactly in your own words, that the staffs of the British Columbia agencies are too small adequately to administer, in the best interests of the Indians, the 25,515 British Columbia Indians, divided up amongst 1,609 reserves, I believe it was, of which some 12,000 are under seventeen years of age?

The WITNESS: Seventeen years of age and under.

By Mr. MacNicol:

Q. Yes, seventeen years and under, the result being that the work is attended to in a more or less haphazard manner. I believe you used the words

"haphazard". My question is: what would you recommend to improve that administration?—A. Well, I should recommend an increase in the staff with emphasis on the field division. That is the first part of the recommendation that I would make. The second would be that some means be found by which vacancies could be filled promptly. There can be no defence, as far as I can see, for leaving the administration of an agency without an executive head for many months, say from three months to in excess of a year. Vacancies occur and there is a long drawn out period before appointments are made; and during that time the responsibility for the administration falls upon a subordinate official, but eventually upon the executive staff of the administration as a whole. The result of that is, that an executive staff which is already overburdened with work, is not in a position to deal effectively with matters, particularly affecting a particular agency.

I can give one or two examples. Take the Kootenay agency, as one. That agency became vacant in February of last year. The incumbent had three months retiring leave. It was necessary for me to send the Indian agriculture agent, the farm instructor, from New Westminster, and the inspector of Indian agencies for British Columbia, at different intervals to administer that agency before an appointment was made. The vacancy occurred in February and there was not an appointment made until the following December.

Q. The following what?—A. The following December.

Q. And when did the vacancy occur?—A. In February.

By Mr. MacLean:

Q. Was that a civil service appointment?—A. Oh, yes.

Q. These are nearly all under the civil service, I presume?—A. At the present moment I have, in the province of British Columbia, three agencies vacant, the position of school inspector; four important administrative positions, the duties of which have to be taken over by an already over-burdened staff. What ever can be said in defence of leaving an agency without administrative supervision and control, I should not imagine that there could be much said in support of leaving the whole province of British Columbia without intelligent direction of schools.

By Mr. MacNicol:

Q. What is the school position that is vacant?—A. The school position is inspector of Indian schools for British Columbia. We have, as I said this morning, fifty-five day schools in that province, and thirteen residential schools, and thirteen seasonal schools. The establishment at the moment provides for one school inspector, but, gentlemen, it is not possible for one school inspector to cover that province and meet the requirements in the matter of supervision and instruction in those schools.

By Mr. Case:

Q. My question might not be directly related. Major MacKay, but dealing with administration, has the Department of Indian Affairs no uniform administration policy for the Indians throughout Canada? Are they governed regionally, or is there some uniformity as to administration?—A. I should think that that question could best be answered by the director of Indian Affairs.

Mr. CASE: Mr. Hoey.

By Mr. MacNicol:

Q. Let us keep right down to what we have before us.

Mr. CASE: I think that is important, Mr. Chairman, if we are going to deal with administration.

The CHAIRMAN: Would Mr. Hoey answer that?

Mr. HOEY: I have no hesitation in saying that the policy is uniform at the moment. You have, under discussion, the appointment of Indian agents and the filling of vacancies that occur from time to time. All such appointments come under the Civil Service Commission; but here is what happened: the Indian agent, say, has been twenty-five or thirty years in charge of an agency and has given the best of his life, devotedly and conscientiously; but that man has got to be out six months on retirement leave before the initial steps can be taken to fill his position.

By Mr. MacNicol:

Q. Why?

Mr. HOEY: That is according to the existing Civil Service regulations, the laws that this parliament makes. Ever since Confederation a man may get six months' retirement leave; the consequence being there is no salary for his successor, for one thing, and no steps can be taken to replace him. A missionary said to me the other day that he had experienced the utmost difficulty in getting an agent there. He said: these Indians are coming in from the trap lines and there is nobody to supervise the agencies. What would happen in the city of Ottawa if you withdrew, over-night, the forces responsible for the administration of law and order? Property would not be safe; yet we have an agency vacant for months with nobody in charge. That is a very serious matter.

By Mr. Blackmore:

Q. Does Mr. Hoey suggest why such a regulation was ever made in the first place?

Mr. HOEY: I would say that two suggestions I would make are: in British Columbia we should have an agent at large, a man who would be attached to the commissioner's office, to take charge of an agency in the case of illness, or after the retirement of an agent, automatically take over the position; or, if an agent be about to retire, say, in July, rather than to wait six months, I think his successor should be appointed three months before the other man goes out. That would be the sensible thing to do.

By Mr. Matthews:

Q. Do you mean to say that the position is not even advertised until after six months, and then a selection has to be made, and so on? That is ridiculous.

Mr. BLACKMORE: Was that brought to the attention of the Civil Service committee at the last investigation?

Mr. CHARLTON: There is nothing to stop a temporary appointment being made to cover the interval?

Mr. HOEY: You will appreciate readily that to go out today and get a local selection for a man to whom you can give no assurance that he is going to get permanently a position that must be filled by competition, by open competition, and with the labour market what it is, you simply cannot get such a man; at least I have not been able to secure him.

Mr. MACNICOL: What do you suggest? I think we now have something before us that is of exceptional importance; it seems to me that it is a serious situation that has been presented now; so what would you recommend? The committee is going to make a recommendation by-and-by.

Mr. HOEY: I would recommend the appointment of an agent's successor three months before the man retires, if the members of the committee, in their wisdom, can agree to that; and I should say that provision should be made for his appointment the day the other man goes out.

Mr. MACNICOL: What would be the objection to appointing him a few months beforehand, and thereby accord him an opportunity to learn what the other man knows about matters?

Mr. HOEY: I think that would be an excellent arrangement.

Mr. BROWN: It would mean an amendment to the Civil Service Act, and Regulations thereunder.

Mr. MACNICOL: I think you have something there.

Mr. CHARLTON: Should there be any difference made between a man retiring on pension and a man who is out on sick leave? If it be a case of sick leave I can understand it, because a man might come back after his sick leave and find his position filled.

Mr. HOEY: Yes, in the case of sickness, we should have an agent at large. In Ontario he would be attached to the Ottawa office, and in British Columbia to the Commissioner's office. He could go from one agency to another and receive a thorough training.

Mr. MACNICOL: I think that is a good idea, sir. Your first recommendation would be to have an agent at large; and your second recommendation would be, where he is definitely going out—you must know of some who are going out for some reason or another—to have the appointment of some one to assist him during the last three months of his holding his office.

Mr. MATTHEWS: The committee must take a much wider field than that, because I take it that applies all through the civil service.

Mr. CASE: There we have two very important observations and we should not lose sight of them if we are to have any change in administration at all.

By Mr. Bryce:

Q. Do you find it advisable to change an agent every two or three years, or do you prefer the method by which a man is kept all his lifetime on the one reserve?—A. Well, I should not hesitate to answer that question. I think Indian agents should be transferred about readily, once it is obvious that they have perhaps reached the height of their usefulness in an agency. I think the transfers should be readily made.

Q. Answer me this. Do you think the agents should be changed around every three years?—A. Well, I do not know that I would favour any set period, but I think that agents should eventually be changed around. I think this from my own experience it keeps men on their toes to transfer them, especially from a place where they have taken root.

Q. In my experience, I have found they can be too long in one reserve.—A. That is my experience, too.

By Mr. Raymond:

Q. I understand that you are Indian Commissioner for British Columbia?—A. Yes.

Q. Then may I direct this question to Mr. Hoey. Is there such a commissioner for all the provinces? I mean, is there such a commissioner for each other province?

Mr. HOEY: No, there is not. There is a commissioner for British Columbia, with a certain salary rate, Commissioner MacKay. In Alberta there is what we call an Inspector of Indian Agents. In Saskatchewan there in an inspector; in Ontario there is an inspector, Mr. Arniel, and in Quebec there is an inspector. Major MacKay happens at the moment to be the only Indian Commissioner in the field.

Mr. RAYMOND: Would it be possible to have the name—I do not mean today—of the inspector for the province of Quebec, and his address? Who is the chief inspector, if that is what you call him?

Mr. HOEY: No, we call him, in Quebec, the Inspector of Indian Agencies in Quebec.

Mr. RAYMOND: I should like to have the name of this person and his address.

Mr. HOEY: Mr. J. Thibault. He has just retired. I think he retired on 4th May.

Mr. CASE: It will be six months before anyone takes his place.

Mr. HOEY: He was in the service only for a few years. I think he has either two or three months retirement leave due.

Mr. RAYMOND: My second question is this. Mr. MacNicol this morning asked Mr. MacKay if he was a federal or provincial officer.

The WITNESS: A federal officer.

Mr. RAYMOND: Yes, that is correct. These difficulties struck me this morning. I should like to know if there is such a thing as a provincial officer.

Mr. HOEY: For Indian Affairs?

Mr. RAYMOND: Yes.

Mr. HOEY: No.

Mr. RAYMOND: There is none?

Mr. HOEY: No.

Mr. RAYMOND: The third question was brought up by Mr. Case, and it was whether you had the same regulations all over Canada.

Mr. CASE: Uniformity of administration.

Mr. RAYMOND: Yes. They were talking about the employment of agents. My question will go further. I should like to know if there are the same regulations concerning the Indians for all Canada. I mean, are there the same rules in British Columbia as in Alberta, as in Ontario, or elsewhere?

Mr. HOEY: The law is the same in each province.

Mr. RAYMOND: Thank you.

Mr. MACNICOL: I have no further questions about administration.

Mr. LICKERS: Mr. Chairman, what I intend to do is this. After all members have asked questions on any aspects they may be interested in, I intend to ask a few questions as to the situation with regard to Indian affairs as I know it.

The CHAIRMAN: You may be seated, Mr. Lickers. And would you talk a little louder, please?

By Mr. Lickers:

Q. In talking about the required faster appointments, would you suggest that a commissioner be appointed for each province, with full power to act in his particular province in regard to Indian affairs?—A. Is that question addressed to me?

Q. Yes.—A. That is a very heavy responsibility to have placed on a commissioner or on an inspector. The thing that is necessary is prompt action on the part of the Civil Service Commission in the matter of appointments. Ways and means should be devised whereby successors are appointed without our having to wait months and sometimes years. It probably will involve an amendment of the civil service regulations and the Civil Service Act. I do not think it is a good thing, from the point of view of principle, to place responsibility on an executive officer in the matter of appointment of federal servants or government servants, provincial or federal for that matter. The prerogative and the jurisdiction in that matter rests, as I understand it, with the body known

as the Civil Service Commission; and I should say that they are the ones who should make the decision and modernize their methods with respect to appointments.

By Mr. MacNicol:

Q. You speak only in relation to the Indian service?—A. Yes.

By Mr. Lickers:

Q. So rather than appoint your own field man or anyone else out there, you would have the appointment made from Ottawa, regardless of what choice you may have personally, knowing the situation there?—A. Well, I do not know that I would go that far, Mr. Lickers. I think that some consideration should be given to the matter of the recommendation of the local board. The local board, as you know, examines the candidates and they write the candidates—

By Mr. Matthews:

Q. You mean the local civil service board?—A. Well, the local board, as a rule, is made up of a representative of the Civil Service Commission—who is frequently the chairman of the local division of the commission in the province—a representative of the returned soldiers, and a representative of the department concerned. The Civil Service Commission instructs its officer in the province as to the candidates that are to appear and when they are to appear, and on the date chosen the candidates appear before the local board. I am not suggesting that some senior division of the Civil Service Commission has not good and sufficient reasons from time to time to disagree with the findings of the local board. In my own experience they have disagreed on two or three occasions. Nevertheless, I am satisfied that the local board is in a position to be the best judge; inasmuch as the candidates appear before the local board which is in a position to assess the candidates' qualifications from the point of view of experience, personality and so on. I have found on occasion that a candidate can make the best written application in the world, but when he comes before you he does not measure up to the actual requirements of the position. So that I should say that the decision of the local board should weigh very heavily in the final decision made; which decision, of course, is the responsibility of the Civil Service Commission.

Q. How many Indians, in British Columbia, have you in the Indian service there?—A. Well, we have not any Indians in British Columbia in the Indian service.

Q. Are there any there capable of being in it?—A. That is, in the permanent service?

Q. Yes.—A. We, of course, employ Indians on government works—that is, departmental works. On every occasion where they are qualified, we place them in charge of the project.

Q. Take schools, for instance, out there. I just want to get this in now. Are there any Indian schoolteachers?

Mr. MacNicol: Mr. Chairman, we had better leave schools until we come to that heading. Let us stick to administration questions first.

Mr. Brown: Mr. Chairman, while we are on the subject of civil servants, do you think it advisable at some later date to have the Chairman of the Civil Service Commission appear before us?

Mr. MacNicol: Yes. I think that is a good idea.

Mr. Brown: I have discussed this matter with him briefly, I may tell you. He is anxious to give what information he has about Indian affairs to the committee.

By Mr. Raymond:

Q. Mr. MacKay, you represent here, no matter if you are from British Columbia, the full supervision or the general superintendance of Indian agencies in British Columbia. That is correct? You have been brought here to speak on this matter today as such?—A. Yes.

Q. I should like to know from Mr. Hoey, in the case of Mr. Thibault who has resigned, who is the acting inspector for the province of Quebec? Is there anybody there as inspector at the present time? Have you now an inspector in the province of Quebec?

Mr. HOEY: I would say no. What is happening at the moment is this. If there is any particular problem at Caughnawaga or Oka or any other agency in the province of Quebec, we send an official of the welfare division down there to deal with it; but we have no such thing as an acting inspector in his absence or pending his retirement.

Mr. RAYMOND: According to the actual law, there will be no appointment until six months have passed?

Mr. HOEY: In Mr. Thibault's case, I think it is two or three months' retirement leave that he has secured. Then the position will be filled after either promotion, by competition or open competition by the Civil Service Commission.

Mr. RAYMOND: Thank you, sir.

Mr. CASE: How do you learn of problems in Quebec? You say if you hear of a problem you send a welfare officer down there. How do you learn of the problems?

Mr. HOEY: Well, an Indian agent might write in about a work project or the delay in construction of a building. We might feel that it required an officer to go down from Ottawa.

By Mr. MacNicol:

Q. Coming back to administration again and these special officers you spoke about in British Columbia. There are three agencies vacant, I understand. Did I understand one administrative position also was vacant?—A. Yes.

Q. And what staff you have is now overworked and those four positions are all vacant?—A. Yes; and they would be overworked even if we had those men appointed.

Mr. MACNICOL: Mr. Chairman, this is very important information. It strikes me that this committee should concentrate some of its grey matter on how to overcome situations like this, because the situation in the Indian Affairs Department looks to me to be very, very serious.

The CHAIRMAN: I might suggest that at the present time probably the delay in civil service appointments is because of this: I think the Civil Service Commission have taken the position that returned men should be given the preference and they have been holding back appointments until the qualified men returned from overseas. I think that explains to some extent some of the delay in the service at the present time, but probably not in Indian affairs.

Mr. RAYMOND: Perhaps. But, Mr. Chairman, I believe temporary appointments should be made. That I believe should be done.

Mr. GIBSON: Mr. Chairman, I wonder if Mr. MacKay would indicate what ideas he might have as to whether he feels he is allowed sufficient discretion in his administration. British Columbia is a long way from here, I know; it is 3,000 miles away. But I just wonder if he feels he has enough authority out there to take it upon himself to do the things necessary in urgent cases, or does he feel somewhat hampered by having to get instructions from Ottawa at all times? I should like him to be very frank about that, if he would, because it might be helpful.

The CHAIRMAN: It may be rather embarrassing.

Mr. GIBSON: It might be, although I do not think we should look at it in that light. I am asking Mr. MacKay if there is any way in which we can improve the situation, and I believe we should be very glad to have suggestions from him.

The WITNESS: When I entered the service I found that the Indian Commissioner for British Columbia had very little power. Control was centralized in Ottawa, and even in very minor matters it was necessary for the commissioner to secure authority from Ottawa before he could incur even small expenditures. Every time I took a matter up with the then director and the then minister of the department I pointed out that if this sysem continued there would be no object in having a commissioner in charge of administration in British Columbia, because the agency could have functioned as well as a separate entity without the commissioner. Out of these representations came wider powers for the commissioner in the province. And then I would say this, and I want to be very frank, I have not felt hampered at all in the matter of control from Ottawa. And I will say this, that both Dr. McGill and the present director, and various members of the staff have been most helpful to the administration in British Columbia. They are all a long way away. Sometimes we feel we should like to be closer to the centre of authority. I should say that the matter of extension of authority would depend largely on the confidence the superior officer and the minister concerned is willing to place in an official; if they find that his work is satisfactory, that he can be trusted; then, of course, I would say they would be justified in extending authority.

By Hon. Mr. Stevenson:

Q. Do you find that it is necessary, or desirable, that the Indian agent should visit Indians in the outlying districts, their bands and homes?—A. Yes, I think that in order successfully to administer Indian affairs one should become familiar with the Indians in their homes, and with the conditions on the various reserves. That, I think, is the best foundation on which to start. I am ashamed to admit to this committee that there are villages in British Columbia that I have not been able to visit in the ten years that I have been commissioner, due to lack of staff and the ever increasing demand on my time in the office at Vancouver. It is more helpful to one to know from personal knowledge conditions which exist on the reserves, and especially in the individual homes. Such information can never be obtained, of course, through straight office administration. If we had a staff that could meet requirements it would be possible for the commissioner to visit the various reserves with reasonable regularity and to see conditions for himself and decide what should be done to improve them. As things stand at the moment, that is simply impossible.

Mr. MACNICOL: You have no assistant?

The WITNESS: We have an inspector of Indian agencies. Of course, in the absence of the agents in various districts, due to retirement and so on, he is frequently required to act as agent until an appointment is made. The province of British Columbia is a very large territory, the reserves and villages are widely scattered. It takes a long time to visit them. Take for instance the reserves in the Cariboo district, western division, it would be almost impossible to get in there and back in less than ten days.

Hon. Mr. STEVENSON: But when it comes to the appointment of staff, you can use your own discretion; how about Indians being appointed.

The WITNESS: There has never been any restriction with respect to that.

By Mr. MacNicol:

Q. You have three vacancies now?—A. Four vacancies.

Q. It would be impossible for one man to cover all the ground?—A. Well, he could not do it.

Q. So it is not really being administered competently now?—A. The agency administration falls on a junior clerk, and so on, and the bulk of the burden is carried by me in the office. In most cases it is impossible to be in close touch with agency administration from the Vancouver office.

Mr. BROWN: Would it be possible, or advisable, to fill with Indians any of these vacancies that now exist; I mean, are there any obstacles?

The WITNESS: I do not think there has ever been any obstacle in the way of an Indian applying for position, but they would be required to meet the requirements in the same way as anyone else.

By Mr. Case:

Q. I have been interested in this all the way through. I cannot understand why Indians might not administer their own affairs, particularly on their own reserves, in their own bands and so on; but, could an Indian, being a party to a treaty entered into by the government, administer that treaty, deal with affairs which relate to the government? After all, he is a party to the treaty. Could you employ an Indian, qualified or otherwise, to administer a treaty and the regulations made thereunder, a treaty to which he was himself a party so to speak?—A. There are no treaty Indians in British Columbia, sir.

Q. You have no treaty Indians?—A. Not under the jurisdiction of the commissioner. We have treaty Indians, but they are not really under the commissioner.

Q. They have no full civil or citizenship rights, have they?—A. I beg your pardon.

Q. Have they full citizenship rights in British Columbia?—A. No, they have not.

Q. Then is there something which bars them from administering their own affairs; I mean, as it relates to administration by the government.—A. They can obtain those rights through the Indian Act. I mean, the Indian Act provides the way to full citizenship.

Q. To full citizenship?—A. Yes. We are enfranchising Indians, from time to time.

Q. Is there anything then to prevent the appointment of Indians to carry out the work which you are seeking them to do?—A. Not if they meet the requirements.

Q. Nothing in the Act to prevent their appointment?—A. No, not to my knowledge.

Q. So it would be reasonable under the law to assume then that they could administer something to which they are themselves subject?—A. As I read it, I should think that they would have a perfect right to do so.

Mr. CHARLTON: Have there been any such appointments made?

Mr. HOEY: We have an Indian agent at Lorette, a Mr. Bastien in the service as Indian agent with the Lorette band. That is a group of Indians located north of Quebec city.

Mr. MACNICOL: Is he a full-blooded Indian?

Mr. HOEY: I do not know if he is a full-blooded Indian or not, I do know that he is an Indian in accordance with the Act.

By Mr. Case:

Q. Is that working out all right?—A. Yes, I believe so.

Q. Is that all you have?—A. We have a number of school teachers, the odd doctor and a number of nurses. That is the only Indian agent of whom I know at the moment.

By Mr. Charlton:

Q. There have been some cases, Mr. Chairman, where I understand Indians have been refused employment; is that so, or not?—A. I do not know of any such cases in British Columbia.

Q. This is not British Columbia, of course. I had reference to the whole of Canada. I understand that to be true.

Mr. HOEY: We encourage their employment. There is one place that I know of where we have fourteen rooms, on the Six Nations Reserve, and they are all in charge of Indians, Indians who are fully qualified academically and professionally.

Mr. CASE: Those are school rooms?

Mr. HOEY: Yes. And the clerk who has just retired, Mr. Hill, of the Six Nations, he had varying services with the department. He was a member of the Six Nations tribe. Elliot Moses, who is at present in our employ in the Six Nations office, is an Indian. We have two or three in the department. As a matter of fact, we helped a young lady through a business college here for a few months, and after she went through she went to the Department of Naval Affairs. They are not particularly anxious to serve in our department. Some of them feel that they like to go elsewhere. We notice that particularly in the case of nurses. And many of them would like to return to their own, but others would like to get away out amongst white people. I have never heard of an Indian who had the qualifications refusing a position. I cannot say whether that would be so or not, it might be.

By Mr. Case:

Q. Where are the nurses trained, in their own hospitals?—A. No. We have no provision for the training of nurses in any of our Indian hospitals at the moment.

Q. Where do these nurses get their training?—A. Oh, at the Ottawa Civic, at London, places like that.

Q. In regular hospitals?—A. Yes.

Q. I know that it is impossible to train negresses in our hospitals.—A. We have no difficulty, and the members of the committee may be interested to know that we have three or four Indian girls at the present time in New Zealand who are taking courses in mid-wifery. They took their mother care courses in Toronto, and through the kindness of Mrs. Robertson, they have been sent to New Zealand to take a course of training there. I understand they are to come back to serve amongst their own people. I have not run into any racial obstacle at all as far as Indians are concerned.

Mr. CASE: I am glad to hear that.

By Mr. Gariepy:

Q. What was the resaon for sending them to New Zealand?—A. There are no courses in mid-wifery provided in this Dominion. There is such a course in New Zealand, and Mrs. Robertson here was in charge of the mother craft training and she is herself a New Zealander.

Mr. GARIEPY: We should take that subject up with the next Dominion-Provincial conference.

By Mr. MacNicol:

Q. I suppose on account of the Maoris down there they would practise that a lot. They would probably be able to teach them quite a bit that would be beneficial here. I want to ask you one more question. I am pleased to see the way you are getting on with this administration. This morning you said that one of the weaknesses particularly was in the field positions, and you mentioned the number of agencies. Have you the total number of field and key positions that would be required?—A. I think the total number of persons we require is about nine field men in the province. At the present time we have only two.

Q. How do you recommend that they should be provided?—A. The establishment should provide for them. It should be stepped up.

Q. Would you consult with the civil service here for appointments?—A. I think that would be a matter for the director's office, to increase the establishments to provide for the field positions.

Mr. BLACKMORE: How many more would you need in the office in order to relieve the pressure?

The WITNESS: I think we would endeavour to get along if we could complete the establishment as it exists, with the additions I have suggested. Perhaps it would be helpful if one or two minor positions were set up to relieve the subordinate staff. And one school inspector, appointed to look after the western part of the country. British Columbia should have two inspectors instead of one.

Mr. MACNICOL: One could not cover the territory?

The WITNESS: I am satisfied that it will require two; and the position of Indian agricultural agent should be filled by someone who has some training in scientific agriculture. It will provide an opportunity, I should say, for the executive to get away into the field more frequently than is possible under the present set-up.

By Hon. Mr. Stirling:

Q. Where are the two field inspectors?—A. There is only one at the moment, Mr. Stirling.

Q. I thought you said you had two?—A. They are the farming instructors; one is at Williams Lake and the other is in New Westminster.

Q. The Williams Lake one being only at Williams Lake?—A. We have really four—I am sorry—two in the Stuart Lake agency, that is north of Prince George, and one in New Westminster, and one at Williams Lake.

Q. Do the ones you mentioned deal just with the reserves?—A. Just with the reserves in their particular agency.

By Mr. MacNicol:

Q. All the other reserves are left without?—A. Without field men. Take the agencies at Lytton, Caughnawaga, Nicola, Kootenay, Babine and Cowichan. Those agencies will all reqire field men.

Q. You think another seven field men will do?—A. Yes, I feel they would be very helpful to the administration.

Q. Then there is another school inspector and a qualified agricultural inspector?—A. The submission has already been made with respect to the agriculturist. We have a position set up for him, but I was anxious to increase the qualifications for the position and also the salary. The present salary and the qualifications are not very attractive.

By Mr. Blackmore:

Q. What is the salary?—A. The salary is $2,400, if I remember correctly, and the qualifications are somewhat mediocre. I should say that we should have

a graduate in agriculture from a university in charge of our agricultural development in the province. He also might take on the matter of the promotion of Indian arts and crafts in the various agencies, because he visits the reserves regularly and he could also assume that important division.

By Mr. MacNicol:

Q. That is important: Indian arts and crafts. Is there anyone in the agency or in your department qualified to assist in the development of arts and crafts?—A. We have not anyone responsible for that work. We do the best we can with the staff we have to promote that important division of Indian administration, but we have not anyone especially assigned for that work.

Q. How many more in the head office do you require?—A. Well, I should think we would be content with an additional school inspector; and Mr. Hoey suggested a little while ago an agent at large; and a clerk, grade III, in addition to the existing staff.

Q. And the agricultural man?—A. That is already on the establishment, but they are reclassifying the position. It is the additions that I think you are interested in.

Q. Now, you want one school inspector and seven field men?—A. One school inspector and seven field men.

Q. That would put your branch in a position to render real service?—A. Yes, much better than we are able to render at the moment.

By Mr. Blackmore:

Q. What salary would you consider advisable? You mentioned $2,400 as being the present schedule.—A. I think I suggested for the agricultural agent $3,500 or $3,600. It was based on information I got from the province of British Columbia; a minimum of $3,200 and a maximum of $3,600.

Mr. BROWN: Has there ever been any attempt, speaking of arts and crafts in the department, to work in conjunction with the Canadian Handicrafts Guild?

The WITNESS: I think so. I am sure Mr. Hoey can give you information on that.

Mr. HOEY: Yes, we have a handicraft section with an official in charge at Ottawa. You may want to hear that official at some time. We are organizing an arts and crafts exhibition in Montreal now in cooperation with the Canadian Handicrafts Guild. We work in rather close association. That work too has been held up as a result of the war. We have just one official for the dominion.

Mr. RAYMOND: Are there any lessons given to the Indians in handicraft?

Mr. HOEY: This official whose headquarters are at Ottawa takes periodical trips. She has been confining most of her efforts to the province of Quebec, at Pierreville, where she has a basket-making project underway and Caughnawaga, where she has had until now a lot of weaving, and at St. Regis, down near Cornwall. One official cannot do very much in the promotion of handicrafts or anything else all over the dominion.

Mr. MATTHEWS: I think that official was before the Committee on Reconstruction two years ago.

Mr. HOEY: Yes, I think this committee might find it interesting to have Miss Moodie before it to give her evidence.

Mr. BROWN: Probably we can arrange for that in the not too distant future.

By Mr. Case:

Q. Speaking of handicraft, I noticed that the City Hall in Vancouver has a display of Indian handicraft work. Mr. MacKay said that they are reclassifying

some of the field workers in respect to agriculture and so on. The question is what is reclassifying, and what do they hope to get by reclassifying these people?—A. I recommended a reclassification of the existing position of agricultural agent in the matter of salary in order to attract someone with more suitable qualifications; and I observed that in addition to his duties as agricultural agent he might take on the supervision of Indian arts and crafts.

Mr. GIBSON: I imagine that is a very important matter to take up because it deals with the Indians' income. They have not so many sources of income, and actually handicraft is one of the things they are particularly good at, and anything they produce is saleable.

The WITNESS: I might add that considerable instruction in the matter of Indian arts and crafts is given in the various Indian residential schools of the province.

By Mr. Case:

Q. There was a gentleman in charge who gave quite a lecture on Indian handicraft in the City Hall in Vancouver. No doubt Mr. MacKay will know whom I mean?—A. I think it is Dr. Raley. He was at one time the principal of the school at Coqualeetza and he has been in the service as a missionary.

Q. He is not now associated with the department?—A. No, he is retired.

Hon. Mr. STIRLING: Are there many local associations such as the one you know of in the Okanagan which interests itself in arts and crafts?

The WITNESS: There are various divisions of that same organization. There is one in Victoria, and I think there is a branch in Kamloops now, and, of course, the one at Vernon.

Mr. BLACKMORE: May I ask a question that will probably draw Mr. Hoey into the answer? Is there in the dominion any coordinated and consistent scheme for preserving the arts and crafts of the Indians of 75 or 80 years ago? I find that the Indians are no longer able to do the things they were able to do when I was a small boy. It seems to me a great loss has been sustained. I hope that somewhere the arts are preserved so that they can be reintroduced.

Mr. HOEY: We have two collections, one at Victoria and the other at Toronto. Professor McIlraith, Professor of Anthropology at the University of Toronto, has been over a period of years deeply interested in that. We have a good collection at the Ontario Museum, but it is not as good as they have in some other countries. I was somewhat amused to learn that a number of the finest Indian collections—that is of our own American Indians—were in Europe. There was a fine one in Berlin. The Smithsonian Institute too have a lot of Indian work, but we have two good exhibits left. Of course, in our own National Museum, Ottawa, we have a fair collection. I do not think it is as good as the one in Toronto, but it is fair.

Mr. BLACKMORE: What I am particularly concerned about is not only the preserving of the collections but the establishing of schools necessary to execute those designs.

Mr. BROWN: Preserving the art itself.

Mr. HOEY: The whole purpose in establishing a handicraft section and attaching it to the Indian Affairs branch in 1936 was to do that very thing.

Mr. BLACKMORE: What success did you have? What progress did you make?

Mr. HOEY: Very little. We had very limited success because we have only one official with a stenographer; but her intention is to do more if she has the staff and the facilities. But we were in the grip of the depression and then the war came on and we just could not secure the staff. We have done a

number of things; we have imported willow; we have been growing willow in Ontario, at St. Regis, and at Pierreville in Quebec, with the object of producing baskets in beautiful designs. I might say to the committee that the one thing that impresses me about Indians more than perhaps any other is the skill of the Indian hand and the synchronization that exists between his hand and his eye. We whites have lost our skill since the industrial revolution. The Indian has not. Put anything in front of an Indian and he can make it almost overnight. It is astounding the skill he has in his hands. We are not taking advantage of that and we ought to be; and if we could get the staff we would do it.

Mr. BLACKMORE: I wonder if the committee would permit me to raise the question of whether Mr. Hoey would not like to prepare a little talk at some later time as to what would be necessary to provide that activity if he had the staff?

Mr. HOEY: I think you had better take the official who knows about this, Miss Moodie, as she has been devoting a great deal of time to it.

The CHAIRMAN: The subcommittee can consider that.

Mr. BLACKMORE: As I recall it, when I was a small boy, I lived right along side an Indian reservation, the very one that is in my constituency now. The skill of those Indians was most astonishing; the skill they had in curing maladies and in tanning hides, and a wide variety of things. I am wondering if it can be rescued before it reaches an irretrievable point.

Some MEMBER: What kind of hides?

The CHAIRMAN: We were discussing the administration. Have we come to the end of that heading?

Mr. BLACKMORE: I would like to ask one more question before we go forward. We have had seven or eight points this afternoon, which, I think, are good points, and should be borne in mind. I wonder if there is a secretary or somebody appointed to keep track of those points so that they won't get lost?

Mr. BROWN: Our committee clerk makes such notes.

Mr. BLACKMORE: But is there someone whose particular business it is to see that track of those is not lost?

The CHAIRMAN: He is a very efficient secretary.

Hon. Mr. STIRLING: There was one point in connection with administration. Major MacKay dealt with suggestions to strengthen his own office. This morning he referred to the fact, I think, that many of the Indian agents were not able properly to cope with their work because of lack of assistants. What has he to say in regard to that?

The WITNESS: There are nineteen agents.

By Hon. Mr. Stirling:

Q. And seventeen that count?—A. Seventeen under the commissioner. But what the agent is in need of, in most cases, is a field officer. If an appointment be made where required, it would give an opportunity to the agent to make more frequent visitations to his reserves and to coordinate the field work.

Q. Extra to the seven previously referred to?—A. The only man we would have in our office would be the man responsible for the supervision and direction of the field staff.

Q. There would be seven new ones, you say, you have four now. That would not take care of the seventeen?—A. There are some agencies, really, that do not require field officers. They probably are more in need of enforcement officers; but the responsibility in that respect really devolves upon the province of British Columbia.

Mr. MATTHEWS: I have four headings here: agriculture, fishing, trapping and education. I wonder if Major MacKay would have any preference as to which of those headings he would care to discuss first?

The CHAIRMAN: Following administration, I think you have reserves and Indian lands.

Mr. BLACKMORE: And when does education come up?

The CHAIRMAN: Later on; but I believe there is a possibility that Major MacKay may be able to be with us again. It does not appear that we will be able to finish today.

Mr. MACNICOL: We are doing a good job today.

The CHAIRMAN: Yes, we are.

Mr. BROWN: Could we not, in spite of the fact that we have said that we would not meet next Thursday, nevertheless do so in view of the fact that Major MacKay is here and he will probably be here next week. Could we not meet on Thursday?

Mr. CASE: There might be a little breach of faith there, because we indicated otherwise.

Mr. BLACKMORE: I wonder if Mr. Lickers would like to ask a question? I would like to see Mr. Lickers feel quite free to ask any question that comes to his mind at the time it comes to his mind.

The CHAIRMAN: That is the understanding of the committee. Shall we go on to reserves and Indian lands?

Mr. MACLEAN: We are doing some construction work down at Eskasoni. Is it the intention to move all the Indians at present at Nyanza down to Eskasoni?

Mr. HOEY: The construction work at Eskasoni and at Shubenacadie in Nova Scotia represents an attempt to centralize the entire Indian population in Nova Scotia upon those two reserves, those two centres. That policy was followed after an investigation which was made a few years ago. Our policy is to encourage elderly Indians and those who have experienced difficulty in securing employment, to go there. But where an Indian is fully employed and living usefully and is experiencing no difficulty in securing employment and supporting himself, we would not disturb him. That would not be our intention.

Q. I know some of the people at Nyanza are objecting to going down there.—A. I would have to know just what their circumstances are.

Q. The new place is much better than the old place?—A. Our ultimate objective is to dispose of those two lands and consolidate them so as to have a school, a hospital, a nursing station, and an agent and doctor in charge. I think it is one of the most forward steps that is being taken in Indian administration over a great many years, but it has been retarded as a result of the war.

Th CHAIRMAN: The next heading is agriculture.

The WITNESS: I wonder if I could reply to a part of the question submitted by the honourable Mr. Stirling this morning which had to do with cut-off lands in British Columbia. I looked up the information I had on it and if I might be permitted to read from this McBride Agreement which is dated September 24, 1912: it was provided that lands, which the commissioner shall determine are not necessary for the use of Indians, shall be subdivided and sold by the province at public auction, and such lands shall be known as cut-off lands. Now, following that, we found it somewhat difficult to deal with the cut-off lands inasmuch as we pretty well seemed to have a joint control, the province owning 50 per cent and the Dominion, on behalf of the Indians, the other 50 per cent. So that, in 1941 arrangements were made whereby the province of British

Columbia was given authority to administer those lands on behalf of itself and the Indians, or, if you like, the Crown-Dominion; so that, I would think, Mr. Stirling, that you could secure action in the matter which you have in mind, by referring to the land division of the province of British Columbia.

By Hon. Mr. Stirling:

Q. Were those cut-off lands very extensive?—A. Yes, quite extensive in the riding which you respresent; many thousands of acres were cut-off there; but I think a mistake was made inasmuch as those lands are necessary today if the Indians are going to make any progress in the matter of the cattle industry.

Q. You regret that they were cut off?—A. I do.

Q. Did the Indians receive any other land in compensation for them?—A. Not in the Okanagan agency, not to any extent.

By Mr. Blackmore:

Q. Who decided that?—A. The Royal Indian Commission in 1912, by Act of Parliament.

Mr. LICKERS: In connection with the transfer of lands from one Indian to another, is that done by location ticket?

The WITNESS: The system of location ticket does not apply to all the reserves in British Columbia; it is only in relatively few places that that system obtains.

Mr. LICKERS: What other system do they use in British Columbia?

The WITNESS: Well, the land just descends from one owner to another. It is not a good system.

Mr. LICKERS: How are they registered as owners?

The WITNESS: They are not registered as owners apart from the information recorded in the Indian office.

Mr. LICKERS: Is that information recorded in your office or at Ottawa?

The WITNESS: It is recorded to some extent in the Indian agent's office, in the office of the local agent concerned.

Mr. LICKERS: If one Indian sells a piece of land to another Indian, either through location ticket or through other transfer in British Columbia, does that transfer have to come here to Ottawa to be confirmed before the sale is completed?

The WITNESS: It should, but it does not always happen. That is one of the weaknesses in the administration of reserves. I am satisfied that we should have a system of location ticket which would apply to all our reserves in British Columbia and especially to reserves that are inhabited. We have many reserves, of course, that are only fishing stations and which are visited during the fishing season by Indians engaged in fishing. But, in the matter of reserves where we have Indians in residence, I should say that the system of location ticket should be extended to them. That would involve, of course, the determination of claims of each Indian which would, in turn, necessitate the survey by a land surveyor.

By Mr. Case:

Q. What do you mean by "location ticket"?—A. It is the evidence of title or ownership by an Indian.

By Hon. Mr. Stirling:

Q. As held by a band or by an individual?—A. Held by an individual. At the present, from time to time, Indians part with their lands to others of the tribe for various reasons, sometimes for material consideration; and if it is

permitted to continue you will find that the control and possession of most of the lands will come into the hands of one or two Indians. That is one reason why I am satisfied that the location ticket should be applied to our reserves in British Columbia.

By Mr. Case:

Q. Can an individual will his land to his descendants?—A. Yes, he can.

By Mr. Blackmore:

Q. To how many reserves does that system apply?—A. We have it in the Cowichan agency, and the Queen Charlotte Islands; and we wanted to apply it in the Vancouver agency, but it was difficult at the time to secure the funds to proceed with the surveys required. You can quite understand the complicated problem that presents itself to a surveyor who will go in to work out the lands that each Indian claims and endeavour to satisfy all interested parties.

Mr. LICKERS: As between one Indian and another, a transaction of that nature, do you not think it would be better if you had a registry office or some sort of registry office right in your own province so that they could just go there and register their transfers rather than to wait while transfers were sent to Ottawa and came back again?

The WITNESS: Legally I do not think we recognize such transfers.

By Mr. Blackmore:

Q. You do not recognize such transfers as what?—A. As occurring between individual Indians without reference to the department.

Mr. LICKERS: At the present time it is rather a slow process. If an Indian in British Columbia wants to buy a farm in the Spring and wants to go out and work on it, he would have to wait for the application to go first to Vancouver and then down here to Ottawa and then back again?

The WITNESS: No. With air mail it does not take so long. If an Indian wishes to transfer his holdings to another Indian, and the agent considers it to be in the best interests of all concerned, the commissioner concurs and there would not be any great delay in a matter of that character.

Mr. BLACKMORE: Except as a result of red tape?

Mr. CASE: There is enough of that.

By Mr. Case:

Q. Do Indians make a practice of making wills?—A. Yes, they do, sir.

Q. If an Indian dies without a will, does the same process of law apply?—A. The regulations cover those who inherit the possessions of those who die intestate.

Mr. LICKERS: In connection with estates of Indians, as far as land is concerned, do you think it would be better for the Indians to have a central authority in each province, so that an estate could be dealt with immediately rather than to have it hang fire over a period of years?

The WITNESS: Yes; I would say that we have many many estates in British Columbia that have not been settled, or of which the settlement is pending over a long period of years. I think there should be a position something similar to what I understand they have in the United States; I believe it is called an examiner of inheritance or inheritances.

Mr. LICKERS: From your experience in British Columbia, how much of the land would you say is idle or not worked for the simple reason of a dispute as to the real owner?

The WITNESS: I could not give you any accurate estimate at the moment, but it frequently develops that land is tied up pending settlement of an estate. The Indian agent is not trained in the law, and I am satisfied that we should have a man who had such training in order to deal with inheritances in the province of British Columbia and in other ways, at least, to deal with wills, and so on.

By Mr. Blackmore:

Q. Suppose an Indian wants to transfer his land and the agent defers, and just puts him off and keeps on putting him off; and the Indian has no one to go to. What recourse has the Indian in British Columbia?—A. He would come to the commissioner for Indian Affairs.

Q. And if the commissioner is in Vancouver and the Indian is up to the Cariboo, then what?—A. He makes his complaint in writing and the commissioner immediately gets in touch with the local Indian agent and asks for the reasons why the matter has not been submitted as requested by the Indian.

Q. The way it works out then: the poor Indian does not know whom to go to to get his letter written, and he does not know the commissioner, in nine cases out of ten. That is another reason why the chief executives should frequently visit Indian villages and reserves. It is an extremely important point.

By Mr. Charlton:

Q. Before we leave this topic of reserves and Indian lands, there was a point brought up the other day regarding the Indian woman marrying a white man and leaving the reserve. Take, for instance, the case of an Indian woman who was the only daughter of a man holding possession of land in the reserve. Suppose her husband dies. Does she have the right to go back on the Indian reserve on the land that was previously owned by her father?—A. I should say that an Indian woman who marries a white man becomes a white woman, under the law; and if her husband dies, she is still white. Her status is still white, and she is a responsibility of the province; of British Columbia, in our case. If she, for instance, found that she was somewhat ostracized by her neighbours and felt that she would like to return to her reserve, permission would have to be secured from the department to permit her to do that; but still she would remain a charge on the province, not on the dominion government.

By Hon. Mr. Stirling:

Q. What about where she inherited land?—A. If she inherited land, the Indian Act provides for that. The interest is eventually extinguished.

By Mr. Charlton:

Q. Then the money would be returned to her?—A. She would get the proceeds of the sale. But the band purchased that land, as I understand it.

Q. Yes. In the case of Ontario, where there are treaty Indians, does a woman have the right, if she leaves the reserve and marries a white man, to collect her payments of the treaty money?—A. Well—

Mr. HOEY: That matter will be brought up later on by Mr. Brown, who is a lawyer. These are legal matters that we are discussing, gentlemen. She can commute that or she can get her treaty payments paid regularly. She also gets her share of the band's funds. He will explain that.

Mr. BLACKMORE: Mr. Chairman, I am a little bit concerned, but I am afraid I interrupted Mr. Lickers. Did he have any another question?

By Mr. Gibson:

Q. Major MacKay, you indicated this morning that you probably had the feeling that these Indian lands should not be sold. Generally speaking, that is your policy. Mr. Stirling mentioned the fact that there were some lands that were not being used and that the suggestion had been made that they should be sold. That, generally speaking, probably is a good idea. I was thinking of the Indian reserve in North Vancouver. I know it is not the intention of the department to keep the Indians segregated. Are you trying to get them to assimilate and to marry with the whites. I have been wondering about that reserve in North Vancouver. It is a reasonably valuable piece of property, but it is in terrible condition. When one passes through there, he feels that it is an eyesore in the community. It has occurred to me that it would be better if it were sold. I believe an advantageous sale could be made of that property for residential or industrial purposes; and it would seem to me that the Indians would be much better off if those moneys were used to buy land throughout the town, so that they could be mixed with the white people.

Hon. Mr. STIRLING: After purchase of the reserve?

Mr. GIBSON: Yes. I know that, from the commissioner's experience, when Indians are transferred to our large cities, it does not work out very satisfactorily as far as their moral standards are concerned. I would say that is definitely true in British Columbia. Would you not say so?

The WITNESS: Well, I think that perhaps the Indians who are removed from the large centres of civilization are more law-abiding. With respect to the reserve you mentioned in North Vancouver, that reserve belongs to the Squamish tribe. The Squamish tribe has trust funds, and before that matter could be dealt with a surrender by a majority of the male members of the band would be necessary. Of course, it is not only the North Vancouver reserve but a number of reservations near the larger centres that come up for discussion from time to time in the matter of purchases by adjoining municipalities or municipal interests. This amounts, as far as I can see, to extinguishing the Indians' titles to their lands without their consent. At least, that is the position under the Act as it stands today.

Mr. GIBSON: Even if it were in their best interests?

The WITNESS: Well, of course where a municipality has a population in excess of 8,000, they can, under the Act, expropriate. But they would have to compensate the Indians and I believe the matter has been referred to the Exchequer Court and suitable and proper provision must be made for the Indians concerned; and in my opinion, that is rightly so.

By Mr. Blackmore:

Q. That provision should take the form of more land, should it not, where the Indians can live?—A. Well, of course, I am not so much concerned about city lands as I am about agricultural lands now, because the Indians will be required more and more, as the years go by, to depend on the land for a livelihood.

Q. That is what I had in mind.—A. And the more these lands are taken from them, the greater dependence will devolve on the Crown in the matter of their support. There is no question at all about that.

By Mr. Gibson:

Q. Of course, adjacent to Vancouver, for instance, there is no agricultural land.—A. No. The reserve you mention is not agricultural land.

Q. They are going to be absorbed into industry there?—Oh, yes.

By Mr. Blackmore:

Q. My idea was that if we rewarded the Indians financially for a piece of land, without taking some care to see that the money is re-invested in land which we know will be suitable, it is not a very good thing because the Indians could easily spend the money and find themselves without land.—A. It does not solve the problem simply to pay the Indians a financial sum for their lands, because the problem of re-establishment comes up; and once you pay them, of course, they have a right to use the funds as they see fit. But the matter of later re-establishing them on suitable land has not been provided for. I am thinking of an outright sale of land.

By Mr. Gibson:

Q. But you could use those moneys, of course, to provide them with decent homes within the city where that property is now. That, I would imagine, would be much more to their advantage.—A. You are thinking of North Vancouver?

Q. Yes, North Vancouver.—A. Well, of course land in the city of North Vancouver is quite expensive at the moment; and I do not know just where they could go in that city and establish themselves with the funds that they could secure from the sale of the North Vancouver reserve.

Q. Would it not be much better to scatter them throughout the community there—try to absorb them with the white people?—A. But if you do that, of course they become members of the municipality and subject to taxation.

By Mr. Blackmore:

Q. The all-important question under these circumstances would be if they as Indians would be able to obtain suitable employment and succeed at their employment?—A. Yes; because if they did not, they would lose possession of the land.

By Hon. Mr. Stirling:

Q. They would still be wards, would they not?—A. They would be more so still if they lost possession of the land.

Q. Exactly. It does not follow that, if they purchased houses and entered industry, they would really improve their lot.—A. No. They should have some assurance of being self-sustaining and self-reliant.

Mr. HARKNESS: From the straight financial point of view, I should think the longer the Indians held that reserve in North Vancouver, the better off they would be eventually. In other words, I should think the land is going to be worth, some years hence, two or three times as much as it is now, and it would be in their eventual best interests to hold onto it as long as possible.

Mr. GIBSON: In the meantime, there is just a blot on the landscape there and they are certainly not living under very good conditions.

Mr. CASE: They hold it by legal right. No one can buy Indian land from a reservation. It would have to be dealt with through the Crown and the Crown would have to negotiate with the Indians. The whole thing is this. Who would approach them to give up their reservation? After all, is there an agitation to acquire that property?

Mr. GIBSON: No, I do not believe there is an agitation on at the present time; but it just looks to me as if this is a point where the Department of Indian Affairs might give some leadership and guidance to these Indians. This is one opportunity that I see where we might absorb them into our white population which, after all, is the eventual objective.

Mr. CASE: I am inclined to agree with Mr. Harkness. I think probably by remaining Indians they would be better off in a few years' time than they would be if they entered into any negotiations.

Mr. GIBSON: In the meantime they are segregated on that reserve. It seems to me they could be absorbed into our population out there, which must be the eventual objective or goal of the Indian administration in Canada. Or what is their goal?

Mr. HARKNESS: They have as much opportunity to work in the factories and various other industries that are established there while living on the reserve as if they were living amongst the general population, as far I can see.

Mr. GIBSON: If you go ahead and build them good homes to live in, I would say that is all right.

Mr. HARKNESS: I think that would be much better.

Mr. RAYMOND: How many Indians are there?

Mr. GIBSON: I have no idea. A couple of hundred, maybe. Would that be right, or have you the figure, Mr. MacKay?

The WITNESS: I could give you the correct number in a minute or two.

By Hon. Mr. Stirling:

Q. Until they become enfranchised, they are still wards of the government?—A. Yes. I cannot see how they would have the same protection in the municipality on land subject to taxation as they enjoy today on tax-free land in the reserve. They have something there that they certainly would not have in the city, in the municipal limits. Of course, if you want to enfranchise them and give them the full rights of citizenship, that is another thing.

Mr. GIBSON: That is what we are trying to do, of course.

Mr. LICKERS: In connection with that property up there in North Vancouver, is it the intention of the committee to work out a process by which the Indians would be better off? Might it not be that in the next 10 or 15 years you would see the results of this committee and Indians might require the site of this particular land for themselves?

Mr. GIBSON: If you want to keep on segregating them, I would say you are right. But what is the eventual objective of Indian administration in Canada? Are we trying to absorb the Indians eventually into our population?

Mr. RAYMOND: The objective is to make good Canadians out of them. That is my opinion.

Mr. GIBSON: Yes.

Mr. BLACKMORE: Would not the absorption occur just automatically and spontaneously; and where the absorption does not so occur by young people falling in love, it is a good deal better that we should not try to engineer it.

Mr. LICKERS: You will not get any absorption until everybody is on the same level. Then the situation will look after itself.

The WITNESS: There are 506 Indians in North Vancouver; but what would be the difference in subdividing the North Vancouver reserve into proper lots, with sewage disposal system, improvements to existing homes and supply of new homes? What would be the difference in doing that and moving them into other parts of the municipality? I should think they would be better off, and they would certainly be more secure in the matter of ownership of non-taxable land, than they would be in a municipality where they would face loss of land for non-payment of municipal and provincial levies.

By Mr. Blackmore:

Q. Hear, hear. Would they be any better off if they had their own peculiar industries, such as handicrafts?—A. Well, the Indians of North Vancouver are mainly longshoremen, and very, very good longshoremen because the work is intermittent. The Indian does not take kindly to our philosphy of life which

requires us to make a living to go out every day for so many hours, so many weeks, so many months a year. They like to work a while and then they look forward to a pulling off of those restrictions and doing what they please. So that longshoring, stevedoring, suits them. They never enquire about a cargo that is to be loaded or unloaded, and because of that they are popular with stevedoring management. They work a few days and then rest a few days. As I say, the Indians of North Vancouver are from the Indian arctic races.

Mr. Blackmore mentioned handicrafts. There are two distinct handicrafts in the province of British Columbia. At least, there are two which stand out. One is the Cowichan Indian sweater made in the Cowichan Indian Reserve on Vancouver Island. That is in demand in various parts of this country and in the United States. There is also the totem pole carved from argolite. There are other handicrafts reported; for instance, the wooden totem pole.

By Mr. MacNicol:

Q. What are the others?—A. They are caved out of argolite, a black mineral. You probably have seen them.

Q. I have seen the wooden ones but not those. Where are those found?—A. Those are really made on the Queen Charlotte Islands.

Mr. BRYCE: Come up to my room, Mr. MacNicol, and I will show you one.

The WITNESS: Some years ago we moved to secure the only argolite deposit on the island for the Indians. We had the area surveyed and purchased it from the province of British Columbia, so that we have that deposit available now for future generations. As I was saying, there are other arts and crafts. There is leather goods including moccasins and basket work. The baskets made in this part of the country, of course, can be made for very much less than those in British Columbia. Those in British Columbia require a great deal of care and time in their manufacture, and in the long run the Indian does not receive a great deal per hour for his labour. Take an argolite totem pole. It sells now for around $1.75 to $2.00 an inch. A few years ago it sold for $1.00 an inch. I should say that it would take from five to six days to carve a good ten or twelve inch argolite totem pole, so that the return to the Indian is not as great as he would receive from ordinary labour in the woods or in camp. You can see there the obstacles to the promotion of Indian arts and crafts. If the Indian can get more for his labour in shorter time than he can by carving a totem pole, naturally he will do that.

Mr. BROWN: How about pottery and ceramics. Do they do anything along that line?

The WITNESS: No, I do not think so.

Mr. BRYCE: Mr. MacKay, of these 1,200 Indians who are seventeen years of age or under, can you tell the committee how many will receive a grade A education?

The CHAIRMAN: We will discuss that when we come to education.

Mr. BRYCE: It is a quarter to six, Mr. Chairman. We have so far made much progress; and I may not be here the next day.

Mr. BROWN: May we just for a moment, Mr. Chairman, discuss this question of our next meeting while we are at it. This room is available for Thursday of this week, if the members could find it convenient to be here.

Mr. GARIEPY: I move that we have a meeting Thursday morning.

Mr. BROWN: That would be all right with me. We might also incorporate in that motion that if it is satisfactory we will meet next Tuesday as well. I am sure that members do not want to be here twice on Thursday of this week, for other reasons. Maybe we might meet twice next Tuesday.

The CHAIRMAN: With respect to the motion for Thursday, I cannot be here Thursday, and I just consulted my colleague and he says he cannot be here for Thursday either. I do not know about other Senate members.

Mr. CASE: For a properly constituted quorum I understand that two senators should be here.

Mr. BROWN: Mr. Chairman, if I may refer to the first report of the committee to both Houses, item No. one of the report which was concurred in by the House, and I presume by the other House, reads: "that the quorum of the special joint committee be reduced to nine members; second, that the said committee be granted leave to sit while the House is sitting." We need nine members of the committee for a quorum.

The CHAIRMAN: That was the Commons. I think the Senate quorum must be two. The question as I see it is whether the joint committee can sit; that is, you have to have a qorum of the members from the House of Commons and also of the Senate representation.

Mr. BROWN: Our order of reference says, nine members; that would mean at least seven and two. Will you find the Senate motion passed in the same form as that passed by the House, and it has regard to both members of the House or members of the Senate. It merely says that the quorum of the joint committee shall be nine members.

The CHAIRMAN: The Senate motion was that the quorum of the Senate be two members.

Mr. RAYMOND: Could we not have a special single meeting.

The CHAIRMAN: The point as I see it is whether or not under the rules of the House a joint committee can sit without a proper senate quorum.

Mr. RAYMOND: At the first meeting this was discussed and it was explained that the Senate should have at least two members here at every meeting.

Mr. CASE: I do not know how you could have a quorum unless it were a joint quorum. You could hardly expect the Senate to concur if they were not represented by at least a quorum of two.

Mr. BROWN: Well, the opportunity is here to decide that.

Hon. Mr. STEVENSON: The evidence is all taken down.

Mr. MacNICOL: How abut tomorrow afternoon?

Mr. RAYMOND: Could we not have two other senators appointed?

Mr. BROWN: The Senate is not in session to appoint two other members.

Mr. MATTHEWS: I understand that you could not have a record unless you had a formal meeting.

Mr. BROWN: I understand it could be done. In any event it could be ratified by the Senate members on their attendance at the next meeting by their adoption of the minutes of proceedings. I think if we have nine members here it will constitute a quorum, and subsequently the Senate members could ratify what has taken place. It is merely a matter of convenience.

Hon. Mr. STEVENSON: I do not think there would be any trouble on that score at all.

Mr. BROWN: Then, Mr. Chairman, I would like to second the motion of Mr. Gariepy that we meet on Thursday of this week, and that we meet twice on Tuesday next for the purpose of completing the examination of Major MacKay.

Mr. RAYMOND: Would it not be better to have a senator second the motion?

Mr. BROWN: I give way to a senator.

The CHAIRMAN: I think that all the chairman has to do is to see a quorum present, although I am not familiar with all the rules.

What is your pleasure gentlemen, are you ready for the question?

(Carried).

The CHAIRMAN: Then we will meet on Thursday morning next at 11.00 o'clock a.m. in this room. We are not dealing with Tuesday at all.

Hon. Mr. STEVENSON: Is there any reason why Mr. Bryce should not ask his question now?

The CHAIRMAN: No, he can go right on.

By Mr. Bryce:

Q. I wonder if Major MacKay could tell us if he could give us any idea as to how many of those 12,000 Indians under the age of 17 years have received grade VIII education, approximately.—A. Well Mr. Bryce, I haven't the return. I should like to answer that on Thursday. I could get the figures for you; that is, I haven't the report before me. But, of course, Mr. Hoey might be able to give you the information at the moment. I will have the figures with me on Thursday.

Mr. HOEY: There is a statement in my submission showing the number of pupils[1]. Just how many complete entrants by grade and so on, I would hesitate to say. I know it is reasonably high if you take the Six Nations, but in British Columbia I would have to make some enquiries.

Mr. BRYCE: My reason for asking that is that I think lack of education is the background of this whole problem.

Mr. HOEY: I think so.

Mr. BRYCE: If we can educate the Indian he is going to go right ahead because he has proved himself to be the equal of the white man in many, many things. I know that some of the Indian boys who have been overseas for five years have come back realizing for the first time what sanitation means in the home, and I think that the education which the army gave these boys is going to be of great value. If we can get these Indian boys and girls to go to school they are going to go ahead greatly in the next twenty-five years.

Mr. BLACKMORE: Providing we make sure they get the income which will enable them to enjoy it. I think Mr. Lickers was right when he said that the Indian must get equality of income.

Mr. BROWN: No, he said if you could give both the same standard of living.

Mr. BRYCE: As far as the income of the Indian is concerned, he has proved without any doubt that he can earn more than a white man in some phases of work. Take the Indians of Caughnawaga, they have excelled in certain types of building; they travel all over the North American continent at their work on bridges and skyscrapers.

Mr. BLACKMORE: That is granted, but there is only an Indian here and there can do that work. If you just take the Indians in my locality, they are not able to make outstanding incomes because they cannot get the money.

The CHAIRMAN: Shall we take up agriculture now?

By Mr. MacNicol:

Q. I was going to ask Mr. MacKay to give us a little bit of information as to just what the field supervisors do on an ordinary Indian reservation? —A. Well, in the first place I should think that the field supervisor would start out by making a general survey of conditions.

---

[1]Minutes, 30th May, page 13.

Q. On the lands?—A. Yes, and in each and every home; because he would be a frequent visitor to the reserves and he should be in a position to advise his agent of the needs of the various divisions. That survey, of course, would include the agricultural land under cultivation, the land that is cleared and is not being put to beneficial use, the condition of the farm buildings, the improvements that should be made in that connection and the fencing, the matter of domestic water supply; and in the dry belt the areas of irrigation.

By Mr. Blackmore:

Q. The availability of firewood?—A. We have not a great deal of difficulty in that respect in British Columbia.

Q. We have in Alberta.—A. He would also, of course, report what should be done to extend the cattle industry and to establish a fairly good standard of subsistence farming. There are a number of other duties related to these divisions that he no doubt would be required to report on.

By Mr. Matthews:

Q. Would he be in touch mostly with the Indian agent or would he have more personal contact with the Indian farmers themselves?—A. He would come under the local Indian agent in the matter of administration, but he would carry out his instructions issued by the agent in the matter of visitations and so on.

Q. How do the Indians, as a rule, react to farm instruction and supervision? —A. Well, I should say it depends largely on the type of instructor.

Q. I would think so.—A. I have no doubt that they would take kindly to supervision and instruction under proper leadership.

Q. So that as regards his fitness, apart from his academic qualifications, would you consider that his capacity for meeting Indians would be a large factor in his appointment?—A. It should be, yes; he should not become discouraged readily either.

By Mr. Blackmore:

Q. Should he not be a practical man, a man who actually has produced results?—A. Yes, that is a very important qualification.

Q. So that university training, academic qualification, does not necessarily qualify a man to be a leader?—A. Oh, no.

Mr. BLACKMORE: Before the committee rises, I should like to express my appreciation concerning the work of Mr. Lickers this afternoon, and I should like to say to him before we leave here that I look upon him as the most important man in this committee, and I should like to listen to him whenever he has anything to say; because after all he is the advocate of the Indians in whose interests we are working also.

Mr. MACNICOL: Do not forget that this committee itself has got to do some work to be qualified also.

Mr. BLACKMORE: I am taking that for granted.

Mr. BROWN: I think, Mr. Chairman, before we adjourn that there should be some welcome extended to our deputy chairman. I am sorry, but I forgot to extend that welcome to Senator Taylor this morning.

The CHAIRMAN: Thank you, but I am only filling in until Senator Johnston returns.

Mr. GARIEPY: I hope there is no question that the honourable senators will take offence if we sit without them on Thursday. My only reason for wishing to sit on Thursday was to avail ourselves of the presence in Ottawa of Major MacKay.

The committee adjourned, to meet on Thursday, June 13, at 11 o'clock a.m.

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 5

THURSDAY, JUNE 13, 1946

WITNESSES:

Mr. R. A. Hoey, Director, Indian Affairs Branch, Ottawa;

Major D. M. MacKay, Commissioner for Indian Affairs in British Columbia.

OTTAWA
EDMOND CLOUTIER
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1946

MINUTES OF PROCEEDINGS

THE SENATE,

Thursday, 13th June, 1946.

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. Mr. D. F. Brown, M.P., Joint Chairman, presided. *Present: The House of Commons:* The Honourable Mr. Stirling and Messrs. Blackmore, Brown, Bryce, Case, Charlton, Farquhar, Gariépy, Gibson (*Comox-Alberni*), Harkness, MacNicol, MacLean, Matthews (*Brandon*), Raymond (*Wright*), and Stanfield.—15.

In attendance: (Department of Mines and Resources); Messrs. W. J. F. Pratt; R. A. Hoey, Director, Indian Affairs Branch; Eric Acland, Executive Assistant to Director; Major D. M. MacKay, Commissioner for Indian Affairs, British Columbia; W. S. Arniel, Inspector of Indian Agencies for Ontario.

Also, Mr. Norman E. Lickers, Barrister, Counsel for the Special Joint Committee and Liaison Officer.

Mr. R. A. Hoey filed copies of the complete Report of Indian Affairs Branch for the fiscal year ended March 31, 1945, as a supplement to the statement made by him to the Committee on May 30th last. (Printed herewith as Appendix G.)

The Chairman announced that the subcommittee on Agenda and Procedure would meet at 11 o'clock a.m., Friday, 14th June, in Room 677, House of Commons.

It was agreed that the Committee would meet twice on Tuesday, 18th June and once on Thursday, 20th June next.

Major D. M. MacKay, Commissioner for Indian Affairs, British Columbia, was recalled and questioned by the Committee and by Mr. Lickers.

The Committee adjourned at 1 o'clock p.m., to meet again on Tuesday, 18th June next, at 11 o'clock a.m.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

THE SENATE,

THURSDAY, JUNE 13, 1946.

The Special Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11 o'clock a.m. Mr. D. F. Brown, M.P., (Joint Chairman) presided:

The CHAIRMAN: Shall we come to order, gentlemen. There are a few preliminary matters of which we should dispose. One is the matter of the distribution of the report of the Indian Affairs Branch for the fiscal year ended March 31, 1945, which was requested at our first meeting. These are just off the printing press and will be distributed to members of the committee to-day. (Printed as Appendix G.)

The steering committee, properly called the subcommittee on agenda and procedure, will meet to-morrow morning, if it is your wish, at eleven o'clock in Mr. Gibson's room, No. 677 of the House. I cannot report to you at the moment where our meeting on Tuesday next will be held. If I recall the discussion correctly, I believe it was understood that we would have two meetings next Tuesday, one at eleven o'clock and the other at four o'clock in the afternoon.

Mr. MACNICOL: Did you decide on two meetings?

The CHAIRMAN: That is my recollection.

Mr. MACNICOL: If the committee is to have two meetings a day that means four hours in attendance at committee meetings and six hours in the House of Commons, ten hours for the day, to say nothing of the other things we have to do.

The CHAIRMAN: That is entirely a matter within the discretion of the committee. I would like a free expression of opinion. The reason for that was that we wanted to get in all Major MacKay's evidence. As you know, he is here from British Columbia and he wants to get back to his work.

Mr. CASE: Well, Mr. Chairman, will there be another meeting next Thursday?

The CHAIRMAN: That will be entirely at the discretion of the committee.

Mr. CASE: I think that if we have two meetings on Tuesday we could do without that.

The CHAIRMAN: These arrangements are contingent upon our having a room. I suppose I should report to you now the progress on that. Following the meeting of the subcommittee we had an interview with Dr. Beauchesne and he has undertaken to provide us with an exclusive committee room.

Mr. GARIEPY: I suggest we leave that matter entirely in the hands of the chairman.

The CHAIRMAN: I wanted merely to report to the committee on that.

Mr. GARIEPY: It would save time presently for us to do that.

The CHAIRMAN: I just wanted to report to this committee what we have done. Dr. Beauchesne has agreed to let us know to-day before one o'clock, that is between now and the time of adjournment, where we are to sit next Tuesday. And in that committee room we will have such secretaries and clerical help as needed; we would also use that room as an office.

Mr. MATTHEWS: I think every effort should be made to have two meetings on Tuesday, since I understand Major MacKay does not want to remain too long in the east.

The CHAIRMAN: Is it your wish then to have two meetings on Tuesday and none on Thursday?

Mr. MATTHEWS: I think we can quite properly leave that to the chairman, at least so far as I am concerned, but with that end in view.

The CHAIRMAN: Of course, what we are trying to do is accommodate the members of this committee.

Mr. MATTHEWS: Let us accommodate Mr. MacKay and let him get back home.

The CHAIRMAN: I would like an expression of opinion. I will put it this way; do you want to meet twice on Tuesday and once on Thursday?

Mr. MACNICOL: I am not going to oppose it because I want to help as much as I can; on the other hand, you will realize yourself that there is a much heavier responsibility falling on opposition members than on government members. All government members have to do is follow the cabinet, and the cabinet are the committee of the House. The opposition members have to meet quite frequently to get ready for sessions in the House, and there are not very many of us available at any time.

The CHAIRMAN: Very, very effective, though.

Mr. MACNICOL: We try to do our best. I am prepared to go so far as consenting to two meetings next Tuesday, but from then on I would not like any twice a day meetings to be held.

The CHAIRMAN: It is a matter for the committee to decide and I would like to have an expression of opinion. We want to get really into our work.

Mr. CASE: I think we should sit twice next Tuesday and get on with our work.

Mr. BLACKMORE: Does not the matter depend on how extensive is the work we are supposed to do, whether or not we are to carry on after the session closes? As I understand it, we are not to finish by the time parliament closes.

The CHAIRMAN: There is no hope of that. We have no desire to complete our work and make a final report before the closing of the present session.

Mr. CHARLTON: Would it be possible to carry on after the session closes?

The CHAIRMAN: That has not been determined; a recommendation will possibly be made by the subcommittee to this committee.

Mr. BLACKMORE: If there is no urgency about the matter—

The CHAIRMAN: I would not say there is no urgency, because as we get into this matter we want to try and find out how extensive it is. We could probably spend several years on the study of this matter, all about Indian affairs, but we will have to have some termination. That is why we are so desirous of having things done systematically and orderly.

Mr. BLACKMORE: I would personally prefer not to have meetings in the afternoon because they interfere with parliamentary work.

The CHAIRMAN: We are all agreed on that.

Mr. BLACKMORE: We want to get this work done and it will take some time.

The CHAIRMAN: What is your pleasure, gentlemen, with respect to the suggestion made of two meetings on Tuesday and one on Thursday. Would you like to move an amendment to that?

Mr. BLACKMORE: I think that would be satisfactory.

The CHAIRMAN: Shall I put the motion to the committee to find out those who favour that suggestion?

Mr. MACNICOL: That is for the next two meetings only?

The CHAIRMAN: For the next two meetings only.

Mr. GARIEPY: That is the two sittings on Tuesday and one on Thursday.

The CHAIRMAN: Yes, two sittings on Tuesday which would be at eleven o'clock in the morning and four o'clock in the afternoon; and one on Thursday which would be at eleven o'clock in the morning. All those in favour with that suggestion? Contrary? I declare the motion carried unanimously. Shall we now proceed?

Mr. CASE: Mr. Chairman, I think we should watch carefully the recommendations that were made. I should like to take two or three minutes to review them in the presence of Major MacKay. I refer to the recommendations which were placed before us the other day.

The CHAIRMAN: I presume we are now proceeding with Major MacKay?

Mr. CASE: Yes, and I am going to review briefly what he said the other day.

The CHAIRMAN: Just before you proceed, now that we are going to call him as witness, I understand that Major MacKay has something that he would like to say in reply to a question raised by Mr. Bryce at the meeting we had on Tuesday.

Major D. M. MacKay, Commissioner for Indian Affairs for British Columbia, recalled:

The WITNESS: I think, Mr. Bryce, you asked a question at the last session of the committee as to what number of Indian children were in grade VIII of the 12,000 children under seventeen years of age in British Columbia. I think probably what you intended to ask was the number of children in grade VIII between the ages of seven and sixteen; which, of course, is the range of school age children in the Indian schools. Is that what you meant?

Mr. BRYCE: Yes, how many had reached grade VIII.

The WITNESS: Yes. Well, 87, during the current academic year, which of course runs to the end of June.

Mr. MACNICOL: Out of how many?

The WITNESS: Out of 4,000 enrolments. I think there are very close to 4,100 Indian children enrolled in schools in British Columbia. That is somewhat in conflict with the figures given to you by the Director of Indian Affairs, but I think his figures were for the year ending March 31, 1945.

Mr. MATTHEWS: That means then about 8,000 not enrolled?

The WITNESS: 8,000 not enrolled, but a good many of those would be under school age.

Mr. MATTHEWS: I thought you said there were 12,000 under seventeen—you mean right down to babyhood?

The WITNESS: Yes.

Mr. GIBSON: Do most of the children get a grade VIII education?

The WITNESS: They all have an opportunity of obtaining that grade. Mr. Bryce might be interested in knowing, and the committee also, that 142 were in grade VII, 261 in grade VI and 382 in grade V. It might be of interest also

to know that according to the Dominion statistics 1938/40 only 13 per cent of the province of Manitoba attained grade VIII. It was higher in British Columbia, I think 39 per cent—that is, white children.

Mr. CASE: Might I proceed now, Mr. Chairman? I understood Mr. MacKay to say that there are three agencies vacant in British Columbia and one school inspector required, a total of four. His recommendation was that these vacancies should be filled immediately, and that they require seven field men. He also suggested there should be a field officer to assist the agent. Both Mr. Hoey and Mr. MacKay complained of the six months' retirement leave interval before a successor is appointed. Mr. Hoey recommended that appointments be made three months in advance of retirement. Mr. Hoey also recommended there should be an agent at large for British Columbia and the last point I have noted here is that he recommends that there should be an examiner of inheritance similar to the United States.

The WITNESS: Mr. Case, I should like to say that the seven would include, of course, an employee who would assist the Indian agent because in each case he should be under the control and supervision of the agent and under his direction.

By Mr. Case:

Q. In other words, if you had the four vacancies filled you would require only three more field men?—A. No, as to the four vacancies that exist at the moment the establishment already provides for those positions, but it is necessary to increase the establishment to provide for seven new field positions.

Q. I have one further question. Have recommendations been made to the department previous to the setting-up of this committee that these things should be done?—A. I have on a number of occasions drawn to the attention of the department the need especially for field personnel in British Columbia.

Q. But there has been no action taken?—A. I presume the reason for it is that the war was on and very few new positions were being established.

Mr. CASE: Those are the only items I have marked as to which I thought we should keep the recommendations before the committee.

The CHAIRMAN: Thank you, Mr. Case.

By Mr. Bryce:

Q. I should like to ask Major MacKay what he thinks about the school problem. Most of them are residential schools in British Columbia. You take pupils in there when they are eight years of age and you keep them there until they are sixteen years of age? Is that not the case?—A. They enter school at seven.

Q. And you keep them until they are fifteen or sixteen?—A. Sixteen.

Q. During that time you have taught them the way the white man lives. They speak English. They do not speak their native language very much. They are only home for maybe five or six weeks holidays during that time?—A. They are home as a rule for the usual period school is not in session.

Q. When they come to that age they are let go back home. There is no provision for their education to be carried on after that. They go back home and they have an inferiority complex. They are ridiculed. You who have studied the Indians know what a terrible weapon ridicule is among the Indians. You know how they ridicule those Indians who adopt the white man's ways. Do you not think if our residential schools were turned into vocational schools and you re-established the day school on the reserve it would give better results? —A. Of course, vocational training does form a very large division of the instruction given in the residential schools. The residential schools in British Columbia

number thirteen approximately and look after approximately half the number of children enrolled at school, but over 50 per cent, of course, attend Indian day schools. Are you suggesting that the day school is preferable to the residential school for children?

Q. Yes, I think so. I think the residential school has its place for vocational training, but when that boy is fifteen or sixteen he is thrown back on the reserve. He should be trained until he is twenty and has reached his manhood, anyway. He could be trained as a carpenter or in some trade where he could take his place alongside a white man.—A. Vocational training forms a part of the course of studies at the residential schools. I am inclined to agree that the children should be kept at school beyond sixteen years of age, especially the girls.

By Mr. Case:

Q. Would we not have difficulty in making a regulation to that effect? The age of sixteen is accepted in practically every province. Would it not be difficult to make an exception and insist that they remain at school beyond that age?—A. I think they should have the opportunity to remain.

Q. Oh yes, of course.

By Mr. Bryce:

Q. You take the girls into the residential schools, and what education you give there is on a city home basis. It is not on a country home basis. They cook with electric stoves. They wash with electricity. They do everything by electricity. Then when they go back to the farm where they have not any of those things they just do not fit in.—A. That is not always the case. In some of our schools they use the services that are found in the home in the rural districts.

Q. That may be so, but in the residential schools that I have visited they were taught with modern methods.—A. The reason for the use of mechanical equipment is in order to relieve the children of a lot of laborious tasks that otherwise they would be required to perform. For instance, in the preparation of meals, take in the large residential school at Kamloops, where we have over 300 children enrolled, would you suggest that all those children be required to peel potatoes for the meal?

Q. No, I am not suggesting anything like that. I do not want you to get me wrong, but they are not being taught the methods they will have to adopt when they go back home.—A. I think that in a goodly number of our schools they are being taught the methods that they will be required to use when they return to the reserve.

Q. I am pleased to hear that, but it has not been my experience on visiting the reserves.

Mr. GIBSON: I think that Mr. Bryce is quite right. The greatest weakness in the residential school is the fact that children go back to an entirely different mode of life, when they return to the reserve. There is absolutely no supervision. We take them up to certain educational standards, and in some cases up to high school standards. Then we turn them back under the most primitive conditions on the reserve. I am sure that Major MacKay is quite familiar with that aspect of the situation. It is one of the things we are going to have to alter as to Indian education, if we are going to get the results we should expect. At the Fairbridge school in British Columbia there are white children who are usually brought over from the Old Country. When they graduate from that school they are placed under supervision in selected private homes. They are taken care of up to the time, normally speaking, when they marry. There must be some provision made to take similar care of these Indian children, and Indian girls particularly, so that we can fill something of that function for them because there is no use turning them back to the reserve under the most primitive

sanitary and living conditions and expect that we are going to get any permanent value from the training. I think we are wasting a lot of money at the present time because we do not follow through.

Mr. MACNICOL: May I suggest before we go any further that as to this matter of education we take it up in an orderly way? We are now mixing up day schools and residential schools. Let us start at the bottom with day schools first and come up from that and take residential schools afterwards.

The CHAIRMAN: I think we are merely answering Mr. Case's questions. We have given him that privilege. If it is the desire of the committee to proceed in the order we had previously arranged at the last meeting I would be pleased to do that now.

Mr. CASE: I think it is important that we should discuss it as Mr. Bryce has done.

The CHAIRMAN: I think what Mr. MacNicol is trying to point out to us is that we have a set order under which we are going to ask Major MacKay questions.

Mr. CASE: We are dealing with education now, are we not?

The CHAIRMAN: Would you not consider this a matter of education?

Mr. MACNICOL: I agree it is education, but what I mean is that so far we have been passing from day schools to residential schools. They are two different things. I would suggest that we confine ourselves first to day schools. Let the members ask questions as to that head and finish with day schools. Then we can go to residential schools.

Mr. FARQUHAR: In my part of the country some of the children go to the day schools and some of them go to the residential schools. I do not think they follow up to the residential schools from the day schools.

Mr. MACNICOL: The residential school is located somewhere where there is a church. As a rule, they go together. The government allows the church so much money per head, but the rank and file of the Indians are taught first in day school on the Indian reservation. That is my experience.

Mr. FARQUHAR: I do not think that is right.

Mr. MACNICOL: It does not matter to me. If you want to proceed with residential schools first, well and good.

Mr. HARKNESS: It depends on the area. In Alberta there is only one day school in the whole province. All the rest of the people go to residential schools.

The CHAIRMAN: Can we not discuss both of those under the one heading of education?

Mr. MACNICOL: It is under the heading of education, but what I mean is Major MacKay said there were thirteen residential schools and fifty-five day schools. That is four times as many so that most of the children must go to the day schools if there are fifty-five of them.

The WITNESS: The enrolment is about the same, about 50 per cent in the residential schools. Of course, they have accommodation in some of them for a great number of pupils. Although we have fifty-five day schools the enrolment is just about the same.

By Mr. Farquhar:

Q. They start at the same age in both schools?—A. They start at the same age in both schools. Children do not attend day school and from there go to the residential schools with the exception of a few where, of course, conditions in the home suggest they should be provided with residential school training and accommodation.

Mr. CASE: I cannot see how we are going to separate them. We have got to discuss the one with the other. At the moment I take it that the committee is discussing the best method to employ, and trying to decide whether residential schools or day schools are best.

The CHAIRMAN: Could we have a decision on this matter? Is it your desire to discuss education generally or to divide education into day schools and residential schools?

Mr. BRYCE: You cannot divide it.

The CHAIRMAN: All those in favour of discussing it generally? I think that is carried.

Mr. CASE: Then if I may come back to what Mr. Gibson and Mr. Bryce have been talking about. If we are going to seek to raise the standard of the Indians I do not quite understand why it would not be reasonable to use the more modern type of equipment. That is to say, it is suggested here that the type of equipment they are using in their education is not to be found in their homes. Some day maybe it will be. Maybe they will seek to bring that situation about.

Mr. GIBSON: Running water is the basis of civilization. I think once you have sanitary facilities in your home you have a start. Beyond that you do not need an electric stove.

Mr. CASE: Do you not think it is a good thing that the Indian children are taught by these methods so that when they return to the reservation they will have these ideas to carry back there to improve their living conditions?

Mr. BLACKMORE: In order to do that in my constituency you would have to provide running water for the Indians. Many of the Indians on the reserve have to go 15 miles and haul water by means of cans and tubs in wagons. We have to be realistic in these matters. One of the chief problems in my constituency right now is to get water.

The CHAIRMAN: I think the departmental officials have had a thorough discussion on your recommendations. Could we not proceed with Major MacKay and dispose of his evidence? I do not want to cut off any debate, but I do see the advisability of getting along. We could discuss this matter until doomsday unless some action is taken on it.

By Mr. Bryce:

Q. Just before you do that I want to ask Major MacKay a question. Have you run into any difficulty in British Columbia where the Indian reservation borders on a white settlement in getting your few Indian pupils into the provincial schools?—A. Yes, we have in a few cases, but generally speaking the school boards are quite helpful in extending the facilities of the white school to Indian pupils who wish to attend.

By Mr. Gibson:

Q. You encourage that, do you?—A. Yes, we do at every opportunity. Perhaps it might be interesting to know that we have in British Columbia 201 Indian children in white public schools and 24 in high schools. The department pay the tuition of 148 of these pupils.

By Mr. Bryce:

Q. Do they pay the same rate?—A. As white people do?

Q. The same as you pay to the churches?—A. Oh no. The rate, for instance, generally for attendance at public school in British Columbia is $35 per school year, and for high schools, if I recall correctly, the tuition fee is $90, but it is

necessary for the department in addition to paying the tuition fee to pay the cost of accommodation in the city because we are required to bring the children from remote areas sometimes.

By Mr. Lickers:

Q. Do you pay the cost of the accommodation or just give them $100 while pupils are attending the white schools? Suppose one has to go to the city; do you pay only $100?—A. We pay the tuition and in addition where necessary the cost of accommodation.

Q. Without regard as to whether it is over $100?—A. Oh, yes.

By Mr. Gibson:

Q. In North Vancouver why do we have that separate Indian school? I live on one side of it within four blocks and Mr. Sinclair, the member for Vancouver North, lives on the other side. Right in the middle we have a church school, I understand?—A. Of course, you go back to the old policy of Indian education. It is a residential school, and a good many of the children attend that school from outside of the reservation and are in residence in the school whereas the children of the Indians living on the North Vancouver reservation attend the day school and go back to their homes.

Q. But it is segregated? It is a school for Indians only?—A. Yes, but we would not have any objection to white children attending if their parents so desired. Sometimes we have white children attending Indian schools in British Columbia, particularly day schools.

Q. Of course, that would be in remote areas, but in North Vancouver you have a number of first class white schools and the Indians go to their segregated school?—A. They still go to the residential school.

Q. And the day school also?—A. The day school is part of that residential school. It looks after the children who are resident on the local reserve.

Q. I wonder if that is a wise policy to segregate those children. When are we going to absorb them into our white population? We have an opportunity there and the present policy does not seem to indicate we are trying to follow that through.—A. The present policy, as far as I can determine it, is for the government to co-operate with the church in the education of the Indian children and until the legislators of the dominion in their wisdom decide to make a change in that policy we are obliged to carry out the system that exists.

By Mr. Blackmore:

Q. Do the churches have anything to do with the day schools?—A. Well, the church has the right of nomination of the teacher, but beyond that they have very little control.

By Mr. Case:

Q. Is there any practical reason why we should continue church schools? Why should not the Department of Indian Affairs provide schools? Then the children would be free to attend non-denominational schools.—A. Would you mind repeating your question?

Q. I said is there any practical reason why church schools should be continued? Why would it not be more practical for the department to have their own schools under a department of education so that the children could attend in a non-denominational way?—A. As I said here at a former session there is increasing criticism of the position the church has in the matter of the Indian education. At least, I think I said there was evidence of increasing opposition, but the system that is being followed at the moment is in conformity

with the provisions of the Indian Act. It will require parliament to make an amendment or change the Act before the system can be changed. I should think that this committee could, from the evidence they secure over the period that they are in session, determine whether there is any practical reason why the church should still continue to function as it does in Indian education. It is a difficult question to ask me to say whether or not the church should be eliminated. I feel myself that the church has a big place in the training of Indian children.

By Mr. MacNicol:

Q. Has what?—A. Has a large place in the training of Indian children. Perhaps gradually it will be found that they can be trained in white schools. We are encouraging that system at the present time. We never stand in the way of Indian children attending a non-sectarian school, but I might make this observation in passing that so long as the church has control it should be required to provide properly qualified teachers, and if the church is not in a position to do so then the responsibility in that respect should devolve on the department. The department should take over. I think one of the weaknesses of the whole setup is the lack of properly qualified teachers.

Mr. MacNicol: That is what I found.

Mr. Case: That is not my point. I think there is a certain amount of dual administration. I take it you are not prepared to make any recommendation?

The Chairman: Is that not a legislative matter?

Mr. Case: This committee would like to have recommendations.

The Chairman: But we have not arrived at the stage of drafting our report as yet.

Mr. Case: No, but I am asking the question because here is the commissioner who is more familiar with it than any member of the committee. After his years of experience I think he should be able to recommend to the committee what is best for the Indian children.

The Witness: I will say this in answer to Mr. Case, that I am satisfied in my own heart and mind that the residential school has reached its peak in Indian education, and that it will be replaced gradually by the Indian day school. Whether that will mean the elimination entirely of the position of the church is I think, a matter that will be the responsibility of the legislators to decide.

Mr. Case: It is pretty hard for them to decide without recommendations from some authority who is qualified to advise them.

By Mr. Gibson:

Q. Does the church not contribute quite substantially to the education of the Indians and is it not of great assistance to the Indian department financially as well as morally?—A. The director is here and he is in a position to say just what contribution the church makes in the matter of finance to the operation of Indian residential schools. He has detailed information on that. I have not.

Mr. Blackmore: I think it is unfair to expect Major MacKay to make any answer on that subject.

By Mr. Blackmore:

Q. I should like to ask Major MacKay if there are many Indian children attending white schools in British Columbia?—A. Yes, there are 201 and 24 attending high school.

By Mr. Gibson:

Q. Out of approximately 12,000?—A. Out of approximately 4,000, not 12,000, because of the 12,000 children a goodly number of those are under school age.

Q. That does not seem to be the right percentage between one and seven and seven and sixteen?—A. I am basing it on enrolment. Enrolment in British Columbia at the moment is in the vicinity of 4,100 children.

Q. Which would indicate that a large number of Indian children of school age are not enrolled in any school?—A. Are not attending any school; I think I said something like 1,200.

By Mr. Bryce:

Q. They get no education whatever?—A. Not at the moment.

By Mr. Raymond:

Q. Is it 2,000 or 3,000 that are going to school?—A. About 4,100.

Q. What proportion is it? Is it 25 per cent or 10 per cent?—A. There are 12,000 under the age of seventeen years. That is approximately.

Q. How many do not go to school?—A. There are 4,100 enrolled at school.

Q. While we are speaking of schools if I remember correctly the other day you spoke of a competition that took place in British Columbia. I understood that competition was for all the schools of British Columbia, not only for Indian ones?—A. No, it was for the schools of the province of British Columbia.

Q. And there was one Indian school that led all the other schools?—A. St. Mary's Mission.

Mr. CASE: Are we going to have Mr. Hoey answer as to the financial contribution the church is making? Major MacKay said he could not answer that.

The CHAIRMAN: The witness who is to give that has not yet been brought before the committee. Can you answer that, Mr. Hoey?

Mr. HOEY: I can answer it only in a general way. We have approximately 76 residential schools in Canada. They are operated by the department in co-operation with the Anglican church, Catholic church, Presbyterian church and the United church. Our per capita grants range from about $160 to $250. These school payments are audited by government auditors of the Department of Finance, and in order to answer that question intelligently you would have to have the last audit statement from the Kamloops school. We had a certain grant there. I cannot tell you the exact grant at the moment. The difference between what we pay and what the per capita cost is, as decided by the auditor, represents the church's contribution. In most cases it is quite substantial. For example, we may give $165 per pupil and the auditor may decide after going into the accounts that the cost was $225. I can only answer it in that way.

Mr. CASE: I think that answers the question.

The CHAIRMAN: Probably I should refer the committee to the minutes or proceedings and evidence, volume No. 1 at page 12, the commencement of the first paragraph about one-third of the way down the page.

> With respect to the method of financing the operation of Indian residential schools, it may be interesting to note that an order in council passed on October 22, 1892, authorized the per capita grant method of financing these schools. In 1892, the per capita grants varied from $60 to $145, and the average grant for the succeeding twenty years was $84.

You can follow it on from there to the end of that page. Is there any other question that you wish to ask?

Mr. MACNICOL: I want to ask them in a regular way, but I will not start until this kind of hocus pocus questioning is ended.

The CHAIRMAN: You would like to put a question now?

Mr. MACNICOL: Yes. I take it that one purpose of this committee is to improve the whole educational program of Indian children. How are we going to do that? How are we going to arrive at anything unless we start somewhere and finish that first? I am going to start with the day schools, first.

The CHAIRMAN: Fine; we are quite content.

Mr. MACNICOL: I base my questions on the large number of reservations I have visited where I have seen day schools in operation. Mr. Hoey will know that on the Six Nations Reservation there are either seven or nine schools.

Mr. HOEY: There are fourteen classrooms.

Mr. MACNICOL: Those are all day schools. I have been in a number of them. You will admit that as far as the Six Nations Reservation educational program is concerned it is about as high as we have anywhere in Canada?

Mr. HOEY: Yes.

Mr. MACNICOL: So that the program should be to raise day school education all across Canada to the level of the Six Nations Reservation because they have demonstrated by going from their schools into all sorts of walks of life in Ontario that they do very well. We have an example of it here in our counsel, a Six Nations Indian, who from the Six Nations primary school system has risen up to be a barrister. That is a great credit to him.

Mr. LICKERS: If you will permit me, I am a graduate of a residential school.

Mr. MACNICOL: That residential school must have had a day school within it, then. I do not look on grades I, II and III as being residential schools at all. What I should like to get now is how many school buildings on all the reservations compare with the school buildings on the Six Nations Reservation?

Mr. HOEY: Major MacKay can speak for British Columbia.

The CHAIRMAN: Probably we should try to make a decision on this. Major MacKay should deal only with British Columbia. Is that not correct?

The WITNESS: That is correct.

Mr. FARQUHAR: I was going to ask why his discussion was on British Columbia. Is the situation not the same in other provinces?

Mr. HOEY: Perhaps I might be permitted to say this. I have already pointed out to the members of the committee that they had heard the director, they had heard the secretary and they had heard Hon. Mr. Claxton. Ordinarily they would have gone on to hear the general superintendent of Indian agencies for the Dominion but that position is vacant. The position of superintendent of welfare and training has also been vacant until two days ago. The young man who has been appointed is present this morning, but naturally you cannot expect him to give evidence. Then senior official at the head of reserves and trusts, Mr. Allan, is seriously ill and is not likely to return for a couple of months. Therefore, there was nobody I could bring forward other than to ask a senior field officer, such as Major MacKay, to come in in the absence of the others. That explains why you are listening to Major MacKay. You will hear a number of our senior officials with their subordinates in due course.

Mr. BLACKMORE: Will it be possible to hear a man in the corresponding position in the eastern provinces?

The CHAIRMAN: That is right. We have Mr. Arneil here. He is Inspector of Agencies for Ontario.

Mr. MATTHEWS: May I ask if Major MacKay has a further presentation this morning?

The CHAIRMAN: We are on education. Mr. MacNicol is asking some questions. Would you like to proceed?

Mr. MACNICOL: The reason I asked that question was because Mr. Hoey is here and Major MacKay.

The CHAIRMAN: I think if we would confine matters to British Columbia it would help us.

Mr. MACNICOL: I am, and I expect Mr. Hoey to be able to answer how the schools in British Columbia compare with the Six Nations Reservation schools.

Mr. HOEY: I would say without any hesitation that the schools we have built since I entered the department in 1936—I am speaking now of day schools—are superior in every way to the best schools on the Six Nations Reserve. For example, we built a four-room consolidated school at Duncan in British Columbia which I consider is one of the most up to date and one of the finest consolidated schools in the district. We have already built one at Shubenacadie, an up to date four-room school with the whole of the basement accommodation available for vocational instruction. We built a similar one at Eskasoni—the contract has just been let for construction of a four-room consolidated school at Muncey.

Mr. MACNICOL: That is in Ontario. Yes, I know that one.

Mr. HOEY: All the schools we are building at the moment are the most up to date schools possible with full classroom accommodation and basement accommodation for vocational instruction, and with teachers' residences usually attached. There is nothing better anywhere than the schools we are now building, and I think the Indian day schools in the Dominion are on the whole in reasonably good shape. I think they compare favourably with one or two exceptions, with the schools you have on the Six Nations Reserve. Major MacKay can speak more competently on the schools in his province.

Mr. MACNICOL: And you are just pointing out that they are improving in British Columbia?

Mr. HOEY: They are improving everywhere.

Mr. MACNICOL: That is fine, that answers me. I have no other questions at the moment.

By Mr. Blackmore:

Q. May I ask one question with respect to these schools which you mentioned, they are all day schools?—A. Yes.

Q. Does the department build the schools, who is responsible for these school buildings? And, what about the residential schools?

Mr. HOEY: The government has not built a residential school, that is a new residential school, since I have been with the department, that I know of. We did build a residential school about four years ago to replace one that had been destroyed by fire; but we have not built residential schools of any type in recent years; except, as I say, such buildings as we built to replace schools destroyed by fire, and there are very few of them. The churches have been building a few. The Catholic church, up in northern Alberta, for instance, built a number in that part of the country in recent years. I think that is about all.

Q. May I ask if the government does or does not encourage an increase in the number of residential schools, or are we supposed to have sufficient?

Mr. HOEY: There has been a tendency on the part of the government since I entered the department—how shall I put it, to display a good deal of reluctance—

Q. To what?

Mr. HOEY: We approach the proposal to build new residential schools very reluctantly. I think I would be fair in stating that we are leaning toward

the establishment and operation of Indian day schools rather than residential schools. I made that statement having in mind how difficult it would be to secure a permit for the establishment of a new residential school.

Q. I have one more question, Mr. Chairman; in the case of these new day schools, is the school built and then the building turned over to the Indians for them to operate?

Mr. HOEY: The day schools, no. Major MacKay might perhaps be misunderstood. The day school is built by the government at government cost and it is wholly under the control and direction of the department. And now, about fifty per cent I would say of the Indian school teachers are appointed by the department, appointed by us and paid by us. In the case of the other fifty per cent a nominal recommendation is made by the church; if the Catholics are in the majority and the schools are being operated for Catholic children, the Catholic church would make a nomination and send it in to Mr. Phelan, chief of the training division, giving the name of the individual nominated to take charge of that particular Indian school. However, we are not obliged to accept these nominations. Mr. Phelan's branch is not under any obligation to accept the nomination of the church. So that in the operation of the Indian day schools the department has more control than the provincial department of education. We have complete control in the case of the Indian schools.

Mr. BLACKMORE: Would you describe the course of education undertaken?

Mr. HOEY: We follow a provincial curriculum with certain slight modifications. And there is an obvious advantage in our doing that, and we will not depart from it to a very great extent, that is that we want our boys and girls to be up to grade VIII standard, and unless they are up to that standard they cannot proceed on to grade IX. A great many of them want to go on to be teachers and professional people of one kind or another, which makes that almost a necessity. On the other hand, it would be a great hardship for them to provide a course which is not recognized by the provinces, because after all the provinces are in the saddle in so far as educational recognition is concerned. So we do not depart in our Indian schools to any great extent from the provincial curriculum, or the provincial course, the elementary course as recommended by the province. If we depart from it at all it is in the realm of vocational instruction; remodelling of clothing, dressmaking, cooking, minor matters of that kind. It is difficult to provide vocational instruction in day schools. It is much easier where we are able to send them in to what we call a consolidated school; and they get a better opportunity for vacational training in a residential school.

The CHAIRMAN: Just a moment, gentlemen, I am afraid we are getting away from the purpose of this meeting to-day, that is to hear Major MacKay. If we could confine our questions so far as we can to Major MacKay so that we can be prepared to dismiss him, then we will proceed later on with the other provinces, and we can call Mr. Hoey at any time.

By Mr. Charlton:

Q. How many teachers have you in the day schools in British Columbia?—A. We haven't any Indian teachers in our day schools at the moment.

Q. Are there any qualified teachers there who could be employed?—A. I do not know of any. At the moment we have a young man from the Kootenay Indian Reserve whom we are assisting through normal school. He taught for a while, but at the moment he is in the provincial normal school in Vancouver and I suppose on graduation from there he will resume his position as teacher; but he lacked the necessary qualifications and in order to assist him in securing them the department assisted him financially in attending the normal school. A few years ago we had another chap by the name of Kelly in charge of one

of our schools and he was not as successful in teaching his own people as he subsequently became in teaching white children. At the present time he is a principal of a white school.

Mr. FARQUHAR: Do you find much difficulty in securing teachers?

The WITNESS: We do, yes. There is a shortage of qualified teachers.

Mr. GIBSON: Do you pay them comparable salaries?

The WITNESS: We have endeavoured to do so. I think there has been a revision of the salary list in the province of British Columbia, and in my recent report to the Director of Indian Affairs I suggested that we should endeavour as soon as possible to raise our salary list to the standard provided by the province. In a good many of our schools we provide not only salary but living accommodation, fuel and light. That living accommodation is provided, in almost every case, as a matter of fact, in British Columbia, including furnished quarters, so that there is a certain valuation which has to be placed on that in estimating what salary should be paid.

Mr. BLACKMORE: How does that policy work out when you come to residential schools? For example, would the expense be borne jointly by the church and the government? How do you manage—first, do you see that the teacher is qualified—

The WITNESS: The responsibility of the employment of staff in the residential schools falls on the principal of the school. He receives a per capita grant from the crown—and I am not in a position to say what assistance he receives from the church, but he receives some on which to operate the school. And when a residential school is inspected and the teacher is found lacking in qualifications, one who has not attained the standard required in the matter of instruction of children which the inspector or we consider should have been attained, an adverse report is made and we usually request the removal of that teacher. So far as I know that is the limit of our control with respect to the staff of residential schools. We certainly have a much wider control over the staff of the day schools. The residential school is operated under the auspices of the church to which the pupil belongs.

By Mr. Harkness:

Q. So far as these fifty-five day schools you have in British Columbia are concerned, in how many cases are the teachers nominated by the church?—A. I think in every case, with the exception of two.

Q. And do you pay the salaries in all cases?—A. We pay the salaries in all cases.

Q. In all cases?—A. Yes.

Q. And the course of study which is followed there is exactly the same, you say, except for very minor modifications, as that which is carried on in the ordinary schools in the province?—A. Well, generally it is supposed to be. As a matter of fact, the curriculum is supposed to be that of the province in which the school is located.

Q. What grade do you take up to in these grade schools?—A. Well, the courses in the day schools run up to grade VIII.

Q. And if Indian lads want to go beyond that grade then they have to go to a residential school?—A. No, not to a residential school necessarily, unless they have grade IX and higher in a residential school—which is not general—they go the the high school.

Q. They have to go to high school. I see that you pay the tuition there for some twenty-four.—A. That is at the present time, yes, in British Columbia; but I might observe here that the requirements are aptitude, recommendation by the teacher—the principal of the school, if you like, and the school inspector.

Q. Have you any reasons to give us as to why only twenty-four Indian students have graduated from these public day schools and gone into high schools?—A. I think I can give you a few reasons. One is the over-ageness of children when they start school. I think that reflects our failure in getting children into school at the proper age. Second, is irregularity of attendance, which is extremely difficult to control. And the third is, and here I am referring to the residential schools, the half-day system they follow.

Q. I want really the day school defects.—A. Well then, the first two would apply in the case of the day schools.

The CHAIRMAN: Gentlemen, before we proceed, might I refer you to the summary of the school statement on the final page of the annual report of the Indian Affairs Branch where you will see the statistics with respect to that.

(See Appendix G)

Mr. HARKNESS: That is what I am referring to at the moment.

The CHAIRMAN: I thought you were, but I do not think the others were following it.

Mr. HARKNESS: Oh, I see.

By Mr. Harkness:

Q. Then, as to the residential schools?—A. I might add to those two reasons I gave there the handicap of language.

Q. The proportionate number of Indian children going further would seem terrifically small and I wanted to have the reasons for that, and to find out what could be done to improve them or increase the number going on to high school training.—A. Well, of course, the children from both the residential and the day schools go on and attend high schools, but anywhere you get children in the day schools at the proper age there would be more available to attend high schools, but the half-day system stands in the way in the residential schools, I would say.

Q. Then the chief thing required in so far as the day schools are concerned is getting the children started earlier and on regular attendance. Now, in regard to these irregularities of attendance, have you any means of compelling attendance such as exists for white children throughout the Dominion?—A. Yes, the Indian Act provides for that. But we hesitate to use compulsion with respect to administration in the matter of Indians. I have found it necessary recently to ask the Mounted Police to visit some homes and insist on the attendance of children.

Q. But generally speaking the situation is that if the Indian band does not want the children in school you do not force them to attend?

Mr. GIBSON: You have a lever in the family allowance now, have you not?

The WITNESS: Yes, the family allowance has made an improvement in the situation in the matter of more regular attendance.

By Mr. Harkness:

Q. As far as the residential school is concerned, that is right; they spend half time only on academic work whereas your regular curriculum of the province requires a full time attendance. I have heard a considerable number of complaints from Indians, and I think one of the reasons as to why Indian children do not get anything like an education comparable with that given white children was because of the work they had to do. I was wondering if there were anything at your disposal to increase the amount of time devoted to what you might call regular studies in the residential schools in order to correct that.—A.

I do not know that we have any means at our disposal at the moment, but this committee might in its wisdom provide a means; one is a matter of finance, and the other is additional accommodation.

Mr. HARKNESS: I understand also that one of the reasons that only half time is devoted to academic education is because the children are employed the other half of the time in cultivating the school farm and doing various forms of manual work around the institution.

Mr. GIBSON: Would not that be under the heading of vocational training?

Mr. HARKNESS: There has been considerable argument about that. It is supposed to be vocational training, but from what I have heard with regard to these Indian pupils, it is not so much a matter of vocational training as it is a matter of doing the work around the farm which must be done in order for the school to be able to finance itself. In other words, the grant provided by the church amounts on the average, I think, to between $175 and $180 per pupil, that is nothing like sufficient on which to carry on a school. Anyone who has had a boy at boarding school, as I happen to have had, will readily appreciate that it takes a very great deal more than that to keep up a school. Apparently the churches are not in a sufficiently sound financial position to be able to make up the difference and the result is that the children is these schools are getting a very much inferior education.

Mr. GIBSON: By that you mean academic education?

Mr. HARKNESS: Yes, and also vocational education. I would infer from that that more substantial financial assistance was needed.

The WITNESS: I do not know that they get a much inferior vocational training. That end of it also is under provincial inspection, and the facilities provided in our province have received very high praise, I refer most particularly to vocational training.

Mr. HARKNESS: What I really wanted to get was your opinion as to what could be done to improve the situation. I have heard these complaints from Indians, and from people who are interested in the education of Indians and their welfare, and I wondered what your opinion was in connection with the matter that has just been mentioned.

The WITNESS: We employ and the department, of course, pays for the salary of the vocational training instructor, a substantial amount of the salary being paid through what we call the B.C. special vote. If we are going to relieve the Indian children of any of the arduous tasks they are required to perform at the present time it will be necessary I should say to increase the per capita grant considerably to provide for more staff.

By Mr. Gibson:

Q. Would you say that the Indian children were asked to do any more work than the average white child in Canada on a farm would be required to do in the form of chores, and so on?—A. I have found some inspectors complaining from time to time that children were required to do more than they should because of their tender age. Generally speaking I doubt very much if the principals of our residential schools give work to children who are not really in a position to do it.

Q. I have followed that very closely for many years and I have never heard of any children in the residential schools who were in any way being imposed upon, and anything they were asked to do in that regard was really vocational training so far as they were concerned.—A. Of course, if we develop a full day system of instruction, and I think we certainly should have it for the first few years of the course in any case, the labour which the children at the present time are required to perform would not be necessary, they would be in school,

they would have a full staff to look after them and the schools would be in a position to employ men and women to look after the actual operational duties now devolving on the children.

Mr. CHARLTON: We would like to hear what Mr. Lickers has to say on this matter.

Mr. LICKERS: You would like to have my views on vocational training in these schools?

Mr. CHARLTON: Yes.

Mr. LICKERS: Do you have vocational instructors in these schools?

The WITNESS: Yes, we have.

Mr. LICKERS: I mean, other than the people who are actually working on farms?

The WITNESS: We have men who are employed to give instruction on vocational training, and they devote their entire time to that division of the school work.

Mr. LICKERS: My experience of the residential schools was this; that when we got up in the morning we did chores, we had breakfast, and after that we went out and did what ever else we were told to do. There was no actual instruction about it, I mean as to why certain things were planted; or as to the necessity of rotation of crops, or anything like that. We just went out and did what we were told. And then, as to the cattle that were there, we were never given any instruction as to the finer points of cattle raising or breeding. And the same with other branches of farming, we were not given any instruction whatsoever. The same applies to fruits, to chickens, to hogs, to everything about the farm. That was my experience in connection with these schools. We were given just enough instruction in school to know that we were dissatisfied when we went back to the reserve, and yet we never got enough instruction with which we could go on.

Mr. MATTHEWS: I am glad to hear Mr. Lickers' observations with respect to residential schools. I have heard much the same opinions expressed by employers, and almost invariably when there were two applicants for a position the Indian stood little if any chance.

Mr. LICKERS: The point I am making is that the work is done without real instruction.

Mr. MATTHEWS: I get your point, it is very pertinent.

Mr. LICKERS: At least, that was my experience. Then, nowadays, there is not fifty per cent of these people, of the Indians who attend these residential schools, who go back to the reserve. The only thing they know, with which they can go ahead on, is the little information they got there through doing work on the farm.

By Mr. Bryce:

Q. With respect to the Indian who sends his children to these schools, does he receive the family allowance? And, in the case of those who go to residential schools, do the residential schools collect the family allowance?—A. No, the family receives the family allowance for the two months the child is not in school; that is, for the holidays.

Q. But it is not paid to the school?—A. No.

Q. That family does not participate in the family allowance for the ten months the children are at residential schools?—A. That is correct.

Mr. CASE: In reviewing the statement, I think it should be noted that British Columbia had probably the best percentage of enrollment of any of the provinces. With a population of 25,515 they had an enrollment of 3,650,

whereas in Ontario with a population of 32,421 in Indians, the enrollment was 3,852; and then if you go down to Manitoba where they have an Indian population of 154,000 I see the enrollment is 2,187; so I think from those figures we may take it that British Columbia shows a very good percentage.

Mr. HARKNESS: Your figure there for Manitoba should read 15,000.

Mr. CASE: Pardon me?

Mr. HARKNESS: That Manitoba figure was corrected here the other day, it should read 15,000, not 150,000—there was an error in printing.

Mr. CASE: That would be different. I thought when I saw this it represented possibly the whole population of Manitoba.

The CHAIRMAN: Could I remind you again; I can see the difficulty we are getting into by taking up at this stage so many different questions. We seem now to be going all over Canada.

Mr. MACNICOL: Exactly.

The CHAIRMAN: Getting away from the main point of our meeting.

By Mr. Charlton:

Q. Did I understand Major MacKay to say that in day schools in British Columbia the churches have the right to recommend teachers?—A. They have the right of nomination.

Q. All but the two to which you referred?—A. Yes.

Q. Have you any idea off hand of what these denominations are at the present time?—A. They are Roman Catholic, United Church, Church of England, and so on.

Q. Could you give us the number of each one?—A. I am afraid I haven't got that before me, but I think they are set up in the report. Perhaps in order to avoid delay I could get that for you for the next meeting.

The CHAIRMAN: Before asking Mr. MacNicol to proceed with his questions I am going to suggest that we take a short recess.

The committee took a recess at 12.30 p.m.

The committee resumed at 12.35 o'clock p.m.

The CHAIRMAN: Shell we resume?

Mr. MACNICOL: The suggestion I was going to make, Mr. Chairman, is that if we want to get anywhere in this committee we have got more or less to get down to business. I have here a series of questions I wanted to ask the witness, and I think if we are going to get any continuity in our record we should deal with these matters one subject at a time. For instance, I have here a few questions I wanted to ask. Would the committee agree if we proceed along that line, asking one thing at a time? My first question had to do with buildings. That has been pretty well covered. My second question was to teachers' qualifications, first in the day schools and then in the residential schools—I should not mix the two of them together, I should keep them separate—so I will confine it to the qualifications of teachers in day schools. Then, the curriculum of the day schools—how it is organized, under whose jurisdiction it is prepared. The next item was, where the children go from the day schools when they are finished. My next question was if they go higher than the day school, then where do they go—each child should have the same chance as the white child to enter either commerce, or music, or higher education—where do these boys and girls go after they finish the day school. My next question would be—I can't read my own writing—Oh, yes, my next question was in reference

to Indian teachers—if trained teachers prefer to go to white schools, well and good, but there should be the same opportunity for Indians themselves to become teachers. I have quite a number of them, but that is what I had for the day schools. That is the reason why I suggested that we should deal with them and then proceed to residential schools. We can't keep jumping from one type of school to the other and have any continuity in our record.

The CHAIRMAN: All right then, Mr. MacNicol, will you let us have the first question; and, gentlemen, can we confine our questions to this one subject, that is with respect to day schools and buildings. It is rather difficult, I think you will admit, Mr. MacNicol, for members of a committee such as this to confine themselves strictly to that point, particularly when we are trying to get the general idea. The difficulty as I see it arises from the fact that we are permitting general questions to be asked at this stage.

By Mr. MacNicol:

Q. I would like first then, Mr. Chairman, to have Major MacKay tell us about the day school buildings and how they could be improved.—A. Well, we have as I said some time ago, fifty-five day schools in the province of British Columbia, and I should say that almost half of them are in need of repair, some much more than others. Some might need replacement because the accommodation is not adequate and the building is too old to repair. We have some very good new day schools in British Columbia built since 1936. We have a four-room consolidated school at Duncan on the Cowichan Agency on Vancouver Island which I think compares favourably with any white school in the province, not only in the form of accommodation but as to equipment provided for the instruction of the children. We have another excellent day school at Pemberton —I could go on and mention quite a number. We had a program in the matter of construction of new schools, repairs and replacements, but of course the war came on and it was not possible for us to do much in the way of improving conditions in the matter of school buildings. The same applies to some extent in the case of the residential schools; but, of course, we are dealing with day schools at the moment. Does that answer your question?

Q. That answers it. You have a program?—A. We have a program. Yes.

Q. The next thing was about teachers' qualifications?—A. Well, we should like to have had qualified teachers in all our schools. There has been a shortage of teachers in the province of British Columbia and it has been necessary for the province to close some of their own schools, and we have been required to do the same.

Mr. GARIEPY: What do you mean by qualified?

The WITNESS: Certificated through normal school training. They have to attend a course at normal school to obtain the qualifications required to teach in a provincial school.

Mr. CASE: There is a scarcity of teachers all over. I notice that particularly in Ontario.

By Mr. Harkness:

Q. How many of the teachers in the day schools, the fifty-five to which you referred, are properly qualified under provincial regulations?—A. I would say at the present time—this is just an approximation—65 per cent.

Q. And how many in residential schools?—A. Well, in the residential schools I would say exactly the same thing applies. We have a number of Roman Catholic school teachers who belong to various religious orders and

although they have the academic qualifications they have not, in a good many cases, the qualifications, the official qualifications; that is, they lack normal school training.

Q. But right through both kinds of school teachers will be about sixty per cent properly qualified?—A. I should say, I would be generous in saying, sixty-five per cent have qualifications.

The CHAIRMAN: Now, gentlemen, I am going to have to be a little more strict from now on. We are dealing now with the question of buildings in British Columbia, more particularly as it relates to day schools.

Mr. FARQUHAR: But we have finished with that, Mr. Chairman.

Mr. MACNICOL: We have gone on to the question of teachers' qualifications.

By Mr. MacNicol:

Q. You believe that teachers in the Indian schools should be certificated?—A. Yes, I believe that is a condition which should apply.

Q. My next point was the curriculum. Who organizes the curriculum?—A. Well, the course of study in the Indian day school is based on the provincial curriculum. Some times it is found that certain modifications are desirable and those are suggested by the school inspector, or the provincial school inspector. Formerly we had these suggestions from our own school inspectors, but in recent years we have had to rely very largely on the suggestions from the inspectors employed by the province of British Columbia to inspect provincial schools.

Q. Do they inspect all the schools?—A. Well, they haven't visited them all in recent years because it has been impossible for them to do so.

By Mr. Blackmore:

Q. I would like to know whether the half-day system applies.—A. No, not in the day school. They have full day instruction in all the day schools where we have the accommodation. In some of our schools we lack accommodation and some grades are taken in the morning and some in the afternoon. We have in a sense a half-day system applying there, but it is due entirely to lack of accommodation. I should say that obtains in six or seven day schools in British Columbia.

Q. To what extent does this apply to residential schools; are they following the half-day system or a full-day system?—A. I think they follow a half-day system very generally.

Mr. RAYMOND: Have you had any increase in population?

The CHAIRMAN: Just a moment, please, we are talking about the curriculum.

Mr. RAYMOND: Increase in population would have an effect on the attendance of boys and girls and on the number of schools in British Columbia.

The CHAIRMAN: We are talking about the curriculum, or, properly I should say we are discussing curricula.

By Mr. Blackmore:

Q. This may not be a proper question to ask this witness as it might possibly involve Major MacKay; but I think it must be obvious to the members of the committee that if the residential schools are following the provincial curriculum which calls for full time instruction to white children attending schools, and if these Indian residential schools are giving only half a day to the academic side of it, it is going to be utterly impossible for them to cover the course in the usual sense in the ordinary residential school.

The CHAIRMAN: We are talking about day schools.

Mr. FARQUHAR: We should cover that.

The CHAIRMAN: You see the difficulty. We are trying to follow a system, and you see how difficult it is to follow it. If you would care to answer that question now, Major MacKay?

The WITNESS: Yes. I cannot see how the children in the residential school on the half-day system could attain the same grade as white children of similar age.

Mr. BLACKMORE: It is impossible.

The WITNESS: It is impossible.

The CHAIRMAN: Have you any more questions, Mr. MacNicol?

Mr. MACNICOL: My next question was, when the Indian child graduates or leaves day school, what is the next step?

The WITNESS: Well, when the Indian child leaves the day school either he goes back to his home on the reserve, finds employment in the city or some place near his home, or he goes on to high school. He does not attend the residential school.

Mr. GIBSON: There are only twenty-four in British Columbia at the present time you mean, who have gone on to high school?

The WITNESS: There are twenty-four of whom we have record, for whom the department is paying tuition and accommodation. There are more than twenty-four Indian children in high school in British Columbia.

Mr. LICKERS: The department pays their tuition only in cases where the parents remain or live on the reserve?

The WITNESS: Yes, that is the governing policy; if the Indians are resident on the reserves and are unable themselves to provide the funds necessary to send the child to high school and provide accommodation for him away from home, the department comes to the assistance of the parents in providing the necessary funds.

Mr. LICKERS: Unless the parents live on a reserve, there is no such help extended to Indian children?

The WITNESS: I would not say that. In some cases, it depends on the circumstances. Frequently where parents live on a reserve they are in a position to provide financial aid to the children. Sometimes they feel like doing it for themselves, but generally the department provides the assistance. I cannot recall any application made to my office for those living off reserves that has been refused by the department.

Mr. LICKERS: Would you agree that in order to give the Indians of British Columbia a high school education they should have a central high school—or even a boarding school for the purpose—a central high school which all eligible children in British Columbia could attend, I mean Indian children of course, and it might go further and include Indian children from Alberta as well.

The WITNESS: Our policy so far has been to encourage the attendance of Indian children at provincial high schools. What you are asking now is a residential school system, the construction of a new residential high school.

Mr. LICKERS: No, have one school which devotes its full time entirely to high school instruction, solely for Indians, in which all the Indians in the province who have passed grade VIII would attend without any expense on their part.

Mr. GIBSON: You are suggesting a policy of continued segregation when you suggest a residential Indian high school rather than using the provincial facilities?

Mr. LICKERS: Yes, I am to a certain extent, due to the fact that there are so few Indians who are coming forward, under the present circumstances, seeking a higher education.

Mr. GIBSON: That is not so much a question of economy as it is a question of segregation, is it?

Mr. BRYCE: They have to pay when they go to the other high schools, they have to pay tuition.

Mr. LICKERS: They would have to be paid for. I am just trying to work out a system whereby the Indian could get higher education than is possible to-day.

The WITNESS: The number of twenty-four for whom the department pays does not indicate that there has been any disposition on the part of the department to refuse to assist Indian children to go forward into high school.

Mr. BLACKMORE: Mr. Chairman, would Major MacKay have the figures as to how many of those twenty-four were educated in day schools and how many were educated in residential schools?

The WITNESS: I am afraid I haven't it before me.

Mr. GIBSON: That would be practically all from the residential schools, would it not?

The WITNESS: I would say it would be about fifty-fifty.

Mr. FARQUHAR: So far as I can understand it, it is about the same for each.

The WITNESS: It is about the same in this respect, they are all about the same age whether from residential schools or day schools, notwithstanding the fact that those in the residential schools are on the half-day system, and those at the day school receive full day instruction.

Mr. BLACKMORE: It would appear under the circumstances you have outlined that it would not be reasonable to expect as many from the residential schools as from the day schools.

Mr. GIBSON: I would not say that is correct. My experience has been that the children whom you would normally expect to go to high school would be about the same as is the case with white children; at the time they reach seventeen they are normally through grade VIII, even in the residential schools; isn't that true?

The WITNESS: We have a record of those who attained grade VIII—eighty-seven.

Mr. BLACKMORE: What is that number?

The WITNESS: Eighty-seven in grade VIII, during the current school year, out of four thousand some hundred odd.

Mr. BLACKMORE: Was that for the residential schools or the day schools?

The WITNESS: Well, they are divided, Mr. Blackmore.

Mr. BLACKMORE: Could you give us the numbers of each?

The WITNESS: I think they are in the annual report, a summary of them.

Mr. CHARLTON: There are shown only forty-one in grade VIII.

The WITNESS: Forty-one, yes; but the difference probably is that my figures are for this year. Is your statement for 1946, Mr. Hoey?

Mr. HOEY: No, that it is for 1945.

The WITNESS: Eighty-seven is for the current school year.

Mr. CHARLTON: I think that is a very important factor, to get the figures as to where these children in high schools came from, whether they were from the day schools or the residential schools. I do feel that there would be a tendency for more of them to be from day schools because I would imagine the

age of those attaining grade VIII in residential schools would be a little higher and consequently there would be a reluctance on their part to go to high school at the higher age.

The WITNESS: Well, for instance, six of them came from Cowichan, and I should imagine that most of them would be from day schools, that is, for that agency. There is one from Kamloops; I think probably he was from a residential school because we have no day school in that vicinity. When you get to the Kwawkewlth Agency, I know there are three attending high school, but that agency is served by both residential school and a day school and there would be some difficulty there in finding out just where the three got their elementary education, in allocating them as between residential schools and day schools. There is one from Lytton; I should say that child would be from the residential school because we have no day school at Lytton. And so on. I can add to those. We have nine children attending high school in the Queen Charlotte Islands, and these children are all from day schools.

Mr. CHARLTON: Would you care to make this statement; do you think that probably the highest percentage would be from day schools, that that would be higher than those from residential schools?

The WITNESS: From the figures I have here that is indicated, but I should not like to be definite.

Mr. GIBSON: Would you not say that the education standard of the Indians of the Queen Charlotte Islands was the highest of any Indians?

The CHAIRMAN: Has that anything to do with the subject under discussion?

Mr. GIBSON: If you are going to draw conclusions from that I think we should go into the backgrounds.

Mr. MACNICOL: Mr. Chairman, we are getting all mixed up again. I have just one further question. We are dealing now with the children who have graduated from day school. Where do they go? That is what I was asking.

The WITNESS: From the day school, if they have shown aptitude and are admitted, they attend high school.

Mr. MACNICOL: Yes, but apparently there are only twenty-four, the great majority do not go beyond that. What happens to them?

The WITNESS: They go back and find their ways into various lines of activity.

Mr. MACNICOL: That is all I have to ask on day schools. My next questions will be on residential schools and high schools.

The CHAIRMAN: Fine. Now let us have the other questions, we still have five minutes to go.

Mr. GIBSON: We have done very well this morning.

Mr. MACNICOL: I think so.

The CHAIRMAN: Would you care to go on with your next questions? We have another five minutes yet.

Mr. MACNICOL: Well, Mr. Chairman, my next question would be this, are they all taught alike in the high schools; and are, let us say the girls, taught music, sewing, and things like that? And my next one would be, when they leave the residential schools where do they go? And the next one was, do they go on from the residential schools to say commercial schools—I know some who have learned a certain amount of bookkeeping and typewriting—that is what they have done down here in Ontario, and I wanted to know what about British Columbia. And the last question would be, when they graduate from day school and go home, what becomes of them then.

The CHAIRMAN: Would you like to give us the first one, Mr. MacNicol? We still have a few minutes to go. When the clock strikes one we will adjourn, but it is not yet one o'clock.

By Mr. MacNicol:

Q. All right. Are school buildings safe?—A. All the buildings constructed in recent years are reasonably safe. They are mostly of brick and concrete construction, and all kinds of fire fighting appliances have been provided. One or two of the older schools, especially those that belong to the churches, are not safe.

Q. And my question No. 2 is, what is the curriculum?—A. The curriculum is based on a provincial course of study; the same instruction as is given in the provincial public school is supposed to be given in the Indian day school and the Indian residential school.

Mr. GIBSON: With vocational training?

The WITNESS: With certain modifications to the Act, provision for additional vocational instruction.

Mr. BLACKMORE: They are under the same type of instructor?

The WITNESS: They are, yes.

Mr. BRYCE: But they only go a half day?

The WITNESS: In the residential schools.

Mr. BRYCE: Which is a disadvantage.

The CHAIRMAN: Now, gentlemen, shall we call it one o'clock; and we will meet on Tuesday next. I should like at this time to thank Mr. MacNicol for putting his questions in such fine order, and I hope it will be an example for all the other members of the committee. We will meet again on Tuesday next at 11.00 o'clock in the morning and again at 4.00 o'clock in the afternoon.

The Committee adjourned at 1.00 o'clock p.m. to meet again on Tuesday next, June 18, 1946, at 11.00 o'clock a.m.

APPENDIX G

CANADA

DEPARTMENT OF MINES AND RESOURCES

REPORT OF INDIAN AFFAIRS BRANCH FOR THE FISCAL YEAR ENDED MARCH 31, 1945

CONTENTS

	PAGE
Indian Affairs Branch	185
Indian Health Services	192
Welfare and Training Service	193
Training	193
Welfare	195
Handicraft	196
Construction and Engineering Works	196
Reserves and Trusts Service	197
Reserves Division	197
Trusts Division	200
Summary of Indian Affairs by Provinces and Territories	202
TABULAR STATEMENTS—	
Table No. 1—Census of Indians arranged under Provinces and Territories, 1944	*
Table No. 2—Crops sown and harvested, land broken and summer-fallowed, hay put up, etc.	208
Table No. 3—Land; private and public buildings and property	209
Table No. 4—Live stock and poultry: general effects	210
Table No. 5—Sources and value of income	211
Statement of expenditure for the year 1944-45	212
Open account—Indian Act Revolving Fund, 1944-45	213
Net expenditure by provinces, 1944-45—Fur Conservation	213
Indian Trust Fund	213
School Statements	214

* Already printed, *see* Minutes of Evidence, page 9.

INDIAN AFFAIRS BRANCH

R. A. HOEY, ACTING DIRECTOR

Demands for Indian labour continued through the fiscal year and as a result economic conditions on reserves in most parts of Canada were maintained at a comparatively high level. Generally the fur catch was low, although good catches were reported from a few localities. Farming Indians had a fairly successful year with cattle raising showing good profits. Health conditions in the southern and more populated parts of the country showed improvement but this was offset to some extent by epidemics in previously isolated parts of northern areas.

POPULATION

The quinquennial census of the Indian population was taken in 1944. The records of the Branch indicate that there has been a slow but steady increase in the population from year to year.

The following table shows the number of Indians by provinces according to the 1944 census:—

Province	Population
Alberta	12,754
British Columbia	25,515
Manitoba	15,892
New Brunswick	2,047
Northwest Territories	3,816
Nova Scotia	2,364
Ontario	32,421
Prince Edward Island	266
Quebec	15,182
Saskatchewan	14,158
Yukon	1,531
Total Indian population	125,946

A more detailed statement giving statistics of the Indian population under the headings of religion, age, and sex in the various provinces will be found in Table 1 on page 9, Minutes of Proceedings, No. 1.

THE INDIANS AND THE WAR

The Indians throughout the Dominion of Canada have displayed a keen interest in the progress of the war, and have, since its outset, given ample evidence of their loyalty by voluntary enlistments in the Armed Forces and generous contributions to the Red Cross and other war funds. Indian women also have rendered valuable service in Red Cross work, knitting socks, mufflers, and other articles as well as supplying comforts for the soldiers.

The number of enlistments among the Indians in proportion to their population has been exceptionally good. More than 2,600 enlistments of Indians have been recorded. This figure includes also a few Indian girls who enlisted in the Army and Air Force. It must also be remembered that, undoubtedly, many Indians have enlisted of whom the Indian Affairs Branch has no definite information.

As an inevitable result of this substantial enlistment many brave Indians have laid down their lives in the cause of freedom. Since the outbreak of the war, according to Branch records, some 170 Indians have either been killed in action, died of wounds, or as a result of natural causes. Recently, word was received of the death of George Badger, an Indian of the Pelly Agency, Saskat-

chewan, who had been a Prisoner of War at Hong Kong since 1941. John Smallboy of the Moose Band, Moose Factory Agency, Ontario, has been reported to have been through the African, Sicilian, and Italian campaigns.

A magnificent record was established by an Indian family of the Cape Croker Agency. John McLeod, the father, served in the last war and with the Veterans Guard in this war. His six sons and one daughter enlisted in the Armed Forces. Two sons were wounded in action and two others paid the supreme sacrifice. Three Indians have been awarded the Military Medal. Gunner Dick Patrick, Royal Canadian Artillery, member of the Okanagan Indian Agency, British Columbia, was decorated for "gallant and distinguished conduct in the field". As stated in last year's report, Private Frederick Webster, Seaforth Highlanders, member of the Lytton Indian Agency, British Columbia, won the Military Medal. Private Huron Eldon Brant, member of the Tyendinaga Indian Agency, Ontario, was also awarded the Military Medal in the battle of Grammichelle in 1943. The Official Citation stated "he distinguished himself for his prompt and courageous attack with his Bren Gun on an enemy force of approximately 30 men, inflicting severe casualties. Private H. E. Brant totally disregarded his own personal safety in the face of very heavy enemy fire and made possible the killing or capturing of the entire enemy force." This gallant soldier was later killed in action in Italy.

The Department has assumed the responsibility of administering all estates of deceased soldiers. In all cases steps are being taken to effect proper and fair distribution. The utmost care has been exercised to see that dependents obtain the full benefit of pension and allowances.

Indian enlistments by Provinces are as follows:—

Prince Edward Island	24
Nova Scotia	110
New Brunswick	188
Quebec	181
Ontario	1,137
Manitoba	158
Saskatchewan	400
Alberta	128
British Columbia	270
Northwest Territories	0
Yukon	7
Total	2,603

In addition to the above, according to Branch statistics, 46 Indians enlisted in the United States Armed Forces. This figure is only approximate as Branch records are not complete.

The monetary contribution has been large; the following donations having been received from Indian bands and individual Indians throughout the Dominion:—

Canadian Red Cross	$11,742 50
Canadian War Services	1,787 45
Salvation Army	100 00
"War Effort"	2,732 51
Catholic Refugee Children	69 00
British War Victims' Fund	400 00
London Orphans' Fund	432 30
British War Effort	100 00
Queen's Canadian Fund	850 00
Canadian Aid to Russia Fund	610 84
Wings for Britain Fund	2,427 61
Total	$21,252 21

This represents only part of the contribution. Many subscriptions have gone directly to local organizations, and substantial donations of furs, clothing, and other articles have not been given a monetary value.

NORTHWEST TERRITORIES

In the Fort Simpson Agency the Indians complained of trouble on their trap-lines through the depredations of wolves which robbed their traps, chased the game from the country, and destroyed rabbit snares and caches of meat.

The Trout Lake Indians of Fort Providence were obliged to move their families to the Mackenzie River above Providence owing to fires which ravaged the country last year. They reported good catches of fur at their new camp and plenty of fish in the river, although they were farther away from the good beaver swamps.

All Indians who had transportation suitable for the trip went to "The Fishery" on Great Slave Lake where the catch averaged 9,000 fish per scow, and more if larger scows were used. The fish makes a very welcome addition to the Indians' winter food as it is used both by the Indians and their dogs. As rabbits have been diminishing in some parts of the country, the Indians have been encouraged to obtain as much fish as possible for their winter needs.

The grain, hay, and garden crops at this agency turned out exceptionally well with an abundance of fodder for winter feed.

An increase in the number of lynx with particularly good prices was reported in the Fort Norman Agency. Muskrats were scarce in the Norman and Good Hope areas, but the beaver hunt throughout the agency was quite successful. The Good Hope Indians had an excellent spring hunt.

Fox were reported numerous in all areas but rabbits were fewer than expected. Prices generally for fur were slightly lower than last year. The Indians remained at the fish lakes during the month of October and had a good catch.

In the Fort Resolution Agency early summer rains were beneficial to gardens and prevented the spread of forest fires. It is usual for the Indians to have fur to sell or barter after the spring muskrat hunt but this year the catch was so small that they had to sell it as soon as it was caught in order to provide necessities for their families. Fishing operations were fair as also was the autumn duck hunt.

The Indians at Resolution and Yellowknife made good wages cutting firewood and at the mining camps and saw-mills. This was in contrast to conditions at Fort Rae where wage-earning jobs were few.

BRITISH COLUMBIA

Notwithstanding the influence of war conditions, the general progress and well-being of the Indians was, on the whole, satisfactory during the year. Wages, especially in war plants, remained at a high level and employment was obtained in logging camps, saw and pulp mills, and by fishing, clam-digging, hunting and trapping, as well as other occupations. The top industry proved particularly lucrative to casual workers among the Indians of the New Westminster Agency, They were paid 4 to 5 cents a pound for picking as compared with the old-time price of 1½ cents.

The National Parks Branch turned over 60 green elk hides to the Kootenay Agency for Indian use. These hides were in great demand for the manufacture of moccasins, gloves, jackets, and other articles. There was considerable demand for Cowichan sweaters and leather goods, and a sweater that formerly brought from $4 to $5 can now demand a market price of from $10 to $15.

There was a gradual improvement in the class of Indian dwellings as well as farm buildings and every possible encouragement was given to the Indians in this direction. Fifty-five new buildings were constructed and repairs were made to 43. Approximately $4,000 was spent on new fencing, clearing, and other

improvements to Indian reserve lands, and efforts were made to ensure the continuation of the care of farms of Indians in the armed services and those undergoing long-term treatment in hospitals.

In all localities where conditions are favourable Indians are not only encouraged but urged to make agriculture or stock-raising their chief occupation. Crops were good in all interior agencies, with the exception of the Kootenay district where drought was general and both Indian and white farmers alike suffered a severe shortage of hay during the winter. It was necessary to extend assistance to some of the Indians to meet this situation. A considerable amount of seed was provided as in previous years.

The Indians engaged in cattle-raising had a successful year and the industry continued to expand. Prices were high which encouraged the Indians to dispose of most of their surplus stock. Good beef stock found a ready and profitable market. The Indians are learning to appreciate its value. Pure-bred bulls and good work horses were supplied during the year to eight Indian agencies. Goats were purchased for the Kamloops and Stuart Lake Agencies and this experiment continues to be watched with considerable interest. Although new farm equipment to the extent of $3,000 was purchased, Indians were encouraged to have their farm machinery repaired rather than replaced wherever possible. An Indian of the New Westminster Agency engaged in dairy farming installed a milking machine at his own expense.

The returns from salmon fishing in some of the fishing districts compared favourably with those of 1943, but in others the catch showed a marked decline and consequently was somewhat disappointing. The total salmon pack for the province in 1944 was 1,097,557 cases as compared with 1,258,221 cases in 1943. Indian fishermen were encouraged to engage to a much greater extent in halibut fishing in order to increase their earnings and offset any diminishing returns from salmon fishing.

Reports on trapping indicated that on the whole game and fur were fairly plentiful. Good prices for the latter prevailed and went far to compensate for any decline in catch occasioned by weather conditions or other causes. Extensive trapping was engaged in by the Pemberton, Douglas, Samahquam, and Skookum Chuck Indians in the New Westminster Agency and as the price of fur was high the Indians did exceptionally well.

Alberta

In Alberta the Indians took more interest in the manner in which their dwellings were kept and a start was made to fence in some of the houses to keep them separate from the outbuildings. Additional furniture was purchased and the general appearance of the homes was improved.

A number of Indians found employment in the United States and others worked for the railroads, packing plants, lumber mills, factories, and on ranches and farms. On the whole, the Indians had a good year, with employment easily obtainable, wages high, and excellent prices for cattle and other produce. Generally speaking, all Indians were warmly clothed, well-fed, and in possession of some ready cash.

Cattle came through the winter in good condition, particularly in the south, where mild weather prevailed. The Indians took more interest in the production of butter and milk, which was helped by butter rationing. Some Indians made butter for their own consumption. Returns from the sale of cream were good. Three Indians raised sheep on the Blood Reserve, and there were also a few head on the Blackfoot Reserve. A number were sold this year. Hog-raising increased slowly and good returns were obtained from sales. More Indians raised chickens, geese, and turkeys, both for the market and for home consump-

tion. Live stock on the Blood Reserve increased in numbers and improved in quality. Work was continued in an effort to control the warble fly and satisfactory results were obtained.

Crops were only fair and the hot and dry weather which prevailed stunted the growth. In addition there were sawflies on the Blackfoot Reserve, and a heavy hail-storm caused extensive damage. In the irrigated area the crops had to be cut for feed. Indians in the Sarcee district suffered heavily from hail, as did some farmers in the Hobbema Agency.

On the Blackfoot, Blood and Peigan Agencies combines had to be used to harvest the short crop which could not be tied with binders. Indians at the Saddle Lake and Lesser Slave Lake Agencies, with comparatively small acreages, had good crops. Crops on all reserves were harvested in good time. Work on the control and eradication of weeds was continued. Irrigation was successful and good results obtained.

Gardens were poor owing to drought at the Blackfoot, Blood, and Peigan Agencies and summer frost did much damage at the Stony Agency, although at the other agencies gardens were good. Community patches of potatoes were grown with only fair results.

Hunting and trapping varied in different areas throughout Alberta. Big game was fairly plentiful and the Indians had sufficient meat. The Stony Indians had a good catch of fur, but the Indians of the Athabaska Agency reported that the muskrat catch was considerably lower than last year. The Lesser Slave Lake Indians reported that fur-bearing animals were scarce as a result of the many bush fires during the past few years. Fishing was about average.

Saskatchewan

In Saskatchewan with the continuation of the war, demand for Indian labour came from the farm for spring and autumn work, and from the lumber camps for the winter months. In addition employment was provided in the cities by abattoir companies, oil refineries, and trucking and draying firms. Women were also in demand for work in restaurants and as domestics. It was reported by those who had worked in the harvest fields that individual Indians earned as high as $8 to $10 a day, and families made as much as $25 a day. This resulted in a substantial increase in revenue over that of the preceding year, not only for the farming Indians who got better prices for their produce, but for those who were depending exclusively on wages, or earning their living by fishing, hunting, and trapping.

Cattle increased over the previous year by about 450 head or slightly less than 7 per cent. One thousand and forty-two cattle were sold which brought in a revenue of $85,451.81, averaging $82.01 per head. The top price for steers was $120 per head. Of this number sold, 72·1 per cent were steers. In addition to the sale of cattle, an encouraging effort was made in the raising of hogs.

Spring work commenced much earlier than usual but growth was slow as the weather was cold. There was sufficient summer rain and the crops were cut and garnered in good time. The total grain harvested was 590,274 bushels. An attempt was made to raise flax and alfalfa seed, particularly in the Crooked Lakes Agency, and the results were encouraging. Taking wheat at an average of dollar per bushel and coarse grain at fifty cents, the value of the crop at a conservative estimate was $400,000.

The Indians planted 526 acres in gardens and over a thousand tons of vegetables were raised. This did not include the amount used during the growing season but was estimated to be the crop taken off the harvest field. The Homemakers' Clubs did good work in an endeavour to stimulate the

Indians' interest in their gardens, and continued active during the year. The work done by these Club, particularly by the women, has done much to improve the living conditions and general well-being of the Indians on their reserves.

There was a marked drop in fur prices over the previous year and a greater scarcity of fur-bearing animals. The sudden appearance of the timber wolf reduced the number of big game.

Manitoba

Throughout the year the Indians in Manitoba enjoyed continuous employment at top wages and generally speaking they lived well. The good clothing and food which they were able to purchase contributed greatly to the improved health conditions. The Indians gave help to the white farmers and worked in paper and box factories, in the pulpwood industry, on the railways as sectionmen, and in the cities as truck drivers, and in coal yards and packing plants. Employment was always obtainable by Indians with the cold storage companies for filleting fish and for other work about the plants.

At the Fisher River Agency, the Indians built, without assistance, seven new homes, one of which cost over $5,000.

The Indians greatly increased the number and quality of their work horses and as a result they were in better shape to do good farming. Results from the cattle industry were not so good as expected. Sheep were kept by 24 Indians and the total count numbered 157, or an average flock of 15. Three registered Suffolk rams were purchased. The Fisher River Indians raised hogs, with good results.

Last spring large acreages were seeded with wheat, oats, barley, and flax. The weather was favourable during the growing season and all crops did well resulting in excellent returns. At harvest time heavy rains drenched the southern part of Manitoba and Indians on the Roseau River Reserve lost 150 acres of crop. Throughout the rest of the province all crops were successfully threshed and in some districts the yields were very high. While the hay crop was only fair, late autumn rains kept the pastures green and in many districts the cattle grazed out until late in November.

The potato crop was ruined by the extremely wet autumn weather. Many patches flooded and the potatoes rotted in the ground. Some Indians gathered in a good yield but the majority of the potatoes were water-soaked and did not keep well. As a result of the demand for labour the number of gardens showed a slight decrease as some Indians were off the reserves.

In some districts throughout Manitoba trapping was good, and at other points, fur was scarce. The muskrat catch was good. There was no open season for beaver and this made it difficult for some of the northern Indians, especially those in the districts where other fur was scarce.

Indian fishermen did well, both those who worked for themselves and those employed by the large companies. In most cases the catch was good and prices fair.

Indian women belonging to the 10 War Service Clubs in Manitoba remade over 1,500 garments. In addition these women have worked for the Red Cross and have sent parcels and cigarettes to Indian soldiers overseas. At the Griswold Agency the Club sent $202 to the Red Cross and the Fisher River Club sent a donation of $243.

Ontario

As a result of their improved economic situation, Indians throughout Ontario engaged in a type of employment never before offered them. Practically all able-bodied Indians not employed in agriculture, worked in the lumber camps, and in war work in industrial centres throughout the province. A group of

Indians from the James Bay area were employed in a tannery near Guelph, this being in the nature of an experiment. These Indians had never before left the James Bay area.

Agricultural operations on Indian reserves in the central and southern part of the province were generally successful and an increased acreage was placed under cultivation. The growing season in most cases was favourable and practically all crops were harvested in good condition. An open autumn enabled soil preparation to be undertaken for the coming season. A marked increase was again shown in the quantities of canning factory crops produced, particularly tomatoes, corn, and peas. In the Tyendinaga and Caradoc Agencies, these cash crops have reached such proportions that they represent the main source of revenue of most farming families. Hog production was increased materially at all southern agencies as a result of the importation of coarse grains from the west.

The development of home gardens for Indian families again showed a marked increase, and with few exceptions these families produced sufficient vegetables for a year-round supply.

The reforestation of submarginal lands on Indian reserves progressed satisfactorily and some 50,000 conifers were planted. Education of the Indians in reforesting their submarginal areas was continued.

Returns from trapping were well above the general average and provided a satisfactory revenue for the Indians concerned. Although market prices were not quite so high and the fur crop a little less plentiful than in the previous season, the Indians had an excellent year. Beaver remained at the regulated level and there was an increase in the price of fox. The development of the Kesagami Beaver and Fur Preserve, a 7,000 square-mile area in the James Bay district progressed satisfactorily. Since being established in 1941, restocking has taken place yearly, and this year 50 live beaver were liberated, the stock being transferred from Algonquin Park and Rupert House. Stocking of the Albany Game Preserve, containing 8,000 square miles also, progressed and 12 live beaver were liberated from Rupert House. During the year a marked advancement was made in the defining of Indian registered trap-lines in the James Bay and Sturgeon Falls Agencies as the result of an arrangement completed with the province providing exclusive trapping rights over an area of 36 square miles for each Indian family of an entire township.

The Indians who engaged in commercial fishing in the various areas in the Georgian Bay and other waters of the province had the most prosperous year on record. Exceptionally high prices were received for their satisfactory catches.

Quebec

Many Indians in Quebec found profitable employment in war industries, in cutting wood, and in lumber camps.

Hunting and trapping Indians had a fair fur return and disposed of their catch at slightly lower market prices.

Salmon fishing increased substantially at the Bersimis Agency and all Indians disposed of their catch at attractive prices.

There was an increase in the number of vegetable gardens on the various Indian reserves. The potato crop was good on some reserves and generally satisfactory throughout the province.

Homemakers' Clubs continued to do good work and Indian women knitted and made garments from discarded military clothing.

Maritime Provinces

The Indians of the Maritime Provinces enjoyed a continued high standard of living through excellent employment opportunities in the steel industries,

lumber camps, and on farms. The centralization policy in Nova Scotia and Prince Edward Island was continued with favourable results. Many Indian families are now occupying better homes, and living under conditions beneficial to their health.

INDIAN HEALTH SERVICES

In the southern and more settled parts of Canada there has been an improvement in health conditions, no doubt partly due to increased opportunities for work with better wages.

There have been epidemics of influenza, measles, whooping cough, and scarlet fever, comparable with epidemics in the white population. A typhoid epidemic occurred on the Little Saskatchewan Reserve in Manitoba but was soon brought under control. Sporadic cases also have occurred in southern British Columbia.

In certain northern areas that until recent years have been isolated and comparatively free from contagious diseases, there has been a marked increase in epidemics. This is due no doubt to the influx of service personnel who carried the infections among natives who have very little immunity and in areas in which economic conditions are very poor. As a result many deaths occurred. The comparative inaccessibility for both immunization and treatment make it very difficult to control such outbreaks. Smallpox in mild forms was reported in the Rocher River area of the Northwest Territories. Dysentry outbreaks have occurred due to deplorable living conditions of the natives and in one or two instances caused by the natives eating unfit meat or foods condemned by the armed services. Diphtheria has appeared in several areas with disastrous results.

The Medical Services have endeavoured to increase the immunization programs but this has been hampered for lack of personnel. Doctors and nurses have been instructed to immunize natives against smallpox, diphtheria, whooping cough, and typhoid wherever possible. Treatment has been supplied as early as possible in all reported cases.

The United States Medical Services, the Royal Canadian Air Force, and the Canadian Army Medical Services have co-operated whole-heartedly at every opportunity and Department officials wish to acknowledge these services and express their thanks and appreciation.

On reports of epidemics it has been necessary to send in doctors and nurses in many instances. The resultant cost of air transportation has been high.

Despite increased efforts by the Branch there have been an increased number of reports of venereal disease among the natives both in the southern areas and in certain isolated northern areas where venereal disease was hitherto a rarity. This increase is accounted for by the movement of population both in and outside the Services. Instructions for regular and adequate treatment have been forwarded to personnel in the areas concerned.

The treatment of tuberculosis has continued at about the same level as in the previous year. An increase in this program hinges on the future availability of beds. During the fiscal year 1944-45 there were:—

Admissions	1,057
Discharges	1,119
Average number of monthly tuberculosis patients	890

At the end of the fiscal year 903 were under treatment.

Treatment days.....324,850

The above does not include casual admissions in general hospitals for a few days only. Departmental Indian hospitals averaged 314 patients a month. By Order in Council the Government appointed an Advisory Committee on the control of tuberculosis among the Indians which is representative of all the provinces in the Dominion.

Yearly clinics in residential schools have kept these institutions clear of active tuberculous cases. Certain other surveys were done, but those for case finding have increased very little over other years, but will increase as the Department obtains more treatment beds.

The Royal Canadian Air Force Hospital at Miller Bay near Prince Rupert has been turned over to the Branch for use in the treatment of tuberculous Indians. When in operation it is expected to be able to accommodate about 150 patients.

The United States Army Hospital at The Pas, Manitoba, has been acquired by the Branch for the treatment of tuberculois. This hospital is ideally located and should accommodate about 150 patients when in operation.

In the summer of 1944 the Nurses' House at Fort Qu'Appelle burned down. The temporary residence is not satisfactory and has increased the already difficult problem of obtaining and holding nursing staff.

The Stony Indian Hospital at Morley was reopened last summer after the Department had obtained permission to purchase the necessary fuel-oil for heating purposes.

The Department has taken over the Mission Hospital at Fort Norman and during the year extensive alterations were made in this structure to increase the capacity and improve heating, lighting, and other facilities.

Staff difficulties continued to increase during the year. With the additional hospitals being put into operation, the nutrition investigation, the advisory work for the Northwest Territories Administration, and shortage of field personnel, the work at Branch Headquarters has increased tremendously in the past four years.

Owing to the shortage of help in departmental field work and on hospital staffs, many more nurses could be employed if they were available.

Lieutenant-Colonel P. S. Tennant, who was on leave to the Royal Canadian Army Medical Corps, has returned to his duties at Kamloops. The Army has seconded the services of Captain I. H. Mazer to this Department as Medical Officer at Fisher River, Manitoba.

Field nursing services have been established at the Bersimis and Abitibi Agencies, Quebec; at Driftpile, Alberta (Lesser Slave Lake Agency), and in the Yukon Territory.

An extensive post-war program for Indian Health Service has been planned which it is hoped will be realized in as short a time as possible. This includes the acquisition or building of several hospitals for the treatment of tuberculosis, the establishing of over 50 nursing stations on Indian reserves, and the development of a means of air transportation in the northern areas.

WELFARE AND TRAINING

TRAINING

A table of pupil enrolment and attendance follows:—

	Residential Schools		Day Schools		Total		
Fiscal Year	Enrolment	Average Attendance	Enrolment	Average Attendance	Enrolment	Average Attendance	Percentage of Attendance
1935-36	8,906	8,061	9,127	5,788	18,033	13,849	76·79
1936-37	9,040	8,176	9,257	5,790	18,297	13,966	76·34
1937-38	9,233	8,121	9,510	5,978	18,743	14,099	75·22
1938-39	9,179	8,276	9,573	6,232	18,752	14,508	77·36
1939-40	9,027	8,643	9,369	6,417	18,396	15,060	81·87
1940-41	8,774	8,243	8,651	6,110	17,425	14,353	82·37
1941-42	8,840	8,283	8,441	5,837	17,281	13,935	80·63
1942-43	8,830	8,046	8,046	5,395	16,876	13,441	79·64
1943-44	8,729	7,902	7,858	5,355	16,587	13,257	79·92
1944-45	8,865	8,006	7,573	5,159	16,438	13,165	80·09

Owing to the scarcity of teachers, considerable difficutly was again experienced in securing sufficient staff for day schools. However, through the co-operation of provincial officials and church representatives, only 15 schools were obliged to remain closed owing to our inability to secure fully-qualified teachers.

The distribution of vitamin biscuits was again made to Indian day schools in northern Ontario, Manitoba, and Saskatchewan. Twenty-two tons of these biscuits were distributed during the acadenic year.

During the past year a new classroom building was erected at the File Hills Residential School in the Province of Saskatchewan. The erection of an day school on the new Shubenacadie Reserve, Nova Scotia, was commenced and it will be in operation for the academic year 1945-46. An additional classroom was added to the Restigouche Indian Day School, Quebec. A second classroom was provided at the Kettle Point Indian Day School, in the Province of Ontario, and in the same province a school and teacher's residence were erected on the new Constance Lake Reserve. A considerable amount of repairs was completed at the residential schools and day schools. Owing to the shortage of both material and labour, it was not possible to carry out all the repairs that were necessary.

The main building at the Wabasca Residential School was destroyed by fire. This school is the property of the Church of England. Minor damage by fire occurred at the Ermineskin Residential School, in Alberta, and the Alert Bay Residential School, British Columbia.

The Church of England rebuilt the Indian residential schools conducted by the Church at Carcross, Yukon Territory, and at Fort George, Quebec. Both of these buildings had been destroyed by fire some years ago.

For some years the Branch has encouraged Red Cross work at the residential and day schools. During the period of the war a great deal of work has been done by the Indian pupils, under the direction of their teachers, to aid the Red Cross.

Vocational training at all residential schools and several of the larger day schools has been increased and worthwhile results have been obtained. As soon as qualified vocational teachers are available, further efforts will be made to increase the efficiency of the schools.

Indian Education Ordinary Expenditure 1944-45

INDIAN EDUCATION ORDINARY EXPENDITURE 1944-45

	Day Schools	Residential Schools	General	Total
Nova Scotia	$22,104 28	$29,609 57	....	$51,713 85
Prince Edward Island	1,028 45	....	....	1,028 45
New Brunswick	17,622 81	....	....	17,622 81
Quebec	66,057 59	4,878 76	....	70,936 35
Ontario	127,777 72	280,661 39	....	408,439 11
Manitoba	63,124 89	209,638 80	....	272,763 69
Saskatchewan	38,397 76	341,601 87	....	379,999 63
Alberta	1,004 09	351,566 87	....	352,570 96
British Columbia	89,311 92	370,929 37	....	460,241 29
British Columbia Vocational Instruction	....	9,580 14	....	9,580 14
Northwest Territories	1,510 50	42,301 21	....	43,811 71
Yukon	2,464 04	9,167 91	....	11,631 95
Assistance to ex-pupils	....	....	$21,100 78	21,100 78
Freight and express	....	....	14 01	14 01
Salaries and travel	....	....	20,625 48	20,625 48
Stationery	....	....	33,544 43	33,544 43
Miscellaneous	....	....	1,257 96	1,257 96
Totals	430,404 05	1,649,935 89	76,542 66	2,156,882 60

WELFARE

The income of the Indian has been steadily increasing in recent years. This can be attributed in part to prevailing economic conditions. The income for the year amounted to approximately $16,000,000. Of this sum, farm revenue amounted to $3,700,000; wages, $6,800,000; sale of fish, $2,000,000; hunting and trapping, $2,400,000; interest disbursements, annuity payments, and casual revenue, $1,000,000. This income, on the whole, has been used intelligently and has enabled the Indian to enjoy a camparatively high standard of living. Relief costs show an increase, particularly at the northern agencies. This is due to a more liberal relief allowance to old and physically incapacitated Indians and to the present high freight rates on supplies to remote regions.

The policy of centralization in Nova Scotia has resulted in an increased expenditure in that province. Sixty new homes have been built on the Shubenacadie and Eskasoni Reserves. Indications are that the establishment of the Indians on these two reserves, where education and medical care can be more easily provided and where supervision is more effective, will result in a steadily increasing improvement in living conditions. The Indians have already shown a greater interest in the cultivation of gardens and in the raising of fowl and live stock.

There has been an increase in the number of cattle owned by Indians on reserves in the western provinces. It is encouraging to report that these cattle are equal to any range cattle in the West. The Indians of the Blackfoot, Blood, and Peigan Agencies now own approximately 10,000 head of cattle. The sale of live stock by Indians during the war period has enabled them to make a notable contribution to the food supply of the Dominion. Seventy-five pure-gred bulls —Shorthorn and Hereford—were purchased for breeding purposes. A number of pure-bred Holstein bulls were distributed to Indians in Ontario in an effort to improve dairy herds. Indian farmers are raising a large number of pigs, sheep, and poultry. Horses on reserves have been improved by the introduction of pure-bred stallions. Goats have been supplied to Indians in outlying districts, with the object of providing a supply of fresh milk for infants and Indians suffering from tuberculosis.

Indian Homemakers' Clubs continue to be active. The members throughout the winter season engage in the remodelling of discarded military clothing. Large quantities of useful wearing apparel have been provided for needy families. A new and promising feature of the work is the production of pyjamas, night-gowns, dressing-gowns, shirts, etc. These supplies are sent from time to time to Indians in hospitals and mental institutions. Instruction is also provided by these clubs in homemaking, sanitation, and the care and feeding of children.

WELFARE EXPENDITURE BY PROVINCES, 1944-45 AND 1943-44

Province	1944-45	1943-44
Nova Scotia	$107,566 16	$ 82,053 17
Prince Edward Island	9,763 22	10,317 48
New Brunswick	24,502 52	21,391 81
Quebec	136,738 41	111,971 60
Ontario	107,221 90	105,054 32
Manitoba	98,066 69	77,614 66
Saskatchewan	67,372 83	62,107 65
Alberta	63,853 34	48,725 43
British Columbia	84,226 68	84,816 91
Northwest Territories	14,829 21	14,357 60
Yukon	12,596 86	9,814 54
Headquarters Salaries	15,489 98	14,322 62
Triennial Clothing	9,929 21	2,508 94
Miscellaneous	11,195 05	3,895 15
Handicraft	2,982 73	3,138 90
	$766,334 79	$652,090 78

Handicraft

There was an ever-increasing market for Indian handicrafts, but the quantity of goods produced was considerably less than prior to the outbreak of war. Practically every able-bodied Indian was in the armed services or engaged in essential industry. However, those workers who found it necessary to remain on Indian Reserves, by reason of age or family responsibilities, made every effort to maintain the high quality of goods produced. To these craft workers should go the credit for holding the market throughout Canada, to which market Indians must look for the provision of employment in home industries during the post-war period.

While it was difficult to carry on the beadwork industry, it was possible under special permit to secure a small supply of beads for aged craft-workers who had no other means of earning a livelihood.

Several willow plantations were set out more than a year ago, and while the first harvest did not provide sufficient material for any extensive operations, there was ample material with which to carry on special courses for workers interested in producing what is, to Indians, a new type of basketry.

With a view to extending the scope of organized craft work, special short courses were arranged in pottery, silver work, lapidary work, and weaving, for a group of interested field workers, and the necessary equipment for cutting and polishing native Canadian stones was set up on one Indian reserve. From this small beginning it is hoped to promote an industry for Indian craftsmen whose forebears were skilled in the use of metals.

Owing to the impossibility of securing the necessary fine weaving yarns, the various weaving projects formerly in operation have been at a standstill. However, when yarns again become available it is the intention of the Branch to promote this line of endeavour also.

Grants to Agricultural Exhibitions and Indian Fairs

	1944-45
Ontario	
Ohsweken Agricultural Society, Brantford	$ 225 00
Garden River Agricultural Society, Sault Ste. Marie	100 00
Caradoc United Indian Fair, Muncey	150 00
Manitoulin Island Unceded Agricultural Society	150 00
Canadian Lakehead Exhibition	250 00
Mohawk Agricultural Society	100 00
Manitoba	
Manitoba Provincial Exhibition	250 00
Rossburn Agricultural Society	25 00
Saskatchewan	
Prince Albert Agricultural Society	400 00
Regina Agricultural & Industrial Exhibition Association, Limited	400 00
Alberta	
Calgary Exhibition	500 00
British Columbia	
North and South Saanich Agricultural Society, Cowichan	50 00
Windmere and District Fall Fair, Kootenay	175 00
Chilliwack Fair, New Westminster	50 00
Armstrong Fall Fair, Okanagan	250 00
General	
The Canadian Handicrafts Guild	50 00
Garden Prizes, Standing Crop Competitions	1,600 00
	$4,725 00

Construction and Engineering Works

Agency Buildings and Structures

Repairs and improvements were carried out at practically all Indian Agencies in Canada. A residence was purchased for the Indian Agent at Abitibi Agency, Amos, Que., to serve as living quarters and Indian Office. A

snowmobile garage was erected at the James Bay Indian Agency, Ont., and a garage for the use of the R.C.M.P. at Bersimis, Que. was provided. An approach to a float was constructed at West Coast Agency, and the float at Kitkatla Reserve, Skeena Agency, B.C. was repaired.

Roads and Bridges

Roads on Indian reserves throughout Canada were repaired and bridges and culverts replaced or reconstructed where required.

Water Supplies

A water supply was provided for the Agency residence at the Temiskaming Agency, Que. Stock watering dams were constructed at Peigan Reserve, Alta., a well was provided for File Hills Agency, Sask., and repairs were carried out to the water system at Bella Bella Reserve, B.C. Wells were cribbed at other agencies as required.

Fencing

Fences were repaired at a number of Indian Agencies in Canada.

Irrigation and Miscellaneous

Funds were transferred to the Surveys and Engineering Branch for the construction, maintenance, and repair of irrigation systems on Indian reserves in British Columbia. A list of these and other works undertaken by that branch for Indian Affairs Branch will be found in the report of the Surveys and Engineering Branch. Minor repairs, not requiring engineering supervision, were carried out at various Indian agencies including Kamloops, Kootenay, Lytton, and Stikine, B.C.

On behalf of the Indian Affairs Branch work was commenced by the Department of Public Works on the construction of a protection wall to prevent further erosion of the Walpole Island Indian Reserve, Ont.

Batteries for lighting plants were purchased for Pointe Bleue Agency, Que. and Walpole Island, Ont. A new lighting plant was also installed at Walpole Island. A cistern was installed at Fisher River Agency, Man., a pump at Griswold, Man., and furnaces and stoves were purchased for Manitoulin Island and James Bay Agencies, Ont., Touchwood Agency, Sask., Blood and Peigan Agencies, Alta. A boat was acquired for the Christian Island Agency, Ont., and motors and pumps for Fort Norman Agency, N.W.T.

At Fort Norman oil burning equipment was installed at the agency residence and a light and power plant installed for the agency buildings.

RESERVES AND TRUSTS SERVICE

Reserves Division

Land Sales and Leases

A total of 105 sales of Indian lands was made during the fiscal year, 68 being cash sales totalling $48,866.71 and 37 being time sales totalling $123,945.67. The total for the year was $172,812.38, or almost four times the total for the previous year. The actual increase in the number of sale contracts was only three.

While the number of sales shows only a small increase, the quadrupled value of the land sold is explained by the demand for farm lands in the western provinces rather than for low-priced subdivision holdings as in the previous

year. A succession of good crops together with favourable prices has enabled farmers to acquire additional land while the return from farm products remains high.

The fiscal year was also featured by a substantial increase in collections on land sale agreements, the sum of $309,502.63 being received, of which $188,950.59 represented payment on principal and $120,552.04 payment on interest. As a result of the increase in collections, 160 old land sale contracts were paid in full and letters patent issued to the purchasers. Ten old contracts were cancelled for non-fulfilment of the conditions of sale and fourteen reductions were made by consolidation on order of the Board of Review under the Farmers' Creditors Arrangement Act. The total number of current time sales was 402 at the end of the fiscal year, a decrease of 156 within the period. Two hundred and four patents to Indian lands were issued on completion of sale contracts, an increase of 73 over the previous year.

Indian lands sold are for the most part made up of lands previously surrendered which later reverted to Indian ownership through cancellation of old sale contracts. Such lands are usually in isolated parcels in settlements predominantly white and in such situation are unsuitable for the use of this administration and surplus to Indian needs. The Department has set its face solidly against alienation by sale of lands for which there is any likelihood of Indian need in future years. Lands surplus to immediate needs are administered under leasing arrangements and from such lands substantial revenues have accrued. During the year rents collected under leases and permits (including the sum of $47,226.80 from oil leases and permits) totalled $331,267.33, an increase of $84,358.55 over the previous year. Revenues from this source have doubled in the past two years.

Adjustments Under Farmers' Creditors Arrangement Act

Eighteen land sale contracts were adjusted under the Farmers' Creditors Arrangement Act resulting in a gross reduction in arrears of $24,049.18 on account of interest and $6,690.23 on account of principal.

Acquired Lands

During the year a new Indian reserve to be known as the "Constance Lake Indian Reserve", comprising approximately 6,700 acres, was acquired from the Ontario Government at Calstock, Ontario, to provide accommodation for approximately 250 Indians who were formerly scattered along the transcontinental railway. This reserve has been surveyed and is presently in process of settlement and allotment.

Negotiations were started with a view to acquiring title in the Crown to the extensive lands in Indian occupation at Oka, Quebec, from the Sulpician Fathers. When title has been obtained it is proposed to administer this area as a duly constituted Indian reserve under the provisions of the Act, thus curing a situation that has been a most unsatisfactory one for half a century.

Negotiations were also completed for the acquisition of an old railway right of way across the Tyendinaga Reserve at Deseronto, Ontario, completion of which not only removed an encroachment that had been for many years a great detriment to the farming community but in addition the old road bed is being rapidly converted into a first class highway serving the reserve. The total cost of acquiring this land has been met by the surrender and sale of a very small part of it and all funds used in its acquisition have been fully restored.

Various small additions to reserves throughout Canada, most of them supporting Indian improvements, have been purchased and added to reserve lands, notably in the Province of British Columbia.

All of the above purchases were considered necessary to give proper services to the Indian groups concerned and the acquisition of these lands has made it possible to bring to the reserves affected the essential services for which the Act provides.

Petroleum and Natural Gas

New regulations were adopted by Order in Council dated July 13, 1944. Under these regulations 15 permits and 13 leases were issued, yielding a total revenue of $47,226.80, all from the Indian reserves in southern Alberta. Extensive geological and geophysical examinations were carried on by interested operators on the Sarcee, Blood, and Stony Reserves and one dry well was drilled to a depth of 6,000 feet. To date there has been no actual production of petroleum products on Indian reserves in Canada.

Mining

The only activity in hard rock mining was a certain amount of diamond drilling done on the Whitefish Bay Indian Reserve in Ontario. There were no results of an encouraging nature.

Sales of sand and gravel from reserves totalled $10,345.10.

Timber and Forestry

At the beginning of the year there were 32 timber licences in force, 7 of which were completed and 25 renewed during the year. Eleven new licences were issued. Thirty-six licences were current at the year's close. Revenue from timber sold under licence and permit amounted to $118,997.67, a slight decrease from the preceding year's returns.

Forest Protection

Fifty-nine forest fires were reported in connection with which $6,175.16 were spent in suppression. Indian fire wardens on various reserves did useful work of a preventative nature, the cost of which was in large measure borne by the Bands themselves.

Indian Estates

It has been noted in recent years that the administrative work in connection with the estates of deceased Indians has progressively increased and this fiscal year has followed the general trend, the increase being due largely to three factors.

It is evident that Indians, generally speaking, have become increasingly aware of the advantages to be derived from the administration of estates under the active supervision of the Branch rather than old tribal custom. This is particularly true of the western provinces.

Then, too, opportunities for employment have been far more numerous than for a decade previously and the increased value of farm products and fur has enabled many Indians to acquire land, live stock, and savings for the first time. Whereas in the past many estates had no administrative problem other than the distribution of personal property, the average estate now referred to the Branch consists of land, live stock, chattels, and funded savings, necessitating an increased amount of detail in the work required to distribute the assets among the heirs.

With regret, it must be stated that since the invasion of Europe by the Allied armies, a comparatively large number of Indians have lost their lives and in co-operation with the armed services the Branch has been concerned with the administration of the estates of these deceased Indian soldiers.

Indian Enfranchisements

There were 268 persons enfranchised and 96 women who received commutation under the provisions of the Act during the fiscal year.

Fur Rehabilitation

During the year marked progress was made in the work of rehabilitation of fur-bearers in the interest of the thousands of Indians who live by trapping.

One phase of this work has been the organization of Indians into family groups and imposing upon selected individuals a large share of responsibility for planned conservation in particular areas over which partial jurisdiction has been obtained by arrangement with the provinces. The work has been further extended to the education of such Indian groups in the proper principles of fur husbandry, fur production, and protection.

Seven beaver and fur preserves—five in Quebec and two in Ontario—are presently managed by the administration, comprising a total wilderness area exceeding 40,000,000 acres.

In addition co-operative arrangements have been made with the Prairie Provinces and assistance given them to extend their trap-line organization to areas predominantly in Indian occupation, and a successful effort has been made to secure more equitable treatment of Indians in the allocation of Indian trap-lines within the provinces. Attention has also been directed to the development of muskrat projects with the object of providing for the Indians a livelihood in a pursuit to which they are traditionally devoted and naturally suited. While certain monetary returns have already been obtained to the great advantage of the Indian participants, the success of the effort is more strikingly illustrated by the phenomenal increase of fur-bearers in the protected areas.

On one of the older beaver preserves, by actual census, the beaver population has increased from 490 to 3,895 in six years and on another from 500 to 1,985 in three years. It is expected that the two older preserves will come into substantial production in 1946 and the others will follow in rotation according to their age. Present estimates are that it takes seven years to bring a beaver preserve into production on a sustained-yield basis.

Trusts Division

The Division administered 460 trust accounts belonging to Indian bands throughout Canada. On March 31, 1945, the aggregate fund totalled $16,637,-651.37. A comparison with the previous year is as follows:—

Trust Balances	Capital	Revenue
March 31, 1945	$13,061,711 84	$3,575,939 53
March 31, 1944	12,742,657 44	3,050,527 03
Increase	$ 319,054 40	$ 525,412 50

The increase that has occurred this year is in line with that of last year and amounts since 1939 to more than a million dollars each, in the Capital and Revenue Accounts.

Items of receipts were: Accrued interest, land sales, land rentals, mining dues, timber royalties, oil land rentals, repayments on Band loans, and fines. Expenditures comprised: Capital and interest distributions, relief expenditures, Band loans, agricultural assistance, road improvements, and enfranchisement. These outline the transactions in connection with Indian Trust Accounts and may be summarized as follows:—

Total receipts credited to band funds	$1,814,071 94	$2,046,069 67
Total expenditures paid from band funds	1,048,657 86	1,201,602 77
Excess receipts over expenditures	$ 765,414 08	$ 844,466 90

The collection of debts owing to band funds by individual members incurred both this year and previously had continued with gratifying results.

Personal Savings Accounts

It is noted that deposits are somewhat less than last year but withdrawals are much less in the aggregate than was the case last year, leaving the net increase in funds on deposits at a higher figure than during either of the past two years.

Many Indians now discharged from the Forces are finding the savings deposited during their years of service to be of great assistance to them in their re-establishment. A considerable number withdrew their savings for the purchase of Victory Loan Bonds. The number of Indians whose Allowance and Assigned Pay Funds are being supervised by the Agents is decreasing, but valuable assistance in this connection continues to be given by the Branch.

Annuities

Some 50,090 Indians shared in the distribution of annuities in accordance with treaties made between the Indians and the Dominion Government. As in the past, almost every means of transportation was employed by treaty-paying parties. Aeroplane transport in this connection is becoming, in many instances, almost essential, because it saves time and makes practicable the reaching of otherwise almost inaccessible areas.

No. of Chiefs paid at	$ 25	172	$ 4,300
No. of Headmen paid at	15	376	5,640
No. of Indians paid at	5	49,133	245,665
No. of Commutations of Annuity paid at	50	94	4,700
No. of Enfranchised Indians paid at	100	128	12,800
Amount paid on account of arrears for previous Years			2,150
No. of Indians paid at (Abitibi)	4	122	488
Amount paid on account of arrears at	4		40
No. of Indians paid at	12	65	780
Total paid on account of above items			$276,563
General Advance *re* Robinson Treaty to be added			$ 8,000
Total			$284,563

It is worthy of note that during the fiscal year under review some 65 Cree Indians, living in the Rocky Mountain House region of west central Alberta, signified their desire to be listed for Treaty Annuity payments, and accordingly they ere enrolled under Treaty 6. These were paid $12 each which is the initial per capita rate of annuity. Henceforth they will receive annually $25 for each Chief, $15 for each Headman, and $5 for each other Indian.

In addition to the above numbers receiving annuities from Federal funds there are some 11,749 Indians who also receive annuity under Robinson Superior, Robinson Huron, and Treaty 9 (James Bay). This brings the total number of Indians in Canada receiving Treaty annuity to approximately 61,839.

Band Loans—1944-45

During the fiscal year a total of $16,440 from band funds was loaned to 88 individual band members, the average loan being $186,82. The sum advanced was for the purposes and in amounts as follows:—

In the purchase of live stock and equipment	$ 6,585
In the purchase of property—land and buildings	900
Repairs to buildings, etc.	4,335
Construction of new buildings, and the sinking of wells	3,120
Miscellaneous purchases	1,500
Total	$16,440

It is to be noted that the borrowers received assistance in the purchase of 23 horses (9 teams included), 10 cows, 2 tractors, 2 mowers, 2 ploughs, 1 rake, and 5 sets of harness. Repairs were made to 30 houses and 2 barns; 9 houses

and 3 barns were newly constructed, and 2 wells were sunk. Loans were also granted to 5 Indians for the purchase of property to enable them to become established on their respective reserves. The foregoing examples indicate the extent to which Indians have been assisted from their own funds to utilize more effectively the productive value of their lands.

A toal of 148 band loans in the amount of $26,989.59 were fully retired during the fiscal year. The "revolving" feature of the loan plan is illustrated by the following table:—

Summary of Band Loan Transactions, August 1939 to March 31, 1945

Year ended	New Loans		Loans Retired	
	No.	Amount	No.	Amount
March 31, 1940	175	$28,248 94	....	$19,412 00
March 31, 1941	170	24,795 47	....	26,329 63
March 31, 1942	133	21,875 25	....	34,616 99
March 31, 1943	110	17,095 90	*628	25,092 18
March 31, 1944	102	17,557 00	115	18,736 39
March 31, 1945	88	16,440 00	148	26,989 59
Totals	778	$126,012 56	891	$151,176 78

* Total loans retired to March 31, 1943.

The fact that moneys collected during the period exceeds the moneys advanced is explained by the fact that there was a large volume of unsecured debt owing by individuals at the beginning of the period that has been collected in part and included in above figures. Ninety-five per cent of all loans under the plan are in good standing. Under the plan 403 individual Indians are making use of over $40,000 of their Trust Funds and the number availing themselves of the privilege will increase as the Indians who have been employed in industry during the war return to their reserves and their ordinary pursuits.

SUMMARY OF INDIAN AFFAIRS BY PROVINCES AND TERRITORIES

PRINCE EDWARD ISLAND

Agency.—There is only one agency in the Province, located at Summerside. A large number of Indians live on Lennox Island, and others live at Rocky Point, near Charlottetown, Morell, St. Andrews, and Scotch Fort.

Tribal Origin.—The Indians belong to the MicMac tribe, which is of Algonkian stock.

Occupations.—Subsistence farming is engaged in by a number of Prince Edward Island Indians, with many of them owning their own live stock. During the past year outside work has been readily available with many of the Indians finding continuous employment in urban centres as well as in the lumbering and fishing industries. Basket-making, especially among the older Indians, has also been engaged in, with profitable results.

Dwellings.—The homes are fairly good and increased employment has resulted in improved living conditions generally.

NOVA SCOTIA

Agencies.—There are two Indian agencies in Nova Scotia, namely, in Hants County (Shubenacadie) and in Cape Breton County (Eskasoni).

Tribal Origin.—The Indians are of Algonkian stock and like the Indians of Prince Edward Island bear the distinctive name of Micmac.

Occupations.—While many of the Indians raise their own gardens, any other agricultural pursuits that are engaged in are on a small scale. With the progress of the war, however, more Indians are finding employment with white farmers

and fruit growers. Their natural ability as guides and canoemen is utilized during the tourist season, and their skill at making baskets and at woodworking is another important source of income. They also work in lumber camps and as labourers.

Dwellings.—The houses on most of the reserves consist of one and one-half story frame dwellings, fairly well finished on the outside.

New Brunswick

Agencies.—There are three agencies in New Brunswick; the Northeastern, at Richibucto; the Northern, at Perth; and the Southwestern, at Fredericton.

Tribal Origin.—Most of the Indians belong to the Micmac race, which is of Algonkian stock. There are also some bands of Maliseets, also of Algonkian stock.

Occupations.—Except for growing potatoes and vegetables for their own use, little farming is engaged in by the Indians of the Province of New Brunswick. The potato crop in the State of Maine, however, provides seasonal employment for many Indians every year. They also hunt and fish and act as guides. Many work in lumber camps and sawmills, and others eearn a living as day labourers. In certain parts of the Province they are engaged commercially in the manufacture of axe and pick handles and baskets.

Dwellings.—Housing is similar to that in other parts of the Maritime Provinces.

Quebec

Agencies.—The 18 Indian agency offices in Quebec are located as follows: Amos (Abitibi), Bersimis, Cacouna (Viger), Caughnawaga, Gaspe, Gentilly (Becancour), Harrington Harbour (St. Augustine), Maniwaki, Mingan, Natashquan, Notre Dame du Nord (Timiskaming), Oka, Pierreville, Pointe Bleue, Restigouche, St. Regis, Seven Islands, Village des Hurons (Lorette).

Tribal Origin.—The principal tribes found in Quebec are: Iroquois at Caughnawaga, Lake of Two Mountains, and St. Regis; the Hurons of Lorette are also Iroquoian stock; the Montagnais, who are of Algonkian stock, at Bersimis, Mingan, Lake St. John, Seven Islands, and other points on the north shore; the Abenakis, of Algonkian stock, at Becancour and St. Francis; the Micmacs, of Algonkian stock, at Maria and Restigouche; and the Maliseets, of Algonkian stock, at Viger. There are Crees of Algonkian stock, in the James Bay and Abitibi Agencies; Ojibwas and Têtes de Boule of Algonkian stock in the Abitibi and Temiskaming Agencies, and Naskapis in Ungava.

Occupations.—The Indians of Caughnawaga are noted steel workers and find highly remunerative employment in that trade. The native handicraft projects organized in this province continue to prove successful. The Indians of the northern interior and the north side of the Gulf of St. Lawrence depend almost entirely on hunting, trapping, and fishing for their subsistence. In the Saguenay district they act as guides and canoemen and also find employment in lumber camps and mills. The Indians in the organized central and southern portions engage in mixed farming. They raise fruit and dispose of it at nearby markets, and those who possess cows sell the milk to the creameries and cheese factories. A few also act as game guardians on established beaver preserves.

Dwellings.—Many of the Indians in the older settled districts own houses of stone, brick, or frame construction. In the more remote parts they live in tents during the greater part of the year. Because of increased employment housing conditions generally have improved.

Ontario

Agencies.—The Indian agency offices in Ontario, 24 in number, are located as follows: Brantford (Six Nations), Chapleau, Chippawa Hill (Saugeen), Christian Island, Deseronto (Tyendinaga), Fort Frances, Golden Lake, Highgate (Moravian), Kenora, Longford Mills (Rama), Manitowaning (Manitoulin Island), Moose Factory (James Bay), Muncey (Caradoc), Parry Sound, Peterborough (Rice and Mud Lakes), Port Arthur, Sarnia, Sault Ste. Marie, Scugog, Sioux Lookout, Sturgeon Falls, Virginia (Georgina and Snake Islands), Wallaceburg (Walpole Island), Wiarton (Cape Croker).

Tribal Origin.—Most of the Indians of Ontario are Ojibwas, and are of Algonkian stock. The Oneidas of the Thames, the Mohawks of the Bay of Quinte, the Mohawks of Parry Sound district, and the Six Nations of Grand River are of Iroquoian stock. There is a band of Pottawottamies at Walpole Island (and Delawares at the Caradoc (Muncey) Agency; these are of Algonkian stock. There are Crees, of Algonkian stock, in the James Bay and Sioux Lookout Agencies.

Occupations.—In northwestern Ontario the Indians are dependent largely on fishing, and the trap-line for their living. In eastern Ontario they engage in lumbering. All northern reserves are reasonably well stocked with merchantable timber. In the southern and western parts of the Province farming is the chief source of revenue, although the Indians in these sections, close to industrial centres, are to a marked degree becoming absorbed into the industrial life of their respective communities. When advantageously located to do so, the Indians engage in guiding during the tourist season, in which they are particularly efficient, and in themselves actually constitute an attraction to tourists unfamiliar with the aboriginal races.

Dwellings.—As in other provinces, because of increased employment, housing conditions generally have improved. Many Indians own houses of brick, stone, or modern frame construction in the more settled districts. The Indians of the northern part of Ontario are nomadic and consequently live in tents most of the year.

Manitoba

Agencies.—There are seven Indian agencies offices in Manitoba, located as follows: Birtle, Griswold, Hodgson (Fisher River), Norway House, Portage la Prairie, Selkirk (Clandeboye), The Pas.

Tribal Origin.—Most of the Indians belong to the Ojibwa race, which is of Algonkian stock. Bands of Swampy Crees are found at the Norway House and Fisher River Agencies and in the York Factory district; these are also of Algonkian stock. The Indians located at the Griswold Agency are Sioux; there are also Sioux at the Birtle and Portage la Prairie Agencies. There is a band of Chipewyans at Churchill; this tribe is of Athapaskan stock.

Occupations.—Fishing, hunting, and trapping constitute the main sources of livelihood for the Indians inhabiting the lake regions and northern sections of Manitoba. The large commercial fishing companies employ many Indians from the lake regions. Agriculture is confined chiefly to the Birtle, Griswold, Portage la Prairie, and Clandeboye Agencies, although Indians from other agencies work in the harvest fields in the farming communities. The new sugar beet industry is also providing work for Indians in the beet fields. Good herds of cattle, principally of the Shorthorn type, and other live stock are to be found on many reserves, and their products are a vital source of income to the Indians of southern Manitoba. Surplus hay is sold; the hay presses owned by some of the Indians enable them to ship their surplus in winter. Taking out wood for

winter fuel requirements has always been an Indian occupation, while recently more and more Indians have been engaging in cutting pulpwood. Indian women find their native handicraft, particularly the manufacture and sale of gloves and moccasins, a profitable undertaking.

Dwellings.—On most of the reserves in Manitoba the houses are of log construction, one and one-half stories high with shingle roofs. They are usually white-washed every year which improve their appearance and makes for greater sanitation. There are also a number of houses of frame construction on all reserves. In the extreme north the habitations are more primitive.

Saskatchewan

Agencies.—The nine Indian agency offices in Saskatchewan are located as follows: Balcarres (File Hills), Battleford, Broadview (Crooked Lake), Duck Lake, Kamsack (Pelly), Leask (Carlton), Muscow (Qu'Appelle), Onion Lake, Punnichy (Touchwood).

Tribal Origin.—The most numerous tribes among the Saskatchewan Indians are the Ojibwas, Swampy Crees, and Plains Crees, which all belong to the Algonkian stock. In addition to these, Sioux Indians are found at the Crooked Lake, Qu'Appelle, and Carlton Agencies, and on the Moose Woods Reserve. In the Onion Lake Agency there is a band of Chipewyans, who are of Athapaskan stock. There are also a few Chipewyan Indians in the Ile à la Crosse district.

Occupations.—Farming and stock-raising comprise the chief occupations of Saskatchewan Indians. They are equipped with good implements and horses and employ the same modern farming methods as their white neighbours. Their cattle are of a good type, most of them being of the Shorthorn breed. In the north central sections of the Province they supplement their incomes by selling their surplus hay and taking out fuelwood. Farther north they still depend almost entirely upon hunting, trapping, and fishing for their livelihood. They make good woodsmen. The recent shortage in the pulpwood industry has opened new opportunities for earning good money to Indians from all parts of the Province, many of them finding work in the wooded sections of Saskatchewan and several hundred going as far away as Kapuskasing, Ontario, to alleviate the acute shortage in the timber areas.

Dwellings.—On most of the reserves the Indians are fairly well housed, the home being usually of log construction with shingle roof; others are of frame construction. In the north when the Indian is out on his hunting grounds his home consists of a log cabin with sod roof in winter, and a tent in summer.

Alberta

Agencies.—The ten Indian agency offices in Alberta are located as follows: Brocket (Peigan), Calgary (Sarcee), Cardston (Blood), Driftpile (Lesser Slave Lake), Fort Chipewyan (Athabaska), Gleichen (Blackfoot), Hobbema, Morley (Stony), Saddle Lake, Winterburn (Edmonton).

Tribal Origin.—The Alberta Indians are of Algonkian stock, with the exception of the Sarcees near Calgary and the Beavers and Slaves in the Lesser Slave Lake Agency, who are Athapaskan; the Paul's band in the Edmonton Agency, who are Iroquoian, and the Stonies, who are of Siouan stock. The Algonkian Indians of Alberta are subdivided into Blackfoot Nation, comprising the Indians of the Blackfoot, Blood, and Peigan Agencies; and Plains Crees found in the Lesser Slave Lake, Saddle Lake, Edmonton, and Hobbema Agencies.

Occupations.—Stock-raising is the principal occupation of the Indians of the southern and foothills regions where they have large herds of horses, and

cattle herds of excellent Hereford and Shorthorn types. They grow grain on up-to-date well-equipped farms. Indians in the northern parts while mainly occupied in hunting and trapping also engage in fishing and selling fuelwood. Those Indians who do not farm for themselves find employment with farmers and ranchers; haying, harvesting, and working in the beet fields for several months during the summer. A number also work in lumber camps, sawmills, and as labourers. The Blackfoot Indians operate two coal mines of their own and obtain a substantial revenue from the sale of coal.

Dwellings.—The condition, on the whole, of the homes and farm buildings is good. Changes are gradually being made by enlarging some of the houses, or dividing large one-roomed houses into several rooms resulting in more healthful living conditions. The majority of the houses are well kept and increased employment has resulted in the purchase of additional furniture. Frame houses and barns are found on the Sarcee and Edmonton Reserves. Other houses are of log construction with shingle roofs.

British Columbia

Agencies.—The Indian agency offices in British Columbia are located at 18 different points as follows: Alert Bay (Kwawkewlth), Bella Coola, Cranbrook (Kootenay), Duncan (Cowichan), Fort St. John, Hazelton (Babine), Kamloops, Lytton, Massett (Queen Charlotte Islands), Merritt (Nicola), New Westminster, Port Alberni (West Coast), Prince Rupert (Skeena), Telegraph Creek (Stikine), Vancouver, Vanderhoof (Stuart Lake), Vernon (Okanagan), Williams Lake.

Tribal origin.—The Indians of the Bella Coola, Cowichan, Kamloops, Lytton, New Westminster, Nicola, Vancouver, and Okanagan Agencies belong to the Salish tribes. The Kootenay tribe is located in the agency of the same name. The Kwakiutl-Nootka tribe is located at the Kwawkewlth and West Coast Agencies; the Haidas, in the Queen Charlotte Islands; the Tlingits, in the Stikine; and the Tsimshians in the Skeena Agency. The Indians of the Babine, Stuart Lake, and Williams Lake Agencies belong to the Athapaskan race. The Indians of the Peace River Block are Athapaskan, with the exception of a small group of saulteaux and Crees at Moberly Lake who are Algonkian.

Occupations.—The coast Indians exhibit skill as salmon fishermen and the fishing industry has continued to be their chief occupation. Many own their own power-boats and up-to-date equipment and either fish independently or under contract with the canneries. Herring canneries give work to a large number of Indians, especially Indian women who give excellent satisfaction as cannery workers along the coast. They also engage in clam digging, and others work at various occupations such as logging and as unskilled labourers. Indians of the central and northern interior regions make their living by trapping on registered trap-lines, and towards the south they are turning their attention more and more to agriculture and other pursuits. Many engage successfully in cattle and horse raising; others are making a success of fruit-growing, some of them having orchards of their own. Whole families participate in the seasonal migratory labour movement to pick fruit, hops, etc., which frequently takes them into the United States in their wayfaring.

Dwellings.—Special attention continues to be given to the improvement of Indian homes. All new houses are built upon modern lines of the small compact type used by white labouring classes, and greater interest is paid to ventilation, heating, and sanitation than formerly.

The best Indian houses are found on the northwest coast among the Haidas of Queen Charlotte Islands, the Tsimshians of Port Simpson, Metlakatla, and Port Essington, and Kwakiutls of Bella Bella. The gradual improvement in all farm buildings and out-buildings continues.

Northwest Territories

Agencies.—The Indian Affairs Branch has three agencies in the Northwest Territories, namely, Fort Simpson, Fort Resolution, and Fort Norman.

Tribal Origin.—The principal tribes found in the far north are the Slaves, Hares, Loucheux, Sekani, Dogribs, Yellow Knives, Chipewyans, and Caribou-Eaters. All these tribes are of Athapaskan stock. The most northerly tribes are the Takudah, whose territory extends to the Mackenzie Delta; and the Copper Mines, who are located along the Coppermine River. The territory occupied by these two last-named tribes is contiguous to that inhabited by the Eskimos.

Occupations.—The Indians depend almost entirely upon hunting and trapping for a livelihood, and a few cultivate potatoes and garden vegetables. They own no cattle or horses. Large quantities of fish are caught and preserved for their own use and for dog feed during winter. Wild berries are also picked and dried for winter use.

Dwellings.—These Indians live in log cabins in winter and in tents and teepees in the summer.

Yukon Territory

Tribal Origin.—The forty-Mile, Blackstone, and Moosehide bands belong to the Takudah tribe. There is a band of Slaves at Lancing Creek who migrated from Good Hope on Mackenzie River; another band of Slaves, called Nahani, is located at the headwaters of Pelly River. All these Indians are of Athapaskan stock. At Mayo, Selkirk, Little Salmon, and Carmacks there are bands belonging to the tribe known as Stilck Indians. Bands belonging to the Tlingit tribe are found at Whitehorse, Teslin Lake, Champagne Landing, and Carcross.

Occupations.—Hunting, trapping, and fishing are the chief occupations of the Yukon Indians. The women derive some revenue from the sale of moccasins and curios of various kinds, and the men are expert at making toboggans and snowshoes. Little farming is carried on owing to climatic conditions but some of the Indians cultivate patches of potatoes and other vegetables for their own use.

Dwellings.—The Indians of the Yukon live in log cabins.

TABLE NO. 2

Crops Sown and Harvested, Land Broken and Summer-Fallowed, Hay Put Up, etc.

Province	Tons of Wild Hay	Acres Newly Broken	Acres Fallowed	Wheat		Oats		Other Grains		Roots and Tubers		Green Feed and Tame Hay		Total Acres under Cultivation
				Acres	Bushels	Acres	Bushels	Acres	Bushels	Acres	Bushels	Acres	Tons	
Alberta	12,454	513	18,259	12,741	128,277	10,264	321,209	2,840	43,615	228	12,524	2,797	3,260	48,979
British Columbia	8,350	233	1,510	3,049	46,697	3,157	70,425	709	12,120	3,821	233,817	24,607	42,363	37,086
Manitoba	19,650	518	3,034	2,225	56,394	3,048	104,962	2,637	61,996	680	44,973	451	770	12,593
New Brunswick	26	8	6	.....	.....	11	100	.....	.....	141½	4,850	96	55	248½
Northwest Territories	48	1	5	1	28	12	224	.....	.....	54	1,107	9	47	82
Nova Scotia	95	17	53	.....	.....	16½	415	½	11	48½	1,370	83	88	224
Ontario	1,448	392	1,384	2,715	47,034	9,061	226,095	3,199	89,110	3,591	118,231	11,043	25,610	31,684
Prince Edward Island	4	7	15	.....	.....	35	630	.....	.....	10	1,400	40	40	107
Quebec	196	65	410	39	407	1,942	25,897	142	1,336	667	16,563	3,118	5,449	6,038
Saskatchewan	27,229	1,499	14,434	11,038	221,944	12,536	314,622	3,816	60,484	535½	40,729	3,107	3,315	46,965
Yukon	.....	.....	.....	.....	.....	.....	.....	.....	.....	2	6	.....	.....	2
Total	69,500	3,253	39,110	31,808	501,681	40,082½	1,064,579	13,343⅝	268,672	9,778¼	475,570	45,351	80,997	184,008½

TABLE No. 3

Land: Private and Public Buildings and Property

Province	Total Area of Reserves (Acres)	Acres Under Wood	Acres Cleared but not Cultivated	Acres Under Actual Cultivation	Acres Fenced	Private Property								Public Property					
						Stone, Brick and Frame Dwellings	Other Dwellings	Outbuildings, etc.	Ploughs, Harrows, Drills, etc.	Mowers, Reapers, Binders, Threshers, etc.	Carts, Wagons and Vehicles	Automobiles	Tools and small Implements	Churches	Council Houses	School Houses	Saw Mills	Other Buildings	Engines and Machinery
Alberta	1,298,237	287,978	788,920	48,979	458,057	446	1,788	2,561	2,345	1,503	2,490	90	9,873	20	9	8	1	143	279
British Columbia	930,058	456,250	278,153	37,086	278,209	4,205	2,945	4,610	2,701	941	2,277	556	43,928	156	74	59	9	70	180
Manitoba	545,888	295,669	124,215	12,593	52,161	179	2,945	1,864	806	619	1,225	66	8,015	57	12	41	4	113	48
New Brunswick	36,963	32,740	1,124½	248½	1,087	361	7	223	41	14	24	16	1,150	6	4	11	.....	3	5
Northwest Territories	1,924	.....	37	82	82	163	210	194	3	1	3	.....	498	.....	1	.....	.....	.....	.....
Nova Scotia	18,188	2,750	31	224	795	238	16	44	26	8	21	9	675	5	3	7	3	4	6
Ontario	1,353,490	954,415	105,796	31,684	104,259	3,001	2,224	5,315	4,230	1,157	2,987	576	48,279	109	43	90	15	148	83
Prince Edward Island	2,741	520	200	107	500	30	1	14	5	6	3	.....	2	1	1	1	.....	.....	2
Quebec	199,430	62,484	13,316	6,038	14,862½	1,633	420	2,310	653	283	1,318	144	6,290	24	11	21	1	33	42
Saskatchewan	1,286,976	516,779	727,586	46,965	341,093	279	2,386	3,004	2,423	1,804	3,050	30	15,993	52	22	28	3	64	65
Yukon	6,864	.....	.....	2	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
	5,580,759	2,609,585	2,039,378½	184,008½	1,251,105½	10,535	12,942	20,139	13,233	6,336	13,398	1,487	134,703	430	180	266	36	578	710

TABLE No. 4

Live Stock and Poultry: General Effects

Province	Horses			Cattle				Sheep and Goats	Pigs	Poultry	General Effects					
	Stallions	Geldings and Mares	Foals	Bulls	Steers	Cows	Young Stock				Motor and Sail Boats	Row Boats and Canoes	Rifles and Shot Guns	Steel Traps	Nets	Tents
Prince Edward Island	.....	4	1	1	6	10	10	.....	3	300	6	6	3	12	2	.....
Nova Scotia	.....	34	.....	1	.....	55	11	.....	26	280	.....	13	113	1,135	5	21
New Brunswick	.....	18	2	1	2	12	5	.....	11	192	50	106	176	2,653	99	36
Quebec	5	572	83	82	4	1,622	790	112	726	9,033	127	1,329	2,639	20,735	885	962
Ontario	22	2,001	172	67	473	2,205	1,518	436	5,311	45,310	535	3,671	6,700	124,395	5,379	3,055
Manitoba	11	2,282	51	18	389	1,348	1,017	209	215	6,360	102	1,706	3,560	61,690	6,745	2,039
Saskatchewan	26	5,854	246	92	1,690	3,401	2,237	110	754	14,970	99	443	2,485	32,477	1,118	1,911
Alberta	135	10,722	1,613	157	4,092	6,712	4,284	451	1,878	8,530	200	536	2,244	18,762	963	2,079
British Columbia	153	8,090	1,399	296	4,876	7,348	4,075	762	1,313	44,213	1,871	3,054	8,926	88,694	2,360	1,865
Northwest Territories	2	29	4	.....	.....	2	.....	.....	.....	.....	117	709	1,482	24,070	910	546
	354	29,606	3,571	715	11,532	22,805	13,947	2,080	10,237	129,188	3,107	11,573	28,328	383,623	18,466	12,514

TABLE No. 5

Sources and Value of Income

Province	Value of Farm Products including Hay	Value of Beef Sold also of that used for food	Wages Earned	Earned by Fishing	Earned by Hunting and Trapping	Earned by other Industries and Occupations	Annuities paid and Interest on Indian Trust Funds	Total Income of Indians
	$	$	$	$	$	$	$	$
Alberta	306,936	244,902	257,764	9,996	135,032	89,394	256,613	1,300,637
British Columbia	754,373	180,915	1,818,625	1,588,838	360,035	269,350	66,588	5,038,724
Manitoba	259,583	41,585	248,500	105,312	210,900	79,125	109,436	1,054,441
New Brunswick	4,403	450	62,800	4,300	2,600	21,000	2,624	98,177
Northwest Territories	5,476	.....	19,970	14,975	471,000	5,665	19,245	536,331
Nova Scotia	7,550	475	88,800	525	900	5,500	2,512	106,262
Ontario	345,020	47,305	1,751,350	181,185	847,800	484,645	385,367	4,042,67
Prince Edward Island	2,500	500	1,200	600	1,200	5,000	.....	11,000
Quebec	128,341	20,080	977,660	3,200	310,175	109,300	24,701	1,573,457
Saskatchewan	1,208,847	102,457	342,223	19,570	97,777	219,910	150,752	2,141,536
	3,023,029	638,669	5,568,892	1,928,501	2,437,419	1,288,889	1,017,838	15,903,237

Statement of Ordinary Expenditure for Year 1944-45

—	Branch Administration	Indian Agencies	Reserves and Trusts	Medical	Grants to Hospitals	Welfare	Education	Grants to Residential Schools	Grants to Exhibitions	Total
Nova Scotia	$.....	$ 12,556	$ 2,296	$ 40,946	$.....	$ 107,566	$ 23,146	$ 28,568	$.....	$ 215,078
Prince Edward Island	.....	3,624	.....	3,862	.....	9,763	1,028	.....	.....	18,277
New Brunswick	6	7,302	.....	21,785	.....	24,503	17,623	.....	.....	71,219
Quebec	52	50,703	8,322	119,983	.....	136,738	66,058	4,879	.....	386,735
Ontario	.....	132,131	897	214,863	.....	107,222	143,488	264,951	1,078	864,630
Manitoba	.....	87,016	.....	111,954	.....	98,067	81,555	191,209	436	570,237
Saskatchewan	623	127,015	.....	93,720	.....	67,373	65,225	314,775	1,000	669,731
Alberta	.....	110,900	10,644	86,028	1,080	63,853	13,224	339,347	596	625,672
British Columbia	920	137,460	1,440	248,132	3,240	84,227	108,324	351,917	625	936,285
Northwest Territories	.....	21,406	.....	91,473	.....	14,829	1,579	42,232	.....	171,519
Yukon	.....	759	.....	19,541	.....	12,597	6,980	4,652	.....	44,529
Headquarters and Miscellaneous	50,302	15,237	26,916	33,409	.....	39,597	76,542	.....	50	242,553
Indian Hospitals	.....	.....	.....	388,714	.....	.....	.....	.....	.....	388,714
Tuberculosis Control	.....	.....	.....	574,050	.....	.....	.....	.....	.....	574,050
British Columbia Special	.....	16,218	.....	42,500	.....	29,903	 9,580	.....	.....	98,201
Pensions and Gratuities	.....	1,100	.....	547	.....	.....	.....	.....	.....	1,647
	52,403	723,427	50,515	2,091,507	4,320	796,238	614,352	1,542,530	3,785	5,879,077
Statutory Indian Annuities	.....	.....	.....	.....	.....	.....	.....	.....	.....	284,563
Statutory Pensions	.....	.....	.....	.....	.....	.....	.....	.....	.....	600
										6,164,240

Open Account—Indian Act Revolving Fund 1944-45

EXPENDITURE

Alberta	$ 1,575 84	
Saskatchewan	3 27	
		$ 1,579 11

REPAYMENTS

Alberta	$ 837 89	
British Columbia	557 91	
Saskatchewan	6,497 76	
		7,893 56
Repayments over expenditure		$ 6,314 45

Statement of Net Expenditures by Provinces, Year 1944-45

FUR CONSERVATION

Province	Amount
	$ cts.
Quebec	13,773 65
Ontario	6,527 14
Manitoba	6,734 46
Saskatchewan	27,269 60
Alberta	10,750 06
British Columbia	645 60
Head Office	2,641 06
Total	68,341 57

Indian Trust Fund

Showing transactions in connection with the fund during the fiscal year ended March 31, 1945.

—	Debit	Credit
	$ cts.	$ cts.
Balance, April 1, 1944	.....	15,793,184 47
Collections on land sales, timber and stone dues, rents, fines, fees, etc.	.....	1,234,034 20
Interest for the year ended March 31, 1945	.....	800,401 42
Credit transfers during the year	.....	11,634 05
Expenditure during the year	1,182,213 39	.....
Transfers by Warrant, etc.	19,389 38	.....
Balance March 31, 1945	16,637,651 37	.....
	17,839,254 14	17,839,254 14

SCHOOL STATEMENT

Statement Showing Enrolment by Provinces in the Different Classes for the Fiscal Year Ended March 31, 1945

RESIDENTIAL SCHOOLS

Province	Number of Schools	Denomination				Number on Roll			Average attendance	Percentage of Attendance	Grades								
		Church of England	Presbyterian	Roman Catholic	United Church	Boys	Girls	Total			I	II	III	IV	V	VI	VII	VIII	IX
Nova Scotia	1	.....	.....	1	.....	76	79	155	147	94·84	42	27	19	25	15	10	7	10	.....
Quebec	2	1	.....	1	.....	16	21	37	31	83·78	22	8	5	.....	2	.....	.....	.....	.....
Ontario	13	5	1	6	1	742	848	1,590	1,415	88·99	444	211	230	215	192	115	96	64	23
Manitoba	9	1	1	4	3	491	619	1,110	994	89·55	350	149	144	157	140	90	53	18	9
Saskatchewan	14	3	.....	9	2	841	963	1,804	1,638	90·80	627	254	260	234	173	128	101	23	4
Alberta	19	5	.....	12	2	881	1,019	1,900	1,722	90·63	642	260	262	266	221	130	99	18	2
Northwest Territories	4	1	.....	3	.....	87	125	212	188	88·68	128	27	28	12	9	8	.....	.....	.....
British Columbia	13	2	.....	9	2	930	1,084	2,014	1,840	91·36	538	342	352	265	225	149	87	38	18
Yukon	1	1	.....	.....	.....	20	23	43	31	72·09	27	8	6	1	.....	1	.....	.....	.....
Total—Residential Schools	76	19	2	45	10	4,084	4,781	8,865	8,006	90·31	2,820	1,286	1,306	1,175	977	631	443	171	56

DAY SCHOOLS

Province	Number of Schools	Number on Roll			Average Attendance	Percentage of Attendance	Grades								
		Boys	Girls	Total			I	II	III	IV	V	VI	VII	VIII	IX
Prince Edward Island	1	11	12	23	11	47·83	7	7	2	3	2	.....	2	.....	.....
Nova Scotia	9	109	134	243	167	68·72	113	48	30	26	11	10	4	1	.....
New Brunswick	10	150	174	324	220	67·90	78	57	57	40	31	21	19	12	.....
Quebec	27	618	655	1,273	982	77·14	371	202	220	162	94	72	58	32	2
Ontario	75	1,058	1,151	2,209	1,596	72·25	655	367	332	257	224	160	112	89	13
Manitoba	43	534	520	1,054	599	56·83	573	197	120	80	55	18	5	6	.....
Saskatchewan	26	272	259	531	337	63·47	274	94	54	55	27	17	8	2	.....
Alberta	1	10	15	25	10	40·00	4	3	6	5	3	4	.....	.....	.....
Northwest Territories	2	11	13	24	15	62·50	6	3	5	4	1	4	.....	1	.....
British Columbia	55	800	836	1,636	1,083	66·20	741	301	242	170	83	68	28	3	.....
Yukon	6	57	81	138	72	52·17	90	27	13	2	2	.....	.....	4	.....
Total—Day Schools	255	3,630	3,850	7,480	5,092	68·07	2,912	1,366	1,081	813	533	374	236	150	15

COMBINED WHITE AND INDIAN SCHOOLS

Province	Number of Schools	Number on Roll			Average Attendance	Percentage of Attendance	Grades								
		Boys	Girls	Total			I	II	III	IV	V	VI	VII	VIII	IX
Quebec	1	7	6	13	13	100·00	3	6	3	.....	1	.....	.....	.....	.....
Ontario	2	30	23	53	43	81·13	11	9	11	4	3	7	5	3	.....
Manitoba	2	12	11	23	10	43·48	14	6	1	1	.....	.....	1	.....	.....
Saskatchewan	1	2	2	4	1	25·00	4	.....	.....	.....	.....	.....	.....	.....	.....
Total—Combined White and Indian Day Schools	6	51	42	93	67	72·04	32	21	15	5	4	7	6	3	.....

SUMMARY OF SCHOOL STATEMENT

Province	Classes of Schools			Total Number of Schools	Number on Roll			Average Attendance	Percentage of Attendance	Grades								
	Day	Residential	Combined		Boys	Girls	Total			I	II	III	IV	V	VI	VII	VIII	IX
Prince Edward Island	1	.....	.....	1	11	12	23	11	47·83	7	7	2	3	2	.....	2	.....	.....
Nova Scotia	9	1	.....	10	185	213	398	314	78·89	155	75	49	51	26	20	11	11	.....
New Brunswick	10	.....	.....	10	150	174	324	220	67·90	78	57	57	49	31	21	19	12	.....
Quebec	27	2	1	30	641	682	1,323	1,026	77·55	396	276	228	162	97	72	58	32	2
Ontario	75	13	2	90	1,830	2,022	3,852	3,054	79·28	1,110	587	573	476	419	282	213	156	36
Manitoba	43	9	2	54	1,037	1,150	2,187	1,603	73·30	937	352	265	238	195	108	59	24	9
Saskatchewan	26	14	1	41	1,115	1,224	2,339	1,976	84·49	905	348	314	289	200	145	109	25	4
Alberta	1	19	.....	20	891	1,034	1,925	1,732	89·97	646	263	268	271	224	134	99	18	2
Northwest Territories	2	4	.....	6	98	138	236	203	86·02	134	30	33	16	10	12	.....	1	.....
British Columbia	55	13	.....	68	1,730	1,920	3,650	2,923	80·08	1,279	643	594	435	308	217	115	41	18
Yukon	6	1	.....	7	77	104	181	103	56·90	117	35	19	3	2	1	.....	4	.....
Totals	255	76	6	337	7,765	8,673	16,438	13,165	80·09	5,764	2,673	2,402	1,993	1,514	1,012	685	324	71

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 6

TUESDAY, JUNE 18, 1946

WITNESSES:

Mr. R. A. Hoey, Director, Indian Affairs Branch, Ottawa;

Major D. M. MacKay, Commissioner for Indian Affairs in British Columbia.

OTTAWA
EDMOND CLOUTIER
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1946

REPORT TO THE SENATE

THE SENATE,

TUESDAY, June 18, 1946.

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, beg leave to present the following as a

SECOND REPORT

Your Committee recommend that it be empowered to retain the services of counsel.

All of which is respectfully submitted.

J. FRED. JOHNSTON,
Chairman, Senate Section.

With leave of the Senate,

The said Report was adopted.

MINUTES OF PROCEEDINGS

THE SENATE,

TUESDAY, 18th June, 1946

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 11.00 o'clock a.m. The Honourable Senator W. H. Taylor, Deputy Joint Chairman presided.

Present:

The Senate: The Honourable Senator Taylor.

The House of Commons: Messrs. Blackmore, Bryce, Case, Farquhar, Gibson (*Comox-Alberni*), Harkness, MacNicol, MacLean, Matthews (*Brandon*), Raymond (*Wright*), Reid and Stanfield—12.

In attendance: (Department of Mines and Resources) Messrs. W. J. F. Pratt, R. A. Hoey, Director, Indian Affairs Branch; Major D. M. MacKay, Commissioner for Indian Affairs, British Columbia; W. S. Arneil, Inspector of Indian Agencies, Ontario; and

Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Mr. Gibson read the second report of the subcommittee on Agenda and Procedure.

Mr. Reid requested that, in future, copies of lengthy reports from the subcommittee be distributed to the Committee coincidentally with their presentation.

On motion of Mr. Blackmore, it was

Resolved: That the second report of the subcommittee on Agenda and Procedure be adopted. (For text of said report, see to-day's Minutes of Evidence, at page 217.)

Major D. M. MacKay, Commissioner of Indian Affairs in British Columbia was recalled, and was questioned by the Committee and by Mr. Lickers.

The Committee adjourned at 1.00 o'clock p.m., to meet again at 4.00 o'clock p.m.

AFTERNOON SESSION

The Committee resumed at 4.00 o'clock p.m. The Honourable Senator J. F. Johnston, Joint Chairman, presided.

Present:

The Senate: The Honourable Senators Blais, Dupuis, Johnston and Taylor —4.

The House of Commons: Messrs. Blackmore, Bryce, Case, Farquhar, Gibson (*Comox-Alberni*), Harkness, MacNicol, Matthews (*Brandon*), Raymond (*Wright*), Reid and Richard (*Gloucester*)—11.

In attendance: The departmental officials named above and Mr. Lickers.

The Chairman informed the Committee that a committee room would not be available on Thursday, 20th June next.

On motion of Mr. Gibson, it was

Resolved: That the Committee meet on Friday, 21st June next, instead of Thursday, 20th June, as previously agreed.

Major D. M. MacKay was recalled. He directed the attention of the Committee to errors in transcription of his remarks as reported in Minutes of Evidence taken down on Tuesday, 11th June last; was questioned by the Committee and by Mr. Lickers. He summed up the recommendations made by him during the course of his submission and examination thereon by the Committee.

On motion of Mr. Blackmore, it was

Ordered: That the Committee be furnished by the British Columbia Provincial Ministry concerned a report dealing fully with housing provided for Indians employed at or by fish canneries in that Province.

Mr. Hoey undertook to have the Minister of Mines and Resources obtain the required report.

On motion of Mr. Bryce,

A very sincere vote of thanks was tendered Major MacKay for the manner in which he had made his submission to the Committee and for the suggestions he proffered with regard to Indian administration in British Columbia and to other matters pertaining to the social and economic status of British Columbia and their advancement.

Major MacKay made a suitable reply and was excused from further attendance before the Committee.

The Committee adjourned at 6.00 o'clock p.m., to meet again on Friday, 21st June, at 11.00 o'clock a.m.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

THE SENATE,

June 18, 1946.

The Special Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11.00 o'clock a.m. The Hon. Senator W. H. Taylor, Deputy Joint Chairman, presided:

The DEPUTY JOINT CHAIRMAN: Gentlemen, may we come to order. I regret that the chairman of the Commons section is not able to be here to-day. I believe the first order of business will be to hear the report of the subcommittee on agenda and procedure. Mr. Gibson?

Mr. GIBSON: Mr. Chairman, this is the second report of the subcommittee on agenda and procedure, dated Friday, 14th June, 1946.

1. Your subcommittee recommends that the Special Joint Committee should not call witnesses from outside points until after it has completed the hearing and examination of officials of the Indian Affairs Branch and other government agencies concerned with matters affecting Indian administration.

2. Your subcommittee at a later date will make recommendations with regard to:—

(i) the calling to Ottawa of representatives of Indian organizations and other organizations, and individuals interested in the well-being and welfare of Canadian Indians;

(ii) the advisability of making arrangements to visit and hear such representatives elsewhere in Canada,

this in order to give effect to the stated policy of the Joint Committee: that every opportunity must be afforded the committee to receive submissions from all those who have asked that the committee hear their representations in behalf of Canadian Indians.

3. However, the North American Indian Brotherhood planned some time ago to hold a conference in Ottawa on June 24 next, on business of that brotherhood, and we assume at their expense.

4. Your subcommittee, therefore, recommends that the joint committee should break the procedure recommended above and, as an exception, hear Mr. Andrew Paull, President of the North American Indian Brotherhood, and one other delegate, on Thursday, June 27, when those delegates should be permitted, as the brotherhood requests, "to lay down the general policy from their viewpoint." The joint committee after hearing a general statement from these delegates will decide when and where to hear the same brotherhood make, as they have also requested, "special representations on particular subjects."

All of which is respectfully submitted.

Mr. REID: Mr. Chairman, I have one suggestion to make to the committee and it is that when the subcommittee brings in a report as comprehensive as

the report which has just been read, that copies of it be placed beforehand in the possession of members of the committee so that they may have an opportunity to study it. I blame myself for not being able to grasp it all as it was read.

The ACTING CHAIRMAN: Is there a motion to adopt the report?

Mr. MACNICOL: I am in favour of the report with reservations. I am not in favour of any joy-riding. If we are going to visit reserves, there should be some study of what reserves we visit, the importance of those individual reserves, the distance away, and whether it is necessary for more than one, two or three to go. In some cases air transportation will be necessary. We must use our heads with reference to expenses.

The ACTING CHAIRMAN: Your committee, at a later date, will make recommendations with regard to the advisability of making such arrangements. That will come up later on.

Mr. MACNICOL: I am not going to sit here as a member of this committee and have the reservations that are recommended to be visited picked out by the subcommittee. I have never seen a subcommittee have all to do with the work of the committee before. When a subcommittee puts in a report to this committee, I am going to look it over carefully before I support it.

The ACTING CHAIRMAN: That is your right, sir.

Mr. BLACKMORE: And not only your right but your duty. I move the adoption of the report of the subcommittee and I would like to associate myself with the words of the last speaker with regard to expenses. I favour spending money where expenditures are necessary in order to get results, but I am not in favour of spending money otherwise.

Mr. RAYMOND: I second the motion.

Mr. REID: And what about the suggestion which I made that copies of the report of the subcommittee be placed in the hands of the members of the main committee?

Mr. RAYMOND: Yes, I support that suggestion.

Mr. REID: I wonder how many members of this committee really know what they support?

Mr. BLACKMORE: I would like to associate myself with Mr. Reid's suggestion.

The CHAIRMAN: The motion is that the report be adopted, and that future reports, when submitted to this committee, be first placed before each member. Is there any discussion? All those in favour? All those opposed? Carried.

Mr. CASE: Mr. Chairman, in report number four of the minutes of proceedings and evidence, on page 141, I would like to correct a statement made by myself, in the first line, where I am reported as having said: "I cannot understand why Indians might not administer their own affairs." What I really said was: "I can understand why Indians might not administer their own affairs." I did not say: "I cannot".

The CHAIRMAN: In the fourth report, Mr. Case says, at page 141—

Mr. CASE: Yes, in the first line, it says: "I cannot understand why Indians might not administer their own affairs." The correct interpretation is "I can understand why Indians might not administer their own affairs, particularly on their own reserves." It changes the whole meaning of it.

The CHAIRMAN: Yes. I believe we have Major MacKay before us, and I believe we agreed to discuss the item under education first. I believe, at the time of the adjournment, Mr. MacNicol was asking some questions. Would you come forward, please, Major MacKay?

Major D. M. MacKay, Commissioner for Indian Affairs for British Columbia, recalled:

The CHAIRMAN: Are you prepared to ask your questions, Mr. MacNicol?

By Mr. MacNicol:

Q. I believe, when the committee rose, we had just approached the question of residence schools. What is the name for them?—A. Residential schools.

Q. Residential schools. Most of the members have something to ask about them, so I believe that is the place to start.

By Mr. Gibson:

Q. Generally speaking, Major MacKay, you are trying to develop a policy of having government-owned schools rather than church-owned?—A. I would not say that. The policy at the moment is one that calls for the co-operation of church and state with respect to the operation of residential schools. That is written into the Indian Act. It is the law of the land.

By Mr. Case:

Q. My recollection of one observation that you made Major MacKay, is that the church should provide properly qualified teachers?—A. That is correct.

By Mr. Raymond:

Q. You said that in the residential schools they had only half-day instruction?—A. Yes. They operate mainly on the half-day system.

Q. What do they do with the rest of the day?—A. For half a day they receive instruction in the academic subjects, and for the remaining part of the day they engage in work around the school and, I suppose, on the playgrounds.

By Mr. Lickers:

Q. Are these residential schools situated more or less in cities or towns, or where there might be accessibility to a high school?—A. Not in every case, no. The largest residential school we have in British Columbia is at Kamloops and, of course, it is within easy access of the city, a matter of three miles.

Q. Is there any age limit placed on the pupils attending the residential schools in British Columbia?—A. I understand they attend until the age of sixteen years; but of course, where a student shows an aptitude, and where for other reasons it is found advisable to keep him longer in school, an application may be made on behalf of the student to the department. Without exception, at least as far as I can recall, such applications are approved.

Q. Take the case of a graduate of a public school who lives far distant from a city and has not the means to go on. Is there any provision made for a graduate of a public school, if he shows aptitude, to attend a high school? Can such a student board at a residential school while attending a high school?—A. Yes, provision is made within reasonable limits. I do not recall the department having turned down any application for advanced education for an Indian.

By Mr. Gibson:

Q. Then it would be possible for an Indian student to live at a residential school while attending a public high school?—A. If they were close enough, I think such an arrangement could be made. Students attending high school in British Columbia usually lodge with friends or relatives in the town. The department would pay either part or all of the cost involved, both in the matter of accommodation and in the matter of tuition.

By Mr. Farquhar:

Q. Do the industrial schools have a department where pupils can get instruction in farm work?—A. Yes, in most cases there is a farm which is operated in connection with the school.

By Mr. Reid:

Q. Regarding financial assistance received on behalf of pupils attending residential schools, previous to the family allowances being paid, what assistance was given? And since family allowances have been paid, how is that operated among the Indians who have children attending residential schools? Could you tell us something of the actual situation, from the financial point of view before and since family allowances were put into operation?—A. Well, children attending residential schools do not receive benefits under the Family Allowance Act while they are in attendance at school, that is, at residential schools. They do, however, receive it during the holiday session, for two months; but I do not see just how that could affect the financial set-up inasmuch as the family allowances are supposed to be used for food and clothing for the children and not to educate them.

Q. I think you have not got the proper interpretation of family allowances, because education does come under the heading of family allowances, anything for the welfare of the child; and as long as children are being educated and are attending school, the family allowance is paid to them. That was one of the things particularly mentioned in the House of Commons by the minister: that parents who refuse to send their children to school should be denied family allowances.—A. I understand that; but I do not think that the money provided under the Family Allowance Act is used to educate children; it is used to provide food and clothing for them. That is my understanding. I do not think that any of those funds are to be used in the matter of tuition fees.

Q. I think you are wrong in that respect. Many parents throughout Canada are using the family allowance money to educate their children. Of course, clothes and food come into the picture too. The minister stated in the House of Commons that attendance at school throughout Canada has greatly increased since family allowances were put into effect. Indian parents would be similar in that regard to the rest of the population; and if they receive the family allowances there is some responsibility on them in the matter of education for their children as well as for food and clothing. How are residential schools financed?—A. They do not receive assistance under the Family Allowance Act, as far as I know.

Q. The residential schools, I take it, are taken care of entirely by the Department and financed thereby.—A. That is correct.

Q. Are the parents of those children in receipt of family allowances while their children are at school?—A. No, they are not.

By Mr. Gibson:

Q. But that would not be the case where the children are attending day school, of course?—A. Yes.

By Mr. Case:

Q. Where children attend day school, their parents receive family allowances?—A. Yes.

Q. The department pays the entire cost of the children while they are at residential school?—A. An allowance is paid to the families having children at residential school while the children are not at school, that is, for the holiday period.

Q. I think one weakness that the committee discovered and discussed is the fact that at the residential schools they are instructed only for part-time. We questioned how they could keep up to their work, on a regular curriculum. How could those children keep up to their work at the residential schools, if they receive only part-time instruction?—A. It is hardly possible to do more than that. I should say that all children up to and including grade IV should receive full-time instruction.

Q. Is there any reason why they should not have full-time instruction at the residential schools?—A. Well, with the available accommodation, I should say it would be difficult.

By Mr. Gibson:

Q. They are short of class rooms?—A. Yes.

By Mr. Reid:

Q. Why would you take children away from their homes and put them into a residential school? What is the reason for doing that?—A. I think that originally it was intended that the residential school would look after underprivileged children and orphans, those whose home conditions were not satisfactory.

By Mr. Lickers:

Q. Are those the classes of children that you take in first, in your residential schools in British Columbia?—A. That is the understanding, yes.

By Mr. Reid:

Q. What is the procedure in taking them in? I would like to get the complete set-up? Who decides that a child shall go to a residential school?—A. An application is made on his behalf to the agent, who forwards the application to the department.

Q. An application is made by whom?—A. The Indian parents.

By Mr. Case:

Q. And with respect to orphans, what is the procedure?—A. The agent makes application on their behalf to the department for their admission to a residential school.

By Mr. Reid:

Q. Who sets the curriculum in the residential schools?—A. I think that is a matter for the departmental officials in Ottawa.

Q. In the case of all residential schools?—A. All residential schools; and the studies are supposed to be similar to the studies of the provincial schools in the province where the school is situated.

By Mr. Raymond:

Q. Is the same course of studies followed in the residential school as in the day school?—A. Yes.

Q. How do they compare at the end of the year, as to results?—A. You mean, with respect to progress?

Q. Yes.—A. I would say that a pupil who receives full-time instruction would have an advantage over a pupil who received only part-time instruction.

Q. Let us assume that there are so many children in a day school and so many children in a residential school. Do you have a greater proportion from one or the other who go on to high school? And how do they succeed at the end of the year?—A. I have not got those figures. Probably the department could give you that information.

By Mr. Bryce:

Q. I quite agree with you that the children at residential schools should receive education up to the fourth or fifth grade in order to ascertain their aptitude; and I agree that those who want to be farmers or who want to live by tilling the soil should do so. But I think that if you have a pupil who could absorb an education, it would be better to permit him to carry on with higher studies?—A. I do.

Q. Yes, I think that would be a good idea. I would like to hear your personal opinion with respect to a pupil who reaches sixteen years of age. What are you going to do with him? I do not think it would be right and proper to throw him back into the reserve.—A. I would say that if the pupil shows an aptitude, and is anxious to continue his studies, he should be given encouragement to do so, and provision should be made for him along those lines.

Q. There is really no provision in the Indian department to do so, except in odd cases. In general practice, there is no arrangement made for such a boy or girl, upon reaching sixteen years of age, to be kept on in a residential school to continue his or her education.—A. Oh, yes, there is, Mr. Bryce. I think that is the accepted policy of the department. Mr. Hoey could probably answer that more fully.

Q. I know that in the case of the residential schools that I have been in touch with, they do not seem to make use of it. When a pupil reaches sixteen years of age he usually goes back to where he came from; and when observation is kept of him for the next few years, it is found generally that he will be loafing around a pool room because of the lack of being taken in hand and taken care of in the right way.—A. I think the agents, with the staff available, have made an effort to carry out the wishes of the department in that respect. The department is anxious to ascertain just what becomes of a student after he leaves school, and to see in what way assistance could be given to him. It frequently happens in British Columbia, when children leave the residential school or complete their courses of study at a day school, that the parents want them to come home; the parents want them to remain on the reserve. It is only those who are in a position to assert themselves and have their own way, who take on employment in the cities and smaller towns. It is also true that young men returning from the residential schools tend to take on the cultivation of the land in cases where the parents have reached advanced years and are unable for that, and other reasons, to continue the development of their resources.

Q. That may be the situation in British Columbia, but there are lots of places in Manitoba where there is little agricultural land available, and the situation is quite different.

By Mr. Reid:

Q. I am trying to get a clear picture in my mind in so far as the children in the residential schools are concerned. You said that the children in the residential schools were either orphans, or children whose parents requested that they be taken in?—A. Emphasis is put upon those two classes.

Q. Later on, when they become sixteen years of age, a request would be sent in from the parents to the effect that they wanted those children to come back home again?—A. No, there is no request sent in. The pupils automatically return to their homes.

Q. And what about the orphans?—A. They go back to the reserves. In almost every case the department takes steps to care for them.

Q. How long does the education last in the case of the boy or girl, once he goes back to the Indian band? I have visited some residential schools which have been more or less modern and up-to-date, where the pupils are taught cleanly habits. Then those pupils will leave school and go back to the band;

and I have met them two years afterwards, after they went back to the band, and you would never know they had ever been in a residential school at all. I do not know whether it is due to the influence or living conditions of the band or what it is, but I wonder just what affect it has? I would not say that is was the case with every boy or girl who went to a residential school, but it is true with respect to a great number, even though they have been taught hygiene and the way to live. Two or three years afterwards you will meet them and will hardly realize that they have ever been in one of the residential schools. I wonder if any study has been made in regard to that, and if any suggestions could be made about what can be done or could be done to prevent a relapse. It seems to me to be just a waste of money and effort in many cases. However, you take them in for three, four, five or six years and then they go back.

By Mr. Case:

Q. The department would not know whether it would be worth the time and effort until it had experimented with them. The department would not know in advance what they are going to turn out to be.

Mr. GIBSON: It is the matter of supervision on the reserve itself that is the greatest weakness. There is nobody there to take care of them when they go back to the reserve.

Mr. MATTHEWS: I am told that in spite of that, in years past, the training the pupils received does assert itself when they leave school, and they do turn out to be better citizens as a result of it.

Mr. REID: I am very glad to hear that.

Mr. MATTHEWS: I was told that by a man who had made a great study along that line, and that was the result of his close personal observation. The pupils would lapse for a while, but eventually the results of their training would be expressed and realized.

Mr. CASE: As they became more adult?

Mr. MATTHEWS: Yes.

The WITNESS: I think a great deal depends on the attitude of the Indian himself. You will find some Indians who are opposed to the introduction of modern methods in the Indian home. They wish to live as did their forefathers. In some cases a pupil, upon returning to his Indian home, would be confronted with a good deal of opposition with respect to what he or she had learned in the residential school. In considering the progress that Indians make, one must not lose sight of the fact that they are not very far removed from a state of savagery. I have found, in many cases, that pupils returning to homes after being educated, do stand up for the ways that have been taught them; but such would not be the case in homes where the pupils meet with opposition to what they learned in the residential schools.

By Mr. Bryce:

Q. You mean, they would be subject to ridicule?—A. Yes.

By Mr. Reid:

Q. Do you think that the system of residential schools should be continued for such pupils?—A. Yes, I would say that the residential school system should be continued for such children.

By Mr. Case:

Q. But you would not suggest that it should be greater than the day schools? The day schools would be your main forte?—A. I do not think we should extend the residential school system beyond what we have at the present time.

Mr. MATTHEWS: I think that whatever steps are taken, that the children in the residential schools should have full-time instruction rather than half-day instruction, because it places them at a disadvantage in comparison to others. It is true that the time away from classes may be profitably employed in farm work and in receiving practical instruction; but they cannot be expected to keep up with those in the other schools when they get only half-time instruction. It would mean more expense and more teachers, but the expenditure would be warranted in order to give them a fair chance with the rest.

By Mr. Reid:

Q. Do you agree, Major MacKay, that the curriculum of instruction in British Columbia compares favourably with those of the other provinces? You know there is quite a difference in the various provinces throughout Canada in regard to the standard of education?—A. The course of studies in British Columbia is based on the curriculum of the province with certain modifications which sometimes are suggested by the school inspector and frequently adopted by the department. Now, just what the relative standard would be between British Columbia and say, Alberta, I am not in a position to say. I am not familiar with the course of studies in the province of Alberta.

Q. I have no intention of starting a debate on that point. It is rather a touchy question with some. I just wondered how it was carried on. I am quite content to leave it with the standard of British Columbia.—A. That is where it is.

Q. We think of it as being among the highest in Canada.

By Mr. Harkness:

Q. I see in this report for the fiscal year ending in March 1945 where 6,227 Indian children between the ages of seven and sixteen years received education, which means, roughly, that 2,600 Indian children did not receive any education between the ages of seven and sixteen years. You see, there are about 1,200 children for whom educational facilities have been provided.—A. There are more than 4,000 at school at the present time, if I remember correctly; it is 4,112. From the information we were in a position to gather, it would appear that about 1,200 were without educational facilities. You have the 1944-1945 report, and I am referring to the 1945-1946 fiscal year.

By Mr. Gibson:

Q. Are these mostly children of the nomadic Indians?—A. Mostly, yes.

By Mr. Harkness:

Q. On the basis of this report, it would be about 2,600. How many children are there of the nomadic tribes in the north? And how many children are there from the more settled portions?—A. You will find that the great majority come from remote areas.

Q. In the case of the children who do not go to school on the reserve in the south where schools are provided, do the parents of those children receive children's allowances for them? I understand that if children do not go to school, where a school is provided, that the parents, in such a case, do not receive the children's allowance?—A. That is correct.

Q. So that would mean that for children who do not go to school, of whom there are 2,600 altogether, there would be no children's allowances paid?—A. If educational facilities have not been provided, the parents are entitled to draw the family allowance, and they do draw it.

Q. Are they actually drawing these family allowances?—A. Yes.

Q. The reason I asked about it is because I have received some reports to the contrary.—A. Well, if the parents are not receiving it, it is probably because they have not made application for it, or they are moving about the country and have not taken an interest in asking for it.

The CHAIRMAN: If you would look at our first report, page 21, you will find that the matter of family allowances is covered; there are two different departments concerned.

By Mr. Harkness:

Q. I was particularly interested in the reserve around Kamloops. You have not got room for all the children on those reserves, so some of the children do not go to school.—A. We are not in a position to provide educational facilities for them; so the parents draw the allowances.

By Mr. Reid:

Q. You have more children attending residential schools than attending day schools in British Columbia?—A. Yes, I think that is correct.

Q. Is there any reason for that outside of the fact that the parents might request that the children be taken to the residential schools?—A. There are quite a number of day schools that have been closed because of lack of teachers. That, I think, is the deciding factor.

Q. Who makes the appointment of teachers?—A. The various churches nominate the teachers. If there is a vacancy in a Protestant school, the head of the Protestant church involved makes a nomination which is forwarded to the department for approval.

By Mr. Lickers:

Q. Does that apply to the day schools out there?—A. That applies to the day schools.

Q. As well as to the residential schools?—A. Any residential school principal has the right to employ his staff.

Q. Usually the principal himself is a nominee of the church?—A. Yes.

By Mr. Reid:

Q. After all, you must take some care regarding the teacher; and if the teachers are not fully qualified, they cannot pass it on to the children, so you should see to the qualifications of the various teachers.

By Mr. Matthews:

Q. I suppose in many cases it is a matter of getting the best you can, under the circumstances?—A. It is.

Q. You cannot pick and choose very much; I realise the difficulties, but are there any plans for imparting education to the children of the nomadic bands that have been mentioned?—A. That would be quite a problem.

Q. I realize that.—A. They wander about the country a great deal. I think the department has given considerable study to ways and means by which education can be provided for those groups.

By Mr. Reid:

Q. In regard to the residential schools, who sets the salaries for them, and who designates the duties of the staff?—A. The principal of the school.

Q. He sets the salaries?—A. Yes.

Q. That might be one reason, of course, for the lack of teachers.

By Mr. Gibson:

Q. No residential school is short of teachers?—A. No.
Q. Or day school?—A. No.

By Mr. Reid:

Q. Your problems would be with respect to the day schools and not with respect to the residential schools?—A. I should not say that all the problems are.

By Mr. Blackmore:

Q. I wonder if we could look forward to see how much more time we can have with Major MacKay and to consider the many other things that we want to ask him about, and thereby plan our time; otherwise we can spend all our time on education and get nothing on several other branches into which I think we ought to probe.

The CHAIRMAN: I think that point is very well raised. I see that we have fishing, trapping, and miscellaneous suggestions such as housing, still to discuss Could we have any information on how long Major MacKay would be with us yet?

Mr. MACNICOL: Before you finish with education—

The CHAIRMAN: Yes, but we just wanted to discuss how long we might have with Major MacKay. Major MacKay would like to get away after today. Could we just confine our questioning to the points that I have mentioned so that we might finish with him today?

Mr. MATTHEWS: Perhaps Mr. MacNicol might ask his question and then we could clean up the education matter.

Mr. REID: I wanted to get as full information as I could before we passed on, and I was trying to keep within the confines of the committee; but there are other questions that I would like to ask. If I seem to ask more questions than anyone else, it is because I was not here; I have not received any too much information.

Mr. GIBSON: There were not many new factors mentioned this morning; everything was covered before. We are just repeating the record. I would like to ask some questions about agriculture, if everybody is finished.

The CHAIRMAN: Could we first finish the matter of education.

By Mr. MacNicol:

Q. Unfortunately I am not familiar with the British Columbia educational system, but I presume that largely the program you would follow in British Columbia is followed in all the other provinces, more or less?—A. That is correct.

Q. So, what you say about your educational system both with respect to residential schools and day schools, we will likely find in the other provinces. Personally, I would like to correlate all the provinces together under the one item, but I do not see how we could do that; so, perhaps we could finish with your educational part. Now, the first question I would ask you is: I made a thorough investigation of the residential school at Norway House on the Nelson River in Manitoba—which I am sorry to hear has been burned down. I believe I heard Mr. Bryce say that the school had been burned down and the one at Morley in Alberta, which you must have seen more than once, and with which my honourable friend from Calgary West is familiar, and the residential school at the Soo, and the Muncey residential school in Ontario, and the school on the Six Nations reservation. All those were not fireproof. Now, when a residential school is built, does the church concerned obtain a plan from the department? If so, is care given to have it as nearly fireproof as possible for

those Indian children? How is it in British Columbia? You have thirteen of them there?—A. The church has not built any residential schools in British Columbia in my time. The schools that have been built by the department are fireproof schools. There was a school built at Alberni a few years ago which I think is typical of the type of residential school that the department provides for Indian children throughout Canada.

Q. Is it of frame construction?—A. No, brick and concrete construction.

Q. I am glad to hear that. The one I referred to a moment ago at Norway House, was a three or four storey building.—A. Most of the residential schools owned by the department in British Columbia are fireproof construction.

Q. What about the church residential schools; do any of your churches operate residential schools in British Columbia?—A. Yes, they do; but most of their buildings are quite old and they are all of frame construction.

Q. The residential schools I referred to—I left them all with fear and trembling that if a fire should break out, we would be responsible for the death of those Indian children.

The CHAIRMAN: What would you suggest that the department adopt? Would you suggest that the department draft plans or consider the plans of churches that build residential schools?

Mr. MACNICOL: No. I would like to compliment the churches for all they do and have done; but personally I am in favour of government operated schools, and I believe the department should have a regular plan and specification for their residential schools and for all church residential schools.

By Mr. MacNicol:

Q. My next question has to do with what I found in all these residential schools. I took up a great deal of time investigating them. Take the case of the four that I mentioned. I found that the principal in each case was very sad about the future of the children in the residential schools. Their unanimous remark was: where are they going from here? Now, I would like to ask a question along that line. Indian children are just as bright as white children, you said that yourself. Given the same chance, they can succeed as well as whites. For example, take our counsel here before us who must have passed all his legal examinations in order to get where he is. Now, the children leaving the residential schools must be around fifteen, sixteen or seventeen years of age? —A. Sixteen years.

Q. Sixteen years. During the time they are there, the head teacher must have observed the aptitude of this one or that one among the children. I believe there should be a regular program whereby young girls, young women with an aptitude for nursing could be promoted from a residential school to some hospital. I myself have been able to arrange for that among the Indians with whom I have been associated, the Delawares, of which I happen to be an honorary chief. I hope to hold that position through service to them. They have made splendid nurses. I know of three now, and the people who engaged them are very happy to have them. They are as happy to have them as any white nurse. That is one objective which I thought young women could have. I know of some others. Perhaps you will remember the young lady at Muncey reservation who was financed by the department in order to become a typist and stenographer. She is making good. That shows they can do it if they are given a chance. So I think that an opportunity should be given to the girl students in the residential schools to become nurses, if the headmaster feels they are inclined that way, or become stenographers or typists, should they have the wish to go that away. But as for the young men, I do not know. Every headmaster was broken-hearted over the objectives for the Indian young men.

I wonder if we could have at the Indian residential schools a regular program of sports. They are very competent and smart on their feet, and they progress very rapidly in sports. They are proficient in music and they make

excellent bandsmen. A third opportunity for girls would be needlework. Everywhere I went I found the teachers saying: they are so smart with their fingers in needlework. Now, what can they do after leaving the residential school in order to get some return from their skill with needlework? The more I ponder the matter the more I realize what a tremendous problem presents itself. On the other hand, much has been done, but much more can be accomplished. It all takes time. I would like to know, along any of these lines, if the residential schools in British Columbia have an objective with respect to needlework, or whatever the girls can qualify for, such as commercial courses, sports, music for both boys and girls, and some technical training for the boys.

I was in big business for many years. Occasionally we would have Indian boys working in the plants and factories, but only occasionally. They gave just as good service in the plants as white boys did, but there were only one or two of them in a plant as compared to a thousand men. Do any of these residential schools, in any way, offer even the most meagre occupational training for boys as machinists and so forth?—A. Well, most of the residential schools in British Columbia have manual training courses and vocational courses for children; but I do not recall any of them having a commercial course at the moment. The schools provide for instruction in needlework, and there is also the widest opportunity for sports. I think I mentioned at the first session what was accomplished at St. Mary's school this year by a group of sixty boys who competed with schools all over the province and carried off most of the prizes. I think what Mr. MacNicol has in mind really is just what the future holds for the Indian students following their graduation from residential schools. The ordinary lines of endeavour open to white people are not available to Indians. There are not many Indians engaged in commercial activities because not many commercial employers will employ Indians if there are whites available. The result is that the lines in which the Indian makes his living are few in number and are restricted to activity on the reserve, such as farming and cattle raising and the industries of fishing and trapping. When it comes to working in a city, the Indian is not in the picture to the same extent as the white boy or girl. The reason is that our people have not developed an attitude of giving the Indian children the same chance that they are prepared to give to white children of similar age and educational qualifications.

By Mr. Gibson:

Q. Why, Major MacKay?—A. I think it is difficult to know. It may be that the employer is not satified that the Indian has the same qualifications as the white boy or girl of the same age.

Q. That would be with respect to commercial activity?—A. Yes, with respect to commercial activity. I think I mentioned before that my own experience indicates that the better elements of the whites tend to ostracize Indians.

Q. They do that because of the health standards, not because of the colour of his skin?—A. The Indian has not been accepted in the various divisions of our society in the same way as have white children.

Q. But you could say that about many nationalities in this country. It is one of the things we have endeavoured to break down. In my community there are probably fourteen different races of people, and the same thing can be said about them. There was a tendency in the past to look down upon the people who come from Europe; so it does not apply only to Indians. You cannot say that this has been done only with respect to Indians. They may have been ostracized because white parents might have thought that the Indian children's health was not as good because of their being subject to tuberculosis and to venereal disease.

Mr. REID: I think there is a feeling that intermarriage might take place and they do not take kindly to part Indian and part white. I think that is the fear in the minds of our people. All over this country you will find groups of people ostracized when they attend meetings; they have to sit by themselves.

Mr. MACNICOL: That is in British Columbia?

Mr. REID: No, it happens all over the country.

Mr. MACNICOL: May I just elaborate a little on that, if the Major will pardon me for a moment. I want to mention our counsel at this time because he comes from the most elevated and advanced group of Indians that we have in Canada. I have in my hand a clipping from a paper of a few days ago about an affair held on the Six Nations reservation in Brantford. Perhaps you would know about it. And the paper has the pictures of a group of Indian girls. You would have to go a long way before you would find as fine a looking lot of girls as those are. Why anybody would not want a girl like that in his office, I do not know. My question is: do many of the girls from the Six Nations reservation go into Brantford after graduation to work in offices?

Mr. LICKERS: At the present time I think we have three who are working in offices at Brantford.

Mr. MACNICOL: And they are rendering excellent satisfaction?

Mr. LICKERS: One of the girls works in a furnishing office there and has done so since April. According to the last report I got from the office manager, she was the best typist and the best stenographer they ever had.

Mr. MACNICOL: I would suggest to Mr. Lickers that he make a compilation from time to time of the number of young men from the Six Nations reservation who work in factories in Brantford or anywhere else, and the girls who work. Our offices should be open to girls like that.

The CHAIRMAN: From what paper was that taken? What is the date of the issue?

Mr. MACNICOL: This was sent to me a few days ago by a man whose name was mentioned, Brigadier Martin.

Mr. LICKERS: Is is from the *Evening Telegram* I think, of last Saturday.

Mr. MACNICOL: It is from the Toronto *Star* of June 8th.

Mr. LICKERS: It was mentioned in the *Telegram* as well.

Mr. MACNICOL: Now, this is what it says here:

The CHAIRMAN: That is interesting, Mr. MacNicol, but could we not proceed now with Major MacKay?

Mr. MACNICOL: I am coming right to that. Here we have an example: Captain A. G. H. Smith, DSO, MC., Star of Poland, of the Six Nations reservation; and another group here, Pilot Officer Ted Jamieson, R.C.N. and Corporal Monture—the counsel likely knows all of these men?

Mr. LICKERS: Of course!

Mr. MACNICOL: Brigadier O. M. Martin and Private Albert Smith, U.S.A.A.F. Mr. Hoey gave me a card showing a young Indian pilot officer of the Cree tribe in Northern Ontario. When these boys are given a chance, they win honours like that. What I would like to ask Major MacKay is: What can we do to give all Indian boys a chance to aspire to glories like that? These young men graduated as flight officers. Richard Chappise was killed in action on June 5, 1945. He was from Chapleau, Ontario, and was a Cree.

Mr. HOEY: He was from the Chapleau residential school but he went on to senior matriculation.

Mr. MACNICOL: What can we do in our residential schools to give them all a chance like that?

Mr. BLACKMORE: There remain only forty minutes of the last hour and we have not got away from education yet.

The CHAIRMAN: Major MacKay might just answer, and then we will deal with the others.

The WITNESS: I do not think, Mr. MacNicol, that the Indians of British Columbia have yet reached a stage in their development where they take kindly to continuous employment. I think that is one of the obstacles in the way of employment of Indians in commercial institutions and places of business where they are required to appear every day and to work so many days a week and so many weeks in a month and so on. That stems from their nomadic instinct which is still strong. Education, in time, will help them to take their place with white men in various lines of activity. I do not think that advanced education should be provided for Indians who are not going to make use of it because such education is provided at the expense of the state and is based more or less on aptitude; but I think the Indians should be given every encouragement to go forward. I think we should be careful to what extent we assist the Indians. I am a firm believer in requiring the Indian to make the best possible use of the resources that are at his disposal. We will never get him anywhere if we spoon-feed him.

By Mr. MacNicol:

Q. If you do what?—A. If we spoon-feed him. In other words, if we provide for him those things that he is in a position to provide for himself with the resources at his disposal. The residential schools at the moment give excellent training to the children considering the time available and the distance they are removed from the primitive state. I think that if the residential school course is extended to include high school instruction, or high school instruction is provided for Indians who show aptitude, and if the same services are provided for Indians attending day school you will see that they will make progress and eventually take their place in this country the same as our own people and those who come from other lands.

Mr. MATTHEWS: I suggest we pass on now to fishing. I think Mr. Stanfield wishes to get some information on that.

The CHAIRMAN: Is it agreed that we pass on to the next order; fishing? Carried.

By Mr. Stanfield:

Q. I understood Major MacKay to say that after the Japanese had finished fishing in British Columbia a great many of the Indians had taken up fishing. You said they had 1,000 fishing boats of their own?—A. 1,200.

Q. And the value of the fish they caught was $2,000,000?—A. I think the full return from fishing was in the neighbourhood of $2,000,000.

Q. How many Indians would be engaged in fishing?—A. I should say approximately 3,600 or 3,800.

By Mr. Case:

Q. How did they acquire these boats? You made a statement the other day that their position had improved since the departure of the Japanese from the industry. Did they acquire some of the Japanese fishing fleet?—A. I should say not a great number.

Q. Is it just that the Japanese are out of the industry and it is giving them a better chance? Is that what you mean?—A. Yes.

Mr. REID: I think as to fishing the Indians were driven out in much the same way the white man was driven out of the fishing industry. In my own

particular district the Japanese simply corralled areas on the rivers and drove the Canadians right out. There were times in 1932 and 1933 when it was dangerous for a white man to throw a gill net in the water on account of the Japanese. He might lose his life. In fact, they did beat up some. With the Japanese working in relays and sleeping on board neither the white man nor the Indian were able to fish at all. I think that is a correct statement as to why the Indians were driven out by the Japanese. The Japanese really worked the fishing industry. They kept two men on board, one sleeping and one operating alternately.

Mr. CASE: May I ask Mr. Reid if they have any licence system as to the fishing areas in British Columbia?

Mr. REID: Fishing licences are issued to all who ask.

Mr. CASE: It does not define any particular area.

Mr. REID: It defines a certain area but there is no limit to the number of fishing licences within that area. There are certain areas set out, but there is no limit to the number of licences within any one area.

By Mr. Blackmore:

Q. The Indians apparently do just as well fishing in the rivers, along the shore, and in the deep sea? I take it there are three divisions of fishing?—A. I think commercial fishing is almost entirely restricted to tidal waters.

By Mr. Gibson:

Q. They are very competent seamen.—A. Very competent in fishing either in tidal or non-tidal waters, but commercial fishing is restricted to tidal waters very largely, if not entirely, in British Columbia.

Mr. GIBSON: I may say, too, there has been a very definite improvement in the quality of the boats now that the Japanese have got out of the industry. The Indians took over a considerable number of them, but a great many of them would not go through your department because of the fact they were bought by the larger canneries and handled where you would not see them, but there has been a very decided improvement.

By Mr. Blackmore:

Q. They succeed equally well with any kind of fishing, with nets or whatever apparatus is used?—A. Yes, they do. They are excellent fishermen.

By Mr. Matthews:

Q. And how do they dispose of their fish after they have caught them?—A. In the same way as the white fisherman, to the fish buyers, the various companies purchasing fish.

By Mr. Blackmore:

Q. One would be safe in saying that the Indian was a successful fisherman?—A. Quite.

Mr. REID: In the light of this discussion as to Indians fishing I wonder if I could bring up a matter that is perturbing greatly the International Sockeye Salmon Commission just now. I think it is pertinent to bring it up at this time for the benefit of the committee. I will have to show the peculiar circumstances we are faced with as to the Indians in British Columbia and the serious problem confronting us. There on this map you see the Fraser river and here is what is called Hell's Gate Canyon. The International Fisheries Commission have recently constructed two fishways at the expense of the governments of the United States and Canada at a cost of $1,000,000. Previous to that sockeye

salmon coming up the river in many years were unable at times to get through the canyon. Some years there were as many as 1,000,000 died on their way up to the spawning beds. At the various pools the Indians, of course, obtain fish for their own requirements, but this year with the completion of the fishways at Hell's Gate Canyon the sockeye salmon went right up to Stuart Lake, a distance of over five hundred miles. There is no impediment at Hell's Gate now. The female sockeye lays about 4,000 eggs. Over the years since the disaster of 1913 salmon fishing dropped from a catch of 2,000,000 cases to as low as 158,000 cases in one year recently. Our duty, of course, is to rehabilitate the sockeye salmon, and after an operation of six or seven years the commission have constructed fishways to allow the fish to pass through.

Last fall the fish reached the upper reaches in such numbers that the Indians in that district notified Indian bands from other districts to come and take the bright sockeye salmon which for thirty years had never been equalled. We maintain that the sockeye salmon, after they pass all the hazards of the coast, the fishermen, the hazards of nature and travel five hundred or six hundred miles into the interior, are worth their weight in gold. We have a problem. Last year the Indians took, I believe, 80,000 according to actual count. We put men on to count the number of sockeye salmon that the Indians had taken in the interior. In ordinary years they took an average of 25,000 or 30,000 but last year they took 80,000.

The CHAIRMAN: Cases?

Mr. REID: No, 80,000 single sockeye salmon. There is a problem there and we are wondering how we can solve it because the Indians, of course, have the right to fish, but we claim that in the pools and up in the shallow waters and small creeks where the fish are going to spawn, and are ready to spawn, the Indians could destroy all the work of the International Salmon Fisheries Commission. I am bringing the problem before the committee to-day feeling that this is the proper place to bring it because there will be a hue and cry if we endeavour to stop them, that the Indian is being denied the right to catch fish. Here is a peculiar problem. Is the fisheries commission to stand by, after they have spent $1,000,000 to enable fish to get up into the spawning streams that ordinarily would not have gone there, and allow the Indians to take all these fish that are worth their weight in gold? I bring that to the attention of Major MacKay and the director of Indian Affairs because it is a problem that we have to deal with before long.

Mr. MACNICOL: May I ask a question? After the fish have spawned are they good food?

Mr. REID: No. Ordinarily when the fish spawn they are not in condition to be eaten at all because as they head up the stream, not having eaten since they left salt water, they begin to deteriorate, get soft and turn red and flabby and die after spawning. If you do not impede their progress at all they reach the interior in bright condition. Then they play around there until they are actually ripe, until the time comes for them to lay eggs, but in former years very many of them would not get up into the interior due to the fact they were blocked at Hell's Gate. During the time of their delay they were maturing, getting redder and softer and the eggs were getting riper, so that the Indians had to come down the river much farther to the pools to catch what we call bright fish. This year with the fishways in operation the fish went right through the canyon and reached the upper spawning beds three weeks ahead of any year since the year 1913. Of course, they played around in the shallow waters until they matured, but when the Indians saw these nice fish it was a bonanza to them. I will not say they sent out war cries but they sent out word to the other bands to come along and catch fish, and so there is a danger of depletion.

Mr. BLACKMORE: How long a time would the fish be up in that area, three weeks or four weeks?

Mr. REID: If green, about two weeks.

Mr. BLACKMORE: Suppose the Indians were forbidden to fish for a period of five weeks, we will say, at the right time of the year. Would that solve the problem?

Mr. REID: I am not sure. We were thinking of getting the interior packers of fish to provide them with another grade of salmon rather than the sockeye but, of course, they want the sockeye. I am not finding fault with them for that. I am, however, thinking of the great problem we have to face as we begin to develop and bring back the fishing industry.

By Mr. Case:

Q. Have you a closed season at all in salmon fishing?—A. There are closed seasons but the Indians, of course, have been given the right since the dominion took over.

Q. How long is the closed season?—A. It varies.

Mr. GIBSON: Do they close it for the Indians up there on the spawning grounds?

Mr. REID: We have tried to close it to the Indians but you cannot close anything to an Indian who has been doing that for generations.

By Mr. Bryce:

Q. He is entitled to do that according to the law of Canada?—A. Yes.

Mr. REID: Yes, I think he is entitled to food.

Mr. BRYCE: What I mean is, he is not breaking the law by taking those fish as he is to-day?

Mr. REID: No, he is not breaking the law.

Mr. CASE: I think in Ontario an Indian can take fish in the closed season for his own use only, but there are restrictions with respect to him disposing of it or selling it. He can take them as food. I think that is permitted, is it not, Mr. Lickers?

Mr. LICKERS: No.

Mr. CASE: What is the situation?

Mr. LICKERS: The situation as far as Ontario is concerned is that regardless of whether fishing and hunting rights are reserved to the Indians they must comply with the Ontario game and fishing laws.

Mr. CASE: Do you consider that a hardship to the Indian or is that accepted as good practice?

Mr. LICKERS: There are people who feel that it should be revoked to a certain extent. It really works a hardship. Up in northern Ontario you had an instance about six weeks ago. Under the Robinson Treaty, 1850, the Indians up north were given the right to hunt and fish, but there is a judgment by Mr. Justice Greene about six years ago in which he said that regardless of that they were still subject to the Ontario game and fishing laws.[1] That came up again about six weeks ago up there so that I think we will have a delegation from Ontario in connection with that. I am pretty sure of that, because it really works a hardship. Indians ought to be allowed some right to fish.

By Mr. Blackmore:

Q. I wonder if Major MacKay could tell us whether or not any steps have been taken to rehabilitate or replenish the waters by fish hatcheries?—A. I should say that Mr. Reid could give you information on that point.

[1]The King *v.* Commanda, 1939, 3 D.L.R., 635.

Mr. REID: The question of fish hatcheries is an extremely debatable one. There are two schools of thought. There is the school of thought that believes in fish hatcheries. I am speaking particularly of the salmon fishing on the British Columbia coast and on the American pacific coast, too. There are two schools of thought. There is a school of thought which believes, and can show you by figures as to the amount of eggs they have taken from the female, the amount of young hatched, and the amount released in the waters, and prove that they are doing a wonderful job. Hatcheries are conducted in the state of Washington but the fact remains that fishing is going down there. There is another school of thought which believes that rather than have hatcheries the eggs should be planted in the gravel beds after they reach the eyed-egg state. That is when the eye shows on the eggs. They believe that the eggs should then be taken, put in the gravel bars and allowed to hatch and nature allowed to take its course from then on. They can increase the fish in the various streams by adding to the gravel beds thousands of eggs from fish which have been spawned by man. That is, they take the female fish and run the eggs from her into a bucket and then take the milt from the male and fertilize the eggs in that way.

It is as I say one of the most debatable questions. We had hatcheries in British Columbia for a number of years. The Department of Fisheries established a commission to study the effect of the hatcheries. You will find a parliamentary report dealing with them which advocated and recommended that the hatcheries be closed. That took place in 1932 or 1933.

Mr. BLACKMORE: May I ask a question? Did they recommend any alternative measure?

Mr. REID: No, they did not. Some of the scientists on our commission are rather inclined to the belief that if you protect the fish from certain hazards including predators, bears and other hazards at certain points, make provision for enough of them to go up through Hell's Gate Canyon, keep the streams clear of debris and protect them, that nature will build them up faster than hatcheries will. That is the belief of many of our scientists on the commission.

Mr. BLACKMORE: May I interrupt to ask Major MacKay a question? Have any steps been taken to increase the fish supply by some conscious purposeful device by man? Is any device such as Mr. Reid indicated, placing the eggs in the gravel and so forth, being used?

The WITNESS: I do not know of any. There was a time in British Columbia when Indians had the widest liberty and freedom in the matter of fishing, both for food purposes and commercially. They were protected in the matter of taking fish for food when the reserves were set aside. If we examine the establishment of the Indian reserves that is one thing that will be noticed, the provision made in the matter of taking fish.

Having that in mind, and looking at the picture to-day, one is struck with the long record of restriction that has been pleaced on the Indians with respect to taking fish for food purposes. Indeed, there are some places where he is not permitted to take fish for either food or commercial purposes. In the upper reaches of the Fraser he is still permitted under certain restrictions to catch fish. There are certain places set aside for him. He is permitted to go to various fishing rocks and places along the river that have been used by his family and his forefathers since time immemorial. Indians complain of these restrictions. One of the arguments they put up is that it is not always convenient to go and catch fish at these places; but if that is what they are told to do, they have to do without their fish food supply. Fish forms a very large and important part of the Indian's diet, and I cannot conceive of further restrictions being accepted by them without protest.

By Mr. Farquhar:

Q. Are those Dominion or provincial restrictions?—A. They are Dominion restrictions.

By Mr. Blackmore:

Q. I am thinking of what the Dominion should do to increase the fish rather than to increase the restrictions.—A. I think Mr. Reid has endeavoured to give us some outline of that.

By Mr. Reid:

Q. The Dominion, over the years, has put in certain closed seasons throughout the fishing season so as to allow what was considered to be an adequate number of fish to go up to the spawning beds. It would be interesting to the committee to know that our investigations have shown us that, for every fish you catch, you have got to allow at least one fish to go on the spawning beds. Even though a female fish lays 4,000 eggs, nature it seems provides that enough eggs will be laid to take care of all the hazards, because following the fish that lay the eggs there are many predatory fish, such as trout. We may have a conflict with the anglers in regards to trout. We take the position that there can be far too many trout that gobble up the eggs and the very young fry. The trout follow them right up to the head of the river and feed on the eggs and small fry. So do certain birds as well, because the eggs are often laid in extremely shallow water. The Dominion imposed closed seasons in order to allow what is considered to be an adequate supply of fish to go to the spawning beds. But the hazards and difficulties in past years at Hell's Gate and the intensive commercial fishing have brought down our fishing from year to year, especially with respect to the sockeye salmon which is the variety of salmon of which we have charge. The total catch has dropped off and would probably have disappeared owing to the fact that periodically the salmon were blocked at certain seasons of the year going through Hell's Gate; even though fishing regulations precluded fishermen catching them, and allowing them to go up. It was thought they were all going to the spawning beds, but the block at Hell's Gate later proved that they were not. The Dominion government spent millions of dollars over the years in an endeavour to protect the fisheries; but we were very careless in the early days, with respect to our natural resources, and it was almost too late when we started to take measures in regard to the sockeye. Some provinces have the full right over fishing, but in so far as British Columbia is concerned, the Dominion has control of all fishing in tidal waters.

By Mr. Blackmore:

Q. I wonder if Major MacKay would proceed with his excellent discussion.—A. The Indian is not satisfied with the fish he takes from the streams. The Fraser, Skeena, and other rivers have an adverse effect on conservation. He points to the fact that what the Indian people take from these streams for food purposes is a mere bagatelle compared with the great quantities of fish taken, for instance, from the mouth of the Fraser River by commercial operators. The people of Canada must not break faith with the Indians, with respect to this right of theirs to take fish for food purposes. They have had that right over the years. I think, within reason, they should be permitted to continue to take what they require for the use of their families. I am thinking about the upper reaches of the Fraser River where they are not permitted to take fish for commercial purposes. The fish they take out of that river are entirely for their own use and, as I said before, form a very large part of their diet, and are necessary to them from a health standpoint.

Mr. LICKERS: Do you not find that with regard to fish the Indians will certainly not take any more fish than they actually require for their own use?

Mr. REID: When you speak about their own use, we were complaining about their taking great quantities of fish in order to feed their dogs. We offered them an inferior grade of fish for their dogs because we objected to their taking great quantities, in British Columbia, to feed their animals.

Mr. GIBSON: That, of course, is wrong, and there should be an adjustment made.

Mr. CASE: I think the observation has been very constructive. Mr. Reid has indicated two schools of thought in British Columbia. I am sure there are two schools of thought in Ontario. In spite of official spawning and rearing beds, particularly with respect to lake trout, our lake trout are becoming more scarce all the time; and the answer seems to be that these young fish which are reared in the artificial spawning beds become an easy prey to predatory fish once they are released into the lake because they do not seem to be able to protect themselves, as they would if they had been reared in the wild state. I think the best method would be to protect the wild fish in the main. The Indians must have access to the streams for their own food; but they should approach the matter and adopt some method to eliminate waste. I do not think that waste would be practised by large numbers of Indians in Ontario because I believe the Indians value our resources probably more than white men do, and I believe they would play their part in conservation if they were encouraged to do so.

Mr. REID: We thought it would be a splendid thing to do. We took a lake and we took all the predatory fish out, those fish that are not edible, which go after the eggs. We went back to this lake after three years and we took everything out in the way of predatory fish. The theory was that if you took all the predatory fish out of the lake, an increase would show up in the case of sockeye salmon and in the case of other salmon; but we found it does not work that way. We found there was a law in nature. They did not increase to any great extent the supply just remained about constant, although the predatory fish had all been taken out of the lake. When you read fisheries reports and read about the millions of eggs and fry coming out of the hatcheries, you picture in your mind—here is the way to build up our fisheries—but I can tell you, that aften ten years' study of the matter, there is another story behind it. They are now finding that out in the State of Washington, where, in spite of all the great hatcheries, their fisheries are going down. It is not all as it seems. The men who run the hatcheries can paint you a nice picture of what they are doing.

Mr. GIBSON: We must confess there is no solution to this problem.

Mr. REID: Oh, yes, there is a solution. We have found a solution to the sockeye problem. One of the most wonderful discoveries of our time was what we discovered at Hell's Gate. For years we did not know when fish were blocked that they dropped to the bottom and died and so were not seen again. It was taken for granted that they went through the canyon; but we discovered what was happening after five years of investigation and by means of tagging. I bring the problem before Mr. MacKay. We have a problem in the north where the Indians are taking fish in numbers that they had not taken before, due to the efforts of the commission.

Mr. BLACKMORE: They would not have the Hell's Gate problem in Washington?

Mr. REID: They built dams in the Columbia River and later put in hatcheries. In spite of all that, their fisheries are decreasing.

Mr. BRYCE: What caused the obstruction at Hell's Gate?

Mr. REID: When the railway was going through, in 1912, the contractors, in blowing down the side of a mountain, blew the rock into the river, narrowing the channel.

Mr. BRYCE: Then, the Indians are only coming back to their original rights?

The WITNESS: The 80,000 that Mr. Reid mentioned was the total figure taken out of the Fraser by the Indians, from the mouth of the river right through to the upper spawning grounds.

Mr. REID: Yes.

Mr. CASE: I should say that in Ontario we have had some notable success with artificial hatcheries with respect to trout in the eastern streams.

Mr. BLACKMORE: May we ask Major MacKay if he has any suggestion as to what can be done, or what this committee can do, to alleviate the situation?

The WITNESS: I am satisfied that the activities of the Indians in taking fish from the Fraser, in its upper reaches, adversely affects conservation to any extent.

By Mr. Blackmore:

Q. Would we be justified in suggesting that something be done to limit the amount of fish that can be taken from the Fraser?—A. That would be quite a big subject, sir.

Q. Well, if the committee considers this problem, surely it is worthy of a solution.—A. Indians have certain definite rights in the matter of taking fish, and those rights should not be taken away from them unless some alternative or adequate provision is made to replace those rights.

Q. I realize how true that is. In my particular area the Indians, fifty years ago, could go up to Watertown and take all the fish they needed; to-day they can get no fish at all.

Mr. CASE: There is the answer, Mr. Chairman. Indians, of all people, must be interested in conservation. I am thinking about the matter of three to five weeks that they leave certain areas alone. Would it not, in the long run, pay them just as well?

Mr. BRYCE: Is it not true that there was no trouble until commercial enterprise came in and started to fish?

The WITNESS: I should think so.

Mr. RAYMOND: Can we begin questions on the heading of trapping?

The CHAIRMAN: Yes, when we finish with fishing. When we come to trapping, let us discuss trapping having regard to the fact that this committee was appointed to examine and consider the Indian Act. Let us discuss trapping as it affects the Indian Act.

Mr. HARKNESS: I suggest also that we confine our discussion, as much as possible, to British Columbia rather than to roam all over Canada. I think we lose a great deal of Major MacKay's time by roaming all over the map.

The CHAIRMAN: I agree; I think we should confine our questioning to Indian Affairs in British Columbia.

Mr. BLACKMORE: We are really seeking now for a solution to the Indian problem rather than a discussion of the Indian Act. I think it might be well worth while to reply to Mr. Bryce's remarks. Shall we ask ourselves this question: shall we limit the activities of commercial fisheries? I am prepared to suggest that we do. We are now going on to trapping.

The CHAIRMAN: I thought you had a question to ask?

Mr. RAYMOND: I would suggest that we go on now with trapping.

The CHAIRMAN: All right. It is agreed. We have ten minutes.

By Mr. Blackmore:

Q. I wonder if Major MacKay could make a general statement just to open the discussion?—A. I think I mentioned, during the first session, that there was a time in British Columbia when one could pick up a trapline and call it his own and proceed to trap, usually without interference. But, in 1925, the province—

By Mr. MacNicol:

Q. In nineteen what?—A. In 1925, the province brought out regulations based on the British Columbia Game Act, providing for a system of registration of traplines; and in 1926 those regulations were put into effect. There was a year given, approximately a year, to those holding traplines, in which to register them. In most cases the Indians did register; but in some cases they failed to do so because they did not consider it was necessary. The consequent result was that they lost important trapping grounds that were subsequently registered by white men. About half the traplines in British Columbia are held by Indians and the majority of them on individual registration. There are, however, a number of block registrations where partnerships consisting of two or more persons trap a certain definite area within the block. The province has found it difficult to enforce the law with respect to poaching in the block system, and has intimated that it would be necessary eventually to have individual registrations within the block.

I think that the Indian is a conservationist in the matter of trapping. It is only when the white man poaches and goes into an area and depletes it, that the Indian is driven more or less into the same tactics. He sees fur taken from the area and he feels that if he does not get in and do the same thing there won't be anything for him. But generally speaking, he is interested in conservation.

By Mr. MacNicol:

Q. He is a natural born conservationist.—A. Yes, I would say that he is. Some years ago we found it difficult to get hold of traplines, that is, white traplines thrown open for registration for one reason or another. Sometimes the trapline formed part of an estate, or was lost to the trapper because of delinquency in paying his registration fee or for other reasons. The department, in order to overcome the difficulty that confronted us, agreed to pay the registration fee for such traplines. An Indian trapper in British Columbia who registers a trapline in his own name is not required to pay the provincial registration fee. It is only in a case where we purchase a white man's trapline that we are required to pay the fee. The object of the province in requiring a fee is to maintain its revenue. Trapping, of course, in some areas of British Columbia, has been on the decline, with the result that the Indians have been encouraged to enter other lines of activity, particularly cattle raising. I have in mind a great stretch of North Cariboo country which, at one time, produced a great deal in furs but to-day great dependence could not be placed on trapping for a living in those areas. The Indians in our settlement have interested themselves in cattle raising. I have found the province, in recent years, fairly generous in its attitude with respect to our application for Indian trapping grounds where there was an opportunity. They have not objected to certain extensions where our application did not conflict with those of the white men.

In British Columbia they have no large project such as the muskrat project you have in the northern part of the mid-west. In discussing conservation plans and projects of that character with the Game Board not long ago, they observed that they did not have areas in the province of British Columbia usable for conservation to the extent they are available in Manitoba and the other prairie provinces. So, beyond the ordinary measures that are taken to prevent poaching, and restocking, to a small extent here and there throughout the province, I do not think that the province has any very great fur conservation scheme.

Mr. RAYMOND: May I remind you, Mr. Chairman, that it is now one o'clock.

The CHAIRMAN: We will adjourn now at one o'clock, to meet again at four o'clock.

Mr. MACNICOL: Before we rise, I have been wondering if the counsel has a picture of himself, an engraving. I have not seen anything in the press about our engaging a full blooded Indian as counsel. I have received a lot of letters from reservations, and I think it would be helpful to our whole program if the counsel's picture were placed in the newspapers so that the Indians all over the country could see that they have somebody of their very own associated with the committee.

The CHAIRMAN: I think our solicitor could arrange to see that our secretary gets a picture. Very well, we are now adjourned until four o'clock.

The committee adjourned to meet again at 4 o'clock p.m.

The committee resumed at 4 o'clock p.m.

The Hon. Senator Johnston, Joint Chairman, presided:

The CHAIRMAN: Before we go on with the witness I understand that you have agreed to meet again this week.

Mr. GIBSON: On Thursday.

The CHAIRMAN: Thursday, yes. It has been found that there is no room available for Thursday but we could meet on Friday morning in room 429, if the committee so desires.

Mr. MACNICOL: I could spare Friday morning, but that is the only Friday morning in a long time that I would be able to spare. I am chairman of a committee that will not be meeting on this Friday morning.

The CHAIRMAN: Shall we meet on Friday morning?

Mr. RAYMOND: Instead of Thursday?

The CHAIRMAN: Instead of Thursday; there is no room available for Thursday.

Mr. BRYCE: Is there going to be accommodation provided for us in the future on Tuesdays and Thursdays?

The CHAIRMAN: It is just this week there is no room available. We hope it will not occur again.

Mr. CASE: Is it this week only we are to meet on Friday?

The CHAIRMAN: This week, instead of Thursday.

Mr. MACNICOL: Friday morning at 11 o'clock.

Mr. GIBSON: I so move.

The CHAIRMAN: We have here Major MacKay. Would you continue now?

The WITNESS: Before I go on with trapping I should like to draw the attention of the committee to certain inaccuracies that appear in the minutes of proceedings and evidence, No. 4, as it relates to my own submission. Perhaps I could refer to them in the sequence in which they occur. In the fourth line of the third paragraph on page 121 the word is "Semiamu", not Semikmoo.

By Mr. MacNicol:

Q. The fourth line?—A. Yes, "Semiamu". That word is misspelled throughout the evidence.

By Mr. Reid:

Q. What is the official spelling of that?—A. As recorded in the census it is as I have given, Semiamu. There have been various spellings over the years but that is the one that has been officially accepted.

Q. Where is the "h"?—A. The "h" has apparently been dropped in recent years. I recall "h" having been used, but "k" to my knowledge has never been used.

By Mr. MacNicol:

Q. What is the next one?—A. It is in the paragraph following the Hon. Mr. Stirling's submission on the same page, the fourth line. I will read the sentence:—

> I have no information that Indians on the (Semiamu) reserve have any double status or that they have been over to reserves across the American border line.

The words "been over" should read "claims". It should read "have claims to reserves across the American border line".

Mr. MacNicol: I did not get the paragraph.

Mr. Raymond: The fourth paragraph.

The Witness: Immediately following the Hon. Mr. Stirling's observations.

By Mr. MacNicol:

Q. What line again?—A. The fourth line of that paragraph, the words "been over" should be replaced by the word "claims". In the last sentence of that same paragraph it reads, "I am quite sure on that point." It should read, "I am *not* quite sure on that point". Following down to the end of the page the fifth last line, we come to the words "(Semiamu) reserve". It should read "St. Mary's". The sentence is:—

> They originally came from the prairies and from bands in the United States and settled on the (Semiamu) reserve.

That is as it is printed. It should be, "and settled on the St. Mary's reserve".

Now we turn to page 122. The word "Semiamu" occurs there with a wrong spelling but it can be corrected throughout with the new spelling. On page 123 I do not recall having made the statement attributed to me at the commencement of my remarks. I recall having observed that I should feel at home because of the fact that the Indians of British Columbia had not been forgotten in the decoration of this room. However, if you can make sense out of that first sentence it is quite satisfactory to me to leave it as it is.

On the same page in the 28th line the word "straggling" should be "struggling". It should read "struggling white communities". That is a quotation from what Sir James Douglas said in respect to the white communities of that day.

In the 37th line on the same page it reads:—

> I would say that one of the obstacles has been that the better elements of white people have sought to ostracize the Indians.

It should read, "that the better elements of white *society* ostracize the Indians".

Then in the 40th line it should have read:—

> It creates a problem for the administrator.

It should not read:—

> It creates a little element of problem for the administrator.

On page 125, the last paragraph, the 7th last line, the word "resolutions" should read "regulations". In the last line on page 124, the second last word on that page should be "specialized" and not "civilized". I referred to specialized work.

By Mr. MacNicol:

Q. In what line?—A. The last line on page 124, the second-last word. It reads "civilized". It should be "specialized". On page 126 in the 4th line the words "rather than" should read "within". The sentence is:—

> The solution probably lies in individual registration rather than the block.

That does not make sense. It should read:—

> The solution probably lies in individual registration within the block.

On page 129 in the paragraph starting with "The Witness" in the 6th line the sentence reads:—

> A little while ago I mentioned that one of the obstacles to Indian progress was the attitude of white people generally, despite the fact, of course, that the people of Canada individually and collectively, have a responsibility in the matter *and they have formed* a great trusteeship for the Indian.

It should read:—

> As they form a great trusteeship for the Indian.

By Mr. Raymond:

Q. What is that?—A. "As they form a great trusteeship for the Indian". In the 10th last line on page 131 the word "property" near the outside margin of the page should be "boundary". I will read the sentence.

> I recall on one occasion the mayor of one of the larger communities said to me that we should remove the Indian population from the *property* of the municipality.

It should read, "from the *boundary* of the municipality". I think there are just one or two other corrections. On page 143 in the eleventh last line the word "Caughnawaga" should read "Okanagan". We have no Caughnawaga agency in British Columbia. I should certainly like to change this one on page 154. It is in the seventh line. I will read the sentence.

> They work a few days and then rest a few days. As I say, the Indians of North Vancouver are from the Indian Arctic races.

I made no reference to the racial origin of the Indians of North Vancouver. What I said on that occasion was:

> "As I say, the Indians of North Vancouver are longshoremen".

Mr. MacNicol: As far as I know there are not any Indians in the Arctic. The Eskimos drove them all out.

Mr. Gibson: I think it must be very difficult for our reporters to get down everything that is said here. We all speak quite lowly and sometimes rapidly with interjections, and interruptions.

The Witness: I should not like to suggest what I have said is at all in criticism of those who took the notes. I understand the difficulty. I am satisfied I was probably largely at fault myself in not speaking out more clearly.

Mr. MacNicol: I remember very clearly that you used the word "longshoremen".

The Witness: Thank you, Mr. MacNicol.

Mr. MacNicol: Before we go on may I ask counsel the correct spelling for Ohsweken?—I have been using "Ohs".

Mr. Lickers: "Ohs".

Mr. MacNicol: O-h-s-w-e-k-e-n.

Mr. Lickers: I noticed the error in reading yesterday's *Hansard*[1]. They even spelled it with an "A"[2].

Mr. MacNicol: I did the same thing.

The Witness: I might conclude what I have to say on trapping by observing that inasmuch as the control of that industry is in the hands of the province of British Columbia there is not much more that we can do than we are attempting to do at the present time apart from taking full advantage of every opportunity to increase the Indian trapping holdings by applying for trap lines as they are thrown open for registration.

By Mr. MacNicol:

Q. Is there much fur shipped from British Columbia?—A. Oh yes, there is.

By Mr. Blackmore:

Q. What are the main furbearing animals? Can you name them?—A. Yes, muskrat, beaver, mink, fisher, marten, and, in recent years, the humble squirrel has become quite a source of income.

Q. Are there any areas in which some sort of conservation measure could be put into operation in such cases as the beaver, we will say?—A. I think I observed this morning in discussing the subject of conservation with the provincial game board they observed they did not have wide areas available in the province such as exist in northern Manitoba for such projects as are there.

Q. It seems to me there should be a good deal of opportunity for preparing homes for the beaver?—A. I should say that is correct within certain limits. It is a matter, of course, for the province of British Columbia. We do what we can to assist in restocking the Indian trap lines, but before we proceed we usually approach the game board who so far have been quite helpful in assisting us in getting foundational stock, but it is of a very limited character.

By Mr. Case:

Q. Are there adequate marketing facilities?—A. Yes, there are. Some time ago we undertook to explain to the Indians that a central marketing agency might be helpful to them in the sale of their furs, but they did not take kindly to the suggestion. They felt they should be permitted to sell where they pleased, when they pleased and at the price they considered reasonable.

By Mr. Gibson:

Q. I think they are all bid up on the open market in any case?—A. Yes, they are.

By Mr. Gibson:

Q. Have you had complaints from Indians as to the fur seal industry they used to enjoy?—A. I think they are becoming reconciled to the regulations and restrictions that have been placed on the taking of fur seals.

Q. That used to be regarded as a substantial portion of their livelihood, wasn't it?—A. A large proportion of it was derived from fur sealing.

---

[1]*Hansard*, page 2650.
[2]*Hansard*, page 2648.

Q. And that is almost non-existent now, is it not?—A. Yes, you have to spear them in accordance with the regulations.

Q. In the old days the seals used to run closer to shore, and at the present time that is all controlled under the Pelagic sealing agreement. Since the white man has exploited the sealing industry they are not nearly as available to the Indian as they were, are they?—A. In a good many instances the Indians on the west coast, on the mainland coast, who formerly engaged in fur sealing have entered the fishing industry and are dependent on that industry very largely to-day for a livelihood.

Q. But the Indian is able to receive no benefit from the money that we obtain from the United States government as our share of the seal agreement? —A. Not that I know of. That goes into the treasury of Canada. I do not think that any part of it is especially earmarked for the Indians.

By Mr. Blackmore:

Q. Have you any idea of how much Canada's share of that money would be?

Mr. REID: It varies. Perhaps I might explain for the benefit of the committee that the reason the Indians are being excluded from getting any benefit from the seals is due largely to the fact that a treaty was entered into between the United States, Japan, Russia and Canada, that they would not interfere with the seals going to the breeding grounds, at least not while they were in the water, because it was found over the years that where seals are killed in the water very often a mother with pup would be killed, and year after year it would be found that the continued killing of seals on the way to the breeding grounds was depleting the herds, so the United States who own the Pribiloff Islands where the seals go to have their young, with Japan, the United States and Canada entered into an agreement that the United States would take care of the killing on the Pribiloff Islands and would share the proceeds of the catch. I might just say for the benefit of the committee, because I think the story should be told to get the complete picture, the seal killed is the young male three to five years old. The average male seal of mature years has a harem of seals, running all the way from forty to eighty seals, and the young pup seals are not allowed near the harems at all unless they can fight or kill the bull in control of a herd; so these young male seals are all herded off to the central part of the Pribiloff Islands and there they are killed. It is these young male seals that are killed off and which each year form the fur seal catch. And it is interesting to note that the seal herd instead of decreasing has increased from something like—if memory serves me right—from around 250,000 in 1912 to last year when it was estimated to be well over 2,400,000 seals. The herd had increased due to the conservation methods which had been taken to protect them from being killed in the water on the way up. Japan withdrew from the treaty just previous to the war, so that at the present time there are only two countries obtaining any benefit from the catch, in proceeds from the sale of the skins. Canada has always shared anywhere from 8,000 to 10,000 skins in value to $150,000 some years, depending on the price and the number of seals killed at the Pribiloff Islands.

Mr. GIBSON: We get only 20 per cent of that catch?

Mr. REID: 15 or 20 per cent. The United States keep a village there and they look after all the tribe of Aleuts, who are part Russian and part Indian. They have a village there and the United States take care of all the inhabitants send up doctors and nurses and provide supplies and generally look after the entire islands and the welfare of those who do the killing and the skinning of the catch each year. The herd has grown in size under that system,

under the agreement; and that is the reason the Indians were restricted from killing them in the water; because it was considered by the United States, that that was a violation of the treaty.

Mr. CASE: When you refer to our share, do you mean in pelts or dollars?

Mr. REID: We were for a number of years I believe taking our share from the United States in money. It was decided that we might do better if we took our share in actual skins rather than in dollars the last number of years, and so we have been taking our share of skins which we are having dressed and made into furs in the United States. In late years we have had a considerable quantity dressed in London. I think I may add that there are, so far as I know, only two countries in the world who know the secret of dressing seal skins. We were having it done in London just previous to the war. Before that we had it done in Chicago.

Mr. BLACKMORE: Are any steps being taken to restore that business to Britain.

Mr. REID: So far as I know, yes.

Mr. CASE: When you said 150,000 did you mean pelts?

Mr.REID: Revenue from pelts.

Mr. GIBSON: That was formerly a principal source of revenue for the Indians but it has almost disappeared now. I think there were only a thousand skins taken by the Indians last year.

The WITNESS: I would not think it would be that many.

Mr. BLACKMORE: It would appear that this would be one matter which should be considered by the committee.

By Mr. Bryce:

Q. In connection with trapping have you had any scheme in British Columbia where the revenue earned by the Indian has been held and spread over twelve months in the year such as is the case in Manitoba?—A. No. The Indian, of course, looks after the proceeds of his sales. The moneys derived by the Indians from trapping are not deposited with the department.

Q. I just wanted to know what your reaction was to that way of doing business, spreading it over the twelve months of the year.—A. It is difficult to find out just what the return is at times.

Mr. REID: It is not that. I think it is most important for this committee to learn what these Indians do earn. I would like to have the members of the committee know something about what the returns are. I think you mentioned that according to your latest figure it was $2,000,000?

The WITNESS: Yes.

Mr. REID: Personally I think it would be of interest to the committee to know how this $2,000,000 is arrived at, how much of that money came from those who were employed in the Indian canning industry, working in canneries, and how much was obtained by way of fishing. My information is subject to correction, but I am asking Major MacKay for my information is that many of the fishermen have done exceedingly well, away beyond any return of a comparable individual working in a factory.

Mr. GIBSON: Or, as a member of parliament.

Mr. REID: When you are speaking about fishermen and returns I think it would be of interest to this committee to know what some of the Indians have been obtaining from the fishing industry in British Columbia. I would like Major MacKay to tell us something about that. It would seem to me as though it would come within the terms of our reference.

The WITNESS: Well, the information is simply submitted by the various agencies to the head office and it is under the heading "earned by fishing" which includes sales and employment.

Mr. RAYMOND: You mean as guides, and so on?

The WITNESS: No, employment in the canneries, for instance; and fishing boats and sales by boat owners, those who operate their own show.

Mr. GIBSON: Do you think that that information you obtain would be very accurate? My own experience, so far as Indian agents are concerned, is that they write us once a year and ask us to fill in a form—I take it there would be a lot of duplication or guesswork in it?

The WITNESS: As a matter of fact, the returns on sales should be accurate because deductions are made by the buyer for income tax purposes.

Mr. REID: All the canners should have that.

The WITNESS: That is so, and as an Indian is required to make out income tax returns the information should be reasonably accurate.

Mr. REID: The reason I bring that up is because I know of one case of an Indian whose income tax was almost $2,000 last year. Any of you members who know anything about income tax knows what that means. I think the public should know the facts when we hear some speak about the poor fisherman and the poor Indians. There are some fishermen and some Indian fishermen who are earning money that even to a member of parliament would probably look pretty big. For instance, this year some Indians went out in halibut fishing and in about six weeks made up to $3,000. I doubt if there are many members of parliament doing that well.

By Hon. Mr. Blais:

Q. Do the Indians have exclusive rights to hunting grounds?—A. They have no exclusive rights.

Q. Do they share them with white people?—A. Yes, sir.

By Mr. Blackmore:

Q. Have you any way of determining the number of Indians actually employed in the canning factories?—A. I haven't that information in front of me but it can be easily ascertained; you mean in the canneries, the fishing plants and the processing plants?

Q. Is it not a fact that Indians prove very proficient in that type of work?—A. Well, I think operators are quite content to employ Indians for that type of labour. They seem to be able to do the work to the satisfaction of the operators.

Mr. LICKERS: Taking the number of Indians that you know are trapping and the number of traplines you now have there, would you say about how many more traplines you would require in relationship to the number you have so that it would fill the need of the Indian who operated that line of living?

The WITNESS:- If I remember correctly I stated that we had 1,302 traplines in British Columbia, and of that number there was something like 258 block registrations—there could be any number of Indians in that block; that, is within reason. It would be difficult for me to state at this moment how many additional traplines should be provided for in British Columbia.

Mr. BRYCE: You do not know how that compares with white traplines?

The WITNESS: About fifty per cent of the traplines in British Columbia are held by Indians.

Mr. GIBSON: In your statement you made reference to the housing facilities provided by the canneries in British Columbia. I have noticed that there has been a little criticism in the House, one of the members spoke about the deplorable housing conditions. Is it not your experience that the houses provided by the canneries are certainly equal to what the Indians are used to in their own homes; and is it also not a fact that there are far more water and steam available for the washing of clothes and keeping themselves clean than there would be in their own homes? Would you say that the canners are guilty of culpable negligence in respect to the accommodation they are providing for the Indians?

The WITNESS: Should we look at the problem from that point of view? I should say that the canneries should provide the best possible accommodation for the employees.

Mr. REID: And many of them do.

The WITNESS: I recall on one occasion visiting a cannery, to find that the accommodation provided for the Indians certainly was on a much lower standard than that provided for the Japanese and Chinese employees.

By Mr. Gibson:

Q. Would it be possible that the employers might have found that in providing good accommodation it was not as well taken care of by the Indian families as it was by the Chinese?—A. I should think there would be a responsibility on the operators to supervise the care of their establishments and see to it that Indians obeyed the laws of health and so on, as far as possible.

Q. You would still state that Indian accommodation at canneries is comparable to what they are used to at their villages, would you not?—A. I have not made that statement. I should say that it is not comparable in some cases.

Mr. REID: So that the committee may get a fair picture of this, I should just like to say a word or two. I am saying this for the benefit of those who do not know the actual circumstances. We are now speaking about living conditions at canneries. One has to realize that there are canneries away off in God-forsaken bays that only work about two months in the year. If you compare conditions in those canneries 100 miles away from the nearest habitation with those that are near to civilization, there might be no comparison at all. You could hardly expect a man in the cannery business to go 100 miles up into some far-off little inlet and place a cannery there, and expect him to put up palatial living accommodation for three months in the year. But if you come down near civilization, down near towns, I think generally speaking you will find that conditions at the canneries compare with the camps all over.

Mr. RAYMOND: Have you many of these canneries situated far from civilization?

Mr. REID: Quite a few. There are a number 100 miles from the nearest habitation. We cannot expect palatial homes up there.

Mr. GIBSON: I will make the statement—and I do not think Major McKay wanted to—that the accommodation provided for the Indians at the canneries is better than the accommodation they are used to in their home villages.

Mr. REID: I think that is so.

Mr. BRYCE: Might I draw Mr. Gibson's attention to the fact that that is not saying very much.

Mr. GIBSON: No; that may be true. But I just do not feel that canneries should be liable to provide accommodation that is better than the Indians are used to. I do not say it is good enough, though.

Mr. BRYCE: Yes; but I maintain that if the cannery company, through the help of the Indian, is producing wealth, it should give him a square deal the same as it would give a white man. Why exploit the Indian? That is the point of my argument. Why exploit the Indian and make him live like a dog which has come from a kennel? Give him a house and let him see what it is like. Treat him the same as the other fellow.

Mr. GIBSON: You can go to the canneries and you will find you would not be very unhappy to live in the shacks yourself. I have lived in much worse shacks than the Indians live in at the canneries.

Mr. BRYCE: I am just keeping to Manitoba, because I have lived in the fishing shacks around Lake Winnipeg. But this is B.C. business and I want to know how the B.C. people treat their Indians.

Mr. REID: Mr. MacKay made a statement that is not quite correct, Mr. Chairman. He made a statement that the condition of the Indians was worse than some of the Japanese. I do not know if Major MacKay was ever in that Jap colony at Steveston where the Japanese fishermen lived. You never saw a worse bunch of shacks like that in all your life. You never saw conditions in this country anywhere that were like those in that Jap community in Steveston, those men in the fishing business. I have never seen Indians in conditions worse than at that Jap town. Let us keep the record straight. I know what I am speaking of.

The WITNESS: I should like to hear just what I did say. I do not recall having given any comparison there, Mr. Reid. I had reference to a cannery I visited myself, and I have personal knowledge of what I saw. What I intended to say, if I did not say it, was that the accommodation provided for the Japanese and Chinese was superior to that provided for the Indians.

The CHAIRMAN: That is what you said.

Mr. RICHARD: That is what I understood. It was one particular case you were referring to.

The WITNESS: Yes. I was not speaking in a general sense.

Mr. REID: Oh, I see. I will tell you that the conditions that the Japanese worked under in the canneries were far better than in their own places, those living in Steveston. No one would have tolerated any such conditions in canneries as the Jap fishermen lived under in their own homes; because they were out to make money, save money and send or take it back to their own country.

Mr. BLACKMORE: I wonder if we would not get a little further and get there a little faster in this matter, if we could find out where we could get some sort of detailed report as to just the amount of housing facilities provided by and at the various canneries? You have told us that there is one variety of cannery in British Columbia offering a wide variety of housing facilities. It would help us to be more realistic in our approach to this matter if we had details. Can Major MacKay tell us where we can obtain such details?

The WITNESS: I suggest that information could best be supplied through the Department of Health for the province of British Columbia. They have sanitary inspectors and health officers whose responsibilities, I should say, are to advise the public with respect to the accommodation that is available for employees in such establishments.

By Mr. Richard:

Q. You have a general inspection of canneries in British Columbia by the province, have you not?—A. Well, the staff is available for it; and I imagine if this committee asked for information with respect to the housing provided for Indians in the province by and at the various canneries, that the province would be quite willing to supply the committee with that information.

Q. Well, is there a general inspection made yearly or periodically?—A. I do not think so.

Mr. BLACKMORE: Mr. Chairman, just to bring this matter to a head, I wonder if it would be in order to suggest that we have our secretary or perhaps Mr. Lickers write to the Department of Health of British Columbia, for such a report. If we could determine whether or not one of these gentlemen should do it and which one should do it, we could leave this matter for future consideration.

Mr. REID: I have one more question I should like to ask Major MacKay. It is very germane to the subject we are discussing. I have been wondering regarding whatever percentage of Indians do pick up fair or good returns from fishing, trapping or any other occupation. Have you noticed that it makes any difference in their life? We hear statements made that everything pertains to one's economic condition, and I am thinking about even a few, even if there is only a percentage who are earning by their labour very good returns. I am wondering have you noticed any change in their life? Have you noticed an uplift? Does it lift them up, or what do they do with their money?

Mr. BLACKMORE: That is, do they dress well and live in good houses and eat good food?

Mr. REID: What do they do with it? We have heard the statement made that everything pertains to a man's economic condition. I am just asking the question because we are studying this from every angle. Has it changed their economic condition? I know of Indians earning $6,000, $7,000, $8,000 and $9,000 a year. I think that should change a man's outlook in life if he gets that. I am wondering if the department have noticed any change amongst those, even if they are only a percentage. Has it made any difference in their life?

The WITNESS: I think there is greater progress in evidence on the coast of British Columbia where the Indians are engaged in fishing. The returns there are greater per capita, I should say, than in any other part of the province.

Mr. REID: I do not doubt that.

By the Chairman:

Q. And they are able to have better homes?—A. Yes, they are. There is evidence of that in two or three of the villages.

By Mr. Reid:

Q. Where?—A. The village of Bella Coola, the villages of Cape Mudge, Hartley Bay, Cape Catherine. Those villages compare very favourably, I should say, with many of the small white communities in British Columbia.

By Mr. Case:

Q. Do these well-to-do Indians continue to live on the reserve?—A. They do.

Q. The ones that we are speaking of?—A. They do.

Q. I have one further question. Are the employees of the canning factories mostly Indians You were speaking about their living conditions. Are they employed largely there?—A. They are at the moment, I should say, yes.

Mr. GIBSON: A large number of white girls are working there with the Indian girls. Sanitary conditions are very excellent for them there.

Mr. BLACKMORE: Before we forget this matter of getting this report from the British Columbia health department, I wonder if we could settle this responsibility on one or the other of two gentlemen, so we can have that information at a later date?

Mr. GIBSON: I think it is a very excellent suggestion.

Mr. MACNICOL: Any reports of that kind should be written for either by the chairman of this committee, the secretary of this committee, or the department itself. One of the three should do the writing.

Mr. HOEY: Probably our minister could write to a Provincial Minister on a matter as important as that. I would be glad to look after it.

Mr. BLACKMORE: I think that deals satisfactorily with that.

The CHAIRMAN: We will ask Mr. Hoey to look after it and bring that information.

Mr. MACNICOL: Are we through with fishing?

Mr. HARKNESS: Mr. Lickers has a suggestion.

Mr. LICKERS: Could we not get a report from the different reserves as to what they think the housing conditions are?

Mr. HOEY: You will have later on a very representative delegation from the Native Brotherhood of British Columbia.

Mr. BLACKMORE: I wonder if we could ask Mr. Lickers to head up that part of the work.

Mr. MACNICOL: As to getting reports for this committee, they should be sent for by the chairman or the secretary of this committee. That is not the duty of the liaison officer.

Mr. BLACKMORE: The department has agreed to send for the health report from British Columbia; and if Mr. Lickers will get the Indian side of it, that would be fine.

Mr. MACNICOL: Get what?

Mr. BLACKMORE: Get the Indian side of it, what the Indians themselves think of it.

Mr. MACNICOL: Mr. Lickers' position is liaison officer between ourselves and the tribes.

The CHAIRMAN: Getting back to sealing, talking about sealing; from what I heard here, the Indians have been deprived of a source of revenue because the governments of two countries have taken that over. I should think something should be done to recompense the Indians.

Mr. BLACKMORE: I suggest that the secretary bear that also in mind when the time comes to make our report.

The CHAIRMAN: Has anything been done?

Mr. HOEY: Not to my knowledge, Mr. Chairman. As a matter of fact, this is the first time I have heard it discussed.

Mr. BLACKMORE: I would like to ask some questions about agriculture, if we are finished with these other topics.

The CHAIRMAN: We have a little program here and we are going to take up miscellaneous matters now. Are we finished with fishing? Are there any more questions about fishing?

Mr. MACNICOL: We have housing to do yet.

The CHAIRMAN: Under miscellaneous matters.

By Mr. Bryce:

Q. You have a co-operative colony in British Columbia which is run by the Indians. I read about it in one of the weekly papers; can you tell us anything about it?—A. It is at Massett, in the Queen Charlotte Islands, and it started with very small beginnings. I think it has made considerable progress in recent years. It is the only co-operative unit that we have in the province where Indians are involved. I could not give you any information, that is accurate information, with respect to the returns, but that could be obtained for the committee, if you would be interested.

Q. Are the Indians running their own business?—A. Very largely they are, at Massett. They have a white manager by the name of Simpson. He assisted in organizing the co-operative there; but nearly all the participants are Indians.

Q. It is quite successful?—A. It has been, yes.

By Mr. Lickers:

Q. That co-operative has more to do with selling and buying whereby the Indians are able, more or less, to look after their own affairs?—A. The Indians in British Columbia do look after their own affairs very largely. They are free agents. They do not take kindly to suggestions from the department from time to time. They feel that they know the ropes, and that they should be given the widest freedom in exercising their own judgment. We have suggested and explained co-operatives to the Indian groups from time to time, but I think it is well to let the Indians decide such matters for themselves. If we advised them, and found subsequently that failure characterized the effort made, we would not be in a very good position from the point of view of administration. We do make suggestions to them from time to time, but very largely, almost entirely, we leave the matter of a decision to them.

By Mr. Blackmore:

Q. I gathered from Major MacKay's remarks that the amount of supervision on the part of the agents in Britsh Columbia is not so great as the amount of supervision in other parts of Canada. It seems to me that in the reserves with which I am familiar, the Indians hestitate to go out and look after their own affairs. They seem to be so much under the direction of the agent that without his consent they can hardly do anything. That state of affairs would not seem to obtain in British Columbia.—A. It does not apply to British Columbia. The Indian is a free agent there. He may do what he likes with respect to the sale of his products and the arrangement of his crops. When I mentioned supervision, I had in mind more the matter of assistance in the way of instruction in the cultivation of the soil and the care of crops, the planting of fruit trees, and the cultivation and development of gardens, the care of machinery and stock, and so on; more in the nature of guidance.

Q. I do not wish to refer to other provinces except to bring the matter into focus; but in my constituency, it was found that if the Indians were allowed freedom in disposing of their property, they would be jewed by white men. For example, they might have a $75 pony, and be jewed down until they sold it for $10. Such conditions actually prevailed around the 1890's, and seemed to make it necessary that the Indians be restrained from selling their possessions without the authority of agents. That has persisted until the present time. They are prevented from selling a load of hay off the reservation without permission of the agent. I am wondering what brought about a difference in treatment between the Indians in British Columbia and the Indians in Alberta.

By Mr. Reid:

Q. Is it not the case—I am not pretending to answer the question—but is it not due to the fact that when Britsh Columbia was a colony, it was believed at that time that there might be some doubt about coming into Confederation and that the Indians would not be treated as well. At one of the early committee meetings I asked about the treatment of Indians in the colony of British Columbia previous to its coming into Confederation. British Columbia was the only province which stipulated in the Britsh North America Act, when it agreed to come into the Dominion, that the Dominion would have to be as generous with regard to the treatment of Indians in British Columbia as British Columbia has been with respect to the Indians. I was going to ask Major MacKay what lands had been turned over by the province since 1871. If you read the British North

America Act you will find that lands had to be turned over by the province when requested by the Dominion. My question is how generous was the colony of British Columbia when they put that into the British North America Act? And again, were any lands turned over by the province since 1871, the year they came into Confederation?—A. I do not know just what was the character of the treatment of the Indians by the colony, but it must have been reasonably generous; otherwise it would not have been regarded as a standard for the Dominion to follow. The second part of your question, Mr. Reid, respecting additional lands: a large acreage of land has been added to Indian reserves since the time of Confederation. I should say that almost half of the reserves in the province have been added since Confederation, probably more. As Indians required additional land, the department has an understanding with the province whereby application is made and the requirements—

By Mr. Blackmore:

Q. Application is made by whom?—A. By the department to the province, for such additional lands as may be required. We are also enjoying a special rate in the matter of the purchase of land. We can purchase land for the Indians in British Columbia from the Crown in the right of the province for half what the ordinary white applicant would be required to pay.

By Mr. Reid:

Q. Are there any figures as to the total acreage of Indian reserves in 1871? What additions, if any, of acreage have been added to the Indian reserves since 1871?—A. I could not give you the acreage as of 1871; but the acreage at the moment is in excess of 800,000.

By Mr. Blackmore:

Q. Mr. Chairman, that raises in my mind a question. I have not heard of additions being made to any of the reserves in Alberta since Treaty Number Seven with the Indians. Certainly, in my own constituency the tendency has been to take land away from the Indians. What I would like to know is: why such a difference should obtain in the two provinces. I suggest that Mr. Hoey at some future time be prepared to give us an account of the matter. I would like Mr. Reid's question to be answered with respect to every province in this Dominion.

Hon. Mr. BLAIS: Why were additions of land made in British Columbia.—A. Suitable provision was not made for the Indians by the colony. The Indians owned the great hinterland of the province but no specific parcels were set aside for them. They enjoyed hunting and fishing rights over almost the entire province; but once the province entered Confederation and immigration increased, it was necessary to set aside certain definite areas for the Indians.

By Mr. Blackmore:

Q. Do I gather that there were no definitely constituted reserves at the time British Columbia entered Confederation?—A. Yes, Mr. Blackmore, there were some. We have a list of them set out in the schedule of reserves. The schedule of reserves gives the information with respect to lands that were set aside, when they were surveyed, and finally confirmed.

Q. I presume then that the reserves had been set aside in the more settled areas, but not yet set aside in the unsettled areas?—A. I think that is largely true. There was a Royal Indian Commission set up in 1912 which investigated the lands in British Columbia; and as a result of the findings of that commission, additional lands were provided for the Indians of that province.

Q. I wonder if Mr. Hoey could tell us if a commission was ever established to find out if the Indians in the other provinces needed more land?

Mr. HOEY: We have had a number of inquiries. According to the report the total area of Indian reserves in Alberta at this date,—the report for 1945, at page 185,—are 1,208,237 acres; and in British Columbia there are 830,058 acres. That is to say, Alberta, with half the population of British Columbia, has 1,298,137 acres of land.

Mr. BLACKMORE: At some future time, Mr. Chairman, I would like to go into this matter more fully.

Mr. MACNICOL: Had we not better touch housing for a while?

Mr. CASE: Just before we leave this subject. Mr. MacKay said that the British Columbia Indian resents supervision, or does not take kindly to supervision. I would like to relate my question to something with which I am a little more familiar. I understand that an Ontario Indian living on a reserve cannot be held responsible for a debt contracted in his own name. That puts us in a position where we are inclined to do business through the Indian agent.—A. That is covered by the Indian Act. It applies in British Columbia just as elsewhere in Canada.

By Mr. Case:

Q. The biggest bone of contention we hear about is the franchise. Indians are seeking to have the franchise made available to them and they argue that those Indians who served in the armed forces should have the franchise. They enlisted the aid of the Canadian Legion, and a resolution was carried at the annual meeting of the Canadian Legion. They argue that the descendants of those who were given the franchise because they fought and defended the country should enjoy that franchise continuously.—A. I should say that the Indians in British Columbia should have the same service extended to them in that matter as Indians in other parts of Canada.

Q. And that is covered by the Indian Act as well?—A. Yes.

Mr. CASE: Thank you!

The WITNESS: I should not like the committee to conclude that the Indians of British Columbia do not take kindly to supervision. What I intended to convey was that the Indians of the province, being free agents, would like to be responsible for what they consider is their own business. They certainly would not oppose kindly supervision and the type of supervision that is rendered in a kindly spirit.

By Mr. Lickers:

Q. Would they stand for supervision by their own authorities?—A. I should think they do.

Q. The reason I say that is this: the Indian at the present time has reached a certain stage of development, and my experience as far as Indians are concerned is this, that in view of the fact that they have not had experience in commercial life they are more or less untried, and the white employer hesitates to employ them because they have not specialized in any form of employment. Now, could we get around that by having the Indian councils on the reserves carry on their own endeavours a wee bit further by setting up their own canneries and marketing boards and things like that so as to give their own people experience in commercial endeavours?—A. The establishment of a cannery involves a considerable expenditure, and I should not think that we have many tribes in British Columbia that could meet the cost of that from the funds they have. In order to do what you suggest, Mr. Lickers, the Crown would have to come to the assistance of the Indians in a very substantial way.

Mr. BLACKMORE: The question would be whether or not the Indian would be able to manage the enterprise if the Crown did come to his assistance. Probably you are not able to answer that question, but it would be an interesting matter to explore.

Mr. GIBSON: It would be an expensive one.

Mr. LICKERS: Are not the Indians employed now in the canneries, and industries like that, in practically every department?

The WITNESS: They are employed mostly in subordinate positions.

By Mr. Blackmore:

Q. Are there any cases in which they are holding managerial positions?—A. I do not know of any; but they would hold, I should say, the position of foreman in some of the canneries.

Q. Would it appear that the reason why they are not holding such positions is lack of aptitude or lack of opportunity? Probably you are not able to answer that question, but that is a matter I would like to see explored.—A. It depends entirely on the confidence an employer is prepared to have in an employee. If a white employer of labour finds an Indian with qualities of leadership and general ability that are necessary in operating a plant he would not hesitate in placing that Indian in charge of a division.

Q. You might use the term capacity for self-discipline?—A. Yes.

Mr. GIBSON: Mr. Blackmore, they are even given boats and nets worth $50,000 and allowed their entire judgment where they will use that equipment, where they will go and how they will fish. The Indian is given a great deal of responsibility there by the canneries.

Mr. BLACKMORE: It seems to me that one of the objects of our committee should be to find out whether or not there are any requisites of our modern society with respect to which the Indians are in any way deficient and if there are any of these steer clear of them. For instance, do they lack the capacity of disciplining themselves in the matter of commercial enterprise?

The WITNESS: They have not had the training, Mr. Blackmore, that our white people have had. As I mentioned on various occasions they are not far removed from a very primitive state; they have come up to the position they occupy at the moment over many obstacles. I should say that within the next twenty-five years there will be quite a change; education will bring about that change.

By Mr. Reid:

Q. I should like a little information about the number of Indians on each of the reserves and the number of reserves in British Columbia on which there are no Indians. I want to discuss that matter later on, but I want to get that information first of all. If the rest of the committee does not want that information I should like to get it.

Mr. HARKNESS: Mr. Stirling has already asked for that information.

Mr. BLACKMORE: This question might be added to that list. What might be the reason why such reserves are without Indians?

The WITNESS: I think I can reply to that now. We have many reserves in British Columbia that are nothing more than fishing stations, and the Indians visit these stations from time to time throughout the year to secure their fish food. Other reserves are only visited during the trapping season. It does not follow that simply because Indians are not resident on a reserve that they are not making use of the reserve.

Mr. BLACKMORE: Such reserves could not be classified as being unused?

The WITNESS: No, they could not.

By Mr. Gibson:

Q. It is not necessary to live there to the same extent as it was before they had gasoline transportation. Previously the Indian had to go to the river and live there in order to obtain his food. Now, he goes there and kills his fish and takes them back to his home village?—A. Frequently Indians like to possess lands that have been put aside for them. White people like to go camping, and the Indian likes to possess part of the domain that still belongs to him, although it is only a fraction of what he had at one time.

Mr. BLACKMORE: And like us he enjoys that sense of possession?

The WITNESS: Yes, he does.

By Mr. Reid:

Q. In British Columbia you have had one or two or more Indian reserves held under your department on which no Indian lives and which no Indians visit, and in the course of years cities have grown up around them and naturally the cities wanted to acquire that land where no Indian lived or visited or settled on—it is something from the remote past?—A. White men have similar holdings. They have them for gain. They buy land and sometimes they never see it, but that is not any reason why it should be taken from them.

Q. I am not in favour of just taking land from the Indians at all, but there are some cases in the provinces where the welfare and well being of the people as a whole will sometimes be better served—so long as there are no Indians on the reserve or visiting it.—A. You are thinking, I suppose, of reserves within the corporate limits of a municipality?

Q. Yes, I am.—A. Well, those reserves are held under the same arrangement as other reserves by the province and the Indian interest must be extinguished in the way that is prescribed by the Act before that land can be opened to the municipality.

Mr. GIBSON: An Indian possessing valuable land and living in a shack might be designated as land poor?

The WITNESS: He could be.

By Hon. Mr. Blais:

Q. Have the Indians the right to mining discovery?—A. Mining in British Columbia on Indian reserves is at the moment under the administration of the province of British Columbia.

Q. For instance, if a mine were discovered on a reserve will the Indians share in the profit of that mine?—A. They would receive the royalties.

Q. They would receive the royalties. That is what I wanted to know.

By Mr. Lickers:

Q. Are they receiving any royalties now?—A. They would from any operation on Indian reserves in the province.

Q. Looking back in the Indian treaties and surrenders in British Columbia since 1892 and 1893, there were pretty close to 1,500 acres surrendered to the Crown from which the Indian was supposed to get the rent from the overriding rights.—A. That is for the surface rights they would receive rental, but in recent years there has been a change and the province of British Columbia has control in the matter of mining on Indian reserves. That is subject to surrender of the reserve by the Indian for mining purposes.

By Hon. Mr. Dupuis:

Q. What about the other provinces? Do the mining rights belong to the Indians in Quebec and Ontario?—A. I have no information with respect to other provinces.

By Mr. Blackmore:

Q. Could we go a little further into this matter of mining rights? Suppose a coal mine were discovered on a reservation, and suppose a white man discovered it, would the coal mine belong to the Indians?—A. A gold mine?

Q. Coal or gold.—A. As I said a moment ago a surrender is required before prospecting or development can take place on an Indian reserve.

By Mr. Richard:

Q. From whom?—A. The Indian owners or the band.

Q. Is the royalty shared with the Indian, or does the Indian get it all?—A. The royalty is payable to the Indian, but it is a small amount as a rule.

By Mr. Blackmore:

Q. If a band surrenders before prospecting, does that mean the band surrenders the right to prospect or exploit?—A. The band gives power of attorney to the Crown to surrender and deal with the reserve as the Crown sees fit in the matter of mining development.

Hon. Mr. DUPUIS: Are you referring to the Crown in the right of the dominion or in the right of the province?

The WITNESS: Surrender is made to the Crown in the dominion and the Crown in the dominion has arranged with the Crown in the province for the management of the mining development on an Indian reserve.

Mr. BLACKMORE: What provision is made for reporting to the Indians just what has been made from a given mine?

The WITNESS: That would all come from the Department of Mines of the province of British Columbia. It would be submitted to our own department.

The CHAIRMAN: If a producing mine results would the Indian get a royalty on the product?

The WITNESS: Yes.

Mr. MACNICOL: Senator Blais was asking a question having to do with the Northwest Territories—this is outside of British Columbia—but if on an Indian reservation I or anyone else decide to prospect are we allowed to go on the reservation?

Mr. HOEY: The prospectors have to get permission before they can go on and prospect.

Mr. MACNICOL: Take the instance of Yellowknife.

Mr. HOEY: Anywhere on any Indian reserve in the country.

Mr. MACNICOL: To whom does the prospector apply?

Mr. HOEY: He has to apply to the department here.

Mr. MACNICOL: Then, after he gets the right from the department, does he have to apply to the chief of the band?

Mr. HOEY: Usually the application goes to the band first and they communicate with us. I am speaking subject to correction, but I am disposed to think that the consent of the band is secured before permission is given by the department to prospect.

Mr. MACNICOLL: Who makes the arrangement as to how much the Indian band gets out of what is discovered?

Mr. HOEY: I think that is subject to provincial law, but I am a little bit hazy on it, and I do not want to go on record on it, but Mr. Brown will be before you and he will be able to go into that.

Mr. CHASE: Suppose an Indian makes a discovery on a reservation can he have the mineral rights?

The WITNESS: Yes, of course.

Mr. CHASE: Does he stake a claim?

The WITNESS: Yes.

By Mr. Reid:

Q. With respect to Indian reserves in British Columbia at the time of Confederation, my question has particular relation to the Semiamu Indian reserve, and the question is was the Semiamu Indian reserve taken by conquest by the British and before being an Indian reserve had it a British Admiralty status? In the very early days in British Columbia it was not an Indian reserve; the British Crown reserved that property for admiralty purposes and later on it became an Indian reserve. Was all property under Indian reserves so held at the time of Confederation?—A. No, it was not. The Semiamu Indian reserve was set aside as the result of the Royal Indian Commission findings, and that reserve was confirmed and has the same status as any reserve set aside and subsequently confirmed.

Q. Were the Indians there at that time?—A. That would be one condition I would say for setting a reserve aside, having Indian habitations, use of land by the Indians.

Hon. Mr. DUPUIS: The witness said a moment ago that he did not know about the other provinces; would he find out and give us that information next week?

The WITNESS: The director of Indian Affairs will do that.

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.

The CHAIRMAN: Mr. Dupuis, the witness before the committee to-day is discussing British Columbia conditions. He would not know anything about that.

Hon. Mr. DUPUIS: Excuse me.

Mr. BLACKMORE: It will be quite in order to have that matter brought up later on.

Hon. Mr. DUPUIS: When shall we be able to find out?

The CHAIRMAN: There will be some official here who will explain that situation.

By Mr. MacNicol:

Q. I should like to ask Major MacKay something about the housing conditions for Indians in British Columbia, before he concludes. The time is getting on. It has always been alleged that housing conditions were primarily

responsible for the fact that so many Indians had tuberculosis. In my own surveys I have always gone into their houses, and I would like to ask Major MacKay the following questions: who builds the Indian houses?—A. They build them themselves. In recent years we have extended assistance to them in equipping their homes. For instance, there was a great deal of improvement in housing evidenced last year on the various reserves. There were fifty-five new buildings erected and repairs were made to forty-three. It has been very difficult to do much in the way of improvement of Indian homes during the war. We had a program of improvements in the matter of housing, but when the war came on of course these things had to be forgotten for the time being. But the Commons, I think, or at least the department, has a rehabilitation program. I think a sum of $5,000,000 has been set aside, or will be over a period of time for housing and general improvement in living conditions.

Q. Now, so as to keep continuity; what you have said is very interesting; you may know the answer to this, do the homes have cellars?—A. In some cases, but in the majority of cases, no.

Q. And the ground floor is right on the ground?—A. In some cases; in some cases it is up on stilts on posts.

Q. And what is the general size of the homes?—A. Well, of course, there are all kinds of Indian homes in British Columbia. Some are of a very primitive character, some of distinct comfort; other comparable with the lower salaried working man's abode.

Q. Do they have more than one room?—A. In some cases, yes; in a good many cases, no.

Q. Well that is not conducive to health. I have one family in mind where everyone of them is in an advanced state of tuberculosis. I believe there are seven altogether and with the parents it would make nine, living in one room. That certainly is bad, isn't it?—A. It is.

Q. What kind of construction, stone or frame?—A. Mostly frame and log; by frame I refer to sawn lumber.

Q. Have they gotten into stone or brick at all yet?—A. Not many, no.

Q. I have seen on many reserves the smoke pipe from the stove going right up through the roof, you can see right around where the stove pipe goes through the roof, the rain comes in there too?—A. And the heat goes out in the winter-time.

Q. Yes, no ceiling; how are the homes in British Columbia, do they have ceilings?—A. In a good many cases we have endeavoured to encourage the Indians to put in brick chimneys. Of course, there are obstacles to making improvements to Indian homes; objection to and lack of interest in any change on the part of the older Indians. They have a place and they are quite satisfied with it. Secondly, reluctance on the part of the band to share a part of the cost involved. We feel, of course, where an Indian is in a position financially to build his own home or improve his holdings, that he should be required to do so. In recent years there has been difficulty in securing the necessary materials for new homes and improvements. Those are some of the obstacles in the way.

Q. Those answers are very satisfactory. You have one-roomed homes conducive to tubercular conditions, foundations not good, no ceilings and the heat goes out. It is no wonder they develop tuberculosis. Has your own department a program?—A. We have, Mr. MacNicol; but the program has been disturbed because of the general conditions that prevail with respect to the supply of the necessary materials.

Mr. MacNicol: That is all I have to ask on housing.

Hon. Mr. Blais: Are there many Indians living in tents?

The Witness: Only in the summer months. They usually have frame or log homes for winter residences.

By Mr. Matthews:

Q. I would like to get some information on this, on the British Columbia reserves does each Indian do his own cultivation on his own piece of land or is it a sort of communal idea?—A. It is more an individual operation.

Q. Well then, are the proceeds of his crop pooled, or does he control it himself?—A. He has control of it himself, entirely.

Q. I understood you to say something about Indian bands not looking favourably on assisting individual Indians in building new houses or improving their houses; am I right in that?—A. Yes, Mr. Matthews. Where bands have funds they are in a position by a majority resolution to ask the department to assist in the construction of Indian homes.

Q. And at times you feel that certain Indians making good money should put up their own homes?—A. Yes, that is correct.

Mr. BLACKMORE: Mr. Lickers has a question.

By Mr. Lickers:

Q. Is there any provision made by the department, or at least the council on these reserves, to look after any insurance for individual Indians in connection with buildings?—A. For their village?

Q. For their buildings. Suppose a poor young fellow there happens to lose his home, or his barn is burned down. I suppose I would be pretty nearly right in saying 99 per cent of them are not covered by insurance. Is there any provision which the department makes or which the band itself makes in the community as a whole to cover losses like that?—A. There is not any provision made by the department, as far as I am aware. It is left to the individual Indian, with the guidance that the Indian agent feels he should give him, to make his own arrangements with respect to insuring his property.

By Mr. Case:

Q. Could he obtain insurance fairly readily, or what is the attitude of the fire insurance companies?—A. It would depend on his reputation. I should say.

Mr. BLACKMORE: Mr. Chairman, if there is nothing further to ask on housing, I should like to ask some questions on agriculture, provided Major MacKay is prepared to answer questions on agriculture.

The WITNESS: I am, sir, as far as I can.

By Mr. Blackmore:

Q. My object in asking these questions is to find out to what extent it appears that the Indians are capable of establishing themselves as successful farmers, with good homes and surroundings, such as we would call substantial agriculturists among the whites. It is conceivable that they excel much more in certain branches of agriculture than in others. I should like to find out, if possible, to what extent that is the case. So I should like to know, if Major MacKay has the time and the committee feels that it is worth probing into, whether or not he can tell us how many Indians are engaged in cattle raising. If he cannot do that all over the province, he may be able to do it on one reserve. I have the following different branches of animal husbandry I should like to know about in a similar way: Whether there are any Indians engaged in sheep raising, swine raising, bee keeping, poultry keeping, fur farming and horse raising. Could Major MacKay tell us whether there are any Indians that excel as bee keepers?—A. I do not think we have any in British Columbia.

Q. Have you any poultry men?—A. We have, but they do not go in for poultry on a commercial basis to any extent.

Q. Are there any sheep raisers?—A. A few.

Q. Any swine producers?—A. Not many.
Q. Any fur farmers?—A. One or two.

Hon. Mr. DUPIS: We have that in table 4 in the report on Indian Affairs, 1945.

Mr. MATTHEWS: Just to be clear as to the matter of procedure, are we through with the housing question?

The CHAIRMAN: I do not think we are. We were going along with housing, Mr. Blackmore.

Mr. BLACKMORE: I asked if they were finished. If they still want to ask about housing, of course, let them go ahead. But I asked if they were finished and there was nothing said.

The CHAIRMAN: Are there any more questions on housing? All right, apparently not. I guess we have concluded with housing, then, and you are quite in order, Mr. Blackmore.

Mr. BLACKMORE: I thought so. I would not have said a word if I had not had the impression I did.

Hon. Mr. DUPIS: We have in table 4 of that report on Indian Affairs, for British Columbia, stallions 153; geldings and mares, 8,000; foals, 1,300; colts 296; steers 4,800; cows 7,348.

Mr. BLACKMORE: But all that information is not the kind of thing I want to know about. Just as an illustration, I will bring in my own reservation. We have a band of cattle but they are owned by the department and the bulls belong to the Department of Indian Affairs. A number of animals that are kept in that way are entirely different from animals that are kept by an individual Indian with his own breeding stock and his own sire, running his own affairs. I want to get the number who have shown aptitude for managing their own affairs and building up a successful establishment in cattle production, swine production, sheep production, poultry production, honey production and horse production. I find in my constituency that Indians are quite prone to take care of horses. They like horses. They do not seem to take to the other kinds of agricultural activity. What has been your experience?

The WITNESS: The Indians of British Columbia enjoy assistance from what we call the B.C. special vote.

By Mr. Blackmore:

Q. Special what?—A. The B.C. Special vote. In 1926 or 1927 there was a joint committee of the House of Commons and Senate that met to consider the claims of the allied tribes of British Columbia. As a result of the deliberations of that joint committee, the Indians of British Columbia were given $100,000 per year in lieu of treaty money. It has been regarded as in lieu of treaty services. Perhaps I should read the paragraph here making reference to this money to be spent on technical education, agriculture, irrigation, and medical matter.

Q. Particularly with regard to agriculture. Of course, the witness will use his discretion.—A. It may be more with reference to the payment of annuities that the policy for the payment of annual sums to the individual Indian was inaugurated in the early days, having in view the then condition of the Indian, and that the annuity might be a sort of revenue for their support; but conditions have changed so materially that the need and usefulness of such a per capita payment to the Indians of British Columbia is negligible. Your committee would recommend that the sum of $100,000 be expended annually for the purposes already recommended, technical education, the provision of hospitals and medical attendance, in the promotion of agriculture, stock raising, and fruit culture, and

in the development of irrigation products. An annual expenditure of this amount, for these purposes, would seem to be far more applicable to the Indians in their present condition than the payment of any per capita amount.

Q. What I would like to have now would be an account of how the money has been spent in the development of agriculture, what success there has been, and what Major MacKay feels about it.

Mr. MacNicol: Before he answers the question, John, may I just add: the last day I was in Cardston, the Blood Indian chief came into the town—a very bright man—and he informed me that he had sold 400 head of cattle. That shows that he had the right to sell those cattle. Would anything like that obtain in Britsh Columbia? Would any band have as many as 400 head of cattle to sell?—A. I would say that some Indians in Britsh Columbia have 400 head of cattle.

Q. And he could sell them on his own?—A. Yes; he is a free agent to sell them.

By The Hon. Mr. Dupuis:

Q. When it says in this report that so many are owned in each province, do they belong to the Indians as individuals or to the Indian band?—A. We have no departmental herds in the province of British Columbia. The assistance that we receive for the promotion of agriculture in its various divisions, apart from what the department gives us, comes very largely from the British Columbia special vote. We buy fencing and stock for the Indians and assist them in clearing their land and improving their fences and farm buildings. Those are the main divisions that occur to me at the moment in which we assist them.

By Mr. Blackmore:

Q. Do you grant him loans?—A. No, we do not make him any loans. We buy the machinery and we buy the stock and we purchase the wire and nails for the fencing. We provide food, clothing, and implements for him when he is clearing his land.

Q. How do you determine which Indians will be eligible for such assistance? —A. Very largely on application. If an Indian has a certain area and would like to extend it in order to produce more food for his dairy herd and stock generally, we take into consideration his need and we send the farming instructor there to estimate just what should be done. We extend assistance to him if we feel it is deserved and should be done.

By The Hon. Mr. Dupuis:

Q. When you say: "the British Columbia special vote", do you not mean the province?—A. No, the vote passed by the parliament of Canada.

Q. For British Columbia?—A. Yes.

By Mr. MacNicol:

Q. In answer to my observation and to what Mr. Blackmore said you said: some Indian farmers in British Columbia have as many as 400 head of cattle themselves?—A. Yes.

Q. That would be a lot of cattle. What would happen if an Indian who had a lot of cattle, sold, say, 50 head of cattle? Would he have to notify the Indian agent as to how many he had sold?—A. No, he has no responsibility in that respect at all; the proceeds of the sale are his to do with as he sees fit.

Q. Does he bank the money the same as a white man?—A. Well, he does sometimes.

Q. The particular Indian I was speaking about had banked his money that very day.

By The Hon. Mr. Blais:

Q. Has he the right to kill a steer on his farm, if he wishes to?—A. Yes.

By Mr. Blackmore:

Q. At what age do you advance this assistance to them? What do you require of them before you give them that assistance? There is a good deal of unhappiness on the reservation in my constituency.—A. We determine whether he is interested and will make good use of the assistance.

Q. Once you are satisfied under those headings, how many cattle would you issue to him to start with?—A. It would depend on the size of his holdings. If he has sufficient hay land, and the winter is not too long, or the period of winter feeding is not too long, we would start him off in a small way.

Q. Suppose he is a young fellow and finds that all the lands are occupied by other men—A. That is another subject and I thought I would make a recommendation on that matter because that is one of the difficulties we experienced in British Columbia.

Q. We would like to have that recommendation; I know I would.—A. I thought I would make that recommendation; I have listed a few recommendations for my concluding remarks.

By Mr. Gibson:

Q. Would you go ahead with them now?—A. In the matter of the administrative set-up, I would like to submit these two recommendations: (1) Increase in the administrative staff to meet requirements, particularly in the field division. (2) Institution of a system whereby vacancies could be promptly filled.

Now, under the division of agriculture: (1) repossession and equitable redistribution of Indian agricultural resources, and the establishment, where possible, of a reservoir of land from which young Indians could be allotted suitable acreage when ready to engage in farming. The department should have power to reallocate land not being put to beneficial use. That is under the heading of agriculture.

By Mr. Blackmore:

Q. That means land on the reserves?—A. Yes, that means land on the reserves, and to prevent an accumulation of a great acreage by one or two individuals. Now, under fishing: that the most generous treatment, compatible with necessary conservation measures, be accorded the Indians in the matter of taking fish for food purposes from both tidal and non-tidal waters.

Housing: (1) Discourage perpetration of village system especially in farming areas and gradual replacement of homes in such villages with suitable accommodation on individual land holdings. (2) Survey of housing conditions on the various reserves and the provision of suitable accommodation in the order of urgency. (3) Subdivision survey of Indian villages lying within or in close proximity to the larger centres of population into suitable lots and extension to such villages of municipal services such as light, water and sewerage disposal system. I am not making any recommendation with respect to education for the simple reason that in the directorate of Indian Affairs you have an educationist of considerable experience and one who, I know, will give to you very frankly his views with respect to what should be done in that very important division of our work. It is a national policy and I would not presume to make a recommendation when we have such a man as Mr. Hoey as director of Indian Affairs.

By the Hon. Mr. Blais:

Q Does anybody make an inspection of those houses on the reserves every year?—A. Each Indian agent is the health officer, and in most of the districts we have provincial health officers who do visit each reserve. I do not think they visit them frequently, but they do make visitations.

The CHAIRMAN: Now, it is a very few minutes to six o'clock.

Mr. BRYCE: Before Major MacKay goes away, I would like to extend to him a hearty vote of thanks on behalf of this committee on the way he has answered the questions. He never gets ruffled and he has been a real gentleman.

Mr. BLACKMORE: I would second that motion.

Mr. BRYCE: I now move that we adjourn.

The WITNESS: Mr. Chairman and gentlemen; I should like to thank you for the kindness and courtesy extended me as a witness. I must admit that I was somewhat fearful of appearing before such an august body of this magnitude, but I have found you to be both kind, very helpful, and most interested in the work in which we, ourselves, are so greatly absorbed. I am particularly grateful for the patience with which you have received an all too imperfect submission. I thank you.

The CHAIRMAN: The members of the steering committee will meet in Room 155 to-morrow at 4 o'clock p.m. There are some other meetings in the morning that would interfere, so we are putting it at 4 o'clock in the afternoon. Then there is a meeting of the committee on Friday morning.

The committee adjourned at 6.01 o'clock p.m. to meet again on Friday, June 21, at 11 o'clock a.m.

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE
No. 7

FRIDAY, JUNE 21, 1946

WITNESSES:

Mr. R. A. Gibson, Deputy Chief Inspector for Hydraulic Development, Dept. of Mines and Resources, Ottawa.

Mr. J. G. Wright, Acting Superintendent, Water Rights Branch, Bureau for N.W.T. and Yukon Affairs, Department of Mines and Resources, Ottawa.

PRINTED BY
EDMOND CLOUTIER
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 7

FRIDAY, JUNE 21, 1946

WITNESSES:

Mr. R. A. Gibson, Deputy Commissioner for Northwest Territories, Dept. of Mines and Resources, Ottawa.

Mr. J. G. Wright, Acting Superintendent, Eastern Arctic, Bureau for N.W.T. and Yukon Affairs, Department of Mines and Resources, Ottawa.

OTTAWA
EDMOND CLOUTIER
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1946

ORDER OF REFERENCE

HOUSE OF COMMONS,,

FRIDAY, 21st June, 1946.

Ordered, That the name of the Honourable Senator Paterson be substituted for that of the Honourable Senator Stevenson on the Senate Section of the Joint Committee of both Houses appointed to examine and consider the Indian Act.

Attest.

ARTHUR BEAUCHESNE,
Clerk of the House.

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

FRIDAY, 21st June, 1946.

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 4.00 p.m. The Joint Chairmen: The Honourable Senator J. F. Johnston and Mr. D. F. Brown, M.P., presided.

Present:

The Senate: The Honourable Senator J. F. Johnston.

The House of Commons: The Honourable Mr. Stirling and Messrs. Blackmore, Brown, Bryce, Castleden, Farquhar, Gibson (*Comox-Alberni*), Harkness, MacLean, Matthews (*Brandon*), Reid, Richard (*Gloucester*)—12.

In attendance: (Department of Mines and Resources); Messrs. W. J. F. Pratt; R. A. Hoey, Director, Indian Affairs Branch; W. A. Arneil, Inspector of Indian Agencies for Ontario; and from the Bureau of Northwest Territories and Yukon Affairs: Messr. R. A. Gibson, Deputy Commissioner and Messrs. J. G. Wright, L. Robinson and H. C. Craig.

Also Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Mr. Bryce presented the third Report of the subcommittee on Agenda and procedure.

On motion of Mr. Bryce, it was, after considerable discussion,

Resolved: That the said Report of the subcommittee be adopted. For text of Report, see Minutes of Evidence, page 263.

Mr. R. A. Gibson, Deputy Commissioner for Northwest Territories was called, made a statement, submitted certain schedules, and was questioned by the Committee and by Mr. Lickers.

It was agreed that at a later date Mr. Gibson will be recalled for further questioning.

Mr. J. G. Wright, Acting Superintendent, Eastern Arctic, was called, made a statement, was questioned by the Committee and by Mr. Lickers, and was excused from further attendance before the Committee.

After a short recess, the Chairman (Mr. Brown, M.P.), welcomed some members of Indian bands who were visitors to this meeting of the Committee. They included: J. Delisle, Jr., Caughnawaga, Que., Vice-President, North American Indian Brotherhood; Henry Jackson, Christian Island, Ont., Secretary, N.A.I.B.; Thomas Jones, Wiarton (Cape Croker), Ont., Treasurer, N.A.I.B.; Thomas Roy, White Fish Bay, Kenora, Ont., Executive, N.A.I.B.; and L. E. Beauvais, Caughnawaga, Que.

The Committee adjourned at 6.00 p.m., to meet again on Monday, 24th June next, at 11.00 o'clock a.m.

T. L. McEVOY,
Clerk of the Joint Committee.

67011—1½

MINUTES OF EVIDENCE

HOUSE OF COMMONS,

JUNE 21, 1946.

The Special Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 4 o'clock, p.m. Mr. D. F. Brown, M.P. (Joint Chairman), presided.

The CHAIRMAN: I want first to express my regret about holding this meeting on Friday at 4 o'clock and not this morning, due to other circumstances, one of which was a government caucus. I think in future we will try to avoid holding meetings at this hour. Mr. Bryce, would you read the report of the subcommittee on agenda and procedure?

Mr. BRYCE:—

THIRD REPORT OF SUBCOMMITTEE ON AGENDA AND PROCEDURE

FRIDAY, 21st June, 1946.

Meetings:

It was agreed that the committee would meet on Friday next, 21st June, at 4 p.m., in room 429, for the purpose of hearing Mr. R. A. Gibson, Deputy Commissioner of North West Territories and one official of that branch.

It was further agreed that the committee would meet on Tuesday, 25th June next for the purpose of continuing, if necessary, the hearing of officials of the N.W.T. Branch, and Mr. Arneil, Inspector of Agencies (Indian Affairs) for Ontario.

It was further agreed that the hearing of two delegates from the North American Brotherhood would be completed on Thursday, 27th June next, as no further time could be allowed at this stage of the committee's programme.

Application for hearing

The subcommittee considered the application of the Native Brotherhood of British Columbia, to be heard during the first week in July. It was agreed that the clerk of the committee should advise the chairman of the legislative committee of that brotherhood that it was not prepared to recommend that there should be any further departure from the settled procedure of the committee.

Report to Joint Committee

It was agreed to report to the joint committee recommending that the liaison officer communicate with all Indian organizations, Indian bands, and other organized or unorganized Indians, asking them to submit to him, in writing, for consideration at a later date by the committee, such representations as they desired to make to the committee with regard to the matters covered by the order of reference.

All of which is respectfully submitted.

I move that the report be adopted.

Mr. GIBSON: I second that.

The CHAIRMAN: Any comments?

Mr. MACNICOL: Yes, two comments. First of all I should like to suggest that if possible we hold our meetings in the forenoon. Personally I would have liked very much to have been in the House this afternoon. I know you could hardly postpone the Liberal caucus. That was too important to postpone to permit a meeting this morning, but after all we all have a duty to perform and it is essential, if we can possibly get in the House to be there. These 4 o'clock meetings do not fall in line with that necessity.

There is one further matter. The last item in the report of the subcommittee reads:—

> It was agreed to report to the joint committee recommending that the liaison officer communicate with all Indian organizations,

and so on. I have had a number of communications myself from eminent people associated with Indian affairs. They have suggested that communications should go from yourself or your secretary to the Indian bands and not from the liaison officer. After all you are the chairman of the committee. Two of those letters were from Indian chiefs. I do not care to say who they were, but they want to communicate with the committee. They do not seem to recognize that the liaison officer is representing the committee. I quite appreciate that. I myself would want a letter from the chairman or secretary and not from the liaison officer. I wonder if that has been given thorough consideration as to the attitude of the Indian chiefs themselves. Has it or has it not?

The CHAIRMAN: If you are asking me for a reply, in the first place with respect to this meeting to-day I quite agree with you that Friday afternoon at 4 o'clock is not a good time to hold a meeting. However, we are in the same circumstances as any other human orphan . We have no permanent meeting place. That point has not as yet been decided. We have been given a place to meet next Monday, room 262, but next Thursday has not yet been definitely decided. We are hoping—and it is only a hope—that we will have the railway committee room because there will probably be a large number of spectators that day. In the event that suitable accommodation is not provided the matter will have to be reconsidered by the committee. I can see that room 429 is not adequate for our purposes. There is not seating space here for the members of our committee, let alone witnesses and other departmental officials who are in attendance. If this committee is to function properly there will have to be accommodation provided for us or the subcommittee will have to reconsider the matter and make further recommendations. At the present time we have no fixed accommodation after next Monday.

As to your second question, I think all members of the committee have had communications from Indian organizations. It has been recommended that those communications be turned over to our clerk so that the matter of directing the attendance of those wishing to come before the committee, in order to get them before us in an orderly fashion, may be ordered by the clerk acting in conjunction with the liaison officer. Personally I have received many communications from various organizations requesting that they be heard. I have acknowledged each one. I understood that all members of the committee were to do just that. If, of course, you believe that there should be a communication go out directly from this committee through the chairman I think the matter should now be discussed, a decision made and direction given as to the procedure that is to be followed. Is there any further comment on that?

Mr. MACNICOL: I quite agree that all requests for appearance before this committee should be sent to the clerk of the Committee. With that I am in happy accord.

The CHAIRMAN: What is your comment?

Mr. MACNICOL: It has to do with this statement:—

> It was agreed to report to the joint committee recommending that the liaison officer communicate with all Indian organizations, Indian bands, and other organized or unorganized Indians, asking them to submit to him in writing for consideration at a later date by the committee, such representations as they desired to make to the committee with regard to the matters covered by the order of reference.

It struck me that an Indian chief or Indian band would feel—

The CHAIRMAN: Might I suggest that as each of you receive your communications from respective organizations, whether an Indian band or otherwise, that you acknowledge it first of all and then turn it over to me and I will acknowledge it on behalf of the committee.

Mr. MACNICOL: I think all the members of the committee should do is merely acknowledge the receipt of the letter and advise the sender he has turned that letter over to the clerk of the committee.

The CHAIRMAN: Then if you would care to do that I see no objection. Has anyone any objection to that?

Mr. BRYCE: Is that not what we do now?

The CHAIRMAN: That is what I thought we all were doing but it may be some were not doing that.

Mr. MACLEAN: I have received a circular letter and I have no doubt that other members of the committee received a similar one. Do you mind if I read it?

The CHAIRMAN: Is that the letter from the North American Brotherhood?

Mr. MACLEAN: Maybe you have a copy.

The CHAIRMAN: I have not a copy but I understand that some members of the committee have received one.

Mr. MACLEAN: It is from Dalhousie, New Brunswick. I will hand this in.

The CHAIRMAN: Very well. If you so desire I will reply on behalf of the committee.

Mr. MACNICOL: In connection with the last paragraph I thought that communications should go out from the chairman to all the Indian bands. If the committee desires that the reply be sent back through the liaison officer well and good, but I think out of respect to the Indian chiefs and those who want to come here that the request should go out from you as chairman of the committee so that they will feel they have a direct part in the committee through the chairman.

The CHAIRMAN: Is there any comment?

Mr. BLACKMORE: Where does the liaison officer fit in in that arrangement?

The CHAIRMAN: It is up to the committee to determine that.

Mr. BLACKMORE: It seems to me that the great majority of those gentlemen do not understand the importance of the liaison officer. They do not understand that he is an extremely important official in this committee. I think what we need to do is to help them to realize that. If we did not have a man of their own blood here there would be complaints all over the country on that score. Now we have a man of that kind some are unhappy about that. They want to talk with only the chairman directly. It seems to me it will require a little care to impress them with the importance of the liaison officer.

The CHAIRMAN: We have one school of thought here which seems to think—

Mr. MACNICOL: We are not far apart. What I mean is that all communications should go from yourself as chairman to all the bands. In your letter you would likely say that the committee has engaged Mr. Lickers as the liaison officer between the committee and Canadian Indians.

The CHAIRMAN: I think I understand your suggestion. You propose that when a member of the committee receives any communication from any organization he will make a short reply acknowledging the receipt. He will then refer the letter to the committee and either the chairman of the committee or the clerk will refer the matter to the liaison officer who will deal with it from then on.

Mr. MACNICOL: You will reply directly.

The CHAIRMAN: I will reply directly. Is that your wish?

Mr. BLACKMORE: I think that is a suitable arrangement.

The CHAIRMAN: Is there any comment? All in favour? Contrary? Carried.

Mr. CASTLEDEN: There is another paragraph in the report of the subcommittee regarding the application of the Native Brotherhood of British Columbia to be heard the first week in July. The report reads:—

> It was agreed that the clerk of the committee should advise the chairman of the legislative committee of that brotherhood that it was not prepared to recommend that there should be any further departure from the settled procedure of the committee.

I presume that the settled procedure of the committee is that we are going to set a time when they shall be heard, or what is it?

The CHAIRMAN: The settled policy of the committee is that we must have the departmental presentation completed before we hear any outside organization. We want to know what the picture is generally from the departmental point of view. Having received that presentation and having studied it, then we will proceed to hear Indian and other organizations. We have made one exception because of the fact that there is one organization which is holding a convention in Ottawa next week. We felt that as a matter of courtesy we would have them appear before the committee but, as I say, only as a matter of courtesy. We will hear only general and not specific reports from them. We will allot to that organization one day, two meetings, one at 11 o'clock and the other at 4 o'clock and no further time. That is not for the purpose of shutting them off. It will be as a courtesy gesture to them and their organization which is having this convention here at this time. Later we will ask them to appear before a committee and to give specific reports. But there is no thought of closing them off with one appearance.

Mr. CASTLEDEN: They were told that?

The CHAIRMAN: They have been told that. I will read you the telegram addressed to the organization. This is from the Clerk of the committee. It is dated June 15, 1946.

> Replying your wire fourteenth. Since brotherhood holding conference Ottawa that week committee will break settled procedure make axception your case and hear yourself and one other delegate only on June twenty-seventh. Representations that date must be general in terms. Committee later on will hear your and other submissions concerning particular subjects affecting well being and welfare of Canadian Indians. Please acknowledge.

As of June 15 a telegram has been received from one Andrew Paull who represents the Indian organization concerned, in which he states as follows:—

> Acknowledging your wire even date. Program satisfactory. Regards. Thanks. Andrew Paull.

Mr. CASTLEDEN: That is not the telegram to the Native Brotherhood of British Columbia, is it?

The CHAIRMAN: No. We did receive a request from the Native Brotherhood of British Columbia. On May 21 we received a telegram from Peter R. Kelly, Chairman Legislative committee, as follows:—

> Information according to press reports indicate committee of senate and commons appointed to deal with Indian Act and Indian affairs generally. Would greatly appreciate definite information when committee ready to receive delegation representing Native Brotherhood British Columbia. Would need time to gather delegates Vancouver before leaving. Kindly wire.
>
> Peter R. Kelly
> Chairman Legislative Committee.

Then under date of June 6 we wrote to the Rev. Mr. Kelly as follows:—

> Your wire dated May 21 addressed to the Department of Mines and Resources is now under consideration by our subcommittee on agenda and procedure.
>
> As soon as possible, you will be advised of the decision of the committee with regard to the representations contained in your wire.

That is signed by the clerk of this committee. On June 18 a telegram was received from the Rev. Mr. Kelly as follows:—

> Your letter recent date received and given careful consideration. Beg to draw to your attention our people of British Columbia coast are largely fishermen. Fishing starts July 1. Some members of delegation representing Native Brotherhood of British Columbia are fishermen and cannot afford long absence from occupation. Would appreciate being heard first week in July if possible. Kindly advise.

On June 19 a telegram was addressed to the Rev Mr. Kelly as follows:—

> Replying to your wire 18th. Subcommittee on agenda today considered and reached decision going forward you airmail tonight. Please reply that letter by wire.

That was from this committee. On June 19, the same date, a letter was addressed to the Rev. Mr. Kelly as follows:—

> Confirming my wire of today, in answer to your wire of 18th June, the subcommittee on agenda and procedure today considered your wire of the 18th of this month and your previous communications to the Minister of Mines and Resources.
>
> By direction of the Chairman of the Special Joint Committee, you are herewith advised that the committee does not think it advisable to depart from the procedure which was adopted by the joint committee; i.e., to get on our record the statements of all those departmental officials in Ottawa who are concerned with the welfare and well-being of Canadian Indians before calling to Ottawa representatives of either organized bodies of Canadian Indians or other organizations interested in their welfare.
>
> An exception was made to the settled procedure of the committee in order to hear two delegates of the North American Indian Brotherhood, Thursday, 27th June, on general principles only and solely because of the fact that said Brotherhood had previously arranged to hold, at their own expense, a conference in Ottawa commencing on 24th June. The Committee felt that as a courtesy, under these circumstances these delegates should be given a hearing before leaving Ottawa.
>
> The subcommittee on agenda is not prepared to recommend to the committee that any other organization should be heard until after the departmental case is on the record.

There is no possibility of the joint committee concluding hearings before the end of the present session of parliament.

It is the stated policy of the joint committee, as is on record, "that every opportunity must be afforded the committee to receive submissions from all those who have asked that the committee hear their representations in behalf of Canadian Indians."

Accordingly, you will be advised later of the date, time and place, where delegates of the Native Brotherhood of British Columbia will be asked to make to the committee, at a later date than the first week in July, such representations as your Brotherhood must be anxious to put before the committee.

You will realize, it is hoped, that the committee is only too anxious to hear your Brotherhood, and all those others who have asked to be heard. But the task before the committee is a heavy one. It must be carried out in an orderly way. And the committee feels assured that you will realize and point out to the Legislative Committee and members of your Brotherhood that the only reason they are not asked to send delegates to Ottawa during the first week in July is that the Committee has arranged a schedule from which it is not practicable to depart.

Assuring you that the committee will give your Brotherhood a full opportunity to make to it, at a time and place of which the committee will give you sufficient notice, a full submission in behalf of your Brotherhood,

Believe me to be,

Very sincerely yours.

Mr. CASTLEDEN: That is what I wanted on the record.

The CHAIRMAN: Is there any other comment with respect to the report of the subcommittee? It has been moved and seconded that the report be adopted. All in favour? Contrary?

Mr. CASTLEDEN: There is one other matter that I should like to mention, Mr. Chairman. I am bringing this up again. This committee has gone forward and discussed treaties, health, welfare, education, training, field supervision and other things of deep concern to the Indians. At the first meeting I gave a notice of motion to the effect that we should request the Indians to send at least five representatives to sit in on this committee with watching briefs, with the right also to give evidence if called upon. I thought at that time it would be a good thing, because I think that the Indians from the reserves can tell us how the various services affect their living. They could point out how there might be improvements in the Indian Act and make recommendations. They might verify certain evidence or rectify certain reports. They could give us the viewpoint of the people who are affected, as they are Indians themselves. These people have been suppressed and have been under pretty rigid dictatorial control. They have never had any avenue of official appeal against any action taken against them. They have never had a voice. They have never had anyone who could speak officially for them. It seems to me that any committee of this nature, which is going to affect the lives of these people for so long, would be well advised to invite the Indians of Canada to send at least five representatives here. I do not wish to go against the program of this committe. I understood that the motion went to the steering committee and was dealt with there. I see in the report for June 11 meeting—

The CHAIRMAN: There was another one when you were not present.

Mr. CASTLEDEN: June 11, I have that report. I read it.

The CHAIRMAN: There is a later report.

Mr. CASTLEDEN: I was here on June 4.

The CHAIRMAN: There was another report on June 18. Probably I could read for you the report of the subcommittee as printed on June 18 which dealt with this matter. Our daily report No. 6. You were not present that day.

Mr. CASTLEDEN: No. I was out of the city at a conference and on House business. It was an unavoidable absence. That is why I want this matter dealt with. I want to say this, that I do not want to go against the wishes of this committee; but if this matter is going to be tabled and not dealt with I wish to object. I want a decision of the Joint committee and I am giving notice of motion now that at our next meeting I want my motion dealt with and voted on. If the committee turns it down, all right. I will put up a fight. Democracy must rule. If the committee decides they will not have Indian representatives sit in, then that is that. But I want an opportunity to present a case for bringing them in and to support a request for representatives of the Indians themselves to sit in here with watching briefs. It is not so much with the idea of presenting evidence. You have already made arrangements to have evidence brought in from various groups.

The CHAIRMAN: Mr. Castleden, I do not want to terminate this; I do not want to be too dictatorial; but this matter has been dealt with and I think you will agree that we cannot be redealing with these matters from time to time. If it is the wish of this committee to refer back to a matter which has been determined, then the voice of the committee will rule. But the report of the committee on the 14th day of June was as follows, and was adopted at the meeting on June 18. Clause 2 reads:

> Your subcommittee at a later date will make recommendations with regard to the calling to Ottawa of representatives of Indian organizations and other organizations and individuals interested in the well-being and welfare of Canadian Indians.

I do not think there is one member of this committee who is in the least desirous of closing off any Indian representation or any other organization that wants to make representations to this committee.

Mr. CASTLEDEN: That is not the point.

The CHAIRMAN: We have no desire to do that, and I think I speak for all members of the committee. But we must be practical. There is no use in our adopting a theoretical and impractical viewpoint. What we must do is get representations made to this committee in an orderly and systematic way. We have considered, in joint committee, the recommendation which you made and we felt that to have five Indians from each district that you named—

Mr. CASTLEDEN: No. I said five from all Canada, at least. It is not a matter of giving representation.

The CHAIRMAN: Very well. I will refer to that; five from all parts of Canada. That is one from each district. You would not take five from Ontario, You would take five spread around different parts of Canada.

Mr. CASTLEDEN: That is right.

The CHAIRMAN: Very well. We have considered that matter in committee and we have not reached a decision as yet; we see the impractical nature of the suggestion. For instance, in British Columbia there is not just one organization; there are several organizations. We cannot appoint one such delegate from one organization and leave the others unrepresented. We cannot come to a decision —and it is unanimous in the subcommittee—as to whom we would ask to represent the different sections. We see the desirability of having Indians attend all these meetings of this committee; and that was one reason why we were so anxious to have Mr. Lickers, who is a member of an Indian band, as our liaison officer. But to choose and say who should be the one representative from each of

the five districts in Canada as you ask is something we are not in a position to do. That matter is still under consideration and will be reconsidered again in due course by the sub-committee on procedure and agenda.

Mr. CASTLEDEN: I am satisfied as long as a report is brought down and the matter is still given consideration.

The CHAIRMAN: The report states "Your sub-committee at a later date will make recommendations with regard to calling to Ottawa representatives of Indian organizations" and so on.

Mr. CASTLEDEN: The trouble with that later date is that we are already going ahead with reports, receiving recommendations and discussing matters of importance; and they are not now here.

The CHAIRMAN: This committee is the master of its own procedure. If this committee wants to dismiss the steering committee that is now in operation, it can do so. This committee, as far as that is concerned, is the governing body.

Mr. CASTLEDEN: I am not speaking against the steering committee. They bring their reports and we pass on them here, and that is the proper procedure; I am willing to abide by the decision. I should just like to point out that while this matter is before the steering committee, the main committee is proceeding with the evidence.

The CHAIRMAN: We have now gone 40 minutes and we have yet to dispose of, as far as this committee is concerned, in an orderly way, the presentations of Mr. Gibson and Mr. Arneil. Mr. Arneil is here. He should be out in the field now. We are most anxious, if permitted to do so, to call these witnesses,

If there is nothing further so far as this report is concerned I would ask you to indicate your desire as to its adoption.

I declare it carried unanimously.

Is it your pleasure to hear Mr. R. A. Gibson, Deputy Commissioner for the Northwest Territories?

Some hon. MEMBERS: Agreed.

Mr. R. A. Gibson, Deputy Commissioner, Northwest Territories Branch, Department of Mines and Resources, called.

The CHAIRMAN: For the purpose of the committee I think we should point out that this room is not satisfactory so far as this committee is concerned, that there is not sufficient space to have witnesses and counsel at their proper places, and there is not sufficient room even to seat the members of the committee. We regret, Mr. Gibson, the inconvenience caused to you, but under the circumstances we hope you will overlook it.

Gentlemen, before we proceed with the witness might I again draw our policy to your attention; that is that we will permit the witness to make his presentation and we will withhold questions; then, upon the completion of the presentation, I think it would be wise if we were to take our questions in order from the various members of the committee in attendance here today on the subject which we are discussing so that we may thereby avoid confusion and save time. Is that agreeable?

Some hon. MEMBERS: Agreed.

The CHAIRMAN: I would also introduce to the committee Mr. J. G. Wright, who is the acting Superintendent of the Eastern Arctic, Northwest Territories and Yukon Affairs Branch, Department of Mines and Resources He is accompanying Mr. Gibson and both will answer questions at the proper time.

If there are no comments we will ask Mr. Gibson to proceed. Mr. Gibson, will you first of all tell us who you are? You are the Deputy Commissioner for the Northwest Territories, Department of Mines and Resources?

The WITNESS: That is right.

The CHAIRMAN: What is your presentation to be in connection with?

The WITNESS: The Canadian Eskimo.

The CHAIRMAN: Gentlemen, if you will refer to the envelope in front of you, you will see the material to be used by Mr. Gibson.

The WITNESS: Mr. Chairman, Gentlemen: We appreciate very much indeed the opportunity of appearing before this committee at this time. As a necessary feature of routine administration, some of our senior officers must be in the field each year. Our chief inspector for the Mackenzie District is now at Yellowknife. The acting superintendent of the eastern Arctic, who is with me today, is about to leave on the eastern Arctic patrol. Our geographer, also here present, has accepted an important post with the University of British Columbia and will be leaving shortly, so we welcome this opportunity of placing on record information about the Eskimo population of the dominion and of answering any questions which the members of the committee may wish to ask.

We believe it will be found that the statement which I am about to place on record, together with the schedules which are attached to it, will give a fairly accurate picture of the present situation although much of the material is in very concise form. As we understand the time of this hearing is limited to two hours, we will deal only with the Eskimo. With your permission, the relationship of Northwest Territories policy to Indian problems may be left for discussion at a later meeting of the committee. A copy of the prepared statement has been placed at the disposal of each member of the committee. Two of the schedules are maps upon which we have placed information which should be useful for reference purposes as the statement and discussion proceed. In case any further geographical information is required a complete set of the articles written by our geographer, Mr. Robinson, is available and can be sent to any member of the committee desiring same.

THE CANADIAN ESKIMO*

The Canadian Eskimo are a migratory people, scattered in small families or groups of families in the area of mainland Canada north of the tree-line, and in the treeless southern Arctic islands. At present all of the Eskimo population live south of the wide channels of McClure Strait, Viscount Melville Sound, Barrow Strait, and Lancaster Sound. Except for about 1,000 Eskimo living in the interiors of Keewatin and northeastern Mackenzie District, the Canadian Eskimo is a coastal dweller. Most of his food and clothing is obtained from the sea, supplemented by the land animals which he hunts inland upon occasion.

As a result of the census tabulations of 1941, in which nearly all Eskimo were recorded in the census books and given a numbered fibre disk to solve the problem of uncertain spellings and the repetition of the same name within a group, a fairly accurate picture of the numbers and distribution of the Eskimo population is now available. The fact that this had not been done accurately before only illustrates the problems of trying to count a migratory people in a vast, remote, and thinly-populated area. Because of the difficulties of limited transportation facilities to certain areas, some of the census books were not returned until the spring of 1943. When these later figures are added to the official total of 7,392, and allowance is made for the fact that undoubtedly some natives were missed in the tabulations, the figure of 7,700 is probably a fairly accurate minimum estimate of the present Canadian Eskimo population.

* Prepared in the Bureau of Northwest Territories and Yukon Affairs under the direction of the Deputy Commissioner, Northwest Territories Administration, for the use of the Joint Committee of the Senate and the House of Commons on the Indian Act.

Since they are spread over an area of 872,000 square miles north of the tree-line (exclusive of the area of the far northern islands where the Eskimo do not live), they occupy the region with an approximate density of population of one Eskimo for every 115 square miles.

Of the 5,404 Eskimo (or half-breeds listed as Eskimo) living in the Northwest Territories, 1,582 are in the western Arctic and the remainder live in the eastern sections. If one adds to this latter group the 1,965 Eskimo for whom the Northwest Territories Administration is responsible in Arctic Quebec, there are about 6,000 Eskimo in the eastern Arctic (about 80 per cent of the Eskimo population). Only 23 Eskimo are listed as living in the other provinces. There are no Eskimo tribes as the term "tribe" is associated with North American Indians, but the Eskimo, particularly those of the eastern Arctic, live and travel in groups of two or more families with the outstanding hunter acting as leader.

The present Canadian Eskimo population is not a homogeneous people. Those of the western Arctic (the northern coastal strip of Mackenzie District and the adjacent Arctic islands which are supplied from the west) have been more affected by civilization than have the other Eskimo. Many of them are relatively prosperous, wear white men's clothes much of the time, and carry on business with ease with the traders of the area. Some of the Eskimo themselves are full-time traders. Many of these natives are Eskimo who have come in from Alaska. The closer contact with civilization over the past few decades has given this group of Eskimo an outlook, culture, and mixture of white blood different from that of the remaining Eskimo population.

Many of the present western Arctic Eskimo are good trappers who are able to provide for themselves quite adequately from their season's catch of white foxes. In general, the farther away from Aklavik, the less prosperous is the Eskimo, and the more he lives his usual native way of life.

The Eskimo of the central Arctic—the area around Perry and Back Rivers, King William Island and Boothia Peninsula—have been relatively inaccessible owing to ice conditions which impede transportation. The advantages and ills of white civilization have reached them to only a limited extent and they still retain much of their primitive culture, depending greatly upon the animal resources of land and sea for their food, clothing and utensils.

Although it is difficult to generalize over an area as vast as the eastern Arctic, it may be said that the Eskimo inhabitants of this region are in a stage of contact with civilization intermediate to the two smaller groups to the west of them.

In the latter part of the last century the whalng industry brought white men to the eastern Arctic and since the early years of the present century trading posts have been established at widely scattered points throughout the inhabited area. The Eskimo thus had contact with the white man and learned to depend on many of the implements and utensils of white civilization. Nevertheless, in the eastern Arctic he still maintains much of his old mode of living, adapting the benefits of civilization to his native way of life.

The regional distribution and density of the Canadian Arctic Eskimo population may best be shown by referring to the accompanying map of native population in the Northwest Territories. (Schedule "A" attached).* Although the Eskimo are primarily coastal inhabitants, doing much of their hunting in coastal waters or on the strip of sea-ice along the shores, they also use the interior land area whenever possible. You will see the different districts in contrasting colours on the larger map.

In Keewatin district there is a balanced adjustment between the population of about 1,500 Eskimo and the wild-life resources of the area. About half of the native population are the so-called "Caribou Eskimo" who live inland most

* Not printed herewith, but distributed to committee members.

of the year, obtaining much of their food and clothing from the caribou of the land and the fish of the numerous lakes and rivers. This combination of inland and coastal-living is possible because of the character of the region, which has ample lowland area and adequate vegetative cover for the support of caribou.

Southampton Island with about 140 Eskimo, appears to be sparsely populated for its relatively large area. Much of the interior, however, is of little value because the caribou population has been almost depleted within recent years. The natives now obtain most of their food and clothing from the abundant sea life, chiefly along the south coast.

Baffin Island is the largest of the Canadian Arctic islands, and has a fairly large Eskimo population of 2,000 fringing its coasts. A more accurate picture of the distribution of this population is obtained when one realizes that two-thirds live in southern Baffin Island and many parts of the interior are unproductive or unused because of mountains and inaccessibility. Baffin Island is greatly indented with many broad bays and numerous long, narrow fiords, however, giving the Eskimo access to many miles of coast-line and their staple food of seal meat and fat.

The Arctic sections of northern Quebec and the adjacent islands of the Northwest Territories appear to be overpopulated in comparison with other areas of Canadian Eskimo population, and under present game conditions. Caribou have disappeared from some areas and are scarce in others, while the resources of the sea and the limited fur catch are sometimes inadequate to supply food to the 2,300 Eskimo. The administration of Eskimo affairs in northern Quebec is complicated by the fact that whereas the welfare of the natives is, by a decision of the Supreme Court of Canada, a responsibility of the federal government, the latter has no jurisdiction over the natural resources upon which the natives depend since these are administered by the province.

The final returns of the 1941 census show the Eskimo population of Arctic Quebec alone to be 1,965. Prior to the year 1939, Eskimo affairs in Quebec were administered by the federal government under an understanding with the province whereby the latter reimbursed the federal government for any outlay incurred in the relief of destitute Eskimo. On April 5, 1939, the Supreme Court of Canada pronounced a judgment(1) to the effect that the term "Indians" as used in Head 24, Section 91 of the British North America Act 1867, includes the Eskimo inhabitants of the province of Quebec. The Department of Justice contemplated an appeal to the Privy Council in regard to this judgment but wartime conditions prevented action towards this end. Since April 5, 1939, all Eskimo affairs in the province of Quebec have been administered by, and at the cost of, the federal government as represented by the Bureau of Northwest Territories and Yukon Affairs.

In the event that the decision of the Supreme Court is not reversed on appeal, it is reasonable to assume that such decision would be applicable to all Eskimo inhabitants of Canada. In this event, it will be necessary to enact special legislation to deal with what are peculiarly Eskimo problems, because in many respects an Eskimo is totally different from an Indian, and the Indian Act, in its present form, is unsuited for the administration of Eskimo affairs.

The preceding regional survey of the distribution of the Eskimo population illustrates that they are not evenly dispersed throughout the Arctic. Even within the local regions the Eskimo are a migratory people, moving from one seasonal camp to another. Their hunting and trapping activities, which are correlated with the movements of the local wild life, make it very difficult to bring education and medical attention to them.

It is difficult to state exactly how much the Canadian Eskimo population is changing, since available vital statistics are admittedly incomplete. These statistics are submitted annually by the Royal Canadian Mounted Police detach-

(1) 1939, S.C.R., 104

ments at various Arctic posts, and were especially scanty in the early years when the Eskimo had less contact with government representatives. Certain trends and percentages, however, give an indication of the status of the population, and more accurate figures are becoming available through registration for family allowances payments.

Along the coasts of the western Arctic evidence indicates that the Eskimo population has declined within the past forty years. In the interior Barren Grounds there now appears to be fewer people since the time of Rasmussen's Fifth Thule expedition (1922-24). Whether this has been an actual decline, or simply a shift to the coasts to be nearer the trading posts, is difficult to determine from our present knowledge. On Baffin Island the present population seems to have been able to maintain themselves adequately. Over the whole Arctic area there has been an increase on paper since the 1931 census, which listed the Eskimo population as 5,979, but at that time it was realized that the figure was incomplete and in many cases was only an estimate.

Vital Statistics Information

Although the present available statistics can only indicate the present and recent-past status of the Eskimo population, it would seem that the present-day natives, armed with more efficient weapons and importing outside food, should be able to maintain themselves against the natural rigours of a poorly productive country. Total births and deaths for the period 1927-1943, would indicate that the Eskimo population is slowly increasing at the rate of 1 per cent annually.

Birth rates are fairly high among the Eskimo. During the period 1936-40 the average annual birth rate was 35 per 1,000. This compares favourably with the lower rates of 20 births per 1,000 for all of Canada during the same period. Of the recorded births during the period 1927-43 it was found that 54 per cent of the births were males with male deaths being slightly predominant in each of the areas from which statistics were sent.

The records show that infants' deaths (under one year) constitute 21 per cent of the total deaths during the period 1927-43. The infant mortality problem, however, becomes more serious in comparison with the rest of Canada when one discovers that Eskimo infant deaths were 17 per cent of the total births during the period 1927-43. There figures indicate that for every 100 Eskimo births an average of 17 die before they are one year old.

Death rates are high in the eastern Arctic. In the five years, 1936-40, when Eskimo statistics were most reliable, the death rate was 23 per 1,000. (The average for Canada was 10 per thousand.)

The reports on causes of Eskimo deaths show that 46 per cent of a total of 1,424 deaths are listed as unknown. A growing medical problem is illustrated in the fact that the leading known cause of death is found in the 10·5 per cent who have died of tuberculosis. The next largest group, and typical of the dangerous life which the Eskimo leads in his quest for food, is the 9 per cent who have died due to accidents. The most serious problem facing the Eskimo population, however, is the sudden appearance of epidemics which wipe out numbers of their population in local areas. Between 1941-44 several epidemics have been chiefly instrumental in causing 304 deaths in the eastern Arctic. The births during that time amounted to 268 leaving a net-reduction of 36 Eskimos in the population.

In order to maintain accurate vital statistics for the population of the Northwest Territories including the Eskimo, the Northwest Territories administration has established a Vital Statistics Registration Division. This operates through district registrars and sub-registrars located at various points in the Northwest Territories. All vital statistics pertaining to marriages, births and deaths in the area of the Northwest Territories are recorded at Ottawa under

the necessary headings of location, racial origin, etc., in order to facilitate reference as required. Due to the fact that the Eskimo do not have surnames, coupled with the difficulty of spelling and pronunciation, a system of identification numbers has been installed to make possible the accurate individual identification of each native.

Eskimo Economy

The domestic relations of the Eskimo are usually happy. They are fond of children but large families are not common. If they have no children of their own they will often adopt those of others, caring for them as if they were their own. They also accept without visible or audible protest the responsibility of looking after their aged or otherwise dependent relatives. A refusal to continue to furnish food to those in want, even though the needy ones show little tendency to go out and hunt for themselves, is likely to be frowned upon by the rest of the band.

The Eskimo obtains the greater part of his food supply from land and sea mammals, fish, and birds. For purchasing power he depends almost entirely on the white fox trade, although the comparatively small number of Eskimo who live near the mouth of the Mackenzie river also trap muskrat and other furs. Trading posts are scattered at widely separated points throughout Eskimo-inhabited territory and at these points the native trades his furs for rifles, ammunition, traps, boats, tobacco, and other products of civilization upon which he has learned to depend. He also purchases a certain amount of white men's food and clothing to supplement his local supply.

The white fox population is subject to cyclical fluctuations which extend over approximately a four-year period. During the years of fox scarcity, when the natives have little purchasing power, the traders are required by the administration to furnish the able-bodied hunters and their families with "grubstakes" to carry them over into the period when foxes are plentiful.

Widows and infirm natives and their dependent children are supplied with government relief by means of credits with the traders, in any cases where their able-bodied relatives are unable to provide for them. The following amounts were paid out by the Northwest Territories administration for the relief of Eskimos during the fiscal years 1944-45 and 1945-46:—

Destitute Relief Paid to Eskimo

Region	*1944-45*	*1945-46*
Northwest Territories	$3,402.62	$3,923.55
Northern Quebec	5,320.34	6,795.19
	$8,722.96	$10,718.74

Medical Care Supplied by the Northwest Territories Administration to the Eskimo, up to March 31, 1946

General Policy

From 1928 to 1946, when the medical care and hospitalization of Eskimo was taken over by the Department of National Health and Welfare, the Northwest Territories administration extended medical service for the Eskimo to the maximum extent possible within the limits of the funds made available. Church-owned and operated hospitals were established at strategic points where native and indigent patients were admitted and paid for on a per diem basis by the administration. Industrial homes were operated by the missions in connection with some of the hospitals to take care of convalescent or infirm patients, also

on a per diem basis. In some cases, as will be noted later, the administration had to guarantee a minimum income for such combined hospital and industrial homes. Further assistance was provided by the administration paying the cost of a doctor and one or two nurses at these hospitals.

Medical kits and drugs were provided by the administration at most Arctic posts where there are no hospitals. These were unusually left in charge of the white trader who administered aid to the natives on the radio advice furnished by the hospital doctors on the basis of symptoms radioed by the trader. This service is very highly regarded by white residents and natives alike.

The eastern Arctic patrol carries one or more doctors each summer who examine and treat patients at all ports of call. Experience has shown that the services of a surgeon are most essential on this patrol as many operative cases are encountered. The patrol ship, the R.M.C. *Nascopie*, is fitted with a dispensary and well supplied with drugs at the beginning of each trip. Minor surgical cases not requiring post-operative care can be dealt with at the ports of call. Serious cases must, of course, be taken to the nearest hospital. Owing to the fact that large numbers of natives congregate at the posts at ship time, the patrol doctor is able to see many patients who at other seasons are inaccessible.

In 1945, the administration arranged with the Canadian National Institute for the Blind to send a group to make a survey of eye conditions amongst the Eskimo on the northern half of the patrol out of Churchill. This group did much to improve the vision of many natives and their reports show the need for a continuation and extension of this service. The costs were borne by the administration.

There is an interesting schedule to the Eastern Arctic Patrol about that particular feature.

The Hudson's Bay Company have supplied a dentist on the patrol each year since 1939 who also renders dental service to the natives. In 1945, the patrol dentist treated 91 native patients for which he was reimbursed by the administration at standard rates for the services rendered.

The Eastern Arctic Patrol carries a supply of reindeer hides which are used to relieve distress in areas where native hunters are unable to obtain hides for clothing and bedding.

During the war years the doctors and hospitals at the United States army air bases at Southampton Island, Frobisher Bay, and Fort Chimo, rendered valuable service to the natives in those regions.

In analysing the medical service requirements for the Eskimo inhabiting the eastern and western Arctic, due consideration must be given to the nomadic characteristics of these natives, the extensive area over which they are domiciled, the small population in the settlements and the difficulties and high cost of communication and transportation. When these various factors are taken into consideration it becomes obvious that the providing of a medical service adequate to meet all requirements in the Northwest Territories must necessarily involve considerable expenditure and that the resulting per capita cost will be greatly in excess of the per capita cost in any urban centre where the larger population reduces the overhead and the transportation to or from the hospitals is relatively low.

Medical officers

For many years the Department of Pensions and National Health advised the Northwest Territories administration in medical matters, served as consultant to the doctors employed in the territories and answered pleas for medical advice which came in over the wireless. On the death of Dr. Ross Millar, this responsibility was accepted by Dr. P. E. Moore and Dr. W. L. Falconer of the Indian Affairs branch. Through the use of short wave private commercial radio stations at trading centres not served by the government radio system,

residents, including Eskimo, were able to obtain medical service in emergencies from the medical officer in the district or from Ottawa. Through the facilities made available by air transportation, the medical officers made long trips to give attention to patients. This type of service and the bringing out of patients from remote territory by plane is quite expensive and consultation between local white people is advisable before undertaking such flights.

Since the early days of the Eastern Arctic Patrol in 1922, some outstanding names appear amongst the list of medical men who served as medical officers on the Eastern Arctic Patrol or at the two hospitals in the eastern Arctic. In 1927, Sir Frederick Banting accompanied the patrol and carried on certain studies. In 1927, Dr. Peter Heinbecker carried on research work with the Putnam Baffin Island expedition and later on, in 1930-31, he served as medical officer on the patrol. He published several papers on metabolism of the Eskimo and his susceptibility to disease. In 1926-27, a medical survey was made of southern Baffin Island by Dr. L. D. Livingstone travelling by dog sled and boat. This survey led to the establishment of the hospital at Pangnirtung.

Schedule "B", shows details of employment of medical Officers in Eskimo territory of the Eastern and western Arctic.*

Owing to the difficulty of obtaining qualified medical officers during the war years arrangements were made with the Department of National Defence (Army) to second medical officers to the Northwest Territories administration, the services of five medical officers were secured under this arrangement for which the Northwest Territories administration reimbursed the Department of National Defence on the basis of major's pay and allowances.

(After recess).

The CHAIRMAN: Gentlemen, before proceeding with the witness I think we should welcome the members of the Indian bands† who are visitors with us today, and I wish to tell them that they are welcome here at any time. We, of course, will hear their presentation at a little later date.

Now, in order that we may get to our business, there are a few things we must consider with respect to this brief and the record which is being made of the brief and the presentation by the witness.

Schedule A of the presentation is a map and cannot unfortunately at present be reproduced in our records. Mr. Gibson suggests that the department might be able to prepare a different map for the purposes of the record—a map which would be of one colour and which might be inserted in our record. Is it agreeable to the members of the committee to permit Mr. Gibson to have that map made and later inserted in the record?

Agreed unanimously.

Schedule B is a list of the doctors employed in the Northwest Territories administration who have served or are serving in the eastern and western Arctics. That schedule has already been printed and appears at pages 94 and 95 of the minutes of this committee.

Schedule D can be incorporated readily in our records as well as schedule E. Is it your pleasure that they shall be recorded in the record?

Agreed unanimously. Printed as appendices H and I.

Schedule F is a brochure from the Department of Mines and Resources in connection with the Northwest Territories (administration, resources, development). This is a brochure of the Lands, Parks and Forests Branch of the Department of Mines and Resources. If you so desire it can be incorporated in the record of this meeting. Is it your pleasure to do so?

Agreed unanimously. Printed as Appendix J.

*Already printed, Minutes of Evidence, pages 94-95.
†For list, see to-day's Minutes of Proceedings.

Schedule G is also a brochure from the Department of Mines and Resources entitled "The Yukon Territory, administration, resources, development", and it is also put out by the Lands, Parks and Forests Branch of the same department. Is it your pleasure to have that brochure incorporated in the minutes?

Agreed unanimously. Printed as Appendix K.

Schedule H is this large map which I regret to say cannot be incorporated into the record due to the fact that it is a large map in different colours. Have you any suggestion to make in regard to this map, Mr. Gibson?

The WITNESS: We can supply copies if you wish to have them.

The CHAIRMAN: The copies would not be sufficient for the purposes of the record. These minutes go out all over Canada. I think there are 1,200 printed.

The WITNESS: My suggestion is that the map could be had on application to the department.

Mr. MACNICOL: These particular minutes about Eskimos would only go to the Eskimos, would they not? There is no necessity for them to go to the Indians.

The CHAIRMAN: Are the Eskimos not considered to be Indians for certain purposes?

Mr. MACNICOL: No. They are very hostile to one another.

The CHAIRMAN: I mean under the Indian Act.

The WITNESS: You could just put a note that the maps can be had on application to the Department of Mines and Resources.

The CHAIRMAN: Mr. Gibson has just pointed out to me that in the territory under discussion there are a large number of Indians as well as Eskimos.

Mr. MACNICOL: I have no objection. I did not see the Indians at Aklavik; there are lots of Eskimos.

The CHAIRMAN: If it is your pleasure we will place a note under schedule H to the effect that persons desiring a copy of the map referred to may obtain same by communicating with Mr. R. A. Gibson, Deputy Commissioner of the Northwest Territories at Ottawa, Ontario.

Hon. Mr. STIRLING: Is it considered that a photographed map would be too minute to be of any use?

The CHAIRMAN: A photographic map condensed to the size for insertion in our record would be most inadequate. The map has been distributed among the members of this committee, and anyone else desiring this map may obtain it by referring to the department.

Now, these are all the schedules in the presentation. If it is your pleasure we will proceed with Mr. Gibson.

Mr. FARQUHAR: Is it necessary to have this brief read; we have it before us?

The CHAIRMAN: The purpose of reading it is to get it on the record and to permit members to ask questions about it, because after today there will be no opportunity of asking questions of the assistant to Mr. Gibson who is now awaiting passage on the *Nascopie*.

Mr. FARQUHAR: I am afraid our time will be taken up with the reading and we shall not have time to ask any questions.

Mr. CASTLEDEN: We could take a section at a time and then ask questions.

The CHAIRMAN: How can we have it on the record in that way?

Mr. CASTLEDEN: We can move that it be placed on the record.

The CHAIRMAN: But how can you ask questions on a brief that you haven't had presented to you?

Mr. HARKNESS: The greater part of it has already been read and I suggest that we continue with the reading.

(Discussion followed off the record.)

On resuming:

The CHAIRMAN: Will you proceed, Mr. Gibson?

The WITNESS: Yes.

Hospitalization

Twelve hospitals including one nursing home or sick bay, were operated in the Northwest Territories, of which ten were in the Mackenzie District and two in the eastern Arctic. Nine of these institutions were maintained by the missions of the Church of England and the Roman Catholic Church, one by the Indian Affairs Branch of the Department of Mines and Resources and two by private enterprise. (The hospital operated by the Indian Affairs Branch was destroyed by fire in February, 1946.)

Normally only four of these hospitals handle Eskimo patients. Occasionally Eskimo patients are admitted to the other hospitals but this is usually in connection with a journey to or from outside.

Hospitals Handling Eskimo Patients

Place	Denom.	No. of beds	Equipment: Electric light	Equipment: X-ray	Equipment: Iron lung	Equipment: Dental equipment
Aklavik	R.C.	25	yes	yes	yes	no
Aklavik	C. of E.	46	yes	yes	yes	yes
Chesterfield	R.C.	30	yes	yes	yes	yes
Pangnirtung	C. of E.	18	yes	yes	yes	no

The financial arrangement pertaining to these hospitals was as follows:—

Patients were paid for by the Northwest Territories Administration at a rate of $2.50 per day per Eskimo. The rate at industrial homes is $200 per annum per person.

The hospitals established at Chesterfield and Pangnirtung also function as industrial homes. A yearly revenue of $7,500 and the free transportation of 50 tons of freight was guaranteed the Chesterfield Hospital, this sum covering both the hospital and the Industrial Home. Pangnirtung Hospital and Industrial Home was guaranteed a yearly revenue of $5,100 and free transportation of 50 tons of freight annually. The cost of transporting 50 tons of coal or other freight from Montreal to Chesterfield at $65 per ton is $3,250, and from Montreal to Pangnirtung at $75 per ton is $3,750. The two Aklavik hospitals operate on a straight $2.50 per diem per patient basis without any guaranteed revenue.

Northwest Territories Administration

During the past fiscal year drugs and medical supplies were provided by the Northwest Territories Administration to doctors, hospitals, dispensaries and traders normally caring for Eskimo, the total value of these drugs and medical supplies amounting to $7,203.37.

As these medical services also cared for destitute whites and those of mixed blood some of these drugs and medical supplies were utilized on their behalf. The system followed in the Northwest Territories in the past did not differentiate between the racial origin of destitute patients so, therefore, it is impossible to allocate accurately the proportion of drugs and medical supplies issued for the use of Eskimo as against the destitute whites and those of mixed blood.

Cost of Medical Care supplied by the Northwest Territories Administration to the Eskimo

As previously pointed out there is considerable difficulty involved in segregating the actual and accurate cost of medical services supplied only to the Eskimo due to the fact that destitute whites and those of mixed blood are treated in the same hospital without a cost breakdown by racial origin.

In the hospitals located at Pangnirtung and Chesterfield in the eastern Arctic these costs as shown apply almost exclusively to the medical care of Eskimo, while at the two hospitals at Aklavik, in addition to Eskimo patients, the costs cover the medical care of some destitute whites and people of mixed blood.

Conclusion

The estimated cost of medical services and hospitalization as budgeted for by the Bureau of Northwest Territories and Yukon Affairs for the fiscal year 1945-46 amounted to approximately $100,000.00.

About half this amount was expended on the medical care and hospitalization for the Eskimo, the balance being chargeable to other responsibilities for which the Northwest Territories Council is charged under the Northwest Territories Act. These responsibilities include the medical care and hospitalization of indigent whites and those of mixed blood, the functions which the doctors perform in their capacities of medical officers of health, the administration of venereal disease ordinance, and the care of broken down and insane residents of the Northwest Territories.

Northwest Game Regulations As They Affect The Native Population

The fur trade was extended from Eastern Canada into what is now the Northwest Territories about 1763, and gradually trading posts were established in the Mackenzie Basin and elsewhere. The trade in white fox furs, the principal species taken by the Eskimo, was instituted, and in the western Arctic about the beginning of the present century, and in the eastern Arctic about 1909.

Hunting, trapping, and the fur trade in the Northwest Territories are controlled by statute. The game regulations, enacted under the Northwest Game Act, have been drawn up with two principal factors in view.

(*a*) the welfare of the native population, and

(*b*) the economical harvesting of the annual fur crop.

Under the regulations, native and half-breeds living the life of natives, are permitted to hunt and trap without a licence. As the regulations apply to others, the issue of regular hunting and trapping licences is confined to British subjects who held licences on May 3, 1938, and to the children of residents of four years' standing, provided they continue to reside in the Territories. Newcomers to the Territories are not permitted to trap, and hunting is limited to the shooting of game birds in season.

Fur-trading is regulated by licence. Traders must establish permanent posts so that the natives may depend on established business relations in the disposal of fur. Natives are privileged under the regulations to trade in fur without obtaining trading licences, subject only to the limitation which restricts the establishment of trading posts to such locations as are deemed necessary in the interests of the natives themselves.

Measures designed to ensure economical harvesting of the fur crop have been instituted as follows:—

(*a*) The declaration of open and close seasons for the trapping of fur-bearing animals. Close seasons are set forth in the attached copy of the regulations respecting game in the Northwest Territories. (Schedule "C" attached) (*)

(*b*) The fixing of maximum bag limits for certain fur-bearers trapped. (Bag limits are set forth in the Regulations.)

(*c*) The establishment of native game preserves in which trapping is confined to natives and half-breeds living the life of natives. The area of such preserves now exceeds 900,000 square miles out of the total area of the Territories, which is 1,309,682 square miles.

(*d*) The establishment of game sanctuaries in which species such as musk-ox and caribou are rigidly protected.

(*e*) The establishment of Wood Buffalo Park, which was created mainly to protect the remaining herd in Canada of "Wood" bison or buffalo (bison athabascae). In the area, Indians, half-breeds, and whites who trapped in the region before the park was established, are allowed to continue that occupation.

As a further measure to protect game and improve the economy of the native population, the Northwest Territories Administration in 1946 established a forest and game protection service in Mackenzie district, with headquarters at Fort Smith, N.W.T. This organization is under the direction of a local superintendent, assisted by a warden service whose members have been assigned definite areas to patrol and investigate forest and wild life conditions. Protection of the forests, which provide cover for many valuable species of game and fur-bearing animals, is a vital factor in the fur trade and the welfare of the population.

The story of Canada's Reindeer Herd appears on pages 22-23 of Schedule "F".

STATEMENT OF FUR CATCH IN ESKIMO TERRITORY

(Year ended June 30, 1944)

Species	No. Pelts taken	Value	Amount Fur Export Tax Paid	Rate per Pelt
White Fox	28,310	$912,998	$29,725.50	($1.05)
Blue Fox (phase of white)	240	8,400	180.00	(.75)
Polar (white) Bear	84	2,100	84.00	(1.00)
	28,634	$923,498	$29,989.50	

No. of trading posts in Eskimo Territory	58
Total amount of trading licence fees paid	$ 710.00
Total amount of general merchant licence fees paid (under Business, Callings, etc. Ordinance)	$1,355.00

Payment of Family Allowances to Eskimos

In providing for a method of paying family allowances to the Eskimos resident in the Northwest Territories and northern Quebec, is was necessary to design a procedure which would not conflict with the established policy of the department of consistently striving to improve the welfare of the native population.

The geographical, sociological, and economic conditions prevailing in the far north prohibited the issue of this allowance in the form of cash or cheques and necessitated a method by which these payments would be distributed in the form of useful articles and supplies at such times and in such quantities as would prove of most benefit to the natives concerned. The arrangement

(*) Not printed, but available on request to Department of Mines and Resources, Ottawa.

would have to provide articles and supplies of equivalent value which would be issued in lieu of cash and only to include articles which would definitely raise the standard of living of the children. Also, the time and quantity of such issues to be regulated in such a manner as to conform with the policy of the Northwest Territories Administration in educating and assisting the natives to be self-supporting. As positive identification was essential to the maintenance of efficiency and accuracy, the system had to be closely integrated with the recording and referencing of vital statistics.

Such a system required a well organized, impartial, and competent field organization to supervise and control the issues of the supplies which constituted the form of the payments.

The Royal Canadian Mounted Police personnel stationed in the Northwest Territories had in the past performed the duties of registrars of vital statistics in a very satisfactory manner. In order to provide the most economical and efficient administration, the duties of these officers were expanded to include the control and supervision of supplies in payment of family allowances. To ensure that the entire Eskimo inhabited area included in the Northwest Territories and northern Quebec was adequately serviced, arrangements were made for the appointment of sufficient sub-registrars to carry out the necessary duties, these sub-registrars to operate under the direction of the R.C.M.P. Registrars.

An authorized list of suitable articles and supplies which could be issued in lieu of cash payments was prepared, (see Schedule "D")* and administrative and financial control was obtained through the medium of a serially-numbered form which served the dual purpose of an issue and receipt voucher. The use of this form automatically segregated all expenditures pertaining to family allowances and provided the necessary number of copies to complete the financial transaction and permit of permanent supporting records for reference purposes.

A system of control ledger accounts was established at the headquarters of the Bureau of Northwest Territories and Yukon Affairs through which all payments are credited to the appropriate families and these credit balances become the controlling amounts to govern the field issues of the payments. When the issue vouchers bearing acknowledgment of receipt by the native, and certification of the field registrar, are received at the bureau they are checked both as to the accuracy of the amounts involved and the nature of the articles supplied. If found correct the control accounts are adjusted, the vouchers certified for payment, and passed to the treasury office where a cheque is forwarded to the trader who supplied the goods.

STATEMENT OF FAMILY ALLOWANCES PAID TO ESKIMOS IN THE NORTHWEST TERRITORIES AND NORTHERN QUEBEC AS AT MAY 31, 1946

No. of children registered	1,128
No. of families registered	497
Families in receipt of payment at May 31, 1946	399
Family registrations in process of completion at Dept. of National Health and Welfare	98
Amount paid by Dept. of National Health and Welfare to the N.W.T. Administration to May 31, 1946	$56,888.00

EDUCATION

The education of native Eskimo children in Mackenzie District of the Northwest Territories is carried on at day and residental schools operated by church missions at Aklavik with financial assistance from the Northwest Territories Administration. In the eastern Arctic, Eskimo children are given some education at mission day schools. Because of their migratory habits, induced by

* Printed herewith as Appendix H.

the necessity of following the wild life on which they depend for food, the Eskimo seldom remain long at the settlements where the mission schools are located. Consequently, the periods available for teaching Eskimo children are comparatively short unless they attend residential schools.

The Eskimo of the eastern Arctic have mastered a system of syllabic writing (geometric characters similar to a type of shorthand) which most of them can now read and write proficiently. Arrangements are now under way for the printing of an Eskimo grammar, including syllabics, which should not only prove useful in helping to educate the Eskimo, but should also be very valuable to whites wishing to learn the Eskimo language.

The Northwest Territories Administration has recently been able to arrange for the appointment of a school inspector, whose duties will include the organization of teaching native children. It is expected that in addition to the usual basic subjects, courses in useful trades and handicrafts will be taught.

Economic Outlook

Parts of the Canadian Arctic are known to be mineralized, and if further exploration should result in the location of mineral deposits of economic importance, the mining industry of the Territories might be extended. Such a development would have an important effect on the native economy by providing additional opportunities for employment to Eskimo, who are known to have considerable mechanical ability.

Eastern Arctic Patrol

A feature of Eskimo administration is the Eastern Arctic Patrol which in recent years has been carried out by using the Hudson's Bay Company supply ship R.M.S. *Nascopie*. The activities of the patrol are described in schedule "E"* attached hereto. In this connection it might be noted that there is now under consideration a proposal to construct a government vessel to service government outposts north of Hudson Strait.

General Information

For those who are interested in conditions in the Northwest Territories and in Yukon Territory, copies of two widely-distributed publications are attached:

"The Northwest Territories—Administration, Resources, Development" (Appendix J)

"The Yukon Territory—Administration, Resources, Developments" (Appendix K).

In these booklets we have tried to answer questions generally asked. There have been a great many inquiries about these regions because of the interest created by joint defence projects and the discovery of minerals. A new edition of each booklet is in the course of preparation. These will be printed with illustrations.

The Chairman: Now, gentlemen, we have about fifteen minutes left in which to interrogate the witness, and I think we should do it in an orderly way. And now, if you will go back to the first of the presentation, I think what we should do—I will leave this to your consideration, but do it quickly—any questions on page 1, first. I will ask you to ask your questions as quickly as possible.

By Hon. Mr. Stirling:

Q. On page 1, I would like to ask what happens to the discs which are issued?—A. You mean those little round discs?

* Printed herewith as Appendix I.

Q. Yes, does it stay with them?—A. Oh yes, they are highly prized. Each one considers that his identification and he keeps it tied around his neck with a thong.

The CHAIRMAN: There is just one matter which has been pointed out to me, that we should proceed with the Eastern Arctic Patrol. Mr. Gibson will be here at any time so that if you will confine your questioning to the Eastern Arctic Patrol; Mr. Wright is here, he leaves on the *Nascopie,* and the *Nascopie* waits for no man. So if you will confine your questions to that page of the brief, Mr. Gibson will be prepared to come back at any time for further examination.

By Mr. Bryce:

Q. Are the residential schools carried on there in the same way as the Indian residential schools; do the children get only half time?—A. In Aklavik it is full time. That is where the residential school is. It is carried on full time and they teach a certain amount of reading, writing and basic subjects. The brighter ones are selected for more education. The natives will not bring their children to the schools unless they are able to take them out during certain seasons of the year to carry on hunting activities, so that they can be kept in touch with the type of life they have to live. The natives simply take their children out and take them away. I may say that the missionaries are very practical in their outlook. They take out young people, when the berries are ripe, and pick berries and show the pupils how to put them down in the proper way. They give the boys an opportunity to attend the round-ups of reindeer, in the hope that some of the boys will take to reindeer herding and make themselves self-supporting the whole year round. The reindeer are down at Kittigazuit, as you know. I am speaking of the two schools at Aklavik.

By Mr. Castleden:

Q. How many schools do they have there for the natives?—A. There are only the two schools, one a Roman Catholic school and the other an Anglican. Any other teaching is imparted by the missionaries. In the eastern Arctic emphasis is placed on the extension of the Slavic, so that they can write to one another.

Mr. MACNICOL: They are doing a very good job at Aklavik. The students sing in the choir. I was very pleased at what wes being done there with reference to the Eskimo.

By Mr. Castleden:

Q. How long is the hunting season when they are taken away?—A. It is largely a matter of convenience to the individual Eskimo, and how far away he is from the school. The Eskimo is inclined to leave his child at the school if the child is getting along well, especially if the Eskimo receive a letter from the child or a picture of him indicating that the child is getting along well. The parents tend to leave their children at the school rather than take them any great distance. It is hard to fix a rule, because the circumstances of each family differ.

By Mr. Bryce:

Q. How do you treat the clever pupils that you pick out?—A. That is something where the church interests itself in the individual and gives him special training. Unfortunately, you cannot handle the educational problem without having someone who specializes in education. We do not claim that the system of education among the natives, that is, in the Eskimo territory, is satisfactory. We had an investigation made by an outstanding authority who happens to be here in the room to-day, Dr. Andrew Moore. Dr. Moore made a report showing what our system of education lacked. His first recommendation was that we

engage a competent school inspector to study the situation and follow on right through. That we have done. It has taken us a long while to get a man because it takes quite a while to secure an appointment these days; but we have a man now, a school teacher from Rockcliffe who is well and favourably known. Unless the school board at Rockcliffe raises his salary in order to hold him there, we will secure his services.

The CHAIRMAN: The time is getting on. I do not want to cut off any discussion or interrogation of this witness, but I would ask for your co-operation in confining your questions to the Eastern Arctic Patrol. Any questions which you wish to direct to Mr. Wright should now be asked of him because, after six o'clock, he will not be here, and we may not be able to get any answers to such interrogations. So, please co-operate by asking questions with respect to the Eastern Arctic Patrol and not general questions. Mr. Gibson will be here at any time.

Hon. Mr. STIRLING: Schedule "E" is the Eastern Arctic Patrol. (See Appendix I.)

Mr. HARKNESS: I have one question to ask Mr. Wright. Have you got sufficient space on that vessel to look after your needs? In other words, are you so limited as to space that you cannot do nearly as much as you might do otherwise?

Mr. WRIGHT: No. The difficulty is not so much lack of space as lack of time at the ports of call. The itinerary of the *Nascopie* is very full because she has to reach Fort Ross by the last week in September before it is frozen in. Therefore she has to hurry a great deal. But the space provided is reasonably satisfactory.

Mr. HARKNESS: You can take up all the supplies you require?

Mr. WRIGHT: Up to the present, yes.

Mr. MACNICOL: You do not call at Ungava?

Mr. WRIGHT: Not any more.

Mr. LICKERS: Are the Indians notified in advance when the *Nascopie* will arrive?

Mr. WRIGHT: The *Nascopie* has been going up there for a great many years and arrival does not vary very much each year. In recent years we have been taking up special medical services and the Hudson Bay Post managers, the R.C.M.P., the missionaries, and so forth, have been exorted to advise any ailing people to be at the Post to receive those special services.

Mr. GIBSON: Is the new ship going to be adequate, according to the plans you have seen?

Mr. WRIGHT: I have a little statement about the new ship, if you would like me to read it.

The CHAIRMAN: I think it would be well to have that statement.

Mr. WRIGHT: The statement reads as follows:—

EASTERN ARCTIC PATROL VESSEL

Since 1933 the annual Eastern Arctic Patrol has been carried by the R.M.S. *Nascopie* which is owned and operated by the Hudson Bay Company. This vessel was built in 1912 especially for the Arctic trade and is heavily reinforced for work in ice. She is now thirty-four years old and is becoming very expensive to operate. In the autumn of 1947 she will be due for examination by a survey board of the underwriters and it seems unlikely that this board will permit her continued use without extensive repairs which would not prove economical in such an old ship. Plans must, therefore, be made to replace the *Nascopie* after 1947 as a means of servicing eastern Arctic ports.

The following departments are interested in the Eastern Arctic Patrol or in the transportation of government passengers and freight to the eastern Arctic:—

Mines and Resources; National Health and Welfare; Transport; Post Office; Justice (R.C.M.P.); External Affairs; National Defence (Army); National Defence (Naval Services); National Defence (Air).

A survey was made of the estimated future requirements in Arctic transportation of these departments and was considered by an interdepartmental committee. This committee was of the opinion that the government should build a vessel for its own use and be independent of any commercial carrier. On a decision of the committee the details of the survey of government transportation requirements were turned over to the Deputy Minister of Transport with the request that he proceed as rapidly as possible with estimates for a new vessel of suitable design and prepare a formal submission to government covering the construction of a vessel to be available for the 1948 season.

Mr. BRYCE: How many doctors go up there with you?

Mr. WRIGHT: Last year we had two on the first half of the patrol, and a surgeon and research facilities on the second half. This year, of course, the arrangements are under the Department of National Health and Welfare, as regards medical needs. Along with the representatives of the Department of National Health and Welfare, there will go the medical officer of the patrol.

Mr. BRYCE: Is there much medical equipment on board?

Mr. WRIGHT: The *Nascopie* was fitted with a dispensary a few years ago. There were numerous operations performed on board last year, and there is always a fairly good supply of surgical and medical equipment and supplies.

Mr. MACNICOL: Does the ship call at Pond Inlet?

Mr. WRIGHT: Yes.

Mr. MACNICOL: Have you been there yourself?

Mr. WRIGHT: Yes.

Mr. MACNICOL: Is there much coal of very good quality there?

Mr. WRIGHT: Yes; I brought back a sample of it last year. It very much resembles charcoal and it has to be briquetted because it crumbles and breaks down otherwise.

Hon. Mr. STIRLING: Are operations carried on at each stopping place?

Mr. WRIGHT: Any operations which do not require post-operative care may be handled at the port of call; otherwise the patient has to be taken to hospital or a return call arranged. That has not happened very often. We usually make just one call at each place.

Hon. Mr. STIRLING: At each stopping place the officials concerned have to endeavour to plan their work so that it will fall within so many hours?

Mr. WRIGHT: It requires a great deal of co-ordination; that is one of the headaches of the officer in charge, to see that everybody gets the best use of the time available at each port.

Mr. CASTLEDEN: Are they satisfied that they have sufficient time to perform the necessary work?

Mr. WRIGHT: There were no serious complaints last year. I think all the organizations accomplished what they wished to do.

Mr. MACNICOL: Is there any connection between the Eskimo in our islands and the Eskimo on Greenland?

Mr. WRIGHT: There is no communication now. At one time they used to come over and hunt, but that does not occur any more.

Mr. MACNICOL: Are they the same kind of Eskimo? Are they blood brothers?

Mr. WRIGHT: There is a great similarity in the language. Rasmussen travelled in 1932 from Greenland across to Siberia and he was able to converse with all the Eskimos he met. But there is quite a variation in dialect.

Mr. MACNICOL: Is there any current in the strait between Ellesmere and Greenland?

Mr. WRIGHT: Oh yes. The strait is full of ice most of the year. It is only occasionally that anybody can get up there. Peary got up there once. The strait is usually jammed full of ice throughout the summer and in the winter it is frozen, of course. In the summer it is full of moving ice.

Mr. GIBSON (*Comox-Alberni*): Mr. Gibson made reference to the recommendations which were made by Dr. Moore. Could they be put in as an appendix?

The CHAIRMAN: Yes, we will get to them later.

Mr. CASTLEDEN: Has any attempt been made to substitute oil for coal, for heating purposes up there?

Mr. WRIGHT: Oil has been used to some extent in the eastern Arctic. It is used very largely by the Americans in the various air bases up there. We use it to some extent for our medical officer at Chesterfield; but coal is used to the greatest extent.

Mr. CASTLEDEN: Would you say that coal is more efficient?

Mr. WRIGHT: I think coal is used, probably, because their heating plants are designed for coal.

The CHAIRMAN: Is there any oil obtained in that area?

Mr. WRIGHT: Not in the eastern Arctic, no. There is supposed to be oil at Melville Island.

Mr. MACNICOL: When we have Mr. Gibson again, we will have a chat about oil.

Hon. Mr. STIRLING: I see no reference to the taking of seal. Are not seals taken in the eastern Arctic?

Mr. WRIGHT: The Eskimo lives on them, but they are not taken commercially.

Hon. Mr. STIRLING: Why is that?

Mr. WRIGHT: In the first place we need all the seals to enable the natives to live; and in the second place, the type of seal which is most common there is the ranger seal which, unless it be very small, is not useful for fur.

Hon. Mr. STIRLING: It makes poor fur.

Mr. WRIGHT: Yes, it is quite distinct from the Greenland seal which is taken off the coast of Newfoundland by a sealer. That is the hart seal, a different variety; a larger seal.

The CHAIRMAN: Are there any further questions before we call it six o'clock?

Mr. MACNICOL: The time is all too short. I am sure that later on Mr. Gibson would be able to give us further information.

The CHAIRMAN: On behalf of the committee, I would like to express to Mr. Wright our appreciation for his attendance before us and for his especially interesting account of the eastern Arctic. We certainly want to extend to him our best wishes for a very happy and successful trip on the *Nascopie*.

Applause!

The CHAIRMAN: I shall, therefore, refer to the committee on agenda and procedure the question of further interrogation of Mr. Gibson, if that is your pleasure. We will now call it six o'clock.

The committee adjourned at 6.00 o'clock p.m. to meet again on Monday, June 24th, at 11.00 a.m.

SCHEDULES

FILED WITH SPECIAL JOINT COMMITTEE ON THE INDIAN ACT

By Mr. R. A. Gibson, Deputy Commissioner for Northwest Territories.

Schedule A—Map showing Eskimo and Indian Population in the Northwest Territories and Arctic Quebec*

Schedule B—List of doctors who have served Eastern Arctic†

Schedule C—Regulations concerning GAME in the Northwest Territories. Edition of January, 1946†

Schedule D—Authorized list of articles which may be issued in payment of Family Allowances—Printed as Appendix H.

Schedule E—Eastern Arctic Patrol—Printed as Appendix I.

Schedule F—The Northwest Territories, Administration, Resources, Development—Printed as Appendix J.

Schedule G—The Yukon Territory, Administration, Resources, Development—Printed as Appendix K.

Schedule H—Map showing area of Northwest Territories by Districts* (also see below)

AREA OF THE NORTHWEST TERRITORIES BY DISTRICTS

(includes land and fresh water)

	square miles	square miles
Mackenzie District (14 per cent of Canada):		527,490
Keewatin District (6 per cent of Canada):		
Mainland and miscellaneous Islands	212,046	
Southampton Island	16,114	
		228,160
Franklin District (15 per cent of Canada):		
Melville Peninsula	24,000	
Boothia Peninsula	12,800	
Baffin Island	201,600	
Victoria Island	79,269	
Ellesmere Island	75,024	
Banks Island	25,992	
Devon Island	20,484	
Melville Island	16,164	
Prince of Wales Island	14,004	
Axel Heiberg Island	13,248	
Miscellaneous Islands	71,447	
		554,032
Total Area		1,309,682

* Not printed, distributed to members of committee, available on request to Bureau of Northwest Territories and Yukon Affairs, Department of Mines and Resources, Ottawa.

† already printed, Minutes of Evidence, pages 94, 95.

APPENDIX H

BUREAU OF NORTHWEST TERRITORIES AND YUKON AFFAIRS

AUTHORIZED LIST OF ARTICLES WHICH MAY BE ISSUED IN PAYMENT OF FAMILY ALLOWANCES

Articles	Up to 5 years	6-9 years	10-12 years	13-16 years	Asst. to parents
Essential clothing or materials	Yes	Yes	Yes	Yes	Yes
Needles, thread, thimbles, scissors	No	No	No	Yes	Yes
Blankets	Yes	Yes	Yes	Yes	Yes
Deerskins and sealskins	Yes	Yes	Yes	Yes	Yes
Duck, etc., for tents	No	No	No	Yes	Yes
Mosquito netting	Yes	Yes	Yes	Yes	Yes
Cordage for fishing lines and nets	No	No	No	Yes	Yes
Fish hooks	No	No	No	Yes	Yes
Rifles and guns	No	No	Yes	Yes	Yes
Cartridges	No	No	Yes	Yes	Yes
Powder, primers, shot and wads	No	No	Yes	Yes	Yes
Axes, knives, saws, files	No	No	Yes	Yes	Yes
Essential cooking utensils	No	No	Yes	Yes	Yes
Gasoline, kerosene, sealoil for heating and cooking	No	No	No	Yes	Yes
Lumber and hardware for sleds	No	No	No	Yes	Yes
Candles and matches	No	No	No	Yes	Yes
Sea biscuit and flour	Yes	Yes	Yes	Yes	Yes
Rolled oats and oatmeal	Yes	Yes	Yes	Yes	Yes
Baking powder	Yes	Yes	Yes	Yes	Yes
Tea, coffee, cocoa	Yes	Yes	Yes	Yes	Yes
Sugar, molasses, syrup	Yes	Yes	Yes	Yes	Yes
Lard and shortening	Yes	Yes	Yes	Yes	Yes
Milk (evaporated, unsweetened or powdered)	Yes	Yes	Yes	Yes	Yes
Feeding bottles and nipples	Yes	No	No	No	No
Soap	Yes	Yes	Yes	Yes	Yes
Jam	Yes	Yes	Yes	Yes	Yes
Peanut butter	Yes	Yes	Yes	Yes	Yes
Pablum	Yes	Yes	No	No	No
Rice and beans	Yes	Yes	Yes	Yes	Yes

APPENDIX I

EASTERN ARCTIC PATROL

Purpose

The annual Eastern Arctic Patrol inaugurated in 1922 supervises the following:— (*a*) administration of Eskimo affairs; (*b*) Crown lands; (*c*) wild life and other resources; (*d*) scientific exploration and (*e*) the maintenance of sovereignty in Canada's Arctic sector.

Sovereignty

Great Britain's Arctic islands were transferred to the Dominion of Canada by an Imperial Order in Council of the 31st July, 1880. Any doubt as to the sovereignty of Canada's Arctic Archipelago was settled in 1930. The original maps, notes, diaries and other documents containing a record of scientific data covering the second Fram Expedition (1898-1902) were purchased from Captain Otto Sverdrup for $67,000, especially voted by Parliament for this purpose. Simultaneously the Prime Minister of Norway confirmed Canada's title to those islands previously known as the Sverdrup Group of which Axel Heiberg is the largest and most important. Since 1926 all expeditions scientific or otherwise, are required to secure permission from the Commissioner of the Northwest Territories as provided by the Scientists and Explorers Ordinance, before entering Canada's Arctic sector by water, land or air.

Officer in Charge

The Officer in Charge of the Eastern Arctic Patrol is J. G. Wright, B.Sc., D.L.S., an engineer with long administrative experience in the Department and a wide knowledge of Eastern Arctic problems. In his capacity as Chief of the Expedition he co-ordinates the activities of the various government agencies represented and maintains a general oversight on all phases of administrative activity in the Eastern Arctic.

Approval of Governor General in Council

The composition of the administrative and scientific personnel of the patrol, itinerary, contracts for transportation and other details of the season's work are recommended to the Minister by the Northwest Territories Council for approval by the Governor General in Council.

Administrative and Scientific Staff

The administrative division is composed of members of the Public Service of Canada. The scientific division comprises engineers, surveyors, artists and technical officers of Departments of Government with interests in northern development. These technical officers make geological, geodetic and other surveys, investigate flora and fauna, and study the health of the Eskimo population. Representatives of the National Research Council, Canadian and British universities, provincial museums, Biological Survey of the United States and similar institutions of recognized standing have been included fom time to time in the scientific division. A representative of the Canadian Press or other qualified journalist usually acts as Secretary of the expedition and writes a story of the season's work for the information of the Minister of Mines and Resources.

Since the outbreak of the recent war, the admininstrative staff has been kept to a minimum although the responsibilities have increased. Scientific investigation has been curtailed and no press representative has been appointed.

Administrative Responsibility

The scope and influence of the patrol increases proportionately to the experience of administrative officers and through scientific investigation. Postal services include the collection of dutiable matter, sale of War Savings Certificates, stamps, money orders, postal notes, etc. The length of the voyage has been extended from 7,000 miles, made with the C.G.S. "Arctic" in 1922 to over 19,000 miles, made with the R.M.S. "Nascopie" and auxiliary vessels in recent years. The patrol serves the white, Eskimo and Indian population of more than 6,000 souls scattered along 24,000 miles of coast line and within an area of more than 600,000 square miles of Arctic and sub-Arctic North America. There are no Eskimos in Canada north of Lancaster Sound—Lat. 74° N., with the exception of ten natives who assist the Royal Canadian Mounted Police at the Dundas Harbour detachment which was reopened in 1945.

Doctors, Nurses, Hospitals

In the past the medical officer has usually been a member of the Northwest Territories Administration staff, proceeding to or returning from field duty. Medical practitioners of outstanding reputation have made whole or part voyages. He examines the white and native population at every port of call and also serves as Ship's Doctor for the R.M.S. "Nascopie". Medical supplies delivered to one only distributor at each government, fur trade or missionary centre are for the native population. Registered nurses proceeding to or returning from duty in mission hospitals assist the medical officer. The Patrol delivers free of freight charges, 50 tons of fuel to St. Luke's Hospital (C. of E.) Pangnir-

tung, and Ste. Therese Hospital (R.C.), Chesterfield. By Order in Council P.C. 6495, September 12, 1945, the medical care and hospitalization of Eskimos and Indians was transferred to the Department of National Health and Welfare.

Family Allowances

By arrangement with the Department of National Health and Welfare the field administration of payments to Eskimo under the Family Allowances Act is carried on by the Bureau of Northwest Territories and Yukon Affairs. The distribution of payments is under the supervision of Registrars and sub-Registrars appointed by the Registrar General of Vital Statistics Northwest Territories. The Eastern Arctic Patrol inspects the operation of these offices, instructs new appointees in their duties, and investigates the operation of the traders who furnish goods to Eskimo on the order of the Registrars as payment in kind of the Family Allowances.

Eskimo Migrations

Native families are moved from over-hunted and unproductive areas to preserves created for them on the authority of the Northwest Game Act. Aged, blind, crippled and sickly natives are brought to hospitals and industrial homes at Pangnirtung and Chesterfield.

Royal Canadian Mounted Police

The Royal Canadian Mounted Police personnel with supplies, equipment, etc., are provided with transportation to points where detachments, post offices and other government services are maintained.

Postal Services

All mail for the Eastern Arctic is centralized in Ottawa during the season of closed navigation. The Royal Mail Ship "Nascopie" is an accounting post office and, in addition, services the following offices:—

1. Chesterfield Inlet, N.W.T.
2. Dundas Harbour, N.W.T.
3. Fort Chimo, Quebec.
4. Fort Ross, N.W.T.
5. Lake Harbour, N.W.T.
6. Pangnirtung, N.W.T.
7. Pond Inlet, N.W.T.
8. Port Harrison, Quebec.

Dundas Harbour, N.W.T.

Dundas Harbour (Lat. 74° 31′, Long 82° 25′ W.) was reopened in 1945 and is now the farthest north government station serviced and is the most northerly post office and customs port in the Empire.

Meteorological Radio and Research Stations

The Department of Transport personnel with supplies, machinery, equipment, etc., are provided with transportation from Montreal or Churchill to radio and meteorological stations owned and operated by that Department. The Department now operates an ionospheric station at River Clyde which is serviced by the Patrol.

Census (Identification Discs)

The Patrol acted for the Dominion Statistician in taking the 1941 census of the Northwest Territories and Northern Quebec. Each Eskimo was given a number and issued with an identification disc. The name in the Census Schedule constitutes the official spelling and the identification number facilitates the administration of Eskimo affairs.

Tourists

In 1935 the passenger accommodation of the *Nascopie* was enlarged to provide for the increasing number of passengers. A limited number of tourists have been carried from Montreal or Churchill but owing to war activities none have been carried since 1941.

Cost of Patrol 1922 to 1931

The Eastern Arctic Patrol was made with the C.G.S. *Arctic* in 1922 at a cost of $103,480.00. The *Arctic* was used until 1926 when the government chartered the *Boothic* from Job Seal Fisheries Limited, St. John's, Newfoundland, for sixty days at a cost of $41,000.00. The charter was renewed yearly until 1931 and the annual cost of the patrol, including the salary of an ice pilot, ranged between $55,871.00 in 1926 and $49,301.00 in 1931.

Offer of Hudson's Bay Company

In 1932 the Hudson's Bay Company offered first-class passage for the personnel of the Eastern Arctic Patrol, and to deliver supplies for medical officers, Royal Canadian Mounted Police and others in which the government is interested for $23,000.00 or approximately one-half of the cost of the patrol in 1931. The offer was accepted and the company contracted to co-operate fully in carrying out all government work in the Eastern Arctic under the supervision of the government representative on board the company's ships. In 1932 the Hudson's Bay Company supplied the S.S. *Ungava* and from 1933 to 1945, inclusive, the Royal Mail Ship *Nascopie* has been used by the patrols. From 1932 to 1940 the annual cost of the patrol never exceeded $27,000.00.

1940-41 Agreement

With the outbreak of war there arose an increase in government activity in the Eastern Arctic and a very considerable increase in government freight. The Hudson's Bay Company declined to continue the lump sum payment arrangements and offered in lieu thereof a schedule of passenger and freight rates which apply to the Company's own posts and to all others using their transportation service. These rates were analysed and found to be fair and just having regard to Arctic conditions and existing circumstances. The Northwest Territorties Council recommended the acceptance of the new arrangement and the Governor in Council approved on 6th May, 1941, P.C. 34/3191. In succeeding years the annual agreements with the Hudson's Bay Company covering transportation of the Eastern Arctic Patrol have been drawn up on this basis.

1945 Agreement

This agreement was approved by Order in Council, P.C. 2728 of 17th April, 1945, and was similar to those of preceding years.

Particulars of Patrol 1945

The R.M.S. *Nascopie* sailed from Montreal on July 7 and returned to that port on September 26. The vessel reached Churchill on August 2 where she exchanged passengers and loaded coal, freight, and supplies for the northern part of the voyage.

Two medical officers accompanied the Patrol as far as Churchill and rendered valuable service in the examination and treatment of natives as well as white residents on the first half of the voyage. This work was continued from Churchill on by a medical officer and a technician who also collected useful research material. An eye group consisting of an oculist and two assistants supplied by arrangement with the Canadian National Institute for the Blind completed the northern half of the Patrol from Churchill and did much to improve the vision of many natives as well as conducting a study on eye conditions for future guidance. The dispensary with which the *Nascopie* was fitted in 1944 was used frequently as an operating room by the various surgeons.

The *Nascopie* and auxiliary schooners and boats carried medical and other supplies for all posts in the Eastern Arctic. Royal Canadian Mounted Police detachments were reopened at Port Harrison, Quebec, and Dundas Harbour on Devon Island. Building materials were carried for a new radio sonde station at Port Harrison and for improvements at the meteoroligical station at Arctic Bay as well as improvements at several Royal Canadian Mounted Police detachments. Weather and radio facilities at Southampton Island and the ionospheric station at River Clyde, recently operated by United States interests, were taken over by the Department of Transport. These new activities added considerably to the passengers and freight carried.

Notes on Eastern Arctic Patrol

In the summer of 1945 the Eastern Arctic Patrol performed two interesting missions which were apart from the regular routine. The Royal Canadian Humane Association had awarded to Eskimo Tommy (No. 1452) of Lake Harbour, N.W.T., a bronze medal for bravery in saving the life of the Hudson Bay Company post manager's wife when the boat in which they were travelling upset in the icy waters. This was the first such award to an Eskimo. The Officer in Charge of the Patrol presented the medal to Tommy in the presence of some 200 natives, representatives of the U.S. Army, Royal Canadian Mounted Police, white residents and passengers from the R.M.S. *Nascopie*.

When the Patrol was in Lancaster Sound, opportunity was taken to hold a ceremony in commemoration of the members of the Sir John Franklin Expedition which sailed westward through the Sound in 1845 and subsequently met disaster with the loss of all its 135 members. The *Nascopie* was stopped and her flag lowered while a fifteen-minute service was held, terminating with the dropping overboard of a wreath provided by the Northwest Territories Administration.

On the 1946 voyage, the Eastern Arctic Patrol will devote special attention to perfecting the field organization for the payment of Family Allowances to Eskimo. A young veteran of the Royal Canadian Air Force with previous experience in the far north and with ability to speak the Eskimo language, has been appointed as Investigator to go carefully into the payment of Family Allowances and relief accounts and to investigate other matters relating to native welfare where direct contact with the natives is essential.

A study is being made in co-operation with the Bureau of Mines and Geology on the possibilities for utilizing the coal deposits at Pond Inlet for heating purposes on northern Baffin Island. The fuel will require briquetting but it may be possible to produce it locally with a very considerable attendant saving in freight rates.

Plans are under way for the erection of buildings for a research station at Baker Lake for the accommodation of Canadian and visiting scientists interested in Arctic research.

The medical care and hospitalization of Eskimo will, this year, be a function of the Department of National Health and Welfare. A medical officer of that department will accompany the Patrol as ship's doctor and minister to the needs of the natives at all ports of call. He will be assisted by an eye group under the auspices of the Canadian National Institute for the Blind who will again this year carry on work leading to the improvement of Eskimo vision. A surgeon will join the Patrol at Churchill to take care of operative cases at the hospitals at Chesterfield and Pangnirtung. A ship's dentist will, as in former years, look after the dental needs of both Eskimo and white residents at all ports.

A magnetician from the Dominion Observatory will accompany the Patrol for the purposes of making repeat magnetic observations and studies in connection with the location of the North Magnetic Pole.

A study is being made of ways and means to replace the R.M.S. *Nascopie* which has carried the Eastern Arctic Patrol since 1933. This vessel, owned by the Hudson Bay Company, is now old and will have to be replaced after the 1947 voyage at the latest. Traffic in the region north of Hudson Strait requires an ice-breaking type of vessel and the traffic is insufficient to warrant more than one such vessel making the trip. The question arises as to whether a new vessel should not be owned by the government since the primary purposes of the Patrol are the administration of the region, native health and welfare, and the maintenance of Canadian sovereignty.

EYE CLINICS IN THE ARCTIC

By MARGARET MOELLER,

Secretary, Prevention of Blindness Department, Canadian National Institute for the Blind.

(Reprinted from "Canada's Health and Welfare")

One of the most interesting annual voyages in the world is that taken every year by the Hudson Bay steamer *Nascopie* when she faces the storms and perils of the Arctic seas to deliver supplies to trading posts and mission stations in the eastern Arctic and to bring back the furs collected.

When a request came to the Canadian National Institute for the Blind from the Northwest Territories Administration to hold eye clinics among the Eskimos throughout the northern half of the Eastern Arctic Patrol last summer, it was acceded to with considerable gratification. For the Institute, as its name implies, is a national organization endeavouring to serve every blind person in the Dominion, from the Atlantic to the Pacific and from the American border to the North Pole. Moreover, the organization is not only desirous that the sightless should be helped to live as normally as possible but is also concerned that treatment should be given those for whom there is hope of restoration of vision and that every means should be employed to prevent blindness.

When the *Nascopie* reached Churchill early last August this new venture was inaugurated as the Eye Service Group, consisting of Dr. Walter Crewson, ophthalmologist of Hamilton, Ont., A. H. Tweedle, optometrist, and the author, as nurse-secretary of the Institute's department of prevention of blindness. Our services were made available to the Eskimos and others who were at the ports of call from Churchill north.

All medical supplies, drugs, instruments and dressings, as well as lenses, spectacle frames and photographic equipment were kept dry in waterproof panniers made for us by the blind in our willow shop and similar to those supplied the field ambulance corps in action overseas. At each post the *Nascopie* anchors well out from shore because of tides and lack of docking facilities. As a result, particularly on rough days, these panniers were found invaluable in keeping supplies dry when going ashore in small boats.

At two of the posts, Chesterfield Inlet on the west coast of Hudson Bay and Pangnirtung at the southeast of Baffin Island, there are small mission hospitals in which the eye clinics were held. Those needing operative care were attended to and left in the care of the resident physician and the nurses. Five operations were performed en route in the little dispensary of the ship. At the ports of call not boasting a hospital the clinics were set up wherever space could be found—sometimes in the Hudson Bay warehouse or perhaps in the kitchen of the post manager or in an old building.

On the whole the Eskimos had healthy, normal eyes. Of course, a number of them, especially the older ones, needed glasses and these were fitted whenever possible. The optometrist had a difficult task fitting a standard mount to the

Eskimo's extremely flat, broad face. They were amazed and most appreciative of the result, but it remains to be seen how practical the glasses prove in the extreme cold.

Dr. Crewson examined a total of 208 natives and found that 126 of these had normal eyes. Accidents from rifles backfiring seemed to play quite a large part in those with disorganized globes, optic atrophy or corneal scars but these, except for seven who were definitely blind, had either one good eye or fair vision in both.

As was to be expected in a race which lives out of doors and has a far perspective, myopia was rare. Only seven cases were seen. Mr. Tweedle refracted 112 Eskimos and 27 whites. He was able to fit 47 of these with glasses from the stock on hand and fitted frames for 21 others ready for the special lenses to be ground here at home. Because of the high astigmatic correction necessary, it was impossible to complete these on the spot. It is hoped that this delay will be overcome the next time by carrying along cylindrical lenses.

The number of Ekimos examined was out of a possible total of 1,564 scattered over the 10,000 miles of rocky ice-bound territory north of 60 degrees latitude and extending to within 1,000 miles of the North Pole.

APPENDIX J

CANADA

DEPARTMENT OF MINES AND RESOURCES
THE NORTHWEST TERRITORIES

Administration—Resources—Development

Issued by the

BUREAU OF NORTHWEST TERRITORIES AND YUKON AFFAIRS
LANDS, PARKS AND FORESTS BRANCH
OTTAWA

1944

Introduction

The Northwest Territories of Canada continue to be a source of increasing interest. This vast region embraces the mainland portion of the Dominion lying north of the 60th parallel of latitude between Hudson Bay on the east and Yukon Territory on the west, together with the islands lying between the mainland of Canada and the North Pole including those in Hudson Bay, James Bay and Hudson Strait. The total area of the Northwest Territories is 1,309,682 square miles, or more than one-third of the total area of the Dominion. According to the 1941 census, the population of the Territories was 12,028, including 2,284 whites, 4,334 Indians, 5,404 Eskimo, and 6 others.

For purposes of organization and administration, the Northwest Territories are divided into three districts: Mackenzie, Keewatin, and Franklin. Mackenzie District includes that part of the mainland lying between the 102nd meridian of longitude and Yukon Territory. Keewatin District includes that part of the mainland, with the exception of Boothia and Melville Peninsulas, lying between Mackenzie District and Hudson Bay, together with all islands in Hudson and James Bays. Franklin District includes Boothia and Melville Peninsulas and the islands in Hudson Strait and in the Arctic Archipelago, except those adjacent to the coast of Yukon Territory.

Until 1920, the fur trade was the only industry of any significance in the Territories. Oil was struck that year below Fort Norman on Mackenzie River, and the attention of prospectors was directed northward. Discovery of radium-bearing and silver ores on the shores of Great Bear Lake in 1930 created world-wide interest, which was intensified by gold and silver finds near the mouth of Yellowknife River on the northern shores of Great Slave Lake in 1934. Geological surveys carried on by the Department of Mines and Resources have since disclosed the presence of many other minerals in the region.

The inauguration of the Canol Project in 1942 and the extensive drilling program which followed has disclosed the presence of a large oil field in the vicinity of Norman Wells capable of producing well in excess of 3,000 barrels daily. Aviation and motor gasolines, light and heavy diesel oils, and fuel oil are available at Norman Wells. Ores producing radium and related products are being mined at Great Bear Lake. Mines in the vicinity of Yellowknife produced gold valued at more than $3,800,000 in 1942, and although production declined to about $2,200,000 in 1943 as a result of labour shortages, increased activity is anticipated in the post-war years.

Much of the progress made in the Territories may be attributed to the development of transportation by air which has overcome the great distances of the north and brought the various settlements within a few hours' flying time of the centres of population in the Provinces. Further developments in this type of transportation, including the construction of new landing fields, are expected to facilitate exploration and travel.

In the following pages will be found some particulars concerning the administration, resources, and development of the Northwest Territories. Additional information may be obtained from the Bureau of Northwest Territories and Yukon Affairs, Lands, Parks and Forests Branch, Department of Mines and Resources, Ottawa, Canada.

Government and Administration

The Northwest Territories Act (Chapter 142 R.S.C. 1927) provides for a Territorial Government composed of the Commissioner of the Northwest Territories, the Deputy Commissioner and five councillors appointed by the Governor General in Council. The Commissioner in Council has power to make ordinances for the Government of the Territories under instructions from the Governor General in Council or the Minister of Mines and Resources, respecting direct taxation within the Territories in order to raise revenues, etc., and in respect to the establishment and tenure of territorial offices; the appointment and payment of officers, maintenance of prisons, municipal institutions, licences, solemnization of marriages, property and civil rights, administration of justice; and generally to all matters of a local or private nature in the Territories. The seat of Government is at Ottawa.

The Northwest Territories Council is now composed as follows:—

Commissioner	Charles Camsell
Deputy Commissioner	R. A. Gibson
Member of Council	A. L. Cumming
Member of Council	K. R. Daly
Member of Council	H. L. Keenleyside
Member of Council	H. W. McGill
Member of Council	S. T. Wood
Secretary	D. L. McKeand

The Council meets whenever circumstances warrant. It founctions not only as a legislative body, but in an advisory capacity to the Minister of Mines and Resources on matters pertaining to the administration of the Northwest

Territories. Careful consideration is given to matters affecting the well-being of the resident population, white and native. Appreciation of the fact that natives must, by reason of character, training, and environment, depend almost entirely on hunting and trapping for a livelihood is reflected in the provisions of the game regulations and in the large areas set aside as game sanctuaries and native game preserves.

The administration of the various Acts, Ordinances, and Regulations pertaining to the Northwest Territories is supervised by the Director of the Lands, Parks and Forests Branch, Department of Mines and Resources. The Director, who is also Deputy Commissioner of the Northwest Territories and Registrar General of Vital Statistics, has his office at 150 Wellington Street, Ottawa, Canada. The administrative office for the Mackenzie District is at Fort Smith. A medical officer at Aklavik acts as Departmental Agent for the lower Mackenzie and western Arctic. The main office for the transaction of mining business is at Yellowknife.

The enforcement of law and order is the responsibility of the Royal Canadian Mounted Police and detachments are established at strategic points throughout the Territories. By means of extensive patrols, both in winter and summer, a reasonably close check is kept on a very large region by a comparatively small body of men. As might be expected, their duties are numerous and varied.

Public Welfare

The welfare of the Indian, Eskimo, and the indigent white and half-breed population of the Northwest Territories is a responsibility of the Department of Mines and Resources, and officers of the Department are stationed in the principal settlements in Mackenzie District and in the eastern Arctic.

Medical Services

Twelve hospitals and one nursing home or sick bay are operated at present in the Northwest Territories, of which eleven are in Mackenzie District and two in the eastern Arctic. Nine of these institutions are maintained by missions of the Church of England in Canada and the Roman Catholic Church, one by the Indian Affairs Branch of the Department of Mines and Resources, and three by private enterprise.

Hospitals operated by the Church of England missions are situated at Hay River (sick bay) and Aklavik in Mackenzie District, and at Pangnirtung on Baffin Island in Franklin District. Roman Catholic missions operate hospitals at Fort Smith, Fort Resolution, Rae, Fort Simpson, and Aklavik in Mackenzie District, and at Chesterfield in Keewatin District. A hospital at Fort Norman is operated by the Indian Affairs Branch. Small hospitals are maintained by the Consolidated Mining and Smelting Company of Canada, Limited, at Yellowknife, and by Eldorado Mining and Refining at Port Radium, both of which are in charge of resident doctors retained by the companies. The doctor at Yellowknife also serves part time as local medical health officer. A small hospital is also operated by Imperial Oil, Limited, at Norman Wells, with a resident doctor in attendance.

The mission hospitals and the hospital operated by the Dominion Government at Fort Norman each have a capacity of from ten to fifty beds, possess surgical facilities and in most cases X-ray equipment, and are in charge of resident doctors and graduate nurses. At Hay River a resident graduate nurse is in charge. Industrial homes for the aged and infirm are operated in connection with the mission hospital at Aklavik, Chesterfield and Pangnirtung.

The Government of Canada has contributed substantially towards the construction costs of some of the mission hospitals, and also pays the mission a

daily allowance at an established rate for each native, indigent, white, or half-breed patient receiving treatment. All doctors, except those employed by the mining companies, are full-time employees of the Department of Mines and Resources and serve as medical health officers for the district in which they are located. In the Mackenzie District, they also serve as Indian Agents, except at Forth Smith and Aklavik.

The Department of Pensions and National Health at Ottawa serves as a consulting agency in matters of public health, nutrition, and sanitation. All Government medical officers in the Territories have recourse to the medical services of the Department of Pensions and National Health in dealing with complicated cases or epidemics, and the desired information is usually transmitted by radio. Through the use of short-wave private commercial radio stations at trading centres not served by the Government radio system, residents are able to obtain medical advice in emergencies from the medical officer in the district, or from Ottawa. Medical supplies are furnished by the Department of Mines and Resources to mission and Government hospitals, and to distributors in most of the remote settlements. In cases of emergency, medical supplies are delivered by aeroplane.

A qualified medical officer accompanies the annual Eastern Arctic Patrol and examines the natives at all ports of call. A dentist also usually accompanies the Patrol.

Dental services are also provided by a resident dentist at Yellowknife and by others who visit the Territories from time to time.

Education

The education of the white, native, and half-breed children in the Mackenzie District is carried on at day and residential schools operated by the missions with financial assistance from the Government and at public schools established at Fort Smith and Yellowknife. The latter also receive grants from the Government. Residential schools are maintained by the Church of England mission at Aklavik and by the Roman Catholic missions at Fort Resolution, Fort Providence, and Aklavik. There are Roman Catholic mission day schools at Fort Smith and Fort Simpson, and Church of England mission day schools at Hay River and Fort Simpson. In addition to the subjects usually taught in primary schools, special attention is also given to manual and domestic training and to hygiene.

Additional facilities for secondary education are available to residents of the Northwest Territories by means of correspondence courses which have been arranged by educational authorities in Alberta and Ontario.

Eskimo children in the Eastern Arctic are given some education at mission day schools. Because of their nomadic tendency, however, these Eskimo seldom remain very long at the settlements, and the periods available to the missions for teaching the children are therefore comparatively short. Eskimo children along the Western Arctic Coast and in the Mackenzie Delta attend the mission residential schools at Aklavik.

The Eskimo of the Eastern Arctic have mastered a system of syllabic writing (geometric characters similar to a type of shorthand), which most of them can now read and write proficiently.

General Welfare

When game and fur-bearing animals are scarce, and the native economy disturbed, supplies are issued by the Government to the natives requiring assistance through district medical officers, Royal Canadian Mounted Police, traders, or missionaries in that order of authority. When game is available, however, hunters are not relieved of the obligation of providing for their families, otherwise native morale would tend to deteriorate. The establishment of the reindeer

industry in the vicinity of the Mackenzie River Delta and the provision of native game preserves are some of the measures instituted by the Northwest Territories Administration to broaden the basis of subsistence of the natives.

Transportation

Mackenzie District

The Mackenzie District and Western Arctic are served by water and aerial transportation. There is no highway system in the Territories but truck and tractor roads which have been constructed in the vicinity of settlements and between strategic points facilitate the transportation of freight and supplies.

Inland Water Transportation—The Mackenzie River and its headwaters, the Athabaska and Slave Rivers, provide an inland water transport system for a distance of about 1,700 miles, continuous except for one unnavigable stretch between Fort Fitzgerald, Alberta, and Fort Smith, N.W.T. The head of this transport system is Waterways, Alberta—300 miles north of Edmonton—and terminus of the Northern Alberta Railways. From Waterways freight and passengers are transported by water to Fort Fitzgerald, where a sixteen-mile portage to Fort Smith, gateway to the Northwest Territories, is necessary to avoid a series of rapids on the Slave River. Supplies and passengers are transferred around this obstruction to the wharves at Fort Smith by motorized equipment over well-constructed dirt roads. From Fort Smith there is uninterrupted navigation to the Arctic Ocean.

Three water transportation companies operate freight boats and barges on the Mackenzie River system, viz. the Mackenzie River Transport (Hudson's Bay Company), Northern Transportation Company, Limited, and Yellowknife Transportation Company, Limited. The two first-named companies maintain passenger boat and dining services. Freight destined for the Western Arctic Coast is distributed from Port Brabant (Tuktoyaktuk) at the mouth of Mackenzie River. Most of the boats are equipped with radio and are in regular communication with the radio stations en route. Canoes are used extensively on the smaller lakes and rivers, particularly by prospectors.

Coastal Services—Until recent years the Western Arctic Coast was served by ocean-going vessels from Pacific Coast seaports via Bering Strait, but for various reasons this service has been discontinued. Vessels operated by the Hudson's Bay Company which connect with Mackenzie River boats at Port Brabant provide a freight service to points along the coast. Limited accommodation for passengers is sometimes available on these vessels. Occasional transportation along the coast may also be obtained on schooners operated by traders and natives.

Aerial Transportation—The aeroplane has contributed greatly to developments in the Mackenzie District. This form of transportation was first introduced in the Territories during the winter of 1920-21 by Imperial Oil, Limited, and since then extensive exploration of the region has been made by air. This part of Canada is particularly adapted to flying with pontoon or ski-equipped aeroplanes as it is dotted with lakes and traversed by rivers of sufficient size to permit safe landings both in summer and in winter. Recent developments have resulted in the construction of a number of large landing fields which will permit the operation of wheel-equipped aircraft throughout the year. These fields are situated at Fort Smith, Fort Resolution, Hay River, Yellowknife, Fort Providence (Mills Lake), Fort Simpson, Wrigley, and Norman Wells.

Regular passenger, mail, and express services are maintained the year round to many points in the Mackenzie District. Canadian Pacific Air Lines provide a daily service from Edmonton to Fort Simpson and Norman Wells via Fort St. John, B.C., and a service three times a week from Edmonton to Fort Smith

and Yellowknife. Weekly service is provided by the same company between Yellowknife and Eldorado Mine (Port Radium) on Great Bear Lake, and service twice a month between Yellowknife and Rae. There is also a monthly service from Norman Wells to Aklavik which serves Fort Good Hope, Arctic Red River, and Fort McPherson. Some of these services are suspended for periods of from three to four weeks during "break-up" and "freeze-up". Most aircraft are equipped with two-way radio permitting continuous communication with the system of radio stations established throughout the Terriories.

Roads—Two portage roads, each about sixteen miles long, which permit travel between Fort Fitzgerald, Alta., and Fort Smith, N.W.T., and a road from Fort Smith to Bell Rock shipyards on Slave River, are maintained in condition for motor traffic. A provincial road from Grimshaw, Alberta, to Notikewin has been extended as a winter truck road to Upper Hay River, Alexandra Falls, Hay River, and Mills Lake on Mackenzie River. This route is tapped by a winter truck road from Fort Smith at a point near Alexandra Falls. Winter tractor trails have also been developed from Fort Nelson, B.C., to Fort Simpson, and from Mills Lake to Norman Wells. A portage road constructed for a distance of about eight miles along an unnavigable stretch of Great Bear River facilitates the movement of freight and supplies to and from Great Bear Lake. An extension of this road from the head of the rapids to Great Bear Lake, a distance of about 45 miles, is under consideration.

Eastern Arctic

The Eastern Arctic is served chiefly by R.M.S. *Nascopie,* a vessel owned and operated by the Hudson's Bay Company and used by the Government of Canada for the annual Eastern Arctic Patrol of medical centres, Royal Canadian Mounted Police detachments, post offices, radio stations, trading posts, and missions in the region. Auxiliary services are provided to reach other points not served directly by the *Nascopie.* Some of these boats operate out of Churchill, Manitoba, making connections with the Hudson Bay Railway. The Hudson's Bay Company, Royal Canadian Mounted Police, and missions also have schooners or motor boats by means of which they are able to maintain communication with native encampments along the coasts.

Each summer the R.M.S. *Nascopie* sails from some port in Eastern Canada with a party of Government officials for a voyage of more than 10,000 miles to posts in northern Quebec, on islands in Hudson Strait and Hudson Bay, and in the Arctic Archipelago. The party usually includes administrative officers, doctors, Royal Canadian Mounted Police, and others going north to relieve those who have completed terms of service in the Arctic. In normal times, scientific parties and a limited number of tourists also accompany the expedition. Ports of call are visited for inspection, administration of justice, delivery and acceptance of mail, change of personnel, and renewal of supplies. Occasionally Eskimo are transferred to more abundant hunting grounds. On the northbound journey the vessel calls at Churchill for passengers and supplies arriving by rail. The voyage usually extends over a period of from fourteen to sixteen weeks during which twenty-five to thirty calls are made.

Commercial air services have not yet been established in the Eastern Arctic. Air bases, however, have been constructed under joint defence auspices on Southampton Island and at Frobisher Bay on Baffin Island, to link up with bases at The Pas and Churchill, Manitoba, Fort Chimo, Quebec, and those in southern Greenland, which lie along the Northeast Staging Route. Pontoon-equipped aircraft have also been used extensively in locating control points for future air photography and mapping operations, as well as for special flights.

COMMUNICATION

Mail Services

MACKENZIE DISTRICT

The Mackenzie District of the Northwest Territories receives its mail exclusively by air. Prior to 1930, mail was carried by water in summer and by dog-team in winter. Following some experimental mail-carrying flights in 1929, mail planes were put into service and operated frequently. Later, air mail contracts were let and definite schedules have been maintained for several years. Whereas, at one time, weeks and months were required to deliver mail, it is now done in a matter of hours. Postage rates have been kept as low as possible, and letters are conveyed by air at regular letter-postage rates, if not overweight. Parcels are subject to a higher rate than those carried by ordinary means of transport.

Fort Smith and Yellowknife have a postal service three times a week, summer and winter, from Edmonton, via Fort McMurray. Fort Resolution, Fort Simpson, Norman Wells, and Camp Canol are served weekly, and Hay River and Fort Providence every other week. Wrigley and Fort Norman have a service every other week in summer and weekly in winter. Fort Good Hope, Arctic Red River, Fort McPherson, and Aklavik in the lower Mackenzie Basin receive mail monthly, summer and winter. Port Radium (Eldorado) is served weekly, and Rae twice-monthly, from Yellowknife. Coppermine has a service twice yearly (January and July). Post Offices have been established at these places.

In addition to the above services, mails may also be carried on commercial planes as circumstances permit.

EASTERN ARCTIC

Post offices are located at Chesterfield in Keewatin District, Fort Ross, Lake Harbour, Pangnirtung, and Pond Inlet in Franklin District, and Fort Chimo and Port Harrison in northern Quebec. The annual Eastern Arctic Patrol delivers mail to all post offices and arranges for collection and delivery at non-post office points through locally operated auxiliary services.

All classes of mail matter are centralized at Ottawa and the accumulation is carried by the Patrol or in the interim by auxiliary or courtesy services as opportunities arise. This travelling postal service is classified as an accounting post office and is available for post office savings bank transactions, money orders, postal notes, parcel post C.O.D. services, current issues of postage, and war savings stamps. Postal parcels originating in foreign territory addressed to Eastern Arctic residents, and on hand at the office of the Collector of Customs as Ottawa, are released for delivery by the Patrol subject to the collection of all charges.

Radio Services

Excellent radio services have been maintained in the Northwest Territories since 1925. High-powered stations have been installed by the Departments of National Defence and Transport at strategic points and important settlements in the Mackenzie District and in the Eastern Arctic. In addition, nearly all settlements or centres, including trading posts, are now equipped with two-way private commercial radio stations, by means of which communication may be carried on in code or by voice. Although the latter have a limited range, messages can be relayed through the more powerful Government stations and by this means practically every settlement or trading post in the Territories enjoys radio communication with outside points.

In the Eastern Arctic the Government radio stations are also direction finding stations for ocean-going vessels. This combined system of Government stations and licensed stations is also used to transmit weather reports, to obtain information in emergencies for the treatment of sick people in remote districts where medical services are not available, and to arrange for emergency aeroplane flights when necessary. Many of the Government stations are equipped with radio telephones for communicating with aircraft, river boats, and other stations having low-powered radios. Under direction of the Minister of Mines and Resources news bulletins were transmitted from Edmonton to Mackenzie District stations, but this service has been temporarily suspended owing to war conditions.

Government stations occasionally provide broadcasts of press news and personal messages for the benefit of traders, miners, missionaries, and others within their wave-lengths. For several years the Canadian Broadcasting Corporation has broadcast the "Northern Messenger" program each Friday evening during the winter months. By means of this service relatives and friends are able to send personal messages to residents of the Northwest Territories, and adjacent areas, a privilege greatly appreciated by all concerned.

Climate

The Northwest Territories have two main climatic divisions. The north-eastern region, including the islands of the Arctic Archipelago, has an Arctic climate. All of the region north of a line extending from the mouth of the Mackenzie River, through Amundsen Gulf and Bathurst Inlet, across Back River to Eskimo Point on Hudson Bay is characterized by a type of climate in which the average temperature of the warmest month is *less* than 50° F., but more than 32° F. Average winter temperatures are all below 32° F. The remainder of the Northwest Territories and Yukon has what is known as a Humid Continental Climate in which average temperatures for the coldest month are below 32° F., but average temperatures for the warmest months are *above* 50° F. Although both of these regions are cold in winter, the chief distinction between them is in summer temperatures, with the western sections being much warmer. The climate of this latter region is thus similar to that which is found in Ontario north of Lake Superior and in Quebec north of the Gulf of St. Lawrence. There are local areas of Arctic climate in the mountain peaks within the Continental climatic region due to the cooler effects of altitude.

There are several controls which in the long run maintain differences between the northeastern and western districts of Northwest Territories. In mid-winter the entire Arctic territory is subject to periods of great cold, which are associated with the slow outflow of shallow, but extremely dry and cold domes of surface air from the Arctic Ocean by way of Beaufort sea. These air masses move in mid-winter up the Mackenzie Valley to spread out over the Canadian Prairies before showing a tendency to drift eastward. Intermittently, these polar outbursts cease for short intervals, and warmer air from the North Pacific region or from Behring Sea by way of the Aleutians will flow over the region causing temperatures in the Mackenzie Valley to rise. Depending on which of these controls is most dominant, the winters of Mackenzie District may be moderately cold or extremely cold and will vary from year to year.

At the same time the Eastern Arctic is under the influence in mid-winter of polar airmasses moving southward towards Manitoba and James Bay from the Arctic Ocean. Passing over the large amount of cold water which moves south and eastward from the Arctic Ocean through the Arctic Islands to Davis and Hudson Straits, these airmasses remain cold as they move. Thus, winters in the Eastern Arctic are more constant with few mild periods in the winter except when occasionally Arctic air returns northward somewhat warmed from off the Labrador Coast to affect southeastern Baffin Island only.

In summer, airmasses from the Beaufort Sea have a strong eastern component of motion and tend to move directly across the Northwest Territories to the

Eastern Arctic. This cold air-drift, when combined with the influence of large bodies of Arctic water which remains cold throughout the summer in Hudson Bay and the many straits between the Arctic Islands, results in cool summers in the eastern regions. The average annual highest temperature does not exceed 70° F. north of Chesterfield Inlet nor exceed 60° F. north of Lat. 70°.

The shifting eastward of the paths of cold airmasses in summer allows warm air from the north Pacific region or from more southerly latitudes to flow north and northeastward, bringing mild weather to the Mackenzie area. Some summers may occasionally become really hot under this influence. Temperatures over 90° F. have been recorded in most summers. However, there are also some summers when polar outbursts are more intense or more frequent, or both, and tend to follow a more westerly path. This causes cooler summers in the Mackenzie Valley but has the compensating advantage that in this type of summer the precipitation is more frequent in the wheat region south of latitude 60.

The central and northern portion of the Arctic Archipelago seldom obtains any relief from purely polar conditions. Temperatures averaging 25° to 35° F. below zero in January and only 40° to 42°F. in July.

During the summer in Northwest Territories there are long hours of daylight because of its northern latitude, and this fact is often quoted as a reason for agricultural possibilities in the Mackenzie Valley. However, since southern Baffin Island in the Eastern Arctic has no agriculture although in the same latitude and with the same duration of sunlight, it is apparent that other climatic factors act as controls. Basically, agriculture is not possible in the Eastern Arctic because of lack of developed soil and the coolness of the summer which gives a short frost-free period; while agriculture is possible, although somewhat precarious, in northwestern Canada because of the warm air masses which raise summer temperatures.

Contrary to general belief, snowfall is not heavy in the Northwest Territories. Because of low winter temperatures, however, snow remains long on the ground. Annual precipitation of 10 to 13 inches in the Mackenzie Valley includes 40 to 50 inches of snow which is about half of the snowfall of the Great Lakes, St. Lawrence, and northern New England regions. Rain falls from July to October but is not overly abundant. Precipitation is even less in the Arctic Islands and over the central Arctic mainland, averaging 6 to 9 inches, most of which falls as snow. Southeastern Baffin Island is an exception since air from the south often rises over this area bringing an average of approximately 8 inches of rain and 70 to 90 inches of snow.

The following comparison of mean temperatures by latitude in Canada and Europe illustrates the climatic difference between the eastern and western sections of the Northwest Territories and compares them with stations near the same latitude in Europe.

	Jan.	July		Jan.	July
Near Latitude 60°N.			Near Lat. 65°N.		
Fort Smith, N.W.T.	−16°F	60°F	Fort Good Hope, N.W.T.	−24°F	59°F
Cape Hopes Advance, N.W.T.	− 9	41	Pangnirtung, N.W.T.	−19	46
Bergen, Norway	34	58	Uleaborg, Finland	15	59
Marieham, Finland	27	59	Jockmokk, Sweden	6	58
Near Lat. 75°N.			Near Lat. 80°N.		
Craig Harbour, N.W.T.	−22	41	Bache Peninsula, N.W.T.	−27	41
Bear Island (off Norway)	15	40	Quade Hook (Spitzbergen)	7	40

INDIANS

Most of the 4,000 Indians in the Northwest Territories live in the valley of the Mackenzie River, the principal tribes being the Chipewyan, Beaver, Sekani, Slave, Yellowknife, Dogrib, Hare, Nahani, and Kutchin or Loucheux.

The Kutchin Indians, native to the Yukon and Alaska, are found in the Northwest Territories only in the Lower Mackenzie and Peel River regions. They constitute one branch of the Athapaskan stock. The remaining tribes of the Northwest Territories may be regarded as constituting another branch because their languages are mutually intelligible, whereas that of the Kutchin is distinct although obviously related.

Some scientists hold the view that the Athapaskan language, spoken by the Indians throughout the whole basin of the Mackenzie River, belongs to the same family of languages as prevails in China, Tibet, and Siam. Moreover, from the concentration of the Athapaskans in the northwestern part of America, they conclude that these people were the last wanderers to drift from Asia across Bering Strait into the New World, probably towards the beginning of the Christian era. From the Indians themselves, of course, no accurate knowledge can be gained of their origin or early movements. Their oral traditions are quite unreliable, for they combine with impossible fables memories of events which occurred no more than 150 years ago.

The present-day Athapaskan has copied the dwelling and the clothing of the white man. The old-fashioned moccasin, however, holds its ground, though ornamented with beads instead of with porcupine quills; and the old fur or leather mittens, often similarly ornamented, are still preferred to ordinary gloves.

Intertribal raids among the Indians came to an end about a century ago, and they began to congregate about the posts and settlements of the fur-traders who tried, not very successfully, to elevate as chiefs the most influential and reliable hunters and to give them a limited authority over their countrymen. Missionaries have introduced new and larger ideas of life and its purpose that partly supplant, partly coalesce with, the older notions. In consequence, every Indian in the Territories now adheres to the Anglican or the Roman Catholic faith, though he may still harbour many of his old beliefs. In recent years, exploration and settlement along with mining activities, have led to a demand for Indian guides, canoemen and packers, and resulted in an increasing dependence on flour, beans, bacon, and other imported foods instead of on the rewards of hunting and fishing. From the earliest times, too, many white traders and trappers have taken Indian women as wives, and more or less consciously have leavened the whole outlook and manners of the tribes among whom they have resided. So great, indeed, has been this intermarriage that to-day in the whole area there are probably few Indians of pure stock.

Thus, through economic and social changes both the outward and the inward lives of the Indians have altered. Over a long period—most of the 19th century—these changes threatened to bring about the extinction of the race. Alcoholic excesses and diseases previously unknown, particularly smallpox, tuberculosis, and influenza, decimated their ranks and reduced their number from what was estimated by some authorities to be 13,000 to one-third of that total. Nevertheless, the outlook for the future has become more promising. It is confidently felt that increasing settlement, and a great development of the resources of the Territories, will open up new avenues of employment for the Indians, lower their heavy infant mortality and, through a general improvement in the living conditions, arouse in them new vigour and new ambitions. Of their ultimate fate there can be little doubt. Within another hundred years they may have become completely absorbed into the white race and will retain but the vaguest memory of their past history.

The Indians of the Northwest Territories depend mostly upon hunting and trapping for a livelihood. Here and there some cultivate small plots of potatoes. They own no cattle or horses, their mode of transportation being by boat along the great waterways in the summer and with dogs in the winter. They

catch and preserve large quantities of fish for their own use and for food for dogs during the winter. They also pick and dry large quantities of wild berries for winter use. They live in log cabins in the winter and in tents and tepees in the summer. Like Indians of other parts of Canada, they are under the care of the Dominion Government and their affairs are administered by the Indian Affairs Branch of the Department of Mines and Resources, Ottawa. The Indian welfare program in the Territories consists in the main of providing and protecting their means of livelihood; the medical care and hospitalization of the sick; the education of the children; the payment of treaty money; the providing of relief rations for the old and physically incapacitated; and the furnishing of supplies and equipment which particular circumstances may require.

Anything that interferes with the success of their hunting and trapping causes hardship and destitution. Special game preserves have been set aside for the exclusive use of Indians and Eskimos, a plan that has proved satisfactory both from the viewpoint of game conservation and as a protection for the natives.

As to matters of health, a fully qualified doctor is in charge of each of the Indian agencies, these being located at Fort Norman, Fort Simpson, and Fort Resolution. In addition doctors appointed by the Northwest Territories Administration and stationed at Fort Smith and Aklavik extend medical services to the Indians in their territories. In the more remote places, medical supplies are provided to missionaries and other laymen who render the best service they can to ailing Indians. In the hospitalization of the sick, full use is made of the hospitals maintained by the Anglican and Roman Catholic Missions at Fort Smith, Fort Resolution, Hay River, Fort Simpson, Aklavik, and Rae, and by the Indian Affairs Branch at Fort Norman. In return for services, grants, based on established per diem rates, are made by the Government to the missions.

To meet the educational needs of Indian children, the Government has established residential and day schools in the Northwest Territories, particulars of which will be found in the section dealing with Education on page 7.

Eskimo

The Eskimo in Canada inhabit the Arctic mainland coast from the Yukon-Alaska boundary to the Coast of Labrador, the southern islands of the Arctic Archipelago, some of the islands in Hudson and James Bays, and part of the interior west of Hudson Bay. The Canadian Eskimo population is approximately 7,400. Of this number, about 5,400 Eskimo are found in the Northwest Territories, and the greater part of these live in the Districts of Franklin and Keewatin. There are also about 2,000 Eskimo in northern Quebec, the former Ungava District of the Northwest Territories.

There are no Eskimo tribes as the term "tribe" is associated with North American Indians, but the Eskimo of the Eastern Arctic live and travel in bands or groups of two or more families, and each band or group usually contains some outstanding individual who acts as leader.

Because of this lack of tribal organization and the fact that native Eskimo names are not only difficult to record accurately but are quite often duplicated, the Northwest Territories Administration, Department of Mines and Resources, in 1941 distributed numbered discs to all Eskimo in Canada. This distribution was carried out in conjunction with the decennial census of the Dominion, and to the census record of each Eskimo was added a number corresponding to that on the disc issued to that individual. Through this system of numbers, the Department now has a personal record of each Eskimo. The numbered discs worn by the Eskimo permit positive identification at all times and help overcome difficulties formerly experienced in the identification of an individual whose

name, for various reasons, created confusion. The new system of identification also facilitates the administration of affairs relating to the welfare and health of the Eskimo.

Intercourse between the bands is limited mainly to contact with the natives hunting or trapping in adjoining areas. Each band secures its livelihood in its own district, which has no definite boundaries, and bands move about in accordance with the movement of the game and the changing season. In bad seasons it may become necessary to look for new hunting grounds, but Eskimo are very likely to return to the old district when they think conditions have improved. The sea furnishes the greater part of the requirements of the coastal Eskimo in respect of food, fuel, and clothing. Those living in the interior of Keewatin District subsist chiefly on caribou.

Because of outside influences and the shortage of native clothing material, the dress of the Eskimo has undergone some change in recent years, the extent of the change depending on the game resources of the particular district. Summer clothing is cut very much on the same pattern as that for winter. Caribou skin is without doubt the most suitable clothing material for winter travel, being light and warm. In the very cold weather two suits are worn, one with the hair turned in and the other with the hair turned out. In the summer, the clothing is usually made of sealskin or of some cotton goods, such as "moleskin". High sealskin boots or moccasins are worn both summer and winter. The women make most of the clothing and the portable type of sewing machine is a common article of equipment.

The Eskimo of the Eastern Arctic lives in a snow house in winter and a tent in summer. Sealskin, canvas, sacking, pieces of board, stone, and even glazed sash may go to make up the tents or houses.

The igloo is the typical winter dwelling. It is constructed of blocks cut from the hard-packed snow, and above the first row the blocks are laid spirally to form a dome. It has a low tunnel-like entrance and often several compartments are connected by these tunnels. One section of the igloo floor is higher than the rest and forms the sleeping platform. The stone seal-oil lamps, which are kept burning day and night during cold weather, raise the temperature noticeably and make the dwelling quite comfortable. The temperature is partly controlled by enlarging or making smaller the ventilation hole in the roof. Often the igloos are lined with canvas or seal skin to prevent drip.

The nature of the summer and winter dwellings, aside from the wooden or composite houses, does not restrict the Eskimo's movements to one locality, which is fortunate from the viewpoint of health and sanitation. The type of habitation depends upon local and seasonal conditions. In the Western Arctic, whenever possible, the Eskimo have "permanent" homes, in which they reside in winter. They use drift wood for fuel and for the construction of one-roomed log huts. The Hudson's Bay Company and the Royal Canadian Mounted Police frequently provide their native servants with small homes of wooden construction for use as winter residences. These are regularly inspected and kept in a sanitary condition.

Travel in the summer is by boat, and in the winter by dog-team. The usual type of cruising boat is the open whale-boat to which a sail is attached. Other types are also brought in on order by the trading companies and are equipped, when the owners can afford it, with gasoline engines. Eskimo are mechanically-inclined and with a little coaching quickly learn to run, take down, and keep in repair quite complicated marine engines. They know thoroughly the districts in which they hunt and trap, also the actions of the tides, currents, and ice, and go out to sea under conditions which would keep many white men ashore. Into these boats will crowd three or four families and all their

dogs and equipment. The natives seem to travel in the picnic spirit and consider it something of a lark. They may get into serious difficulties, but once the difficulties are overcome they are forgotten.

The one-man kayak is still used extensively by the Eskimo and is probably the outstanding article of equipment made by these remarkable people. The frame is made of wood strongly laced together with thong. The craft is narrow, is covered with sealskin, and is usually from 15 to 20 feet long. As the deck is also covered with sealskin the kayak is quite seaworthy in the hands of an experienced Eskimo. It is propelled by a double-bladed paddle, and carries all the equipment necessary for the hunting of seals. It is usually towed behind a large boat or hoisted up on the deck when the family or families are on the move.

The sledge or komatik used in the Eastern Arctic will support loads of one thousand pounds or more, depending on the size, and will stand considerable hard usage. It is drawn by teams of Eskimo dogs or "huskies".

Dog feed is a problem at times and one of the matters in which Eastern Arctic Eskimo are provident. They know that their own livelihood during the long winter months depends in large measure on their dogs. A certain amount of meat is cached away during the late summer, but it is seldom sufficient and may not be readily available. Eskimo dogs are able to go for some time without food and if the hoped for game does not materialize for a few days no harm results. Walrus meat is considered to be the best dog food. Seal meat and some types of fish are also good.

Practically the sole medium of exchange by the Eskimo in their dealing with traders is the pelt of the white fox. During a good fox year, the Eskimo are enabled to replace their worn-out gear, and satisfy their longing for new goods. The Eskimo do not, as a rule, buy luxuries until they have obtained the essentials they require. In this they are encouraged by the better traders. Very few Eskimo are able to accumulate much in the way of wordly goods or to establish credits at the trading posts; in fact allowing a credit to stand at a trading post is something that the average Eskimo cannot comprehend. The traders, of course, depend entirely on the natives for the pelts they want, and must see that they are looked after in bad times. Seal, walrus, and caribou are also of great importance to the Eskimo. Arctic char (sea trout) is fairly abundant at the mouths of rivers during July and August, and cod may be had in quantity at the right season in certain localities.

The domestic relationships of the Eskimo are usually happy. They are fond of children, but large families are not common, although infant mortality is low. If they have no children of their own they will adopt those of others, caring for them as if they were their own. They also accept without visible or audible protest the responsibility of looking after their aged and otherwise dependent relatives. A refusal to continue to furnish food to those in want, even though the needy ones show little tendency to go out and hunt for themselves, is likely to be frowned upon by the rest of the band.

The Eskimo are quite trustworthy and are invaluable companions in Arctic travel. As employees of white men, they are likely to obey orders without question even though they think the orders are bad. This sometimes results in misunderstanding on the part of white men unfamiliar with this trait of Eskimo character, and who are not very specific in giving their orders. Both men and women are intelligent, quick to imitate or learn and possess a mechanical turn of mind that permits them to take advantage rapidly of mechanical power and labour-saving devices. Their outlook on life is cheerful, and their dispositions are friendly.

The duties of the Eskimo women are arduous and varied. They must pitch the tents when a new campsite is occupied; cook the meals; scrape and dress skins for clothing, harness and lines; make the clothing for the family, and keep

it in repair. On the men falls the responsibility of keeping the family supplied with food and the skins out of which clothing may be made. They must also secure the fox pelts so that trade goods may be obtained from the posts. Much of their time is spent hunting seals, the staff of life of the coastal Eskimo. During the summer when seals can be hunted from kayaks this does not usually entail very much hardship and possibly gives the Eskimo considerable pleasure. During the remainder of the year, when the seals are obtained at the floe edge or at "breathing holes" in the ice, it calls for the exercise of considerable patience and ingenuity under very trying conditions. The walrus is usually hunted in the water from the larger boats or on islands. Although most Eskimo have a walrus or seal harpoon, the rifle is commonly used.

Caribou hunts are arranged in the autumn particularly for the hides which are required for winter clothing. In the Eastern Arctic it is usually necessary to go some distance inland for caribou and two months or more may be spent in travelling and hunting. Dogs are taken along to help "pack" the meat and hides. A good pack-dog can carry a load of 35 to 40 pounds. When there are any surplus hides or meat they are cached under rocks and picked up when winter travel with sledges is possible.

In the Western Arctic the Eskimo spend most of their time along the coast, but go inland on hunting expeditions, chiefly for caribou. On the coast there is a short season of open water in midsummer, but for eight months of the year the sea is frozen over, and thus the Arctic Ocean itself provides a happy hunting ground for the Eskimo over which he travels and lives as if it were solid ground. From the coast the Eskimo move out on the ice to the sealing grounds, and it is then that many of them use the snow-house. These sealing camps may be from 5 to 20 miles out on the ice and are frequently used as bases for trapping operations.

In some regions, as summer makes its appearance, whale boats are put in order and with the first open water the Eskimo proceed to the whaling grounds where they fish for white whale. A successful whaling season means prosperity for all. The flesh of the white whale is used for both human and dog food. The oil is extracted from the blubber and is stored in barrels or sealskin bags for use as part of the meals in the winter. Natives who do not possess whale-boats carry on their fishing and whaling from the shore.

The habits and culture of the Eskimo in Canada vary according to environment. The Eskimo living in the Mackenzie Delta region have been more affected by the influences of civilization than elsewhere. Many of the former are relatively prosperous, own schooners, wear white men's clothing much of the time, and are able to carry on business with traders with ease. In comparison, the Eskimo of the Central Arctic (who have been relatively inaccessible by boat owing to ice conditions which hinder transportation, still retain much of their primitive culture and depend greatly on the resources of land and sea for their food, clothing, and utensils. The Eskimo of the Eastern Arctic are in a stage of civilization midway between that of the Central and Western groups. While able to obtain many of the implements and utensils of the whites, these Eastern Arctic Eskimo have clung to much of the old mode of living, and thus have successfully adapted themselves to their particular environment.

For generations the Eskimo of Canada have wrested a living, mated and reared a family in a country where only a hardy and intelligent race could survive. They are slowly assimilating a certain amount of civilization while still retaining their independence, pride, and ability to care for themselves. Most of them now appreciate the value of conserving the natural resources of the country in which they live and co-operate in that work to a marked degree. Even though they may not always quite understand the meaning and purpose of the law, the natural tendency of the Eskimo is to obey it. Their communal

life has taught them that the wishes of the individual must be subordinate to the good of the majority and this has made them especially easy to deal with. For a number of years the Government of Canada has been paying special attention to its Arctic citizens, in order to keep them independent, self-reliant, and self-supporting, and with this object in view has put forth continuous and unremitting efforts to preserve the natural resources of the country so that the Eskimo may continue to be the admirable race of people they now are.

The Fur Industry

The fur trade in the Northwest Territories had its beginning in the latter part of the seventeenth century when the Hudson's Bay Company received its charter from Charles II to trade into these northern regions. From then until 1939, when the value of fur production was exceeded by that of minerals, fur trading continued to be the most important industry in the Territories, and the trapping of fine furs is still and is likely to continue to be the chief occupation of most of the native population. Trading posts are scattered throughout the Territories and the history of the vast region is intimately associated with that of the fur trade.

The expeditions of Mackenzie and Hearne opened up new territory for the early traders and the fur trade expanded rapidly. A chain of posts was established by the North West Trading Company along the Mackenzie waterways at intervals of about 150 to 200 miles. This system was continued and expanded by the Hudson's Bay Company, following the amalgamation of the two companies in 1821. The forts or trading posts were situated in strategic places and later became the nuclei of some of the present settlements. The same conditions prevailed along the coasts of the Eastern Arctic, where the Revillon Freres Trading Company and the Hudson's Bay Company operated until the latter company absorbed the former in 1935-36. In the Eastern Arctic most of the independent trading companies have reired from the field, leaving the greater part of the fur trade in possession of the Hudson's Bay Company. In the Mackenzie District, however, a number of independent traders operate, in addition to the Hudson's Bay Company.

Annual Yield

In the year ended June 30, 1943, a total of 385,440 pelts, exclusive of red squirrel, and valued at $3,165,107, was harvested in the Northwest Territories. This amount represented approximately 11 per cent of the total value of fur production in Canada in 1943. From the standpoint of value, white fox pelts are far in the lead in the Northwest Territories. Chief among the other furs of economic importance are the red fox, in its three colour phases—red, cross, and silver—muskrat, beaver, marten, mink, and lynx. Smaller quantities of ermine (weasel), wolf, otter, fisher, bear, and wolverine, are also obtained.

The increase in the value of fur taken annually in the Territories to more than $3,000,000 is the result of an increase in the price of furs. The number of pelts taken in 1942-43 was actually less than the total for the previous year, viz., 445,336. Natural fluctuations in the numbers of the various species of wild life influence the fur yield. These fluctuations are being carefully studied by the Dominion Governmen in co-operation with the Bureau of Animal Population at Oxford University, and much information is being obtained in an endeavour to ascertain their causes.

Native Game Preserves

A number of Native Game Preserves have been established in the Northwest Territories to assist in maintaining the basic industry of the native population. Trapping within these preserves is confined to Indians and Eskimo

and to half-breeds living the life of natives, in addition to such white trappers as were already operating in the areas at the time they were set aside as preserves. A list of these preserves follows:—

Name	Date established	Area in square miles
Yellowknife	Sept. 22, 1923	70,000
Slave River	" " "	2,152
Peel River	" " "	3,300
Arctic Islands (land area)	July 19, 1926	571,605
Mackenzie Mountain	May 3, 1938	69,440
		716,497

Other Preserves

Other steps have also been taken by the Dominion Government to maintain the fur industry of the Territories. Trapping, for instance, is entirely forbidden in the Thelon and Twin Islands Game Sancturaries and no one is allowed to enter the former without a special permit from the Minister of Mines and Resources. From time to time areas are delimited in which additional protection is provided for one or more species of game animals or fur-bearers, a recent case being the closing to beaver trapping until further notice of an area of approximately 14,000 square miles in the delta of the Mackenzie River, a measure which will ensure the propagation of beaver in the region. Similarly, in order to increase the muskrat population, the Government in 1938 initiated a conservation project in Wood Buffalo Park by which the water level in a number of watersheds is being stabilized through the construction of dams and earth fills. Approximately 25,000 acres have been brought under control and consideration is being given to similar conservation measures in other areas.

The Thelon Game Sanctuary situated in the eastern part of Mackenzie District and extending into Keewatin District is an unique wilderness wildlife sanctuary. This preserve, 15,000 square miles in extent, contains the largest remaining herds of musk-ox on the mainland of North America. The sanctuary is also crossed by large herds of barren ground caribou each year.

Wood Buffalo Park, containing an area of 17,300 square miles, of which 3,625 square miles are in the Northwest Territories, was established mainly for the preservation of a herd of wood bison or buffalo. The park now forms a vast preserve for many other species of big game and fur-bearing animals. In the establishment of the park, the protection and increase, not only of buffalo but of other game species, was intended. Consequently, in keeping with a policy of strict conservation, travellers to the region must obtain permission from the Park Superintendent to enter the park. Indians, halfbreeds, and whites who trapped in the region before the park was established are permitted to hunt and trap under licence. The buffalo, however, are rigidly protected.

Hunting and Trapping Privileges

Licences to hunt and trap in any part of the Northwest Territories, including the native game preserves, are not required by natives nor by half-breeds born in the Territories and living the life of natives. As they apply to others, the regulations concerning game in the Territories provide that hunting and trapping licences shall be issued only to British subjects and then only to those who held licences on May 3, 1938. The regulations also provide that licences may be granted to the children of British subjects who have reached the age of fourteen and whose parents have resided in the Northwest Territories for the past four years.

The Reindeer Industry

In March, 1935, a herd of 2,370 semi-domesticated reindeer representing stock driven overland from northwestern Alaska, was delivered to a reserved area in the Northwest Territories situated on the east side of the Mackenzie Delta. This action introduced an industry which is intended to broaden the basis of subsistence of the native population by augmenting the wild life resources on which they depend. The reindeer have become adapted to their new environment and have increased substantially in numbers. At the round-up held in the summer of 1944, the main herd retained on the reserve comprised more than 6,000 deer including at least 1,200 fawns. Two additional herds, off-shoots of the main herd, are under native management near the mouth of Anderson River east of the reserve. These were estimated to contain nearly 3,000 deer in 1944.

The reindeer industry was established in Canada following the study by a Royal Commission of the possibilities of developing reindeer and musk-ox herds. In its report of 1922, the Commission recommended that experimental herds of reindeer be placed in selected locations, and in 1926-28 the Dominion Government undertook a reconnaissance of the area lying along the Arctic Coast between the Yukon-Alaska Boundary and the Coppermine River and north of Great Bear Lake. The investigations were made by A. E. Porsild, an experienced botanist, assisted by his brother R. T. Porsild. Prior to the study of the Canadian range the investigators visited Alaska to observe the conditions under which reindeer were handled.

In 1929, arrangements were made for the purchase of 3,000 reindeer when delivered by an Alaskan reindeer company to a selected range in Canada near the mouth of the Mackenzie River. The range was later established as a reindeer reserve. The reindeer for the overland drive were selected by A. E. Porsild and the herd consisted of 2,890 does, 307 bucks, and 250 steers, the latter being for food and draught purposes. The drive was in charge of Andrew Bahr, veteran Lapp reindeer herder, who was assisted by a number of other Lapps and several Eskimo. Many difficulties were encountered. Some of the animals returned to their home range. Blizzards, intense cold, wolves, straying, accidents, and other obstacles impeded progress. The losses to the herd were severe but were recouped to some extent by the fawn crop each year. The reindeer arrived in Canadian territory in 1933 but the crossing of the Mackenzie River to the reserve was delayed by difficult weather and ice conditions and was not effected until the winter of 1934-35.

Meanwhile, preparations for the reception of the herd had been made. A corral was constructed at Kittigazuit on the Arctic Coast, and buildings were erected for the accommodation of the reindeer staff and supplies. The headquarters station for the supervision of the reindeer field-work is situated about 40 miles inland on the right bank of the east channel of the Mackenzie River, at the foot of the Caribou Hills, latitude 68°41′ N., longitude 134°07′ W. It is about 40 miles by air and 75 miles by water from Aklavik. Improvements have been carried out at the station since it was constructed and in 1938, radio equipment was installed to provide communication with the Northwest Territories Administration at Ottawa. Messages are relayed by the Signals Station of the Department of National Defence at Aklavik.

The corrals on the reserve which are used for the annual roundup of the main herd are now located on Richards Island, the principal summer range. Here the animals are counted and classified about the end of July. The fawns are marked, breeding stock is properly proportioned, and animals surplus to requirements are selected for slaughter later in the year. The meat from this surplus stock is supplied largely to mission hospitals and residential schools of the Mackenzie Delta area, the remainder being used for the reindeer camp or

relief, with a limited quantity for sale. The main herd is used principally for the training of herders and to provide the foundation stock of native herds.

The training of young natives in reindeer work has proceeded steadily and the two herds established in 1938 and 1940 under native management were entrusted to men who had served as apprentice herders. They received the deer under a lending arrangement subject to the return of a similar number of animals as the herds increased in size. The Northwest Territories Administration maintains supervision over all herds and plans are underway to start additional native herds from time to time. During the winter of 1942-43 a substantial sale of reindeer meat from the native herds was made to residents of Aklavik. A herd of about 2,000 deer was driven from the vicinity of Anderson River to the reindeer station on the reserve, where 300 of the best meat stock were slaughtered. The amount realized from this sale accrued to the herders.

The development of the two native herds received a serious setback in September, 1944, when the native herders in charge, together with the Government's supervisor of native herds, were lost in the wreck of the native schooner *Cally* in a storm off the Arctic Coast near Cape Dalhousie. The Northwest Territories Administration, however, immediately instituted measures to protect the reindeer herds and take care of the dependents of the missing herders. An endeavour is being made to continue the development of the herds under native management.

The handling of the reindeer at the annual roundups and other occasions and the presence of herders at all times tends to prevent the animals from becoming wild and difficult to control. Some of the mature steers in the herds are trained to harness for transporting supplies and firewood, moving the herd camp, and similar work. The milking of reindeer in the Canadian herds is not practised to any extent, as it is necessary to rope the does. This practice is not convenient on the open range.

In the spring the reindeer migrate from the inland winter ranges to the summer feeding grounds in the coast area, and return to the winter ranges in the early winter. The winter feed is principally reindeer moss, but in the summer the diet includes a variety of vegetation—grasses, shrubs, sedges, etc. One of the reasons why the reindeer seek the coast in the summer is to escape from insect pests which are restricted to some extent by the winds from the Arctic Ocean.

Reindeer are providing a convenient and dependable source of food and clothing and form a valuable reserve against periods of shortage in other necessaries. As the natives learn to depend more and more on the herds of reindeer for subsistence they will become independent of fluctuations in the supply of game and price of furs, and thus achieve a more stable economic life than is possible under ordinary conditions which govern their nomadic life along the Arctic Coast of Canada.

Geology

The Northwest Territories is made up of portions of four of the six physiographic provinces into which Canada, on the basis of its topography and geology, naturally falls. The islands to the north form the Arctic Archipelago. On the west the Mackenzie Mountains are the northeastern portion of the Great Cordilleran region which makes up most of British Columbia and Yukon. The belt bordering the Mackenzie River is the northern prolongation of the interior plains of Central Canada. East of the belt and extending over to Hudson Bay is a broad zone which forms part of the Canadian Shield. The rocks which comprise it are of Precambrian age, but in places, particularly along the Arctic Coast on the border of the Shield, considerable areas of the Precambrian rocks are concealed by a capping of younger sediments.

Canadian Shield

The Canadian Shield portion of the Territories is a region of camparatively low relief, rising gradually from the Arctic Ocean on the north and from Hudson Bay on the east to elevations of about 1,500 feet in its central part east of Great Bear and Great Slave Lakes. In detail the topography is hummocky, consisting of ridges and hills separated by depressions which are commonly occupied by lakes or muskegs. The many lakes are of all sizes and shapes with very irregular shorelines and many islands. Over wide areas the land only here and there rises as much as 100 feet above the level of the immediately adjacent lakes. In other places the local differences of relief amount to more than 1,000 feet. The lakes owe their origin to the work of the continental ice sheet which spread over the region during the Pleistocene.

The low relief of the region was produced by long continued erosion in late Precambrian time, which eventually levelled the mountain belts that had earlier been produced by folding. During the Palaeozoic and Mesozoic eras this region of low relief was many times flooded, at least partially, by seas which advanced over its surface and later retreated. The sediments which accumulated in these seas were largely swept away by later erosion when, during the Tertiary, the region stood above the sea.

The oldest record we have in the Northwest Territories of Archaean or early Precambrian rocks is the accumulation of sediments and volcanics. Sedimentary rocks predominate and consist largely of greywacke and slate and their altered derivatives. Volcanic rocks, which are not particularly abundant in Northwestern Canada, include the types commonly known as greenstones, consisting of altered basic lavas, and in places these are altered to schists. All these rocks have been extensively intruded by granite. Between Lake Athabaska and Great Slave Lake these early rocks have been described under the term Tazin series; in the Great Slave Lake-Coppermine River area they have been variously called the Yellowknife group and the Point Lake-Wilson Island group. The Yellowknife group, at its type locality, consists of about 30,000 feet of lavas overlain by an equal or greater thickness of sedimentary rocks. The older lavas are chiefly andesite and basalt and pass upwards without break into flows that are mainly dacite and rhyolite. These in turn, are overlain by the sedimentary member, the contact being marked in places by an erosional unconformity, elsewhere by interbanded lavas and sediments. The sedimentary rocks are chiefly greywacke and slate. Over wide areas they have been altered to nodular quartz-mica schist and hornfels containing knots of chiastolite, cordierite, staurolite, and other metamorphic minerals.

During the Proterozoic or late Precambrian, there were at least two periods during which great thicknesses of sedimentary and volcanic rocks accumulated in each of several widely separated areas. Rocks of the older period (early Proterozoic) have been recognized on the north shore of Lake Athabaska, in the east arm of Great Slave Lake, near the Arctic Coast, and in several intervening areas. On the north shore of Lake Athabaska white and red quartzite of the Beaverlodge series overlies Archaean sediments of the Tazin series and granitic rocks, but is itself cut by granite, gabbro, and norite. Between Athabaska and Great Slave Lakes the Nonacho series of conglomerate, slate, greywacke, arkose, and quartzite occupies an area about 100 miles long and up to 25 miles wide. The area is completely enclosed by granitic rocks, in part older, in part younger, than the Nonacho sediments. Along the east arm of Great Slake Lake a synclinorium about 150 miles long consists of conglomerate, arkose, sandstones, quartzite, shale, slate, colitic iron formation, dolomite, breccia, basalt, andesite, trachyte, rhyolite, porphyry, and tuff. Two or more series of strata may be represented in this group which is known as the Great Slave group. It rests unconformably on granite, and is itself intruded by syenite and diorite. Between

Great Slave and Great Bear Lakes several areas underlain by quartzite, arkose, conglomerate, slate, argillite, greywacke, dolomite, and limestone, with minor flows and basic intrusives, generally resemble the lower part of the Great Slave group and have been assigned to the early Proterozoic under the name of Snare group. Pre-Snare and post-Snare granitic rocks occur in the vicinity. Along the east coast of Great Bear Lake and to the east is the Echo Bay group of sediments, bedded tuffs, lavas, and intrusive and extrusive porphyries. These rocks are overlain by the Cameron Bay group comprising conglomerate and red sandstone. Along the Arctic Coast, between Parry Peninsula and Bathurst Inlet, three formations of probable early Proterozoic age rest on Achaean granite. The oldest is the Epworth dolomite best developed about Port Epworth. The second formation is the Kanuyak consisting of calcareous tuff and tuff-conglomerate. It occurs on the islands of Bathurst Inlet. The upper formation is the Goulbourn quartzite which has a thickness of more than 4,000 feet.

Late Proterozoic time was marked in various parts of the region by the accumulation of flows and clastic sediments. In the Arctic region these rocks are known as the Coppermine River series; in the Great Slave Lake region, they form the Et-Then series; in the Lake Athabaska-Dubawnt River region they are referred to as the Athabaska series. The rocks of the Coppermine River series occur along Coppermine River and farther east on Bathurst Inlet. They consist largely of basaltic flows interbanded with some sandstone and shale and cut by diabase sills. The Et-Then series occurs in the east arm of Great Slave Lake and consists of conglomerate, sandstone, and quartzite, resting unconformably on the members of the Great Slave group, the granite, and the Archaean sediments. The Athabaska series is found south of Lake Athabaska and along Dubawnt River where it consists largely of white, buff, and reddish sandstone, arkose and conglomerate.

Throughout the western part of the Shield portion of the Northwest Territories, rectilinear topographic features or "lineaments" are very apparent from the air. The lineaments are formed by reasonably straight shore-lines, water-courses, scarps, valleys, or ridges, and some of them can be traced for distances of several hundred miles. Many of them are known to mark major faults, all of which stand about vertical. The fault-movements along them were dominantly horizontal, causing lateral displacements as great as five miles. Many of the faults are marked by quartz veins and stockworks up to 1,000 feet wide. Some of this faulting is later than the late Proterozoic diabase intrusives that are the youngest consolidated rocks in the Shield.

The last great event in the geological history of the region was the spread of a continental ice mass in Pleistocene times. This had its gathering ground west of Hudson Bay from which centre it advanced in all directions. Erratics and morainal material left by the ice are scattered over the entire region.

Continuous mining operations commenced in the Shield part of the Northwest Territories in 1933. Since that time minerals to the value of more than $20,000,000 have been produced of which considerably more than half has come from the gold mines around Yellowknife (which began production late in 1938), and the remainder chiefly from radium-silver mines at Great Bear Lake. Other products recovered in smaller quantity include copper, lead and tungsten. The more important known occurrences of minerals and possible economic interest are summarized below.

Gold occurrences are widespread in the region extending northwestwards for 200 miles from the east arm of Great Slave Lake. They are also known along and near the west coast of Hudson Bay—on Chesterfield Inlet, Wager Bay, Term Point, and Ferguson River. Radium and silver minerals are found at a number of places around Great Bear Lake and to the south along Camsell and Marian Rivers. Copper minerals are common around Coronation Gulf and

south to Great Bear Lake. A copper-nickel sulphide body containing platinum group metals occurs on Rankin Inlet on the west side of Hudson Bay. Cobalt and nickel are associated with the Great Bear Lake ores and are also found in the area adjacent to the east arm of Great Slave Lake. Low-grade iron ores are found on islands in Great Slave Lake. Lead minerals occur on the Arctic coast and in the Talston River area. Lead-zinc-copper replacement bodies are found in the Yellowknife-Beaulieu region near Homer and Tumpline Lakes. Chromite has been reported from Melville Peninsula and from the Coppermine River area. Molybdenite is locally abundant in the Yellowknife district. Tungsten has been recovered from the gold ores on Outpost Islands, Great Slave Lake, as well as from one of the hundreds of scheelite deposits known in the Yellowknife-Beaulieu region. Tin is likewise found in both of these districts. Tantalum, beryllium, and lithium minerals occur in pegmatites in the Yellowknife-Beaulieu region. Fluorite is reported from Baker Lake and from Snare River. Semi-precious gems, including sapphire, dichroite, chiastolite, jade, and lazulite have been found along and near the western margin of the Shield.

Cordilleran Region

An area of some 30,000 square miles of the Northwest Territories, west of Mackenzie River and between the Peel on the north and the Liard on the south, forms part of the great Cordilleran region of Western Canada. The Mackenzie Mountains, forming this region and a part of Yukon Territory are made up of ranges trending in a northwest direction and ranging in elevation up to over 8,000 feet with a relief, where explored, of 3,000 to 4,500 feet. The drainage of the area is to the Mackenzie, the chief streams being Arctic Red River, the Carcajou, the Keele (formerly the Gravel), the Root, the North Nahanni, and the South Nahanni, the last of which empties into the laird. All of these streams have steep gradients. On the Keele River where the belt is widest the high mountains lie about 50 miles from the Mackenzie and between them and the Mackenzie lowland is a zone of foot-hills about 3,000 feet in height. Farther south at the "Great Bend" of the Mackenzie near where the latter is joined by the North Nahanni, the mountain front is an abrupt unscalable escarpment the top of which is 2,000 to 3,000 feet above the valley plain.

The rocks of the range are chiefly sediments of Palaeozoic age ranging from Upper Cambrian to Carboniferous. The rocks of the eastern belt are heavily bedded limestones, dolomites, sandstones, and conglomerates. Nahanni Peak, one of the striking mountain features to be seen by the traveller descending the Mackenzie, is composed of Middle Devonian strata. Lying above the hard limestones are Upper Devonian shales which have a thickness of as much as 2,000 feet, and above these is a limestone zone 800 to 1,100 feet thick. This in turn is succeeded by other shale and limestone facies 1,300 to 1,500 feet thick, all of Upper Devonian age. On the North Nahanni, the Middle Devonian rocks form an anticline with steep dips on the east and more gently inclined beds on the west.

In Pleistocene times, the Mackenzie Mountains were occupied by the northern extension of the Cordilleran ice sheet which here had a thickness of about 3,000 feet. The higher peaks were not covered.

Not many mineral occurrences have been reported from the Cordilleran part of the Northwest Territorties, in part, at least, due to the fact that only very limited exploration and prospecting has been carried on here. Iceland Spar has been recovered from deposits in the northern part of the mountains: low-grade iron ores are exposed along the Keele (Gravel) Rivers; and placer gold has been found along the Peel, Nahanni, and Liard Rivers.

The Interior Plains

The Mackenzie lowland includes the belt between the Cordilleran region on the west and the Canadian Shield on the east. It begins on Slave River, embraces the basin at the west end of the Great Slave Lake, and continues down to the Arctic Coast. On Slave River its elevation is about 700 feet and from there northward the surface slopes gradually to the Arctic. North of Nahanni River the lowland is divided into two parts by the long, narrow ridge of Franklin Mountains, a western portion varying in width from 20 to 80 miles through which the Mackenzie flows and an eastern portion occupying all but the eastern part of the drainage basin of Great Bear Lake. The highest summit is Mount Clark of the Franklin Range which has an elevation between 3,000 and 4,000 feet.

The Mount Clark formation consists of red quartzites and sandstones of probable lower Cambrian age. Above these lies the Middle Cambrian Mount Cap formation consisting of grey, green, and red sandstones and shales, and a third formation consisting of red and green shales with gypsum-bearing beds belongs either to the Middle or Upper Cambrian. Shale beds of possible Ordovician age are also exposed at the base of Mount Kindle east of Wrigley.

Rocks of Ordovician and Silurian age form the base of the Palaeozoic section along a considerable part of the eastern edge of the lowland belt where the Palaeozoic sediments overlap the Precambrian rocks of the Canadian Shield. Limestone and gypsiferous dolomite occur along Slave River and on the west side of the north arm of Great Slave Lake, Silurian sediments form an escarpment which probably continues northward to Great Bear Lake. Silurian strata are also exposed in Lone Mountain near the mouth of North Nahanni River, in Bear Mountain near Norman, and in Mount St. Charles on Great Bear River.

The Silurian strata are succeeded unconformably by beds of Devonian age which form the surface rocks over the greater part of the Mackenzie Lowland region. On Great Slave Lake these strata have been divided into three formations, in ascending order: the Pine Point limestone, about 100 feet thick; the Presqu'ile dolomite with an estimated thickness of 200 feet; and the Slave Point limestone about 160 feet. Along the lower Mackenzie the following formations have been correlated with these respectively: the Hare Indian River shales, over 300 feet thick; The Rampart limestone, 250 feet thick; and the Beavertail limestone, 350 feet thick. The Ramparts limestone is so named from its excellent exposures in The Ramparts section just above Fort Good Hope.

Sandstones and shales of Cretaceous age cover considerable areas in the Mackenzie Lowland region. They outcrop on Liard River near the southern border of the Territories, along the Mackenzie north of Dahadinni River in several disconnected stretches, and along the western shores of Great Bear Lake. The beds are largely of marine origin, but in places some of the lower strata carry coal seams. At the mouth of Bear River a basin of partly consolidated Tertiary sands and clay with lignite beds has a length of 30 to 40 miles and a width of from 20 to 30 miles. The beds are of lacustrine origin.

The mineral resources of the Interior Plains include salt, gypsum, the mineral fuels, lead, zinc, and iron. Petroleum valued at nearly one million dollars was produced at Norman Wells between 1932 and 1943 inclusive, and oil seepages have been reported from numerous places elsewhere in the Mackenzie River Valley. Lignitic coal occurs near Norman and on the east coast of Great Bear Lake. Salt and gypsum occur widespread throughout the Interior Plains; some deposits have been put to local use. Ferruginous beds outcrop in the Franklin Mountains. Lead and zinc minerals are found in Devonian Limestones near Pine Point on the south shore of Great Slave Lake.

Comparatively little is known of the geology of the Arctic Archipelago. Available information suggests that, like the mainland part of the Northwest Territories, a three-fold division into Shield, Plains, and Mountains is warranted.

Thus, the southeastern islands are composed chiefly of crystalline rocks of Precambrian age. Proceeding northwesterly these become overlain by nearly flat Palaeozoic sandstones and limestones, with successively younger strata, including carboniferous coal seams, appearing at the surface, generally similar in age and structure to the rocks of the Interior Plains. In the extreme northwestern part of the Archipelago, observations at a few widely separated districts suggest the existence of a mountain range consisting largely of folded and intruded Mesozoic rocks extending southwesterly for nearly a thousand miles from northern Ellesmere Island through the Sverdrup group.

Occurrences of graphite and mica near the southeast coast of Baffin Island have been known for more than 360 years; some mining has been done for both these minerals. Coal has long been mined for local use from a small basin of Tertiary rocks near Pond Inlet on Baffin Island. One hundred miles to the west platinum, nickel, and silver occurrences have been reported from admiralty Inlet. Iron ores are found in rocks of Proterozoic age on Belcher and Nastapoka Islands in Hudson Bay; at the latter locality they contain appreciable amounts of manganese.

Bibliography

The following selected list of publications includes those most likely to prove useful to prospectors and others interested in the geology and mineral possibilities of the Northwest Territories. More extensive bibliographies will be found in the reports listed. Most of the earlier Geological Survey reports dealing with this region other than those shown below are out of print. Geological Survey publications (*) may be obtained at nominal cost on application to the Chief, Bureau of Geology and Topography, Department of Mines and Resources, Ottawa. Publications issued by the Lands, Parks and Forests Branch, Department of Mines and Resources, Ottawa (†) may be obtained on application to the Director of that Branch.

* Alcock, F. J. ..... "Geology of Lake Athabaska Region, Saskatchewan" Memoir 196, 1936.

† "Geology and Physiography" in "Canada's Western Northland", pp. 145-161, 1937.

† "Geology of Eastern Arctic Canada" in "Canada's Eastern Arctic", pp. 138-143, 1935 (out of print)

Camsell, C., and Malcolm, W. ..... "Mackenzie River Basin", Geol. Survey, Canada, Memoir 108, 1921 (out of print)

* Cameron, A. E. ..... "Hay and Buffalo Rivers, Great Slave Lake and Adjacent Country, N.W.T.", Part B, Summary Rept. 1921.

* Dowling, D. B. ..... "Geological Structure of the Mackenzie River Region", Part B, Summary Rept. 1921.

* Henderson, J. F. ... "Taltson Lake", Map 525-A, 1939.

" " " "Nonacho Lake", Map 526-A, 1939.

" " " "Beaulieu River", Map 581-A, 1941.

" " " "Gordon Lake", Paper 40-9 (report and map), 1940; Map 644-A. 1941.

" " " "Gordon Lake South", Paper 40-7 (report and map), 1940; Map 645-A, 1941.

" " " "Mackay Lake Area", paper 41-1 (report and map), 1941; Map 738-A, 1943.

* Hume, G. S. ..... "North Nahanni and Root Rivers Area, and Caribou Island, Mackenzie River District", Part B. Summary Rept. 1921.

" " " "Petroleum Geology of Canada", Economic Geology Series No. 14, 1944.

* Jolliffe, A. W. ..... "Mineral Possibilities of the Northwest Territories" Trans. Can. Inst. Min. Met., vol XL, pp. 663-677, 1937.

" " " "Yellowknife Bay—Prosperous Lake Area", Paper 38-21 (report and maps), 1938; Map 709-A, 1942.

" " " "Quyta Lake. and Parts of Fishing Lake and Prosperous Lake Areas", Paper 39-6 (maps), 1939; Paper 40-14 (report), 1940.

" " " "Rare Element Minerals in Pegmatites, Yellowknife-Beaulieu Area", Paper 44-12, 1944.

* Keele, J. ..... "A Reconnaissance across the Mackenzie Mountains on the Pelly, Ross, and Gravel Rivers, Yukon and Northwest Territories," Publ. No. 1097, 1910.

* Kidd, D. F. ..... "Rae to Great Bear Lake, Mackenzie District, N.W.T.," Memoir 187, 1936.
* Lord, C. S. ..... "Mineral Industry of the Northwest Territories", Memoir 230, 1941 (see pp. 134-136 for index to Topographic maps covering western part of Shield portion of Northwest Territories.)
" " " "Snare River and Ingray Lake Map-Areas", Memoir 235, 1942.
* O'Neill, J. J. ..... "The Geology of the Arctic Coast of Canada, West of the Kent Peninsula", Report of the Canadian Arctic Expedition, 1913-1918, Vol. XI, 1924.
* Stockwell, C. H. .... "Eastern Portion of Great Slave Lake", Maps 377-A, 378-A, 1936.
* Weeks, L. J. ..... "Mistake Bay Area, West Coast of Hudson Bay", Part B, Summary Rept. 1929.
* Whittaker, E. J. ... "Mackenzie River District Between Great Slave Lake and Simpson", Part B, Summary Rept. 1921.
* Williams, M. Y. ... "Exploration East of Mackenzie River, between Simpson and Wrigley", Part B, Summary Rept. 1921.
* Wilson, J. T. ..... "Fort Smith", Map 607-A.
* Young, G. A. ..... "Iron-bearing Rocks of Belcher Islands", Part E, Summary Rept. 1921.
* ..... "Great Slave Lake to Great Bear Lake", Paper 41-2 (map only), 1941.

The Mining Industry

The production of minerals on a commercial basis in the Northwest Territories is a comparatively recent development, and at present, the value of the annual output is not large when compared with the older mineral-producing areas of the Dominion. It has, however, surpassed that of the fur trade, the only other important industry in the Territories, and up to the end of 1942, showed a steady increase. Since then, the annual value of mineral production has declined owing to war conditions which have affected the supply of labour and equipment. This situation, however, is considered a temporary one, and renewed activity, particularly in the production of gold, is expected in the post-war period.

The occurrence of potentially valuable minerals in the Northwest Territories was first reported by Frobisher, who in 1576 entered a bay in southern Baffin Island which now bears his name. Copper was found by Hearne near the mouth of Coppermine River in 1771, and in 1789 Mackenzie observed coal seams on the river named for him, but most of the present knowledge of the mineral possibilities of the region has been acquired since 1920. During that year and the four years following, oil in commercial quantities was obtained from wells drilled about 48 miles north of Fort Norman on Mackenzie River. However, as there was no market for the oil, the wells remained capped for several years. The drilling operations at Norman Wells, as the site is now called, led to the use of aircraft in the Territories, and the advent of this form of transportation subsequently made possible much of the exploratory and development work that has followed.

Interest in the mineral possibilities of the Northwest Territories may be attributed mainly to the discovery of radium-bearing and silver ores on the eastern side of Great Bear Lake in 1930. The spectacular nature of the discovery —destined to effect a marked reduction in the price of radium—inspired a world-wide interest in the finds. This interest has continued with the result that more knowledge of these possibilities has been gained within the past fifteen years than in the previous century. Yet, to date, this knowledge is confined largely to a relatively narrow strip of country which forms part of the western fringe of the Canadian Shield and which lies between Great Slave and Great Bear Lakes. Comparatively little is known, except in a general way, of the mineral possibilities of the region lying west, north, and east of this belt of activity.

During a geological survey of the country in the vicinity of Echo Bay in 1900, the late James Mackintosh Bell and Charles Camsell, now Deputy Minister of Mines and Resources, observed that the rocks facing the shore of Great Bear

Lake were stained with cobalt bloom. Reference to this fact was duly made in their report. Thirty years later the report was read by Gilbert LaBine, a prospector trained in the Cobalt area of Ontario. To LaBine, this occurrence indicated the presence of silver, and he decided to explore the region. In May, 1930, he and his partner, Charles St. Paul, made the great discovery of pitchblende at what is now known as LaBine Point north of Echo Bay.

LaBine returned with samples to Ottawa where officers of the Department of Mines confirmed them as high-quality pitchblende, the ore of radium. Plans were immediately made for the commercial development of the deposits, but obstacles had first to be overcome. One of the greatest of these was the development of a suitable process for the extraction of radium from the Great Bear Lake ore. Such a process was eventually worked out by metallurgists of the Department of Mines at Ottawa and is now used as a basis of radium extraction at the refinery of Eldorado Mining and Refining at Port Hope, Ontario.

During 1933, Eldorado Gold Mines, Limited, as the company was then called, completed the erection of a milling plant on the property at Great Bear Lake and a refinery at Port Hope, Ontario. By the end of that year, the company was in steady production and within a short time Canada had become one of the two important producers of radium in the world. The result was a decline in the price of this substance from $70,000 to $25,000 a gram. As a means of overcoming its transportation problem, the company developed a system involving the use of power boats, barges, oil tankers, and aircraft.

The production of radium in Canada had become a well-established industry by September, 1939, when the war commenced, but in June, 1940, the company was forced to close down its mine owing to disorganized world markets. However, as a result of an increasing demand for the company's products, the mine was reopened in August, 1942, and is again operating at capacity. Early in 1944, all properties and assets of the company were expropriated by the Dominion Government, and are now operated as a Crown company known as Eldorado Mining and Refining. During 1944, additions to the plant buildings were made, and the shaft enlarged to three-compartment size and deepened to 1,350 feet, providing additional levels. The mill has a capacity of 100 tons of ore in 24 hours, and the concentrates produced are shipped to the refinery at Port Hope where radium, uranium salts and related products are made. Information relating to the tonnage of ore mined, milled, and shipped is now treated as confidential.

The discoveries at LaBine Point resulted in an active and continuous interest in mineral development in the Territories. This interest was intensified when gold was found in the Yellowknife River area on the north side of Great Slave Lake in 1934. Development of claims followed, and in September, 1938, the first gold brick produced in the Northwest Territories was poured at the Con mine of Consolidated Mining and Smelting Company of Canada, Limited, situated west of Yellowknife Bay. Other properties which came into production later were the Rycon mine of Consolidated Mining and Smelting Company, Limited, and Negus Mines, Limited—both adjoining the Con mine—in 1939; Slave Lake Gold Mines, Limited, (now International Tungsten Mines, Limited) on Outpost Island, and Thompson-Lundmark Gold Mines, Limited, at Thompson Lake, in 1941; and Ptarmigan Mines, Limited, near Prosperous Lake, early in 1942. In addition, the Ruth Mine in the Francois Lake area was brought to production stage by 1942. Some high-grade ore was also shipped by Giant Yellowknife Gold Mines, Limited, from a property on the west shore of Yellowknife Bay, but operations were suspended in June, 1940.

Mineral production in the Yellowknife district reached a peak in 1942, when gold to the value of $3,826,000 was mined. Of this amount, nearly half came from the Con and Rycon mines. Silver production in the Territories for the same year was $9,500. Late in 1942, the increasing shortage of labour occasioned by

the war forced some mining companies to suspend operations temporarily, and as a result, there followed a recession in mining activity and mineral production. By the end of 1943, all mines with the exception of Negus had either closed down or ceased production. The mill of Negus Mines, Limited, was closed at the end of September, 1944. Maintenance and development work, however, is being continued at the properties of the Con and Negus mines, to determine and block out reserves of ore.

According to figures released by the Dominion Bureau of Statistics, the value of mineral production in the Northwest Territories to the end of 1944 was as follows:

Mineral	Production for 1942	Production for 1943	Production for 1944	Total Production to end of 1944
Gold	$3,826,669	$2,272,732	$ 799,838	$14,010,401
Silver	9,500	5,996	5,881	836,567
Lead	....	....	....	490
Copper	7,561	....	1,428	24,102
Tungsten	23,725	729	....	37,674
Pitchblende products	*	....	....	5,805,423*
Petroleum	108,477	400,201	632,587	1,508,801
Natural gas	335	335	335	2,925
	$3,976,267	$2,679,993	$1,440,069	$22,226,383

* The value of pitchblende products, including radium and uranium, for the years 1942, 1943, and 1944, is not available for publication.

Although mineral production in the Yellowknife area declined in 1944, new developments during that year indicate increased activity in the future. Diamond drilling carried out during the winter of 1943-44 by Frobisher Exploration Company on properties of Giant Yellowknife Gold Mines, Limited, disclosed several extensive gold bearing zones. These discoveries precipitated an intensive program of prospecting in the region, and resulted in the location and recording of more than 3,200 claims in 1944. Many Canadian mining companies had engineers in the district seeking important properties, and numerous new mining companies were incorporated. By September, 1944, approximately 100 mining companies and syndicates owned mining claims in the district or had an interest in their development. Drilling programs were undertaken by a number of companies to outline new ore bodies, and surface prospecting was also carried on. New discoveries near Johnston and Gordon Lakes, north of Yellowknife, were also reported.

A sequel to the mining activity in the region has been the development of the surveyed townsite of Yellowknife on the west side of Yellowknife Bay. It contains the office of the Government mining recorder, first opened in 1937, a detachment of the R.C.M.P., stores, hotel, and banks; has electric light and water services, air and water transportation services, and other amenities not usually found in frontier settlements.

The development of water power at Prosperous Lake to provide hydro-electric energy for the mines in the Yellowknife region resulted in reduced operating costs at the properties served, and should be an incentive to further exploratory and development work. (See "Waterpower" on pages 38-39). Until 1939, most of the mining enterprises in the Northwest Territories used power developed by diesel engines, the fuel for which was obtained chiefly from oil wells north of Fort Norman which had been developed by Imperial Oil, Limited. A still which had been installed in 1931 was replaced in 1939 by a small refinery which now produces high octane aviation gasoline, ethyl and white motor gasolines, light and heavy diesel oils, and fuel oil. Te selling price of these products was reduced in 1944 by Imperial Oil, Limited, and an increased use of oil for domestic fuel purposes in Mackenzie District in lieu of wood is expected in the future.

An important development inaugurated in 1942 in the vicinity of Norman Wells was the extensive drilling program undertaken to determine the extent of the oil-producing area, in order to meet expanding requirements of petroleum products for use of the armed forces in Northwestern Canada and Alaska. This development is more fully described on pages 35-36 under the heading of "The Canol Project".

The Northwest Territories are producing radium, uranium, silver, gold, and petroleum products in commercial quantities. Other minerals also known to occur in the Territories include lead, zinc, nickel, copper, tungsten, tantalite, lithium, and coal, but, owing to the high cost of production, problems of transportation, and other reasons, their development has not yet been given much attention. A more complete description of mineral occurrences in the Northwest Territories will be found in the section "Geology" on pages 24 to 30 inclusive.

Preliminary work has, however, been carried out on a promising nickel-cobalt property situated at Sachowia Lake north of Et-Then Island in Great Slave Lake. Occurrences of scheelite, the tungsten-bearing mineral, have been examined in the Tibbitt Lake, Beaulieu River, Gilmour Lake, and Gordon Lake areas. Preliminary development work has been carried out on some of these preperties and one small shipment of tungsten concentrates was made from a property in the vicinity of Consolation Lake near Beaulieu River. A small mill has been completed to concentrate tantalite occurring in a pegmatite dyke located near the shore of Great Slave Lake about 70 miles east of Yellowknife.

Also worthy of mention are the lead-zinc deposits in the Presquille dolomite of Devonian age south of Pine Point on Great Slave Lake. Approximately 1,000,000 tons of fair grade lead-zinc ore have been revealed by drilling and underground exploration on the property of Northern Lead-Zinc, Limited. Interest in the occurrences of copper in the Coppermine Mountains regions was revived in 1944 when American Metals Corporation commenced drilling chalcocite deposites near Willow Creek, west of Coppermine River. Continued exploration of these occurrences is anticipated in 1945.

The development of mining in the Northwest Territories has been aided greatly by the geological investigations and manning work completed by the Geological Survey Division of the Bureau of Geology and Topography, Department of Mines and Resources, Ottawa. Geological reconnaissance in the Territories during the war years has been restricted by the limited staff available and the urgent need for investigation elsewhere, but a broadened program of exploration is anticipated in the post-war period. Accurate mapping is an essential adjunct to detailed mineral exploration, and it is expected that larger areas of Canada's Northland will be photographed and mapped as soon as the necessary equipment and personnel are available.

The Canol Project

One of the important developments of recent years in the Northwest and Yukon Territories has been the Canol Project, which was undertaken early in 1942 to provide an increased fuel supply for the use of the United States Army in northwestern Canada and Alaska. Soon after the outbreak of war with Japan, when an invasion of Alaska and a threat to north Pacific navigation appeared imminent, an agreement was entered into by the Governments of Canada and the United States involving a drilling program to determine the extent and capacity of the oil-producing area in the vicinity of Norman Wells, N.W.T., construction of a pipeline with a capacity of 3,000 barrels daily from Norman Wells to Whitehorse, Yukon Territory; and the erection of a refinery at Whitehorse.

Under the terms of the agreement between the two Governments, the United States assumed the costs of the project and the Canadian Government is provid-

ing sites for structures and rights of way essential to the project, and is also making oil rights available under appropriate regulations. The Canadian Government also agreed to facilitate the entry into Canada of equipment, labour, and personnel for construction and maintenance of the project, and to waive import duties, taxes, and licence fees. Royalties on oil produced under this project are also waived for the duration of the war.

The United States retains ownership of the pipeline and refinery until the end of the war, at which time they will be offered for sale with the Canadian Government being given prior right of purchase. In the event that a satisfactory sale cannot be made, the disposition of the pipeline and refinery will be referred to the Permanent Joint Board on Defence. Title to the land over which the pipeline is laid remains in the Crown in the right of Canada.

The history of oil production at Norman Wells goes back for many years. Seepages of petroleum in the vicinity were known to early explorers, and the first report of the Geological Survey of Canada on the Mackenzie River region covering field-work carried out in 1887-88 noted indications of the presence of petroleum. In 1914, three petroleum claims were staked along the Mackenzie River near Bosworth Creek. These claims later were acquired by the Northwest Company, a subsidiary of Imperial Oil, Limited, and in 1919 drilling equipment was shipped to the site. In 1920, the first well was drilled and oil in commercial quantity encountered. Three wildcat wells drilled by the Northwest Company and one by the Fort Norman Oil Company between 1921 and 1924 within a forty-five mile radius of Discovery Well No. 1 failed to produce oil in commercial quantity, but another producer was brought in near the original well in 1925.

A small still capable of producing gasoline and diesel fuel was installed by the Northwest Company in 1921, but there was little demand for these products until the mining of radium-bearing ore was commenced at the Eldorado mine on Great Bear Lake in 1933. The development of gold mines at Yellowknife on Great Slave Lake greatly increased the demand for petroleum products, and the Northwest Company drilled and brought in two more wells in 1939 and 1940. The productive capacity of the four wells was then about 450 barrels of oil per day. A small refinery erected in 1939 came into operation in 1940, and its products now include aviation and motor gasolines, light and heavy diesel oils, and fuel oil. In 1943, the capacity of the refinery was increased from 840 to 1,100 barrels of crude oil per day.

In 1942, when the Canol Project was undertaken, the first task was to determine the productive capacity of the Norman Wells field. Imperial Oil, Limited, which as the Northwest Company, had been pioneering the district since 1919, was authorized to act as agent for the United States War Department in charge of the drilling program and geological exploration. During 1942, 16 new wells were drilled, of which only two failed to produce oil in commercial quantity. Drilling was continued through 1943 into 1944 and at the end of September, 1944, there were 51 producing wells in the proven field.

The proven area of the Norman Wells oil-pool which prior to 1942 consisted of a very limited acreage near Discovery Well No. 1, has been enlarged to cover an area, roughly elliptical in form of about 4,000 acres. The oil is obtained from a coral-reef limestone, that ranges up to 425 feet or more in thickness. The oil has a paraffin base, and is of medium gravity (39° to 41° A.P.I.) with a pour point below —60 degrees Fahrenheit. Treatment with acid generally doubles the initial yield. Cumulative production for the nine months ended September 30, 1944, was 835,900 barrels of crude oil, and cumulative production for the field to that date was 1,304,000 barrels.

Construction of the pipeline, together with an adjacent service road and telephone line was carried on by the United States Army Engineer Corps with the assistance of private contractors through 1943 into 1944. The pipeline, about

600 miles in length, was completed and tested by the end of March, 1944, and has been in operation since that time. The refinery at Whitehorse commenced production in May, 1944. High-pressure pumping stations are in operation along the route of the pipeline, and tank storage has been provided at Norman Wells, Camp Canol, and Whitehorse. The laying of the pipeline and construction of the service road provided unusual engineering problems apart from those occasioned by severe climatic conditions. The right of way climbs from an elevation of less than 300 feet above sea level at Mackenzie River to a height of more than 5,800 feet within the first 90 miles, and traverses rugged mountain country for most of the way. The road joins the Alaska Military Highway at Johnston's Corners in Yukon Territory, about 80 miles east of Whitehorse.

Construction headquarters for the project were established by United States authorities at Camp Canol on the west bank of Mackenzie River opposite Norman Wells, and administrative offices, warehouses, machine and repair shops, and other buildings were erected. Landing fields were also constructed at Norman Wells and Camp Canol. Pipe, supplies, and construction equipment were transported from railhead over the Mackenzie River water route by United States Army Engineers, with the assistance of existing water transportation services. With the opening of the pipeline road, supplies also were transported by motor truck from the Alaska Military Highway. Commercial and military air services also were employed to transport supplies and personnel.

To solve the immediate problem of motor fuel supply pending the completion of the pipeline from Norman Wells to Whitehorse, the Canol Project was supplemented early in 1943 by construction of a gasoline pipeline from Skagway, Alaska, to Whitehorse, over which waterborne supplies were pumped. Tapping this line are secondary pipelines constructed along the route of the Alaska Military Highway easterly from Carcross to Watson Lake, Yukon Territory, and northwesterly from Whitehorse to Fairbanks, Alaska. These lines are now being utilized in the delivery of oil products from the refinery at Whitehorse.

Synopsis of Quartz Mining Regulations

Regulations for the disposal of quartz mining claims on Dominion Lands in the Northwest Territories, effective April 2, 1932.

Miner's licences required—The fee for a miner's licence for an individual is $5; for companies, according to amount of capital. Licences are obtainable from the Mining Recorders at Fort Smith and Yellowknife, Northwest Territories, all Sub-mining Recorders in the Territories and at Edmonton, or from the Lands, Parks and Forest Branch, Department of Mines and Resources, Ottawa.

Number of claims which may be staked by licensee—Six in own name and six claims each for not more than two other licensees, or eighteen claims in all, in any one licence year, in any one mining division.

Size of claims—Not to exceed 1,500 feet in length by 1,500 feet in breadth, with boundary lines running as nearly as possible north, south, east and west. Claims to be marked on the ground with four legal posts, number one post to be placed on northeast corner. Boundary lines between each post to be marked out by removal of trees, brush, and obstructions, and by blazing trees at each side of and adjoining such boundary lines. Prospectors are urged to exercise care in planting claim posts and in cutting and marking boundary lines, and also to make sure that over-size mineral claims are not staked.

Recording—Application for the granting of a claim must be made to the Mining Recorder for the district within fifteen days of staking if claim is located within ten miles of the office of the said recorder. An extra day is allowed for each additional ten miles or fraction thereof. Recording fee, $5; if recorded on behalf of another licensee, $10 per claim.

Grouping—Adjoining claims not exceeding thirty-six in number may be grouped for the purpose of representation. Fee for grouping certificate $5.

Representation work—Claims may be held for a period of one year and thence from year to year, without the necessity of re-recording, provided that development work to the value of $100 is performed on the claim each year. Aerial reconnaissance and geological survey costs may be accepted as representation work up to the termination of the third year after the date of recording.

Other Mining Regulations

In addition to the foregoing, there are regulations governing the disposal of the following mining rights on Dominion lands:—

Placer Mining	Oil and Gas	Potash
Coal	Carbon Black	Quarrying
Dredging	Alkali	Sand, Stone and Gravel in the beds of rivers

Copies of all mining regulations may be obtained from the Mining Recorders at Fort Smith and Yellowknife, or from the Bureau of Northwest Territories and Yukon Affairs, Lands, Parks and Forests Branch, Department of Mines and Resources, Ottawa, Canada.

Water-Power Resources

In recent years aerial photographic surveys and mapping and geological explorations designed to stimulate mineral development have greatly increased the amount and reliability of the information concerning the topography of the Northwest Territories. Many important rivers and lakes have been mapped and reasonably accurate records of the available heads have been secured. A beginning has been made also on the more accurate power surveys necessary before development of a water-power site can take place.

A power survey of the Yellowknife River was made in 1937 and a tentative scheme of development was worked out. Consolidated Mining and Smelting Company applied for the right to develop a site between Bluefish and Prosperous Lakes about 20 miles north of Yellowknife settlement. The initial stage of this development was completed in 1940 and is the first water-power project to be brought into operation in the Northwest Territories.

The development consists of a dam at the outlet of Bluefish Lake to raise the water 15 feet, a power house near Prosperous Lake to which the water is diverted from the upper lake about one-half mile across the divide by means of an open-cut rock tunnel and a woodstave penstock. The power equipment consists of a turbine rated at 4,700 horse-power and generator of 4,200 kilovolt-ampere capacity. If more power is required, the extent of the development can be almost doubled by raising the level of Bluefish Lake an additional 10 feet and by building a dam at the outlet of Duncan Lake about 25 miles upstream to raise the water of that lake about 10 feet. Delivery of power from this source was commenced on January 15, 1941, over the 33,000-volt transmission line to the Con, Rycon and Negus mines. The line also serves the Ptarmigan mine. Power from the project is available for distribution in Yellowknife settlement, and a separate transmission line, 27 miles in length, supplies power to the Thompson-Lundmark property east of Yellowknife River.

Elsewhere in the Northwest Territories, large areas have been surveyed by aerial methods in recent years so that the fall of the principal rivers and their drainage areas are closely established. Thus, it is now possible to make a reasonably close estimate of the water-power resources of the Territories as a whole. Tentative estimates indicate a total of about 280,000 horse-power

available under conditions of ordinary minimum flow with almost 690,000 horse-power ordinarily available for six months of the year. Of this, as stated, only 4,700 horse-power has been developed.

This water power is chiefly in the Mackenzie District, and little is known of the water-power resources of the Arctic Islands, Franklin District, but these are believed to be unimportant. From present knowledge, one of the most attractive rivers in the Northwest Territories, from a purely water-power standpoint, is the Lockhart, which enters the east end of Great Slave Lake. This river has a descent of 700 feet in a distance of 25 miles. Artillery Lake and the other lakes offer excellent opportunities for storage to equalize the flow of the river in its lower course.

The Taltson-Tazin River system, which enters Great Slave Lake from the south has many rapids and falls, the Twin Gorge fall on the Taltson being particularly notable, with a reported total descent of 130 feet. Much of the water of Tazin River is diverted south into Lake Athabaska to supplement the flow being developed at Wellington Lake, near Goldfields, Saskatchewan. Snowdrift River, also south of Great Slave Lake, is reported to offer considerable power possibilities. Such records as have been secured of Hay River indicate that although its flow is not great, two effective power concentrations are possible.

Great Bear River, where it cuts through the Franklin Mountains, has rapids which afford a power head of possibly 25 feet, with the vast area of Great Bear Lake available to equalize the flow. Tributary to Great Bear Lake is Camsell River, upon which surveys have been made with a view to the development of power for mining purposes. At White Eagle Falls a head of approximately 70 feet could be secured which would render more than 4,000 horse-power available at ordinary minimum flow and more than 10,000 horse-power available for six months of the year. Camsell River issues from a series of lakes and it is stated that it would be feasible to secure complete regulation of the flow of the river, in which case considerably more continuous power could be secured.

At Virginia Falls on the South Nahanni River there is a descent of over 300 feet having a power capacity estimated at 5,000 to 12,500 horse-power. Other possible power-sites in this district are believed to exist on Liard and Peel Rivers. Some of the rivers flowing into the Arctic Ocean, including Coppermine and Back Rivers, appear to have considerable power possibilities. This also applies to some of the rivers flowing into Hudson Bay. At two concentrations it is estimated that from 220,000 to 506,000 horse-power could be developed on Slave River, near Fort Smith. Most of this power is in Alberta, but it would be readily available for use in the Northwest Territories.

Agriculture

Agricultural development has taken place in the Northwest Territories only in the valleys of the Mackenzie River and some of its tributaries. Climatic, geological, and topographical conditions place the major part of the Territories outside the zone of possible agricultural operations. This is particularly true of the Eastern Arctic region, where lack of developed soil and shortness of the growing season are contributing factors.

Small-scale farming operations and gardening, however, have been carried on in the Mackenzie District since the earliest days of exploration and settlement. Much of the pioneer work was undertaken by missionaries and fur-traders, who planted vegetables for their own use, imported a few head of live stock and horses, and even succeeded in growing small quantities of grain for feed. In 1911, experimental work was undertaken by the Oblate Missions with assistance from the Department of Agriculture at a number of settlements along the Mackenzie waterway, and continued for many years with notable success, con-

sidering the handicaps under which operations were conducted. At present, such co-operative tests are being conducted at Fort Simpson on the small farm of a resident, and progress is reported.

Investigations have been carried out in the Mackenzie Basin from time to time by officers of the Department of Agriculture, with the object of assisting residents in their efforts, and also to ascertain the agricultural possibilities of the region. The most recent of these investigations were undertaken in 1944, when preliminary soil surveys of the valleys of the Liard River, the Mackenzie River from Fort Simpson to Great Slave Lake, and the Slave River were made. In addition, most of the important settlements in the Mackenzie District were visited by a specialist on horticulture.

Preliminary reports of the soil survey indicate that while no extensive areas suitable for agricultural purposes were found in the Liard River Valley, river bottom land suitable for gardening and small scale farming occurs practically continuously along the river from a point about 60 miles above Fort Simpson to the British Columbia boundary. In the aggregate, the area of such lands would total many thousands of acres. The development of such lands would entail heavy clearing operations. The settlement of Fort Simpson, situated at the junction of the Liard and Mackenzie Rivers, is located on an island of good soil, but the surrounding mainland regions offer little opportunity for agricultural development. From Simpson southward to the Trout River no areas suitable for agriculture were seen but from this river to Fort Smith large areas of low lying land, probably of alluvial deposition, occur. While observations were limited, some of this land is suitable for agricultural development, particularly near the mouths of tributary streams and along the lower reaches of the Slave River. However, as on the Liard River, the development of such lands will entail heavy clearing operations.

The horticultural survey revealed considerable success in the raising of vegetables for local consumption. Improved yields, however, are believed possible by the planting of earlier-maturing varieties of seed, more extensive use of fertilizers, and of irrigation where the soil lacks moisture or rainfall is scanty. The establishment of additional experiment or illustration stations has also been recommended as a means of improving past efforts. The report of the horticultural survey also indicated that from Fort Simpson northwards some areas suitable for agriculture were observed on bench lands bordering the Mackenzie River and in the vicinity of existing settlements. These areas range in size from 15 to 1,000 acres. Most extended studies, however, are visualized before a complete report on the possibilities of the region may be expected.

The following brief notes on present conditions at the various settlements are based on recent observations of qualified investigators.

Fort Smith—Fort Smith is situated on sandy soil once covered by poplar and jack pine. The use of fertilizer and water improves yields. A number of gardens produce good root and leaf vegetables. Raspberry and other fruit bushes bear fair crops. Cattle for milk production, poultry, and horses are maintained in the vicinity. Wheat and oats, which ripen, are grown by the Roman Catholic mission for feed. Wild hay is available in the vicinity.

Fort Resolution—Spring is tardy, but most of the common vegetables can be grown with fair success. Potatoes have yielded 200 bushels to the acre in good years. Good oat crops have been obtained for feed; alfalfa and sweet clover plots have done well. A small herd of cattle is kept at the Roman Catholic mission farm.

Hay River—Soil at Hay River is black silt loam overlying sand. Summer climate is windy and dry. The Anglican mission garden has produced potatoes, celery, turnips, carrots, radishes, green tomatoes, and occasionally fodder corn.

Fort Providence—Horticulture has been practised here since 1867. Potatoes, cabbage, lettuce, and radishes are grown, and tomatoes have ripened out of doors. Horses, cattle, and poultry are kept at the Roman Catholic mission.

Trout River—Many varieties of garden vegetables are grown, and potatoes are shipped in quantity to places farther north.

Yellowknife—Although areas suitable for horticulture are not numerous, several gardens in the vicinity produce good vegetable crops. Most of these lie between the rock ridges characteristic of the region. The soil is generally clay which is overlaid with loam and moss and requires irrigation as rainfall is light. Varieties grown outdoors include potatoes, cabbage, cauliflower, broccoli, spinach, lettuce, radishes, carrots, turnips, beets, peas, and rhubarb. Poultry is raised, and with the aid of heat and light, eggs are produced throughout the winter. There is a good market for local produce.

Fort Simpson—Cropping and the raising of live stock has been carried on at Fort Simpson for years. Brome grass, oats, and barley are grown for feed. Experimental tests have been carried on by a resident in co-operation with the Department of Agriculture for some years. Potatoes and root crops usually give fine yields, and syrup has been made from sugar beets grown locally. Vegetable crops include peas, radishes, lettuce, cauliflower, cabbage, beets, carrots, rhubarb and spinach.

Ford Liard—Gardens are situated on river terrace land, and produce potatoes and other vegetables. Tomatoes also ripen regularly.

Fort Norman—Gardens have been cultivated for years. With sufficient rainfall good crops of cabbage, potatoes, lettuce, carrots, beets, and peas are obtained. Some poultry, brought in as chicks, is also kept by residents.

Norman Wells—Several gardens situated on bench land above the Mackenzie River produce good leaf crops, in addition to radishes and potatoes. The soil is basically bluish clay. Some varieties of garden flowers also grow well out of doors.

Fort Good Hope—Small gardens do well at this place situated just twenty miles south of the Arctic Circle. Leaf crops, potatoes, and root crops are practicable. Wild raspberries and gooseberries are very productive.

Arctic Red River—A few small gardens are situated on high, well drained lands. Root crops, potatoes, cabbage, cauliflower, peas, and lettuce grow well. Tomatoes and cucurbits may be grown under glass. Small fruits grow wild.

Fort McPherson—A garden at the Anglican mission produces good crops of leaf and root vegetables. Tomatoes, squash, marrow, and cucumbers are also grown in a small greenhouse. Perennial flowers also thrive. Some poultry is raised.

Aklavik—At Aklavik, more than 100 miles north of the Arctic Circle, gardens produce leaf vegetables, carrots, turnips, beets, and potatoes. The use of fertilizer increases yield. Tomatoes thrive and ripen in green-houses. Some residents keep poultry raised from imported chicks, on imported feed. An experiment undertaken by the Medical Officer of the Department of Mines and Resources at Aklavik, in an endeavour to breed cattle that will thrive under Arctic conditions, is continuing. A small herd is pastured in summer and fed in winter. Winter forage includes oats grown at Aklavik and wild hay cut in the vicinity. There is a good market for fresh milk. Goats are kept by another resident of the district and they furnish a supply of milk.

In view of the shortness of the open season, the frost hazard, danger of drought, limited facilities for transportation, and other unfavourable conditions, the achievements outlined above are significant. However, much of the success attained is due to the diligent work of those concerned.

It is believed that cropping in the Mackenzie District will be confined essentially to the sedimentary lowland. Most of the soils of agricultural value are the product of alluvial deposit and water assortment, and, of the land from Fort Simpson northward, the creek valleys are considered to be the most suitable for the raising of farm produce. There is much muskeg, but this is sometimes capable of successful cultivation. Back from the main streams much of the Mackenzie Valley has been repeatedly fire-swept. Large areas may be expected to represent a rather inferior class of woodland soil.

A characteristic of the lower Mackenzie region is permanently frozen sub-soil. Forest and field crops grow above permanent frost. In parts of Siberia, agriculture is carried on above sub-soil frozen to a depth of many hundred feet. Day length affects crops variously according to their specific habits. The potato responds favourably to a long day with a low temperature.

Although agriculture is impractical in the Eastern Arctic a number of government officials, traders, and missionaries grow vegetable plots under glass, using imported soil and fertilizers. At Chesterfield on Hudson Bay, salad vegetables have been grown successfully on a small plot of native soil without the aid of glass, and poultry has been raised for the production of fresh eggs.

Experienced observers are in agreement that before any part of the North is opened for agriculture, conditions should be carefully studied and the most likely areas selected. If, then, settlement commences along the river fronts, working gradually back and utilizing the safer locations for the less hardy crops, frost may be combated with the best chances of success. Ultimately it may be possible to introduce poultry and domestic cattle to these new locations, to grow field crops to some extent, and operate profitable gardens almost to the Arctic Ocean.

Fauna

Land Mammals

The total number of mammal species in the Northwest Territories is not very great, but those which occur are often present in great numbers. Six species are white for part or all of the year. These are the polar bear, Arctic fox, Arctic wolf, weasel, Arctic hare, and the collared lemming. A striking feature of animal life in the north is periodicity in numbers. The list of species whose numbers fluctuate from extreme scarcity to great abundance at regular intervals includes all the smaller mammals, and with them the Arctic fox, the most important fur-bearing animal in Arctic Canada.

One of the most interesting mammals is, undoubtedly, the musk-ox *Ovibos moschatus* (Zimmermann). In fairly recent times it was found all over the Barren Grounds west of Hudson Bay and on all the Arctic Islands except those of Hudson Bay, Baffin and Bylot Islands, and the Ringnes group. There are now only scattered herds of musk-oxen on the mainland, the largest being in the Thelon Game Sanctuary. There are also herds on certain Arctic Islands, particularly Melville and Ellesmere Islands. The killing of musk-ox is forbidden.

The most important land mammal from the point of view of the natives is the Barren Ground caribou, *Rangifer arcticus arcticus* (Richardson). It provides them with food and its skin excels all other materials for making clothing and sleeping robes. The largest herds of caribou are found on the mainland where groups often numbering many thousands are encountered in migrations from one seasonal range to another. The habitat of the Stone Caribou, *Rangifer arcticus stonei* (Allen), is the western side of the lower Mackenzie River. Western Woodland Caribou, *Rangifer caribou sylvestris* (Richardson) are found in small numbers in the wooded districts from northern Manitoba to Anderson River, overlapping slightly the winter range of the Barren Ground caribou.

Moose, *Alces americana* (Clinton) are fairly plentiful in certain sections and range north to the limit of trees. The animal is of importance to the Indians for food and clothing.

Mule deer, *Odocoileus hemionus* (Rafinesque) are found in the southern portion of the Mackenzie District.

Wood bison, *Bison bison athabascae* (Rhoads), are restricted to the Wood Buffalo Park lying north and south of the 60th parallel. Plains buffalo (bison) were shipped to this area from Buffalo National Park some years ago.

White Mountain sheep, *Ovis dalli dalli* (Nelson), are found west of Mackenzie River.

Black bear, *Ursus americanus americanus* (Pallas), are fairly common in the southern part of the wooded region. Other rare species of bear have been taken in the northern portion of the Territories. The Polar bear *Ursus maritimus* (Phipps), is found about the coasts of the circumpolar regions, and sometimes wanders far out on the ice. It is so much at home in the water that if it were classified according to habits would be discussed under the Sea Mammals, along with the seals on which it feeds. Its numbers vary greatly in different parts of the Canadian Arctic, and in some localities it is common enough to be of real importance to the Eskimo as a source of food and clothing.

Northern timber wolf, *Canis lupus occidentalis* (Richardson), is generally found in the wooded districts.

Arctic wolf, *Canis lupus tundrarum* (Millar), is common in the northern area.

The fur industry of the Arctic depends on the Arctic fox, *Alopex lagopus* (L). Under this name are included both white and blue fox, which are merely colour phases of the same species. In Arctic Canada, the blue fox is comparatively rare. As has already been mentioned, the number of Arctic fox, and consequently the catch, varies over a period of about four years. Investigation has revealed that the actual cause of the cycle in fox is a similar cycle in the lemming on which the fox feeds. The lemming is a rodent looking like a large, chunky field mouse. There are two species in the Canadian Arctic, the Back lemming, *Lemmus trimucronatus trimucronatus* (Richardson) and the collared lemming, *Dicrostonyx groenlandicus* (Traill). These creatures can increase in two seasons from scarcity to incredible numbers.

Other fur-bearing mammals are the beaver, muskrat, mink, marten, lynx, fisher, wolverine, weasel, skunk and various coloured foxes. Hares of various species are important as food for natives and certain animals. There are also other mammals which are not of sufficient importance to mention specifically.

Sea Mammals

All of the sea mammals play an important part in the economy of the inhabitants of the Arctic regions. They are essential parts of the food source of the Eskimo and from some of them are obtained material for clothing and other articles. Some are also of commercial value to the white traders. The seals, of which there are several varieties, are perhaps of the greatest economic importance to the Eskimo. From them are obtained food, clothing, dog food, and material for implements. The following descriptive notes deal only with the more important species of marine mammals.

The Ringed Seal, also called the Rough Seal or Jar, is the common seal of the coasts of both Western and Eastern Arctic regions. It is the chief source of food of some of the Eskimo. The haired skin is used for making water-proof boots, and the dehaired skin for other garments, especially when caribou are scarce. The skins are also purchased by traders, but do not bring a large price. The young are born in an opening in the snow beside the breathing hole in the ice, and are covered with a white woolly fur.

The Bearded Seal, Big Seal, Ground Seal or Square-flipper, is a circumpolar species which is fairly common in the Eastern Arctic, and also occurs in the Western Arctic, but is not common west of Darnley Bay. It is most plentiful in the vicinity of Dolphin and Union Strait, south of Victoria Island. Owing to its large size (up to 800 pounds) it is much prized by the Eskimo, as it provides a great amount of meat and blubber. Its heavy hide is used for boot soles and for covering the large skin boats, and is cut into heavy line which is used for dog traces, harpoon lines, and lashings of any kind. It lives mostly on crustaceans and mollusks.

The Atlantic Walrus have become scarce and are now rarely found in the Atlantic south of Hudson Strait, although at one time they ranged much farther south. In Hudson Bay they are found as far south as the Belcher Islands. Apparently the western limit of range of the Atlantic Walrus is at Fury and Hecla Strait in the south, and in the west, the upper part of Prince Regent Inlet as far south as Bellot Strait, and in the middle of Barrow Strait south of Cornwallis Island.

The Pacific Walrus seldom go east of Point Barrow, although they were formerly plentiful as far as Cape Bathurst.

An Order in Council prohibits the killing of walrus except for food and only Eskimo may kill them without a licence. The export of walrus tusks or ivory, except in the shape of manufactured articles, is legal only by permit from the Minister of Fisheries.

Bowhead or Greenland Whales were at one time very plentiful in Baffin Bay and in Hudson Bay and Hudson Strait. Great numbers were killed during the whaling season, and they soon became so scarce that it was unprofitable to hunt them, especially after the drop in the price of whale-bone and the introduction of minerals oils, which replaced whale oil as a lubricant. Before the introduction of firearms, the natives of some localities captured the Bowhead by lancing it from their skin boats, and used the flesh for food, and the oil for food and fuel. The bones were used for making implements.

White Whales are found in Arctic and sub-Arctic seas as far north as latitude 74 degres and some are occasionally found as far south as Cape Cod, Massachusetts. They are much prized by the Eskimo, especially in places where they enter bays and estuaries in large schools.

Narwhal are found usually in the more northern waters, preferring the proximity of the ice, so that, in summer, their range is more northerly than the white whale. They are especially abundant at Pond Inlet, and in the icy waters of Foxe Channel and Frozen Strait, and were at one time abundant in Cumberland Sound and along Hudson Strait. Their long, spirally twisted horn, which is an overgrown incisor, often attains a length of 8 feet and a weight of 14 pounds.

Birds

Although some systematic work has been done by Canadian Government expeditions, and although early explorers and others have brought back much information of value to ornithologists, relatively little is known as yet of the bird life of the Arctic regions. With the establishment of many new settlements, however, there is greater opportunity than heretofore to make systematic studies of this form of life.

The birds of the Western Arctic and sub-Arctic region of Canada are somewhat different from those of the Eastern Arctic, owing to the existence of wooded areas in the former region. In the lower part of the Mackenzie River basin, bird fauna is essentially Eastern as far as the Arctic Coast at 138 degrees west longitude. As the valley is sheltered, it carries the range of many species far north of their limits farther east. The robin, yellow

warbler, and water thrush are found as far north as the lower islands of the Mackenzie Delta, while western influences may be seen in the delta in species like the varied thrush and Say's phoebe. Other typical birds of the wooded area include the white-crowned sparrow, Canada jay, and spruce grouse. The unwooded area has such Arctic species as the willow and rock ptarmigan, snow bunting, and lapland longspur. On the border between woods and tundra the tree sparrow and Harris's sparrow find their nesting ground.

Geese and fresh-water ducks breed in the marshes and lakes, particularly in the Mackenzie Valley and are of some importance as food for the residents. They also contribute migratory fowl for the south. The game ducks breed mostly in the delta and in the overflow flats along the Athabaska-Slave-Mackenzie River system. The lakes of the Precambrian area are as a rule deep and clear and as they provide little feed for ducks, few breed there to augment the southern flights for autumn. The only common duck in the tundra region is the old squaw, which breeds in the interior north of the timber-line. Many Canada geese and lesser snow geese breed east of the Mackenzie Delta, on Banks Island, and farther east. The white-fronted goose is of general distribution, but is not common anywhere along the coast. Whistling swans are fairly common east of the Mackenzie, especially in the region near Langton Bay. Black brant breed near the coast east of the Mackenzie in the vicinity of Cape Bathurst, east of which they are rare. They are not found from Coronation Gulf to the Eastern Arctic. Blue geese nest only in the Canadian Arctic and their principal nesting ground, which was discovered in 1929, is on the west coast of Baffin Island. Two other nesting areas have been discovered, one on Southampton Island and the other on Perry River. Likewise, northern Baffin Island and Perry River are respectively the only nesting places of the greater snow goose and Ross' goose.

Compared with those of the Eastern Arctic, the coasts of the Western Arctic are generally low and flat, and they provide a more favourable area for shore-birds and tundra plain species. The absence of puffins, auks, and auklets in the Western Arctic, and in fact, east of Point Barrow is due mainly to the physical character of the coasts. These birds are abundant in western Alaska as far as Cape Lisburne where the rocky cliffs preferred by the birds as nesting places terminate and the coastal plains appear.

Most of the migrants on the main Arctic Coast move from east to west instead of north and south. The sea-ducks, gulls, jaegers, and many of the shore birds come from Bering Sea and the Pacific. Some of them come around the far northwest corner of Alaska, reaching the eastern limit of their range as far east as Banks Island, Melville Island, and Coronation Gulf. East of Franklin Bay, the country for the most part is barren or rocky, and the shores of Amundsen Gulf, Dolphin and Union Strait, and a lage part of Coronation Gulf show a surprising scarcity of birds. The migrations follow regular narrow and uniform routes from year to year. In the early spring, they follow leads of open water along the edge of the floe-ice, but later they follow the coast from one headland to another straight across the ice of the bays. At Cape Bathurst and at Baillie Island post on the peninsula between Liverpool and Franklin Bays, there may be seen during some seasons an almost continuous migration of eiders, starting before the season of open water and lasting until the autumn freeze-up.

The willow ptarmigan and the smaller rock ptarmigan are the most important birds in the economy of the northland. They are widely distributed reaching the most notherly islands, and are prolific breeders. They form an important part of the food of the fur-bearing carnivores, and provide the only feathered game

available for human food in an emergency. Except for minor fluctuations, the ptarmigan will probably maintain their numbers for many years as vast areas are still unhunted.

Fish

Fish of several varieties are abundant in many parts of the Northwest Territories and are of economic importance. For the most part, however, it has not been considered commercially feasible to export them owing to the distances from the fish consuming centres. Because of peculiar water conditions and of a deficiency of fish food, the main portion of Hudson Bay is not productive of fish and it is questionable whether, over a period of several years, its coastal rivers and shore fisheries can do much more than support the needs of the local population.

The scarcity of fish in Hudson Bay was noticed as far back as 1771, when the Hudson's Bay Company investigated the bay's resources. In 1931 the Canadian Department of Fisheries made a study of the deep sea fisheries of the bay, using steam trawlers and drag nets, but after three weeks of effort during which more than 200 miles of sea bottom were covered, no commercial fish were taken. During the same season the Department investigated the coastal fisheries north of Churchill. Competent fishermen, using nets, covered the area, but obtained only about 6,000 pounds of fish during the summer and autumn seasons, the chief varieties taken being Arctic char and ciscoes.

Following are descriptive notes on the chief varieties of fish found in the Northwest Territories and in waters bordering the Territories.

Arctic Char, also called sea trout or salmon, are perhaps the most important food fish of the Arctic. They occur in great numbers in certain seasons of the year and are found in both fresh and salt water, chiefly near the mouths of rivers in the latter case. They are plentiful in portions of the Eastern Arctic and Baffin Island, in the rivers of Melville Peninsula, and in the Frobisher Bay region. They also frequent the northern parts of Hudson Bay and the coastal waters of the northwestern mainland of the Northwest Territories.

Whitefish of one or more species are found in almost every lake or stream of the mainland. Many of the early explorers depended on them to a large extent for food and they still play an important part in the food economy of sparsely settled regions. They make an excellent dog food for winter travel.

Round Fish, Frost Fish are a species of whitefish of which little is known of their abundance or distribution in the Territories.

Arctic Cod are widely distributed in Hudson Bay and among some of the islands of the District of Franklin.

Ordinary or Newfoundland Cod have been taken at Port Burwell at the entrance to Hudson Strait. Cod weighing up to 40 pounds are taken in the tidal lagoons in Frobisher Bay.

Tom Cod are found in Western Arctic waters as far east as Coronation Gulf and are abundant in some localities. They are taken through the ice with hooks and are also caught by the Copper Eskimo with a large barbless hook holding small bone bangles. Other members of the cod family are occasionally caught in the Eastern Arctic.

Halibut or *Greenland Halibut* are found in the Eastern Arctic especially on the Greenland side.

Flounder, a Pacific species is found east of Coronation Gulf.

Inconnu or *Conny* inhabit most of the large rivers of the Northwest Territories west of Anderson River, ascending them as far as the first rapids. They are of low vitality and are sluggish, which probably explains why they are not found above any heavy rapids in the streams they frequent. They average from 8 to 20 pounds. In the Mackenzie River system, the inconnu probably winter at the Mackenzie Delta and in Great Slave Lake. They ascend the rivers about June and return in October. They spawn at Fort Smith from about mid-September to October and are found in great numbers in the eddies below the rapids. At the mouth of the Mackenzie River they are caught by the Eskimo through the ice by means of hook and line baited with an ivory lure. The larger Connies are not palatable but the smaller ones, when dried and smoked, are suitable for human consumption. Connies make excellent dog food.

Grayling, or *Bluefish* as they are called in the Mackenzie region, are widely distributed but are found only in clear lakes and rivers. They are of little value as food or game fish.

Capelin are rather common as circumpolar fish.

Suckers are found in most of the waters of the Mackenzie Delta and in the rivers of the Mackenzie Valley. They are used for dog food when other fish are not obtainable.

Cisco, Tullibee, Lake Herring are found in the brackish portions of Hudson and James Bays and also along the Arctic Coast and in Arctic Red River, where they are abundant in the spawning season in September. Several species occur in the mainland portions of the Northwest Territories.

Great Bear Lake Herring are a common food fish in the Western Arctic along the coast as far as east of Coronation Gulf. They are caught in nets during the summer and by hooks during the ice season.

California Herring are abundant in the waters about Cape Bathurst in late August, where they are taken in nets in large numbers.

Lake Trout are a very excellent food fish and are found in most of the large inland lakes in Mackenzie and Franklin Districts, especially in deep waters. They occasionally reach a weight of 60 pounds.

Pike or Jackfish are found along the north mainland coast from Alaska to Cape Bathurst in the rivers and inland lakes and are especially abundant in the region of the Mackenzie Delta. They weigh as much as 35 pounds but average from 5 to 15 pounds. They frequent clear pools at the foot of falls and rapids and the deeper lakes.

Smelt are common about the Arctic Red River and are an important food in that locality.

Burbot, Ling, Loche are found in most of the fresh and brackish waters of the Mackenzie and Keewatin Districts but are not abundant. They occur also along the coasts of James Bay.

Other fish of lesser importance found in the waters of the Northwest Territories include goldeye, several members of the sculpin family, several varieties of rays, dog fish in Davis Strait, sticklebacks, and the Greenland or sleeping sharks.

Flora

Forests

There is no forest industry in the usual sense of that term in the Northwest Territories, nor is there any prospect of such an industry developing on a considerable scale. What forests there are, however, should be sufficient to meet the needs of the residents in perpetuity, provided that reasonable protec-

tion from forest fires is afforded. The principal tree species are aspen and balsam poplar, white and black spruce, white birch, tamarack, and jack pine. The eastern part of the Territories is practically devoid of forests, but in the Mackenzie District there are several areas of forested land, varying in nature from scattered clumps of stunted conifers and birches near the northern limits of tree growth to fairly heavy stands of poplar and spruce in the vicinity of the larger rivers. These forests are of value chiefly as a source of building materials and fuel for use by the local population, and as a favourable environment for fur-bearing and game animals.

Owing to the high cost of transportation, most of the lumber used in the Northwest Territories is of local manufacture. Small sawmills, usually equipped with planing machines, are operated at various points on Slave River, Great Slave Lake, and Mackenzie River. Most of the lumber sawn is white spruce, and the wood of this species is used for all parts of buildings. It is also in demand for boat-building and for almost every other purpose for which lumber is used.

The limited supplies of tamarack, because of the toughness and durability of this species, are well adapted for use in certain parts of boats and make excellent ground sills for buildings. White birch is used by the natives for snowshoe frames and for framing canoes, although its bark has been largely superseded by canvas for canoe covering. Black spruce is occasionally sawn in small quantities, and this species and jack pine are used in the construction of log cabins. The poplars are used chiefly for fuel, and fuel-wood is the most important forest product in the Northwest Territories. The quantity of standing timber available for fuel is augmented by the large amount of driftwood which annually finds its way into Mackenzie River.

The notable development of the mining industry during recent years has created new demands for building material and fuel-wood in the vicinity of the mines. Unfortunately, the increase in prospecting has greatly increased the danger to the forests from fire.

All forested lands within the Territories are included in four subdivisions or sections of the Boreal Forest Region. Two of these, the Mixedwood and Northern Coniferous Sections, are represented by relatively small areas adjacent to the boundaries of Alberta and western Saskatchewan. The remainder is included in the Mackenzie Lowlands and Northern Transition Sections.

The Mixedwood Section occupies a small area along the Alberta boundary south of the west end of Great Slave Lake and Mackenzie River. It is believed to afford the best growing conditions for forest trees in the Territories. Soils are of glacial origin and of considerable depth, and are usually well drained. Aspen and white spruce are the typical trees and these are accompanied by all the other species found in the region.

The Northern Coniferous Section occupies a small triangle with its base on the northern Alberta boundary and lying immediately east of Fort Smith. Here soils are shallow and drainage is poor. Black spruce is the principal tree species and it is sometimes found in mixture with jack pine, and with tamarack in the lower and wetter areas.

The Mackenzie Lowlands Section is the most important forest area of the Territories. As its name implies, it occupies the low-lying plains in the Basin of the Mackenzie River and embraces the lower portions of the Liard, Peel, and Great Bear Rivers. The soil is of glacial, alluvial, and lacustrine origin and is generally of good depth. Although the sub-soil is never free from frost, trees grow to a fairly good size. White spruce, the poplars, and birch are all well represented; black spruce and tamarack occupy the swamps, and jack pine the sandy areas

The Northern Transition Section lies north and east of a line passing through the mouth of the Mackenzie River to Great Bear and Great Slave Lakes. Unfavourable climatic conditions, together with thin soils and poor drainage restrict the stunted tree growth to the most favourable areas in valleys and along the banks of streams.

Satisfactory estimates of the areas and volumes of the various types in the Territories are lacking, but more definite information becomes available as the area covered by aerial photographs is extended. It is already known that the forests are not of sufficient present value to justify large expenditures in mapping and describing them, but air photographs taken from time to time for other purposes will give the information needed for their administration.

As the fur trade has been and will continue to be the main support of the Indian population, and as forest-dwelling animals supply the Indian with meat, it is felt that one of the greatest values of the forests of the Northwest Territories lies in the habitat which they provide for game and bur-bearing animals.

Lands, Timber, Grazing and Hay

Lands in the Northwest Territories are administered by the Department of Mines and Resources under the Dominion Lands Act. Homestead entries are not granted in the Northwest Territories. Unsurveyed acreage is not available for sale, and there are no large-scale farming operations established. Small tracts of unsurveyed land for fur-farming and agricultural purposes and for use in connection with fishing operations may be obtained under lease. The application fee is $10 and the rental per annum is 50 cents per acre, which rate is subject to revision from time to time. Leases so granted cover the surface rights only and do not give the lessee any claim to minerals. In some of the surveyed settlements, lots are disposed of by sale to transportation companies, traders, and missions in connection with their undertakings, and to settlers for residential purposes. None of these lots are looked upon as having agricultural value. Lands selected for some particular purpose may be purchased after survey is made at the expense of the buyer.

Under the Timber Regulations berths and annual permits are granted for the cutting of timber subject to payment of dues. Educational, religious, and charitable institutions, however, are granted permits to cut fuelwood free of dues.

Grazing leases and permits to cut hay on vacant Crown lands may be obtained under the provisions of the Grazing and Hay Regulations.

Applications for land, timber, grazing, or hay privileges should be filed with the Agents of Dominion Lands at Fort Smith or Yellowknife, N.W.T.

Surveys and Maps

Numerous topographical and geological maps of the Northwest Territories have been made from both aerial and ground surveys. Aerial surveys, which have been carried out by the Department of Mines and Resources in co-operation with the Department of National Defence, were first made of the main routes of water travel, and then of the areas most promising from a mineral standpoint. Topographical maps may be obtained at nominal cost from the Legal Surveys and Map Service, Surveys and Engineering Branch, and topographical and geological maps from the Bureau of Geology and Topography, Mines and Geology Branch, of the Department of Mines and Resources, Ottawa, Canada.

General Information

Additional information concerning the administration of the natural resources of the Northwest Territories may be obtained from the District Agent and Mining Recorder at Fort Smith, the Mining Recorder at Yellowknife, or the

Bureau of Northwest Territories and Yukon Affairs, Lands, Parks and Forests Branch, Department of Mines and Resources, Ottawa, Canada.

BRIEF NOTES ON PLACES IN THE NORTHWEST TERRITORIES AND POINTS IN THE PROVINCE OF QUEBEC WHICH ARE SERVED BY THE EASTERN ARCTIC PATROL

Aklavik, on west channel of Mackenzie River, 69 miles from Arctic Coast, Mackenzie District, N.W.T.—Resident Government medical officer; Royal Canadian Mounted Police detachment; post office; Government radio station (Dept. of National Defence); trading posts; Church of England and Roman Catholic missions and hospitals; residential and day schools.

Amadjuak, southern Baffin Island, Franklin District, N.W.T.—Former trading centre. Site of Hudson's Bay Company reindeer-herding experiment, 1921.

Arctic Bay, northern Baffin Island, Franklin District, N.W.T.—Winter harbour of Canadian Government steamer *Arctic,* 1909-10; Government radio and meteorological station (Dept. of Transport); private commercial radio station; trading post; Roman Catholic mission.

Arctic Red River, at junction of Mackenzie and Arctic Red Rivers, Mackenzie District, N.W.T.—Royal Canadian Mounted Police detachment; post office; trading post; private commercial radio station; Roman Catholic mission.

Bache Peninsula, eastern Ellesmere Island, Franklin District, N.W.T.—Site of former Royal Canadian Mounted Police detachment and post office.

Baker Lake, at mouth Thelon River, Keewatin District, N.W.T.—Royal Canadian Mounted Police detachment; trading post; private commercial radio station; Church of England and Roman Catholic missions.

Belcher Islands, Hudson Bay, Keewatin District, N.W.T.—Trading post.

Blacklead Island, Cumberland Sound, Franklin District, N.W.T.—Former British whaling station; former Church of England mission.

Bowman Bay, Foxe Basin, eastern Baffin Island, Franklin District, N.W.T.—One of the chief nesting grounds of the blue goose.

Burnside Harbour, Bathurst Inlet, Coronation Gulf, Mackenzie District, N.W.T. —Trading post; private commercial radio station, Roman Catholic mission.

Cambridge Bay, southern Victoria Island, Franklin District, N.W.T.—Royal Canadian Mounted Police detachment; trading post, private commercial radio station; Church of England mission.

Cape Dorset, Dorset Island, off Foxe Peninsula, Baffin Island, Franklin District, N.W.T.—Trading posts; private commercial radio station, Roman Catholic mission.

Cape Hopes Advance, Ungava Bay, Quebec—Government radio direction-finding and meteorological station (Dept. of Transport).

Cape Krusenstern, Coronation Gulf, Mackenzie District, N.W.T.—Trading post.

Cape Smith, Smith Island, eastern side of Hudson Bay, Keewatin District, N.W.T. —Trading post; private commercial radio station.

Charlton Island, James Bay, Keewatin District, N.W.T.—Terminal for ocean-going vessels, connecting with railway at Moosonee, Ontario. Island leased by Hudson's Bay Company for beaver propagation purposes.

Chesterfield, western side Hudson Bay, Keewatin District, N.W.T.—Resident Government medical officer; Royal Canadian Mounted Police detachment; post office; Government radio direction-finding and meteorological station (Dept. of Transport); trading post, Roman Catholic mission, hospital, and industrial home.

Coppermine, at mouth of Coppermine River, Mackenzie District, N.W.T.—Royal Canadian Mounted Police detachment; post office; Government radio station (Dept. of Transport); trading post; Church of England and Roman Catholic missions.

Coral Harbour, Southampton Island, Franklin District, N.W.T.—Royal Canadian Mounted Police detachment; trading post; private commercial radio station; Church of England and Roman Catholic missions; defence project landing field five miles distant.

Craig Harbour, southern Ellesmere Island, Franklin District, N.W.T.—Site of former Royal Canadian Mounted Police detachment and post office.

Dundas Harbour, Devon Island, Franklin District, N.W.T.—Site of former Royal Canadian Mounted Police detachment and post office; former trading post.

Eclipse Sound, Pond Inlet, Franklin District, N.W.T.—Lignite coal deposits along Salmon River.

Eskimo Point, western side of Hudson Bay, Keewatin District, N.W.T.—Royal Canadian Mounted Police detachment; trading post; private commercial radio station; Church of England and Roman Catholic missions.

Fort Chimo, Koksoak River, Quebec—Royal Canadian Mounted Police detachment; post office; trading post; private commercial radio station; Church of England mission; defence project landing field 7 miles distant.

Fort Franklin, western end Great Bear Lake, Mackenzie District, N.W.T.—Site of early Hudson's Bay Company fort used by Franklin expedition as winter headquarters 1825-26-27. At present is a trading post.

Fort Good Hope, at junction Mackenzie and Hare Rivers, Mackenzie District, N.W.T.; Royal Canadian Mounted Police detachment; post office; trading post; private commercial radio station; Roman Catholic mission.

Fort Liard, on Liard River, near point where Yukon-Northwest Territories boundary intersects northern boundary of British Columbia, Mackenzie District, N.W.T.; trading post, private commercial radio station; Roman Catholic mission.

Fort McKenzie, Koksoak River, Quebec—Trading post; private commercial radio station; Indian settlement.

Fort McPherson, on Peel River near junction with Mackenzie, Mackenzie District, N.W.T.—Post office; trading post; private commercial radio station; Church of England mission.

Fort Norman, at junction of Great Bear and Mackenzie Rivers, Mackenzie District, N.W.T.—Resident Government medical officer, who is also Indian Agent; Royal Canadian Mounted Police detachment; post office; Government radio station (Dept. of National Defence); trading posts; hospital; Church of England mission; Roman Catholic mission; transfer point for all water-borne traffic proceeding to Great Bear Lake.

Fort Providence, an Mackenzie River just west of outlet of Great Slave Lake, Mackenzie District, N.W.T.—Royal Canadian Mounted Police detachment; post office; trading post; private commercial radio station; Roman Catholic mission and residential school.

Fort Resolution, on Great Slave Lake near mouth of Slave River, Mackenzie District, N.W.T.—Resident Government medical officer who is also Indian Agent, Royal Canadian Mounted Police detachment; post office; Government radio station (Dept. of National Defence); trading posts; Roman Catholic mission, hospital, and residential school.

Fort Ross, on Somerset Island, facing Bellot Strait, Franklin District, N.W.T.—Post office trading post; private commercial radio station; Church of England mission; transfer point for freight and passengers on boats using Northwest Passage.

Fort Simpson, at junction of Mackenzie and Liard Rivers, Mackenzie District, N.W.T.—Resident Government medical officer who is also Indian Agent; Royal Canadian Mounted Police detachment; post office; Government radio station (Dept. of National Defence); landing field; trading posts; Church of England and Roman Catholic missions and day schools, Roman Catholic hospital.

Fort Smith, on Slave River just north of Alberta-Northwest Territories Boundary, Mackenzie District, N.W.T.—Office of District Agent, Department of Mines and Resources, and Superintendent, Wood Buffalo Park; resident Government medical officer; Royal Canadian Mounted Police detachment; post office; Government radio station (Dept. of National Defence); landing field and seaplane anchorage; trading posts; hotel; liquor store; transportation companies; Church of England and Roman Catholic missions, Roman Catholic hospital and day school; public day school.

Frobisher Bay, southern Baffin Island, Franklin District, N.W.T.—Royal Canadian Mounted Police detachment; defence project landing field; trading post at Ward Inlet.

George River, Ungava Bay, Quebec—Trading post; private commercial radio.

Great Whale River, Hudson Bay, Quebec—Government radio and meteorological station (Dept. of Transport); trading post; Church of England mission.

Hay River, on Great Slave Lake at mouth of Hay River, Mackenzie District, N.W.T.—Post office; trading post; private commercial radio station; Church of England and Roman Catholic missions; Church of England nursing home and day school; served by winter roads from Grimshaw, Alberta and Fort Smith.

Holman Island, (King's Bay) Amundsen Gulf, Franklin District, N.W.T.—Trading post; private commercial radio station; Roman Catholic mission.

Igloolik, on island in Foxe Basin, northeast of Melville Peninsula, Franklin District, N.W.T.—Former trading post; Roman Catholic mission.

Ivugivik, Hudson Bay, Quebec—Roman Catholic mission.

Lake Harbour, southern Baffin Island, Franklin District, N.W.T.—Royal Canadian Mounted Police detachment; post office; trading post, private commercial radio station; Church of England mission.

Maguse River, mouth of Maguse River, Keewatin District, N.W.T.—Trading post.

Mansel Island, Hudson Bay, Keewatin District, N.W.T.—Trading outpost; established as a reindeer reserve, 1920.

Moffat Inlet, Admiralty Inlet, northwestern Baffin Island, Franklin District, N.W.T.—Church of England Mission.

Norman Wells, on Mackenzie River 48 miles north of Fort Norman, Mackenzie District, N.W.T.—Oil wells, first drilled in 1920, and refinery, erected in 1939, supply most of petroleum requirements of mining camps in the Northwest Territories. Royal Canadian Mounted Police detachment; post office; landing field; trading post, private commercial radio station; hotel; hospital.

Nottingham Island, Hudson Strait, Franklin District, N.W.T.—Government radio direction-finding and meterological station (Dept. of Transport).

Padlei, west of Maguse Lake, Keewatin District, N.W.T.—Trading post, serviced by aircraft from Eskimo Point; private commercial radio station.

Padloping Island, Exeter Bay, eastern Baffin Island, Franklin District, N.W.T.—Former rendezvous for international fishing fleet.

Pangnirtung, on Pangnirtung Fiord, Cumberland Sound, eastern Baffin Island, Franklin District, N.W.T.—Resident Government medical officer: Royal Canadian Mounted Police detachment; post office; trading post; private commercial radio station; Church of England mission, hospital and industrial home.

Pasley Bay, Boothia Peninsula, Franklin District, N.W.T.—Wintering place of Royal Canadian Mounted Police motor schooner, "St. Roch", 1941-42.

Paulatuk, Darnley Bay, Amundsen Gulf, Mackenzie District, N.W.T.—Trading post; Roman Catholic mission.

Payne Bay, Ungava Bay, Quebec—Trading post; private commercial radio station.

Pelly Bay, Gulf of Boothia, Keewatin District, N.W.T.—Roman Catholic mission.

Perry River, on Queen Maud Gulf, Keewatin District, N.W.T.—trading post.

Peterson Bay, King William Island, Franklin District, N.W.T.—Trading post.

Pond Inlet, northeastern Baffin Island, Franklin District, N.W.T.—Royal Canadian Mounted Police detachment; post office; trading post; private commercial radio station; Church of England and Roman Catholic missions.

Port Brabant (Tuktoyaktuk), on Arctic Ocean east of mouth of Mackenzie River, Mackenzie District, N.W.T.—Exchange point for river and ocean traffic; trading post; private commercial radio station; Church of England and Roman Catholic missions.

Port Burwell, Killinek Island, eastern Hudson Strait, Franklin District, N.W.T.—Site of former Royal Canadian Mounted Police detachment; former trading post; former Moravian mission.

Port Harrison, eastern Hudson Bay, Quebec—Post office; Government radio direction-finding and meterological station (Dept. of Transport) trading posts; Church of England mission; site of former R.C.M.P. detachment.

Port Radium (Post Office) Labine Point, Great Bear Lake, Mackenzie District, N.W.T.—Post office on property of Eldorado Mining and Refining, a Crown company. In addition to the mine and mill, in vicinity are a Government radio station (Department of National Defence), Royal Canadian Mounted Police detachment, and seaplane anchorage. Port Radium post office was formerly situated at a settlement, now abandoned, on Echo Bay about six miles to the east.

Povungnituk, eastern Hudson Bay, Quebec—Trading post; private commercial radio station.

Rae, at head of north arm of Great Bear Lake, Mackenzie District, N.W.T.—Royal Canadian Mounted Police detachment; post office; trading post; private commercial radio station; Roman Catholic mission and hospital.

Read Island, Dolphin and Union Strait, Franklin District, N.W.T.—Trading post; private commercial radio station.

Reindeer Depot, east channel of Mackenzie River about 60 miles from mouth, Mackenzie District, N.W.T.—Headquarters for field supervision of Government reindeer industry; headquarters building, warehouses, workshop; private commercial radio station.

Reliance, at eastern end of Great Slave Lake, Mackenzie District, N.W.T.—Royal Canadian Mounted Police detachment; trading post.

Repulse Bay, southern coast Melville Peninsula, Franklin District, N.W.T.—Trading post; private commercial radio station; Roman Catholic mission.

Resolution Island, eastern entrance to Hudson Strait, Franklin District, N.W.T.—Government radio direction-finding and meteorological station (Dept. or Transport).

Richardson Island, Coronation Gulf, Franklin District, N.W.T.—Trading post.

River Clyde, eastern Baffin Island, Franklin District, N.W.T.—Trading post; private commercial radio station.

Snowdrift, southwestern side Great Slave Lake, Mackenzie District, N.W.T.—Trading posts; private commercial radio station.

Stanton, at mouth Anderson River, Mackenzie District, N.W.T.—Trading post; Roman Catholic mission.

Sugluk, Hudson Strait, Quebec—Trading posts; private commercial radio station.

Taltson River (Rocher River), southern shore Great Slave Lake, Mackenzie District, N.W.T.—Trading post; private commercial radio station.

Tavani, Mistake Bay, western side Hudson Bay, Keewatin District, N.W.T.—Trading post; private commercial radio station; Roman Catholic mission.

Wager Bay, on Ford Lake, west of Wager Bay, Keewatin District, N.W.T.—Trading outpost.

Wakeham Bay, Hudson Strait, Quebec—Former trading post; Roman Catholic mission.

Windy Lake, west of Nueltin Lake, Keewatin District, N.W.T.—Trading Post.

Wolstenholme (Eric Cove), at western end Hudson Strait, Quebec—Trading post; private commercial radio station.

Wrigley, on west bank Mackenzie River, Mackenzie District, N.W.T.—Post office; trading post; private commercial radio station; landing field.

Yellowknife, on north shore of Great Slave Lake, about five miles south of mouth of Yellowknife River, Mackenzie District, N.W.T.—Mining settlement built up as result of prospecting and mining operations in the vicinity. Contains office of Mining Recorder; Royal Canadian Mounted Police detachment; post office; Government radio station (Dept. of National Defence); public school; hotel; restaurants; banks; drug store; beer tavern; liquor store; general stores; motion picture theatre; Church of England and Roman Catholic churches; has electric light, boat, and aeroplane services.

Bibliography

Countless books, reports, papers, and articles dealing with the Northwest Territories have been published since the earliest days of exploration. The following list of publications, which includes some of the more recent releases of Canadian Government Departments, may provide the reader with additional information. A number of these include extensive bibliographies.

Birket-Smith, Kaj—*The Eskimos*, Methuen, London, 1936.
Croft, Andrew—*Polar Exploration*. Adam and Charles Black, London, 1939.
Crouse, N. M.—*The Search for the Northwest Passage*. Columbia University Press, New York, 1934.
dePoncins, G.—*Kabloona*. Reynal and Hitchcock, New York, 1941.
Douglas, G. M.—*Lands Forlorn*. Putnam, New York, 1914.
Freuchen, Peter—*Arctic Adventure*. Farrar and Rinehart, New York, 1935.
Greely, A. W.—*The Polar Regions in the Twentieth Century*. Little, Boston, 1928.
Finnie, Richard—*Lure of the North*. MacKay, Philadelphia, 1940.
Finnie, Richard—*Canada Moves North*. Macmillan, Toronto, 1942.
Hanbury, David—*Sport and Travel in the Northland of Canada*. Arnold, London, 1904.
Jenness, Diamond—*The People of the Twilight*. Macmillan, New York, 1913.
MacDonald, Malcolm—*Down North*. Oxford University Press, Toronto, 1943.
MacKay, Douglas—*The Honourable Company*, Musson, Toronto, 1938.
Munn, Henry T.—*Prairie Trails and Arctic By-Ways*. Hurst and Blackett, London, 1932.
Pike, Warburton—*The Barren Grounds of Northern Canada*. Macmillan, London, 1891.
Rasmussen, Knud—*Across Arctic America*. Putnam, New York, 1927.
Seton, Ernest T.—*The Arctic Prairies*. Scribner's, New York, 1911.
Stefensson, V.—*My Life with the Eskimo*. Macmillan, New York, 1913.
Stefansson, V.—*The Friendly Arctic*. Macmillan, New York, 1943 (Rev. Ed.)
Tyrrell, J. W.—*Across the Sub-Arctic of Canada*. Briggs, Toronto, 1897.
Weyer, E. M.—*The Eskimos*. Yale University Paress, New Haven, 1932.

Canada, Government of

— *Reports of the Canadian Arctic Expedition*, 1913-18. King's Printer, Ottawa.

Canada, Dept. of the Interior

—* *The Unexploited West*, by E. J. Chambers. Railway Lands Branch, Ottawa, 1914.
—* *The Great Slave Lake Area*, by G. H. Blanchet, Northwest Territories and Yukon Branch, Ottawa, 1926.
—* *Southern Baffin Island*, by A. E. Millward. Northwest Territories and Yukon Branch, Ottawa, 1930.
—* *The Northwest Territories*, 1930, by F. H. Kitto. Northwest Territories and Yukon Branch, Ottawa, 1930.
—* *Keewatin and Northeastern Mackenzie*, by G. H. Blanchet. Northwest Territories and Yukon Branch, Ottawa, 1931.
—* *Canada's Western Arctic*, by L. T. Burwash, Northwest Territories and Yukon Branch, Ottawa, 1931.
—* *Canada's Eastern Arctic*, by W. C. Bethune, Northwest Territories and Yukon Branch, Ottawa, 1934.

Canada, Dept. of Mines

— *Indians of Canada*, by Diamond Jenness. National Museum of Canada, Ottawa, 1934, Price $2.00.

Canada, Dept. of Mines and Resources

—* *Canada's Western Northland*, by W. C. Bethune. Lands, Parks and Forests Branch, Ottawa, 1937.
—* *Canada's Reindeer*. Bureau of Northwest Territories and Yukon Affairs, Ottawa, 1940.
— *Biological Investigation of the Thelon Game Sanctuary*, by C. H. D. Clarke. National Museum of Canada, Ottawa, 1940. Price 50 cents.
— *The Canadian Government's Reindeer Experiment* (Re-printed from the Canada Year Book, 1943-44). Bureau of Northwest Territories and Yukon Affairs, Ottawa, 1944.
— *An Outline of the Canadian Eastern Arctic*, by J. Lewis Robinson. Bureau of Northwest Territories and Yukon Affairs, Ottawa, 1944.

— *Mineral Resources and Mining Activity in the Canadian Eastern Arctic*, by J. Lewis Robinson. (Reprinted from the Canadian Geographical Journal, Aug. 1944). Bureau of Northwest Territories and Yukon Affairs, Ottawa.
— *Eskimo Population of the Canadian Eastern Arctic*, by J. Lewis Robinson. (Reprinted from the Canadian Geographical Journal, Sept. 1944). Bureau of Northwest Territories and Yukon Affairs, Ottawa.
— *Economic Wildlife of Canada's Eastern Arctic—Caribou*. by J. G. Wright. (Reprinted from the Canadian Geographical Journal, Oct. 1944). Bureau of Northwest Territories and Yukon Affairs, Ottawa.
— *A Brief History of Exploration and Research in the Canadian Eastern Arctic*, by P. D. Baird. (Reprinted from the Canadian Geographical Journal, March, 1945) Bureau of Northwest Territories and Yukon Affairs, Ottawa. (Available after March, 1945.)
*Out of print.

APPENDIX K

CANADA

DEPARTMENT OF MINES AND RESOURCES

THE YUKON TERRITORY

A Brief Description of its Administration, Resources and Development

Issued by the

BUREAU OF NORTHWEST TERRITORIES AND YUKON AFFAIRS
LANDS, PARKS AND FORESTS BRANCH

OTTAWA

1944

Introduction

For nearly half a century the Yukon Territory has been known chiefly as one of the great gold-producing centres of the world, and incidents relating to the famous Klondike gold rush of 1897-98 have provided material for writers and poets the world over. Recent developments in this northern part of Canada, particularly those associated with national defence and the improvement of facilities for transportation, are serving to increase interest in the economic and recreational possibilities of the region.

The Yukon Territory forms the extreme northwest portion of the mainland of Canada, and contains an area of 207,076 square miles, or 5·6 per cent of the country's total area. It is bounded on the north by the Arctic Ocean; on the east by the Mackenzie District of the Northwest Territories; on the south by British Columbia and the United States Territory of Alaska; and on the west by Alaska (Longitude 141° West). According to the census of 1941, the population of the Yukon Territory, including whites, Indians, and others, totalled 4,914.

Prior to the discovery of gold along the Stewart and Fortymile Rivers in the late "Eighties", the chief industry of the Yukon was the fur trade, and scattered trading posts had been established along the Yukon River and its tributaries. The location of the Sixtymile placer fields in 1892, followed by the remarkable strikes in the Klondike district in 1896, firmly established mining as the primary industry of the region. The amazing richness of the new gold-fields, and the rapidity with which they were developed, attracted world-wide attention. In addition to gold, discoveries of silver, lead, and other important metals were made, and mining has been continued in the Territory without interruption since 1896.

In addition to its minerals, the Yukon has other resources. The fur trade is still an important factor in its economy, and provides a steady industry for a proportion of the native population. Lumbering and agriculture are also carried on to meet local requirements. Containing areas of scenic grandeur abundant in game and fish, and favoured by a delightful summer climate with exceptionally long hours of daylight, the Territory offers outstanding attractions to the sportsman and tourist. With further improvement in facilities for transportation, including a highway linking the Yukon with large centres of population, a substantial increase in travel to the region may be expected.

In the following pages will be found some facts relating to the administration, resources, and development of the Yukon. Additional information may be obtained from the Controller, Yukon Territory, at Dawson, or from the Lands, Parks and Forests Branch, Department of Mines and Resources, Ottawa, Canada.

The Yukon Territory

Government

The Yukon was created a separate Territory in June, 1898, by Act of Parliament (The Yukon Act). By amending legislation (Chapter 215 Revised Statutes of Canada 1927) provision is made for a local government composed of a Chief Executive, styled Commissioner (since classified Controller), also an Elective Legislative Council of three members with a three-year tenure of office. The Controller administers the Government of the Territory under instructions from the Governor General in Council or the Minister of Mines and Resources. The Controller in Council has power to make ordinances dealing with the imposition of local taxes, sale of liquor, preservation of game, establishment of territorial offices, maintenance of prisons and municipal institutions, issuing of licences, incorporation of companies, solemnization of marriage, property and civil rights, administration of justice, and generally all matters of a local nature in the Territory.

Territorial Council

The Territory is divided into three electoral districts, namely, Dawson, Whitehorse, and Mayo. The Territorial Council elected in 1944 is composed as follows:—

Dawson District.....John R. Fraser, Dawson
Mayo District.....Ernest J. Corp, Keno Hill
Whitehorse District.....Alexander A. Smith, Whitehorse

The Yukon Territory also forms an electoral district for the Dominion Parliament. The present member is Honourable George Black, K.C.

Administration

The Lands, Parks and Forests Branch of the Department of Mines and Resources is responsible for business arising from the general administration of the Territory under the Yukon Act and Ordinances passed by the Territorial Council; for the disposal of lands under the Dominion Lands Act; for the administration of the Yukon Placer and Quartz Mining Acts; and for the collection of revenue. The Controller, Yukon Territory, is stationed in Dawson and represents all Dominion Departments having interests in Yukon Territory. He is also head of the territorial or local administration, ex-officio Mayor of Dawson, and Registrar of Land Titles for Yukon Territory. The Public Administrator is located in Dawson. There are three mining districts, Dawson, Mayo, and Whitehorse, with Mining Recorders in each. The Territorial Government maintains an assay office at Keno Hill, in the Mayo District.

The enforcement of law and order in Yukon Territory is the responsibility of the Royal Canadian Mounted Police. A subdivision has been established at Whitehorse, and detachments are stationed at Dawson, Mayo Landing, Old Crow, Fort Selkirk, Carcross, Kluane, Teslin, and Watson Lake.

The Superior Court of Record is the Territorial Court, over which a stipendiary magistrate presides. The Court has both civil and criminal jurisdiction and the Court of Appeal for British Columbia is the Court of Appeal for the Yukon Territory.

Directory of Officials in the Yukon Territory

DOMINION OFFICIALS

(Department of Mines and Resources)

Controller, Yukon Territory.....G. A. Jeckell, Dawson
Registrar of Land Titles.....G. A. Jeckell, Dawson
Mining Recorders: Dawson District.....J. O. Redmond, Dawson
Mayo District.....S. M. Wood, Mayo
Whitehorse District....L. Higgins, Whitehorse

(Department of Justice)

Stipendiary Magistrate.....J. E. Gibben, Dawson
Public Administrator.....H. M. Martin, Edmonton

(Department of Labour)

Manager, Employment and Selective Service Office, Whitehorse.....J. H. Fox
Selective Service Officer, Dawson.....H. W. Firth

(Department of National Defence)

Officers in charge, R.C.C.S. Radio Stations:
Whitehorse.....Lieut. H. V. Jennings
Dawson.....Sgt. Maj. F. H. Heath
Mayo.....Sgt. Maj. M. H. Ewing

(Department of National Revenue)

Collector of Customs and Excise:
Dawson.....J. O. Williams
Whitehorse.....J. A. Simmons
Inspector of Income Tax (Yukon District)..G. A. Jeckell, Dawson

(Department of Public Works)

Agent, Dominion Public Buildings.....G. A. Jeckell, Dawson
District Manager, Dom. Govt. Telegraph Service.....J. Bruce Watson, Whitehorse

(Department of Transport)

Assistant District Airways Engineer.....L. Keith, Whitehorse

(Royal Canadian Mounted Police)

Whitehorse Subdivision.....Insp. H. H. Cronkhite
Dawson Detachment.....Corporal A. K. Bond

TERRITORIAL OFFICIALS

Territorial Secretary and Treasurer.....Piercy Powell, Dawson
Superintendent of Roads.....J. H. McNeill, Dawson
Superintendent of Schools.....Ronald Hulland, Dawson
Territorial Assayer.....W. C. Sime, Keno Hill

Physical Features

The Yukon is a region of hills and mountains separated by a network of large valleys. The main feature of the Territory is a great basin-like area called the Yukon Plateau which is drained by Yukon River and walled around on the north, east, and southwest by mountains. Two smaller basin-like areas drained by Porcupine and Peel Rivers lie to the north, and a third drained by the Liard River lies to the southeast. The mountain barriers around these basins include the St. Elias and Coast Mountains in the southwest and the Mackenzie Mountains on the east. Ogilvie Range, a western spur of the Mackenzie Mountains forms the watershed between the Yukon and the Peel and Porcupine Rivers. To the north, the Porcupine Basin is separated from the Arctic Ocean by the Richardson and Buckland Ranges, which are continuations to the northwest of Mackenzie Mountains cut off by Peel River and separated from the ocean by a sloping foreland. Little is known of these ranges and the basins of the Porcupine and Peel Rivers.

On the northeast of the Yukon Plateau, the Mackenzie Mountains—one of the least known areas of Canada—form a barrier of ridges similar in structure to those of the Rocky Mountains from which they are separated by the broad embayment of the foothills and great plains along the valley of Liard River. The loftiest sections are situated near the headwaters of Snake River, a tributary of Peel River, and are reported to contain peaks more than 10,000 feet high as well as alpine glaciers. Their westward spur, Ogilvie Range, has similar structure, but its peaks are not known to be more than 8,000 feet and no glaciers have been found in it.

The plateau of the Yukon contains the best known and most developed part of the Territory. It is an area of rolling uplands whose summits show marked uniformity of elevation over broad expanses, although in many places this is interrupted by isolated mountains and ranges, among which are the Dawson, McArthur, Glenlyon, Big Salmon, and Pelly Mountains. These mountains have few peaks more than 7,000 feet in elevation. A broad, warped depression in the surface of the upland follows the central northwest line of the plateau. A network of main valleys is deeply trenched from 1,000 to 2,000 feet below the upland surface. The valleys of the main rivers spread out in a great branching system connected by similar large valleys occupied by small streams. Several great valleys trend northwestward through the plateau, followed in different parts by different major streams. The greatest of these valleys extends through the territory from Liard River Valley to Yukon River Valley northwest to Dawson. This valley is occupied in part by Liard, Peliy, Stewart, Klondike and Yukon Rivers. Another great valley, the Shakwak, extends from Kusawa Lake northwest along Kluane Lake. To the northwest the plateau continues on into Alaska. Although broken by mountain ranges it extends southeastward to the interior plateau of British Columbia. To the southwest, the plateau slopes upward and abuts against the Coast Mountains.

The Coast Mountains in the Yukon are the northwest extension of the Coast Mountains of British Columbia and have all the characteristic roughness of the latter. In the Yukon, however, the elevations seldom exceed 7,500 feet, and they slope northwestward, terminating northwest of Kluane Lake. On the southwest they are separated by the Shakwak Valley from the St. Elias Mountains whose front ridges rise abruptly to 7,000 feet or more. The St. Elias Mountains extend southwestward and, out of even higher ridges lying between great valley glaciers and ice-fields, stand the great peaks of their interior; Mount Craig, 13,250 feet; Mount Wood, 15,880 feet; Mount Walsh, 14,780 feet; Mount Vancouver, 15,720 feet; Mount Steele, 16,439 feet; Mount Lucania, 17,150 feet; Mount St. Elias, 18,008 feet; and Mount Logan, 19,850 feet—the second highest peak in North America. There are also many other unnamed peaks having

elevations of 10,000 feet and more above sea level. On rare days these great peaks can be seen from prominent elevations hundreds of miles away, dazzlingly white in their almost complete mantle of ice and snow, and appear to float like clouds above the denser and hazy atmosphere below.

As they approach the 60th parallel, the St. Elias Mountains are intersected by a sharp depression which is followed by Alsek River, the only stream flowing from the Yukon directly to the Pacific Ocean. This river, which rises in large valleys in the mountains and the plateau, turns south into a great gorge partly filled by glaciers and, although it contains no great single cataract, drops over 1,500 feet in its 80-mile journey to the sea.

The Yukon River has played a vital part in the development of the Yukon although the Territory contains only the upper reaches of the river which does not exceed a mile in width in any single channel. The volume of the Yukon is less than that of many other rivers of the same length owing to the semi-arid climate of most of the region which it drains. Its heads, rising in mountains, gather volume quickly but lose their gradient as they come into the plateau. This has resulted in the formation of an amazing branching system of navigable waterways. From Whitehorse, situated only 110 miles by rail from Skagway on the Alaskan Coast, a river steamer more than 200 feet long and carrying several hundred tons of freight may navigate without interruption by rapids to the Bering Sea. Within Yukon Territory itself smaller steamers have navigated over 1,400 miles of this river system, and a still greater mileage of smaller streams is navigable for suitable power-driven river boats.

The semi-arid climate of the Yukon Plateau has extended far back through the Pleistocene Era and has prevented the ice sheets, which blanketed nearly all the rest of Canada, from covering its northwest part. To this factor may be attributed the general lack of lakes in the interior and northern parts of the Yukon. The few large lakes which do exist are found within or close to the mountains, and are renowned for their beauty.

Climate

The climate of Yukon Territory is characterized by extemes in temperature and a very moderate precipitation. There is no more delightful climate than prevails from May to October. The continuous daylight during the period from the middle of May to the first week in August, although anticipated, is a source of delight and wonder to the visitor. While the winters are long and cold, the low temperatures are borne with less discomfort than in other parts of the North owing to the absence of high winds and the dryness of the atmosphere.

In the central and southern parts of the Yukon, the climate inclines to aridity. As a result, there is a variation of the flora on the northern and southern slopes of the hills. While the flora on the southern slopes is limited to such species as brush, sage grass, etc., the northern slopes are well wooded and support alpine and Arctic flora.

The variation in the range of temperature is from 125 to 160 degrees, or an average of 142 degrees. The maximum temperature recorded at the Dawson Meteorological Station is 92 degrees above and the minimum 68 degrees below zero. The average precipitation is 12·8 inches per year, the greatest precipitation on record being 17·9 and the least 9·3 inches.

Communication

Communication with the Yukon Territory from outside points is maintained with the aid of telegraph, radio, and mail services, details of which will be found in the following paragraphs.

Telegraph—The Dominion Government telegraph system connects Tagish, Whitehorse, and Dawson with points in British Columbia. This service was inaugurated in 1899, when the Dominion telegraph system was extended from Ashcroft, via Hazelton, Telegraph Creek, and Atlin, British Columbia, to the places mentioned. This line provides connection with commercial telegraph services in other parts of Canada.

Radio—The Northwest Territories and Yukon radio system connects Dawson, Mayo, and Whitehorse with Edmonton, Alberta. Private commercial or Government radio stations are also operated at Aishihik Lake, Burwash Landing, Carcross, Clear Creek, Frances Lake, Old Crow, Teslin, Watson Lake, and Whitehorse.

Telephone—A telephone system operated by the Yukon Telephone Syndicate in the City of Dawson also serves various mining centres in the outlying districts. Mayo Utilities Company operates a telephone service in Mayo, and also between Mayo, Keno, Wernecke, and intermediate points. An automatic telephone service is operated in Whitehorse. It serves the various departments of Government service, the airport, transportation services, and business and residential sections of the town.

Telephone and telegraph lines, built by the United States Government along the route of the Alaska Highway through Yukon Territory, provide communication between Edmonton, Alberta, and Fairbanks, Alaska, and serve intermediate points. Telephone lines also parallel the pipelines from Skagway, Alaska, to Whitehorse, and from Norman Wells, N.W.T., to Whitehorse.

Mail Services

Air Mail Services—Air mail services are maintained daily except Sunday, the year round, between Vancouver and Whitehorse, and between Edmonton and Whitehorse. These schedules include mail for Watson Lake. Dawson and Mayo Landing have year-round air mail service twice a week from Whitehorse. In winter, air mail service is maintained weekly between Whitehorse and Carmacks, and between Whitehorse and Fort Selkirk.

Ordinary Mail Services—Ordinary mails are conveyed from Vancouver by Pacific Coast steamship service to Skagway, Alaska, and from Skagway by railway to Whitehorse for despatch to destination. Surface mail for points in the Yukon is also handled by motor vehicle from Dawson Creek, B.C., via the Alaska Highway. During the winter, parcel post service is restricted to Whitehorse, Dawson, Carmacks, Fort Selkirk, and Mayo Landing.

Mail service is maintained twice a week in summer between Whitehorse and Dawson by steamer, via Carmacks, Fort Selkirk, and Stewart River, and weekly mail service is provided from Stewart River to Mayo Landing. Carcross is served by the White Pass and Yukon railway according to frequency of service between Skagway and Whitehorse. Other points in the Yukon including Champagne, Readford, Hunker, Granville, and Glacier Creek have regular mail service in summer and winter. Keno Hill is served weekly in summer and twice a month in winter from Mayo Landing. Teslin receives mail from Whitehorse twice a month the year round. Mail service from Dawson to Fortymile and to Eagle, Alaska, is provided monthly.

Transportation

The Yukon Territory is served normally by water, railway, highway and aerial transportation. Owing to war conditions, however, all transportation schedules are subject to change, and prospective travellers are advised to make inquiries in advance. Following is an outline of the services available.

Steamship Service—The Canadian Pacific Railway Company operates a steamship service the year round from Vancouver, B.C., to Skagway, Alaska, touching at intermediate points. Occasional tourist steamship service is also provided during the summer months from Vancouver by Canadian National Steamships, and from Seattle, Wash., by the Alaska Steamship Company.

Railway Service—The White Pass and Yukon railway connects Skagway with Whitehorse—110 miles distant—the head of navigation on the Yukon River system. In normal times, a service is provided daily during the summer season, and twice a week during the remainder of the year. Railway Express Agency maintains offices at Skagway, Carcross, Whitehorse, Dawson, and at Fairbanks, Alaska.

River Steamer Services—During the season of navigation, which extends approximately from May 15 to October 15, the White Pass and Yukon Route operates steamboats on the Yukon River between Whitehorse and Dawson. In normal times services is provided twice a week. The trips downstream from Whitehorse usually occupy two days, and those upstream from Wawson, four days. Steamer service is also provided at intervals from Dawson to points down the Yukon River including Eagle, Fort Yukon, and Tanana, Alaska, making connection with the Alaska Railway at Nenana on Tanana River. From Nenana, rail service is available to Fairbanks, Anchorage, and Seward, Alaska. Steamers connecting with the main Yukon River route operate on Stewart River and provide a service to Mayo Landing.

Highways—The highway system in the Yukon Territory includes a number of all-weather roads which radiate from Dawson and Mayo Landing to the adjacent mining districts, and secondary roads connecting Whitehorse with Carcross, Carmacks, and Yukon Crossing. Most of these roads are suitable for automobile as well as truck traffic, and heavily travelled sections are kept open in winter. Winter roads connect Dawson, Mayo Landing, and Whitehorse.

Construction of the Alaska Highway through Yukon Territory provides direct connection with Edmonton, Alberta, and Fairbanks, Alaska, and also links Whitehorse with Burwash Landing, Champagne, Teslin, and Watson Lake. A military road from Haines, Alaska, connects with the Alaska Highway, west of Whitehorse. A truck road also parallels the Canol pipeline from a point east of Whitehorse to Norman Wells, N.W.T. Although the Alaska Highway is not available for general travel at present, it is expected to provide a new tourist routs to the Yukon after the war. A brief description of the highway will be found on pages 13-14.

Aerial Transportation—Extension and improvement of commercial air services have brought the Yukon Territory within a few hours' flying time of populated centres in Western Canada and the northwestern United States. Passenger services are operated daily except Sunday by Canadian Pacific Air Lines from Vancouver to Whitehorse and from Edmonton to Whitehorse, via Fort St. John, B.C. These services connect with Trans-Canada Air Lines and other services at Edmonton and Vancouver. A service is also maintained by Canadian Pacific Air Lines from Whitehorse to Dawson, via Mayo, twice a week, summer and winter. Whitehorse also is a regular stop for Pan-American Airways aircraft which operate between Seattle, Washington, and Fairbanks, Alaska.

A well-equipped licensed airport is operated at Whitehorse. Unlicensed airports, auxiliary, or emergency landing fields are also available at Burwash Landing, Carcross, Carmacks, Dawson, Flat Creek, Fort Selkirk, Mayo Landing, McQuesten, Montague, Upper Laberge, Watson Lake, and Yukon Crossing.

Intermediate airdromes, equipped with radio range stations, are also situated at points along the Alaska Highway in Yukon Territory, and form links in the Northwest Staging Route between Edmonton, Alberta, and the Alaska Boundary. A number of flight strips, suitable for contact flying, have also been constructed along the Alaska Highway.

The Alaska Highway

The completion of the Alaska Highway as a military route through southern Yukon has opened up regions of the Territory previously inaccessible to all but a few adventurous explorers, prospectors, and trappers. For many years, the construction of a transportation route linking Yukon Territory and Alaska with British Columbia and points south was under consideration and alternate routes projected, but not until 1942 was the building of a road undertaken. Following the entry of the United States into the war in December, 1941, the need for a safe overland route for the transportation of men, equipment, and supplies to the strategic Alaskan Coast became apparent, and, following an exchange of notes between the Governments of Canada and the United States, the United States Government was given authority to proceed with the construction of the Canadian section of the Alaska Highway.

This project entailed the construction of a military road from Dawson Creek, British Columbia—terminus of a branch line of the Northern Alberta Railways from Edmonton—to the western boundary of Yukon Territory, where connection would be made with the Alaskan section of the highway to be built from Fairbanks, Alaska. The total length of the highway from Dawson Creek to Fairbanks is about 1,523 miles, of which approximately 1,220 miles are in Canada and 303 miles in Alaska. The highway follows generally the air route through the region, and, with the aid of branch roads, it connects up with the airports along the Northwest Staging Route including those at Fort St. John and Fort Nelson, British Columbia, and Watson Lake and Whitehorse, Yukon Territory.

Under the terms of the agreement, the United States Government undertook to pioneer and construct the highway and to maintain it until six months after the termination of the present war, unless the Canadian Government wishes to assume responsibility at an earlier date for that part of the road which lies in Canada. At the end of the war, the section in Canada will become an integral part of the Canadian Highway system, on the understanding that at no time will there be any discriminatory conditions in relation to the use of the highway as between civilian traffic of the two countries. The Canadian Government provided free rights of way; facilitated the admission of labour and supplies by waiving import duties, sales taxes, etc.; and permitted those in charge of construction to obtain timber, gravel, and rock on Crown lands adjacent to the right of way. The Canadian Government also undertook the construction of new landing fields and the improvement of existing airports along the highway route.

The Alaska Highway links up with an existing route from Edmonton, Alberta, over Provincial Highways to Dawson Creek, B.C. From Dawson Creek, the highway crosses the northeast corner of British Columbia, traversing rolling foot-hill terrain before heading through the northern Rockies which are crossed at elevations up to 4,200 feet above sea level. West of Summit Pass, the road descends to Muncho Lake, and continues on to Liard River which is bridged above the canyon. Half a mile ahead are hot mineral springs which provided the basis of stories of a "tropical valley" in the region. The Liard is followed northwesterly along its benches to the southern boundary of Yukon Territory, which is traversed a few miles south of Watson Lake. Farther on,

the Liard is spanned again, and the Rancheria River followed into the Cassiar Mountains, where the continental divide is crossed between the watersheds of Liard and Yukon Rivers.

Descending the western slope from the height of land, the route touches Teslin Lake, a body of water more than 60 miles long, and follows the eastern shore of the lake to its outlet, Teslin River. From Teslin River bridge, the road winds westerly by easy gradients through open valleys, crossing Lewes River before reaching Whitehorse, terminus of the railway from tidewater at Skagway, Alaska, and head of navigation on the Yukon River system. Westward from Whitehorse, the route traverses rolling terrain through the Takhini and Dezedeash Valleys. This portion of the road is comparatively low in elevation and provides distant views of the St. Elias Mountains.

From Dezedeash Valley, the road continues northwestward to Kluane Lake, the largest in southwestern Yukon. The southern end of the lake is skirted, and the western shore followed for a distance of some 30 miles in sight of the spectacular St. Elias Mountains. These mountains contain dozens of peaks which rise to elevations of more than 11,000 feet above sea level. Among them is Mount Logan, highest in Canada, whose lofty snow-capped summit attains an altitude of 19,850 feet and is rivalled only by Mount McKinley in Alaska—20,300 feet—which is the highest mountain in North America.

In this remarkable region an area of 10,130 square miles has been reserved from disposal so that it may be available in its present state for establishment as a national park. The area reserved is bounded roughly by Alsek River, the Alaska Highway, White River, and the Yukon-Alaska and Yukon-British Columbia boundaries, and includes Kluane Lake. The region is noted for the variety of its big game, which includes mountain sheep, mountain goat, caribou, moose, and bear. The park reservation has also been set aside as The Kluane Game Sanctuary.

From Kluane Lake, the highway continues northwesterly, and crossing the International Boundary into Alaska, descends Tanana River Valley to Fairbanks.

The construction of the Alaska Highway was commenced in March, 1942, by United States Army Engineers, and the pioneer road was completed by November, 1942, with the aid of civilian contractors. During 1943, the highway was developed from the pioneer road stage to a condition meeting the requirements of a military artery, and is now capable of handling a steady flow of vehicular traffic from Dawson Creek to Fairbanks with little interruption. The work of construction involved extending the right of way through regions of primal wilderness, much of it mountain terrain; the erection of hundreds of bridges, many of them over large rivers; and the maintenance of equipment and personnel in the face of severe climatic conditions. The most modern and powerful road-building equipment available was used, and, at the peak of construction, more than 15,000 civilians were employed in addition to United States Army personnel.

In addition to the main highway, there are a number of branch roads providing access to airports along the route, and also connections with previously existing arteries of travel. In the latter group are (*a*) a road built to connect Carcross with the main highway route; (*b*) a cut-off road constructed from a point in Dezedeash Valley about 95 miles west of Whitehorse southwestward to Haines, Alaska; and (*c*) a truck road built from a point on the highway about 80 miles east of Whitehorse to Norman Wells, N.W.T., to serve the Canol pipe-line.

In June, 1943, a joint Canada-United States Traffic Control Board was set up to deal with applications and issue permits for travel on the Alaska Highway, which at present is confined to official business. Although the new route is not

available for ordinary civilian travel, and all unalienated lands within one mile of the right of way in Canada are reserved from disposal at present, bona fide prospectors for minerals of strategic importance may be permitted to use the highway on production of suitable credentials.

Mining Development in the Yukon

Gold was reported in the Yukon by the Hudson's Bay Company in the 1850's and prospecting began in 1872. Fine gold was discovered on the bars of most of the main rivers. "Good wages" were made in many localities and gold to the value of hundreds of thousands of dollars was recovered from Steamboat Bar on Stewart River and from Cassiar Bar on Lewes River. In the early nineties, prospecting spread to the side streams where coarse gold was disclosed. In 1892 the Sixtymile placer field was located and by 1895 its annual production had reached a value of $250,000. Klondike placer creeks were discovered in 1896. Their amazing richness attracted miners from the other parts of Yukon. Thousands of would-be miners made their way to the Klondike and in the next ten years spread out over the whole Territory. It was during this period that nearly all the known placer creeks in Yukon were discovered and also the deposits of the Whitehorse copper belt, the Mayo silver-lead district, and the Carmacks coal basin. In addition, ores of gold, antimony, tungsten, zinc, arsenic, manganese, and iron were found in lode deposits, and tungsten, mercury, tin, platinum, and bismuth were found in placers.

Placer Mining

The climate and the nature and richness of the gold placers at first favoured hand methods of mining, with the result that each claim soon became a productive mine in itself. The output of gold rose rapidly and in 1900 it reached a peak value of $22,275,000. By 1906 most of the rich, easily mined ground was worked out, and in 1907 gold placer production declined to $3,150,000. Following an amalgamation of interests and the introduction of dredging, placer production increased during the next few years until in 1913 it reached a value of $5,846,780, an amount that has not since been exceeded. The gradual exhaustion of the richer hydraulic and dredging grounds lowered production to $1,243,287 in 1923, and from then until 1932, the annual production was valued at less than $1,000,000.

In 1932, a change of policy and management took place in Yukon Consolidated Gold Corporation which had acquired practically all of the reserves of the Klondike district. The possible reserve areas were explored and a development program lasting several years was undertaken. Prospect drilling proved the presence of huge reserves of pay gravels, including a virgin channel several miles long, which extended under the cabins of old time miners who did not know of its existence. The rise in the price of gold quickened and revival of placer mining which followed improvements of method, organization, and mechanical equipment, and by 1939 the value of annual production had increased to more than $3,000,000. Production valued at more than $3,000,000 was also maintained in the years 1940 and 1942, but in 1943 labour shortages restricted production to $1,584,600. Production for 1944 has been valued at $935,000.

No separate records have been kept of the placer gold output of the other districts. The Sixtymile camp, which includes Miller, Glacier, and other creeks, as well as Sixtymile River, has been worked continuously for over fifty years. In the Mayo district, Highet and Haggart Creeks have yielded gold to the value of hundreds of thousands of dollars each, and several other smaller creeks have been worked since 1897. South of Klondike district, Henderson, Black Hills, Mariposa, Scroggie, Barker, Thistle, Kirkman, Canadian, and other creeks continue to be worked intermittently, their total production to date being large.

The recent drilling of Clear Creek, which lies between the Klondike and Mayo districts and which was worked on a small scale in the early days, has proved many miles of pay gravel for operation of the modern mechanical equipment now being installed. In the southern part of the Yukon are a number of rich creeks that were worked in the past. They have since been inactive, except for the few miners who return from time to time to gain a grubstake. Among these are Sayyea Creek on Liard River, worked before the Klondike; Livingstone Creek on Big Salmon River, said to have produced to a total value of over $1,000,000; Ruby, Boulder, and Squaw Creeks in the Kluane district; and many others. In the last few years exploration of old creeks has proved others besides Clear Creek to be worthy of development with modern methods.

Lode Mining

Lode mining in the Yukon has not as yet attained the importance of placer mining, and most of the production has come from the Whitehorse and Mayo areas. The Whitehorse copper belt, discovered in 1897, is near the railway and therefore had advantages for early development. The first shipment of ore was made in 1900 and from then until 1912 production was intermittent. Aided by the high price of copper, the output was continuous during the next eight years and in 1916 reached a peak of 2,807,096 pounds of copper, worth $763,586. With the lowering of the price of copper, the camp was closed down at the end of 1920, though much material formerly regarded as ore is said to remain. The deposits are of the contact metamorphic type and are exceptionally rich but spotty, and hard to follow.

The Mayo silver-lead veins were found by placer miners in 1906. Mining was commenced in 1913 and with the exceptions of 1919 and 1920, some ore has been shipped from the camp each year since. The veins are exceedingly rich in silver and large tonnages of ore containing 200 to 300 ounces to the ton and many pockets containing 1,000 or more ounces to the ton have been mined.

The Silver King property on Galena Hill was the first mine to enter production, but from 1920 to 1923, most of the silver produced came from mines that were discovered on Keno Hill several miles to the northwest. In 1924 the Treadwell-Yukon Corporation built a 150-ton concentrator at Wernecke on the slope of Keno Hill, and this development enabled the mining of lower grade material. Following the decline in the price of silver below 30 cents per ounce, the mill at Wernecke continued to treat the ore in sight until 1932, when it was closed down. Interest then shifted to Galena Hill, where a small tonnage of high grade ore continued to be mined. The Calumet Mine deposits were discovered on Galena Hill in 1934, and proved to be the largest and deepest ore-bodies yet found in the district. In 1935 the mill at Wernecke was moved to Elsa on Galena Hill and treated ore from the Silver King, Elsa, and Calumet Mines until it was closed down in 1941. A few operators continue to mine and ship small tonnages of high grade ore.

Some lode gold has been mined in the Klondike and Carmacks districts. In the Klondike, several prospects have been worked at the heads of placer creeks, the most important find being the Lone Star Mine between Bonanza and Eldorado Creeks. A lode gold find was made in the Carmacks district on Freegold Mountain in 1930, and many discoveries of gold and other metals have since been found in that area. Gold has been mined from two properties, the more important of which, the Laforma Mine, produced approximately 1,150 ounces of gold in 1939. Some silver and copper also were recovered. It has since closed down.

Aside from those mentioned, lode discoveries have been made in many parts of Yukon, the most easily accessible being the gold, silver, lead, copper, and antimony occurrences in the Wheaton district. Several large persistent veins containing antimony have been prospected in the district, but no deposit of commercial grade has been found.

A few thousand pounds of tungsten concentrates were shipped in 1918 from the gold placers of Dublin Gulch in the Mayo district and from Canadian Creek in the Klotassin River area. These placers are again producing tungsten. Veins and contact metamorphic deposits of tungsten-bearing minerals have been found near Dublin Gulch and near the head of Highet Creek.

In 1941, tin in the form of crystalline cassiterite was found in the placer gravels. An estimate based on the meagre figures available suggests the presence of 200 tons or more of tin in these gravels. In 1943, a lode discovery assaying up to 1·53 per cent of tin was discovered on the north side of Dublin Gulch.

Coal Mining

Coal produced in Yukon is used to meet local needs, which are small and uncertain. It has come from four localities, namely, Rock Creek on the Klondike River, Coal Creek on Yukon River, Carmacks, and the Whitehorse-Wheaton area. In the first two areas the coal is Tertiary lignite, and in the other two areas good bituminous coal of late Mesozoic age has been found. Most of the output, however, has come from three mines near Carmacks, where production began in 1900 and continued with short interruptions until 1938, when operations were suspended. It reached a peak of 16,185 tons, valued at $110,925, in 1910.

Summary of Mineral Production

To date production of minerals in Yukon has come from a few rich deposits. No area has been thoroughly prospected and little drilling has been done except for placers. Prospecting has been handicapped by the remoteness of the Territory and the severity of the winter climate, but much of the geology of areas that have so far received little active attention is favourable for the occurrence of minerals. This factor, together with the variety and widespread distribution of the lode and placer prospects, suggests the possibilities for expansion in mineral development.

According to figures released by the Dominion Bureau of Statistics at Ottawa, the value of mineral production in Yukon Territory was as follows:

	Production for 1942	Production for 1943	Production for 1944	Total production to end of 1944
Gold	$3,204,971	$1,584,660	$ 916,993	$210,927,586
Silver	203,296	23,690	13,788	20,983,110
Lead	44,448	7,347	4,758	4,380,108
Copper	....	....	....	2,711,695
Coal	....	....	....	803,192
Tungsten	840	10,122	3,780	18,315
Antimony	13	....	....	173
	$3,453,568	$1,625,819	$ 939,319	$239,824,179

Water Power

No comprehensive examination of the water power possibilities of the Yukon Territory has been undertaken, but reconnaissance investigations carried out some years ago by the Dominion Water and Power Bureau of the Department of Mines and Resources indicated resources of quite substantial magnitude in the Whitehorse and Mayo Districts. For the most part the great rivers of the Territory and many of their tributaries are of uniform gradient and are navigable except in their upper reaches. Water power possibilities, therefore, are to be found chiefly on these upper reaches. The climate and topography are such as to cause great variations in the seasonal flow of the rivers with high flows in the open season and greatly diminished flows during the winter months. Power possibilities, accordingly, are affected in like manner by these seasonal flows.

Development of water power in Yukon Territory has taken place almost wholly in connection with placer gold mining operations. The Yukon Consolidated Gold Corporation owns and operates a hydro-electric plant on Klondike River about 26 miles above Dawson. A continuous and assured flow of water the year round is obtained for this plant by a diversion from the South Fork of Klondike River into the North Fork of the same stream, and by a larger ditch from this North Fork to the power plant. The ditches freeze over in winter and as the water flows under the ice as in a river, power is generated the year round. This plant was constructed in 1911 with an installation of two 5,000 horse-power units and was enlarged in 1935 by the addition of a similar unit bringing the total capacity to 15,000 horse-power. Power is transmitted principally for the operation of gold dredges, pumps in stripping and thawing operations, and the company's machine shops in the Dawson area. A small amount of power is also sold in bulk to the Dawson Electric Light and Power Company, Limited, for distribution in the city of Dawson.

Of undeveloped water power resources, reconnaissance investigations indicated that Miles Canyon on Lewes River about four miles from Whitehorse a development should be possible under a head of about 50 feet, which should yield about 1,800 dependable horse-power. In the Mayo District investigations disclosed a site at Fraser Falls on Stewart River some 40 miles above Mayo where a head of 80 feet might be secured making 7,000 horse-power available under ordinary minimum flow or 22,000 horse-power ordinarily available for six months of the year. At the canyon on Mayo River about five miles from Mayo a head of 250 feet might be concentrated which should yield about 2,400 horse-power at ordinary minimum flow but with storage developed upon Mayo Lake this might be rasied to 14,000 horse-power of dependable power. On Janet Creek in the same district a small site offered possibilities of some 240 horse-power at ordinary minimum flow or about 1,400 horse-power if storage should be developed.

In addition to these sites, power possibilities are indicated by explorations of the Geological Survey of Canada on the Peel River and it is probable that many of the smaller rivers and creeks in the Territory are capable of developing moderate quantities of power, at least during the open season.

Agriculture

Although agriculture cannot be classed as one of the primary industries of the Yukon, field crops, including cereals, fodder, and vegetables are grown with considerable success. The principal industry of the territory is mining, and agricultural development and the amount of farm produce that can be profitably disposed of is determined by the volume of mining operations.

Cereal crops, including wheat, oats, and barley are grown in a number of localities as far north as Dawson. Excellent crops of hay are grown for the home market, and grasses which furnish good yields include timothy, red top, and brome grass. Alfalfa, white Dutch clover, red clover, and sweet clover are also raised with good results. Fodder corn which reached a height of six feet has been grown in the vicinity of Carmacks.

The Yukon excels in small gardens, and practically all the vegetables normally consumed in the Territory are home grown and of excellent quality. Remarkable results have been achieved in growing potatoes, particularly in the vicinity of Dawson and Mayo. Carrots, beets, turnips, parsnips, cauliflower, cabbage, and celery thrive and are raised in quantity. Garden beans and peas bear well in favourable seasons, and rhubarb, radishes, lettuce, and small onions do well. Tomatoes and cucumbers are grown successfully under glass. Small fruits, including strawberries, raspberries, currants, and gooseberries furnish good yields in many localities.

Some cattle, hogs, and poultry are raised, and a few small dairy farms are operated successfully.

FLORA

Forests

The forests of the Yukon belong to the Boreal Forest Region of Canada which is characterized by combinations of a small number of species as well as by a relatively slow rate of growth. Especially is this true of the forest along its northern border where the full effect of latitude is obvious. Although the Yukon Territory south of latitude 65° North may be classed as forested country, its general elevation is fairly high and the combined effects of altitude and latitude limits tree growth over much of the area to stands of little or no commercial value. Absolute timber line ranges from about 5,000 feet above sea level in the south to about 4,000 feet or less at latitude 65°N., and the limit of merchantable growth is situated at least 1,500 feet below timber line. Consequently, conditions over practically the entire Yukon are such that timber cannot grow to merchantable size, except in the major valleys and depressions.

White spruce is the most common species occurring in the Yukon and makes up the bulk of all important stands. In the Liard River watershed there are excellent bottom-land stands of white spruce. Elsewhere, especially along the valleys of tributaries of the Yukon River which rise in the Mackenzie Mountains, bottom-land stands of merchantable timber occur frequently. White spruce also is the most common species found on the uplands. Here, however, it is usually of poor quality and occurs most frequently in pure stands of widely-spaced, branchy trees of poor height.

Aspen poplar, balsam poplar, and birch are also common, and usually occur as mixed stands along with spruce. However, as these species are confined mainly to well-drained uplands, they seldom attain sawlog size, but nevertheless are useful as fuelwood where supplies of spruce are not available. Lodgepole pine occurs in pure stands in the southern part of the Territory, where it is useful as fuelwood and for the manufacture of ties, poles, etc. Alpine fir is found in that part of the Yukon east of the Lewes and Yukon Rivers, but because of its poor quality and inaccessible location, it is not commercially important. Black spruce and tamarack also occur in limited quantities.

As a result of recent surveys, it is believed that a good supply of merchantable timber suitable for sawlog material may be found in those parts of the Territory situated south of latitude 61° N., and east of the Lewes and Yukon Rivers as far north as latitude 65° N. It is probable that the rate of growth is such that these areas could continue to supply all local needs and even provide an exportable surplus for use in the drier and less well-timbered western and northern parts of the Yukon. The only area that might be called upon to supply areas outside Yukon Territory is the valley of the Liard River in the southeast corner.

For about 30 years after the gold rush of 1898, nearly all lumber used in Yukon Territory was of local manufacture. A number of sawmills, operated at Dawson and other points along the Yukon River, supplied the lumber used in the construction of buildings in Dawson, as well as the large quantity required for the construction of flumes and sluice boxes necessary for the mining industry. These operations have practically exhausted the supply of timber suitable for sawn lumber in the areas close to the Yukon River, and since 1930 the requirements of Dawson and Whitehorse have been supplied by shipments of lumber from British Columbia.

Several sawmills are operated in Yukon Territory. Two mills situated at Mayo are equipped to manufacture practically all types of lumber required for building purposes. A small sawmill is operated at Dawson, and others have been in operation at points along the Alaska Highway. Practically all lumber is sawn from white spruce logs. While native timber is used in the construction of small boats and scows, all steamboats and barges operating in the Yukon are constructed of imported lumber.

White spruce and birch are used extensively as fuel, and where not available, poplar is substituted. In the southern part of the Territory, jackpine is plentiful and forms an important fuel supply. Wood is used as fuel in all steamboats operating on the Yukon River and its tributaries, and over a period of 45 years a very large quantity has been consumed. The average consumption of an ordinary river steamboat for a round trip from Whitehorse to Dawson is 150 cords.

In the early days of mining, frozen areas to be worked by placer dredges were first thawed by steam, and considerable timber along the Klondike and Yukon Rivers was used as fuel in these operations. Much wood was also burned by miners in thawing gravel to be worked in sluice boxes and rockers.

WILD FLOWERS

The Yukon is a land of flowers. They grow wild almost everywhere and in great profusion. They are a constant source of delight to the visitor, for their luxuriance, colour, and fragrance give an additional touch of beauty to many a lovely scene. They grow in the valleys and on the lower slopes, and even on the higher spaces above timberline will be found the hardier species that refuse to be beaten back by the temperature and the elements. Nearly 500 varieties of wild flowers, ferns, and shrubs have been identified in the Yukon.

The colours of the Yukon flowers are mainly blue, pink, and magenta, with a generous touch of yellow in a number of species. Strangely, deep scarlet flowers are rare, and species such as Indian paint brush that farther south range in shade from brick-red to cherry, appear in the Yukon in lemon and magenta shades. Characteristic species include arnica, shrubby cinquefoil, marsh marigold, yellow pond lily, Arctic poppy, mustard, yellow violet, vetch, goldenrod, Drummond's dryas, locoweed, stonecrop, hawkweed, and monkey flower. The ubiquitous dandelion is found in the Yukon, as is also the eastern buttercup.

In the natural cycle of the seasons the landscape undergoes an almost bewildering change in colour. From early spring, when the dainty pasque flower known locally as the purple crocus—pushes its head above ground, until the last faded leaves of autumn have fluttered down, a constant variety of floral beauty embellishes the countryside. By June, acres upon acres of landscape are carpeted with purplish blue lupine, broken here and there by the wild Arctic poppy and Jacob's ladder. On the higher slopes are the mountain forget-me-not, mountain harebell, and brilliant cerise shooting star. Lower down grow the wild rose, Dutchman's breeches, bleeding heart—a tiny prototype of the cultivated variety—and many other species that flourish during the long hours of summer daylight.

Among the distinctive flowers of the Yukon are several varieties of the orchid family. The most common is a white orchid with large purplish-pink splotches. It grows on sandy sunny hill-sides, as well as on lower levels. Also found is the Siberian orchid or Franklin's lady's slipper. Occasionally a pure white orchid is discovered, an exquisite single flower exhaling a faint but delicate fragrance. Within a few minutes walk of Dawson will be found growing the fragrant bog orchid, the fly-spotted orchid, the dainty coral root, lady's tresses, and calypso.

By late July, distant hills and mountains, road-sides and borders of trail are coloured by the gorgeous magenta-purple of the fireweed, presaging the coming of autumn. Later as trees and shrubs change colour, nature adds a final touch by painting the countryside in brilliant shades of scarlet and gold—a closing pageant before the first crystalline flakes of snow begin to fall.

FAUNA

Mammals

Among the important resources of the Yukon Territory is its mammalian wild life, which includes such big game as mountain sheep, moose, caribou, and bear. The most widely known big game districts include a large area extending northward from Kluane Lake to the Upper White River and including the Donjek River—the region adjacent to Teslin Lake in the southern part of the Territory; and areas in the vicinity of Big Salmon, Macmillan, Ross, and Stewart Rivers. Game is also found in the area between the Yukon, Porcupine and Peel Rivers.

Mountain sheep are numerous in several sections of the Yukon. Among the species which occur is the Dall or white mountain sheep, one of the most prized trophies of hunters. White sheep are found principally in the southwestern and northern parts of the Territory. Mountain sheep, ranging in colour from grey to brown, including the "saddleback" or Fannin variety, are also found in various sections of the Yukon. They are closely related to and intergraded with the Dall sheep. Mountain goat are found in a few districts of southern Yukon.

The Alaska moose, largest and darkest of the species, reaches superb dimensions in the Yukon. The antlers of a specimen killed on the Teslin River some years ago had a spread of 71½ inches and a palm width of 21 inches. Moose range the lowlands and are numerous in the White River region.

Caribou include the Osborn and Stone varieties. The Osborn caribou intrudes from the Cassiar Mountain district of British Columbia and is found mainly in southern Yukon. The Stone caribou, a large variety of the barren ground caribou, occurs in the Lower White River region, and northward through the Peel River and Porcupine regions to the Arctic.

Bear, including grizzly, black, and brown varieties, are fairly numerous throughout the Territory, although, the grizzly is confined to districts remote from settlement. Wolves include the Mount McKinley timber species which is exceptionally large, the northern grey wolf, and the tundra timber wolf on the Arctic Coast. The Polar bear is occasionally seen on the Arctic Coast, and the ringed seal, bearded seal, bowhead whale, and white whale are also found there.

Fur-bearers include beaver, ermine (weasel), Alaska mink, marten, wolverine, northwestern muskrat, otter, lynx, and white Arctic fox. Red fox, including the silver, cross, and black varieties are also found. Snowshoe rabbit are abundant, and porcupine, pika or "rock rabbit", and northern hoary marmot or "whistler" are prevalent. Other forms of smaller wild animal life to be observed include red squirrel, Yukon ground squirrel and Arctic ground squirrel, Yukon flying squirrel, chipmunks, brown and white lemmings, pack rat, and several species of meadow mice, tundra mice, red-backed mice, and white-footed mice which form an important portion of the food of the carnivorous fur-bearing mammals.

Birds

Biological investigations which have been carried out in the Yukon at various times by qualified observers have disclosed an extensive and varied bird life. Many of the species found are year-round residents.

Among the game birds, the most abundant are grouse, ptarmigan, and some species of waterfowl. Dusky and sooty grouse, commonly known as blue grouse, are quite plentiful in some districts, and spruce grouse, sharptailed grouse, and Yukon ruffed grouse are also common. Willow ptarmigan are found near timber line in many districts, and rock ptarmigan and northern whitetailed ptarmigan occur above timber line.

Waterfowl prevalent include wild geese, swans, ducks, and shore birds. The Canada goose breeds along the main tributaries of the Yukon River, and swans have been observed on the Pelly River and small lakes of the region. Species of ducks which have been identified include American and red-breasted mergansers, mallard, baldpate, pintail, shoveller, greater and lesser scaup, harlequin, and American golden-eye. Wilson's snipe, northern phalarope, spotted sandpiper, Arctic tern, black-bellied plover, and golden plover have also been observed.

Predatory birds found in the Yukon include bald eagle, Richardson's owl, hawk owl, great grey owl, and snowy owl, and red-tailed, sharp-shinned, and marsh hawks. Osprey are also found in some districts.

Common residents or migrants which occur also include the American robin, American raven, Canada jay, hairy and Arctic three-toed woodpeckers, pine grosbeak, Bohemian waxwing, crossbills, horned lark, yellow warbler, mountain bluebird, common redpoll, hermit thrush, rufous hummingbird, Townsend's solitaire, black-capped chickadee, bank and cliff swallows, tree sparrow, pine siskin, slate-coloured junco, Say's phoebe, and snow bunting.

Fish

Several varieties of game fish occur in the lakes and streams of the Yukon Territory. Grayling is one of the most abundant species and is found in most of the rivers. Great lake trout and whitefish are common to many of the larger lakes. Schools of fresh water herring exist in the lakes in the vicinity of Carcross and Tagish, and may be taken with nets. Tagish is also a popular point with anglers for catching great lake trout by troll. Specimens weighing up to 30 pounds have been caught in Tagish and adjacent lakes. Other species of fish found in the large rivers of the Yukon include salmon, inconnu, and great northern pike. Along the Arctic coast and streams flowing into Beaufort Sea the Arctic char—allied to the Dolly Varden—and the Mackenzie fresh-water herring are the most important food fishes. The steelhead trout, sea-going form of the famous rainbow, ascends the Tatshenshini River and its tributaries in May.

Brief Notes on Places in the Yukon Territory

The Yukon offers many attractions to the visitor. It is a land of contrasts —and even of extremes—in climate, in physical characteristics, in wild life, and in human interest. Its romantic history, including the feverish days of the Klondike gold rush and the "Trail of '98", is recalled by visits to places now famous the world over. Its snow-capped mountains, beautiful lakes, and majestic rivers which flow so smoothly to the sea, provide an ever-changing panorama that is interesting and delightful.

For those making use of water and railway transportation, the main points of departure for the Yukon are Vancouver and Victoria, British Columbia, and Seattle, Washington. Commodious, well-appointed vessels operated by Canadian and United States steamship companies provide, in normal times, a frequent service from these points to Skagway, Alaska, following the famous "Inside Passage" for about 1,000 miles along the coasts of British Columbia and Alaska. While en route, calls are usually made at Alert Bay and Prince Rupert, British Columbia, and at Ketchikan, Wrangell, and Juneau, Alaska.

From Skagway, the railway of the White Pass and Yukon Route is taken up the deep gorge that leads to the summit of White Pass on the boundary between Alaska and British Columbia. From the summit, the railway descends by easy grades to Lake Bennett, and thence across the provincial boundary into the Yukon Territory. The first large settlement reached is Carcross, 68 miles from Skagway. From Carcross, a journey of 42 miles, brings the traveller to Whitehorse, where steamer service to Dawson and other points is available during the season of navigation. State rooms and dining-room services are available to passengers on steamers.

The Yukon Territory is also accessible by air and by the Alaska Highway. Details covering air services will be found on page 11 and a description of the Alaska Highway on pages 13-14.

In the following paragraphs will be found brief descriptions of some of the more important places in Yukon Territory.

Burwash Landing is situated near the north end of Kluane Lake about 180 miles west of Whitehorse. It is served by the Alaska Highway and is also on the route of Pan-American Airways from Whitehorse to Fairbanks. The settlement contains a trading post and an emergency landing field, and is an outfitting centre for big game hunting parties.

Carcross, situated at the northern end of Lake Bennett, is the first town reached on entering Yukon Territory by the White Pass and Yukon Railway. It has a good aeroplane landing field, suitable water area for a seaplane base, Royal Canadian Mounted Police detachment, Church of England and Roman Catholic churches, post office, and day school. Connection may be made at Carcross during the summer months with a steamer that operates on Tagish Lake and Taku Arm. "Carcross" is a contraction of the name "Caribou Crossing", so called on account of the great number of caribou that once crossed the narrows between Lakes Bennett and Nares. Carcross is connected with Whitehorse and the Alaska Highway by motor road.

Carmacks, situated on the west bank of the Lewes River about 110 miles north of Whitehorse is an Indian settlement containing a post office and trading post. It is also the first junction of the water and overland routes north from Whitehorse. In the vicinity are large deposits of coal which were worked for a number of years. A few miles downstream on the Lewes River are the famous Five Finger Rapids, which provide a thrilling experience for river steamer passengers.

Champagne, situated about 57 miles west of Whitehorse on the Alaska Highway, is an Indian village and contains a trading post. About 40 miles west is the junction of the road from Haines, Alaska.

Dawson, administrative centre of the Yukon Territory, is situated on the east bank of Yukon River, north of the mouth of Klondike River it is named after Dr. G. M. Dawson, a geologist who explored the region in 1887. Dawson is a base of supply and distributing point for the Klondike gold-fields, and has a population of little more than 1,000. In addition to the Dominion Government administrative buildings, Dawson contains a Royal Canadian Mounted Police barracks, two banks, telegraph and radio stations, post office, high, public, and separate schools, public library, hospital, Church of England and Roman Catholic churches, motion picture theatre, stores, hotels, and substantial private residences. The town has electric light, telephone, and water services. a system of roads radiates from Dawson to the placer mining areas of

the Klondike district where large gold dredges operating in the creeks and valleys are a source of great interest to tourists. A ferry provides a means of crossing the Yukon River to West Dawson, and a truck and tractor road extends westward to the Alaskan Boundary and beyond to dredge camps situated on Upper Fortymile River in Alaska. A landing field for aircraft is located in Klondike River Valley, 12 miles from Dawson.

Fort Selkirk, an Indian village and trading centre, is situated at the confluence of the Pelly River with the Yukon, about 178 miles from Dawson. It has a post office, emergency aeroplane landing field, Church of England and Roman Catholic churches, and a detachment of Royal Canadian Mounted Police is stationed there. Fort Selkirk is the site of a Hudson's Bay Company fort constructed in 1848 and destroyed by Indians in 1852. Traces of the fort still remain. Fort Selkirk is the commercial centre for the fur trade of the Pelly River district, and a starting point for big game hunting parties.

Fortymile is a small placer mining settlement situated on the west bank of Yukon River about 47 miles below Dawson, and at the mouth of Fortymile River. It contains a post office.

Keno Hill is situated in the Mayo mining district and is served by a good road from Mayo Landing, about 35 miles distant. The settlement contains a post office and a Territorial Assay office.

Kluane Lake, situated in southwestern Yukon, is one of the largest and most beautiful bodies of water in the Territory. The lake lies northeast of the St. Elias Mountains, the snowy summits and glistening glaciers of which may be seen from points along the Alaska Highway. Discoveries of gold on a number of streams entering the lake caused a small gold rush in 1903-04. There are small Indian settlements at Kluane and Burwash Landing situated at the southeastern and northwestern ends of the lake.

Lake Bennett lies astride the British Columbia-Yukon Boundary and is one of the beautiful lakes in the Territory. The eastern shore is skirted by the railway line, from which may be observed the remarkable colouring of the mountains which, capped with snow, rise along each side. Lake Bennett and its companion body of water to the south, Lake Lindemann, were points of embarkation for thousands of gold-seekers who crossed the Chilcoot Pass and launched rough boats for their perilous voyage down the Lewes and Yukon Rivers to the gold-fields in 1897-98.

Mayo Landing, situated on the north bank of Stewart River about 180 miles from Yukon River, is the commercial headquarters of the Mayo mining district. It has a mining recorder's office, detachment of Royal Canadian Mounted Police, public school, Church of England and Roman Catholic churches, post office, radio station, and several stores. An aeroplane landing field is located near the town. Roads extend from Mayo Landing to the silver mines on Galena and Keno Hills, and to placer gold mines on Highet, Haggart, and Dublin Creeks.

Old Crow is a fur-trading centre and Indian village on the north bank of Porcupine River at its junction with Old Crow River. It contains a Royal Canadian Mounted Police detachment, Church of England church, and has two-way radio communication.

Ross River is an Indian village with trading post, situated at the confluence of Ross River with Pelly River, and about 200 miles upstream from the confluence of the Pelly and Yukon Rivers.

Stewart River, a trading centre and post office, is situated on the Yukon River at the mouth of Stewart River. Connection is made here with steamers operating on Stewart River and serving points in the Mayo mining district.

Teslin is an Indian village, with fur-trading post and post office on the east side of Teslin Lake, about 112 miles southeast of Whitehorse on the Alaska Highway. It contains a Royal Canadian Mounted Police detachment, and Church of England and Roman Catholic churches.

Watson Lake, situated in the southeastern part of Yukon Territory, possesses a post office, good airport, and is served by Canadian Pacific Air Lines Limited. It is also accessible by a spur road from the Alaska Highway. There is a Roman Catholic church at the road junction.

Whitehorse, situated about 42 miles north of Carcross, is the terminus of the White Pass and Yukon railway and head of navigation on the Yukon River. Whitehorse is also situated on the new Alaska Highway. It has a first class airport served by air lines from Seattle, Vancouver, and Edmonton, as well as hotels, bank, stores, weekly newspaper, Church of England and Roman Catholic churches, and public and high school. The headquarters of the Royal Canadian Mounted Police for southern Yukon and the office of the mining recorder for the Whitehorse District are also located here. Whitehorse is an important outfitting centre for big game hunting parties. From Whitehorse a motor road provides access to the famous Whitehorse Rapids and Miles Canyon on Lewes River, which were navigated by many of the gold-seekers in the rush of 1897-98. A foot-bridge built across the canyon offers a fine vantage point from which to view the rushing waters.

APPENDIX

GENERAL INFORMATION

Lands, Timber, Grazing, and Hay

Lands—Lands in Yukon Territory, other than coal lands, are disposed of either by sale, lease. or homestead entry, under regulations approved by Order in Council. All unalienated lands in Yukon Territory within one mile of the right of way of the Alaska Highway are reserved from disposal at present. Applications for lands other than those in the reserved area may be filed with the Agent of Dominion Lands in any district.

Timber—Under the Timber Regulations, fixed dues are charged on timber cut for other than mining purposes or for use in the erection of churches, parsonages, and school-houses, or by a bona fide settler to be used on his own land. Application for timber privileges should be made to the Crown Timber Agent of the district.

Grazing and Hay—Leases for grazing purposes and permits for cutting hay may also be obtained, and applications for same may be filed with the Agent of Dominion Lands in any district.

Copies of the Homestead, Lands, Timber, Grazing, and Hay Regulations may be obtained from the Controller, Yukon Territory, at Dawson, or from the Lands, Parks and Forests Branch, Department of Mines and Resources, at Ottawa.

Surveys and Maps

Topographical maps of Yukon Territory may be obtained at a nominal charge from the Hydographic and Map Service, Surveys and Engineering Branch, or from the Bureau of Geology and Topography, Mines and Geology Branch, of the Department of Mines and Resources, Ottawa, Canada. Geological maps of mineral areas may be obtained from the Bureau of Geology and Topography, Mines and Geology Branch, Department of Mines and Resources, at Ottawa, or from the Controller, Yukon Territory, at Dawson.

SYNOPSIS OF THE MINING LAWS YUKON TERRITORY

Any person eighteen years of age or over has the right to enter, locate, prospect, and mine upon any lands in Yukon Territory, whether vested in the Crown or otherwise, for the minerals defined in the Yukon Placer Mining Act (1906) and the Yukon Quartz Mining Act (1924) with certain reservations set out in the said Acts. These Acts with subsequent amendments, as passed by the Parliament of Canada, govern placer and quartz mining in the Territory.

No person shall enter for mining purposes or shall mine upon lands owned or lawfully occupied by another until adequate security has been furnished to the satisfaction of the Mining Recorder for any loss or damage which may be thereby caused.

Where claims are being located which are situated more than one hundred miles from the Mining Recorder's Office, the locators, not less than five in number, are authorized to meet and appoint one of their number an emergency recorder, who shall as soon as possible deliver the applications and fees received to the Mining Recorder for the district.

If two or more persons own a claim each such person shall contribute, proportionately to his interest, to the work required to be done thereon, and when proven to the Controller that he has not done so his interest may be vested in the other co-owners.

The survey of a claim made by a duly qualified Dominion Land Surveyor shall be accepted as defining absolutely the boundaries of the claim surveyed, provided the survey is approved by the proper authority and remains unprotested during the period of advertisement.

A person about to undertake a bona fide prospecting trip may secure from the Mining Recorder written permission to record at his own risk a claim within six months.

A legal post must stand four feet above the ground, squared or faced for the upper eighteen inches and measuring four inches across the faced portion. The post must be firmly fixed in the ground.

Priority of location shall be deemed to convey priority of right. Certain disputes may be heard and determined by a Board of arbitrators.

Placer Mining

Creek means any natural watercourse having an average width of less than one hundred and fifty feet between its banks.

Creek claims shall not exceed five hundred feet in length measured along the base line or general direction of the creek, by one thousand feet on each side of the base line. Other claims shall not exceed five hundred feet in length by one thousand feet in depth. Claims shall be as nearly as possible rectangular

in form and shall be marked by two legal posts, one at each end of the claim, numbered "1" and "2", respectively. Location posts of creek claims shall be placed on the base line and of all other claims parallel to the base line, and on the side of the claim rearest the creek or river towards which it fronts.

A discoverer shall be entitled to a claim 1,500 feet in length, and a party of two discoverers two claims, each 1,250 feet in length.

The boundaries of any claim may be enlarged to the size of a claim allowed by the Act, if the enlargement does not interfere with the rights of other persons or terms of any agreement with the Crown.

An application for a claim must be filed with the Mining Recorder within ten days after being located if within ten miles of Recorder's Office. One extra day shall be allowed for every additional ten miles or fraction thereof. A claim may be located on Sunday or any public holiday.

Any person having recorded a claim shall not have the right to locate another claim in the valley or basin of the same creek within sixty days of locating first claim.

Title—Any person, having complied with the provisions of the Act with respect to locating and recording a claim, shall be entitled to a grant for one year and shall have the absolute right of renewal from year to year thereafter, provided during each year he does or causes to be done $200 worth of work on the claim, files with the Mining Recorder within fourteen days after the expiration of the claim an affidavit showing a detailed statement of the work, and pays the required renewal fee.

Grouping—Under certain conditions claims may be grouped and the work required to be performed to entitle the owner or owners to renewals of the several claims grouped may be performed on any one or more of the claims in the grouping. If the claims grouped are owned by more than one person a partnership agreement creating a joint and several liability on the part of all the owners for the joint working of the claims shall be executed and filed with the Mining Recorder. Grants of claims grouped or owned by one person may be made renewable on the same date.

Taxes and Fees—Royalty at the rate of two and one-half per cent on the value of all gold shipped from Yukon Territory shall be paid to the Controller.

SCHEDULE OF FEES

For grant to a claim for one year	$10 00
For renewal of grant—	
If renewed within 14 days after expiry date	10 00
If after 14 days and within 3 months	30 00
If after 3 months and within 6 months	45 00
Recording an abandonment	2 00
Registration of any document	2 00
If it affects more than one claim:	
For each additional claim	1 00
Abstract of Title:	
For first entry	2 00
For additional entry	50
For copy of document:	
Up to 200 words	2.50
For each additional 100 words	.50

For grant of water:

For 50 inches or less	10.00
For 50 to 200 inches	25.00
For 200 to 1,000 inches	50.00
For each additional 1,000 inches or fraction thereof	50.00

Quartz Mining

Subject to the boundaries of other claims in good standing at the time of its location, a mining claim shall be rectangular in shape and shall not exceed 1,500 feet in length by 1,500 feet in width.

Every claim shall be marked on the ground by two legal posts, one at each extremity of the location line, numbered "1" and "2" respectively. On the side of No. 1 post facing No. 2 post shall be inscribed the name of the claim, a letter indicating the direction to No. 2 post, the number of feet to the right or left of the location line, the date of location, and the name of the locator. On No. 2 post on the side facing No. 1 post shall be inscribed the name of the claim, the date of location, and the name of the locator.

The claim shall be recorded within fifteen days if located within ten miles of a Mining Recorder's office; one day additional shall be allowed for every additional ten miles or fraction thereof.

Adjoining claims not exceeding eight in number may be grouped, the necessary representation work for each claim may then be performed on any one or more of the claims in the group.

Every application for a full claim shall be made on Form "A", and for a fractional claim on Form "A-1".

No person is entitled to locate more than one claim in the same mining district within twenty days.

The timber on a mineral claim is reserved until the Mining Recorder certifies that the same is required for use in mining operations on the claim. The Controller, however, may issue a permit to holders of other claims to remove the timber for use in their mining operations where other timber is not readily available.

Title—Any person, having complied with the provisions of the Regulations with regard to locating and recording a claim, shall be entitled to hold it for one year from the date of the record and thereafter from year to year, provided during each year he does or causes to be done work on the claim to the value of $100, and shall, within fourteen days after the expiration of the year, satisfy the Mining Recorder that the work has been done, and pay the certificate of work fee. One hundred dollars may be paid in lieu of assessment work. When $500 has been expended or paid, the locator may, upon having a survey made, and upon complying with other requirements, obtain a lease for a term of twenty-one years, with the right of renewal for further terms of twenty-one years. Claims located prior to July 7, 1917, may, upon the fulfilling of similar requirements, be Crown granted.

Schedule of Fees

Recording every claim	$10.00
For a substitutional record	10.00
Application for a lease	10.00
Recording every Certificate of Work	5.00
For a Certificate of Improvements	5.00
For a Certificate of Partnership	5.00
Recording any document	2.50

SCHEDULE OF FEES—*Con.*

If document affects more than one claim, for each additional claim	1.00
For granting period of six months within which to record	4.00
For an abstract of the records of a claim	
For the first entry	4.00
For each additional entry	.50
For copy of documents up to 300 words	4.00
For each additional 100 words	.30
For recording a power of attorney to stake:	
For one person	4.00
For two persons	8.00
Royalty collected on profit basis.	

MISCELLANEOUS

Dredging—A lease may be issued for a period of fifteen years for a continuous stretch of river not exceeding ten miles in length giving the exclusive right to dredge for gold, silver, and platinum. The lesseee must have at least one dredge in operation on the leasehold within three years.

Petroleum and Natural Gas—A lease may be issued for a period of twenty-one years for an area not to exceed 1,920 acres giving the right to the petroleum and natural gas on the area leased. A rental is charged of 50 cents per acre for the first year and $1 per acre for each subsequent year.

Coal—A lease may be issued for a period of twenty-one years for an area not to exceed 2,560 acres; the length of the location must not exceed four times its breadth. The lease conveys the coal mining rights only, but surface rights may be obtained by arbitration if already disposed of, or under lease from the Crown if vacant. Rental is payable on coal leases at the rate of one dollar per acre per year.

Copies of the Yukon Mining Acts and Regulations may be obtained from the Controller, Yukon Territory, at Dawson, or from the Lands, Parks and Forests Branch, Department of Mines and Resources, Ottawa, Canada.

SUMMARY OF THE GAME REGULATIONS YUKON TERRITORY

SPECIAL REGULATIONS

The Peel River Native Game Preserve containing an area of 4,000 square miles was established in Yukon Territory in 1923 for the benefit of the native Indian population which has exclusive hunting privileges therein. This preserve adjoins a similar game preserve in the Northwest Territories which bears the same name and comprises 3,300 square miles.

Kluane Game Sanctuary—An area of approximately 10,130 square miles in the southwestern part of Yukon Territory, including Kluane Lake, was set aside in 1943 as the Kluane Game Sanctuary, in which no person may hunt, trap, kill, shoot at, wound, injure, or molest any game, or take, destroy, or molest the eggs or nests of birds at any time of the year. All lands within this game sanctuary have also been reserved from disposal so that they may be available in their present state for establishment as a national park.

Alaska Highway—The Game Ordinance of the Yukon Territory also provides that no person shall hunt, trap, kill, shoot at, wound, injure, or molest in any manner any wild life, including bear, within an area extending for a distance of one mile on either side of the centre line of the Alaska Highway.

Hunting and Trapping Licences

Native born Indians and Eskimos may engage in hunting and trapping without a licence. For other individuals the following licences are available.

Resident:	
Hunting Licence	$1.00
Trapping Licence	2.00
Non-Resident:	
Big Game Hunting:	
British Subject	75.00
Alien	100.00
Trapping Licence:	
British Subject	250.00
Alien	300.00
Game Bird Licence	5.00

For the purpose of the game regulations a British Subject who has resided continuously in the Yukon for not less than two years immediately prior to the date of his application for a licence is considered to be a resident. In the case of an Alien the period of residence is three years.

However, members of the Royal Canadian Mounted Police, personnel of the Canadian Armed Forces serving the Yukon Territory, and all Dominion or Territorial Government employees while engaged on duties in Yukon Territory, shall be deemed to be residents within the meaning of the Game Ordinance irrespective of the length of time of actual residence in the Yukon Territory.

Open Seasons and Bag Limits

Moose, deer, caribou, mountain sheep and *mountain goat*—Open season August 1 to February 28. Bag limit—one moose, two deer, two caribou, one mountain sheep and one mountain goat on licence permit of $75 or $100; licensee may, upon payment of $25 for each animal, kill in addition to above, one moose, two deer, two caribou, one mountain sheep and one mountain goat. No female animal shall be killed at any time, and no moose or caribou under the age of one year.

Bear—No closed season. No bag limit.

Buffalo or *bison*—No open season at any time.

Game Birds—Ducks, wild geese, and snipe—Open season September 1 to October 31. Grouse, ptarmigan, partridge, pheasant and prairie chicken—Open season September 1 to January 31.

Copies of the Game Ordinance and Fur Export Tax Ordinance of Yukon Territory may be obtained from the Controller, Yukon Territory, at Dawson, or from the Lands, Parks and Forests Branch, Department of Mines and Resources, Ottawa, Canada.

A BIBLIOGRAPHY OF THE YUKON TERRITORY

Auer, Harry A.—*Campfires in the Yukon* (Stewart and Kidd Co., Cincinnati, 1917).

Cameron, Charlotte—*A Cheechako in Alaska and Yukon* (F. A. Stokes, London, 1920).

Colby, Merle—*Guide to Alaska* (Macmillans of Canada, Toronto, 1939).

Curtin, W. R.—*Yukon Voyage* (Caxton, 1938).

Dall, W. H.; Dawson, G. M.; Ogilvie, W.—*The Yukon Territory* (Extracts of Reports) (Downey and Co. Ltd., London, 1911).

Dawson, Geo. M.—*Report on an Exploration in the Yukon District* (Geological Survey of Canada) (Dawson Bros. Montreal, 1888) (King's Printer, Ottawa, 1898).

Fieldhouse, F.—*Yukon Holiday* (Longmans, 1940)

Jenness, Diamond—*The Indians of Canada* (National Museum of Canada, Ottawa, 1934).

MacDonald, Malcolm—*Down North* (Oxford University Press, Toronto, 1943).

Ogilvie, William—*Klondike Official Guide* (Hunter-Rose Co. Ltd., Toronto, 1898).

Ogilvie, William—*Early Days on the Yukon* (Thorburn and Abbott, Ottawa, 1913) (John Lane Co., N.Y., 1913).

Robertson, W. N.—*Yukon Memories* (Hunter-Rose Co. Ltd., Toronto, 1930).

Service, Robert W.—*Spell of the Yukon* (Collected poems) (Dodd, Mead, New York, 1944).

Sheldon, Chas.—*Wilderness of the Upper Yukon* (Copp, Clark, Toronto, 1911).

Schwatka, Frederick—*Along Alaska's Great River* (Geo. M. Hill Co., Chicago-New York, 1898).

Wickersham, J.—*Old Yukon* (Washington Book Co., Washington, D.C. 1938).

Canada, Dept. of the Interior—*The Yukon Territory* (King's Printer, Ottawa, 1907) (New editions printed 1909, 1916 & 1926) (out of print).

Canada, Dept. of the Interior—*Yukon, Land of the Klondike* (King's Printer, Ottawa, 1930).

Canada, Dept. of Mines and Resources—*The Yukon Territory* (Bureau of N.W.T. and Yukon Affairs, Lands, Parks and Forests Branch, Ottawa, 1944).

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 8

MONDAY, JUNE 24, 1946

WITNESSES

Mr. R. A. Hoey, Director, Indian Affairs Branch, Ottawa;
Mr. W. S. Arneil, Inspector of Indian Agencies for Ontario

OTTAWA
EDMOND CLOUTIER
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1946

MINUTES OF PROCEEDINGS

THE SENATE

MONDAY, 24th June, 1946.

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 11.00 o'clock, a.m. The Joint Chairmen: The Honourable Senator J. F. Johnston and Mr. D. F. Brown, M.P., presided.

Present:

The Senate: The Honourable Senator Johnston.

The House of Commons: The Honourable Mr. Stirling and Messrs. Blackmore, Brown, Bryce, Castleden, Farquhar, Gibson (*Comox-Alberni*), Harkness, MacLean, Matthews (*Brandon*), Reid, Richard (*Gloucester*), 12.

In attendance: (Department of Mines and Resources): Messrs. W. J. Ford Pratt, R. A. Hoey, Director, Indian Affairs; Eric Acland, Executive Assistant to Director; W. S. Arneil, Inspector of Indian Agencies for Ontario.

Also, Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Mr. W. S. Arneil, Inspector of Indian Agencies for Ontario was called and made a statement, on which he was questioned by the Committee and by Mr. Lickers.

The Committee adjourned at 12.45 p.m., to meet again at 4.00 o'clock p.m., this day.

AFTERNOON SESSION

The Committee resumed at 4.00 p.m.

The Joint Chairmen presided.

Present:

The Senate: The Honourable Senator Johnston.

The House of Commons: The Honourable Mr. Stirling and Messrs. Blackmore, Brown, Bryce, Castleden, Farquhar, Gibson (*Comox-Alberni*), Harkness, MacNicol, MacLean, Matthews (*Brandon*), Raymond (*Wright*), Reid, Richard (*Gloucester*), and Stanfield, 14.

In attendance: The same officials as are named above.

Also, Mr. Norman E. Lickers, Counsel for the Committee and Liaison Officer.

Mr. W. S. Arneil, was re-called, questioned further by the Committee and by Mr. Lickers.

Two Indian Chiefs: Mr. Tom Jones (Cape Croker), Wiarton, Ont., and Mr. Telford Adams, Sarnia, Ont., were present.

Mr. Castleden asked the Committee to permit Chief Adams to make a brief statement, in reply to a matter under examination. The Chairman (Mr. Brown) ruled that he regretted that this could not be permitted; that the rules of the House must be obeyed.

On motion of Mr. Bryce, it was *resolved*s That very sincere thanks be tendered Mr. W. S. Arneil for his patience during examination, for the valuable suggestions he proffered with regard to the betterment of Indian administration in Ontario, and with regard to other matters covered by the Order of Reference.

Mr. Arneil made a suitable reply and was excused for further attendance before the Committee.

The Committee adjourned at 6.00 p.m., to meet again at 11.00 o'clock a.m., Thursday, 27th June next.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

HOUSE OF COMMONS,
June 24, 1946.

The Special Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 11 o'clock a.m. Mr. D. F. Brown, M.P. (Joint Chairman) presided.

The CHAIRMAN: We are to hear to-day Mr. W. S. Arneil who is Inspector of Indian Affairs for Ontario. Following our usual procedure, if it is your pleasure, we will hear from Mr. Arneil and let him make his presentation without questions. I understand that it will not be very long. Then you will be given the opportunity to ask any questions that you may wish to put to him. If that is your pleasure I will call Mr. Arneil.

W. S. Arneil, Inspector of Indian Agencies for Ontario, called.

By the Chairman:

Q. Mr. Arneil, I believe you are Inspector of Indian Agencies for Ontario?—A. Yes, sir.

Q. And how long have you been with the department?—A. I have been an employee of the Dominion Civil Service for 25 years. For 19½ years I have been on the staff of the Soldier Settlement Board in Canada. During that time I was 3 years on loan to the Canadian Farm Loan Board and six months on loan to the Dependents Allowance Board. My time has largely been spent in field administration work. I have been 5½ years Inspector of Indian Agencies for Ontario.

The CHAIRMAN: Are there any preliminary questions that you would like to ask Mr. Arniel?

Mr. CASTLEDEN: Had he had any experience with Indians or Indian reserves prior to the time he was appointed?

The WITNESS: Very little. My first experience with Indians was on a fruit farm in 1913 at Clarkson, Ontario.

By Mr. Richard:

Q. How many agencies are there under your inspection?—A. Twenty-one. I have been through one or two reserves in my field work for the Farm Loan Board and Soldier Settlement Board but that was merely casually going through. I have had no direct business with Indians until 5½ years ago.

By Mr. Castleden:

Q. You had never been an agent?—A. Never been an agent.

By the Chairman:

Q. Will you proceed?—A. My inspectorate takes in the province of Ontario except three agencies northwest of Fort William which for economical reasons are attached to Winnipeg. It also includes a number of Indian settlements on the east side of James Bay.

In the inspectorate there is one Indian superintendency, the Six Nations, and 20 Indian agencies. The staff consists of an Indian superintendent, 20 Indian agents and a clerical staff of 18. These appointments are all made by the Civil Service Commission. In addition to that we have 2 farming instructors.

From an Indian advancement point of view the inspectorate can well be divided into three. First there are those agencies in central and southern Ontario where the Indians are really advanced, many of them to an equal stage with their white neighbours. The intermediate group is centred around the north shore of Lake Huron, the north shore of Lake Superior, taking in the Manitoulin Island, and perhaps I might say south of the transcontinental railway. This group engage in agriculture, lumbering, to some extent in industry, and about half of them are trapping. The third group north of the transcontinental railway and on the east side of James Bay in Quebec are essentially hunting and trapping Indians, with very little to do with industry or even lumbering.

The population of the Indians in Ontario is 32,421. Of that number there are 6,540 children between the ages of 7 and 16. We have 13 residential schools. We have 76 day schools. In those day schools we have 84 teachers, 20 of whom are Indians. Of the entire number 80 per cent have first-class teaching certificates. Of the 6,540 children we have attending residential and day school 4,364 or 66·73 per cent of the population. In addition to that 66·73 per cent we have 87 children receiving tuition grants for further education at high school and technical school.

I might say here that figure of 87 is not as high as it actually is. Those are only the children whom we are assisting by way of tuition grants. We have a number of families in southern Ontario absent from reserves, some of them as far as Port Huron, Michigan, Buffalo, Detroit, and in the provincial towns in our own province. Many of these Indian families are sending their children to public school and high school, and we have no record of it. In other words, they are not asking us for assistance. Whether they have done so in their municipality I cannot say but the question of assistance does not come up. I know of a number of cases where we have children at high school and vocational school who are not included in that figure nor have we any way of finding out how many there are.

I suggested to your chairman this morning that rather than continue with an extensive brief and describing to you the activities on reserves in southern Ontario, central Ontario, in the intermediate part taking in the Manitoulin Island, and so on, and going up to the north, I might save time if I curtailed my brief and opened a question period. I would appreciate your guidance as to what you want me to do.

The CHAIRMAN: We want you to present your brief in the way that you desire. If you now wish to submit to questions we will be glad to do so, but we want you to give us the picture as best you can of the situation with respect to Ontario.

The WITNESS: I might go a little further before opening a question period. In central and southern Ontario in that advanced group I would say that more than half of the revenue derived by our Indians is directly from industry. We have first-class mechanics who are certainly the equal of our white people. We have many Indians engaged in full-time farming; some of them have productive herds of cattle, are following intelligent crop rotation and are really doing well. We have a considerable portion working in lumber camps. We also have that type who work part time and return home to do some guiding, and to some extent follow the old Indian mode of life. In that agricultural group we have approximately 6,000 head of cattle, and I would say there are around 4,000 milch cows. We have 2,300 head of horses, upwards of 6,500 head of hogs, about 300 sheep, and possibly in excess of 60,000 poultry.

When you visit a reserve such as Tyendinaga, which is down near Belleville, go along the highway and see a set of buildings all painted, banked barns, and a sign on the gate stating that the owner is a member of the pure-bred Holstein Friesian Association. When you go in you find that it is an Indian occupant. That particular man started 40 years ago with three pure-bred heifers. He has built up a splendid herd. He is absolutely on a par with our white pure-bred breeders and is following an intelligent crop rotation plan and doing well.

On that particular reserve we have 400 cows and they are shipping to cheese factories. We have a very extensive canning factory program. I would say we have 500 to 600 acres in canning factory crops. We have 17,000 acres on this Tyendinaga reserve. They are well advanced. About half of the Indians are employed in industry. There is sufficient land to make up economically sound agricultural units.

By Hon. Mr. Stirling:

Q. As to the successful farmers do you refer to those who farm on reserve lands only?—A. I do, sir, on reserve land only.

Q. And those who have gone south of the line and are sending their children on their own to high schools and such like have passed out of your supervision? —A. Temporarily, yes.

By Mr. Gibson:

Q. They have not become enfranchised?—A. No.

By Hon. Mr. Stirling:

Q. In all Ontario there has been very little tendency?—A. Very little.

By Mr. Bryce:

Q. Are their sales controlled by the Indian department?—A. We have no place in the Indian department where sales are controlled.

Q. You leave it to the freedom of the individual?—A. Yes, and I would say rightfully so. There is no reason for interference, to my mind.

By the Chairman:

Q. You are talking about sales of produce?—A. Yes.

By Mr. Bryce:

Q. Can you tell me if the sale of produce is controlled in any way by the department?—A. It is not in any way controlled by the department.

Q. That is the way I think it should be as long as the man has proven he is a responsible individual.—A. May I add to that there is no reason to have it controlled.

By Mr. Richard:

Q. Has that been the policy all along?—A. Yes, to my knowledge.

By Mr. Matthews:

Q. Each farmer on a reserve has a unit unto himself?—A. Exactly.

By Mr. Bryce:

Q. How much land does each of them have?—A. It varies very greatly. On a reserve like the Oneida the per capita acreage would be less than 6.

By the Chairman:

Q. Where is that?—A. It is the Muncey reserve.
Q. Down near London?—A. Yes.

By Mr. Bryce:

Q. I should like to follow this through. I know of other colonies in the Dominion of Canada where the original piece of land that the father got was a half section, 320 acres. Then he divided it between his sons. Then his grandsons grew up. How do you take care of that in the reserve? Have you sufficient land to give the grandchildren who are coming on now a fair piece of land or an economical unit to be able to produce the necessaries of life on it?—A. I cannot answer that question in a monosyllable. We have some reserves where that very thing is possible. On many of our reserves it is not possible.

Q. What are you doing in that case?—A. We have to decide that there is not sufficient room for an economic agricultural unit. That decision suits some of our bands fine. They do not wish to become full-time farmers. We have reserves close to urban centres. We have reserves with sub-marginal land, and other than some subsistance farming the occupants of those reserves must go outside to earn a living, and have been doing so for years.

By Mr. Matthews:

Q. And prefer to do it?—A. And prefer to do it. They are not agriculturalists.

By Mr. Bryce:

Q. How do you solve the problem for the man who is inclined towards agriculture?—A. It is rather difficult to answer that briefly. We have, as you know, the location ticket system where the reserve has been surveyed, and we also have the old Indian quit claim deed system. If a man has an agricultural unit and he has three sons and two daughters he may die without a will. The law then may say, "Divide the property." By supervision we try to keep that agricultural unit as a unit. We try to meet the beneficiaries of the will and suggest that as one man has been home all the time and has the implements he should try to pay these fellows off in cash and keep the unit. At times we fail. They cut 100 acres into lots of 5 or 6 acres and promptly kill the land as a unit to make a living there. We have great difficulty. The answer to it is supervision, more supervision and close supervision.

By the Chairman:

Q. In other words, what is done with the land is just the same as is done with any other land in the province of Ontario?—A. Exactly.
Q. I mean outside the Indian reserves?—A. Yes.

By Mr. Farquhar:

Q. Are there any reserves that are not surveyed yet for farm land?—A. Yes, on the Manitoulin. You will recall that last year we started to survey the Manitoulin to enable us to issue location tickets, to enable us to determine who owned the land, etc.

By the Chairman:

Q. You mean what Indians owned the land?—A. Exactly. There was violent exception on the part of the band to that survey. They insisted that it was the first step towards stealing their land. In an attempt to pacify them

a delegation came down to see the minister. That delegation returned to the reserve. The band refused the constructive suggestions and came back to Ottawa and saw the Prime Minister. We wisely proceeded despite their objection with that survey, and it is proceeding now.

Q. It has not been completed yet?—A. No, and it will not be for two years. The unceded reserves on the Manitoulin consist of 105,000 acres.

By Mr. Castleden:

Q. What do you mean by unceded?—A. That part of Manitoulin Island was not ceded to the Crown.

Q. Do you mean by treaty?—A. Yes, by anything. It was just not ceded, and it was retained as an Indian reserve.

By Mr. Bryce:

Q. Does it belong to the Indians?—A. Very much so, definitely.

Q. But it never was divided into lots?—A. No, it has never been surveyed until now.

By Mr. Farquhar:

Q. Is that the only reserve that has not been surveyed?—A. No. Most of them have been surveyed. There is the odd one where the survey is not complete. Arrangements are under way to have that completed as soon as possible.

Q. What other reserves are there?—A. I would say that we have not a complete survey possibly Sheguiandah and West Bay.

By the Chairman:

Q. How many reserves are there on Manitoulin?

Mr. FARQUHAR: I think there are five.

Mr. RICHARD: Whereabouts in Ontario is Manitoulin?

Mr. FARQUHAR: Where is Manitoulin?

The CHAIRMAN: It is off the end of the Bruce peninsula.

The WITNESS: There are eight reserves.

By Mr. Castleden:

Q. To clear this up I should like to know by what right you control that part of the Manitoulin Island which was not ceded to you and therefore cannot be a portion of the Indian reserve? Has the government just appropriated the right?—A. It always was Indian land. We control it as we look after Indian affairs in that section.

Q. The government has taken it over as a part of the Indian reserves under the department without having made any treaty with the Indians or doing anything by which the land was yielded by the Indians to the government of Canada?—A. No, I would not say that.

Q. That is why I am trying to find out.

By the Chairman:

Q. Did that land not belong to the Crown originally?—A. We are getting into a legal discussion here. I should prefer that question to be put to our reserves and trusts branch. All I can say is it was never ceded by the Indians.

The CHAIRMAN: Before we get into a legal discussion, Mr. Arneil, do you not think we should refer that for a legal opinion?

Mr. BRYCE: We might get to the bottom a lot easier without any lawyers here.

The CHAIRMAN: But you want the truth of the matter. You do not want supposition. You want the fact.

Mr. LICKERS: I would say that under the British North America Act all the land of the Indians reserved to the Indians was turned directly over to the government. That is likely where they got the authority.

Hon. Mr. STIRLING: Is it not Crown land that has been set aside for the Indians. I do not follow your use of the word "ceded".

The CHAIRMAN: And I do not.

The WITNESS: The treaty was arranged in 1851 by Mr. MacDougall. In that treaty certain lands were apportioned in the Manitoulin district for Indian reserves. The largest reserve there was never ceded under that treaty. It was agreed that portion should remain and it was not ceded. Other than that I cannot give you any information.

By Mr. Castleden:

Q. The Indians look on it as being their own?—A. Positively, and it is.

Q. They believe that the department has no right to control the Indians in that area? Is that the idea?—A. No, I will not go that far.

Mr. GIBSON: The Indians are all wards of the government.

By Mr. Richard:

Q. The purpose of the survey was to place the Indians there?—A. The purpose of the survey was an internal matter to enable location tickets or, in other words, Indian title to be given to individual members of the tribe.

Q. Would you not be impeded if this territory has not been ceded? Would your authority not be restricted in placing Indians there?—A. I cannot answer that. I would say no. It is as legitimately Indian land as any other reserve in Ontario.

By Mr. Lickers:

Q. You talk about the treaty of 1851. Has there been any part of the land taken away from the reservation as it was at that time?—A. Possibly Indians have surrendered some for sale.

Q. But at the present time as to the land that is left before the department will deal with it you would get a surrender from the Indians first?—A. Definitely.

Q. Is there sufficient land in all reserves for their present needs and for their future needs in Ontario?—A. No.

Q. What reserves are getting pretty well crowded where you might have to acquire additional lands?—A. The Brunswick House Band in the Chapleau agency is one example.

By the Chairman:

Q. Where are they?—A. Scattered around Chapleau on the railway running from Sudbury to Hearst.

By Mr. Lickers:

Q. Is there any land available around there?—A. Yes, we are negotiating with the province just now to purchase a township for a reserve for them.

Q. Suppose you do acquire a township; do you then turn around and subdivide the acquisition into lots and sell them to the Indians?—A. Not sell them to the Indians; it will be given to the Indians.

Q. To the individual Indian who would be occupying it?—A. Yes.

Q. Do you actually give that?—A. Yes. He would apply for a location ticket and it would be given to him.

By Mr. Gibson:

Q. What funds do you use for that purpose? Are they band funds or government funds?—A. It is a matter of policy. In this instance it will be appropriation, I think.

Q. Out of the consolidated revenue fund?—A. Yes.

By Mr. Farquhar:

Q. How is that apportioned? Does each Indian make application for a certain lot?—A. Yes.

Q. Suppose three or four make application for the same lot. How do you decide that?—A. The first applicant would be inclined to get it. I have known them to draw lots for it. We try to be governed by the local Indian council in that regard. The applicant on many reserves makes application to his Indian council and a minute is passed in council formally noting that such and such land be allotted to so and so.

Mr. MATTHEWS: In cases where an Indian sells his farm on a reserve, assuming he has the right to sell, and goes to another district and there acquires another property strictly on his own—are there any cases of that kind?

The WITNESS: I know of none.

Mr. CASTLEDEN: He could not sell what has been allocated to him on the reserve.

The WITNESS: Yes, he can to a member of the tribe.

Mr. MATTHEWS: And only with the consent of the crown.

The WITNESS: And with the consent of the department; perhaps I should say ratified by the department—I should not say consent.

By Hon. Mr. Stirling:

Q. Is there any indication in Ontario that white people are anxious to acquire or to develop pieces of Indian reserves?—A. Yes.

Q. Yes?—A. To some extent, we have applications from white people to rent land that is not being used to advantage on reserves. We have some quite successful leases in that regard.

Q. And, applications for purchase?—A. Purchases, never.

By the Chairman:

Q. How about the property of the Indian reserve over there in Sarnia where Polymer, Dow Chemical and other corporations have come in? They have acquired Indian property, haven't they?—A. Yes. That land was surrendered for sale, if my memory serves me correctly, about 1920 to the Polymer Corporation. They paid for the land, and that land has been divided by them with Dow Chemical and other companies.

Q. What became of the Indians living on that land?—A. There were no Indians living on that land.

Mr. FARQUHAR: But it could only be sold with the consent of the Indians?

The WITNESS: Yes, with the consent of the Indians.

By the Chairman:

Q. What band is that at Sarnia, do you know; first, is it a separate band? —A. Yes.

Q. Which is the one at Sarnia?—A. There is no Sarnia band. Did you wish to know which types of Indians make up the Sarnia band?

Q. Yes.—A. They were the Chippewas of Chenail Ecarté and St. Claire.

By Mr. Reid:

Q. May I ask the witness this question? Have you had any difficulties or experiences similar to those which have been applied in British Columbia where cases have developed in Indian bands in which some individual outside has arranged to lease a property from them, and then they run into difficulties in getting these agreements put through at Ottawa, some of them lying here at Ottawa for a long period of time? The reason I ask that is that I have found a great deal of discontent in the Province of British Columbia; as a matter of fact, it had reached the point where the Indians of a certain band were very reluctant to have anything to do with agreements or leases at all affecting properties on Indian reserves, the statement being made over the years that they have had a great deal of difficulty in having such deals consummated. Have you had any difficulties, or have you had any complaints of that sort in this province?—A. Yes, we have had our difficulties. We try largely to avoid delay, but with an inadequate staff it is not possible. With the Indian who rents his land, renting is a major problem to him, and he wants it done quickly. It has not been possible to do it as quickly as either the lessee or lessor would like, I should say because of inadequate staff.

Q. The reason I brought that up is, because there is one piece of property where the Indians would not agree to lease to a municipality for a greater term than five years, and the Indians wanted a specific date. What they complained of was the delay in the tying up or conclusion of the agreement which had been entered into in past years and blaming Ottawa for the delay, shall I say.—A. There may be legal difficulties in cases such as you mention, and I can see where there may have been some just cause for some delay.

The CHAIRMAN: Now, Mr. Arneil, you are through with your presentation wholly, aren't you?

The WITNESS: Yes.

The CHAIRMAN: Then supposing, gentlemen, we follow the procedure that we adopted when we had Major MacKay here, that of asking questions with a certain semblance of order? Does that meet with your approval?

Some Hon. MEMBERS: Yes.

The CHAIRMAN: That being so we will direct our questions first to the matter of administration.

By Mr. Matthews:

Q. I think there has been wonderful work done on reserves, especially during the last ten, eighteen or twenty years, and my question is intended to have no tinge of criticism whatsoever; but I have been impressed by the question asked by Mr. Gibson, as to the ultimate objective of it all; whether there is one, whether some day the reserves may be done away with and the Indians will be taking their place in society, assimilated as part of the nation. I thought it was a very pertinent and effective question and that is why I am bringing it up now. Has any such policy been adopted or developed, or is it rather too early in the life of the Indian to think of that?—A. Mr. Chairman, I would say yes. There is a policy, and that policy is, briefly, to lead to assimilation. We are reminded constantly by our director to have that in mind.

Q. I think that is very fine.—A. It fits in with any worthwhile welfare project. Assimilation fits with any improvement that can be made; be it in agricultural study, employment in industry, betterment in housing conditions; it fits into every phase of field administrative work. That is the policy we are following.

By Mr. Reid:

Q. What do you think would happen if the government decided, and wisely shall I say, to say to the Indians, we have come to the conclusion that you have now just the same rights as the rest of us; there are your reserves, they are your property, do what you like with them? How would you regard that?—A. In my opinion it would be a very unfortunate move were that done, even on our most advanced reserves. I would say that from twenty to twenty-five per cent of the occupants would lose their farms within a year via the foreclosure route, or perhaps I should say two years; the automobile salesman, the piano salesman, the cream separator salesman would have a field day, and when the accounts came due the foreclosures would start and the result would be, unless there was legislation to prevent it, that that group of Indians would lose their land. I refer to up to twenty-five per cent on our best reserves.

By Mr. Matthews:

Q. That is very interesting. Do we not understand that these purchases they make are under the control of the Indian agent or someone?—A. They are not all, sir. We have a group of Indians sufficiently advanced, and where they are sufficiently advanced and sufficiently well known throughout the community their credit is good.

Q. And in such cases they can buy under their own initiative?—A. They always buy on their own initiative.

By Mr. Gibson:

Q. The seller of course takes his chances in so far as collection is concerned. He cannot go on the reserve and collect his money?—A. If he has doubts he will contact the Indian agent.

Q. Can the Indian agent guarantee payments?—A. Not in all cases. Where there are division of funds an Indian agent may take an order from him to guarantee payment for whatever is being purchased.

By Mr. Reid:

Q. How many Indians have you in the province of Ontario who are self sustaining, on their own?—A. With the improvement in the economic situation due to the war a tremendous number of Indians have become self sustaining. I would say that almost without exception there are no Indians on the reserve on relief other than the aged or sick. In other words, destitute cases are the only ones. Where there is an able man there is no relief.

Mr. REID: That means that they have come out from under the umbrella of government control and are becoming established as free Canadian citizens.

Mr. BLACKMORE: Would they become enfranchised?

The WITNESS: Only a few, sir.

By Mr. Reid:

Q. You have no idea of the percentage?—A. The percentage is negligible.

Q. I ask that in the light of the statement you made a little while ago when you said you thought great progress was being made, and you seemed to indicate that you were looking forward to a time when greater opportunity would be open to them for enfranchisement.—A. No, I was not referring to enfranchisement in talking about improvement. The Indians on our most advanced reserves in southern Ontario are largely grouped together against the word enfranchisement.

Q. I suppose during the course of your administration you have spoken to many Indians with regard to enfranchisement. What do you find is one of the principal reasons given to you by the Indians for not wanting to be enfranchised? —A. They answer my question by asking another one; why should I become enfranchised?

Mr. GIBSON: To become a good Canadian citizen, I would think.

Mr. REID: I would like to know from the point of view of the Indian why he is reluctant; is it because he would rather be under the state than entirely responsible for himself?

The WITNESS: He does not feel so much that he is under the state. He wishes to be left alone.

Mr. RICHARD: He does not see any advantage to him through it.

The WITNESS: That is it, he sees no advantage from it. The number who are taking enfranchisement in the province of Ontario is negligible.

Mr. REID: Enfranchisement does not keep one from earning a livelihood or from living an orderly, decent life. That has been proven by other cases.

The WITNESS: The Indian in southern and central Ontario has been given a tremendous opportunity as the result of the war effort in industry. From such reserves as Walpole Island they cross the St. Claire River to Michigan and they are earning anywhere from eighty cents to a dollar and a half an hour with as much overtime as they wish.

Mr. BLACKMORE: In what sort of employment?

The WITNESS: Largely with Kris Kraft marine engines, and in such plants as Ford, Chrysler and the like.

Mr. REID: How do they conduct themselves when they get these high wages, this money, generally speaking?

The WITNESS: They spend it. A very small percentage of them are thrifty, possibly half of them are spending some of it on home improvements. There is still quite a large number who are broke two days after pay day.

Mr. GIBSON: Is that not possibly because they know that on the reserve if worst comes to worst they will be taken care of?

The WITNESS: No, it is not that. Many of that group have sufficient band funds and therefore the government does not need to take care of them, the relief would be taken as a deduction from their band funds. It is largely due to, shall I say, lack of supervision, lack of friendship, lack of contact with the Indian agent who does not have the time to do the job, to help build that man up by talking to him and gaining his confidence.

By Mr. Richard:

Q. Following up that question of the Indian agent and of Indians themselves becoming agents, is it the policy of the government to encourage Indians to seek such appointments? Is any effort being made to train Indians to fill the office of agent?—A. May I answer that in this way, the Indian ranks equal with the white man in applying through the Civil Service Commission for a vacancy in an Indian agency. He is equal with the white man. If he has overseas preference, if he has the qualifications, there is no reason why he would not be appointed. He gets no special disqualification because he has Indian status.

Q. Would he have the same authority and control as a white man?—A. He has the same right of appointment.

Q. But would he have the same authority with the Indians as a white man would, as far as discipline and direction go?—A. The man's own personality would be the factor in establishing his value as an agent.

Mr. CASTLEDEN: But none have been so appointed in Ontario?

The WITNESS: No Indians have been appointed agents in Ontario.

Mr. RICHARD: After all, they look to their chiefs, to their head men, I suppose, to a certain extent.

The WITNESS: I would say to a certain extent, yes.

By Mr. Reid:

Q. We are now talking about administration in discussing this matter so perhaps the question I want to put may not be properly relevant. You have been talking about the wages they receive, and I am thinking about boys and girls going into the schools, then I see them coming back again and I see them earning wages in industry and that sort of thing. What I would like to know is this, whether or not the training they receive in these schools gives them any incentive as a result of what they have learned; I mean, any incentive to do the same as our people do, build their own homes, and have modern things; by that I do not mean just motor cars, I mean improved home facilities, sanitation, and improvements such as we have today. I am trying to follow the Indian from the educational system into practical life and I am thinking of the one who after completing his education has gone into industry and is earning fairly good wages. I am wondering what effect the school had on this group of Indians once they are out earning a lot of money; did it lift him up, did it give him any incentive?—A. I would say that it has a tendency to lift him up and teach him thrift.

Mr. RICHARD: But, to sum it up...

The WITNESS: May I finish this, please? The major factor in that unusual spending of money is that it frequently improves his home, and is certainly equal to his school training.

Mr. REID: I want to compare him for a moment with another group with whom we have recently become acquainted on the west coast, the Japanese, who came here and after they began to do well they began to build better homes and they began to do everything that we did; and now I think of the Indians, how long do you think it will be before the effect of education in the schools will be reflected by them in a similar way? Does education really lift them up, or do they fall back?

The WITNESS: Nearly always there is a direct improvement.

By Mr. Castleden:

Q. You said that you had about 6,500 children between the ages of seven and sixteen?—A. 6,540.

Q. How many of those were attending school last year?—A. The figures I am giving you are of March, 1946, and they have not been published yet.

Mr. RICHARD: Are we on education?

The CHAIRMAN: No, we are dealing with administration.

Mr. CASTLEDEN: Is not education part of administration?

The CHAIRMAN: No, it is separate.

Mr. CASTLEDEN: Then I will come back to that later on.

By Mr. Farquhar:

Q. Can you tell us the cause for the delay in putting through transfers and documents?—A. Generally I would say inadequate staff at agencies and at headquarters has had the effect of action not being taken as expeditiously as we would like for it to have been taken.

Q. How do you mean, lack of staff?—A. I positively mean lack of staff.

Q. How many more do you need?—A. I refer to the war period, of course, and with absentees, those away on duty, and our inability to get staff, we have run into administrative difficulties. I would say those difficulties were aggravated by the war.

Q. Has that been overcome yet?—A. It has not been overcome yet.

By Mr. Blackmore:

Q. How many more would you say you needed?—A. Three or four clerks and seven or eight farm instructors.

Q. Have you any applicants for those positions?—A. No. They have not been opened. We have no position for them.

Mr. LICKERS: In view of that state of affairs, do you not think as far as Indian administration is concerned that your staff should be taken away from the Civil Service Commission and put directly under the Department of Indian Affairs?

The WITNESS: That is a matter of policy, Mr. Lickers.

Mr. LICKERS: I mean in the way it affects adminstration at the present time.

The WITNESS: As a field administrator, as an inspector of Indian agencies, I do not care what means are used to build staff so long as it is provided.

The CHAIRMAN: Mr. Richard, you had a question you wanted to ask.

Mr. RICHARD: We were talking about the Indian and his easy way with money, I wanted to ask if that was a trait peculiar to the Indian, and if that could be considered as being due to his lack of education.

Mr. BRYCE: You get a lot of white men who do that, who have nothing left two days after they are paid.

The WITNESS: It is a combination of both.

Mr. RICHARD: So that while he might be more inclined to spend than a white man, he could be taught to save more?

The WITNESS: Yes, very definitely.

By Mr. Reid:

Q. If I may put one more question it would be this: Any one who knows anything at all about the Indian knows that he is not desirous of working the whole twelve months of the year. They are a people who want to hunt, to rest, to play; and they are not a people who believe in doing the same as we do. We think we have a high civilization because we keep people working twelve months of every year. The Indian does not do that. He roves around and only works enough, shall I say, to provide for the needs of his nature. I am wondering if that psychology still remains with the Indian, or if he is showing any change in his philosophy, or way of life?—A. Except in the most advanced groups, that definitely exists.

Q. You see that is just what we are trying to do. We are trying to get these Indians to work twelve months out of the year. That may not be the best way of life for them. I am thinking of a better life, I would like to find what is best for them. That is why I asked the question.

My Mr. Blackmore:

Q. Have you any facilities for ascertaining what the Indian's idea of the white man's way is with respect to life? Do they show any inclination to adapt the white man's way of living, shall I say?—A. The better groups do.

Q. And by better groups, do I understand you to mean the more wealthy or the better educated?—A. I would say the more thrifty and the better educated they are the better they behave—the more they wish to become like the white man.

Q. Have you found any marked indisposition towards inter-marriage between Indians and the whites amongst the Indians themselves?—A. No.

Q. They are willing to intermarry?—A. Yes.

Hon. Mr. STIRLING: To what extent does that take place, particularly amongst those to whom you referred as being progressive, or successful? Is mixed marriage in both directions?

The WITNESS: Mixed marriages happen where families leave the reserve. They usually start off by going away for a short period of time, and then gradually stay away for longer periods of time. Mixed marriages usually come in there. In the more advanced groups, such as the Six Nations, I would say it is not very prevalent.

By Mr. Gibson:

Q. Is that not possibly due to the fact that they are grouped on reserves there and have not been scattered throughout white communities?—A. Yes, but there is a tendency in that particular race to remain within themselves, that is not generally true all over the province. In the smaller groups they will go to the States and work there, and very often a girl or a boy will stay over there and become married to a white person. Sometimes they bring that white person back to the reserve, and if it happens to be a girl she is eligible to come back.

Q. It is not desirable to take a white person back to an Indian reserve. Is there anything you can do about it?—A. About all we can do to stop it is to gain the confidence of the parties. All you can do is talk with them. You cannot deal with the matter in any positive or arbitrary way.

Q. Have you any recommendations to make, Mr. Arneil, that would give us some idea as to how we might induce Indians to take up enfranchisement here in Canada, how we could encourage them to become full Canadian citizens? —A. Yes.

Q. We do not want any under privileged or over privileged classes.

By Mr. Farquhar:

Q. The department generally does not approve of it?—A. In the 5½ years I have been here I would say that is not so. I would say that every application for enfranchisement in the field has been encouraged, and that the department have given fair treatment.

Q. That has not been my experience. I have made application for several. The reason that is given is that they can sell their own property and bring white people into the reserve.—A. They cannot do that.

Q. They have done it. I can give you different instances where it has been done on Manitoulin island.—A. Where a white person has purchased land on the reserve?

Q. Where the Indian sold his property to a white man. Whites have come in on the reserve and own the property and are settled there and are doing business today.—A. I have never heard of such a case since I came to the department. I would say that is absolutely illegal and absolutely not possible.

Q. It is possible. It has been done.—A. How can the party get title?

Q. There is one case in the West Bay reserve where an Indian got his franchise and sold his store. There is a white man occupying it and doing business today. There has been a good deal of trouble with whites coming in on the reserve and doing business amongst the Indians.—A. In the case to which you refer the man was enfranchised and his land at that time was enfranchised with him. He was given his land and it became white land belonging to the township. That is the piece of land to which you refer. That land is not Indian reserve.

Q. That is right in the centre of the Indian reserve.—A. I know where it is.

By Mr. Castleden:

Q. Was it a part of the Indian reserve?—A. It was, and when that party became enfranchised he took his land with him. That has happened on one or two agencies. It has not happened for a number of years but that actually did happen.

Mr. BRYCE: How did it happen?

Mr. LICKERS: There is provision for that in the Indian Act. Any Indian who becomes enfranchised can get letters patent for his land. I think that is one of the things that should be out of the Act.

The WITNESS: I think it should be said that the department are trying to buy these parcels. We have succeeded in some cases.

Mr. REID: The question raised by counsel is a very debatable one. I should like to see the committee go into it because until I get more information I would not agree with our counsel. Otherwise you might have a band, as we have in my own district, where there are only 29 persons and they own all the reserve. You can see where one person might ultimately own the entire reserve if the other 28 become enfranchised. That is a debatable question. I do not agree with our counsel at the moment.

The WITNESS: Except in the most exceptional cases I do.

Mr. LICKERS: The reason why I said that is because of the experiences that I know they have had in the United States along that line. As a result of their policy it had developed more or less as a patched quilt. It has cost the government a considerable amount of money to proceed to rebuy those lands so that they could keep them within the boundaries of the reserves.

Mr. REID: I do not know how they operate on that reserve. I am speaking of a band of 29 Indians. The 29 Indians each own a portion of the reserve. For instance, there is a house in one part of the reserve with an Indian living in it. He claims that house and that portion of the reserve in which he is living. If you want to obtain a lease on that portion of it you have got to see that particular Indian, not the band. I can see the point raised by counsel, but if he became enfranchised he would have to leave that piece of property and it would belong to the other 28.

Mr. BLACKMORE: That may apply to only one or two reserves in Canada.

Mr. REID: There may be more. I am only citing that to show that you cannot apply a blanket rule.

Mr. FARQUHAR: I did not know that had been changed, but I know it happened in two different cases.

The WITNESS: In the time I have been in the branch it has been changed. An application to be enfranchised to be successful would require the sale of his part of the reserve holdings to an Indian of the band or it would revert to the band council.

By Mr. Farquhar:

Q. What means did you take to buy that property back?—A. When I said "buy it back" I did not refer to that particular parcel although I understand negotiations are under way. I was referring to a parcel on the Moraviantown reserve.

Q. I mean what is the general policy?—A. The general policy is to try to acquire the land where the reserve surrounds the parcel. A bootlegger might get in there.

Mr. BLACKMORE: I think that is entirely sound and even in the case Mr. Reid raised it is a perfectly possible thing. These Indians should be permitted to sell their holdings on that reserve to their government so that the government would have a reserve on which to put other Indians.

The WITNESS: Exactly.

By Mr. Bryce:

Q. In your administrative duties do you find that the rule of the Civil Service Commission that a man has to be retired for six months before you can fill his job is a decided handicap in carrying on the work?—A. I do. I had the pleasure of hearing the B.C. Commissioner for Indian Affairs talk on this subject and I subscribe 100 per cent to what he said. Sitting over here at the time what ran through my mind was this, that very often in that period of absence we make a greater backward step through the vacancy than all the good the previous Indian agent did. I was wishing that he would tell you that.

Q. Leaving the place without an agent you lose in six months what you have gained in two years?—A. Exactly.

Mr. BLACKMORE: I would entirely agree with that.

Mr. MATTHEWS: I think it is a poor rule in any department, not the Indian Affairs branch alone, but any department.

Mr. BRYCE: They can overcome it. If they know that a man is going to be finished and he is entitled to six months leave from the government then they should put a new man in when the other man goes away on his six months leave.

Mr. BLACKMORE: Why should he not be there six months before the time?

Mr. REID: They do that in certain departments, and why they do not do it in all departments I do not know.

Mr. BLACKMORE: May I ask a question?

The CHAIRMAN: Can we not leave all that until we have heard the chairman of the Civil Service Commission who will be before this committee?

By Mr. Blackmore:

Q. May I ask a question? Going back to the statement regarding the shortage of personnel whose responsibility is it to make known to the departmental officials the facts of that shortage?—A. It is my responsibility to make recommendations from the field.

Q. Have you made recommendations?—A. I do not wish to state that I have made written recommendations in the form of a memorandum. During the years I have been with the department I have become accustomed to acknowledging the fact that men were needed in the front line and in industry, at this and at that. In the field, instead of asking for the impossible in the way of help at a time when labour was in terrific demand, we thought that the better thing to do was to lay out our program so that we were all busy and to keep in mind what we would need in future years. I have discussed with the senior officials at Ottawa the needs of the field staff on many occasions.

Q. Was this staff adequate before the war, say in 1938?—A. I was not with them then, but I would say very definitely that the staff was not adequate. I say that the solution to the Indian problem, if I may refer to it as such, is supervision.

Q. I would be inclined to think there is much in your suggestion.

By Mr. Castleden:

Q. Education and training?—A. Yes.

Q. You include that?—A. Yes, absolutely.

The CHAIRMAN: Gentlemen, we will have a few moments recess.

The committee adjourned for a short recess.

On resuming after recess:

The CHAIRMAN: Shall we proceed? Have we finished all questions on administration?

By Mr. Castleden:

Q. There is one question I should like to ask as to procedure in administration. It has to do with the right of outside companies to come in and exploit the resources on the reserves. What happens in Ontario with regard to the cutting of lumber on an Indian reserve? What is the procedure? I understand that according to the Act if they are selling the resources of the reserve it has to be done with the consent of 51 per cent of the male members. What happens where a company makes an application to go in and cut the lumber on a reserve? What does the administration do in that regard?—A. The party showing any interest in the resources of any reserve, such as lumber, would make a written application either to the Indian agent or head office. That is generally replied to by placing it for tender if it is the wish of the band to dispose of it.

Q. How are the wishes of the band ascertained?—A. It would first be discussed by the agent with his band council. That council may meet and may state "yes" or "no" to the question, "shall we sell?" Who is buying at this stage of the game is no criterion. If it is the wish of the group to sell it an application goes to Ottawa, and it is duly advertised for tenders. Then anyone can submit a tender.

By Mr. Gibson:

Q. You usually put an upset price on that timber as a protection?—A. No, in the tender we do not put any price. We merely state that we have 3,000,000 feet of so-and-so, 4,000,000 feet of so-and-so and it is up for tender. Tenders are opened on a specific date. When we get these tenders we then consider the offers.

Q. You do not necessarily have to accept the lowest?—A. We do not necessarily have to accept the lowest or any offer.

Q. I might say that in my own experience the Indian department are pretty tough traders. They usually get all the money that any timber is worth.—A. Yes, we are not liked. That is so. Then it is a case of $10 a thousand for something or $2 a foot for poles or whatever it is. It is then weighed on its merits.

By Mr. Castleden:

Q. The consent of the band has always been obtained?—A. Yes.

By Mr. Blackmore:

Q. What becomes of the money?—A. The money is credited in its entirety to the funds of the band.

Q. There is one question that was not quite cleared up in my mind. The general idea I got was that the Indians in a general way were quite willing they should become assimilated, but the Six Nations apparently constitute an exception to that rule.—A. Yes.

Q. Is there any other tribe?—A. They find a tremendous difference between the words "assimilation" and "enfranchisement". I would say that as to our better groups if assimilation means what they interpret it to mean, being equal with the white people in their standard of living and improved conditions, that is fine, but if it means enfranchisement, no. You have individuals in all bands taking that viewpoint. I mentioned the Six Nations because it is discussed particularly there. If you mention the word "enfranchisement" on a reserve the word "compulsory" is in the Indian's mind. It is something he fears. He dreads it.

What I had in mind particularly was the attitude with respect to intermarriage. Does the Six Nations tribe tend to discourage intermarriage?—A. No, I would not say that. I mentioned previously that they are a proud race and

want to live within themselves. It is a very large group. There are close to 6,000. That phase of it is quite possible without taking into account any health reasons. It is not like a small group where intermarriage is having an adverse effect. There are quite a number of the Six Nations Indians marrying into white families, and good white families.

Q. I have known of cases where the Indian has married a white person. —A. It is very difficult to get down to any particular attitude. I think Mr. Lickers might agree with me.

Q. There is one other matter. I gathered from one of the last questions I asked that this shortage of personnel prevailed in 1938 before the war. We cannot blame the war, therefore, entirely for it?—A. As one experienced in field supervision I have no hesitation in saying they were understaffed then if they intended to carry out a welfare program.

Mr. GIBSON: I suppose parliament did not vote enough money?

Mr. BRYCE: Had we any money then?

By Mr. Blackmore:

Q. The difficulty would be that the minister had not requested the money or he had difficulty with the Treasury Board.—A. I think so.

Q. But if parliament knows there is a definite deficiency and that the result is bound to be serious then pressure must be brought to bear on the minister and through him on the Treasury Board.—A. I should like to go on record as saying there is a definite inadequacy in our field administration. I am one who believes that no matter how capable or how able a senior officer in Ottawa is in the administration service he never sees the problems. He cannot do anything about it. Many of the problems are not even at the Indian agency office. They are on the reserve.

Q. Right out among the Indians?—A. Until that is corrected why talk of assimilation? Why talk of improvement?

Q. From my observations I would agree with you completely.

The CHAIRMAN: Gentlemen, shall we proceed to agriculture?

By Mr. Lickers:

Q. May I ask another question? Do you think it would lead to better administration if the Indian agent were given more authority along certain lines, so that he could make a decision on the spot?—A. Yes.

Q. I know the difficulties that have been brought to my attention, especially in cases where land is being leased to the white man and the man pays the money into the Indian agent's office. It comes from there down to Ottawa, and then a cheque is issued by Ottawa and sent back to the Indian. Very often the rent may be four or even five months in arrears before the Indian gets it.—A. The second part of that question brought up by Mr. Lickers is and has been for a long time a contentious matter. As Mr. Lickers says where an Indian rents a piece of property to another Indian the rental payment is sent through the agency office to Ottawa. A cheque is issued in Ottawa and returned to the agency and the man is handed a cheque. Our agents and myself run into difficulties continually with the central administration in Ottawa. It is my understanding that the auditor general's branch, the treasury branch and our reserves and trusts branch have decided that is necessary. We in the field say it is basically and fundamentally wrong. It is my opinion if a piece of property is exchanged on a rental basis between two Indians there should be some way by which that money should not have to be sent to Ottawa and returned. To my mind it causes unnecessary work in the agency office. I bow to the opinion of the treasury board, the auditor general's branch and our own reserves and trust branch. If they say it is necessary, all right.

By Mr. Matthews:

Q. But you have your opinion?—A. My own opinion is it is basically and fundamentally wrong.

Mr. FARQUHAR: I think you are right.

The CHAIRMAN: Shall we proceed to agriculture?

By Mr. Castleden:

Q. With regard to supervision and administration do I understand you have only two farming instructors?—A. Two farming instructors.

Q. With 20 agencies for the entire province of Ontario?—A. Yes.

Q. How many Indians have you engaged in agriculture, Indian families? —A. I am inclined to say a little over one-third of the population. I am taking a guess.

By the Chairman:

Q. What is the total population?—A. 32,421.

Q. In other words, 10,000?—A. Yes.

By Mr. Castleden:

Q. There are about 10,000 engaged in agriculture and you have only two farming instructors. How do they operate?—A. We have one farming instructor at the Six Nations reserve and we have one farming instructor at Caradoc. The rest of the farming instruction is done by the Indian agents. These farming instructors do not travel from the reserve to which they are assigned.

Mr. BLACKMORE: I wonder if Mr. Lickers should not be a little more specific with respect to the powers which the agent should be given to act on the spot. He mentioned certain powers. He illustrated one. Are there other powers which he thinks the agent should have?

Mr. LICKERS: Yes. To a certain extent there is quite an agitation to decrease those powers, but I mean more or less where the consent of the Indian department is required in any administrative function the agent should be allowed to give that consent.

Mr. BLACKMORE: I wonder if Mr. Lickers would take that under advisement and prepare a considered report for us at a later time.

The CHAIRMAN: Are we through with administration?

The WITNESS: May I comment in passing in relation to that last remark that what agitation I found is not to decrease the powers of the Indian agent. The agitation is very definitely to increase the powers of the Indian agent.

Mr. LICKERS: In certain cases.

Mr. CASTLEDEN: I think only in certain fields.

The WITNESS: Generally to increase. That may be so in certain fields but the general tendency is to increase the powers of the Indian agent.

Mr. GIBSON: Take it away from head office at Ottawa.

The WITNESS: It has begun to be realized it is a very serious thing to disregard the recommendation of the Indian agent. It belittles him with his band if his decision is reversed, and the tendency is to give increased responsibility to the Indian agent assuming, of course, that he has the confidence of head office and the confidence of the band.

By Mr. Blackmore:

Q. I wonder if Mr. Arneil would give the matter some thought and give us a considered opinion at a later time?—A. Yes, I will be pleased to.

The CHAIRMAN: That brings up a subject I was just going to mention. Mr. Arneil will not be available for this committee after to-day.

Mr. BLACKMORE: He can send us a written submission.

The CHAIRMAN: Yes. I want to make it clear he will not be available to this committee after to-day for oral examination or interrogation. Therefore it is requested that if you have any questions you would like to put to him on any of the subjects under discussion such as agriculture, education, fishing, trapping, housing and miscellaneous, that you be prepared under some sort of system so that we may put these questions to him before this session is terminated because after to-day Mr. Arneil, who has been held here in Ottawa for some three weeks, has to go out on the field. On Thursday we are hearing, as a matter of courtesy, one of the Indian organizations. We will have another meeting to-day at four o'clock, if you wish.

Mr. BRYCE: Is Mr. Arneil's headquarters at Ottawa?

The CHAIRMAN: Yes, but he wants to get out into the field.

Mr. BRYCE: We don't want to close this matter off. Possibly we may be able to get him back here as a witness at his convenience. It has been said that it may be a matter of two years or more before we have finished our inquiry, and there may be a lot of things we may want to ask him.

The CHAIRMAN: I should have qualified that statement by saying that it will be impossible for him to appear before this committee personally before the end of the present session, which we hope will be somewhere in the month of August—that is merely a hope.

Mr. CASTLEDEN: I want to ask a question some time about education.

The CHAIRMAN: Can we go on with agriculture now, and then I can assure you you will have an opportunity to taking up education. Are there any more questions on agriculture?

Mr. MATTHEWS: Are Indian agents generally fairly well qualified to impart farming instruction; are they taken from the ranks of professional men?

The WITNESS: No. They are generally speaking fairly well qualified on those reserves where agriculture is the main source of revenue.

Mr. CASTLEDEN: How about farm implements? Have you got a sufficient supply for the Indians on the reserves who are engaged principally in agriculture?

The WITNESS: From the agricultural point of view we are short of farm machinery and live stock; that is, we are not operating to capacity.

By Mr. Blackmore:

Q. How do you proceed in providing the Indians with live stock? Do you have a band of cattle belonging to the reserve? Is there an Indian department band on the reserve from which the Indians may draw?—A. No, we do not own any cattle in the province of Ontario. Might I answer that question, sir, by describing to you the duties of a farming instructor on a reserve where there are very limited band funds and the responsibility evolves on our welfare branch and the money comes from our appropriation, such as the reserve at Caradoc, near London. Our farm instructor there along with the agent has a welfare agricultural program and a sum of money is set aside each year for that agency.

Q. By the department?—A. By the department. Say it has to do with the drainage, assisting a man to become established as an agricultural economic unit, assistance in subsistence farming—helping out with the plowing, they will till gardens for the old people. And now, what we do is this; we have two

tractors. And now, the Indian has a fifty acre parcel of land but he cannot farm it as soundly as he would like because of lack of drainage. We go to that Indian and we say; listen, that field is no good to you.

Q. Who goes to them?—A. The agent or the instructor—and now, we will take that field from you and we will under drain it for you. We estimate it is going to cost so much. Then we say, now we will under drain it, we will summer fallow, we will put it in fall wheat and we will seed it down, we will sell the fall wheat to help defray the cost. If the man has some revenue we may then sell the first crop of hay and credit the sale of that produce to reimburse our welfare fund; and we have achieved the bringing into production of a five or ten acre field. If that leads to another field he requires having drained we will do the same again, and then in three or four years we will move on to the next man having made it possible for that man successfully to establish himself in agriculture.

Mr. CASTLEDEN: Might I ask a question there?

By Mr. Farquhar:

Q. Does the agent look after that?—A. The agent is responsible and the farming instructor works with him.

Q. And you only have the two agricultural reserves in the province of Ontario?—A. Yes, the one at Caradoc and the one at Brantford.

Q. Does the one farm instructor look after both the reserves?—A. He looks after only the one to which he is assigned. We have no farming instructors other than those at Caradoc or the Six Nations.

Q. And it is your belief that you should have more?—A. Very definitely, yes.

By Mr. Castleden:

Q. The question I was going to ask was the cost of under draining; supposing the fall wheat and the hay croy did not pay for the cost, what do you do; do you carry it on to the next year or do you consider it as being fully paid up? —A. No. We usually explain it to the Indian, and tell him, now we know the draining has cost more than you have paid and we want you to help us by giving us labour. What we are concerned about is not giving him something for nothing.

Q. That is a good idea.—A. It is only that we do not want to give hand-outs.

Q. But you do not make him accountable for every cent you spend?—A. We don't get value from the economic point of view, but as the Indian knows in his own mind that he has worked for us, there is a morale building factor to the program.

By Mr. Blackmore:

Q. Who originated this policy?—A. I would say our director, Mr. Hoey.

Q. I was just wondering if any similar policy was being followed in other provinces?—A. I am sorry I cannot answer that because I do not know. May I talk about the Six Nations Reserve and the welfare program there. It is done there through band funds and through a capable Indian Council, along with the Indian superintendent and the farm instructor. They pay for the welfare program themselves, except to the extent that the department supplies two tractors. Those two tractors are not put in there because the Indian funds could not stand it. The department paid for the two tractors so that the department could control them without the council dictating where the tractors were going to be used. In other words, to enable the Indian superintendent and the farm instructor to retain control of the use of the tractors and avoid any

possibility of pethy tribal politics entering into the use of those machines. I might add for your information that eighty per cent of the entire revenue of the Six Nations comes from agriculture, it is essentially an agricultural reserve.

Q. And the others are not?—A. No.

By Mr. Castleden:

Q. But they would have control of the operation generally?—A. Yes.

Q. Suppose they had the money and wanted to buy a tractor of their own, would you encourage it?—A. Yes.

Q. What hold would the government have regarding the use of a tractor bought from tribal funds; I mean, would the government encourage the purchase of a tractor by the tribe itself.—A. The government would encourage it. The policy is entirely one of encouragement, of stepping up production and improving all the arable land and bringing it into production.

Mr. BLACKMORE: Do any considerable number of Indians become successful agriculturally?

The WITNESS: Yes.

The CHAIRMAN: We were discussing here the case of an Indian who I think you said had 400 head of cattle down Brockville way, wasn't it?

The WITNESS: It was not in Ontario.

Mr. BLACKMORE: That was in Alberta?

The CHAIRMAN: You told us about one who had developed a considerable dairy herd, as I recall it.

The WITNESS: I referred to an up to date farmer being a member of the pure bred Holstein-Fresian Association; but, of course, he would not have anything like 300 or 400 head of cattle. He would be wrong to have that many, he would not be economically sound. His is an operation where his farm is working to capacity, but he is not after volume so much as he is quality in cattle.

The CHAIRMAN: Did you not tell us he had some threee or four hundred?

The WITNESS: No, no, not him, but the reserve.

The CHAIRMAN: How many has he?

The WITNESS: Possibly thirty.

Mr. BLACKMORE: Is he a rather rare exception?

The WITNESS: Yes, he is a rare exception.

By Mr. Matthews:

Q. On the ordinary Indian reserve with ordinary Indian farmers, suppose there were, for example, 300 head of cattle, milk cows, each Indian farmer owns his own?—A. Yes.

Q. Provides winter feed and shelter for them himself?—A. Yes.

Q. How are they cared for in the summer, is there a sort of community pasture?—A. No, individual farms the same as in a white township.

Q. What disposal is made usually of the milk he has for sale?—A. From spring to fall generally to a cheese factory. The cheese factory very often closes in November and then they ship cream. Their revenue in addition to milk is derived from hogs and canning factory crops.

Mr. BRYCE: I suppose that would vary according to the reserve?

The WITNESS: It would depend on the district. The reserve about which we are speaking just now is in essentially a dairy district and you would not have just dual purpose cattle there. Generally speaking on a reserve such as Manitoulin or Brantford, dual purpose cattle predominate and rightly so; it depends on the district.

By Mr. Castleden:

Q. Would you give us your estimate of the range of agricultural income per family of the Indian farmer in a good area getting a good return, and those in a sub-marginal, poorer area?—A. I find that very difficult to answer.

Q. You probably know some of the good farmers and some Indians on reserve in the poorer areas who would be maintaining a compartively low standard of living. Some of them would be very low, would they not?—A. Very low, but we have no Indians in the last five or six years who could not augment their income from working out.

Q. And that would apply irrespective of where they lived?—A. I think that if I were to attempt to answer that question the information I would give you would of itself be misleading; it would not be fair to the better farmers and it would be more than fair to the poor farmers. It is difficult to arrive at anything like a fair estimate for your purpose.

Q. Then you have no figures on farm incomes?—A. Yes, I think I have. The revenue from farming for the year ended March 31st, 1946, is somewhere in the vicinity of $370,600. That to my mind is a rather meaningless figure.

Q. To me, too.—A. And you may have a farmer with fifty acres of land that is good land and his revenue from that in dollars and cents may be $110, and possibly half his living costs. They slaughter a hog in the fall. They have milk, their garden, potatoes. Then during the canning factory season, the working members work in the canning factory. And in the winter time the farmer himself may go to the Steel Company of Canada in Hamilton and work all winter, leaving some of the children to do the chores and to bring the cattle through the winter. It is quite misleading to add up his canning factory cheque and his milk cheque and say that his revenue is that amount as earned in the year. It is not so. And when one considers farms where they are away working out and farming is only a tenth of the operation—there is no criterian, it does not help one.

Mr. RICHARD: Mr. Chairman, I call your attention to the fact that it is now 12.45 p.m.

The CHAIRMAN: We will now adjourn until four o'clock.

The Committee adjourned to meet again to-day at 4.00 o'clock p.m.

AFTERNOON SESSION

The Committee resumed at 4 o'clock p.m.

The CHAIRMAN: We were hearing as our witness Mr. W. S. Arneil who is Inspector of Indian Agencies for the province of Ontario. We had dealt with the subject of administration and the subject of agriculture and we were on the subject of education at the time we recessed for lunch.

Mr. LICKERS: We had not finished agriculture.

The CHAIRMAN: Mr. Arneil would like to make an addition to the record if he may be permitted to do so. I will ask Mr. Arneil to make his correction or alteration or amendment or addition, or whatever it is.

The WITNESS: It is an addition. In our brief discussion this morning on enfranchisement I intimated that the number becoming enfranchised in Ontario was a negligible percentage. I have brought with me the figures for the last five years. In 1941 out of an approximate population of 30,000, 29 Indians were enfranchised. I do not mean 29 families. I mean 29 Indians. In 1942, 42 Indians in the province of Ontario were enfranchised. In 1943 there were 54 and in 1944, there were 80. In 1945 there were 117. You will note there is a steady increase, however small, each year.

By Mr. Reid:

Q. May I ask the witness if those who were enfranchised have left the reserve entirely?—A. In all cases, yes.

By Mr. Castleden:

Q. And their property?—A. Has remained on the reserve and has either been sold privately or has reverted to the band and they have been paid for the improvements.

Q. In how many cases would you say that the property was enfranchised with them?—A. One goes away back to 1890—I am not sure of the date—a long way back to get a case where Indians became enfranchised and retained their property on the reserve. It has been the policy for a long time of the department not to permit that.

By Mr. MacNicol:

Q. Is that not the reason they do not seek enfranchisement?—A. No, I would not say that.

Q. I had a letter to-day—it has nothing to do with this committee or I would have brought it down—from an Indian woman living in Michigan who is from the Moraviantown reservation. In her letter she mentions the loss of property in the event of her enfranchisement. I gathered from that letter that was one of the main reasons why they did not become enfranchised.—A. I do not think so. It is my judgment that policy is correct. They should not retain property on an Indian reservation. An interesting case is right on the Moraviantown reservation. Some years ago a party was enfranchised and retained 40 acres. I was successful last year in buying that back from a white man, or his estate, and reverting it to the band. You will readily see what I mean when I say this Indian was enfranchised and retained 40 acres. The first thing he did was to sell it to a white man.

Q. I do not think he should be allowed to do that.—A. The next thing that happened was he had a bootlegger on the 40 acres where we had no jurisdiction over him. The township had. We were only successful last year on that man's death in repurchasing that property: It has now gone back to the reserve. We are trying to do that in all cases where we have a white land in the centre of a reserve. We have very few places, a few in Peterborough, one over in Moraviantown and the one Mr. Farquhar mentioned in the West Bay reserve on Manitoulin Island.

Q. I am quite opposed to white people being allowed to purchase Indian property under any circumstances without the consent of the band and the Department.—A. From a field administration point of view we are, too.

Mr. FARQUHAR: If you give them their franchise and the property goes with it I would not prevent them selling it.

Mr. MACNICOL: I did feel they ought to be enfranchised, and I did not see why the property should be taken away from them if they became enfranchised.

By Mr. Reid:

Q. Of the 322 who were enfranchised in the five years what proportion would be married men and what proportion would be married women? Are they all single male Indians who were enfranchised? What happens when the Indian who is married becomes enfranchised?—A. I cannot give you the details of that. They cannot be all classed as a single group or all as a married group, but as family units who desire to become established on white land and to assume the full responsibility of citizenship. Many of them have permanent work. Some of them are employed in industrial concerns such as the Canadian National Rail-

ways where their work is leading towards a pension. They see no reason why they should continue band membership. The reasons vary, but it is not one special group.

Q. You have not got my question clearly. What I am after is I want to get the picture of the 322 as to whether they were all married men or if they were single men. My next question is if a married Indian asks for enfranchisement then what status has his wife? Suppose the wife does not become enfranchised. I want to get the picture clearly in my mind.—A. She would balk the application for enfranchisement.

Q. The enfranchisement of a married Indian does not include his wife, I presume, unless the wife asks for it specifically, or does it?

Mr. LICKERS: Automatically it would under the Indian Act, but where an Indian woman is married to a white man or somebody who is not a member of the band she automatically loses all her rights with the exception of the annuity moneys.

By Mr. Reid:

Q. That is not the answer. I am asking particularly as to the Indian married man who makes an application. He is living on a reserve and he says, "I want to be enfranchised". What is the status of his wife then?—A. She either joins in the application or the application should not be considered. If a married man comes along and wishes to become enfranchised and leave his wife and family on the reserve and cease to look after them his application could not be considered as bona fide.

Q. That is the information I am looking for. In other words, if the wife does not agree to the application then it is not granted?—A. It would not be fair to grant it.

Q. It must come from the two?—A. It comes from the family unit.

Q. Of the number of 322 how many have single status and how many have married status?—A. I am sorry, but I have not got those figures here. I presume that this question will be taken up with reserves and trusts when a witness from that branch is here rather than my own point of view of field administration.

The CHAIRMAN: May I remind you again that during the present session of the House there will be no further opportunity of examining Mr. Arneil, so that on the termination of our meeting today Mr. Arneil will not be available for further information; and unless we finish with him today we will have to ask him to appear before us at the next session of the House, if this committee is then in existence, and provided the same personnel comprises its membership.

Mr. MACNICOL: I take it that Mr. Arneil is simply answering questions dealing with the province of Ontario?

The CHAIRMAN: That is right. That is the purpose for which he was called, I understood. Shall we proceed then with education?

Mr. LICKERS: Are you finished then with agriculture, Mr. Chairman?

The CHAIRMAN: I thought we had finished with that this morning. If it is the wish of the committee to revert to agriculture we can do so. I thought we had started in on education this morning.

Mr. LICKERS: If I might just ask one or two questions on agriculture?

The CHAIRMAN: Is it the pleasure of the committee?

Mr. MACNICOL: Don't open up the whole subject again.

Mr. MATTHEWS: You might limit it to two.

The CHAIRMAN: Two what?

Mr. MATTHEWS: To two questions.

The CHAIRMAN: What is your wish? Is that a motion?

Hon. Mr. JOHNSTON: I think, gentlemen, our time is limited. Mr. Arneil is only with us until the termination of this sitting. I think possibly we had better proceed on education and then if there is time at the end revert to agriculture. We had a session on agriculture this morning.

The CHAIRMAN: Are there any further questions, shall we proceed with education?

Mr. CASTLEDEN: Mr. Chairman, I believe there was one question on agriculture which was not finished this morning. I was asking the witness if he could give us the agricultural income of Indian families, and compare the income of the better families with those in poorer locations. I wanted to find out what part agriculture economy played in the life of the Indian family.

The CHAIRMAN: Let us understand this. Had we completed agriculture, or had we not?

Mr. BRYCE: No, we had not.

The CHAIRMAN: I thought we had completed it and started in on education. Is it your wish that we proceed with agriculture?

Mr. CASTLEDEN: Let us finish agriculture.

Some Hon. MEMBERS: Let us proceed with agriculture then. I think Mr. Lickers had a question.

Hon. Mr. JOHNSTON: Why not proceed for five or ten minutes on agriculture and finish it, seing that time is limited.

The CHAIRMAN: That is your pleasure, gentlemen, we will do that.

By Mr. Lickers:

Q. You stated this morning, Mr. Arneil, that the department did not own any livestock, cattle?—A. Yes.

Q. Do they not own the livestock at the residential schools?—A. No, the churches do.

Q. And the proceeds from the livestock at what we call residential schools, like the one on the Caradoc reserve, would belong to the churches?—A. Yes. The only correction I might make to the statement I made this morning as to the department not owning cattle would be this; from time to time we will go to a herd such as they have at Kingston penitentiary and out of our welfare vote we will secure a pure bred calf with a good record behind it, and place that young bull calf out on one of the reserves; they would stay at the far end of one of the reserves for a couple of years, then we would move it in to the other end of the reserve for a time. In all we may have a half a dozen bulls—we may have a few more that correctly stated might be said to belong to the department, but we do not consider them as ours. We do not pay anyone for raising it. We hold the pure bred papers and tell him he cannot sell it, but we do not claim ownership, and we do not pay keep; and for that reason I say we feel that we do not own it. Do I make my statement with respect to the ownership of cattle in Ontario quite clear?

Q. Yes. I was just wondering the stock there at the residential schools.—A. No, the churches own it.

Q. I know they had a pretty good sale, and I know that there was some very good stock. I was wondering if that might not have been used as foundation stock for some of the reserves.—A. Unfortunately, we cannot.

By Mr. Castleden:

Q. My question relates to a comparison of incomes, good incomes on good reserves with incomes from Indians on poorer reserves, and from poorer land.—A. That question is as difficult for me to answer as it would be for a representative of the Department of Agriculture to come here and be asked the same

question about white people. You can pick out a township where the average revenue from farms may be $800, then you can go and pick out a township where the average revenue per farm is $3,000, all depending on local conditions and what the farmer does with his milk, what cash crops he is growing, and so on. I do not think that would make a contribution to the committee, I do not think I could do other than mislead them if I quoted figures. You might take say a hundred acres. I can think of the Six Nations reserve where an old couple are living and doing their best to operate it. They may have a revenue of $110 from stuff they can sell, and they have have additional income of say $75 from hay land they would rent, and they may have worked for a little bit of money and taken in $100. It would be absolutely misleading if I attempted to indicate the annual revenue from a fully operated one hundred acre farm. The family income might amount to $300. I can't even guess.

Q. I was talking about agricultural income, not total.—A. That is what I referred to. I can't even guess. If I quoted you the highest it would be anywhere around $2,000; and if I were to take a hopelessly isolated case it might be as low as $200—it would be very difficult to indicate a practical average.

Q. I didn't want the average, I wanted the high and the low. That is exactly what I was asking for.—A. The high and the low?

Q. What would be the average income on a well operated farm, some of the best you have in Ontario?—A. The highest would be $3,000.

Q. And what would be the income from an Indian farm property on the poorest producing reserve?—A. From the farm— and I am including sub-marginal farms because of lack of drainage and so on—$150, which is augmented by some $100 from outside work. I am sorry I have to answer your question in that way, but that is the only way I know that I can answer it.

Q. That is what I wanted to know, the net income from the farm itself would be $150 or thereabouts.—A. About that, yes; not taking into account the additional revenue through earnings.

Mr. REID: The witness could not give a direct answer just dealing with agriculture.

The WITNESS: I recall that question having been asked in connection with the Farmers' Creditors Arrangement Act in 1935; the question has not been answered yet.

The CHAIRMAN: Are there any further questions on agriculture?

Mr. LICKERS: Just one more. Supposing there were a T.B. tested area adjoining a reserve, is there any arrangement made through the authority and the department as to the incorporation of the reserve?

The WITNESS: There is no difference at all. In a T.B. tested area the reserve is treated as a township in that area. We comply.

Mr. MACNICOL: Do you find the Indians taking any substantial part in the raising of cattle and dairy products?

Mr. MATTHEWS: That was all submitted this morning.

The WITNESS: Not as well as we would like.

Mr. MACNICOL: And I have in mind a certain reserve.

By Mr. Castleden:

Q. Do you think if you had a sufficient staff of farm supervisors that you could raise the standard of farm income?—A. I certainly do.

Q. Substantially?—A. Substantially.

Q. How many do you think you would need, for instance, in Ontario?—A. I stated this morning, seven; and having the proper type of agent on the reserve, and by that I mean an Indian agent with an agricultural background—I would say seven.

Q. And you think that an additional seven farm inspectors would be enough for the purpose?—A. They should be sufficient.

Mr. MacNicol: I am fairly convinced if they were instructed, that if patience were used with them and care taken, if there was not too much anxiety to speed up the development and they were properly equipped, the Indians could do much better than they are doing.

The Witness: Quite so.

Mr. MacNicol: I do not say it is their fault that they are not doing as well as they could, and I do not blame the department; but I do think there is plenty of opportunity for advancement. Are you familiar with the fine farming results Mr. Leverton obtains from the land he rents that belongs to the Moraviantown reservation?

The Witness: Yes.

Mr. MacNicol: There is very little comparison between the results he obtained on the land he cultivates and the results obtained by the Indians themselves on the land immediately adjacent to it. There is very little comparison.

The Witness: Do you wish me to summarize this?

The Chairman: Go ahead.

Mr. Matthews: Time!

The Chairman: We have a few minutes left if you want to summarize it.

The Witness: The Moraviantown reserve that Mr. MacNicol refers to is a 3,000-acre block of land in southwestern Ontario, a complete agricultural unit, if I may refer to it as such. On that reserve would be farms of approximately 60 acres. There is a population of close to 3,000.

By Mr. MacNicol:

Q. Sixty acres per farm?—A. Per farm. A great deal of the land is submarginal, chiefly due to the lack of drainage. Also quite a bit of it is light sand and tends to blow. About one-half of the population prefer to work out rather than farm, largely because of disappointment over the existing soil. We are trying to put in an agricultural program there and drain the soil. We have a location ticket system here. We are trying to divide it up and speed it up.

Q. What did you say? I did not catch that. What was your last remark? —A. We are trying to inaugurate an agricultural program.

Q. Yes, I quite agree with that.—A. To improve the soil. Agriculture will receive quite an impetus on this reserve because of the Veterans' Land Act. We have a number of returned soldiers coming back here who qualify under the Veterans' Land Act and are applying for fulltime agriculture. Through that source we will improve the agricultural revenue from the reserve. In fact, with supervision, it should be operated to capacity.

Q. I quite agree. Would it be possible to send these young veterans, many of whom I know, to agricultural college?—A. No. They do not qualify from an educational point of view. The one or two of them who do, do not wish to go. It is a four-year course, as you know, in Ontario, to get a degree. I might add here that we get excellent cooperation from the provincial Department of Agriculture. We get short courses, etc., free of charge. We intend to push that to the limit, to get those courses.

Q. I am glad to hear that.—A. The province of Ontario is not in full swing with its courses yet. They have such a tremendous number of returned soldiers under the Veterans' Land Act at the Ontario Agricultural College and the other schools that they have not got the full staff for lecturing yet. We have close

contact with the Department of Agriculture and we intend and are right now using every means to get the Ag. Rep. into our reserves to work in cooperation with the agent. The future in that respect is bright.

The CHAIRMAN: Very well. Shall we proceed to education? Time is now past for agriculture. Are there any questions on education?

By Mr. Castleden:

Q. Yes. I have one that I started to ask this morning. I understood you to say that you had some 6,000 children in Ontario between the ages of seven and sixteen?—A. 6,540.

Q. Yes. You said you had the figures for the actual attendance this year.—A. Yes.

Q. Could you give them at this stage?—A. Of the 6,540, 2,176 are attending school; that is a percentage of 66·73.

Q. Out of the 6,540?—A. Yes.

Q. How many were attending school?—A. I beg your pardon?

Q. Yes.—A. Attending school, 4,364; not attending school, 2,176.

Q. No school of any kind?—A. No school of any kind. Well, you will recall, Mr. Castleden, this morning I mentioned some of our best families who may be working in Hamilton, Port Huron, Michigan, Buffalo, Detroit or in provincial towns. Their children may be at school, and may be at high school, and we have no knowledge of it. They are drawing the family allowance. We know they are at school.

Q. But you say this, that every reserve or every agency in Ontario has provision for the schooling of the children there?—A. No, I would not say that.

Q. I wonder if you could get those figures?—A. Well, a breakdown of the 2,176; is that what you mean?

Q. Yes.

Mr. REID: What effect does the family allowance have on the attendance?

The CHAIRMAN: Just a minute. You were going to answer that question of Mr. Castleden's.

The WITNESS: Yes. Of the 2,176 that we had who were not attending school, first of all part of them may be attending school in urban centres, about whom we do not know. Then there is a considerable portion of them who belong to that group where the province does not teach school either. They are in remote areas; they are nomadic and there are no schools. I referred above to an area the Transcontinental and to James Bay where we have few residential schools. Within recent years a survey was made and we are opening up schools as fast as we can. In the last year we purchased an Indian reserve at Constance Lake. Constance Lake is some 20 miles west of Hearst. We purchased a township or part of a township from the province in the centre of a group of lumber camps and the first thing we did was to build a day school; we took children into that day school who had actually had no proper schooling at all. What I mean by that is they attended for a few weeks with a male teacher speaking in Cree, not in English—children who had not been sitting down at all. They knew how to run and play, and knew how to lie down. They had not even been sitting in a chair. That school is doing well; the average attendance, I would say, is thirty-five or forty. We hope to put in another room soon.

By Mr. Castleden:

Q. Otherwise, in connection with the actual reserves where Indians are residing, you have educational facilities?—A. Yes.

Q. Could you give me the gradings of those who are attending school?—A. No, I cannot; but when the witness from the training branch is here, he can give you those figures. Of course, I have a rough idea.

Q. The latest figures tabled in the report for 1944-45 showed only about 3,800 in attendance?—A. Yes.

Q. With an average attendance of over 3,000?—A. I think I indicated this morning that my figures were for 1946 and are not published.

Q. Of those in Ontario, only thirty-six reached grade IX?—A. Only thirty-six reached grade IX in our residential schools in Ontario, of which we have thirteen, with a total pupilage of 1,625, of whom sixty-seven are in grade VIII; and of a total pupilage in our day schools of 2,739, we have, at the present time, 100 pupils in grade VIII. I do not know about grade IX.

Q. Are all your residential schools denominational?—A. All of them.

Q. All are under those institutions?—A. All of them.

Q. Do the children attend a full day, a five-hour school day?—A. They attend what we call a half-day. When one considers the pupilage at our northern residential schools—and I shall repeat myself—those children come from the bush; they do not know what a chair is; it would be physically impossible for them to sit down on a chair for more than two or three hours a day. Their eyes are not focussed for distances from fifteen to thirty feet; they are used to the outdoors; you will see them looking out the window in order to try to get something that suits their eyes. I would say that more than a half a day would be impossible, in the northern residential schools. I mention this because I heard the commissioner from British Columbia being questioned. In the higher grades, I find with respect to the senior pupils at a residential school, while they attend school for half days, I wouldn't say that they learn only one half of what a pupil would learn at a day school; and the reason I say that is because they do have a study period at night; and in many cases those children get personal attention during such study periods which, in my opinion, makes up for two or three hours at school. The teacher will come along and sit down with them, particularly if they are attempting an examination. In other words, there is a personal interest taken in the pupils doing well.

Q. But if they had a full day as well as some pivate tuition, it would help them all the more?—A. There is no doubt about that.

Q. Are the day schools that operate inspected by the provincial government?—A. They are inspected by the provincial government.

Q. How many of them have Indian teachers?—A. We have fifteen Indian teachers on the Six Nations reserve; and we have five others spread throughout the province. Nineteen of those teachers are properly certificated.

By Hon. Mr. Johnston:

Q. You say nineteen out of how many?—A. Out of twenty.

By Mr. Castleden:

Q. What do you do about lack of attendance; do you have truant officers?—A. During the war years, in an attempt to economize, we tried to get the band councils and agents to have truancy looked after on a voluntary basis; that was only fairly successful. In one of the reserves recently, we have again appointed a truant officer. In some cases the R.C.M.P. take over that work, and in other cases it devolves upon the teacher and the agent. The biggest cure we have for truancy is the teeth in the Family Allowance Act which provides that if you do not send children to school you do not get an allowance. Our attendance in Ontario, generally speaking, is good, in the day schools. There is an appreciation by the parents of education.

Q. Are your schools inspected by provincial government inspectors?—A. Yes.

Q. You have not an inspector of your own?—A. We have not an inspector in the department for day schools.

By Mr. Harkness:

Q. How many teachers in the day schools are nominated by the churches? —A. A very large proportion of them. You will note that during the war years, in Ontario, the churches came to the provincial inspectors, to myself, and to the agents in order to try to get teachers. We have been successful in keeping our schools open but not for the full term. We have some schools that we could not open in September because we could not get a competent teacher.

Q. Have you any day schools where the church has not the right to nominate appointments?—A. I think the director could better answer that question.

Mr. HOEY: I would say that the majority, the overwhelming majority of day schools in Ontario are what we call departmental schools; for example, the Six Nations.

The WITNESS: Oh, I misunderstood your question. I am sorry.

Mr. HOEY: It is only in the very remote areas that you have Roman Catholic missions.

By Mr. Harkness:

Q. Major MacKay dealt with the subject of day schools in British Columbia and stated that the teachers were all nominated by the churches; so I wondered if the same situation prevailed in Ontario?

Mr. HOEY: It is just the reverse.

By Mr. Reid:

Q. How do the residential schools compare with the day schools as far as education is concerned, and leaving out religious education?—A. In my judgment, the day school is away ahead.

Q. How far ahead would it be? The residential schools may be much lower than the day schools; but how about Ontario?—A. I would say that the day school is away ahead. There are exceptions in the case of residential schools that they might bring up and they might say: here is a child who has done splendidly and has graduated at thirteen or fourteen. But generally speaking, the day school is away ahead.

Q. The thought I had in mind is this: if you take a group of children in a residential school, the education according to grades is not as high as in a day school; and when those two groups of children go back to public life, it has been found that the children from the day schools do better than the children from the residential schools. Who lays down the curriculum in the residential schools? Is the curriculum laid down by the provincial government or by your department?—A. I would say that the day school pupil is ahead, and that the curriculum is a provincial matter supervised by the province in residential schools.

Q. Well, if it be laid down by the provincial government, how does it come to be lower? Surely the provincial government is not setting two standards of education, one for residential schools and one for day schools? How does it come about that there are two different classes?—A. You have a better class of pupils in the day schools, in my opinion.

Q. What about the number of pupils coming from either residential schools or day schools to high schools? What percentage of that number would carry through? It is a well known fact that in so far as white schools are concerned, there is a great falling off after the first or second year, and that, probably, out of one hundred pupils, there are not more than fifteen or twenty who remain for the third year. I wonder what the comparison would be, in so far as Indian pupils are concerned?—A. I am sorry, I cannot answer that question.

Q. That is a matter which I think it would be important to have. Of the fifty teachers you mentioned a while ago, how many are male and how many are female? That is important as far as teaching goes.—A. You mean at the day schools?

Q. Yes, sir.—A. A vast majority of them are female; and in that connection I would add that it is unfortunate. In our day schools, I think it would be a vast improvement—bear in mind that I am not an educationist; but I want to be frank about it—I think if we had a couple, a man and his wife living in the day school, we would get far better results. Take the case of boys from twelve to sixteen years of age; they may be in anything from grade III up. A man is required, in my opinion, to look after those lads and keep decorum in the schools. I think it would be a step forward if we had a couple; and I think it would be another step forward if we could take that man into the Civil Service and give him yearly employment; and in the case of schools on reserves, some distance from the agency, he should be given a little more money and regarded as a sub-agent.

Q. That is interesting.

By Mr. Castleden:

Q. Have you got the average wage paid to your day school-teachers?—A. No, sir, I have not, but it can be generally said in Ontario that up until the last five years teachers of Indian day schools were paid higher than our rural school-teachers throughout the province. That situation is now reversed because the province has given an increase to their teachers.

Q. That has not been obtained by the day school-teachers for the Indians? —A. Not to my knowledge.

Mr. HOEY: Not only have their salaries been increased but they have qualified for the cost-of-living bonus.

Mr. CASTLEDEN: What is the salary range now in Indian day schools?

Mr. HOEY: I have been so long away I hesitate to say. I say we haven't any employed now at less than $1,200, in Ontario. Perhaps I am just expressing an opinion.

By Mr. MacNicol:

Q. $900 and up and they are allowed so much extra for caring for the school. It is a very substantial remuneration.—A. What I wish to infer is that I do not think we have kept pace with the province.

By Mr. Reid:

Q. How much is the increase in attendance, and what effect will the family allowances have on attendance at school?—A. I prefer to say a marked general improvement. I cannot give figures.

Q. It is interesting for the committee to have the figures for their information.—A. It would have to come from the day school-teachers themselves.

Mr. CASTLEDEN: You would say from your observations that the day school is a more efficient mission for educating Indian children than the residential school?

The WITNESS: Yes.

Mr. RAYMOND: Would you tell me the reason why you say so?

The WITNESS: In central and southern Ontario we draw pupilage to residential schools very largely from broken homes. I think that is the first significant reason. A seven year old child from a broken home, to my mind, is not equal to a seven year old child from a good home.

Mr. MACNICOL: He lacks parental care.

The CHAIRMAN: Yes, naturally.

Mr. MACNICOL: Mr. Chairman, I am going to ask the witness a few questions about Walpole Island school, Moraviantown school, Muncey school and the Six Nations at Deseronto.

By Mr. MacNicol:

Q. Do you know offhand the name of the teacher at the Walpole Island school?—A. An Indian girl named Mrs. George.

Q. She is very capable anyway?—A. The lady went there from Moraviantown. I am sorry, but my memory does not serve me.

Q. Her husband used to be at Moraviantown, and he died?—A. Yes.

Q. And they gave her a great name?—A. Yes. She is doing a splendid job now.

Q. The Moraviantown school is in charge of Mr. Dodson. Now, in my opinion—I know something about school-teaching, having been a school-teacher myself when I was a lad; that is quite a long time ago—

The CHAIRMAN: Not very long ago.

By Mr. MacNicol:

Q. I have often gone to that school and I have been greatly impressed with the deportment of children in that school and with their work in all the classes. There were quite a few graduated from that school into high school. Whether they have gone to high school, I do not know. They have been instructed by Mr. Dodson. I think he is one of the best teachers I have seen anywhere. I hope he will remain there, because that school must be one of your very best?—A. It rates high.

Q. The same will apply to Muncey; that is a good school. I have not been in all the schools of the Six Nations, but I have been in a number and I have found them excellent schools, well conducted with high-class children and excellent teachers.

Mr. CASTLEDEN: Is that a day school at Muncey?

Mr. MACNICOL: Yes, these are all day schools.

Mr. CASTLEDEN: How many pupils are there at Muncey?

Mr. MACNICOL: In the Moraviantown there are forty or fifty, and perhaps more in Muncey.

Mr. BRYCE: Is there just one teacher?

Mr. MACNICOL: Yes. These schools are all in southern Ontario. I have often said to myself that if the Indian department could do anything that is reasonable in transferring some of these teachers from these well operated schools in southern Ontario elsewhere that would be a general improvement where they would be sent. That does not mean that the other teachers are not good, because I found an excellent teacher in Northern Saskatchewan at Fort à la Corne. She and her husband were teaching in a two-room school. It is just as you said about other schools taught by a husband and wife. These two were fine teachers. In these remote areas at a place like Fort à la Corne where they are seventy-five miles away from town it is a delight to find such capable people in charge of the schools, and at Fort à la Corne the teachers were both Indians.

By Mr. Castleden:

Q. Might I ask a question about Muncey? My information about that school is that the building is condemned?—A. Mount Elgin residential school is being closed on the 30th of June and being replaced by a four-room school which is being built now.

Q. The residential school is being closed? Is the new one that is going up a residential school?—A. No, a day school.

Mr. MacNicol: The one at Moraviantown is a good school.

The Witness: Yes.

The Chairman: Mr. MacNicol, I do not want to close you off, but we have just an hour.

Mr. MacNicol: I really think I have made a contribution to Indian education—

The Chairman: I do not want to close you off, please do not misunderstand me.

Mr. MacNicol: I have a very warm feeling for Indian work and have made it my business to go to these areas. I have found that all of these teachers ask for moving picture machines and they have not got them. I am going to obtain a machine myself for one of these schools, but the department should do it. They all say that if they had a moving picture machine to show the Indian children pictures of lakes and rivers in remote areas, forests, trapping and fishing, and for the girls something about crocheting and fancywork, etc., that would be a great advance and help to them in teaching. Now, can the department not purchase moving picture machines and films?

Mr. Hoey: Mr. MacNicol, I have been trying since the outbreak of the war, and before, to secure up-to-date machines to provide visual instruction. I have not succeeded, and if you can help me in that regard I will feel greatly indebted to you. I will tell you the extent to which I have gone. I have got in touch with the Knights of Columbus and the Canadian Legion Auxiliary Services in the hope that the machines they have been using in this country and in Europe might be turned over to us, but my experience has been that government departments experience more difficulty in securing supplies, whether they be for visual instruction or for farming operations, than does the general public. I do not know why that should be the case, but I am simply up against a stone wall in seeking supplies. We simply cannot get any of them. I am a great believer in visual instruction and I think it would mark a great step in advance. Visual instruction should be provided not only in our day schools but in community halls on the reserves. How are we going to train these people if they do not know what is going on in the outside world?

Mr. Reid: Could I ask the witness one more question?

The Chairman: Just a moment. Have you finished, Mr. MacNicol?

Mr. MacNicol: I was going to make one more suggestion about Indian education. When I go to these schools I always take delight in giving a little talk to the Indians about their great history. At Moraviantown the Indians are Delawares, and I tell them about the Delawares, and I tell them they should be proud of their origin. That is one way to take away their inferiority complex. The Indian should not have an inferiority complex. An Indian child should have the same outlook on life as has the white child. Is there anything in the curriculum in these schools to make the Indian children proud that they are Indians?

Mr. Hoey: May I say that this is in part a reply to Mr. Reid's earlier question. We have almost got to follow by force of necessity very closely the provincial curricula in each province for the simple reason that if we do not, when the Indian child reaches grade VIII, he cannot proceed with the regular high school course; but in many cases he can proceed with a combined academic and vocational course. That is to say, the provincial government sets the standard so we try to keep rather closely to the provincial curriculum for that reason and for a number of other reasons. We think most of the courses of studies are reasonably up to date and fairly suitable for the purposes we have in mind, with certain modifications.

Now, just about 1939 at the outbreak of the war we had under consideration the publication of a number of text-books that would emphasize Canadian history and Indian cultural inheritance and background. We got one published. It was prepared by an official of our own department; copies of it might be distributed. It was our intention to reprint a number of Indian biographies of Tecumseh and Joseph Brant, but the war came on and we had the utmost difficulty in getting out our annual branch report; but this is a matter that will come under review and consideration just as soon as times become normal. I heartily agree that we should emphasize the matter of Canadian background and the things of which the Indian child has a right to be proud. I think that is pedagogically and sociologically sound.

By Mr. Reid:

Q. I am not expressing an opinion in asking this question, but I am asking for information: would it be possible to inaugurate a system of just keeping these—I shall not call them waif children—children of broken homes and looking after them in the same way as voluntary organizations very often do throughout the country in close proximity to the day schools and allow the children to go to the day schools the same as the other children do. Their home life would be under the care of the churches, but not the education?—A. Yes, we have tried in the case of a broken home to have the child cared for by suitable Indian families on the reserves and that child has attended day school. To my mind it is much preferable.

Q. Could that be done in as far as residential schools generally speaking are concerned?—A. In the southern and central part of the province it is my opinion, yes.

There is the odd broken home where you cannot keep the child on the reserve because of the interference of the parent's relatives and so on, and that child must be placed in a residential school; but generally speaking we can look after the children from broken homes on the reserve by the payment of a moderate sum to the relatives or even an outsider caring for a child and giving him the loving care of a home, and get away from the institution.

Q. That answer is important because it links up with the question asked a little while ago regarding the different educational standards as between residential schools and day schools.

Mr. CASTLEDEN: I have a matter which I should like to present to the committee. One of the gentlemen who is here to-day is Mr. Adams from the Sarnia reserve. I was speaking to Mr. Lickers and I was wondering whether or not the committee would permit Mr. Adams to have four minutes to describe education as he finds it on that reserve, from his point of view?

The CHAIRMAN: Suppose we have a few minutes' recess before we proceed.

Mr. MACNICOL: I was not quite through, but I will be soon. Mr. Arneil, in following up the suggestion I made a moment ago, of which you approve, would it not be possible for the department to get out a small booklet in colours giving something of the life of Tecumseh, and something of the life of Joseph Brant, the latter, buried on the Six Nations reserve? There are those two men and many others like Red Jacket, Noonday, and Shaubenna, who took part in the battle of the Thames. If the children could see pictures of these famous chiefs in colours, in their robes of office, and so forth, it would make them proud of being Indians. They were all chiefs who did wonderful work. There are Tecumseh, Brant, Noonday, Shaubenna and Red Jacket. I should like to see something done to make them proud they are Indians and take away their inferiority complex. I merely throw that out as a suggestion.

The CHAIRMAN: Mr. Castleden has asked whether we can hear Mr. Adams. I am afraid we are going to have to reject the application, at the moment. By

all means we are later going to hear Mr. Adams and every other organization but as you know after we complete hearing all departmental officials. And too the rules of the House, of course, govern the procedure of the committee.

Mr. MACNICOL: You are not through with Mr. Arneil?

The CHAIRMAN: No, we are not through with Mr. Arneil, but I do not feel we can hear anyone now from the reserves. I might tell you that the steering committee will meet to-night at 9 o'clock in room 155. It has been known that there would be a convention of Indians here this week and we have had requests for hearing from all over Canada. They seem to be afraid we are going to hear one group and not any other. We are going to give an opportunity to Indians all over Canada and to every organization interested in Indian affairs to be heard by this committee. We cannot hear everybody at the same time. We cannot hear anybody before we have heard the departmental presentation. We cannot set a precedent by having one individual Indian heard now. I am sure Mr. Adams understands that.

Mr. MACNICOL: I think you are quite right.

The CHAIRMAN: We will have a few moments recess.

The committee adjourned for a short recess.

On resuming after recess.

The CHAIRMAN: Are there any further questions with respect to education?

Mr. MACNICOL: What is the next item after that?

The CHAIRMAN: The subjects not dealt with yet are fishing, trapping, housing and miscellaneous.

Mr. MACNICOL: I hate to delay the committee on education, but I was going to ask something about the schools up on Lake Nipigon.

By Mr. MacNicol:

Q. Are you familiar with them?—A. Yes, I have been there. I am not responsible. Possibly I should have made that clear. I am not responsible for curriculum or teachers.

Q. Who is responsible for the teachers?—A. The training division, and the inspector is a provincial inspector of schools. If it is a matter of repairs to a school that comes under my jurisdiction. Education does not.

Q. I was told that the Indian agent sent the teachers in?—A. You were told what?

Q. That the Indian agent sent the teachers in?—A. That is possible.

Q. I will not take up your time on that.

The CHAIRMAN: Probably, Mr. MacNicol and gentlemen, we could ration our time on these subjects.

Mr. MACNICOL: I want to give one experience. I was going to say in the school at Gull Bay the teacher is a really excellent teacher.

The WITNESS: I agree.

Mr. MACNICOL: She suggested to me that if the question ever came up here at Ottawa as to Indian schools that I should press as strongly as possible that all the summer time or during their holidays at the country's expense—and quite properly so—to learn as much as they could about nursing and medicine so that to that extent they would be able to render first aid. The doctor usually comes once a year generally when the treaty money arrives. I thought that was a splendid idea.

Her second suggestion was that the schools in these reservations be equipped, if possible, with sewing machines so as to teach the Indian girls sewing and

needle work and such things as that. Her final suggestion was that they be equipped with an organ. She said they are all full of music and love to sing. I have heard them singing myself. She suggested that if possible the teacher should have some knowledge of keeping time with an organ.

Those are the three final suggestions I have. I should like you to take them into consideration. They are that lady teachers be equipped to render first aid, that the schools be equipped for music, and if possible with an organ, and that some equipment to teach the girls how to sew and paint, and so on, should be provided. I was always pleased with how the Indian children in their first formative years are able to learn. They can do all these things.

The CHAIRMAN: Can we not ration our time, as to the various subjects remaining, from now to 6 o'clock?

By Mr. Bryce:

Q. I have one question. From your experience in handling Indians would you agree with me that something the Indian department has to do in the near future is to put up vocational schools to take care of the boy when he gets to be sixteen years of age. Those who are able to adapt themselves to the life of a carpenter, the life of an engineer, should be provided with the opportunity to obtain the necessary education so that they may take their place among white men.—A. Definitely, yes.

By Mr. Lickers:

Q. May I ask a question? In connection with the St. Clair school at Sarnia is any provision being made for further accommodation for school children?—A. In the estimates this year there is a sufficient sum of money to build a school at Sarnia. We hope the school will be built this summer.

Q. It will be built?—A. We are hoping so.

Q. What about on the Six Nations reserve? Is any provision being made for building additional schools there?—A. We are negotiating with the Royal Canadian Air Force for the transfer of two or three buildings—I think they are at Hagersville now—which we mean to take on there as additions.

Q. Will those be ready for next fall?—A. That I cannot answer. I hope so, but it is wishful thinking.

Q. The reason why I am asking is that I know there is one school now where one teacher has some 45 pupils.—A. That is correct.

Q. And she told me that she is going to quit for the simple reason she cannot carry on.—A. The subject gets down to one of building conditions in the last few years, shortage of material, obtaining priorities, and so on. It is very necessary that we get these additions. I hope we are successful in getting them. Then there is another factor. It is a very difficult thing to get a person to submit a tender to build a school just now. As a matter of fact we are proceeding with a four room school at Caradoc on a labor plus material basis, in the hope of getting the school opened in the fall, rather than by tender which is the usual practice and possibly the more satisfactory way to do it.

By Hon. Mr. Johnston:

Q. Is difficulty experienced in getting teachers to go into the outlying reserves?—A. We have managed to keep our schools open. There is some difficulty, yes.

Q. With qualified teachers?—A. The trouble with our teachers, in my opinion, is this. They do not enjoy superannuation the way I do. Why I do not know. One of the most excellent teachers on a reserve is the one Mr. MacNicol referred to at Tyendinaga. She has been with us for twenty years. She does not get superannuation.

Q. You mentioned this morning that a number of teachers were Indian girls? —A. Yes.

Q. Are they fully qualified?—A. Nineteen out of twenty of our Indian teachers are.

Q. What percentage of your teachers are married?—A. It is a fairly high percentage, due to the scarcity of teachers during the war years. I do not know what the percentage is, that could be given to you by the training division.

Q. In the case of a woman teacher, would her husband be employed on the reserve?—A. We have one or two cases where both husband and wife are employed.

Q. The husband a teacher?—A. Yes, the husband is a teacher and the wife is a teacher.

Q. They are both teachers?—A. Yes.

Q. Do you think it would simplify matters when you need either an agent or a farm instructor to ask for a man whose wife is a school teacher?—A. I do not think you would get a satisfactory type without offering the inducement of a permanent career with superannuation at the end of it and a possibility of recruiting these people to replace Indian agents.

Mr. CASTLEDEN: Hear, hear.

Mr. HARKNESS: In Ontario, how do you provide for Indian boys and girls who want to go to high school?

The WITNESS: I have been authorized by the branch if I find a pupil who is bright at all to give encouragement by offering a tuition grant for that child; and possibly they could live with a relative in an adjoining town. I gave you the figure this morning of 87 such grants which have been given in the province just now.

Mr. CASTLEDEN: Does that cover the tuition fee only? Do you make any grant to asisst them with living expenses?

The WITNESS: If the child is an orphan we may pay her bus fare to school from the reserve, as we are doing with one who is attending high school in Peterborough, and one who is going to school in Cobourg. In other cases a smaller grant be given to pay for board in the city, and so on.

Mr. HARKNESS: That was really the point I wanted to get at. You do actually pay the cost of living expenses for children from the reserve which is not sufficiently close to enable them to attend high school.

The WITNESS: I have had a fairly free hand from Mr. Hoey. I have never had a recommendation turned down.

Mr. HARKNESS: And the grant paid is conditional on the cost of board?

The WITNESS: It is subject to family circumstances.

Mr. CASTLEDEN: Are there any examination levels at which a student can aim with the knowledge that if he attains that standard he is entitled to get the benefit of assistance in attending high school?

The WITNESS: In talking to the children I generally keep before them the opportunity that is theirs if they go on to entrance, that if they pass their entrance we will send them on to high school.

Mr. HARKNESS: And are you fulfilling that?

The WITNESS: Definitely, sir.

Mr. CASTLEDEN: How far do you carry them on with grants?

The WITNESS: If my memory serves me right, I think we carry them right through university.

Mr. HARKNESS: In other words, there is no age limit to it?

The WITNESS: No, but the average pupil coming from the Indian school is older in age than is the case generally with pupils from white communities, for various reasons.

Mr. MACNICOL: May I ask Mr. Lickers through you, Mr. Chairman, how many children from the Six Nations reserve have you knowledge of going to high school.

Mr. LICKERS: I would say there are about six. That is why I was interested in the answer Mr. Arneil gave about assistance. It is not generally known.

Mr. MACNICOL: Will you speak a little louder, please. Did you say it is not generally known?

Mr. LICKERS: No.

Mr. MACNICOL: I have the names now of a number of children who want to go and take up training at a typewriting school, so I know you do something. Did you take that question up? How many did you say?

Mr. LICKERS: Six that I know of at the present time, and they are all girls. The reason why there are more girls than boys coming from the Six Nations is because the grant they get is the tuition plus $100 for room and board, which certainly is not sufficient for room and board while they are attending college during the school term. The girls go to Brantford and get jobs part time, board in and go to school from there; but the boys either have to find some means of transportation back and forth which is often rather difficult, or have to live on the $100 if they can or supplement it in some way.

Mr. MACNICOL: And what do you suggest to help those boys? There are a lot of bright boys on the Six Nations reserve. What would you suggest to give them a better opportunity?

Mr. LICKERS: My suggestion would be to utilize the Mohawk Institute; and it was at one time utilized to part extent, not only for our own Six Nations, but I believe a short time before the war we had three from Caughnawaga there—they finished day school at Caughnawaga and came there and boarded at the Mohawk Institute while attending the collegiate. They had their tuition paid and they got their room and board at the institute. As far as the Six Nations are concerned I think that should be reopened to all the boys, and the girls if necessary. A place at which to stay after they pass their entrance, and while they are attending collegiate.

Mr. MACNICOL: Thank you.

Mr. CASTLEDEN: Do you think it is better to let the Indians study at an institute such as that than it would be for them to go to colleges or high schools mixing with other people?

Mr. LICKERS: I would rather they were able to mix. It is purely a question of finance. If they get an adequate allowance they would be able to live right in the communities. As I say, it is a question of finance. It would be much better for them if they could go to the regular school.

The WITNESS: Mr. Chairman, I understand Mr. Lickers to say that they will be attending the Provincial Educational Collegiate, merely living at the Mohawk Institute for room and board.

Mr. LICKERS: Yes.

The WITNESS: That is what you meant?

Mr. LICKERS: Yes.

Mr. CASTLEDEN: Is your grant for assisting students to attend high schools and other institutions of learning limited to $100?

Mr. HOEY: No.

Mr. CASTLEDEN: How high could you go?

Mr. HOEY: I would be inclined to say up to $300.

Mr. CASTLEDEN: It would depend on their circumstances, is that it?

Mr. HOEY: Yes.

The WITNESS: I think, Mr. Chairman, the committee would have much more satisfactory results from asking these questions through the educational branch, rather than myself, although I am quite happy to answer any questions I can.

The CHAIRMAN: May I draw the attention of the committee to the fact that we now have only thirty-five minutes left in which to deal with the remaining subject? According to the note I have here there are still four topics which remain to be dealt with. Shall we now proceed with education?

Hon. Mr. STIRLING: I have one question I would like to ask before you leave education. After the boys and girls have completed their high school courses what assistance do you give them in deciding what course they want to take up or what form of life they are going to pursue? Is that left entirely to them?

The WITNESS: Yes. The understanding Indian agent would talk it over with them and assist the child, and the parents would decide. The policy is one of assistance, but there is nothing definite. Very often we find the subject is discussed by the principal of the school, and sometimes with the missionary. I brought that up during my comments this morning on supervision. That definitely comes within the category of close supervision.

The CHAIRMAN: Now, gentlemen, is it your wish to ration your time, say to ten minutes on each of the remaining subjects on the agenda? Our next topic is fishing. We will take ten minutes on that, that will be concluded at twenty-five minutes to six. Are there any questions on fishing?

By Mr. MacNicol:

Q. There would not be any fishing on these lower Ontario reserves I have been talking about, would there?—A. Yes.

Q. What about the Six Nations?—A. In Ontario we have band fishing licences from the province. We have them up on Lake Nipigon.

Q. Yes, you have them up there.—A. And the Georgian Bay, the Bay of Quinte, Lake Superior—at both ends of Lake Superior, Fort William and the Sault.

Q. I refer to the Six Nations, they would have no fishing licence there?—A. No, they have none. There is no water there.

Q. Are they provided with equipment?—A. Yes, they are enabled to borrow equipment through a band loan.

Q. Through what?—A. A band loan. From the trust fund of the band. In every case where the band has funds an application can be made for the purchase of nets and so on through the medium of a loan on that band fund.

Q. And you mention Nipigon?—A. Yes.

Q. One complaint I had from the Indian band there was that they were not able to get fish—I am sorry I mentioned it because I have forgotten the reason why, but it was something about nets used in the Nipigon—but they complained to me; as I say, I haven't the particulars. But I would ask you in the department to communicate with the chief, and the chief of police—I have forgotten his name too,—at Gull Bay.—A. Yes. We approached the province last year in connection with fishing in the Nipigon and had our licence raised by some thirty tons, I think it was from sixty tons to ninety tons. The Indians I believe in their complaint said that the white people were getting a better deal from the provinces than they were. We have negotiations with the province practically every year and we keep pushing it up a little bit.

Q. I believe that was it. Something about selling a fish to some company that buys fish.—A. Yes.

Q. I really believe it is the duty of the department to see to it, and to see to it that the Indians at Gull Bay, and White Sand Bay get a square deal in so far as fishing is concerned.—A. We try to do that. But my opinion would be similar to that of this morning in connection with the sale of agricultural produce. I do not think the department should step in and take any control. Our lads who are fishing are holding their own with the white man and they can carry on as they are doing just now. If the department confine themselves to making sure that we get as much fishing as we should and there is no fishing rights taken away from our Indian groups, I think we are interfering as far as we should go. I do not think we can benefit any by interfering with the market.

Q. And providing them with the right type of equipment?—A. Well, that fishing will get a considerable impetus under the Veterans' Land Act. In the province of Ontario we have some 1,384 veterans who may apply for this; and, as you know, they can get a fishing grant—as a matter of fact they are not recoverable—a non recoverable grant up to $2,320; and that is available to all veterans who qualify.

Mr. LICKERS: Has the department done anything in connection with those Indians who are affected by the Robinson Treaty, under which they were to retain their original hunting and fishing rights? In Rex vs. Commanda, the case heard in 1939 by Mr. Justice Greene, I believe he decided the hunting and fishing rights no longer exist unless they conform to the laws of the province of Ontario.

The WITNESS: Mr. Chairman, I feel that Mr. Lickers' question is a legal one, and aside from a few general comments I can make no contribution to the committee in reply. It is essentially a legal question.

The CHAIRMAN: You are not prepared to answer it?

The WITNESS: No, I do not think so.

By Mr. Farquhar:

Q. Do the Indians require a licence to fish on lakes on their own reserves?—A. Generally speaking they fish under band licences. There are a few Indians who have individual licences in the Bay of Quinte, and so on; but they generally fish under a band licence. On Lake Superior, for instance, they have a licence of 300 tons for herring, and they have a band licence for so many pards of gill fishing, but it is a band licence.

Q. What about the waters in the reserves, the inland lakes on the Indian reserves?—A. For some of the inland lakes on the reserves we do not require a licence at all. We can fish. At Constance Lake where we purchased a township we completely surround the lake. To avoid that very thing we bought the land under the lake from the province, to take provincial jurisdiction away from them. We can then restock that lake and use it ourselves and no white man can fish there, whether he has a licence or not. In fact, he could not have a licence there. It is an Indian reserve.

By Mr. Bryce:

Q. Where does the Indian come in who has been granted the right to trap and fish wherever he wants to for his own food? Where does that work into that situation?—A. This is essentially a fishing licence matter we are speaking about. The other question is rather closely associated with Mr. Licker's; it is getting into the point of whether treaties are being broken. Is that what you mean?

Q. Yes. What I mean is this. The Indian under his treaty was guaranteed the right to go and get his fish and his game.—A. There was a test case some years ago and it has been established that the province has the jurisdiction over that. We get fair cooperation from them.

The CHAIRMAN: Mr. Arneil, if you consider this is a legal question, that could be taken up later when we have your branch legal expert here.

Mr. BRYCE: I would rather have a layman's opinion on it.

The CHAIRMAN: What you want is fact. You want fact, not fancy.

The WITNESS: The province permits fishing for food.

By Mr. Farquhar:

Q. Does the province control the rights of hunting and fishing on the reserve?—A. No.

Q. That is what I understood.—A. Not on the reserve, they do not.

Q. That is the reason I am referring to these reserves and the lakes on them. You referred to the case where you bought land.—A. To take it out of the provincial jurisdiction. We only bought the reserve last year. We bought a white township; we transferred it into an Indian reserve.

Q. That is what I understood.—A. And rather than leave them any water rights, we bought them at a nominal value per acre.

Mr. MACNICOL: In fishing in the St. Mary River and Lake Superior, and then east of the St. Mary River—

The CHAIRMAN: Gentlemen, if we are going to ration our time, I would point out that our time has now long since expired on this subject. Shall we proceed with the next?

Mr. MACNICOL: He can answer this question. I was going to ask him how are the Indians taken care of with regard to their fishing rights and whether they have rights in that area of Lake Superior, St. Mary River and the North Channel?

The WITNESS: They can take the fish they want for food. We have rights and we are protected by a band licence issued by the province. We have commercial fishermen fishing there.

By Mr. MacNicol:

Q. Can they take all they want for food?—A. They can take all they want for food, yes.

By the Chairman:

Q. Without a licence?—A. Without a licence.

Mr. MACNICOL: That is the answer, Mr. Chairman.

The CHAIRMAN: The next subject is trapping.

The WITNESS: May I say this, Mr. Chairman, in connection with trapping, in view of our shortage of time particularly. We have, as most of you gentlemen know, a dominion fur supervisor whom I know you will enjoy hearing. He is an absolute authority on trapping. You know the muskrat development we have had. I refer to Mr. Conn, who is specializing in our trapping in northern Ontario. As I say, he is an authority and he is coming before this committee.

Mr. MACNICOL: I will leave my questions on trapping until he comes.

The WITNESS: Any comments I can make on trapping are of a most general nature.

Mr. MACNICOL: Would he know all about traplines?

The WITNESS: Yes.

Mr. MACNICOL: And about the whites violating the Indians' traplines?

The WITNESS: Yes.

Mr. MACNICOL: I will leave my questions until he comes.

The WITNESS: He can make an interesting discussion.

The CHAIRMAN: So we will dispense with trapping and go on to housing.

By Mr. MacNicol:

Q. All I can say about housing is this. You are familiar with the housing on the Muncey reservation?—A. Yes.

Q. And the Six Nations reservation?—A. Yes.

Q. And the Moravian reservation?—A. Yes.

Q. I know you will admit that it is not up to what you would like it to be. What can be done to improve it?—A. Financial assistance.

Q. I have tried to encourage them to paint up and clean up.

The CHAIRMAN: Brush up.

Mr. MACNICOL: Yes, brush up. And I believe some improvement would occur from the giving of prizes for the best-painted house or the neatest grounds. The giving of cash prizes would have some effect.

The WITNESS: The housing situation is one of our serious field administrative problems. If one goes through our better reserves in southern Ontario, starting at the Tyendinaga, you may go to three different shacks occupied at present because of the housing shortage. You make a visit. You invariably find that this house is part of an estate and in the process of being wound up. The estate may go back 10 or a dozen years and it is not wound up yet. From that shack or hovel or whatever you like to call it, you may go along to the next one and find that it is owned by an absentee and they have given permission for some family who have not a home to occupy it. You talk improvement and repairs in that home and they say, "We don't own it. We are saving up to buy a house of our own. We will try and get one tomorrow." But tomorrow never comes. We assist, without giving a handout to a family, to encourage them to improve their homes. In our welfare program we will go fifty-fifty with them; and you cannot do more where there may be $100 or $150 a month coming into the house. If you give them a home without them having an interest in it, they do not give a hoot. I know of cases where we have assisted and the two by fours have gone into the stove the next morning. Do not take from that, that it is general. It is not. But it leads one to the conclusion that whatever we do in housing, we should get the occupant and owner of the house to take an interest in it. The only way I know to have him take an interest in it, except in destitute cases and aged cases, is to make him take a financial interest. We try to do that.

By Mr. MacNicol:

Q. Where they have money, do they not do that?—A. Not in every case.

Q. I know of a particular property owned by the Snake family on the Moravian reservation.—A. Yes.

Q. I have forgotten the first name of the late Mr. Snake.—A. There are quite a number of Snakes down in Moraviantown.

Q. Yes. The one I mean is right next to the old Moravian church.—A. Yes.

Q. He was killed; no, he was wounded during the war and later died. I got him a pension before he died. His wife gets full pension and her daughter-in-law lives with her. The daughter-in-law's husband was killed in this war.—A. Yes.

Q. She gets a full pension and it is worth while to see how nicely they have fixed up their home.—A. Yes. Although I gave you that example of walking along the Tyendinaga reserve and finding three or four hovels you could not get an excuse to repair immediately, I am by no means indicating that is the picture at all Indian reserves. There were splendid contributions that our Indians made to the war effort. Much of that money has been wisely spent in improving homes.

Q. It has been wisely spent?—A. Yes.

Q. I am glad to hear that.—A. Wisely spent in improving homes.

Q. The name of the man that I referred to a moment ago was the late Emerson Snake.—A. Yes.

Q. You will remember him.—A. But we have a long way to go in home improvement. In the Caradoc reserve where they have not extensive band funds, last year we put in 38 cement foundations under our welfare program.

Q. In what reservation?—A. The Carodoc reservation.

Q. That is the Muncey?—A. Muncey. And what happened in those cases is this. The agent or farm instructor went to a man and tried to get his interest, and said "What about a foundation under your house? Will you do it if we help you? If you give us some labour on such-and-such a project, we will have the cement mixer over and run the cement and give you a foundation for your house." We did that 38 times last year.

Q. And you got the co-operation of the Indian?—A. Yes, we got the co-operation. We bought the material for possibly 20 more houses, where we are doing it the same way. The man is assisting, either with labour or in some cases with cash. Our welfare branches are assisting too. For two or three years now we have set aside a sum of money at the Tyendinaga reserve to have the buildings painted. We got fair results. There are a lot of people sitting there with paint and they have not put it on yet. That is lack of supervision. With an adequate staff, these matters could be largely corrected.

Q. We owe them a lot. All the land used to belong to them; and along came the white man and took the land away from them. So we owe them a lot.—A. Yes, we owe them a lot.

The CHAIRMAN: Mr. Arneil, I understood you had some recommendations you would like to pass on to the committee. Would you care to do so now?

The WITNESS: Yes, I would be pleased; but before making the following recommendations which refer to administration, I would like to make this comment: a thoroughly qualified, conscientious Indian agent, with an adequate staff can solve four-fifths of the agency problems that confront us today on the average Indian reserve. By the word "problem" I mean almost everything you talk about to an Indian; whether he has made his Will; whether it is about improving his home; whether it is an agricultural question; whether there is a child attending school. These may not really be problems, but they are problems in the other fellow's mind; and until you sit down and gain his confidence and try to demonstrate your sincerity, the problems will not be cured, they will grow. So I repeat, a competent Indian agent with an adequate staff can cure four-fifths of those problems. In my judgment it would be strictly to the advantage of those engaged in the administration of Indian affairs in Ontario if an agent at large were appointed.

By Mr. MacNicol:

Q. You mean a supervisory agent?—A. A supervisory agent, yes, an agent at large, who could travel around. It would be the duty and responsibility of such an agent to take charge of an agency in the absence of the agent upon holidays or as a result of illness. This man, in my judgment, should be attached to the head office and should be thoroughly acquainted with head office procedure, particularly with the regulations relating to field administration. Such an agent could be usefully employed in certain seasons of the year in the promotion of courses on Indian reserves, short reserve educational courses, agricultural courses, in the organization of homemakers' clubs, boy scouts' associations and so on.

Q. They would like that, too.—A. He would be called upon to work in close association with the extension service of the provincial Department of Agriculture. I believe that when an Indian agent reaches age of retirement, his successor should be appointed immediately and if at all possible at least one month before the retirement of the outgoing agent.

Q. Why not three months?—A. Three months if you like, sir. It is simply disastrous to permit the average Indian agency to be without adequate supervision for a period of six months.

It would be helpful if Indian agents of the same grade could be transferred from one agency to another on the recommendation of the inspector and with the approval of the director and the minister.

By Mr. Richard:

Q. Why do you suggest that?—A. An agent through no fault of his own, frequently becomes undeservedly unpopular and thus outgrows his usefulness. A transfer in such case should be made in the interest of efficient administration. There are other reasons why transfers frequently become desirable. An agent in an outlying district may have children who reach high school age with no high school facilities near the agency. Where an agent could be replaced by a man with no such responsibilities, a transfer should be given sympathetic consideration. If such consideration is not given you have a dissatisfied agent who is apt to lose enthusiasm for his work.

It is my considered judgment that Indian agents are called upon to spend altogether too much time in the agency office and not enough time on the reserves. Indian agents should be relieved to the greatest extent possible of office routine work. The agent's office routine work should be undertaken and accomplished by the employment in each agency, of an adequate office staff.

The procedure now followed in granting statutory holidays to Indian agents and Indian agency clerks should be simplified and the correspondence relating thereto greatly reduced. What I have in mind is this: if an agency clerk wants to get off for two or three days, the agent writes a letter to Ottawa and asks if it would be okay. In due course he will get a reply saying: yes. That authority should be definitely with the agent without the necessity of letters.

It would be, in my judgment, beneficial to the service if farming instructors were given a higher rating and paid higher salaries. It is unfortunate that under Civil Service regulations, farming instructors cannot take part in promotional competitions for the position of Indian agents. It has been my experience that the Indian agents of Ontario need encouragement more than anything else I can think of at the moment, even more than they need direction. Their morale is, at times, very low. They are subjected to a great deal of criticism, their actions are frequently misunderstood. Many of them serve in isolated districts; they have poor social advantages; such being the case agents should be called together at least once annually to discuss problems of Indian administration with senior departmental officials. Such discussions, I am convinced, would substantially reduce the volume of correspondence between the field and head office, and what is even of greater importance, would bring about a better relationship between the agent in the field and the officials at head office.

I believe the time has come when we should have fully qualified female social service workers, working under the immediate direction of the inspectors.

By Mr. Bryce:

Q. Would you suggest that they be Indian girls?—A. If qualified, yes. The status would be immaterial, if the qualifications existed.

Mr. MacNicol: I have two questions to ask the witness.

The Chairman: Is that the end of your material, Mr. Arneil?

The Witness: Yes.

The Chairman: The members of the committee are invited to ask any questions.

By Mr. MacNicol:

Q. My first question is: In the first place, you spoke about qualifications required of the Indian agents. How are Indian agents chosen and how are they appointed, and by whom?—A. They are appointed by the Civil Service Commission. When a vacancy occurs, generally speaking, a competition is held. An advertisement appears in the area around the reserve.

Q. I beg your pardon?—A. An advertisement appears in the post offices in the vicinity of the reserve. Applications are considered; a board consisting usually of the inspector, a Civil Service Commission representative and a representative of the Canadian Legion interviews those people and submits a recommendation to the Civil Service Commission.

Q. But there is no Indian on the board to ask questions?—A. No.

Q. Another question you suggested, something that has not been carried out regularly: I understood you to say that the Indian agents are not called in once a year to meet in convention. Why?—A. I would say because of pressure of work on both head office and field officials. I held one provincial conference in Ontario, I think, three years ago; but I have not been able to call one since, due to pressure of work.

Q. All the big business firms feel it to be imperative to call in their salesmen. —A. Yes, but they slowed it down during the war.

By Mr. Raymond:

Q. You stated that in your opinion the Indian agent could cure four-fifths of the problems?—A. Yes.

Q. He is an important man—A. Yes.

Q. Does he receive sufficient pay for his work?—A. It is my opinion that he does not receive sufficient pay for his work.

By Mr. MacNicol:

Q. What is the average salary paid to Indian agents?—A. Indian agents are in grades; the salary runs from somewhere around $1,000 to a maximum of grade five, about $2,580, with house, fuel and light, or a sum of money in lieu of that.

Q. And a car?—A. We have some agency cars, yes; transportation is provided.

By Mr. Lickers:

Q. Do you not think that it would be a good idea to bring in the chief of the band or council to sit on the committee which appoints the Indian agent, and thereby to give the Indians some "say so" on the question of who is going to be their Indian agent?—A. It is my opinion that Indian agents should be appointed by promotion from within the staff. It takes five or six years to make a plumber, three or four years to make a lawyer, and seven or eight years to make a doctor.

The CHAIRMAN: And sometimes it takes longer than that.

The WITNESS: I do not think it is conducive to good administration to keep bringing in Indian agents from outside. As I indicated this morning, I think that through the medium of farming instructors it would be an ideal way to promote them to become Indian agents.

By Mr. Lickers:

Q. Would there not be more confidence placed in the Indian agents if the Indians themselves had some "say so" as to who was going to govern them?—A. There might be something in that. I would rather promote a man to be an agent from within the service, be he a school teacher or a competent clerk, who had also demonstrated that he could get the confidence of the Indians.

By Mr. MacNicol:

Q. Should you not have a man in training in order to relieve those who become sick or who pass out?—A. I mentioned in these recommendations the employment of an agent at large. It would be a most desirable thing to have sufficient staff, to train them here, and have sufficient to send out. We definitely have not the means to do so now.

The CHAIRMAN: This witness is an employee, I believe.

Mr. MACNICOL: Yes. Anyway, what you have given to the committee, Mr. Arneil, will be very helpful to us later, when we come to sum up.

By Mr. Bryce:

Q. Would you say that some of the grievances of the Indians today, the general petty grievances, are caused by the fact that the Indian agents have not been appointed from among proper men to hold the position; or would you blame it on the "red tape" that exists in the department today, depriving men who should be in authority from exercising that authority?—A. I would say that those grievances occur largely through lack of proper supervision and lack of understanding.

The CHAIRMAN: Are there any further questions?

By Mr. Raymond:

Q. Have you any agent in Ontario who works only part-time?—A. Yes.

The CHAIRMAN: Are there any further questons? If there are no further questions, it is now nearly six o'clock.

Mr. BRYCE: I should like, on behalf of this committee, to thank Mr. Arneil for the patience he has shown with us. You can get under a person's skin when you ask him questions, but I do appreciate the way Mr. Arneil answered all the questions today.

The CHAIRMAN: I think that Mr. Bryce has expressed the opinion of the members of the committee and I would thank Mr. Arneil for having come here today and having given us such a fine presentation. We understand Indian Affairs with respect to the province of Ontario far better, after having heard from him.

The WITNESS: May I thank you, sir, and your committee for your courtesy and helpfulness during the time I was a witness.

Mr. MACNICOL: I would like to apologize for not being here this morning.

Mr. RAYMOND: And may I apologize as well, because I was not here either.

The CHAIRMAN: We know that both you members are keenly interested in the work of this committee and we accept your apology for not being here this morning, but we hope you will not be absent again. We hope to meet on Thursday at 11.00 o'clock, but we do not know just where. There will be a meeting of the sub-committee on Procedure and agenda tonight at 9.00 o'clock.

The committee adjourned at 6.00 o'clock p.m. to meet again on Thursday, June 27, at 11.00 o'clock a.m.

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 9

THURSDAY, JUNE 27, 1946

WITNESSES:

Chief Andrew Paull, Vancouver, B.C., President, North American Indian Brotherhood;

Chief Thomas Jones (Cape Croker), Wiarton, Ont., Treasurer, North American Indian Brotherhood;

Rev. P. R. Kelly, Vancouver, B.C., Chairman, Legislative Committee, Native Brotherhood of British Columbia.

OTTAWA
EDMOND CLOUTIER
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1946

67488—1

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

THURSDAY, 27th June, 1946.

The Special Joint Committee of the Senate and 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 11.00 o'clock a.m. The Joint Chairman: The Honourable Senator J. F. Johnston and Mr. D. F. Brown, M.P., presided.

Present:

The Senate: The Honourable Senators Blais, Horner, Johnston, MacLennan, Paterson and Taylor..6

The House of Commons: The Honourable Mr. Stirling and Messrs. Blackmore, Brown, Bryce, Case, Castleden, Charlton, Farquhar, Gariepy, Harkness, MacNicol, MacLean, Matthews (*Brandon*), Raymond (*Wright*), Reid, and Stanfield..16

In attendance:

(Department of Mines and Resources) Messrs. W. J. Ford Pratt; R. A. Hoey, Director, Indian Affairs Branch; Eric Acland, Executive Assistant to Director;

(North American Indian Brotherhood) A large delegation, many of whom wore native costume, headed by the President of the Brotherhood, Chief Andrew Paull; members of the Executive of the Brotherhood;

(Native Brotherhood of British Columbia) Reverend P. R. Kelly, Vancouver, Chairman, Legislative Committee.

Also, Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

On behalf of the subcommittee on agenda and procedure, Mr. Harkness presented the fourth report of the subcommittee.

On motion of Mr. Harkness, it was

Resolved: That the fourth report of the subcommittee on agenda and procedure be adopted. (For text of report, see page 415 of Minutes of Evidence).

The Chairman made a statement which is explanatory of the appearance to-day of the delegation from the North American Brotherhood, as a courtesy and in breach of the settled procedure of the Committee: not to hear representations from any organization until after the completion of the hearing and examination of all government agencies concerned with Indian Affairs.

67488—1½

Mr. Andrew Paull, President, North American Indian Brotherhood, was called and made a statement.

Mr. Lickers read a statement, on behalf of the Brotherhood, the text of which is reported verbatim in the Minutes of Evidence, at page 428.

The Committee adjourned at 1.00 o'clock p.m., to meet again at 4.00 p.m.

AFTERNOON SESSION

The Committee resumed at 4.00 o'clock p.m., The Joint Chairmen presided.
Present:

The Senate: The Honourable Senators Blais, Horner, Johnston, Macdonald (*Cardigan*), Paterson and Taylor..6

The House of Commons: Messrs. Blackmore, Brown, Bryce, Case, Castleden, Charlton, Farquhar, Gariepy, Harkness, MacNicol, MacLean, Raymond (*Wright*), Reid and Stanfield..14

In attendance: Same as noted above,

Also, Mr. Norman E. Lickers.

Chief Thomas Jones, Wiarton, Ontario, (Cape Croker), Treasurer, North American Indian Brotherhood, was called, made a statement, and was questioned thereon by the Committee and by Mr. Lickers. After receiving the thanks of the Committee for his "sincere" statement, Chief Jones withdrew.

By consent of the Committee, and with the concurrence of and by request of Chief Andrew Paull, the Reverend P. R. Kelly, Vancouver, B.C., Chairman, Legislative Committee, Native Brotherhood of British Columbia, was permitted to use a portion of the time which the Committee had previously allotted to Chief Paull.

The Rev. Mr. Kelly made a statement, was questioned by the Committee and by Mr. Lickers.

The Chairman thanked Mr. Kelly, gave him a definite assurance that at a later date the Brotherhood he represents would be given a full opportunity to make a complete statement to the Committee and promised that the subcommittee on procedure would consider his request that the Native Brotherhood of B.C. would be permitted to retain counsel to present their case with regard to taxation of B.C. Indians.

Chief Andrew Paull was re-called, continued his statement and submitted to questioning by the Committee.

The Chairman thanked Chief Paull "for his evidence to-day" and asked him to take back to all the members of the N.A.I.B., "warmest greetings", and the assurance that at a later date that Brotherhood would be permitted to make particularized representations.

The Committee adjourned at 6.15 o'clock p.m., to meet again at the Call of the Chair.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

HOUSE OF COMMONS,
June 27, 1946.

The Special Joint Committee of the Senate and House of Commons appointed to examine and consider the Indian Act met at 11 o'clock a.m. this day. The Honourable Senator Johnston and Mr. D. F. Brown (Joint Chairmen), presided.

The CHAIRMAN: Gentlemen, we will come to order. I am going to ask Colonel Harkness to read the report of the subcommittee.

Mr. HARKNESS:

FOURTH REPORT OF SUBCOMMITTEE ON AGENDA AND PROCEDURE

THURSDAY, 27th June, 1946.

Your subcommittee has reconsidered the following notice of motion filed by Mr. Castleden, on 30th May last:—

Whereas the amendment of the Indian Act will establish, for years to come, the type of control which will determine the standards of life, training and, perhaps, the very existence of these subordinated human beings to whom democracy is denied in Canada, and

Whereas without democracy there can be no economic or social well-being and no pride or self-respect,

Therefore be it moved that this committee immediately invite the Canadian Indians to send at least five Indians to represent the following five parts of Canada: (1) British Columbia and Alberta; (2) Saskatchewan and Manitoba; (3) Ontario; (4) Quebec; and (5) the Maritime Provinces; to sit in on all the deliberations of this committee with watching briefs and to be available to be examined as witnesses under oath.

Your subcommittee would be prepared to recommend that the joint committee invite Canadian Indians to send at least five Indian representatives from the said five parts of Canada to sit in on all the deliberations of the committee, if some practical way could be found to select such delegates.

However, if the mover, Mr. Castleden, will indicate some feasible manner of choosing five Indian delegates from the said five parts of Canada, who will be satisfactory to all the particular Indian organizations and tribes in those five sections of Canada.

Your subcommittee is prepared to receive such a suggestion and to give it due consideration.

In the meantime, Mr. Castleden's notice remains tabled for further consideration.

All of which is respectfully submitted.

Mr. Chairman, I move the adoptation of this report.

The CHAIRMAN: It has been moved by Mr. Harkness, seconded by Mr. Bryce, that the report of the subcommittee be adopted.

Mr. CASTLEDEN: In speaking to this motion, I notice that the subcommittee suggests that I should indicate some feasible manner of choosing five Indian delegates from the five parts of Canada, delegates who would be satisfactory

to all the particular Indian organizations and tribes in those five sections of Canada. May I in the first place take advantage of this opportunity of making some suggestions to the committee. I believe we have here this morning representatives of the North American Indian Brotherhood which is an organization in itself probably the largest single organization of Indians in Canada. However, I am quite sure it is not the only one; therefore, I suggest that the North American Indian Brotherhood, Canadian Branch, be asked to name some delegates who will sit in as members of this committee; and I further suggest that other organizations in the various provinces be also invited to name delegates or representatives.

The CHAIRMAN: I understand, Mr. Castleden, this organization represents some of the Indians from each of the nine provinces, and the Yukon Territory. Is that not correct?

Mr. CASTLEDEN: Yes, but there are other organizations which are not represented on the Indian Brotherhood.

The CHAIRMAN: That is right.

Mr. CASTLEDEN: And who do not recognize the brotherhood.

The CHAIRMAN: Would you now care to name the five representatives for all of Canada to hold watching briefs before this committee on behalf of all the Indians of Canada?

Mr. CASTLEDEN: That is not the suggestion here, and I would not take that responsibility upon myself.

The CHAIRMAN: That is what we are talking about.

Mr. CASTLEDEN: I suggest this, that you ask this organization and other Indian organizations to name delegates to represent them before sittings of this committee, and, that after we receive these names, that this committee review the submissions and make a selection. I believe the matter has already been dealt with by the Brotherhood, and I understand they have a suggestion to make on it.

The CHAIRMAN: Do you suggest that the representatives named by the North American Indian Brotherhood should represent all the Indians in their respective territories?

Mr. CASTLEDEN: I suggest that there are other organizations which also should be invited to name delegates, and that from those named by the North American Indian Brotherhood and the other organizations, this committee select five to hold watching briefs.

The CHAIRMAN: Do I understand that this is what you mean?

Mr. REID: On a point of order, Mr. Chairman, we might as well get this committee on an even keel. The subcommittee has considered this matter and referred it to the main committee in the report which we have heard this morning. The report of the subcommittee has been placed before the main committee and now we are getting into an argument about the recommendation which was made, and I suggest we should avoid that, because this committee has to take the advice and views of its subcommittee.

The CHAIRMAN: And I asked Mr. Castleden, on the motion to adopt this report, if he would now care to name the five as set forth in the report of the subcommittee, and I have as yet not received an answer.

Mr. CASTLEDEN: Your report states, if I will indicate some feasible manner of choosing five Indian delegates from the said parts of Canada who would be satisfactory to all other particular organizations and tribes in those five sections of Canada; that if I would do that the committee would be prepared to receive such a suggestion and act on its recommendation.

Mr. BLACKMORE: I would ask the committee to note the report of the subcommittee which reads as follows:—

> However, if the mover Mr. Castleden, will indicate some feasible manner of choosing five Indian delegates from the said five parts of Canada, who will be satisfactory to all the particular Indian organizations and tribes in those five sections of Canada.
>
> Your subcommittee is prepared to receive such a suggestion and to give it due consideration.

The committee did not recommend that this suggestion be made to this committee. If we don't watch our step we will be spending the whole of our two hours here wrangling over this point.

The CHAIRMAN: Now, to terminate the matter, we will take cognizance of Mr. Castleden's suggestion and consider it at a later date in subcommittee.

Mr. CASTLEDEN: I will present those two things to the subcommittee.

The CHAIRMAN: You have heard the motion to adopt the report of the subcommittee. Those in favour?

Mr. MATTHEWS: I would suggest that any suggestion coming from Mr. Castleden in this regard be submitted in writing, otherwise there will be all manner of misunderstandings.

Mr. REID: And it should be submitted to the main committee for their final decision.

The CHAIRMAN: The final decision, of course, will be in this committee, not in the subcommittee. Now, you have heard the motion; what is your pleasure?

(Motion agreed to unanimously).

The CHAIRMAN: Gentlemen, to-day the committee is to hear two delegates from the North American Indian Brotherhood present what their organization considers should be a general policy with regard to Indian Affairs in Canada.

As the committee is aware, this is a breach of the settled program of the committee, which is to get on our record the complete departmental case, before any other representatives are asked to make submissions to the committee.

Some time ago, however, the North American Indian Brotherhood planned to hold a conference in Ottawa, which opened on June 24th.

The committee, therefore, felt that as a courtesy to the delegates to that conference, who are in Ottawa at their own expense, it was prepared, as an exception, to have two delegates, chosen at the N.A.I.B. conference, appear before the committee to make, as their president suggested, a submission which must be general in terms.

We are aware that there are in Canada Indian organizations for whom the delegates we hear to-day have no authority to speak.

At a later stage in its settled procedure, the committee will afford a full opportunity to all organizations interested in Canadian Indians and their welfare, to make representations to the committee at a date and place which will be notified in good time to all concerned.

Perhaps it is opportune to remind all who are interested in the proceedings of this committee that in the person of our counsel and liaison officer, Mr. Norman E. Lickers, of Brantford, an Indian member of the Ontario Bar, the Canadian Indians have as their daily advocate one of their very own. Mr. Lickers attends all meetings of the committee, questions witnesses, and is present at meetings of the subcommittee on agenda and procedure. So it can truthfully be said the Canadian Indian is constantly represented before the committee.

Permit me, in conclusion, to assure all Canadian Indians and everyone interested in their welfare that this committee is doing and will do all in its power to ensure that the forthcoming revision of the Indian Act will, in every sense, be the Magna Carta of Canadian Indians.

Senator Johnston, would you like to say something?

Hon. Mr. JOHNSTON: Honourable members of the committee, ladies and gentlemen: we have ladies in the camp to-day. I just wish to say, as chairman of the Senate branch of this joint committee, that we welcome to this committee the visitors from the different parts of Canada belonging to the organization which is appearing here; and more particularly, I might say, to those of the Indian tribes who are here from the United States. Their wonderful regalia is something for the eye to dwell upon.

In connection with the matters dealt with by my colleague, Mr. Brown, I subscribe to everything that he has said; our hearing of this organization which is here to-day is not a matter of distinction for that branch of the Indian tribes in Canada, but rather the opportunity of appearing is accorded them simply because they are having a convention in this city at this time. The committee thought it well to get all the reports from the different branches of the Indian Affairs section of the government on the record before hearing delegations, and that is a decision which the committee took some time ago. This organization, as I just said, is received here simply because it is holding a convention in Ottawa at this time. Every opportunity will be given to all other Indian organizations from one end of Canada to the other before the work of this committee is completed.

Thank you.

The CHAIRMAN: Ladies and gentlemen, on behalf of the House of Commons section of this committee, I want to extend a very warm welcome. We are very happy to have before this committee all people throughout the Dominion of Canada, and to assure them that so far as this committee is concerned (and I am sure I speak for all members of the committee) we are making an attempt to revise the Indian Act, and to that end we are prepared to hear all Indian organizations and all other organizations who have any interest in this matter, either here in Ottawa, or (it will be considered at a later date) we will go to you, to any Indian who is not in a position to come to this committee. I want to extend to you a very warm welcome on behalf of this committee and to assure you that it is our intention to do everything that is humanly possible for the benefit of living conditions, of social conditions of all Indians throughout Canada.

And now, gentlemen, this committee as you know has met to-day for the purpose of hearing representatives of the North American Indian Brotherhood. We have this Brotherhood or organization in convention here in the City of Ottawa at this time. Now, Mr. Paull, I believe you are the head of the organization; would you indicate to us who the two delegates are to be?

Chief ANDREW PAULL: Mr. Chairman, there will be myself and Chief Tom Jones.

The CHAIRMAN: Mr. Andrew Paull, of Vancouver, British Columbia, and Chief Tom Jones, of Cape Crocker, Ontario, will be the delegates who are to speak to us to-day.

Mr. MACNICOL: Chief Paull, where do you come from?

The CHAIRMAN: You are a chief, aren't you?

Chief PAULL: Yes. I live on the Indian reserve you gentlemen have been talking about, in North Vancouver, that is the one someone wanted expropriate.

Mr. MACNICOL: One other observation, Mr. Chairman; I notice you suggested, and quite rightly, that we hear just two delegates. But I have been wondering, since there is such a large delegation here, perhaps after these two

have exhausted all they can tell us and the committee has asked questions of them, perhaps there will be some of the other delegates here who are competent and capable to say something further to us on the matter.

The CHAIRMAN: That is something which is purely within the jurisdiction of this committee. The committee will later decide when we can hear other delegates and we will be only too happy to do so. I might remind members of the committee however that we have allotted two meetings to-day for the hearing of this delegation; from eleven o'clock this morning until one p.m. and from four o'clock until six this afternoon.

Gentlemen, is it now your pleasure to call upon the delegates from this organization?

Some Hon. MEMBERS: Agreed.

Mr. MACNICOL: I would suggest that they might continue their presentation without interruption.

The CHAIRMAN: Yes. It is the practice of this committee that when a brief or presentation is being made by a delegate that the speaker shall be permitted to complete his statement before any questions are asked. By the way, how are we to determine how long each delegate shall have?

Mr. MACNICOL: I would let them go ahead for a while.

The CHAIRMAN: Shall we hear both delegates before we have any questions?

Some Hon. MEMBERS: Agreed.

Mr. BLACKMORE: Would it not be wise to question each delegate?

The CHAIRMAN: Then we might not hear the second delegate.

Mr. CASE: I wonder if it would be in order for me to say who Chief Tom Jones is? I might say that Chief Tom Jones is Chief of the Cape Crocker Reserve, and that he has just recently been re-elected for another three year term having completed two three year terms as Chief of his band. I know him very well and I recommend him to the committee.

The CHAIRMAN: Is it your pleasure, gentlemen, to hear both delegates before any questions are asked?

Some Hon. MEMBERS: Agreed.

The CHAIRMAN: Then will you proceed, please, Chief Paull?

Chief Andrew Paull, called:

The WITNESS: Honourable Mr. Chairman, Honorary Chief (Mr. J. R. MacNicol, M.P.), Honourable Members of Parliament; I stand before you this morning not as a suppliant. I stand here before you representing somebody your equal. And now, let us get that understood before we go any further.

Now, I invite interruptions, cross-examinations, anything like that, as I go on.

We sent out invitations to the Indians of Canada to come to Ottawa at this time, and your committee as the result of a series of misunderstandings sent telegrams to tell Indians not to come.* That is why there are not so many of us here to-day. And now, I wanted the Reverend P. R. Kelly to be here with me. You sent him a telegram not to come. Well, I sent him a telegram for him to be here. Now, he is here.

Now, gentlemen, we have spent a lot of time and through the assistance of honourable members of parliament in the House to bring this committee into being; and it is because of my efforts and the efforts of those who are associated with me that you now exist as a committee. (?) But this is not the kind of

* Supra at pages 451-2.

committee that we asked for. Now, while we are prepared to speak to you and present our grievances to you I want this to go on the record; we asked for a Royal Commission to investigate "you" and "me".

Mr. RAYMOND: Mr. Chairman, may I suggest, I understand that we have been called here to consider certain matters that are in our terms of reference; may I suggest that you ask Mr. Paull to confine his remarks to the matters before the committee?

The CHAIRMAN: I would ask you, Mr. Paull, as you proceed, kindly to keep to the terms of our reference, which are the only matters within our power to consider. Would you rather sit down Mr. Paull?

The WITNESS: I would like to go on record before we go any further, I would like you to know that I want to speak my mind, and not for you to tell me what to say; is that agreeable.

The CHAIRMAN: On behalf of the committee, may I say this.

The WITNESS: That is why I am here.

The CHAIRMAN: On behalf of the committee may I say that it is our utmost desire that all Indians from all over Canada, and every other organization, shall have every opportunity of presenting their views on any of these matters that they wish to present before this committee.

The WITNESS: And I might as well warn you that I am going to say a few disagreeable things, so you might as well be prepared.

The CHAIRMAN: I am sure that you want to be quite polite in your presentation.

The WITNESS: I will do it in as systematic way as possible. As I was saying, we asked for a Royal Commission to investigate "you" and to investigate "me". And now, I wish this to be on the record; that this Royal Commission was asked for and recommended by the churches, by the attorneys general, men of learning; and was asked for by members of this committee also; to investigate *you* and to investigate *me*. And now, the parliament of Canada in its wisdom and in its judgment, and usurping the authority which it has, decided not to have a Royal Commission but to appoint a committee to investigate itself. Now, put that on the record will you, please?

Now, you are sitting here as a committee investigating yourselves. We have another complaint against you which is that you have appointed a committee, an august committee, a committee which we respect, but you have no Indians on your committee. We asked for a Royal Commission and that Indians be appointed to that Royal Commission. All right, if that is on the record we will pass that up. I just want you to know that you are a committee here to investigate yourselves.

Hon. Mr. MACLELLAN: With respect to that point, do you mind if I ask you this?

The CHAIRMAN: There will be no interruptions, please.

The WITNESS: From that we will go on to another subject: is the Indian a British subject, or is he a ward of the government? That is a subject I should like you to determine in your mind now; is the Indian a British subject or is he a ward of the government. We have had court decisions to this effect, that the Indian is a British subject. And we have had court decisions that the Indian is a ward. And now, through legislative determination—whatever you wish to call it, can you split the personality of a human being in this country, whether he is an Indian, a white man, or whatever he is? Now, who is able to do that? You have done it. The minister just says that the Indian is a British subject, and the courts say that the Indian is a ward of the government. Is the Indian a super human being that he can be two kinds of people? That is something this committee will have to determine and settle before they

make a decision. Now, I did not come here prepared with a lot of decisions or anything like that. I haven't got anything of that kind with me, but if you want us to support it we will be glad to supply you with that at some other time.

An invitation has been extended to me to speak on generalities. Now, by the decision of the Deputy Minister of Justice, the Indian was asked to pay income tax because, in the opinion of the Deputy Minister of Justice, the Indian is a British subject. And now, I would like to put into the mind of every member of this committee, this question; how would you like to be taxed just on the opinion of a civil servant? We say that an Indian can only be taxed by an act of Parliament, because under section 91 of the British North America Act the Parliament of Canada has the charge and the management of lands reserved for Indians; and until you have sufficient intestinal fortitude to pass an Act in the House of Commons to tax Indians, then it is ultra vires of the British North America Act to impose income tax on Indians. I do not think it is necessary for me to repeat that. The Parliament of Canada was entrusted with the charge and management of Indians. Now, a delegate cannot entrust his duty to another delegate, as those of you on this committee who are members of the bar know. That is a truism; a delegate cannot transfer his responsibilities to another delegate. And now, I will leave this matter of taxation for further discussion at a later time; but, as I say, it all turns on the point of whether the Indian is a British subject or a ward of the government. I have the greatest respect for the intelligence of the members of this committee, and I am confident that they know all the details of the Indian Act and everything connected with it. I presume you know what the Indian Act is. The Indian Act is an imposition, the carrying out of the most bureaucratic and autocratic system that was ever imposed upon any people in this world of ours. That is what that Indian Act is. And now, perhaps some of you have heard about William of Orange. The system that is in vogue as administered by some of Our Indian agents is something worse than the system that was instituted by William of Orange in Ireland. Now, William of Orange ground the Irish people beneath his heel to such an extent that the Irish people could not express themselves; and yet when they left Ireland and came to Canada or the United States they became judges, jurists, members of parliament, senators, members of congress, and even policemen. Yet in their own country they could not even be policemen. Now, that is the system that is now carried on under the administration as it is carried out under the Indian Act. May I say that since Mr. Hoey took over the administration of Indian affairs there has been a remarkable change. I would like to say at this time that I wish to compliment him on the manner in which he has conducted Indian affairs. I should also like to extend some measures of congratulation to Major MacKay (Commissioner for Indian Affairs in British Columbia); and I would like to take off my hat, my feathered hat if I had one, to the Hon. J. Allison Glen (Minister of Mines and Resources) for bringing this committee into being. He has had the courage to struggle with this situation and to bring this investigation into being, and all Indians in Canada take their hats off, or their feathered bonnets, to Mr. Glen.

Now, this committee will have to decide whether the Indian is a British subject or a ward of the government before it can successfully deal with its duties.

The next point I would like to deal with is the matter of treaties. We charge you, representing the government of Canada, with having violated and having abrogated the treaties which were made. That is a crime which you have committed to the detriment and to the suffering of the Indians. There was a time when King George III made a proclamation, and because of that proclamation treaties were made under that command by representatives of

the government of Canada and the Indians. I have read in the evidence of Mr. T. R. L. MacInnes (Secretary, Indian Affairs Branch) that the Indian had nothing to give when he signed the treaty because he had not colonized the country. Now, we can give you plenty of decisions to contradict that argument, but we know that you are men of learning and I do not think it will be necessary to do that. That is why I did not bring the books here; but we can give you decisions to contradict the statements made by Mr. MacInnes. Take the Northwest Angle Treaty as an illustration. The government of Canada made a treaty with the sovereign power of the country governing certain areas around Kenora. Certain conditions entered into by that treaty, and one of the conditions of that treaty was that the Indians would be permitted to pursue their avocation of hunting, trapping and fishing in the surrendered territories. Of course, the little reserves that were set aside for our benefit are a different matter.

Why does someone make a treaty with somebody? You have to be equal to somebody before you can make a treaty with somebody. We say to you now that those Indians at that time were your equal when they made the treaty. Now, maybe that is something you hate to swallow, but if you are just to the work which is entrusted to you you must admit it; that is intended for every member of this committee. Now, those treaties say that the Indian will be permitted to pursue his avocation of hunting, trapping and fishing in the surrendered territories. To speak briefly, a lot of treaties were made. The white men of that time were scared of these Indians because of the fact that the Indians were a sovereign power in that particular district. Now, I wish I could say this, but I must not rely on my powers of speech to put this in your mind—I would ask you to disregard my inability to speak and my lack of command of the English language—but I want to ask you whether at the time the treaties were made the white man was the equal of the Indian? It is impossible for me to find any other words to convince you. I do not think I should have to go into dramatics to do it. I know that the chairman and Mr. MacNicol understand me. What we want to impress upon you is that when the treaties were made the Indian was the equal of the white man. That is what I am trying to say. Do you understand me, Chief (Mr. MacNicol)?

Today you say that the Indian has nothing; that he does not pay any taxes and you are going to kick him around. You made the treaty with us. You came here by peaceful means or by coercion or by penetration, something like that; you took our country and our wordly goods; and you are asking me who you are going to give it to. You gave it to your friends. You did not ask me if you were going to give it to your friends. Now, we made these treaties and we signed these treaties. Let us put this under one heading: say, for instance, a signed treaty, and we will use as an illustration Treaty No. 3 as our No. 1 Treaty. We see a treaty between two nations with sovereign powers. Perhaps you will disagree with me. Perhaps you will say I do not know what I am talking about, but I have lots of help behind me, lots of books, to convince you; but I am speaking only in general terms.

Now, Treaty No. 3 was a treaty between one sovereign power and another sovereign power. Then we will come to another kind of treaty: a treaty that was made with England and the Untied States and the Six Nations Indians. The terms and conditions of that treaty are international. Your authority over that treaty is subject to international terms. Please keep that in your mind. If you want any elaboration on that I will have some man come here and tell you about it. That is one kind of treaty which we have in Canada. The other kind of treaty that we have in Canada is this kind: when you white people were in Canada you made a treaty with the Indians who came into Canada for sanctuary.

In that case you were the hosts of Sitting Bull and his followers who came to Canada for sanctuary. Therefore, they were your guests. I charge you with usurping and disgracing the dignity of a host with your guests.

Now, let us go to another kind of treaty, the unwritten treaty, and I will use an illustration: the time that the white men came up the Fraser River in the constituency of Tom Reid, M.P. I hope I can call him my friend yet. I am going to talk to him about sockeye salmon later on. Maybe we are not friends unless he gets me some sockeye.

Mr. REID: We are friends all right.

The WITNESS: Now, friends, I hope you will not think I am a fool or something like that, but I am trying to illustrate to you the magnitude of the work that is in your hands. At this time we are going to talk about the unwritten treaty. The white men came up the Fraser River as far as Yale where they were picking gold dust, and these professional prospectors said, "There must be some nuggets up there"; but Chief Spintlum and 4,000 Indians said, "You are not going up there." Well, they made an agreement to the effect that these white men could go up there on certain conditions which were dictated by Chief Spintlum; and if the Indian committed a crime no white man could take the Indian from his reserve and put him in the hands of the law without the consent of the Chief. The treaty was ratified. Maybe that is not the right word; I should like to find some other word, and if somebody can assist me please do so.

The CHAIRMAN: Adopted?

The WITNESS: But Queen Victoria sent the Marquis of Lorne to Chief Spintlum with a flag and a bible and a sword. Now, I am going to use the word "ratified". Queen Victoria sent a flag and a bible and a sword to ratify this early treaty—"ratify" may not be the word, so if you can find some other word to suit the situation better please put it in there because it is the only word I know.

Now, the other kind of treaty—and it is not a treaty—is peaceful encroachment. Your ancestors came here and you penetrated into the country, and you sent as your ambassadors people with the bible, with the Book. Now, I am a christian man and I have no kick against any religion, but that is the way you got in. We can show you court decisions to show you that in the peaceful encroachment you sent as your ambassadors the missionaries. I am not going any further in that regard; we can leave it at that. I am merely touching on the different ways in which you people came here.

Mr. MacInnes said that we had nothing to sign or surrender because we had not colonized the country. I hope Mr. MacInnes will not dispute the fact that the North American Indian was a paleolithic man, so how can a paleolithic man colonize a country?

Here is another point that I would like to impress upon you gentlemen: world history will show you that the eolithic man will exterminate the paleolithic man. That has happened time and again; and you are going to do it now. But you can stop that through recommendations which this committee can make. You will save these people from extermination. As I said the eolithic man has always exterminated the paleolithic man. So, save us from extermination; that is my plea today, and I am trying to indicate to you how you can do it.

If that is not plain, permit me to try to indicate to you how the eolithic man can exterminate the paleolithic man. The paleolithic man is one who makes his living by hunting and fishing. He has a wide area in which to perform his duties of hunting and trapping and fishing. The eolithic man goes to that country as an agrarian and he only needs a little piece of land. He grows his vegetables, and pretty soon some other agrarian man comes there and starts another farm, and in time the hunting and fishing man has to move out. That is the way in

which the hunting and trapping man has been exterminated by the agrarian man down through history. It was done in Tasmania and it was done in the maritime provinces; we do it here in Canada. Now, that is something you have to take into consideration before you go very much farther.

You made all these treaties—I think you made five kinds of treaties which I have mentioned—and these treaties were signed by representatives of the King of Canada and so on with the representatives of another sovereign power, the Indian. We wish to register our complaint in the mind of the chairman and members of the Senate and the House of Commons and we charge the government of Canada with having abrogated these treaties without telling us they were going to abrogate them. Please tell your Prime Minister that he has committed a crime in doing that. Treaties are abrogated when those who sign them go to war against each other. We did not go to war against you. Since we signed those treaties we have been fighting wars on your side, two wars, the war of 1914-18 and this last war.

I say to this government that they have exceeded the orbit of their authority when they transferred the natural resources of the province of Ontario to the government of Ontario, because in that conveyance they violated and they abrogated the terms and conditions of the treaties that were made with the Indians in the province of Ontario. Perhaps I should bring you one of these treaties. Perhaps my words will not convince you. Here is one of these documents with you representatives of former years, signed on parchment, signed at the command of the government, and it is a treaty you broke, and I charge you with having broken these treaties—you and all the members of your committee—and that includes you, John R. MacNicol, and you are an honorary chief.

I want you to—I cannot see very well, so I am going to ask Chief Tom Roy, if he would read that part of the treaty to which I have referred.

The CHAIRMAN: By the way, what is the date of that treaty?

Chief TOM ROY: October 3, 1873.

The CHAIRMAN: Gentlemen, you might consider taking a short rest at this stage; is that agreeable?

Some Hon. MEMBERS: Agreed.

The committee took a recess at 12.10 o'clock p.m.

The committee resumed at 12.15 o'clock p.m.

The CHAIRMAN: Before proceeding with the witness might I ask if in your opinion it would be in order for us to adjourn at 12.45 o'clock. The cameramen are waiting at the front and they would like to have some pictures of the Indian delegation and the members of the committee. Is that agreeable?

Some Hon. MEMBERS: Agreed.

The CHAIRMAN: Then when we resume at four o'clock this afternoon we will have Chief Tom Jones for a few minutes, then Chief Paull will resume the stand. Is that agreeable?

Some Hon. MEMBERS: Agreed.

The CHAIRMAN: Chief Paull, would you like to continue, please?

The WITNESS: Mr. Chairman, honourable members of the committee; at the time that we took our recess I had reached the point where I requested Chief Tom Roy to read one paragraph from this treaty of 1873. I would now like to ask Chief Tom Roy, of the Whitefish Bay Reserve if he will be good enough to do that for me.

Mr. CASE: What is the date of the treaty?

The CHAIRMAN: The third day of October, 1873.

Chief ROY: That is correct.

Mr. MACNICOL: Perhaps you could point it out to us on the map where that reserve is in the Northwest Angle there.

The CHAIRMAN: Unfortunately, Mr. MacNicol, we cannot put the map on record.

Mr. MACNICOL: You can see that there on the map where the northwest angle is marked.

The CHAIRMAN: Mr. MacNicol is indicating a point somewhere around Rainy River, proceeding northerly to a point in the Lake of the Woods, then northwest over to the Manitoba boundary, crossing the Manitoba boundary and going in a southerly direction to the international boundary.

Chief ROY: This is the paragraph in the treaty to which Chief Paull referred:—

> 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 through 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 operations by Her said Government of the Dominion of Canada, or by any of the subjects thereof duly authorized therefore by the said Government.

The WITNESS: And now, Mr. Chairman, and honourable members of the committee, what I want to say to you is this: that Her Majesty through her representatives made a treaty with these Indians and said this; you will surrender a territory over which you reign supreme, something about 55,000 square miles; in the surrendered territory you will continue to pursue your avocations of hunting, trapping and fishing. Now, that is what that treaty says. That is an original copy. That is what it says. And now, you, the government, has abrogated the terms of that treaty without giving the Indians notice that you were going to abrogate the terms of that treaty. Now that goes beyond the category of common decency. Look at your international law and see what it says about that. I do not need to tell you about that because you are learned in the law.

Mr. GARIEPY: What is the date of the abrogation referred to?

The CHAIRMAN: I think you had better leave your questions for now.

Mr. GARIEPY: It would be better now to have the story right.

The CHAIRMAN: Ask your question later, please.

The WITNESS: I will tell you what I mean by abrogation; this government transferred the natural resources of Ontario to the government of Ontario.

Mr. GARIEPY: When?

The CHAIRMAN: Please withhold questions, if you will.

The WITNESS: I think it was the year 1894.

Mr. LICKERS: Yes, it was April 16, 1894.

The WITNESS: At any rate the government of Canada transferred the natural resources in that area to the province of Ontario. And now, that is what I want to implant in your minds, if I can. Has that registered in your minds? And, included in that conveyance, you transferred the right of the Iidians to live and exist; you abrogated that treaty. That is one of the crimes with which I charge the government, your predecessors, with having committed; you broke the terms of the treaty without giving notice to the Indians that you were going to do it. What do we find now in the territories which were granted and

transferred for these Indians to hunt and fish in? We find tourists, people coming here from all parts of the country. They are now hunting and fishing in the territory where these Indians were supposed to hunt and fish by the terms of that treaty. Why are those white men there? Because they vote for you people, and you expect their vote. The Indian is of no consequence. And so irrespective of his nationality, you have given him what the Indian owns, you have taken the food from the mouths of these Indians and you have put it into the mouths of these people who are going to vote for you.

Now, there are the words there. Just look what you have done. *Res ipsa loquitur*. Before that, what happened? The white man came over to this country here and signed a treaty. The white man came here originally—will you permit me to ask you to carry your mind away back, if you can, to the time the white man first came to this country. I will take you to a certain place, an Indian settlement. The Indian welcomed him. The Indian said, "You have to live, come over here and join us. I will help you build your house. There is lots of land here for you and I." When the white man was hungry, the Indian brought him food; he brought over deer, he brought over fish, he brought over moose—we have a bit of poetry here: "Death to the dove is the eagle's love and Sharp is the kiss of the falcon's beak." That is what happened, that is why we are here now. It is your duty to fix that up, to adjust these matters.

Now, I think I have travelled far enough on matters of treaties. Now I will come perhaps to the matter of Indian administration; that is part of your reference, is it not?

The CHAIRMAN: That is right.

The WITNESS: We condemn as a piece of useless legislation whatever you white people call it, that department of your government which is called Department of Indian Affairs. And now, I commend most highly what Mr. Hoey has done, and what Mr. Quinn has done; but when you go out into the field and you have a white man that is called an agent—now, there are some Indian agents who are very good, but it is the opinion of the Indians of Canada that some of your Indian agents have no soul that they can curse. They have not even got a body that they can catch. That is the kind of man you have got out there trying to administer your wishes.

Now, I was supposed to speak in generalities. The parliament of Canada voted large sums of money for Indians. It starts out like a nice beautiful river; at its mouth it is a great big river, but by the time you follow this money upstream, the money which you gentlemen vote for the Indian, by the time you travel up the river to the agency, to the headwaters so to speak, you can't even get your feet on a piece of wet sand because of your system of political preferment.

Now, excuse me for saying that, but you are here because of political preferment; but in duty to my people I must say that. You understand that, Mr. Chairman?

The CHAIRMAN: Quite.

One Hon. MEMBER: Do you include Mr. MacNicol in that?

The WITNESS: No, Chief (Mr. MacNicol) you are not in the government so you have nothing to say. You are lucky.

Now, friends—I think the highest compliment I can offer to members of the committee is to call them friends—we would like to change this kind of legislation; and I am here to say to you that the only way you can change it and put it in a good way is to let Indians administer Indians.

And now, permit me to give you an illustration. When the white people were in terror on the Pacific coast, when they were afraid that the Japs were going to invade British Columbia, they had every scow, every skiff, every boat

ready to take the white people off from Vancouver Island; and they had every road mined in case the Japs invaded Vancouver Island. Now, the white people were afraid, they were in absolute terror. There was a great big military camp at Nanaimo. Those soldiers were the soldiers who were going to defend that country, the western gateway to Canada. Now, who did they have as supreme commander of the soldiers over there when the white man was afraid of his life; who did they have ready to protect those lives? They had Brigadier Martin, an Indian. And when in a time of crisis and peril like that you can trust your life to an Indian, I submit that you can trust an Indian to be an agent, a superintendent or something like that.

I say to you, honourable Mr. Chairman, that we have Indians qualified to do some of the government work that you men are doing, and we present that case as an illustration, that when your life is in peril you rely on an Indian. And now, in the United States, every boy is told that he can become president of the United States the minute he goes to school. In Canada to-day there is no Indian who can become an agent or anything like that. And now, in this war and in the last war we had many Indians who took a very prominent part. They marched shoulder to shoulder with your men. We have Indians throughout Canada who have a greater degree of learning than the illiterate Indian agent who supervises and administers your laws over those Indians. That thing must be stopped. We can quote you cases, and we can mention personalities, but we are not going to disturb the mentality of this committee with that. I am going to speak to Mr. Hoey the head man of the Indian Department.

We want you to lift up the morale of the Indians in Canada. That is your first duty. There is no use in passing legislation about this or that if you do not lift up the morale of the people. The only way you can lift up the morale of any people is to let their members look after themselves and look after their people. Do you understand what I mean, Mr. Chairman?

The CHAIRMAN: Yes, quite clearly.

The WITNESS: I mean by that, you should put into the Civil Service Indians that are qualified to look after Indians, and you should fire some of those rotten Indian agents you have got now. If you accept my recommendations, there will be no more white Indian agents in Canada.

While I am on that subject, I would say to you, gentlemen, that we have considered this matter of administration, and that we are of the opinion that the Indians should be given self-government; by that we mean self-government under you; we do not mean a rebellion; do you understand me clearly on that? We mean that there should be an Indian council which would meet, and there would be no Indian agent there when the Indian council meets, and we believe there should be a provincial council, and that the provincial council should be responsible to a central board of governors in Ottawa who are not responsible to the government in power, but who are responsible to the parliament of Canada. In that way, it is our well considered opinion, you would eradicate a lot of the things that are going on now in the administration of Indian affairs. We say there ought to be a board in control of each conference, and that there should be Indians on that board in each province. The council in each tribe could make their representations to that board and that board could send their recommendations to the federal board in Ottawa, and there would be Indians on that board too. I am not looking for any of these jobs myself because I won't be here when you get these things through. I may be up enjoying my heavenly privileges.

The CHAIRMAN: Would you like to call it one o'clock now, Mr. Paull?

The WITNESS: I should like to take a rest although we still have 15 minutes to go; perhaps you are tired of listening to me?

The CHAIRMAN: Not at all.

The WITNESS: For the next 15 minutes I would like to ask your counsel and liaison officer to read this paper, then we will speak about it this afternoon.

The CHAIRMAN: Very well, is that agreed?

Mr. GARIEPY: We have read the paper.

Mr. BLACKMORE: I suggest we allow Mr. Paull to have his way.

The CHAIRMAN: It is wholly within the province of this committee, whether you allow Mr. Lickers to read this paper and put it on the record.

Mr. MACNICOL: It would take only five minutes to do so.

The CHAIRMAN: Very well. All those in favour? Contrary? Mr. Lickers, would you please read the statement.

Mr. LICKERS: This is a written recommendation in general terms. It reads as follows:

The secretary having read to the meeting the telegram from the clerk to the joint committee of the Senate and House of Commons on the Indian Act addressed to Mr. Paull inviting him to give evidence before the committee on the 27th of June, the meeting resolved:

That Mr. Paull attend on behalf of the North American Indian Brotherhood, and make a statement on their behalf upon their position under, and attitude towards the present Act, and its administration, dealing with the following subjects under the reference to the joint committee, and expressing the views of this meeting as contained in the following several paragraphs viz:—

(1) That the joint committee enquire into the Treaty Rights and the encroachments upon the rights and privileges of the several bands hereunder;

(2) That the powers of the Department of Indian Affairs in respect of the 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 and council, and the Indian Act be revised accordingly, and any right to appeal from the council's decision be referred to a board on which the Indians shall have representation;

(3) That by virtue of their treaty rights, Indians are not liable for payment of taxes either to the dominion or to the provincial governments;

(4) That by virtue of their treaty rights, Indians are not liable to any provincial laws within their territories respecting fishing, hunting and trapping, and, therefore, are not liable to take out licences from the provincial governments to fish, hunt and trap within their territories, or within any lands covered by their treaties;

(5) That the policy of enfranchisement of Indians involving loss of treaty rights be abolished;

(6) That all denominational schools within reservations be abolished and the education of Indians be committed to regional boards upon which Indians in the regional districts shall be represented by Indians;

(7) That Indians are not now prepared to discuss the question of the right to vote at Dominion elections, but that the question of the right of Indians to elect their own member to the House of Commons should be studied;

(8) That the interests of Indians demand that the administration of Indian affairs be decentralized and administered by provincial regional boards under a federal department or board responsible to parliament;

(9) That the administration of Indian affairs should be such that qualified Indians should be employed in all departments in the administration of Indian affairs;

(10) That local Indian councils be given full authority in the management of their local affairs;
(11) That in view of some tribes having the privilege of travelling on all railroads at half fare, that the Railway Act be amended to give that privilege to all Canadian Indians;
(12) That the band or tribe be given full authority to policing their own reserves;
(13) That no centralization scheme of any bands or tribes be carried out with the consent of the majority of the bands involved.

The CHAIRMAN: Thank you very much, Mr. Lickers. Now, gentlemen, it is just about a quarter to one. Would you care to call it one o'clock?

Mr. MACNICOL: I move, Mr. Chairman, that we call it one o'clock.

The CHAIRMAN: We shall re-convene at 4 o'clock when we will hear Chief Thomas Jones for a few minutes, and then continue with Mr. Paull.

Mr. MACNICOL: And ask questions?

The CHAIRMAN: Yes, you will have an opportunity to ask questions.

Mr. BLACKMORE: Chief Jones will be given a chance to complete his statement?

The CHAIRMAN: Chief Jones will go on at 4 o'clock but only for a few minutes. We shall adjourn now until 4 o'clock. I would ask you to meet at the front entrance because there is a picture to be taken.

—The committee adjourned at 12.40 o'clock p.m. to meet again at 4 o'clock p.m. today.

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

The CHAIRMAN: Shall we come to order? We are to hear first this afternoon, if it is your pleasure, Chief Jones, of the Cape Croker Reserve. Is it your wish to hear Chief Jones?

Some Hon. MEMBERS: Agreed.

By the Chairman:

Q. Chief, you are the chief of what band?—A. The Cape Croker Reserve, the Nawash band. We belong to the Ojibway tribe.

Q. You live in Ontario, somewhere in Bruce county, isn't it?—A. Yes.

Q. How long have you been chief?—A. I am starting my third term. I have just finished six years.

Q. You are now beginning your seventh year?—A. Yes.

The CHAIRMAN: Is there any question that any member of the committee would like to ask the chief as a preliminary? If not, would you like to proceed, Chief?

The WITNESS: If it is your wish, sir.

The CHAIRMAN: Yes, if you will, you may sit, or stand, as you wish.

Chief Tom Jones, Cape Croker Reserve, called:

The WITNESS: Mr. Chairman, Honourable Members of the House of Commons and the Senate: this is an honour to me, appearing before you this afternoon, and it is an honour which you have conferred upon all of my people across the Dominion of Canada. Never in the history of Canada have our people had such a privilege; and I take it as a personal honour to myself being asked to state in a brief way some of the facts which are foremost in my mind with regard to my people.

The first and most important thing which I have in mind is the educational policy of our people. I know that part of our life particularly well, having taught school for many years, and having myself attended and graduated from Albert College, and I know the hard times with which I had to contend under the management which is being imposed upon us by the Indian department.

In the first place, I regret to say that we are not given a free hand in our schools. I mean by that that we have no board of trustees. The Indian agent takes it upon himself to be our trustee. And I think that if you are going to have any new legislation you should keep that thought in mind; that we want state education, we want the control of our schools because the very existence of our children and our posterity depends on that. Out of the experience of the past we see the importance of education and we want to provide something better for the future. The only solution to our present problem, to my way of thinking, to help to raise our people up, is to provide state education; and let them have first class state education. It is only in that way that they can emerge into a better way of living. It is only through education that progress can be made, it points the way to happiness in life and through education one becomes a better citizen. That is the thing that I want first to stress this afternoon, the thing which is most important in our progress. We want the benefit of it in our homes and we feel that is the only way of achieving our primary objective, personal improvement, improvement of the home and getting the things that we want.

I want to be very brief in what I say, and I will leave most of the discussion to my president (Chief Andrew Paull), so I will pass on to the next subject which is one which concerns our reserve directly, and it concerns every reserve across the Dominion of Canada, that is with respect to our trust funds in the Indian department. Those trust funds were created because we ceded certain types of lands and as a consequence a certain capital amount was set up in trust with the department from which we get interest money. We used to get it every four months and now we only get it semi-annually. The position we take in my reserve, and I think I am right in saying this, is that the Department of Indian Affairs has no right to admit anyone to membership in our band and in that way make them eligible to participate in the distribution of the interest money. I say that for the reason that they are only the trustees of our funds, and if it were not for us and what we did those funds would not be in existence. In my experience in dealings all across Ontario, and particularly throughout the north, where there are people admitted into bands on the reserve taking part in the distribution of this money without either the knowledge or consent of the band in council. The Indian agent recommends and endorses the appointment, and the next time the pay list is made up new names appear on it and we are told that they have become members. Is it your wish that this sort of thing should exist in a country like ours? To illustrate my point, if you have a thousand dollars in trust funds, and you feel that each member of your family is entitled to benefit therefrom, would you be satisfied if I would come along and say I want a share of that; and the agent here comes along and says I will get it. You are ignored just in that way. What would you do? The first thing you would want to know probably would be how and by what right I established my claim to a share of the income on that thousand dollars. You should have the right to say who should be entitled to a share in the income from that fund, who should come in; and you are the one who should know. As I see it, in that particular matter at least we are not accorded British justice. I want to make that plain to you because as a member of the band and of my council I think we should be the ones who should say who should come in. There is too much high-handed dictatorial action taken with respect to saying who shall benefit from those funds. We are the ones who are appointed to look after the welfare of our people, but that is one instance in which our rights have been invaded.

However, I will not say any more on that because my president (Chief Paull) wants to talk more on that subject when he returns to the stand. He is going to tell you a little more about the Indian natives.

Speaking of Indian natives, I have no doubt but that Mr. Hoey, here on my right, will agree with me that these men represent authority and they represent the type of man they wish us to be, one who will lead us to higher steps, they are the ones who represent the talent that should be possessed by these civil servants; they represent the power of the government, the benefits that are being handed down to us. But let me draw your attention to this; too many of these agents haven't got the qualifications they should have. Let me tell you about one case of which I know personally through direct association. I know a man who is an Indian agent who has never gone beyond the third grade, and he is sitting there telling me what to do. Do you suppose I am going to go to him and ask him for guidance or direction, to a person who has not as much education as I have? And that is no personal reflection on my agent when I make that statement, there are different places where I go where that is the case. As I said before, we want men in charge who are fully qualified, who are able to lead me and my people, who are able to bring before the department the real things that exist on the Indian reserves.

That leads me another step. I want to devote a little more time, I think I have already mentioned this, to the matter of membership. The policy of the Indian department, the policy that has been handed out to us, is that as long as you have Indian blood in you, you are of equal status, you have the right to go into the band and enjoy all its privileges, and to enjoy the benefit of the interest money; but I say that policy does not apply all the way through. We have a case of two girls on the reserve, both of them married into the same reserve, and under the treaty one is enjoying the benefit of interest money while the other one was taken off the list. Is that fair? It is not fair. And that is the sort of thing one comes across in the conduct of Indian reserves.

In closing I want to say this; we are living to-day in a different age, we are living in an age where education is paramount, of outstanding importance for all of us; and we are living in a time of great upheaval in all parts of the world; and we are living with people who are better educated than we are. When I say "we" I am referring to my people. It is therefore for that reason that I made that the first, the most important step we wish to take up, education; to have it in our own hands so that we may enjoy much that we hope for. Another thing I wish to say is this; you must consider, as our president said this morning, the signatories of these treaties are the people who should be considered first and foremost. We find in practice favoritism being exercised by the local Indian agents, which is just another proof of the statement I made that it is not always the most able or the best qualified man who gets into office.

May I thank you for your attention. I hope, deep down in the bottom of my heart that in expressing myself in the humble way I have I have been able to give you something of our point of view, and that you will feel that we as a people are well worth while taking into your confidence and legislating for in such a way that there will be more of benefit to us from now on. And I hope I have left with you the impression that we are very, very serious.

I have also been asked on behalf of my people to express their thanks to Mr. Castleden for the resolution he introduced recommending that five Indian representatives be selected to hold watching briefs before this committee.

Gentlemen, I thank you.

The CHAIRMAN: Before you go, there are a few questions.

By Mr. MacNicol:

Q. I have three questions. My first is, you stated that you were in favour of state education. Is your present school under the Department of Education of Ontario, or of the Indian branch?—A. The Indian branch.

Q. My next question is; does not the Indian band in each case say who shall benefit from the trust funds?—A. No.

Q. That is very important. That is the answer to that. Who does have the say?—A. It is usually recommended by the Indian agent in some way and reported to the department who issue the order. The last time we had any say in the matter was after the last war when we admitted as band members certain of our tribe who had served overseas. That was the way we took of showing our gratitude for what they had done, that was the last time we exercised that right.

Q. And you would be in favour of the band making recommendations?—A. I am.

Q. And the last question I have is this, and I can hardly credit it; as I recall it, you stated that an Indian agent you knew had not passed the third grade yet he is dealing with matters of those who are much better educated than he is. Is that right?—A. That is right.

Mr. MacNicol: That is all, thank you very much.

By Mr. Harkness:

Q. I have only one question. You say that you want a state school. I take it from that you are against religious and denominational schools?—A. I did not say that.

Q. That is what I want to know; whether you are or not.

The Chairman: He said he favoured state education.

The Witness: By favouring a state school, does that mean in that case that you do not favour denominational schools?

Q. Does it mean that or not; I am asking the question. I did not understand exactly what you meant by that, that you were in favour of state schools, and I wanted to know whether by that you meant you did not favour the present church or denominational schools?—A. I do not mean that.

Q. By that then I take it that you are in favour of denominational schools being continued?—A. No, I am not.

Q. You are not?—A. No.

Hon. Mr. Taylor: Following up the question asked about education, in the brief submitted to-day, item 6 reads as follows:

> That all denominational schools within reservations be abolished and the education of Indians be committed to regional boards upon which Indians in the regional districts shall be represented by Indians.

The Chairman: Do you want a comment on that?

Hon. Mr. Taylor: Would you explain a little further with regard to item No. 6; that would be my question.

The Chairman: He is merely asking you if you want to express an opinion.

The Witness: No, I do not.

Hon. Mr. Blais: I would like to ask a question about reference No. 6.

The Chairman: He has said that he did not care to comment on that.

Chief Paull: I will deal with that, Mr. Chairman.

The Chairman: Right.

By Mr. Reid:

Q. I have one or two questions I would like to ask, also dealing with education. The witness made the statement that he wanted education in his own hands, and I wanted to know what he meant by that. My question regarding that is this; have you any objection to the curriculum, that is the type of education now being laid down? You mentioned that you wanted education turned over into your own hands. You say you have no school board. May I point out that in some of the provinces school boards have no say whatever in the kind of education which is taught, they merely administer the teachers salaries and the conduct of the school. My question to you is are you against the control of education by the various provinces? Do you want an educational system of your own when you make the statement you want education in your own hands?—A. I do not mean by that to step aside from the present public school curriculum.

Mr. PAULL: Well now—

The WITNESS: The question is put to me and I am answering.

The CHAIRMAN: That is right, you answer the question.

The WITNESS: That is not what I mean. I mean that we want the public school curriculum that your communities enjoy. That is what we want.

Mr. REID: That answers the question I had in mind and clarifies it very well.

The CHAIRMAN: Are there any further questions?

By Mr. Reid:

Q. My next question to the chief is this. He spoke of the department's right to admit any member of the band to participate in the trust funds. I was wondering if the chief would take a minute and tell the committee—at least, I should like to know—what the attitude of the band is towards, shall I say, an Indian marrying outside of the band and taking his wife to the reserve, regarding her right to participate in the fund. You did speak about the participation of outsiders in this band fund. I am wondering as to your attitude, speaking on behalf of a group of Indians, as to what you have in mind on that matter?—A. What I have in mind is this. What I meant to say was this, that that capital in trust in the hands of the Indian Department is ours and we as Indian band members of the reservation constituted by the chief council and the members should be the ones that should be consulted as to who should be admitted into the band. That is what I meant. Does that answer you?

Q. Yes, that answers it very well. Just for my own information, you said that you used to get money every four months, that payments were made periodically every four months, and that was stopped. Can you tell the committee why that was stopped?—A. I guess maybe we had too much money to spend every four monthts. I have no other reason for that.

Q. You would advocate going back to the old system?—A. We had nothing to say as to when we should get it at all.

By Mr. Case:

Q. I want to pursue one point a little further. Chief Jones has said that he feels that members should not be admitted to the band except by vote of the council. I could make a personal reference here to something in the chief's family. I think I might do so with his permission. It is with respect to his own son. Would that be in order or would you prefer not?

The CHAIRMAN: We are dealing only with general issues now.

Mr. CASE: This illustrates the point very well.

The CHAIRMAN: Call him Mr. A.

By Mr. Case:

Q. The chief has an adopted son who has a very fine war record and has now returned to the reserve. Because of the Department of Indian Affairs he has not been admitted to the band. He would like to be admitted to the band. I wonder why the council of the reserve has not more to say in that regard. I think Chief Jones is seeking the right for the band to admit Indians to the band to share in the trust funds. Is that right?—A. That is correct.

The CHAIRMAN: Any further questions? Mr. Charlton? Mr. Blackmore?

Mr. BLACKMORE: I have none just now.

By Mr. Raymond:

Q. Would you say what you think about residential schools?—A. Could I say?

Q. Yes.—A. The president does not wish me to say anything about that. The president of our brotherhood does not wish me to say anything about that.

By Mr. Gariepy:

Q. How many members of the band are there in the council?—A. How many councillors?

Q. In your council.—A. We have four and a secretary and myself.

Q. Has the council considered the presentation of these requests or recommendations?—A. Which are you referring to, this here?

Q. I am referring to this brief that was placed in our hands. I do not know what you would call it.—A. We have not had time to take them to the band yet. This just came out yesterday.

Q. Who prepared this summary or brief?

The CHAIRMAN: May I say that this is the North American Indian Brotherhood, an organization of Indians from different parts of Canada. They are not associated directly with bands, as I understand it. They are just individuals. Is that not correct?

The WITNESS: Yes.

The CHAIRMAN: The same as any other lodge or organization.

Mr. GARIEPY: From Canada?

The CHAIRMAN: Not necessarily from Canada.

By Mr. Gariepy:

Q. Are there many from the other side of the line in your association?—A. I did not just quite catch what you mean.

Q. I understand you have Americans and Canadians in this Indian organization?—A. We have.

Q. How many are there from the other side of the line?—A. Oh, there may be about ten.

Q. And on this side?

Mr. PAULL: Two from the other side of the line.

By the Chairman:

Q. How many altogether?—A. In the organization?

Q. Do you know how many?—A. We represent Indians across the Dominion of Canada which are, I think, about 128,000.

Q. Mr. Gariepy has asked if you know how many in your organization live in the United States?—A. Two is all I know of.

By Mr. Raymond:

Q. Two Indians?—A. Two members of the executive.

By the Chairman:

Q. But do you know how many members you have in your organization? —A. I said about ten.

By Mr. Gariepy:

Q. How long has the organization been alive? When was it founded?—A. That would be better answered by the president.

Q. Have you had a meeting recently?—A. We are in session now.

Q. Which started when?—A. Last Monday.

Q. And before last Monday we had a request to this committee. Did you have any knowledge of that request?—A. Did we have what?

Q. Knowledge. Was the request made through you or with your knowledge before Monday last?—A. We are notified by our president.

Q. Mr. Paull?—A. Yes, sir.

By Mr. Raymond:

Q. Whom are you representing at the present time?—A. Now, myself?

Q. Yes.—A. As an individual?

Q. Yes, your organization, the North American Brotherhood. What does the North American Indian Brotherhood represent at the present time, all Indians in Canada?—A. In our executive we have members from the maritimes to the Pacific.

The CHAIRMAN: As I say, they are an association the same as a lodge or association or service club or any other association which takes members from all over the country and the United States.

Mr. CASTLEDEN: They are voluntary members.

Mr. RAYMOND: How many members are there in that brotherhood?

By the Chairman:

Q. Do you know how many members there are in the association?—A. My secretary will know that.

Mr. PAULL: Put me on the stand. I will answer you.

Mr. RAYMOND: I should like to say that Mr. Paull seems to believe we are acting like enemies. I do not want him to feel that way. I was asking these questions for information, and I believe this gentleman should answer them.

The CHAIRMAN: I am sure he will understand that when he gets on the stand.

Mr. MACNICOL: I might say that Mr. Raymond has been most interested in this Indian Affairs committee.

Mr. HARKNESS: And most regular in his attendance.

By Mr. Farquhar:

Q. I was going to ask from which you receive the most benefits, the industrial or day schools?—A. The day schools.

Q. There has been some controversy about that. We would like to know. —A. It is the day schools, I would say.

Q. You receive much more benefit from the day schools than you do from the industrial schools?—A. Yes.

By Mr. Castleden:

Q. You spoke about being under Indian agents who had very little education. How many Indian agents do you know personally whom you would say had less than a grade VIII or public school education?—A. You just want the number?

Q. How many agents have you come in contact with roughly speaking whom you have found to have less than a public school education?—A. At least ten.

Q. You know of at least ten who have less than a grade VIII or public school education?—A. Yes.

By the Chairman:

Q. What salaries have these agents been drawing?—A. I think it starts from—I really do not know because we have no voice in that.

By Mr. Castleden:

Q. I want to know this. Suppose one of these agents makes a ruling with regard to your conduct or what is happening on your reserve and you may not like it. Have you any avenue through which you can protest or appeal his ruling?—A. In that vicinity?

Q. Yes. Suppose the Indians on a reserve have to take a ruling. The agent has said that this must be done and you say you do not like it. How can you appeal against his ruling and go to some other body?—A. We have no recourse.

Q. No recourse at all except when the inspector comes?—A. Yes.

Q. When he calls do you have an opportunity of speaking to him?—A. Sometimes. Since I have been a chief I think we had only one joint meeting with him.

Q. That is in three years?—A. He goes to the agents, but we would like to have him in the meeting to hear our deliberations, but it seems he has not got the time.

By Mr. Bryce:

Q. Once in how many years, seven years?—A. I am in my seventh year as chief.

Q. And you have only had one meeting with the Indian agent?—A. Yes.

Mr. CASTLEDEN: That is the Indian inspector.

The WITNESS: I am referring to the Indian inspector.

Mr. CASTLEDEN: In speaking of this matter of Indian representation or some Indians being appointed to represent...

Mr. BLACKMORE: Before Mr. Castleden proceeds to his next point does he mind if I ask a question?

Mr. CASTLEDEN: Agreed.

By Mr. Blackmore:

Q. Has the chief found that usually the inspector goes and sees the agent and gets the whole story from him and then after that has a rather deaf ear for the Indians?—A. It appears like that to me.

Q. It has always appeared that way to me, too.

By Mr. Castleden:

Q. You spoke about a request for Indian representation on this committee. Is your organization pretty well unanimous in its belief that the Indians should be invited to propose representatives to sit in on this committee with a watching brief?—A. Yes, it is.

Q. Would your organization be willing to cooperate with other Indian organizations in selecting such members to sit in on the committee, not necessarily to represent them but with watching briefs to watch the case of the Indian while we are dealing with it?—A. I think so.

By Hon. Mr. Johnston:

Q. In regard to schools do you wish to infer your schools do not come under provincial inspection?—A. As far as the inspector inspecting the public schools we have that is a regular public school inspector who calls on our schools.

Q. I do not think you left that impression when you first spoke. I wanted to know.

By Mr. Castleden:

Q. Do you receive a copy of his report?—A. No, we do not.

Q. Where does that go to?—A. The Indian department.

Q. Not even to the Indian agent?—A. Well, I think they do. I am not sure.

Q. Do you deal with these reports in your band meetings with the agent? —A. No, because we have no voice in the schools.

The CHAIRMAN: Mr. Lickers is our counsel. Is it your pleasure to ask any questions?

By Mr. Lickers:

Q. Mr. Jones, when you spoke of your intention to have a school board in connection with your reservation was that not with the idea that the whole reserve would know exactly the progress of their children?—A. That is it.

Q. In connection with the appointment of Indian agents your council also wants to have some say about that?—A. I think in that way we would be taking authority from some other branch. We would be taking authority away from the Civil Service Commission.

Q. Regardless of that you still would want some say, would you?—A. I think that would be asking too much.

By Mr. MacNicol:

Q. Would not be asking too much? I did not catch what you said.—A. That would be asking too much because I understand they are appointed by the Civil Service Commission. Therefore what voice have we got to say who should be appointed Indian agent and who should not be except by lodging a direct complaint on his conduct in the reserve?

By Mr. Lickers:

Q. I asked you would you, in your opinion, want the council to have some authority?—A. I would, yes.

By Mr. Reid:

Q. I wonder if I could ask another question? What is your opinion regarding a man who wishes to quit the band and draw his funds out? What is the viewpoint of your group?—A. I think that should not be the practice at all. It should not be allowed.

Q. There seems to be a conflict of opinion between that of the departmental heads and the opinion held generally by some tribes of Indians at least as to how far one should be recognized as eligible to be in a band. For instance, if an Indian marries outside of the band and brings a wife there and the children from that marriage grow up and they marry someone outside the band what is the viewpoint held by your band as to how far along the line you would recognize a person as belonging to the Indian band? We have the departmental view given to us, and I should like to know how far along that line you would recognize a person as having the right to be in the band?—A. I think I would say in the first place the father and mother should at least be Indians of some connection. There are cases where a woman marries a non-member. In that case he should be admitted because the mother is a member and their children will not be members.

By Mr. Case:

Q. I should like to pursue the matter of the trust fund a little further. Can a member of the band elect to take his money out of the trust fund?—A. Elect?

Q. Can he ask to withdraw his funds from the trust fund?—A. In some cases they do. In some cases they do not. In most cases those that have been taken out since the wholesale admission to membership have taken it out with some influence from outside and without the recommendation of the band and council.

Q. To whom does he ordinarily apply?—A. They apply to the Indian agent.

Q. Does the Indian agent make any recommendations to the council?—A. No, they do not.

Q. What would be the maximum amount he would receive if permitted to withdraw from the fund?—A. In our case some $800 up to $900, but a woman only is allowed ten years commutation on his interest money. That would amount to about $300.

Q. Are you saying that you feel he should not be allowed to withdraw this money because it might be lost to him later on, that he might not be qualified to handle it?—A. Well, that really depends on himself. Why I object is this. It gives the impression that they may come in and take it out at any time at their pleasure because it is our money, it is the band's fund. We should not be allowed to do that. That should not be practised. That is the way we feel.

Q. Does your band know the total amount of trust funds now in your reserve?—A. No. Very few of us know.

Q. Who does?

By the Chairman:

Q. Do you know, Chief Jones?—A. I do not even know, because these reports are not handed to us. The Indian agent may have them in his office. We never see them.

By Mr. Castleden:

Q. You may see them on request?—A. I beg your pardon?

Q. He will show them to you on request, I understand?—A. Yes, he will, if he has a copy.

Q. If you ask him, he will?—A. Yes.

Q. Have you ever been refused when you requested it?—A. Not me.

Q. No?—A. No.

By Mr. Reid:

Q. Have there been any instances where bands have been told that the fund has been depleted and they make application for help or relief? Do you

know of any instances where the bands have been told that the particular funds belonging to the tribe or band are non-existent, that there are no funds left?—A. By taking their capital out? Is that what you mean?

Q. Yes, after a certain number of years, having taken the capital out; do you know of any tribe or band that has been informed that there is nothing left to their credit?—A. I do not, no.

The CHAIRMAN: Now gentlemen, I think we should get along with the other witnesses, if it is your pleasure.

Some hon. MEMBERS: Agreed.

The CHAIRMAN: We will therefor dismiss the witness. I wish to thank you very much, Chief Jones, for appearing before this committee. Your sincerity, I think, is unquestioned. We appreciate it very much and we hope that, when the committee convenes again and your organization asks to be heard, you may come before us again and present your case in a manner you may see fit.

Do I understand, Mr. Paull, that Mr. Kelly of the Native Brotherhood of British Columbia wants to be given 5 minutes now? Did you have any undertaking with him?

Mr. PAULL: Yes. I crave your permission and the permission of the committee, Mr. Chairman, to allow the Reverend P. R. Kelly to be heard. I asked him to come here to-day. He is here. I have worked with that man for many years. I wish that he be heard now.

The CHAIRMAN: Very well. Is it therefore your wish, gentlemen, to hear Mr. Kelly?

Some hon. MEMBERS: Agreed.

The CHAIRMAN: Then Mr. Kelly, would you please come forward. Do I understand he is limited to time? How much would you say?

Mr. PAULL: Give him all the time he wants. I would like an hour.

Mr. MACNICOL: Ten minutes?

Mr. PAULL: I would like an hour myself.

Mr. HARKNESS: It is 10 minutes to 5 now.

Mr. BLACKMORE: Would it not be wise to let Mr. Paull determine how long Mr. Kelly should take?

The CHAIRMAN: He has already said he does not care.

Mr. BLACKMORE: I thought there was talk about 10 minutes.

Mr. HARKNESS: He said he wanted an hour. It is now 10 minutes to 5.

Mr. PAULL: I wish you would give the Rev. P. R. Kelly all the time he likes.

Reverend P. R. Kelly, Chairman, Legislative Committee, Native Brotherhood of British Columbia, called.

By the Chairman:

Q. Mr. Kelly, I believe you are connected with the Native Brotherhood of Indians of British Columbia?—A. Yes.

Q. What is your official position with them?—A. I am chairman of the legislative committee of the Native Brotherhood of British Columbia.

Q. Are you an Indian yourself?—A. Yes.

Q. And you live where?—A. At the present time I live at Ocean Falls.

Q. Are you a member of an Indian band?—A. Yes.

Q. Which band?—A. I am a member of the Skidegate band of Haida Indians.

Q. How do you spell that?—A. H-a-i-d-a.

Q. What is the name of the band?—A. Skidegate, Queen Charlotte Islands.

Q. And you are appearing on invitation of the North American Indian Brotherhood?

Mr. CASTLEDEN: No.

The WITNESS: I think that is a little involved, Mr. Chairman; that is not quite right.

The CHAIRMAN: Did you not invite him, Mr. Paull?

Mr. CASTLEDEN: I thought you said a member.

The CHAIRMAN: No. Invited here, on the invitation of. Are there any preliminary questions, gentlemen? If not, proceed. Would you like to say a few words, Mr. Kelly?

The WITNESS: Mr. Chairman, honourable members of the Senate and of the House of Commons, I appreciate this courtesy extended to me to speak to you during these brief minutes. I come before you not against your wishes; that is to say, I have received communications from the secretary of this committee informing our organization that it was not the desire of this committee to hear us at this time, but our committee took the ground that they would like to have certain matters clarified. Our people on the coast are largely engaged in the fishing industry. Fishing starts next Sunday evening. During that period of the next 3 months it will not be the best time for them to appear before your committee. Hence in our telegrams I said that what you very kindly said to us, with the very best of intentions, was not altogether definite enough for our purpose and it was unsatisfactory because you could not give any stated time. That is one thing I would like to bring before you. As far as the Native Brotherhood of British Columbia is concerned—and I might say that it is an incorporated body, probably the only incorporated body under the Societies Act existing in Canada—they want to be heard and heard very thoroughly when the time arrives. So I have been requested by them to come here and appear before you to suggest that some time after the end of September they be heard. That time would suit our people much better to appear before your committee. If that is not possible, then you would have to suggest to us an earlier date, so long as it is definite and we know when to appear before you. That is one thing they were very insistent upon, so that they will have in mind something very definite as the weeks and months slip by.

By Mr. MacNicol:

Q. Would the winter time be all right, may I ask?—A. Yes, the winter time would do.

Q. If we are in session then.—A. Any time after 1st October would do. That is to say, say from there until mid-winter.

Then the other matter I wish to bring before you is this. The Indian population of British Columbia is approximately 25,000. It is one-fifth of the Indian population of Canada. I think we are peculiar in some ways. East of the Rockies the Indians live on their farm lands, and on ranches, all the way to the maritimes, I believe. We, west of the Rockies, are different. In the interior there are some ranches, but not a great many of them. On the coast we are largely fishermen or engaged in industries adjacent to the fishing industry; fishing, logging and work of that kind that entails leaving the reserve homes. There are no industries of any kind on the reserves of British Columbia. I think I can truthfully say that. Because there are no industries on the reservations, the people have to go away from their homes to earn their living. I cannot think of one reserve where there is an industry of any kind existing.

By Hon. Mr. Horner:

Q. Might I ask this? On Vancouver Island are there not some sheep kept and is there not some knitting and manufacturing of sweaters done on the island? —A. Yes, if you call that an industry. It is carried on by the women of different bands, not centralized in any place at all. It is scattered over the coast of British Columbia.

By Mr. Reid:

Q. You would omit North Vancouver from that statement, would you not, Reverend Mr. Kelly?—A. I beg your pardon?

Q. Is the North Vancouver reservation not excepted from your statement?—A. There is nothing on the North Vancouver Indian reserve.

The CHAIRMAN: Now gentlemen, just a minute, please.

The WITNESS: I think Mr. Paull would back me up in that. The people from there going to work are longshoremen. They go to work in Vancouver and on the North Shore as well. But on the reserve itself, I do not think there is any such thing as an industry. Because of these things—these are just general statements—our people have to go away to earn a living and their earnings are subject to taxation, as you know. I have not the figures but on a guess I think we are probably the largest wage earners outside Indian reservations in any province in this dominion. I think I am safe in saying that. The reason I am bringing these facts out is this. It is no use repeating it here. I do not bring it up as an argument, but just as a statement. The Indian is a minor in the eyes of the law; as far as being heard is concerned, he is in a stage of nonage. But for purposes of raising revenue he is taxed. He is taxable. When it comes to the defence of his country his services, although he is looked upon as a minor, were accepted and were generously offered in this war as well as the war before. Yet he is denied any voice in the affairs of the land. Because of that, the Indians of British Columbia take the ground that they should not be subject to taxation. What I want to bring to your notice is this. We would request very respectfully that a counsel be appointed to represent the Native Brotherhood of British Columbia before this committee to argue out this matter of taxation. I know that is a large request, and the man who has to do that would have to be a competent man, a constitutional lawyer. We are not in a position to present an argument in the manner in which we would like to do it. So we must submit to you that request should be granted to the Native Brotherhood of British Columbia. This matter of taxation is not peculiar only to British Columbia; it is a dominion-wide question. I think the North American Brotherhood would agree with that, that it applies to them as much as it does to us. But I think it applies in greater measure to us. We feel it more keenly than they do.

The last thing I want to mention is this. A member very generously offered a motion, I think—I listened in and I do not know if I caught all that was meant —to say that Indians be represented in this committee. I thought that was suggested this morning.

The CHAIRMAN: It has been before the committee for some time.

The WITNESS: If that were acted upon and approved of, once again I should like to submit that instead of one member representing British Columbia and Alberta, it would be a natural division I think for one member to represent British Columbia and one member to represent the three prairie provinces where their conditions are closely allied. They are farmers and ranching people. We in the west are different from them. That is the point I want to make.

By the Chairman:

Q. Would you like to indicate who the representative would be from British Columbia who would represent all Indians in British Columbia?—A. As I said, we are the organized body in British Columbia, representing British Columbia—the Native Brotherhood of British Columbia.

Q. Would you like to answer the question? I do not want to embarrass you, but could you answer that question; I mean, other than in the way you have? —A. You mean who would be the member, the person?

Q. Yes, who would be that person who would represent all the Indians from British Columbia; I mean, who would have the confidence of all the Indians, who would be a representative of all Indians?

Mr. PAULL: Let British Columbia elect him.

The CHAIRMAN: You say let British Columbia elect them?

Mr. PAULL: Yes.

The WITNESS: I agree with that.

By the Chairman:

Q. Is that agreeable to you?—A. That is agreeable to me, yes.

Q. Yes?—A. Those are the matters I wish to bring before you. Thank you for the opportunity, Mr. Chairman and gentlemen.

The CHAIRMAN: So far as your recommendation as to counsel for your organization is concerned, that I think will be referred to the subcommittee on agenda and procedure for consideration and then will be presented to this committee for further consideration and decision. I think we will take that as a request. You have not already made it in writing, but we would appreciate it if you would do so. In the meantime, we will have the matter submitted to our subcommittee and we will advise you.

The WITNESS: Thank you.

The CHAIRMAN: I can assure you, however, that we shall do everything within our power to see that you are represented before this committee in the way you desire, so that you will get full and ample representation before this committee. Is that agreeable?

The WITNESS: That is quite agreeable, Mr. Chairman.

The CHAIRMAN: Then shall we dismiss the witness?

Mr. MACNICOL: I have two questions, Mr. Chairman.

The CHAIRMAN: I am sorry, Mr. MacNicol; I did not intend to shut you off.

By Mr. MacNicol:

Q. The two questions, before Mr. Kelly goes, are these. The longshoremen you speak of, who live on reservations on the North end of Vancouver Island and go down to Vancouver to work, have their wages docked for income tax?—A. That is right.

Q. I presume none of them reach the earnings in the year that finally become taxable, namely $660 for a single person—and what is it for a married person, $1200?

Mr. LICKERS: $1,200.

Mr. MACNICOL: What is the amount for a married man?

The CHAIRMAN: $1,200.

By Mr. MacNicol:

Q. In the event of any one of them not reaching either one of those two sums, $660 in the case of a single man or $1,200 in the case of a married man,

they would receive the amount back again if it was deducted. Do they not do that?—A. I do not understand what you mean by "receive the amount back again".

Q. Yes. Take a man who works as a longshoreman. He would receive while in Vancouver, say, $250 for his work. That is the amount he should receive, but the employee is compelled to take out—

The CHAIRMAN: The employer, you mean.

Mr. MACNICOL: Yes, the employer is compelled to take off the statutory amount for the single or married man as the case may be, before the Indian receives his cheque. But if the Indian in the end does not make $660 a year, if he is a single man, or if he is a married man, $1,200 a year, and it was taken off his pay in Vancouver, it is returnable to him.

The WITNESS: That is quite true.

By Mr. MacNicol:

Q. Does he not receive it?—A. I think he receives it if he is entitled to it, if he is under $660 in the case of a single man and $1,200 in the case of a married man.

Q. Just one other question, and the committee no doubt have had it in mind. That is the problem you mentioned, about the Indians being compelled to pay taxation, and being enlisted, without having a voice in public affairs. All I wish to say in that regard is that we have that in mind in these discussions.

By Hon. Mr. Horner:

Q. Then what you complain about is really that there should be no taxation without representation, that if you don't wish to vote that you shouldn't have to pay taxes.—A. Well, I think what we wish for is what we will state by and by. I am not allowed to state that now.

By Hon. Mr. Taylor:

Q. I was interested in taxation. I was going to ask Mr. Kelly in regard to that, if an Indian goes into industry in competition with other people do you feel that he should be exempt from taxation?—A. So long as he is an Indian, so long as he is in a state of nonage I think we should not tax him.

By Mr. Reid:

Q. You have been in British Columbia working among the Indians for quite a long time, Mr. Kelly?—A. All my life.

Q. And I want to say that I think you have done wonderfully good work among the Indians. From your life and work among the Indians would you say what you think of the living they secure today from fishing as compared to ten years ago? You are living with the fishermen day in and day out, and you certainly ought to know what they are doing. What do you think conditions were last year as compared, let us say, to ten years ago?—A. Do you mean as regards earning power?

Q. Yes.—A. He is a lot better off than he was ten years ago. Since the Japs were taken away the Indians have had greater scope and the price of fish is much higher than it used to be, therefore he earns a far better income than he did.

By Mr. Case:

Q. Mr. Chairman, I would like to ask Mr. Kelly, does the Indian pay tax on money earned on the reserve; that is through fishing, trapping or farming?—A. He does not pay tax on what he earns on the reserve. That is tax exempt,

what he earns on the reserve; but he does not trap on the reserve in so far as British Columbia is concerned, he has to go far out; and fishing is the same, he has to go off the reserve.

Q. When he goes off the reserve to fish or trap does he pay tax on that part of his income?—A. Yes.

Q. He does?—A. Yes.

Q. He pays taxes on everything he earns off the reserve?—A. That is right.

Q. He pays no land tax or anything of that character?—A. No, not on the reserve.

By Mr. MacLean:

Q. Are the Indians anxious to obtain the franchise?—A. I wish you would not ask me an embarrassing question like that.

The CHAIRMAN: If you do not care to answer it, just say so.

The WITNESS: Well, when the proper time comes for me to speak on behalf of the Indians of British Columbia I can go into that exhaustively.

Q. Something of the character of no taxation without representation?—A. That is the point.

By Mr. Bryce:

Q. I am interested in this trapline business, these traplines that have been taken over by the department, bought from the white people; does the Indian pay taxes on what he takes on that trapline? I want to be perfectly clear on that and I want a definite answer to it; does he pay taxes on what he gains on his own trapline?—A. Surely. He pays taxes on what he catches on his own trapline when the traplines are not on the Indian reserve. These traplines are not on the Indian reserve. They are registered for him but they are not considered on the reserve and he pays taxes on that.

By Mr. Castleden:

Q. Does he have a licence to trap on that?—A. No, he is licence free; that is in British Columbia, I do not know about the rest of Canada.

Q. I understand that many of the Indians in British Columbia are not under any treaty whatever; that is, that there has been no form of treaty signed?—A. That is right, with the exception of the Soughees Reserve on Vancouver Island. Outside of that there are no treaties in British Columbia. There is one other I believe in the Peace River area, but that is so far away that we don't even consider it as part of British Columbia.

Q. Speaking generally, would you say that there are any Indians in British Columbia who have no means of making a fairly decent livelihood with economic conditions being what they are, that any of them are living on the starvation level?—A. I would not say that. I would say at least that the coast Indians who are able to work make a decent living.

Q. How about the interior Indians, those are the ones of whom I am thinking?—A. Some of them do well. I think on the whole they probably are not as well off as the coast Indians.

Q. One other question, are all your Indians in British Columbia provided with educational facilities?—A. Up to a certain point, yes. During these past years when conditions have been extraordinary there are some places where there were no teachers. Of course, that was not peculiar to Indian reserves or districts, it was a general condition I think.

Q. But under ordinary circumstances you say that ninety per cent of your Indians have educational facilities for their children?—A. Ninety per cent I would say was rather high.

Q. What would you say then?—A. I read that the Indian Commissioner for British Columbia gave 4,100 in school attendance out of a population of roughly 25,000; and the standard of education which probably is the more important thing—and once again I am guessing, but I think it is a fair guess—probably does not go beyond grade V.

Q. Would you state any preference, would you state that more efficient work was done in the residential schools or in the day schools? If you do not wish to answer I will not press the question.—A. That is a question that I have considered rather thoroughly, and I think to answer that would entail much more time than I can give you now.

Mr. CASTLEDEN: We will leave that until later then.

By Mr. Bryce:

Q. Can Mr. Kelly tell us from his own intimate knowledge of the cooperative that has been established in British Columbia near the Queen Charlotte Islands? —A. No, I cannot tell you a great deal about it. That is taking place at the north end of the Queen Charlotte Islands and I have not been up there since it was instituted.

By Hon. Mr. Johnston:

Q. Do the Indian schools come under provincial inspection?—A. Not unless it is arranged by the Indian department. They do not come under provincial school inspection generally, only at the request of the Indian department.

Q. What percentage would you say do come under the provincial inspection?—A. I can only speak for the area with which I am well acquainted, that is the coastal area. I would say that most of them come under provincial inspection, especially where they have requested it. I would say about seventy-five per cent of them come under provincial inspection.

Q. Are the teachers qualified at the Indian schools?—A. Not all of them, no. That is the aim, to have qualified teachers, they are not all qualified teachers.

By Mr. Reid:

Q. Mr. Kelly, in your work among the Indians you would have a pretty thorough knowledge of their conditions. Would you care to express an opinion, if you have any opinion, regarding the status or the wellbeing of the Indian after he leaves school? In other words, would you care to tell the committee your opinion as to which type of education makes the greater and more effective impression in the life of the Indian child. That is a thing in which this committee is particularly interested.—A. Mr. Chairman, the only way you can answer that question is by looking at the Indians who live off the reserve, because on the reserve all the schools are under different denominations and the teachers are nominated by the different denominations who labour with the Indians on the reserves. I cannot think of one reserve where there is any denominational interest in so far as the school is concerned, either Protestant or Roman Catholic; and to balance one against the other would not be proper at this time. You can only, as I said, look at those Indians who live off the reserve altogether and who are not counted—I was going to say not counted as Indians any more, but they are. Some are attending schools. I am thinking of your own constituency, Mr. Reid, say at Steveston; Indians who live there for fishing purposes and whose children go to school, to the ordinary day schools of the province, and because of the kind of competition they meet, mixing with all classes of youngsters, they have upheld their end very well. They have not been at a disadvantage mentally. If that is the answer you want, I can go only that far.

Q. That information is very interesting although it is not quite what I had in mind when I asked my question. The thing I had in mind was that if Indian children could go to school with other children and mix and grow up with them it might be of much more benefit to them in many ways. Personally, I do not think it is right to keep them segregated and out of touch with other children. I am very glad to have your impression on that.—A. I am glad that point is clear, clearer at any rate than it was before. If you will allow me to express the opinion—I did not intend to go that far—I do not think it would matter very much whether the Indian day school on the reserve is under a denomination or the particular denominations which labour in these areas, they are strictly under the Indian department.

Mr. MacNicol: And under the supervision of the provincial Board of Education?

The Witness: And under the provincial Board of Education, so long as the Indians were by themselves carrying on by themselves. It is when they come into competition with other children and get into the larger life that there is greater development and I think they show more progress.

The Chairman: Now, gentlemen, I think we have encroached considerably on Mr. Paull's time. If you will permit me I will dismiss this witness, but I want to thank Mr. Kelly for having come before the committee, and to thank Mr. Paull for having permitted him to take up some of his time. And I say to you this, Mr. Kelly, that when we are in a position so far as the agenda of this committee is concerned to hear representations of your organization we will give you every opportunity, and I think I speak for all members of the committee when I say we will give you the fullest time possible to present your brief or representations in the manner which you may see fit. Thank you very much.

Mr. Lickers: I have just one question I wanted to ask, Mr. Chairman. What is the membership in your native brotherhood?

The Witness: I cannot say what the total membership is. The paying membership I do not think is as large as we would like to see it.

Mr. Lickers: How many tribes or reserves have you in it?

The Witness: I cannot tell you that.

Chief Paull: With your permission, Mr. Chairman, I could answer that. They have 64 branches.

The Chairman: If it is your pleasure we will have Mr. Paull continue with his presentation.

Chief Andrew Paull, recalled

The Witness: Mr. Chairman, Hon. Senators and Hon. members of the committee: I should like to know from you people if you are going to have five Indians or six Indians or ten Indians here to sit in with your committee because if my people think I should take some part of that duty and if I do I would have to sit here, but if I do not I would be glad to go home tonight or tomorrow. Can you give your decision?

The Chairman: If you are asking a question I think you had better go home tonight because the committee on agenda and procedure will not consider that until next week. If it is referred again to the committee with the suggestions made here today it will not be considered until next week. Anyone that has asked to be present before this committee will be given every opportunity to prepare himself properly so that he may be able to leave his present occupation.

Mr. MACNICOL: If I might interject, would it not be as well for you to advise Mr. Paull or any others that your program first is to finish with the departmental officials and perhaps whatever other information we can get before we start on the Indians again.

The CHAIRMAN: That has already been done.

Hon. Mr. JOHNSTON: That will very likely take to the end of the present parliamentary session.

The WITNESS: In connection with that, it is the privilege of every Indian to appoint his own counsel if he is in court. That you will recognize. You will admit it is a British principle.

The CHAIRMAN: Oh, yes. I think I speak for the committee when I say that every individual in Canada should be allowed the fullest opportunity to express himself in the way in which he sees fit and for which he wants to pay.

The WITNESS: My organization has contributed to a great extent to bring about this committee. If you are going to say, "You will appoint the Indians and you go home", what then?

The CHAIRMAN: I do not understand you.

Hon. Mr. JOHNSTON: That is not our intention.

The WITNESS: The British principle is that an accused man has the privilege of appointing his own counsel to help him defend himself in court, is it not?

The CHAIRMAN: We have not made any commitment to your organization or any other organization that we will pay for counsel, or perhaps I should say recommend because we have no power to pay or to authorize payment, but we have made no recommendation and will make no recommendation at the present time.

The WITNESS: I had better put it this way. Will you appoint these five Indians or shall the Indians appoint them?

The CHAIRMAN: That matter would have to be referred to the subcommittee right now.

The WITNESS: I will say to you the Indians should appoint them.

The CHAIRMAN: I think that we would seriously consider a recommendation made by the Indians themselves. If, for instance, you can say that there is some person in British Columbia who can represent all the Indians in British Columbia and who will have the confidence of all Indians of British Columbia, who knows their problems and will be able to present them on their behalf, I would say that this committee—and speaking only for myself—would quite welcome that and would seriously consider the appointment of that individual.

The WITNESS: I still say to you, Mr. Chairman, that it is the privilege of the Indians to appoint their men.

The CHAIRMAN: We have no objection to that.

The WITNESS: Now, as far as I know this committee won't do it, but we have brought about this committee. Suppose you fire all the North American Brotherhood and get somebody here that does not know anything about it?

The CHAIRMAN: We are not admitting you formed this committee.

By Mr. MacNicol:

Q. I do not understand that either.—A. Gentlemen, it is like this. We have studied the Indian question.

Q. You said you brought about this parliamentary committee.—A. We have studied this question and helped to bring about the committee.

Q. I might say that for the last fifteen years of parliament your humble servant has strongly recommended that a committee or commission be set up.— A. We have read that in *Hansard*, Mr. MacNicol. Suppose you do not take any of these Indian chiefs. Suppose you do not take Mr. Kelly or Mr. Jones and appoint some really illiterate Indian to come here and represent the Indians.

Mr. RAYMOND: May I refer to the third paragraph of Mr. Castleden's motion? "Therefore be it moved that this committee immediately invite the Canadian Indians to send at least five Indians." His words are "invite the Canadian Indians". They will have the right to choose their own men.

Mr. CASTLEDEN: Since this is my resolution I should like to say something. It seems to me it is somewhat misunderstood. The idea of this resolution is that the Indians themselves shall have persons sitting in with watching briefs, and that is different to people who come here to present the case for the Indians of various parts of Canada. It is my belief that the Indians should sit in along with the rest of the members of this committee. That is why I distinctly worded the resolution that the Indians of Canada should be invited to send those whom they would agree upon and choose to sit in and watch the deliberations of this committee, and not necessarily to represent merely the Indians of British Columbia.

I think it would be well to have persons who understand the conditions in every part of the country. You will notice I put at least five. The previous speaker suggested that one be from British Columbia. I think the Indians should be invited to send these representatives here. I suggest that the number should be at least five. I think perhaps one from British Columbia would be most appropriate, maybe one or two from the western provinces, and one or maybe two from Ontario. These suggestions were only suggestions. As Mr. Paull has pointed out it is the principle involved whether in this court . . .

The CHAIRMAN: This is not a court.

Mr. CASTLEDEN: It is a committee to the extent it is going to recommend. It is dealing with economic conditions, rights under treaties, the rights of people and the control over these people, and they should have these few men chosen by them to listen to the evidence and to act as representatives with watching briefs so they could assist us in questioning those who come before us. I think it was intimated by the president this afternoon they would be willing, anxious and glad to assist in seeing that such representation is brought here.

Mr. REID: May I speak to the point that is being raised? I do not want my friend, Andy Paull, to get confused on the matter because I am inclined to think that from the statement made by the hon. gentleman who last spoke he may get confused. There are two different things. I am all in favour of what Andy Paull proposes, that the Indians be allowed to choose a man and send him here, but when you speak about sending men with watching briefs, watching briefs do not mean that, and do not try to fool Andy Paull with that. What Andy Paull wants is that the voice of the Indian should be heard here.

The WITNESS: I will go for that.

The CHAIRMAN: Order.

Mr. HARKNESS: May I suggest this whole discussion is out of order. We dealt with this matter this morning, and it was decided what would be done at that time. I think it is completely out of order to bring it up again.

The CHAIRMAN: I think it is out of order. There is no question about that. The matter has been discussed before this committee time and again. I say once more if the Indians of British Columbia will get together and suggest who will come down from British Columbia the committee will consider that again. So far as I am concerned the matter is closed.

By the Chairman:

Q. Would you like to go on?—A. I should like to say this in the most serious way that I can, that before this committee recommends to parliament any legislation you be good enough to take the Indians into your confidence and consult with them on what legislation or laws you are going to recommend to govern the Indians for the next two hundred years. After all the Indians are the ones who will have to abide by the laws that this committee is going to recommend to parliament. You as hon. members of the House and the Senate represent your constituents, and you make the laws that your constituents must abide by and must live up to. You should just forget formalities and allow maybe about ten Indians to view the recommendations and the laws that you are going to submit to parliament and have a friendly conference with them and say to them, "do you think these laws are all right", before you make any recommendations to parliament. I do not want an answer to-day.

Mr. MACNICOL: I do not see any objection to that.

Mr. GARIEPY: We can answer that right now. That is what we are after now. You are here to give us your views and we are listening.

The WITNESS: But we cannot be here when you make your final recommendations to parliament.

The CHAIRMAN: Mr. Paull, may I remind you that the Indians are represented here, if in no other way, by an Indian lawyer who is our counsel, and liaison officer. He is at all meetings of the agenda and procedure committee. He is here at every meeting of this committee. While I think the matter is entirely out of order I will repeat once more if you can give us the names of those people throughout Canada, five or more than five, who will represent all Indians in their area we will consider the matter again. Let us be clear. As far as I am concerned that matter is closed. Let us proceed with your recommendations.

The WITNESS: My next recommendation is that you will extend in all mercy the hand of kindness and include Indians in all old age pension laws that the government of Canada will enact. I do not think I should talk very much on that. You understand what it means.

By Mr. MacNicol:

Q. Are the Indians not under the old age pension now?—A. No, sir.

The CHAIRMAN: Are you through with your brief? If so, we will permit the members to ask you questions. Would that be in order?

Mr. MACNICOL: Let him finish his brief.

By the Chairman:

Q. Are you through?—A. Not yet. I think there was a slight mistake in the wording of that clause 6 about the schools. I helped to draft that. We have been very busy. We did it hurriedly and our intention was that the school system be gradually controlled by the state. Our idea behind that is that the responsibility for education is upon the state. We do not want you to kick out the churches entirely, but we want you to take hold of these schools, and instead of the churches looking after the Indians on the basis of charity the state will pay these churchmen to educate the Indians. You are now delegating your responsibility in education to the churches. We want you to assume that responsibility *in toto*. That means that you can continue your denominational schools but under government pay from top to bottom. That is what we mean.

By Mr. MacNicol:

Q. And government curriculum?—A. Yes. There was an order in council passed that Indian veterans be given $2,320 to rehabilitate themselves on the Indian reserves. That is now subject to the recommendation of the Indian agent. Some Indian agents are mad at some of these veterans and will not make the necessary recommendation. We want you to take the authority away from the Indian agent so that the veteran will not have to be dependent on the good wishes of that Indian agent.

Another thing is that there is a limit to what the Indian is permitted. We want everything that is available to the white returned soldier to be made available to the Indian even on an Indian reserve. He is not permitted that now.

I should like to deal with trapping a little bit. I will take British Columbia, for instance. There was a law passed by the legislature of British Columbia with the intention of preserving and continuing the right of those who have been trapping in certain areas to continue to trap. The Indian did not know anything about it. Some of them refused to register for their old hereditary trap-lines. The result is now that the white men are in there trapping and the Indian is without a trapline, although his father, grandfather and so on have trapped on that line. There was a mistake made somewhere. The Indian agent should have registered the whole works, but he did not. The Indian did not know the law. He could not read or write. We are asking that you recover those hereditary Indian traplines for us, by expropriation, purchase or which ever way it can be done, and give them back to the Indians. We ask that because in the northern part of British Columbia the only way that the Indians can make a living is by trapping. There is a situation of destitution prevailing now because of that condition. It would have to be by negotiation with the province and so on. We might take a little more time to deal with that. It is a very important matter. The Indian in the northern interior of British Columbia cannot earn any money except by trapping. We want those hereditary Indian traplines restored.

We would like the four freedoms to be enjoyed by the Indians of Canada. They do not enjoy the four freedoms now. I could talk a lot on that. We ask you to legislate or to erase the laws which forbid the Indians from enjoying the four freedoms. We would like to ask you to make provision whereby the Indians can export fish from Canada to the United States. They do it in some parts of Canada now, but we want you to make that national for Indians in the fish business. We wish them to be privileged to export fish to the United States without any restriction; also export furs.

I would like to make a personal appeal to the hon. Mr. Thomas Reid, who is, I believe, on the International Sockeye Commission. A former deputy minister of fisheries testified before a fishery commission that the Indians take less than 1 per cent of all the fish that is caught in British Columbia. I plead with Mr. Reid that he allow the Indians to continue the taking of fish for their own use, for their own food, and to exercise his influence on the sockeye commission to that end.

There is a lot of tuberculosis among the Indians in Canada, I have been told, and it is my own experience. The reason for that is that the white people came here and killed off the food that the Indian was used to. You killed off the buffalo, took a lot of the game he used to eat and you made very strict laws about the game that was remaining and on fish. Therefore the Indian has to eat pork and beans, which he does not know anything about, and he has to put up with the natural result of pork and beans, whereas he should be eating the food that he is accustomed to. Relax your laws on fish and game so that the Indian can eat the food that he knows. There are more than 50 per cent of the Indians in Canada afflicted with tuberculosis, I am told. I think I had better sit down. I think it would help my case more if you cross-examined me.

The CHAIRMAN: Senator Johnston, would you like to ask a question here?

Hon. Mr. JOHNSTON: I was going to ask you, Mr. Paull, how many provinces having representation in your organization are present here at this time?

The WITNESS: We would have had representations from every province now if your committee did not send word to tell them not to come. But we have representations from British Columbia. If that wire had not come we would have representations from Alberta.

The CHAIRMAN: Just a minute. Let us get the record straight there. We never sent telegrams to anybody but you.

The WITNESS: Mr. Lickers says he sent a lot of telegrams to other Indians not to come.

Mr. LICKERS: To Mr. Kelly.

The CHAIRMAN: To Mr. Kelly. He never sent any to any other organization except yours.

The WITNESS: I was going according to what Mr. Lickers told me.

The CHAIRMAN: Did you tell him that, Mr. Lickers?

Mr. LICKERS: I told him that we sent out some telegrams, one to Mr. Kelly especially that we were talking about, telling him not to come and we did not know at that time that he was coming at the invitation of the Brotherhood.

The CHAIRMAN: I think that will probably keep the record straight; because as far as we are concerned we have never interfered with your organization in the least.

Mr. CASTLEDEN: Were telegrams sent to other organizations telling them that they would be allowed to come later and not to come now?

Mr. LICKERS: Yes.

The CHAIRMAN: What ones?

Mr. LICKERS: I think the only other organization was the Caughnawagas. Am I right in that, Mr. McEvoy?

The CLERK: Yes, the Caughnawagas were told.

Mr. CASTLEDEN: How about Saskatchewan?

Mr. LICKERS: No, nothing from Saskatchewan.

The WITNESS: You sent a telegram to Saskatchewan?

The CHAIRMAN: No. We had a letter from Saskatchewan, a very reasonable letter, enquiring as to what stage of the proceedings we had reached, and we replied to them telling them that we would give them every opportunity of coming before this committee at a later date but not at the present time. In fact they did not ask to come at the present time.

The WITNESS: Was not there a telegram sent to Saskatchewan telling them not to come now, that they would be heard later on?

The CHAIRMAN: No.

Mr. CASTLEDEN: A letter.

The CHAIRMAN: We had a letter from them on June 21st and we replied on June 24th. They did not ask to come at this time.

The WITNESS: Well, we would have a good bunch of Indians from B.C., some from Alberta and all of Saskatchewan cooperating with us.

By the Chairman:

Q. Could you tell us how many you have today, Mr. Paull?—A. How many delegates?

Q. What provinces are represented here today?—A. We have representatives from British Columbia. We have no representatives from Alberta, Saskatchewan and Manitoba.

Q. Yes?—A. Because, as you know—
Q. We understand that.—A. And also representatives here from—
Q. Ontario?—A. Ontario, from pretty nearly every section.
Q. And Quebec?—A. Quebec and the Maritimes.
Q. New Brunswick?—A. New Brunswick and Nova Scotia.
Q. You have got Nova Scotia?—A. Yes.
Q. Prince Edward Island?—A. No. There are only a few Indians there.
Q. That answers the question.

By Mr. Farquhar:

Q. You say you have representatives from pretty much every section in Ontario?—A. We have from pretty nearly every section in Ontario.

Q. Have you any here from Manitoulin Island?—A. We have an executive member here representing Manitoulin Island.

The CHAIRMAN: Does that answer your question, Mr. Farquhar?

Mr. FARQUHAR: Yes.

Mr. MACNICOL: I have a few questions. They are all short and require very short answers. I presume every one else will want to ask questions too.

By Mr. MacNicol:

Q. Mr. Paull, when you were speaking this morning about the Northwest Territories I gathered from what you said that when Sitting Bull came to Canada, Indians came with him. Are any of those who came with Sitting Bull in Canada yet, or their descendants? They were Sioux Indians.—A. Sitting Bull came to Canada with Chief Pound Maker.

Q. Pound Maker was a Canadian, was he not?—A. No.

Q. Sitting Bull was an American?—A. No, he came with Sitting Bull from the United States, so I am told.

Q. Maybe you are right.—A. And his grandson is a member of our executive. He is the president of the Indians in Saskatchewan. His name is John B. Tootsis.

The CHAIRMAN: How do you spell that?

The WITNESS: T-o-o-t-s-i-s.

Mr. LICKERS: T-o-o-t-t-s-i-s.

The WITNESS: No, only two t's. Mr. Castleden knows him.

Mr. CASTLEDEN: I think there are only two t's.

The CHAIRMAN: There seems to be a diversity of opinion there but I think we know who is meant.

By Mr. MacNicol:

Q. It is a fact that the United States government invited them all back and paid them handsomely to go back, and Sitting Bull himself went back. The next question is this. You said something about Indian representatives in connection with sockeye. What is the situation now in connection with sockeye salmon?—A. In connection with sockeye, the Indians are cooperating with the authorities for the purpose of conservation; but the authorities say, "Do not touch the sockeye until it has spawned; and after it has spawned, you can have the fish." Hon. Mr. Reid knows that after the sockeye has spawned the fish is no good at all. Is that not right, Mr. Reid?

Mr. REID: That is correct.

The WITNESS: And that is the time you white men say, "Eat that rotten fish."

By Mr. MacNicol:

Q. You cannot do that. The next question is this. You intimated that the Indians were not increasing in numbers. But reports we have here in the House are that they are increasing in numbers, and I am glad to know that. Were you right or wrong?—A. I think you must have misunderstood me. I did not say the Indians were not increasing in numbers. We are a good producing people.

Q. Fine. Keep it up.

Mr. CASTLEDEN: There is about the same population as in 1895.

By Mr. MacNicol:

Q. You spoke about treaties being abrogated.—A. Yes.

Q. In connection with the Northwest Territories.—A. Yes.

Q. What treaties were abrogated?—A. All the treaties. All the terms and conditions of the treaties have been abrogated in some way. Under these treaties the Indians were allowed to hunt, fish and trap in the surrendered areas. Take for instance one tribe would have this area (indicating on the map) and they were permitted to continue their vocations of hunting and trapping in the surrendered areas and that territory was reduced to a small area, called an Indian reserve. They could also hunt, fish or trap there. Now they cannot hunt or fish in the surrendered territories which was granted to them by the treaty.

The CHAIRMAN: What are the dates of these abrogated treaties?

Mr. CASTLEDEN: Is that true of any other treaty?

The WITNESS: That is true of all treaties.

The CHAIRMAN: Would you give us the date of these abrogations of which you are speaking?

Mr. LICKERS: That would be covered in a statement which I propose to submit at a convenient time.

The WITNESS: I was trying, Mr. Chairman, to keep away from strictly legal matters.

By Mr. MacNicol:

Q. You mentioned Brigadier O. M. Martin; would it be satisfactory to the Indians if Brigadier O. M. Martin were one of the chiefs of the Indian Affairs Branch?—A. (Applauding by clapping hands) Yes.

Q. I think everybody would be in favour of that. I have only two or three more questions. I understand you are getting the old age pension?—A. The Indian does not get any old age pension. He gets about $4.80 a month.

Q. That answers that then. The last question is, you suggested taking away authority from the Indian agents in reference to gratuity payments. I think you said the Indian veteran is entitled to a grant of something like $2,320. I do not think that is any business of the Indians. I think the veteran has earned that.—A. He has, yes.

Q. Parliament says he is to receive that by right, and that settles it.—A. Parliament and the Cabinet of Canada has said that the Indian veteran gets that; then they transfer it over to the Indian department and the Indian department says: you Mr. Indian veteran can only get it on the recommendation of the Indian agent. Some Indian agents have gone out of their way to make this available to Indian veterans, but some of them use it as a club.

Mr. MACNICOL: Thank you very much. Personally, may I say that I am very pleased to hear the evidence which has been given by Chief Paull. And I would add this, speaking for myself and I am sure for other members of the

committee as well; I know that his evidence will be carefully read, and so far as each one of us is concerned we will do the very best we can to see that the Indians get a square deal.

By Mr. Harkness:

Q. There is one question I would like to make in respect to a statement made by Mr. Paull that the Indian veterans do not have all the rights and privileges which were accorded to other veterans. I do not know of any rights or privileges which they do not have, and I would like you to tell us if there are any; and, if so, what they are?—A. The Indian veteran is allowed to rehabilitate himself on Indian reserves to the extent of $2,320. That is what the order in council says. Then the Indian department gets a hold of this order in council and then they lay down the terms and conditions—the Indian department says, if you go into the chicken business you cannot sell the eggs, you have got to eat them.

Q. Are there any benefits apart from that? That is the first I have heard of that. I know that the committee of which I was a member last year, the Veterans Affairs committee, put through a special Act to enable Indians to settle on their reserves and get the benefit of the Veterans' Land Act.—A. Up to the extent of $2,320.

Q. I understand that perfectly. What I want to know is, are there any other benefits applicable to veterans which Indians from your knowledge are not allowed to draw?—A. Yes.

Q. What are they?—A. The white man veteran can borrow money up to say about $4,000 isn't it, or is it $6,000—whatever it is. The Indian cannot do that if he lives on an Indian reserve.

Q. But he can do it off a reserve?—A. He can do it off a reserve, but he has to become enfranchised. Why should this government say to an Indian veteran, you must become a white man in order to get this?

Q. I do not think he has to become enfranchised.

Mr. HOEY: Definitely not.

The WITNESS: That is what your agents tell us, Mr. Hoey.

Q. As a member of the Veterans Affairs committee I think that is wrong. That is why I was asking you, do you know of any other benefits the Indian is not eligible for?—A. That is why it was discussed at great length at the recent convention of the Canadian Legion at Quebec.

Q. What I would suggest in connection with that, Mr. Paull, is this; when you make further representations that you make up a list of the special ways in which the Indian is discriminated against so far as veterans' benefits are concerned; because, as far as I know, to my knowledge, there is no way in which he is discriminated against. It is my understanding that he is eligible for every benefit for which a white man is eligible.

Mr. HOEY: That is right.

Q. If that is not so, I would like to know of any benefits he is not eligible for, and particular cases to back it up so that the thing can be corrected.—A. I have delegated a study of that particular matter to one of my executives who is a returned man from the last war, his son died in this war, his name is Johnny Jones. I will consult him whenever he wishes and he will advise me, and we will let this committee know.

Mr. HARKNESS: I will be very pleased to get any information of that kind.

Hon. Mr. BLAIS: I would like to ask a question regarding resolution No. 6. Do you mean by that clause that the residential school or convent should be abolished?—A. I tried to explain to the committee here that in our hurry to draft

these things we did not mean that these convents should be abolished but that the state should pay these nuns who are working for nothing now and keep them there. I think that word abolished should not have been there.

The CHAIRMAN: Mr. Reid, have you any questions?

Mr. REID: I am well satisfied.

By Mr. Charlton:

Q. Have you any concrete evidence to show that there are any Indians with ability to do a job who have been refused employment by the Department of Indian Affairs?—A. Not particularly the Department of Indian Affairs. You have seen two good men speaking here. Would you not be glad to hire them? We have asked the commission in British Columbia to appoint the Rev. P. R. Kelly as principal of a school. We have made petitions and representations. The Rev. P. R. Kelly is a man who is well qualified to be the principal of a school. He has been refused.

Q. He has been refused?—A. Yes.

Q. I am glad to hear that because we were told in the committee last week that there had been no cases of that, of Indians having ability not being given jobs. I was trying to get that information.

Mr. HOEY: Just on that point, to keep the record straight, the department does not select or appoint the principals of residential schools.

By Mr. Raymond:

Q. Would it be possible to know from Mr. Paull when this association which is here today was organized? I understand this association here today is the National Brotherhood of Indians. That is correct?—A. The North American Indian Brotherhood.

Q. And the brief was presented by the National Brotherhood of Indians?

The CHAIRMAN: The North American Indian Brotherhood.

Mr. RAYMOND: In the second paragraph of my brief it says "On behalf of the National Brotherhood of Indians".

Mr. HARKNESS: It is a misprint.

The CHAIRMAN: It must be a misprint.

The WITNESS: There was another organization that tried to organize. They tried to use our name. We are not in league with them. All our aims and objectives are as to the department and the government and so on. We are the North American Indian Brotherhood.

By Mr. Raymond:

Q. So at the present time you are here on behalf of the North American Indian Brotherhood? Is that correct?—A. That is correct.

Q. Will you tell me at what date this association was organized?—A. We started with nine Indians during the month of June in the year 1943. I was appointed president and another man was appointed secretary and we started to organize Indians. We had a convention in 1943. In 1944 we had a convention. In 1945 we had a convention which was addressed by the Hon. J. A. Glen. In 1944 that convention was addressed by the Hon. T. A. Crerar. Also addressing our convention was the director, R. A. Hoey and Dr. Camsell.

By Mr. Gariepy:

Q. Are you giving your whole time to that association?—A. With the exception of attending to my own work, looking after my family, I give all the time I can spare to this work.

Q. What is your work, if you do not mind telling me?—A. I guess what they would call me is an Indian "lawyer without a ticket". I defend Indians in court from the juvenile right up to the supreme court. I just left British Columbia where I helped to defend three Indians on a murder charge.

By the Chairman:

Q. Do you mean to say you attend in court as a barrister?—A. No, I attend in court as a friend of the Indians.

Q. As an interpreter?—A. As an interpreter, and things like that.

Q. Not as a solicitor?—A. No, I am not a lawyer.

By Mr. Gariepy:

Q. To sum up, Chief Paull, your grievance is that as a national body you have not sufficient control or say in the administration of your moneys, and so on?—A. That is one of our grievances, and you have denied us the right to make a living because of the laws you have passed. You have smashed treaties.

The CHAIRMAN: Just a moment; is it your pleasure to sit after 6 o'clock?

Mr. CASTLEDEN: We are just about finished.

The CHAIRMAN: Are you through, Mr. Gariepy?

By Mr. Gariepy:

Q. As to education do I understand you right when you say that you have no grievance at all but what you want is that steps should be taken to see that the teachers, whoever they may be, should receive proper stipends?—A. And they should be qualified teachers.

Q. What do you mean by "qualified"?—A. So that they may have a teacher's certificate that they can teach.

Q. Under the Indian department or under provincial laws?—A. Provincial laws.

By Mr. Castleden:

Q. Are you satisfied with the standard of education given to the Indians now?—A. No.

Q. Do you consider the day school more efficient or less efficient than the residential school?—A. Well, you are touching on a question here which takes things right down to the home. As Mr. Kelly says it would take a little time to deal with it, but I would favour day schools where it is possible. Day schools should be set up in a lot of places and you should retain your present residential schools for underprivileged children.

Q. Of broken homes?—A. Broken homes, and so on, because we have got a big waiting list for these residential schools. Get some more day schools, but retain your present residential schools for underprivileged children.

Q. You have mentioned that treaties have been broken with regard to the ability of Indians to make a living?—A. That is true.

Q. And you mentioned the handing over of natural resources to provinces which did not recognize treaty obligations?—A. That is right.

Q. Have treaties been broken with regard to anything else such as boundaries being altered or lands taken away from the reserves without unanimous consent, or as to education or care or training or compulsory military service?—A. Some of the treaties provided for the establishment of schools and those schools are not built yet.

Q. How about the reserve boundaries? Have reserve boundaries been taken away?—A. Some Indian reserve boundaries have been taken and sold without the consent of the Indians.

Q. How about other care? We will say taking care of the old or the sick, relief?—A. The poor old indigent Indian is a hungry man or woman.

Q. Do you think they were provided for in the treaties and those treaties have not been lived up to in that respect?—A. Yes.

Q. Have you any suggestion to offer with regard to the settling of those treaties? Some of them go back many hundreds of years. Some of them may be frightfully complicated. Those who have made a study realize there is a very complicated problem. Have you any suggestion you could offer to us with regard to arriving at some settlement which would be satisfactory to both sides?—A. Give us adequate compensation for the things which you have taken away from us and we will determine the amount of the adequate compensation by a board where the Indians will be represented.

By Mr. Farquhar:

Q. Has any part of your reserve been taken away in recent years?—A. This year, yes, this year.

Q. Where was that?—A. I have not got the date, but I can find that for you.

By the Chairman:

Q. Where?—A. Walpole Island. The Indian agent sold a piece of land.

Q. Without consulting the band?—A. Without consulting the band, yes.

Q. Where was the land?—A. On the Indian reserve at Walpole Island.

By Mr. Farquhar:

Q. That was concurred in by the department?—A. I don't think so.

By the Chairman:

Q. What proof have you of that?—A. I will bring the man here to testify on that.

Q. You say there is proof?—A. We have the man here who will testify to that.

Q. We will be glad to look into that.

Mr. CASTLEDEN: Later on.

The CHAIRMAN: You will be given every opportunity to present that.

The WITNESS: The man is here now if you wish to have him.

The CHAIRMAN: Not just now. That will be gone into. We will ascertain if that is the fact.

Mr. MACNICOL: Before we break up I respectfully suggest to you that you direct the subcommittee, not immediately but some time soon, to take under consideration the advisability of holding a meeting or as many meeting as are required for this committee to go thoroughly into all treaties and familiarize ourselves along the line that Mr. Paull has been talking about.

The CHAIRMAN: We will be very pleased to do that. In the subcommittee on agenda and procedure we will accept any recommendation made to this committee. That would be prima facie.

The CHAIRMAN: Mr. Lickers, have you any questions?

Mr. LICKERS: No, I do not think so.

The CHAIRMAN: Mr. Paull, we appreciate very much your coming here before us. We want to thank you for your evidence to-day. We can assure you that at a later date we will be very happy to go into your particular brief and presentation and give you all the time you need. We regret that to-day we have not the time to give a full hearing on this matter. You realize it is not the intention of the committee to hear any representations just now on behalf of any

organization, but on behalf of us we want you to take back to your organization, the North American Indian Brotherhood, the warmest greetings and convey to them that this committee is going fully into all Indian questions before any recommendation is made.

I might tell you that this committee does not expect to complete its work for the next two years, at least, so that you will have every opportunity. Further, if at any time you are in the city and this committee is meeting—this committee meets in public—we are only too happy to have not only members of your organization but any other Indian, either of the United States or Canada, attend and listen to our deliberations and listen to the presentations being made. At any time you are most welcome in this committee.

That, of course, applies to any other organization in Canada that has any interest in Indian affairs. We would be only too happy to have you sit in and listen to what is going on before this committee. Is there anything that anyone would care to add to that?

The WITNESS: I spoke only in a general way. There are some particular matters I should like to deal with later on.

The CHAIRMAN: We realize that. If there is nothing more the committee will adjourn.

The WITNESS: When do they meet again?

The CHAIRMAN: At the call of the chair.

The committee adjourned at 6.10 p.m. to meet again at the call of the chair.

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 10.

THURSDAY, JULY 4, 1946

WITNESS:

Mr. A. G. Leslie, of Reserves and Trusts Service, Indian Affairs Branch, Department of Mines and Resources, Ottawa.

OTTAWA
EDMOND CLOUTIER
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1946

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,
THURSDAY, 4th July, 1946

The Special Joint Committee of the Senate and 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 11.00 o'clock a.m. The Joint Chairmen, The Honourable Senator J. F. Johnston and Mr. D. F. Brown, M.P., presided.
Present:

The Senate: The Honourable Senators Blais, Horner, Johnston, Macdonald (*Cardigan*), MacLennan and Taylor—6.

The House of Commons: The Honourable Mr. Stirling and Messrs. Blackmore, Brown, Bryce, Case, Castleden, Charlton, Farquhar, Gariépy, Gibson (*Comox-Alberni*), Harkness, MacNicol, MacLean, Matthews (*Brandon*), Raymond (*Wright*), Reid, and Stanfield—17.

In attendance: (Department of Mines and Resources): Messrs. W. J. Ford Pratt; R. A. Hoey, Director, Indian Affairs Branch; Eric Acland, Executive Assistant to Director; L. Brown and A. G. Leslie, Reserves and Trusts Service, Indian Affairs Branch;

Rev. P. R. Kelly, Chairman, Legislative Committee, Native Brotherhood of British Columbia and Mr. D. W. Assu, Cape Mudge, B.C., Executive Officer, North American Indian Brotherhood;

Also Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Mr. A. G. Leslie, of Indian Affairs Branch, was called and made a statement.

It was agreed that Mr. Leslie would not be questioned at this meeting, but after the Minutes of Evidence taken to-day appear in printed form.

On motion of the Honourable Senator Horner, it was

Resolved: That the Minutes of Proceedings of the following meetings be concurred in: Thursday, June 13; Tuesday, June 18 (morning session); Friday, June 21; and Monday, June 24.

On motion of Mr. Gariépy, it was

Agreed: That the Committee, unless the subcommittee on Agenda and Procedure recommend otherwise as an exception, sit only on Tuesday and Thursday mornings.

The Chairman announced that at the next meeting on Tuesday, 9th July, the first order of business will be the presentation and discussion of the Fifth Report of the subcommittee on Agenda and Procedure.

The Committee adjourned at 1.00 o'clock p.m., to meet again on Tuesday, 9th July, at 11.00 o'clock a.m.

T. L. McEvoy,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

HOUSE OF COMMONS,
July 4, 1946

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

The CHAIRMAN: Gentlemen, may we come to order. We are proceeding today with the departmental witnesses. We have invited Mr. A. G. Leslie of the Branch of Indian Affairs who looks after the trust and band funds, and we have also invited Mr. L. Brown, from the Trusts and Reserves Service, Indian Affairs Branch. Is it your wish now to hear from Mr. Leslie?

Mr. MACNICOL: Yes, let us proceed.

The CHAIRMAN: Well, Mr. Leslie, will you come forward please, and be seated.

MR. A. G. LESLIE, officer in charge of the administrative work of the Trusts Division, Department of Indian Affairs, called:

By the Chairman:

Q. What position do you hold, Mr. Leslie?—A. I am a principal clerk and at present in charge of the administrative work of the Trusts Division.

Q. You will have to speak just a little bit louder. You say you are a principal clerk in charge of what?—A. I am a principal clerk and at present I am in charge of the administrative work of the Trusts Division.

Q. How long have you been with the department?—A. Six years and a half in Ottawa and three years and three months as a teacher in the Kamloops Indian Residential School.

Q. You are quite conversant with the Indian Affairs Department in its estates and trusts division?—A. I am conversant only with the trusts division, Mr. Chairman.

Q. Are there any other preliminary questions that you would care to put to Mr. Leslie before he proceeds with his address?

By Mr. Case:

Q. Since coming to Ottawa, has Mr. Leslie been charged entirely with the trusts division?—A. No, for nine months I worked in the records branch and, for about the same length of time, in the handicraft division under Miss Moodie. After that I went into the trusts division.

Q. You have been in the trusts division for about five years?—A. Yes, a little over five years.

By the Chairman:

Q. If there is nothing further, I shall ask Mr. Leslie to proceed with his brief. Following our usual practice, we will withhold questions until the witness has presented his brief.

Mr. BRYCE: Has Mr. Leslie got his statement prepared or typed?

By the Chairman:

Q. Mr. Leslie, have you your statement prepared or typed?—A. Largely, but it is not entirely prepared. I have an outline but the major portion of it is prepared.

By Mr. Bryce:

Q. But you have not brought copies of it for members of the committee?—A. No, I have not.

The CHAIRMAN: I think we should call attention to the department that, when witnesses come forward, we would like to have prepared mimeographed copies of their brief for the use of the committee.

Mr. MACNICOL: It would be helpful, Mr. Chairman.

The CHAIRMAN: Thank you, Mr. Leslie, will you proceed.

The WITNESS: The trusts division of the reserves and trusts service, as the name implies, is charged with the administrative work involved in connection with the Indian Trust Fund, and in addition, with arrangements for the payment of annuities to Indians under the various treaties and agreements calling for cash distributions annually. The pay lists compiled by agents in accounting for these distributions constitute a nominal roll of the respective bands concerned and this leads to the trusts division being charged also with matters relating to band membership. Among such would be questions of eligibility for Indian status, transfers between bands, commutation of annuity or interest payments or both, forfeiture of band membership and the many combinations of these questions.

The matter of annuity distribution under treaty is not a difficult duty except in one particular. It is to be remembered that these funds are not to be regarded as either largess or humanitarian in nature. They are a debt we owe to the Indian people in the same way that instalments are owing on property, for example, a house and lot which is bought by a down payment of part of the purchase price. The cash down payment was made in the case of the Indians at the time the various treaties were negotiated in amounts of $12 per capita or $35 per capita, etc. The Crown agreed at that time to continue instalments at $4 or $5 annually per capita in perpetuity. These payments, then, are part of the purchase price, part of the consideration, for the extinguishment of the Indian title to the lands he once held. The distinction between these moneys and those paid say for medical or welfare services is sometimes overlooked. Annuity money is payable to the Indians as of right where the tribe to which they belong subscribed to the respective treaty. The only difficulty we encounter is in our efforts to make sure that all those entitled to such payments receive them and only those entitled to them receive the payments. Because you will have before you at a later date an official of the branch who is charged with this aspect of our work, I do not wish to open a discussion of any aspect of band membership except to define commutation. Commutation means payment in one lump sum in lieu of annual or semi-annual payments for life.

Although I have said that I do not want to open a discussion, I shall be very pleased to answer any questions which the members of the committee may wish to direct to me later.

Proceeding now to the Indian Trust Fund, that fund consists of capitalized annuities, and moneys arising from the sale of Indian lands and timber. The revenue began with the settlement of Upper Canada and the surrender for sale of Indian lands in that province. The moneys were first held by the Receiver-General for investment in commercial securities, municipal debentures, and so on. In the year 1859 by order in council of the 25th August of that year, the government assumed these investments which, at that time, were producing a uniform revenue at the rate of 6 per cent. The reasons which led to this

action were: that the system of investment then in vogue involved possible loss to the trust, that security was of the first importance, and that the guaranteeing of a uniform rate of interest by the government was desirable. The investments were, therefore, assumed and by order in council of the 24th September 1861, 6 per cent was guaranteed and is still paid on that portion of the fund; and 5 per cent was the temporary rate set on the new credits. The payment of interest at the rate of 5 per cent was continued until the year 1883 when it was reduced to 4 per cent. This reduction was deemed justifiable by the then administration due to the fall in the value of money and in the rate of interest paid to depositors in savings bank accounts. Again, by order in council of September 29, 1892, a further reduction to 3½ per cent was made for similar reasons, to take effect from July 1, 1892.

From January 1, 1898, a further reduction to 3 per cent was effected. This followed a reduction to 3 per cent on the rate paid on savings bank deposits. As from April 1, 1917, however, due to a general advance in the rate of interest in Canada, the rate paid on Indian trust funds was increased to 5 per cent at which it still remains. That is, you will note, only on new credits. The fund assumed by the federal government at the beginning remained at 6 per cent. As at March 31, 1946, the fund consisted of the following factors: $1,073,861.65 at 6 per cent which yields $64,431.70 interest, and $620,400.10 at 5 per cent which yields $31,020.01 interest. Now, that is all in Ontario, I mean, that second sum. The third factor is $15,402,227.93 at 5 per cent which yields $770,111.39 interest. On the total of $17,096,489.68, interest in the amount of $865,563.10 was credited to the fund on April 1, 1946. The amount on which 6 per cent is paid represents annuities capitalized many years before Confederation when that was the current rate, and if any attempt were made to reduce that rate, an additional amount would have to be included in the fund to return the same amount of money.

The first amount at 5 per cent, that is, $620,400.10, represents annuities payable to the Indians of Ontario capitalized at the time of Confederation, as part of the debt of the province of Canada and certain sums capitalized since to meet the obligation of Ontario for annuities under the Robinson Treaty.

The final and largest sum on which 5 per cent is now paid is the cumulative total, less expenditures, of sums received and placed to the credit of the trust fund since Confederation. It is the part on which the rate of interest may vary for different periods, it being treated like any other government deposit. The opinion is held in some quarters that the rate of interest on this part should be the same as the rate of current borrowings.

Since this question is raised from time to time, I would like to read to you a letter, or part of a letter, which sets out the position of the department in regard to changing the rate of interest on that part of the Indian Trust Funds where the rate of interest can be changed, that is, on $15,000,000 approximately, at the present time. The letter reads as follows:—

Ottawa, March 6, 1942.

Dr. W. C. Clark,
Deputy Minister of Finance,
Ottawa, Canada.

Dear Doctor Clark,

While Section 92 of the Indian Act gives the Governor in Council the power to direct how and in what manner and by whom the money shall be invested from time to time, it should not be forgotten that the Government is acting as trustee for the Indians and as such its duty is to secure as high a yield as possible consistent with safety. Whether this duty has been discharged in the past under the present arrangement would depend upon what was the average rate of government borrowings during

the periods when the different rates were in effect. It is quite true that the present rate of 5 per cent is higher that that now paid for long-term funds. However, during the period from 1917 to date there were a good many years following the last war when the cost of Dominion loans exceeded 5 per cent. Again, during the period from 1898 to 1917 when the rate of interest allowed by the government was only 3 per cent, there were many years when the funds could have been invested in Dominion securities with a higher yield than 3 per cent.

While we do not wish to complain of the present arrangement, which is a satisfactory one so far as the administration of the funds is concerned, it is only fair to keep in mind that the anomaly now existing has not always been in favour of the Indians.

Again, it is not unreasonable to suggest that during the period when the funds were being accumulated it might have been possible to have invested the major portion of them in Dominion securities so that the average yield on the whole fund would now be higher than 3%. Not having adopted that method of investment for these Trust Funds, it is questionable whether as trustee the Government would be justified in reducing the interest yield to the lowest rate now prevalent just because it happens to be lower than 5% at this particular time.

However, regardless of the above, it is doubtful whether a reduction in the rate of interest would result in any real saving to the government. The yearly income from the fund is almost wholly spent for the relief and welfare of the respective Bands. What might be saved by reducing the rate would probably have to be made up by additional appropriations and this condition would continue until the Indians have become more self-supporting. It is possible that there might be an actual saving if the rate were reduced, owing to the fact that the additional amount that would have to be provided in the estimates could possibly be more evenly spread among the Indians who need it. For example, there are some Bands who obviously get more from their interest accumulations than they would qualify for as assistance from the appropriations. The Dokis Band have a capital fund of $946,000 and the Blackfoot Band have a fund of almost 1½ million dollars. Both of these Bands would fall within this class. There are, however, only a few Bands in this fortunate position and the benefits they receive from the generous rates of interest are small compared to the good that is received by the other Bands.

To change the rate would involve some dislocation of existing arrangements and unless the saving to be made were substantial it is considered that it would not be worthwhile. In any case it should not be made without a full twelve months notice as the funds are budgeted a year in advance. To change the rate without notice would upset all the plans that are made in advance for the spending of the money and would be most embarrassing to the administration and particularly to the agents in the field.

Yours very truly,

(Sgd.) CHARLES CAMSELL
Deputy Minister.

The growth of the trust fund is briefly stated in the following table: as at July 1st, 1867, it amounted to $2,469,945.69. On the same date in 1882, it amounted to $3,147,271.43. On March 31st, 1917, it amounted to $7,870,230.36. On March 31st, 1926, it amounted to $12,418,460.77. On March 31st, 1936, it amounted to $13,877,863.60. On March 31st, 1939, it amounted to $14,297,756.59. On March 31st, 1946, it amounted to $17,096,489.68.

Now, it should be remembered that this sum belongs to various bands of Indians—the Blackfoot having the largest sum—and varies in amounts down to bands without funds. It belongs to individual bands with the exception of about $1,300,000 which is included in the total. The 5 per cent annuity fund, the Quebec fund, the Micmacs of Nova Scotia fund, and other accounts which provide a repository for receipts which are only left there temporarily—for example, the Indian handicraft fund, liquor prevention account and the savings fund of the Indians—comprise the major portion of the $1,300,000.

Up to 1882 the chief purposes for which capital moneys of the Indian Trust Fund were used were: surveys of surrendered Indian lands; road and bridge construction; erection of public buildings, such as churches, council halls and schoolhouses; temporary loans to the members of a band to enable them, when their crops failed, to purchase seed grain.

I might say that, generally, the capital funds are three-quarters of the total fund, and about one-quarter of the total fund is in the revenue account.

Expenditures for surveys were generally recovered by the sale of lands, while good roads, bridges and public buildings are valuable and permanent assets. Today expenditures from capital account are very limited so far as land surveys are concerned.

The main items of expenditure in the past several decades from this part of the trust fund have been for cash distributions for timber dues, for enfranchisements, for construction other than roads, and for timber fire protection. Justification for the charging of fire fighting and fire prevention costs to capital accounts would seem to be, as for the charging of land surveys, that the expenditure conserves and so facilitates the profitable sale of a capital asset. It is to be noted that the erection or repair of school buildings is no longer charged to Indian trust funds. Moneys for this purpose are provided from parliamentary appropriation.

One type of transaction was purposely omitted from the above list of uses now made of the capital funds because it is of special importance. It was felt that it deserves special treatment. The fourth type of expenditure mentioned as having been made in 1882 and previously, was for loans to individual band members.

Section 93 of the Indian Act provides for authority by order in council for the making of loans from capital funds to members of Indian bands to promote progress. In practice the general procedure is as follows: Since it would be cumbersome to procure a separate order in council for each individual loan, the practice is to have the Indian agent, after discussion with the band council, arrive at a figure which will provide sufficient funds amply to cover all the loans likely to be in effect in the band at one time. Then, by resolution, the band council requests that the amount decided upon be set up as a loan fund for the members. This resolution or request is then forwarded to Ottawa and the necessary submission made to Council. The amounts of such loan funds range from $1,000 to $15,000, and have been set up for forty-three bands in the Dominion.

In this connection there is occasionally misunderstanding. Indians sometimes get the impression that this fund is set apart and does not draw government interest, thus decreasing the income of the band from that source. Such is not the case. The fund so determined remains as part of capital account, excepting, of course, the total of the outstanding loans. The purpose of setting the amount by order in council is to authorize the making of loans and to set a limit as to the total amount of the capital funds which can be outstanding at any time for loan purposes. The operation of the band loan system can best be shown by a summary of the transactions for the fiscal year ending March 31st, 1946.

In that period, 199 Indians made application for loans from band funds. These applications totalled $45,487. Of the 199 applications received, 147 were approved, for a total of $30,652. Twenty-four applications were approved, but later cancelled by the Indians for a total of $4,995. Applications to the number of twenty-four were rejected for a total of $5,440. Four applications were held in abeyance, for a total of $4,400. Now, that last amount seems to be large, but it is because one loan application was in the amount of $1,900. The total of $4,400 is for four loans.

A total of $30,652 from band funds was loaned to 147 individual band members, the average loan being $208.52. The sum advanced was for the purposes and in amounts as follows:

The purchase of livestock and equipment	$15,517
The purchase of property, land and buildings	1,175

The CHAIRMAN: If you would look at your reports of these meetings at pages 200 and 201 you will see where the band loans are set forth. This material was put in by Mr. Hoey, I believe. That might be of assistance to you.

The WITNESS: Mr. Chairman, those figures are from the 1944-1945 report.

The CHAIRMAN: The 1944-1945 report, yes.

The WITNESS: There is a little difference, because my figures are for the 1945-1946 report. I would just like to point that out. Shall I continue.

The CHAIRMAN: Yes, if you please.

The WITNESS:

Repairs to buildings, houses, barns, etc.	$ 6,565.
Construction of new buildings, and the sinking of wells	6,075.
Miscellaneous purchases	1,320.
Making a grand total of	$30,652.

Generally speaking, it is to be noted that the borrowers received assistance in the purchase of seventy-eight horses, twenty-nine cows, six tractors, two mowers, four ploughs, two binders, eight wagons, two seed drills, one fishing boat, eight sets of harness and other farm implements. Repairs were made to thirty-seven houses and three barns; fifteen houses and two barns were newly constructed, and four wells were sunk. Loans were also granted to four Indians for the purchase of property to enable them to become established.

Previous to August, 1939, the procedure in regard to band loans was less definite than at present. Before that many of the loans were inadequately secured and the terms of repayment were often vague. The Act provides that a loan made to an Indian from Capital Account shall in no case exceed in amount one-half of the appraised value of the interest of the borrower in the lands held by him. Also, when a loan is made from band funds, the borrower must, in justice to his fellow band members, make repayment, if he possibly can. He should, for the same reason, pay interest on the outstanding balance at the same rate as the funds would earn if they had not been withdrawn from Capital Account.

To safeguard the interests of the band, generally, the superintendent of reserves and trusts, Mr. Allan, in August, of 1939 established a Loan Board consisting of the director, the superintendent of reserves and trusts and one other member of his staff, usually the official in charge of the trusts division. A secretary is attached to the board to compile the information required and keep the minutes of each Loan Board meeting. The function of the board is to scrutinize the applications for loans, and form an opinion as to the fitness of the applicant for such aid, having regard to his character, the security offered, and

his ability to meet suitable terms of repayment. Generally, the loans do not exceed $500 and repayment with interest is by annual or semi-annual instalments spread over not more than five years.

The procedure is, that the prospective borrower makes application for the loan to the band council. If they wish to aid him, a resolution recommending the loan is adopted by the council. Then the application and resolution are forwarded together with the confidential report and recommendation of the Indian agent for approval or rejection by the Loan Board. They are not always rejected or approved immediately. If information is lacking, they are put in abeyance, and a letter is sent to the agent asking for the information desired. In the case of successful applicants land or chattel mortgages describing the security and setting forth definite terms of repayment are forwarded to the agent to be executed by the Indians concerned. When these are returned and approved, the Indian agent is notified that the funds are available.

Evidence that this procedure is an improvement over that formerly in effect is given by the fact that at August 31, 1939, the total moneys outstanding and overdue on band loans was $88,395.98. The comparable figures at present is $26,937.89, half of which is made up of seventy-two of the old unsecured accounts and in each year for the past five, the number of loans repaid has exceeded the number of loans made. While 925 loans have been made, 1,029 have been retired. We are getting out of that condition where the old loans demand attention as regards collection. The list for the fiscal year just concluded shows 147 loans were made and 138 were retired. At present, 412 individual Indians are making use of the funds of their respective bands, and it is felt that this number will increase as the number of Indians hitherto employed in war industry return to their reserves.

So far, I have been talking about capital account. But turning now to the administration of that part of the Indian Trust Fund comprised mainly of accumulated interest which is termed the revenue account: this fund, for the past several years, has comprised, roughly, 25 per cent of the total trust fund. For example, as at March 31, 1946, the respective balances in the trust fund were: Capital account, $13,236,853.90, and a little over $3,000,000 was in the revenue account.

The administration of capital funds offers no insurmountable difficulties perhaps for the reason that the Indian Act in sections 90 to 95 gives some direction, however general, as to the purposes for which capital funds may be used. Such is not the case, however, with interest or revenue funds. I might say that revenue is the term now more favoured when referring to that part of the Indian Trust Fund which, although composed mainly of government interest, also contains other income such as rentals, the proceeds of grain and hay sales, as well as pasture dues, road subsidies and so on. Therefore this account is referred to both as revenue account and interest account. To continue, no clear direction is given in the Act as to the purposes for which these funds may be used. Indeed, we have been advised by the Department of Justice that there is no certainty that any distinction as between capital and revenue was intended in the Indian Act.

However, a distinction is maintained. The five main purposes for which capital funds are used have been dealt with earlier. The types of expenditure made from revenue account are innumerable and generally speaking are all those not properly chargeable to capital account. I shall briefly outline the main uses: First, we have housing, which might be divided into five sub-headings. One example is projects, and by that I mean cases where a large sum, say $5,000 is spent by the band in order to improve housing conditions on the reserve. New houses are built or general major repairs are made and so on, i.e. there is a definite sum asked by the band in the beginning. I have referred to major

and incidental repairs to the houses which are already in existence. Finishing of houses already commenced is assisted by supplying roofing, windows, doors, flooring and trim—in short, aid for the finishing of a house already partially built by an Indian through his own efforts. An Indian may use logs to build the walls of his house, but he may be unable to get funds to permit him to finish the house, so we may receive a request to provide funds in order for him to procure the necessary material.

A considerable amount is spent by the Indians for the purpose of white-washing their homes and the various buildings pertaining thereto. In some bands complete housing units are furnished to young Indian couples. These are given as grants with no repayment expected. An example of that is to be found in the case of the Blackfoot, and there are other bands, I believe. Sometimes housing is cared for by loans from capital account. When benefit is given to the majority of the band, no repayment is considered necessary; that is, they all benefit by it; therefore, no injustice is done to anyone if it is not repaid.

Another method of assisting Indians in this connection is where aged, sick, or crippled Indians require aid for housing, a definite sum is granted ranging from $35 to $300 or $600, depending entirely on the situation. When such a sum is granted to an Indian, the interest of the band in the property is safe-guarded in that the Indian is asked to execute a document by which he acknowledges this interest, and collection is effected only from his estate. Repayment during his lifetime is not insisted upon. In many cases it would be impossible; and even in the case of an estate—I do not want to enter too much into that, because another official will deal more fully with it—we do not request it, if the payment of that debt to the band fund would work a hardship upon the heirs. So much for housing.

Another major item of expenditure in this use of the funds is for agriculture. Advances or assistance is given for the purchase of machinery, live stock, seed, and twine, also for irrigation. In the past decade, advances from band funds have been made for assistance to community farms. Assistance is given to band projects, such as the reclamation of weed infested land. This, I might say, is usually repayable from the first crop or the first two crops harvested when that land is brought into production.

By Mr. Castleden:

Q. These are loans that you are referring to?—A. Yes, they are merely farm loans. Loans given to individuals for the purchase of equipment, and such loans are repayable. There have been instances where crop failure, for example due to hailstorms, have wiped out the crop. In such cases, upon resolution of the band, the indebtedness is forgiven and absorbed by the trust fund. Assistance is given to ranching Indians for the erection of fences, and corrals.

Fishing boats and canoes are purchased, the cost of which is repayable if the circumstances warrant it. Nets are purchased regularly and charged to the next ensuing interest distribution. This is agreeable to the Indians. Licences are purchased. One example of fishing projects which I would like to mention in particular is that at Bersimis in the province of Quebec. A licence fee of $2 is paid and a lease is procured at a cost of $500 from the provincial government.

By Mr. MacNicol:

Q. $500?—A. For that particular lease, it costs $500; it is for salmon fishing.

Mr. REID: They had better come to British Columbia.

The CHAIRMAN: We will have no advertising, please.

The WITNESS: Fishing equipment, amounting to $1,300, was purchased out of their funds. This equipment had been in the custody and ownership of

the Hudson's Bay Company, who allowed the Indians to use that equipment and charged them a substantial rental for so doing. Ultimately the equipment was purchased outright and paid for by the band funds. It included such items as pets, motors and boats. The outlay last year was slightly in excess of $2,000. Twenty-three thousand pounds of salmon to the value of $2,300 were taken under the project.

One important item in the expenditures of that project is the payment of wages to a white operator. At the inception of the project there was no one available from the band who had the requisite knowledge to carry out the supervision of the project; so a white man was hired and paid so much a day. He has been instructed to train Indians, one or two of them, who will, we hope, within a year or two, be able to take over the supervision of the project.

By Hon. Mr. Horner:

Q. Who selected that white man?—A. The Indian Affairs Branch.

Q. Not the Indians themselves?—A. No.

The CHAIRMAN: Proceed, if you please.

The WITNESS: Another item, leaving that fish project, is lumbering. Assistance is given from the revenue account for lumbering, for example grub staking an Indian who wishes to go out and cut fuel wood and then sell the wood. That will be dealt with by our timber man.

Now, under the heading of horses and wagons, such equipment is furnished in western Canada to Indians in the northern part where they engage in seasonal lumbering work, that is, where they work on their farms in the summer and go to the bush in the winter.

Another important item of expenditure from revenue account is for road work. Payments are made to Indians from band revenue account for labour *re* improvements to roads on reserves and expenditures are made for the purchase of road building and maintenance equipment. Another item is salaries and wages. The men who receive these salaries are band members largely, the chiefs, the councillors, the caretakers, the fence viewers, the path masters, the watchmen, and the band secretaries. Another large item of expenditure is for relief; and finally, distributions of interest.

To illustrate, I would like to give the percentage of total expenditure made *re* the above during the fiscal year ending March 31, 1944. This is not intended to be a cent for cent accounting. The treasury officers, so far this year, have not been able to give us that. So I had to take the last available statement, as of March 31, 1944.

By Mr. Matthews:

Q. What is this total expenditure for?—A. All purposes.

Q. For all purposes?—A. Yes. I would like to say that I only divided the expenditures so that I could give the committee some idea of the uses that are made of the funds. I make no claim as to its accuracy beyond giving a summary of expenditures from the revenue fund. The income for that year, to both capital and revenue account, was $1,849,000; the expenditures were $1,084,000. The increase in the credit balance was $765,000.

By Mr. MacNicol:

Q. I do not get those figures.—A. Income for the fiscal year ending March 31, 1944, to both capital and revenue accounts was $1,849,000. The expenditures were $1,084,000 and the increase in the credit balance was $765,000.

By Mr. Reid:

Q. You mean that you have $765,000 left over?—A. That is right.

The CHAIRMAN: Would you kindly proceed.

The WITNESS: The above total expenditure includes some $323,000 which would be capital expenditures, "in and out" expenditures, such as annuities, fur sale proceeds, rentals, withdrawals of savings, etc. The percentages or proportions would be: Taking the constructive purposes first, salaries and wages, 6·5 per cent or $49,000. Roads, 4·5 per cent or $34,000. Agriculture, 9·5 per cent or $74,000. Housing, 5·5 per cent, or $41,000. Blackfoot Hospital, including salaries, 3·5 per cent or $26,000. Miscellaneous, which includes lumbering, fishing, repairs and upkeep of the band property, 5·5 per cent, or $41,000. Now, dealing with the nonconstructive purposes, the first would be interest distributions, 41 per cent, or $311,000, and relief and funerals, 24 per cent, or $184,000.

The uncertainty as to whether or not specific expenditures from the trust fund are or are not permissible under the Act is well illustrated by an example. In 1938 the branch referred to the Justice Department for a ruling on the following question: Can expenditures be made from revenue account for the purchase of sports equipment and musical instruments? The ruling given at that time was, "Yes, subject to approval of the Deputy Superintendent-General and authority of the Governor in Council." Accordingly, several expenditures for the purchase of musical instruments were made, the required procedure as outlined above, in each case having been fulfilled. Then, in March, 1946. Treasury Board, upon our requesting their authority for an expenditure of $800 from Squamish Band funds for the purchase of band instruments, referred the matter to the Justice Department for a ruling as to the legality of the expenditure. The ruling was to the effect that the expenditure could not be made. Such conditions, it is obvious, do not facilitate proper administration of the trust fund.

By Mr. MacNicol:

Q. The Justice Department reversed its former ruling?—A. Yes.

In December, 1943, our department, wishing to obtain a regularization of the uses that were being made of a band fund, initiated a move to procure authority by order in council for expenditures which, although having been made for many years in good faith, were not provided for specifically in the Act or by any previous order in council. I believe there is no better way of placing the facts of the matter before this committee than by quoting the submission to council and the accompanying remarks as well as the ruling of the Justice Department. The material reads as follows:

OTTAWA, December 16, 1943.

PRECIS FOR THE CLERK OF THE PRIVY COUNCIL

Authority to distribute from Capital Account not more than 50 per cent of amount realized from sale of timber and to pay charges incurred in protection from and suppression of fires, and from Revenue Account assistance to Indians from income derived from interest, rentals and other sources.

DECEMBER 16, 1943.

To His Excellency
The Governor General in Council

The undersigned has the honour to report:

That under the provisions of the Indian Act (Revised Statutes of Canada 1927, Chap. 98) certain lands and other capital assets of Indians of Canada have been sold, managed and administered on their behalf and the proceeds thereof ordinarily known as "The Indian Trust Fund" is held for them in two accounts one designated as "Capital Account" and the other as "Revenue Account".

That in setting up the machinery for the administration of the said Indian Trust Fund Section 90 of the Indian Act provides inter alia that it "be dealt with in the same manner as they might have been applied to or dealt with but for the passing of this part", and by Section 92 that the Governor in Council may . . . direct how and in what manner and by whom the moneys arising from the disposal of Indian lands, or of property held or to be held, held in trust, for Indians, or timber on Indians Lands or reserves or from any other source for the benefit of Indians, shall be invested from time to time, and how the payments or assistance to which the Indians are entitled shall be made or given".

That with respect to Capital Account by Order in Council No. 40987 of January 12, 1883, a direction was given that all expenditures from Capital Account both as to amount and the purpose thereof should be made on the specific authority of an order of the Governor in Council, and this practice has been and is observed with two exceptions only (*a*) The distribution of 50% of the sale of timber which is governed by the terms of each individual surrender as provided by Section 92 of the Act and (*b*) Expenditures for fire suppression in the protection of capital timber assets.

That with respect to Revenue Account no direction has been given but the practice honoured by long observance has grown up to extend to the Indians the assistance they are entitled to from the fund under the provisions of the Act and to pay to them in cash the balance of their annual income from interest, rentals, etc., as shown by credits in the said Revenue Account without the authorization by order in council which the Act stipulates.

That the reason for non-compliance with the strict letter of the Act was the impracticability of securing specific direction by order in council for payment of accounts the majority of which were for very small amounts and in volume normally run in excess of one thousand per month. That the established practice is regarded as sound in principle and practical in operation and it is in the judgment of the undersigned expedient and desirable that its continuance should now be authorized by a direction of the Governor in Council based on Section 92 of the Act.

It is recommended that pursuant to the powers vested in the Governor in Council by Section 92 of the Indian Act the undersigned be and is hereby authorized in his discretion:

1. To distribute from Capital Account among the Indians on a per capita basis a sum not greater than 50% of the amount realized from the sale of timber assets and to pay from the said Capital Account charges properly incurred in the protection from and the suppression of fires threatening the destruction of their timber assets.

2. To provide from time to time from Revenue Account the assistance to which the Indians are entitled under the provisions of the Indian Act and to distribute among them on a per capita basis from time to time and in cash or in kind the balance of the annual income derived from interest, rental and other sources as shown by credits in the said Revenue Account.

Respectfully submitted,

Minister of Mines and Resources.

OTTAWA, December 17, 1943.

Memorandum:

Order in council of November 1st, 1913, provides: "In future the cost incident to the sale of Indian lands and timber will be charged directly to band accounts; the ordinary expense of administration will be charged to funds provided by Parliament." The above order in council constitutes the authority under which cruising valuations, scalers' fees, surveys, advertising costs and other costs incidental to sales of land or timber may be charged to the funds of the band when done in anticipation of a sale of land or timber assets.

There are, however, other things we do which do not appear to be authorized by an existing order in council for example:

(1) Payment of costs of suppression of fires other than timber fires from Revenue Account. These fires threaten the destruction of band assets other than timber for example, grazing lands, hay lands, building, hay, grain, etc.

(2) Payment of fire insurance premiums on policies covering buildings erected from band funds—to protect the band interest therein.

(3) Expenditure for the Indians of rents under $500, this is done on resolution of the band, and over $500 on resolution plus specific authorization by the Minister.

(4) Drainage works of general benefit.

(5) Payment for band machinery and buildings, for example, threshing machines, tractors, grain cleaning plants, community halls, lighting plants and other projects in the promotion of the general welfare of the band.

(6) Compassionate fire grants where, on resolution of the band it is recommended that compassionate grants up to $50 be given to persons whose homes have been burned. This is in the nature of material assistance to unfortunate members and is a time honoured practice in many bands, Six Nations, Manitoulin Unceded, Blackfoot, etc.

Some of the above are in the discretion of the minister by the Provisions of the Act itself. The one that gives us the chief concern is to find authority for the payment of the cost of suppression of fires other than timber fires from Revenue Account for which we have difficulty in locating any specific authorization. On the other hand it does not appear expedient to attempt to cover all these matters by the proposed general order in council by asking for a direction "how and in what manner and by whom" money may be spent and "how the payments or assistance to which the Indians are entitled shall be made or given". It would appear to be the proper course that the direction we ask for should be general, rather than specific in its terms and the draft recommendation to council attached would appear to go about as far as is necessary.

D. J. ALLAN,
Superintendent, Reserves and Trusts.

To: The Secretary,
Treasury Board.

11th December, 1944.

J. R. 8878-44

Re: Your T. 255928 B.

I have been considering representations made by the Department of Mines and Resources with reference to a recommendation dated December 16, 1943, that the Governor in Council should, pursuant to section 92 of the

Indian Act, authorize the Minister of that department (1) to distribute among the Indians on a per capita basis one half of the amount realized from the sale of timber assets and to pay from capital account generally the expenses of forest fire protection; and (2) to provide assistance to the Indians from revenue and to distribute among them on a per capita basis in cash or in kind the balance of all annual income. The provisions of the Indian Act with reference to "Management of Indian Moneys" are by no means easy of interpretation and are not in every case self-explanatory. Several points required to be borne in mind.

First, it is provided by section 94 that the proceeds of sales shall be paid to the Minister of Finance to the credit of the Indian fund, which fund is, I understand a special account in the Consolidated Revenue Fund.

Secondly, section 90 provides that all moneys applicable to the support or benefit of Indians and all moneys from the sale of Indian lands or the proceeds of timber (sales) shall be applicable to the same purposes and dealt with in the same manner as might have been done but for the passing of the Act. This section seems to perpetuate some pre-existing obligations to apply the funds for particular purposes, possibly in accordance with terms of surrenders. This provision might prevent any such general use or distribution of the Indian moneys as is proposed.

Thirdly, notwithstanding the recognized practice of the Department of Mines and Resources in the past, based to some extent on the legal opinions given, it is certainly not beyond doubt that Parliament intended to make a distinction between capital and revenue (income). Section 93 does provide that certian expenditures are to be made out of capital, but no such distinction is made in the other relevant provisions of the Act, and consequently I would hesitate to advise that a scheme of distribution could be now adopted to apply indefinitely in the future which provides for capital moneys to be used and distributed for particular purposes and revenue moneys for other purposes.

Fourthly, as I read the statute, Indian moneys can only be invested or expended as authorized by either the surrender or agreements or specific provisions in the Act such as expenditures of management upkeep and expansion or reserves as provided by section 92 (2) and 93 (1) and expenditures to aid the sick, aged and destitute as provided by section 95 (*d*).

I am unable to find any provision under which the Governor in Council can authorize the distribution of moneys standing to the credit of the Indian fund on a per capita basis among the Indians. The addition to the proposed regulations of the proviso suggested in your letter of January 27 last would not effect this view.

With reference to the expenses of forest fire protection, these would appear to be expenses that might properly be considered to be part of the cost of and incidental to the management of reserve, lands, etc., and might, therefore, be paid out of the percentage or proportion of Indian lands, etc., which the Governor in Council can have set aside for management expenses under section 92 (2). If no such percentage or proportion is set aside, there would appear to be no authority in the Act for paying such expenses out of the Indian moneys.

F. P. VARCOE,
Deputy Minister.

OTTAWA, 15th April, 1946.

To: The Secretary,
Treasury Board.

150556

Re: Your T. 301688 B.

I acknowledge your letter of the 4th instant with which you submitted a copy of a report to Council made by the Minister of Mines and Resources on the 6th utlimo for approval of the expenditure of $800 from the funds of the Squamish Band of Indians in the Vancouver Indian Agency for the purchase of musical instruments.

You ask my opinion as to whether the proposed expenditure could be properly authorized under section 92 of the Indian Act. With reference thereto, I may say that I am of opinion that this expenditure cannot be made under the Indian Act unles it be shown that the Indians are entitled thereto under the terms of the surrender or other document under which the propetry from which the moneys were realized was received.

F. P. VARCOE,
Deputy Minister.

OTTAWA, April 27, 1946.

C. W. Jackson, Esquire,
Acting Deputy Minister,
Department of Mines and Resources,
Ottawa, Ontario.

DEAR MR. JACKSON:

This will refer to your Minister's recommendation of March 6, 1946, that authority be granted for an expenditure of $800 from the Revenue account of the Squamish Band of Indians for the purchase of musical instruments.

In reply to an enquiry the Department of Justice have advised by letter of April 15 that the Indian Act does not provide for expenditures of the type in question except and unless these expenditures are provided for under the terms of surrender. A copy of the Justice's reply is enclosed.

Your minister's recommendation of April 1 for an expenditure of $25 to provide Sports equipment and improvement of the playgrounds at the Cape Croker Indian Reserve would appear to involve the same principle.

Would you, accordingly, have these submissions reviewed and advise.

Yours very truly,
W. C. RONSON,
for Secretary.

There is one use of band funds that I neglected to mention and that is for fire insurance. At present $440,545 of coverage is in effect. Over a three-year period, the premiums have cost the band fund $5,651.31. That insurance is placed with the consent of the band on buildings belonging to them.

By Mr. Case:

Q. That fire insurance is placed with various companies?—A. Yes. There are sixty-two schools and teachers' residences covered, also twenty-two churches, twenty-three council halls, seventy-seven houses and barns, one agricultural hall, two hospitals, a sawmill, a seed cleaning plant, and a grain separator. Those are the main items.

By Mr. Bryce:

Q. How many Indian houses are covered?—A. Seventy-seven.

Q. For the whole of the Dominion of Canada?—A. Yes, that is right. I would like to mention, in regard to the question raised, that where an Indian loses his house through fire, upon resolution of the band, he is allowed a maximum of $150, or 50 per cent of the estimated value of the property destroyed, whichever is the lesser.

By Mr. Castleden:

Q. That is, provided the band has any funds?—A. Yes.

By Mr. Case:

Q. And if he has no insurance other than that?—A. I do not think that point has ever come up. The same sort of compensation is allowed to an Indian who loses his horse or cow through an accident.

By Mr. MacNicol:

Q. Suppose it were through lighting?—A. Yes, that could be; any case where it was not due to neglect or some such reason.

I would like next to refer to Indian indebtedness to their band fund.

By Mr. Blackmore:

Q. Before the witness proceeds, I wonder if we could get any idea as to how much longer it will take him to give his presentation? We would like to know, so that we may have adequate time for questioning.

The CHAIRMAN: I think, Mr. Blackmore, that following our usual practice, if Mr. Leslie finishes his presentation to-day, we will then proceed at a later date to question him. That might be the better procedure, in view of the fact that we have not his typed presentation before us. And in the meantime, we could prepare questions and study the material.

Mr. CASE: Yes, but when are the reports coming through. We have not got the last one yet?

The CHAIRMAN: No. 9 is out this morning.

Mr. BLACKMORE: Why not let us stop now and have a question period?

The CHAIRMAN: That is for the committee to decide.

By Mr. Castleden:

Q. How long will it take for you to finish, Mr. Leslie?—A. At least half an hour.

Mr. BLACKMORE: The members are going to be so occupied, they are heavily occupied with so many different things.

Mr. MACNICOL: We cannot put in a report to the House this session.

The CHAIRMAN: We canot hope to put in a report this session.

Mr. MACNICOL: It would be impossible. I have been considering that during the recess I could make a thorough study of the reports we will have before us. I think this is one of the most important committees that the House has set up for a long time. It is worthy for our study. We should all study the reports during the recess and, if necessary, call all these men before us again for one or two days questioning on any single report we have. I think it is of particular importance that we get everything on record and then this committee should have a chance to do something that should have been done years ago, namely, to do what we can to purify the whole Indian question in Canada.

Mr. BLACKMORE: Up to the present time our procedure has been to hear a certain amount of evidence and then ask a certain number of questions. I do not see why we are departing from that procedure on this occasion.

The CHAIRMAN: I have permitted this little discussion now so that I could get your opinion. Your opinion is, as I understand it now, to get through with the presentation.

Mr. BLACKMORE: No, I would rather stop now, after a certain amount of presentation, and ask a number of questions, say, for fifteen minutes, and then go on with the presentation.

The CHAIRMAN: I do not think it would be fair to cut off questioning after fifteen minutes.

Mr. BLACKMORE: I am looking at the question from my own standpoint. The work of the House is so heavy that I know I could not ask any intelligent questions upon this work within the next three or four days.

The CHAIRMAN: The report won't be printed before next week, I can assure you of that.

Mr. BLACKMORE: By that time we will have three or four more presentations.

The CHAIRMAN: No, we will not.

Mr. REID: I think that fifteen minutes would hardly be enough because I have questions of my own noted here that would take far more than fifteen minutes.

Mr. BLACKMORE: Why not start the questioning right here and now?

The CHAIRMAN: All those in favour of continuing the presentation, which will take up the balance of the meeting at least, please show their right hand? All those who want to start questioning now? I am afraid it is lost, Mr. Blackmore.

Mr. BLACKMORE: All right, if that is the opinion of the committee.

The CHAIRMAN: Will you please proceed, Mr. Leslie.

Mr. CASTLEDEN: It is understood that an opportunity will be given us later for questioning?

The CHAIRMAN: By all means, there will be every opportunity; not only the next time that Mr. Leslie comes before the committee for questioning, but after you have had a chance to study the various reports and the various briefs; then we will have an opportunity to call any one of the departmental officials at any time before this committee for further questioning; three or four times, if you wish.

Mr. BLACKMORE: Our next meeting will probably come next week?

The CHAIRMAN: I understand it will be on Tuesday; but we will discuss that matter before the close of this meeting. Will you kindly proceed, Mr. Leslie?

The WITNESS: The debt situation in the prairie provinces, with respect to individual Indian indebtedness to their band funds, has been engaging the attention of officials of the Indian Affairs branch for some time. Repeated crop failures in the 1930's worked severe hardship on a great many Indians. The difficulty of meeting the situation among the white farmers is recognized by the provinces of Manitoba, Alberta, and Saskatchewan. The remedy applied by them was a scaling down of seed and feed indebtedness to a substantial degree. Under the present set-up, as regards this type of indebtedness owing by Indians, the debts of each individual are classified under three headings, namely, Uncollectable, suspended, and Current. In the first place, uncollectable debts are those which by reason of destitution or death are deemed uncollectable. To all intents and purposes no further effort is made to collect on these accounts unless the estate of a deceased Indian has assets to retire them without working

a hardship upon the heirs. Under the second classification are placed those debts which are difficult of collection, at least at the present time. Collection is to be made of them, however, if and when the opportunity presents itself.

By Mr. Gibson:

Q. Is interest running on with respect to those debts?—A. I would say, not. Finally there are retained under "current" those debts which should be repaid within a year or two. It has been recommended with regard to debts owing by Indians to their band funds in the three western provinces, that the debts incurred previous to January 1, 1938, on account of seed and feed advances, be transferred to the uncollectable section of the debt ledger; and that all debts incurred with respect to seed and feed, previous to that date should be shown in the suspended section and collected as and when possible. Finally, all debts incurred on any account subsequent to the beginning of the year 1938 should be classified as current and be collected. The reason for the recommendation was that time should not be wasted in attempting to achieve the impossible, that is, the collection of debts from borrowers who, owing to circumstances over which they had no control, were quite unable to pay.

The situation in one agency might be taken as typical. The total individual indebtedness is in the neighbourhood of $60,000 which means, in that agency, more than $100 per capita is owing for every man, woman and child. That includes debt to appropriation funds. According to the detailed statement as of December, 1943, the total indebtedness to Band Funds in that agency amounts to $34,023.86.

By Mr. Lickers:

Q. Could you give us the name of that agency?—A. The Qu'Appelle agency.

By Mr. Castleden:

Q. You have no figures to show the approximate income per capita of that agency, having regard to the possibility of their ever being able to pay it off.—A. I am sorry, but I am afraid I could not give you that.

The CHAIRMAN: Very well, will you please proceed, Mr. Leslie.

The WITNESSS One device has been employed by the department with marked success to reduce this indebtedness. It has been submitted that debts which are owing to band funds should not be subject to write-off as the practice would be unfair to those privileged to borrow without repayment if insisted upon. To write-off the debt penalizes those who have not borrowed. It is a fair presumption that the ones who did not borrow are either the more progressive ones or the ones who lack the necessary influence with the band council to obtain this accommodation. What is known as a debt paying distribution has been used to reduce these debts to band funds. This method is to distribute on a per capita basis such an amount as the credit of their revenue account will stand, but subject to the condition that the money must be applied to its full extent in payment of the debt of the recipient. In this way a large percentage of the distribution goes back to the band funds, and what is paid in cash to the band members who owe no debt only compensates them for that which they did not receive in the form of loans.

By Mr. Castleden:

Q. Where does that credit come from?—A. The Revenue Account. You are familiar with the distribution of interest. That same money is used to make this special distribution. Before this distribution was made, in February of last year, Mr. Allan visted the reserves and talked the matter over with the councils.

By Mr. Case:

Q. Who is Mr. Allan?—A. Mr. Allan is the Superintendent of Reserves and Trusts, in charge of this work, my immediate senior official. At that discussion, as regards this band, the following principles were adopted: all debts incurred in the purchase of seed and feed during the depression period ending December 31, 1937, owing to the band funds shall be forgiven by the bands, confirmed by council resolution. All debts incurred for the purchase of seed and feed and owing to appropriation shall be cancelled or transferred to the uncollectable account. In connection with old housing debts dating back to the period of 1919 to 1923, it was agreed that the house should be sold and the proceeds returned for the credit of the band funds; or, if the man who borrowed the funds to build the house was dead, the house was to be repossessed immediately and sold for whatever its salvage value was.

Included in that total I gave you, in the first place, are debts owing to outside creditors. These were to be outlawed if more than seven years old. All debts incurred prior to January 1, 1938 other than seed and feed debts were to be collected, and all write-offs where it was decided that the indebtedness should be forgiven and absorbed by the trust fund were to be confirmed by a resolution of the band council. A distribution of $15 per capita was made in February to the Pasgua band, and $3,300 was advanced to make the distribution. $1,700 was collected on these old debts. Muscowpeting was advanced $2,245, and $1,727 was collected. In connection with the Piapot band, $2,440 was advanced, while approximately $1,200 was collected. Now, that is typical of the way that it is proposed to deal with Indian indebtedness on the prairies.

When time permits, it is proposed to deal with each agency in the same manner. That is our intention.

The next question I would like to cover is that of interest distributions. This is a source of difficulty, particularly when a decrease in per capita rate is involved. Occasionally a decrease is unavoidable where, for instance, the balance in the revenue account has become depleted to a point where we are faced with the choice of either lowering the rate and continuing distributions, or continuing at the same rate to a point where no funds are available and distributions suddenly cease. Depletion of the revenue account is due mainly to two reasons, first, the natural increase in band population, and second, increased expenditures for purposes other than cash distributions. In 1942 the general policy of decreasing the per capita rate of distribution was instituted. In this connection a letter was sent to all Indian agents affected, over the signature of the superintendent of reserves and trusts, Mr. D. J. Allan. That letter set forth the attitude of the reserves and trusts service in the matter, as directed by the minister, and since it covers the question in all its aspects, I should like to read that letter into the record. It reads as follows:—

OTTAWA, April 7, 1943.

TO ALL INDIAN AGENTS

Pursuant to the declared policy of the department with respect to the restricted use of Band funds during war time, this service is giving consideration as to what we should recommend to effect the desired reduction in interest distributions. The main purpose of such a restricted use of Band funds is to accumulate moneys in the Indian accounts in order that it may be available to the Indians during the post-war period when the employment situation may not be so favourable as it is at present.

Generally speaking employment and wage conditions in the Dominion are now very favourable and it would seem an opportune time to encourage the Indians to augment their ordinary income by taking remunerative work instead of passively awaiting assistance from the

distribution of their interest. The depletion of Band funds by giving unnecessary aid to able bodied Indians and their dependents is in our opinion at this time to be avoided. We should like to emphasize, however, that where sick or disabled or aged Indians or those destitute through no fault of their own are in need of assistance, supplies may be issued to them as a relief measure and charged against Band funds on your voucher. See Section 95 (*d*) of the Indian Act.

In addition to the above deserving cases of individuals there may be some whole bands situated in a region to which the benefits of war employment have not extended. It is not intended to deprive such bands of assistance from the interest funds unless it is considered that such assistance now and in the past furnished them with cash actually surplus to their essential needs or deprived them of a proper incentive to seek remunerative employment. Our objective is to conserve and build up the respective interest accounts against the post-war re-adjustment period when it is almost certain that assistance from band funds will be more necessary than at present and a payroll more difficult to maintain.

It is asked that this matter be taken up with the band or various bands in your agency and that you fully explain to the members or council the attitude of the department and the reasons therefor. Will you then please report to this office on the reaction of the Indians and if you consider that a general interest distribution should be made please suggest the minimum per capita rate.

D. J. ALLAN,
Superintendent, Reserves & Trusts.

This proposal was received with very praiseworthy co-operation from Indian bands generally. Some protests were received but I would like to emphasize that each case was treated on its individual merits. The governing factors in determining whether or not reduction or suspension of cash distributions should be carried out were: the state of the account, that is the size of the free balance; the report of the agent on the proper use to be made of the cash distributed; the reaction of the band generally to the proposal; and finally, the terms of the surrender.

In connection with the last, further difficulties presented themselves in this way. All the funds of a band are in one account. This account in many cases is built up through moneys received from several surrenders taken in past years. Each of the surrenders may stipulate that the moneys received from the lease or sale are to be used for specific purposes differing in each surrender. For instance. One surrender might provide that all moneys received from the lease shall be used solely for the building and maintenance of community houses and recreation rooms on the reserve. Another might provide that, for instance, two-thirds of all moneys received from the lease shall be devoted by the department to the purchase of necessary farm implements and farm machinery and for the erection of suitable houses for destitute members of the band provided that when sufficient implements have been purchased, cases of destitution provided for and necessary houses erected for old and destitute Indians, the surplus, if any, of the two-thirds of the moneys shall be distributed annually in cash unless the amount available is less than $1 per capita, in which case it will be carried forward for distribution in the next year.

Another might provide for a definite cash payment. Since the moneys derived from various surrenders are deposited in a common fund, it can be seen that after many years have elapsed, it is impossible to carry out in a proper manner the use of the funds set forth in the various surrenders. This would only have been possible if a separate trust account had been set up to receive the proceeds of sales or leases made under each surrender. Fortun-

ately there are not a great many of the surrenders which impose special terms as to the distribution of the moneys realized from the assets surrendered and even where there are various surrenders intended to govern the use of the funds, the practice is to try to follow the terms of the surrender under which the major portion of the moneys were received. Surrenders taken during the last few years, in the majority of cases, provide for the distribution of the money by a clause to the effect that all moneys received be credited to the funds of the bands and paid to us in the usual manner.

It might properly be asked what is the "usual manner"? The practice has been that if it is considered in the interests of the band, annual or semi-annual distributions in cash of the interest accruing on the funds are made. If a cash distribution is not thought to be in the interests of the band, it may be withheld and the fund permitted to accumulate or be used for the various purposes considered to be in the interests of the band as authorized by the Indian Act. As an example, we would refer you particularly to section 95 (*d*). It has also been the practice for the superintendent-general to exercise his discretion as to whether distribution in cash or distribution in kind would best promote the welfare of the band. A typical example might be cited. Where a band of 500 members have a distributive amount of $1,000 in annual interest—this would provide for a distribution of $2 per capita. The superintendent-general may decide that rather than distribute such an inconsiderable amount, the $1,000, might better be spent in providing 500 bags of flour for distribution to the band, thus ensuring that they get some tangible value for the money which would otherwise be spent uselessly. The authority for the exercising of such a discretionary power rests partly in the surrender, which ordinarily provides that the land or other assets covered by the surrender may be disposed of upon such terms as the government may deem "most conducive to our welfare and that of our people" but more particularly on the general management authority conferred on the superintendent-general by section 4 of the Act, which states that the superintendent-general "shall have the control and management of the land and property of the Indians in Canada", and we assume that money so lying to their credit is "property of Indians and subject to such control".

Now, in general as to the use of band funds, I think great credit is due to the administration in past years in that they have accumulated so much money in the Indian Trust Fund. But the poorest use to which they could be put is to let the fund lie there accumulating interest, and not use it at all. The next poorest use of band funds is to distribute them in cash. The aim of the department has been to persuade the Indians to use their band funds to promote the welfare and progress of the band generally, as well as to promote the welfare and progress of the individual.

In carrying out this policy, advocated by the minister, the Superintendent of Reserves and Trusts Mr. D. J. Allan who is the official directly in charge of the trusts service, has always maintained that the object of his service should be to further the original intention of the framers of the Act which was to use the Indian reserves and the resources pertaining thereto to make of Indians self-reliant Canadian citizens. From my personal experience, he has endeavoured to train his staff to that end, that is, that we should not so much help the Indian, as help the Indian to help himself. That is the only way to develop full citizenship which is, or which ought to be, the object of our administration.

Though there is little relationship between fur development and the trust fund, the fur development as sponsored by the department furnishes a pefect example of directing the aptitudes of the Indian to his own advantage.

That concludes my submission.

By Mr. MacNicol:

Q. You did not finish what you were about to say on the subject of furs?

The CHAIRMAN: Yes, he has finished what he was going to say. As we have about ten minutes left, do you think it would be desirable to start questioning now? Of that ten minutes we would have to take at least five to deal with some other business.

Mr. REID: I think you should take up your business with the committee.

Mr. CASTLEDEN: I understand you have something arranged for our next meeting?

The CHAIRMAN: Yes.

Mr. CASTLEDEN: Could we arrange for a special meeting in order to have the questioning of Mr. Leslie?

The CHAIRMAN: You can go ahead with him next Tuesday, if you like.

Mr. BRYCE: Are we going to have a meeting tomorrow?

The CHAIRMAN: I think not. There were no arrangements made in the subcommittee for such a meeting.

Mr. BRYCE: Will you see if we can have a meeting Friday in order to try to catch up with some of this work.

The CHAIRMAN: I would like to have a motion by an honourable Senator, that the minutes and proceedings of Monday, June 24; Friday, June 21; Tuesday, June 18, the morning session; and Thursday, June 13; be concurred in. There was not a quorum of senators present at those meetings. What is your pleasure, honourable senators? It is moved by Senator Horner and seconded by Senator Blais, that these minutes be concurred in. Is that agreeable? Carried.

Now, coming to the next point, we have the question of the Friday or Monday meetings.

Mr. CASE: Mr. Chairman, I find that, with all the work we have to do, we should stick to Tuesday and Thursday. It would be pretty nearly impossible to meet on Friday.

The CHAIRMAN: We did meet on Friday one week, and we had one meeting on a Monday; but the Friday meetings we found to be poorly attended because the members were either not present or were busy with other matters of importance.

Mr. GARIEPY: The senators are taking a recess to-day or to-morrow for two weeks.

Mr. CASE: Another two weeks?

Mr. MACNICOL: Mr. Chairman, it is important for us that we do the very best we can. There is so much uncertainty at the moment about getting the session ended.

The CHAIRMAN: We do hope that it will end.

Mr. MACNICOL: If we knew what the government has in mind, we might decide on two days a week; but if the intention is to adjourn early in August, then about one session a week is about all we could do.

The CHAIRMAN: One or two sessions?

Mr. MACNICOL: One a day, or two meetings once a day.

Mr. REID: It won't be long before committees conflict with the House sitting in the morning.

Mr. MACNICOL: It will be another ten days before they start meeting in the morning.

The CHAIRMAN: I understand that next week we will start Wednesday evening "services".

Mr. GARIEPY: In order to get the ball rolling, I move that we sit twice next Tuesday.

The CHAIRMAN: Is it your pleasure then to meet twice next Tuesday?

Mr. CASE: I think the members should bear in mind that the budget debate will be under way next week, almost surely; so I think it would be better to meet on Tuesday morning from 11 o'clock to 1 o'clock, and on Thursday morning from 11 o'clock to 1 o'clock, so that the members may follow that budget debate.

The CHAIRMAN: We have a motion by Mr. Gariepy that there be two meetings on Tuesday. How about Thursday, Mr. Gariepy?

Mr. GARIEPY: I am satisfied that the budget debate will be on.

The CHAIRMAN: Would you like to amend your motion?

Mr. GARIEPY: Yes, therefore I would like to amend my motion. I move that we sit on Tuesday morning and Thursday morning next week.

The CHAIRMAN: It is moved that we sit on Tuesday morning and Thursday morning of next week. All those in favour? All those contrary? Unanimous. The matter of course will have to be referred to the steering committee to provide accommodation. I take it from that motion that we are not in favour of Monday or Friday meetings. Probably we had better put that to some sort of show of hands. All those in favour of Monday and Friday meetings?

Mr. BRYCE: A Monday meeting was badly attended. Most people are here on Friday mornings. I think we would get a better meeting on a Friday morning that on a Monday morning.

The CHAIRMAN: We would like to have a show of hands now. All those in favour of Monday or Friday? All those in favour of Monday meetings will please raise their right hands. Two. Those who are against having Monday meetings? Those who are opposed to Friday morning meetings? Just about fifty-fifty I would say. The count is actually eight to six, and there are more than that present here, some did not vote.

Now, in connection with the business next Tuesday; we want first of all to discuss in committee the feasibility of having Indian delegates or representatives at all times before this committee. The committee on agenda and procedure have discussed the question on numerous occasions but have not been able to find any practical solution. We want to leave the matter with you, gentlemen, or rather lady and gentlemen, because there is a lady senator on this committee. May we have an expression of your opinion?

Hon. Mr. HORNER: I thought the idea was to have a representative from each of the various districts, say, one from western Canada, who would understand conditions there.

The CHAIRMAN: The matter has been discussed in the subcommittee upon a number of occasions and I would say that we are unanimously without a solution, that is, a practical solution to that question; so we would like this matter to be decided by you, gentlemen, of the Joint Committee.

Mr. REID: When do you want it decided?

The CHAIRMAN: On Tuesday next. There will be a report from the subcommittee on Tuesday next.

Mr. CASE: I would prefer you to bring it before us again because I doubt if we have yet had a sufficient number of witnesses to enable us to understand the Indians representation.

The CHAIRMAN: We are going to discuss having Indian delegates here for the purpose of just sitting in or listening in.

Mr. CASE: I think there is some merit in doing that.

The CHAIRMAN: Just to digress for a moment; we have with us this morning the Reverend Mr. Kelly from British Columbia as well as Mr. Assu from British Columbia who were here at our last meeting. They are leaving for home and we trust they will take back, to their organization, the warmest and kindest regards of this committee.

Mr. CASTLEDEN: In view of the fact that these two gentlemen will not be with us next Tuesday, perhaps they might be permitted to express an opinion now on whether or not there should be an Indian representation, present at all times or offer some other practical solution to the problem.

The CHAIRMAN: No, I think that would be contrary to the rules of the House. We cannot do that unless we ask them to come here as witnesses. According to rule 614 of the House: "Strangers are permitted to be present during the sittings of a committee of the Commons, but they may be excluded at any time, and are to withdraw when the committee is discussing a particular point of order, or deliberating on its report." And rule 615 says: "A member of the House who is not a member of the committee has no right whatever to attend for the purpose of addressing the committee or putting questions to witnesses, or interfering in any way in the proceedings of the Committee". So a stranger, even if actually summoned as a witness, must not be put in a better position than a member of this House. If it is your pleasure may we now adjourn?

Mr. MACNICOL: Has the subcommittee discussed the advisability of inviting Brigadier-General Martin?

The CHAIRMAN: We have, and we intend to do so later. We will now adjourn.

The committee adjourned at 1 p.m. to meet again on Tuesday, July 9, at 11.00 a.m.

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 11

TUESDAY, JULY 9, 1946

WITNESS:

Mr. A. G Leslie, of Reserves and Trusts Service, Indian Affairs Branch, Department of Mines and Resources, Ottawa.

OTTAWA
EDMOND CLOUTIER
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1946

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

Tuesday, 9th July, 1946.

The Special Joint Committee of the Senate and 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 11.00 o'clock, a.m. The Joint Chairmen: The Honourable Senator J. F. Johnston and Mr. D. F. Brown, M.P., presided.

Present:

The Senate: The Honourable Senator Johnston.

The House of Commons: The Honourable Messrs. Glen and Stirling and Messrs. Blackmore, Brown, Bryce, Case, Castleden, Farquhar, Gibson (*Comox-Alberni*), Harkness, Little, MacLean, MacNicol, Matthews (*Brandon*), Raymond (*Wright*), Reid.—16.

In attendance: (Department of Mines and Resources): Messrs. W. J. Ford Pratt; R. A. Hoey, Director, Indian Affairs Branch; Eric Acland, Executive Assistant to Director; A. G. Leslie, Reserves and Trusts Service, Indian Affairs Branch;

Also Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

On behalf of the subcommittee on agenda and procedure, Mr. Harkness presented the fifth report of the subcommittee.

On motion of Mr. Harkness, it was unanimously

Resolved: That the fifth report of the subcommittee on agenda and procedure be adopted. (For text of report, see page 483 of Minutes of Evidence).

The Chairman, by leave of the Committee, read into the Minutes of Evidence the full text of the letter referred to in the above report.

The question being put on Mr. Castleden's motion dated May 30, it was resolved in the negative. (For text of that motion, see page ix, Minutes of Proceedings, 30th May.)

On motion of Mr. Case, it was

Resolved: That whilst this Committee is happy to welcome to any open meeting any person interested in the proceedings of the Committee, it is not of the opinion that, at the present time, the work of the Committee would be facilitated, or expedited, by authorizing the constant attendance before it, with watching briefs, of any number of Indians or other representatives.

Mr. A. G. Leslie, of Reserves and Trusts Service, Indian Affairs Branch, was re-called and questioned.

The Committee adjourned at one o'clock, p.m., to meet again on Thursday, 11th July, at 11.00 o'clock, a.m.

T. L. McEVOY,
Clerk of the Joint Committee.

68157—1½

MINUTES OF EVIDENCE

HOUSE OF COMMONS,

July 9, 1946

The Special Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 11 o'clock a.m. Mr. D. F. Brown M.P., (Joint Chairman) presided.

The CHAIRMAN: One purpose of this meeting is to consider the fifth report of the subcommittee on agenda and procedure. Mr. Harkness, would you read the report, please?

Mr. Harkness:

On Wednesday, July 3 last, your subcommittee had before it for consideration a letter addressed to the Clerk of the Joint Committee, as a result of the discussion which took place in Joint Committee, on June 27, on the motion of Mr. Harkness that the Fourth Report of the subcommittee be adopted. (For discussion, see pages 415 et ff., of Minutes of Evidence, June 27).

The letter makes two submissions:

1. That the offer of the Canadian executive of the North American Indian Brotherhood to name five Indians to this Committee for those areas where the said Brotherhood is the only Indian organization which is effective, be accepted,

2. That other Indian associations, namely, the Native Brotherhood of British Columbia, the Indian Association of Alberta and the Union of Saskatchewan Indians be each asked to name a representative to the Committee.

Your subcommittee, since May 30th last, has given much consideration to this matter of Indian representation before the Committee.

It has not been possible to arrive at a method of selection of the five Indian delegates from the five parts of Canada named in the notice of motion accepted on May 30, which would be satisfactory to all the particular Indian organizations and tribes in those five sections of Canada.

Your subcommittee, therefore, is not prepared to recommend the acceptance of the offer set out in paragraph 1 above, for the reason that no evidence has been adduced to show that the numerical strength of the North American Indian Brotherhood is such as to justify the assertion that the said "Brotherhood is the only Indian organization which is effective" in any part of Canada.

Further, your subcommittee is not prepared to recommend that the Joint Committee accept the terms of paragraph 2 above, for the reason that none of the Indian organizations named therein have asked for representation at all times before the Joint Committee.

Accordingly, your subcommittee refers to the Joint Committee, for consideration and final decision, the whole question as to the feasibility of permitting Indians, with watching briefs, to attend all the declarations of the Joint Committee.

All of which is respectfully submitted.

I move the adoption of this report.

Mr. GIBSON: I second that.

The CHAIRMAN: Any discussion?

Mr. CASTLEDEN: I should like to say a few words. I am very glad that this matter has finally come to the committee for decision. It is just about six weeks ago since I gave notice of this motion. If it is to be of any use at all it should be settled immediately. I think my motion is quite clear. I am endeavouring to get this committee to agree to have some of the persons most vitally concerned with the outcome of this work, the Indians themselves, sit in here and watch the deliberations and listen to the evidence presented on their behalf and perhaps on behalf of the department and those who are carrying out the administration of Indian affairs. I feel that we do not get a very clear picture or a proper appreciation of the problem when we attempt to solve it without having these people here continuously so we can question them as to whether the evidence given is right in their opinion or is as they have experienced it themselves. They are actually living on the reserves. They know what the conditions are.

I think the members of the committee who have some knowledge of conditions among the Indians will agree that generally speaking these people have not been fairly or justly treated in Canada. I think they have been completely subordinated. They have no voice. They have no way of protesting against their treatment. There is no avenue of approach by which they can present their case. Here is an opportunity to say that we consider that these people are worthy of some trust and that we have some confidence in their ability. To me it is a matter of principle; to me it is a matter of humanity; to me it is a matter of democratic rights of human beings made also in the image of their Maker. Under British justice it would seem to me that these people should have some say in the carrying out of their own destiny. Surely their representatives should have the right to listen in on the deliberations.

I notice in the reports of the subcommittee . . .

The CHAIRMAN: Pardon me. I think in all fairness we should remind you that any person has the right to sit in and listen to the proceedings of the committee at any time.

Mr. CASTLEDEN: I understand that, but it is a matter of having them as representatives to this committee.

The CHAIRMAN: I see your point.

Mr. CASTLEDEN: I mean they are going to take part in the deliberations that we will have. We will have them here and we can question them.

The CHAIRMAN: We must abide by the rules of the House.

Mr. CASTLEDEN: Am I going to be allowed to proceed? I want to make this plea.

The CHAIRMAN: Quite right, but let us keep the record straight.

Mr. CASTLEDEN: I agree. I understand they have not the right to sit here as members of the committee.

The CHAIRMAN: But there are people sitting here to-day and they are quite at liberty to come here at any time and listen to the deliberations of the committee. Let us put on the record what is fair on this matter and according to the rules.

Mr. CASTLEDEN: That is what I am trying to do. My motion was that we should invite Indian organizations in this country to choose from among them Indians who are actually living on reserves to sit in with us at this committee with watching briefs so that we could call on them for questioning at any time. It is not my intention to transgress the rules of the House and say that these men should have voting powers here, but merely that they should sit here continuously. We have held some fifteen meetings now. We have had Indians before us to question during the time evidence was being given on only one

occasion. It is not a matter of having them come forward at some later time and make representations. We are going to have representations made. The purpose of my resolution was to have these people here continuously and available for questioning. Their expenses would be paid by the department or by the government. We should take that responsibility. They have no money. They have not the facilities with which to keep representatives here, but if we could agree to pay the expenses of say half a dozen representatives of the Indians so that they could sit in for questioning, be present at all our deliberations and give evidence, then I think we could get a better picture of what should be done.

I do not want to labour this matter any further. I think it should now be decided. Naturally I am willing to accept the decision of the vote of this committee, but I do submit that when the vote is taken it should be a recorded vote.

Mr. REID: I do not want to delay the committee in this debate, but I am going to vote against the resolution. In doing so I want to place it on record that I do not want any accusation of lack of humanity or a refusal of British justice as we heard here a minute or two ago. I am voting against it because I think it is useless to have Indians sitting around here. I said so at the last meeting. I am for active representation coming to this committee later on, but a watching brief to me does not mean anything. It has nothing to do with humanity, or British justice, at all, and therefore I am placing myself right on record now.

Mr. HARKNESS: I should like to place myself on record also. I do not feel I have to take second place to anyone in my desire to improve the life of the Indians, but I am opposed to this resolution on several grounds. First of all I do not think there is any practical means of getting five representatives, eight representatives, or any other number, who would properly and satisfactorily represent all the Indians of Canada. Since this resolution appeared first in our minutes I have had three letters from Alberta protesting against it on the part of the Indian Association of Alberta saying that under no circumstances would they consent to being represented by the Native Brotherhood of North America. One reserve said that the only man who could properly represent the Indians of Alberta was Teddy Yellowfly, and if anybody else was appointed there would be trouble, and so forth. I think we have the same situation right across Canada. There would be all sorts of troubles, jealousies, and difficulties. It would probably cause more harm than good to try to get these people to come here.

In the next place, I do not think it would serve any useful purpose, if we had five or eight Indians sitting here. They would to a large extent be wasting their time. They would sit here for two hours twice a week and the rest of the time what would they be doing? Nothing. They would be much better off at home making a living for themselves and their families. As far as having these people here to question witnesses the result of that would be nothing but a constant series of wrangles between the departmental officials and others presenting their briefs and the Indian representatives with the result that I do not think the committee would get anywhere. I think the proper way to hear the Indian side of the question is to bring in the Indians and hear what they have to say. At the present time we are getting the departmental side of the picture. Next we will take the Indian side of the picture. Then we can compare the two and make our decisions. For those reasons I am opposed to the resolution and shall vote against it.

Mr. MACNICOL: As far as I can see the resolution is considerably ahead of time, not the thought of the resolution but the actual timing of it. I agree with what has been said that, at the moment, it would be useless to have even a lot of distinguished chiefs sitting around here for two days a week, two hours

a day, wasting their time. I think we had better continue as we are for a while, and get all the evdence we can from the officials of the department. Then during the recess, which will soon come, we can study that evidence and when we meet again—

The CHAIRMAN: What did you say?

Mr. MACNICOL: We can study the evidence during the recess, and when we meet again in the new session it might be advisable to invite Indian chiefs to come here. I agree with the statement in the report of the subcommittee that no one particular group of Indians is the main group for all Canada. I have been on some of the Indian reservations in the west where there are big Indian tribes such as the Bloods. They are a famous and outstanding tribe. I do not know that any of the men who would be recommended by this organization would be from the Blood reservation. The same would apply to the Blackfoot reservation. Anyone who knows anything about the Indian history of the west should know that in the southern part there are the Blackfoot and their allies the Peigans and the Bloods, a very potent and powerful organization. In the northern part of Saskatchewan and Alberta there are the Plain Crees and the Wood Crees with their associates, the Chipewyans and others. They are an equally powerful organization. We would have to be sure that those great organizations which have prevailed for so many years would be satisfied with those chosen to represent them. I quite agree that later on all these big organizations should be represented here.

Mr. CASTLEDEN: I think they all will be.

Mr. MACNICOL: But you are away ahead of the game wanting them here now. I had a letter—and perhaps you had, too—from one of the outstanding men in the maritime provinces who is so thoroughly versed in Indian lore, Edwin Tappan Adney. He is a very famous scholar in Indian lore in Canada. I have had many letters from him. He has been in conversation with the chiefs in the maritimes. They will ask for representation. They are not going to take the representation chosen for them by somebody else. They will have to be invited here, too, by and by. I am quite in accord with getting every atom of evidence we can get from the reservations as we go along, but I am not prepared to say who should sit here now and listen. Like yourself I want to see them thoroughly represented.

Then in northern Ontario we have perhaps the main Indian tribe, the Ojibways. I would have to be sure that the large number of bands of Ojibways would have representation here which would be satisfactory to them. I am not sure at the moment who is going to pick them out.

Then the most famous of all Indian tribes in Canada is the Six Nations of Brant county who by their achievements since they have come to Canada should have representation here. I know we have one of them sitting here as our counsel, a senator of the warrior branch of the Six Nations but that does not mean he is representing them. I think we would be doing a good thing for the committee and for the Indians by ascertaining from the department the names of the chiefs. I am not so familiar with the British Columbia tribes, but we should ascertain the names of the chiefs of the Bloods, the Blackfoot, the Peigans, the Stonies, the Plain Crees, the Wood Crees, and the Ojibways in northern Ontario. I would suggest that you also write Mr. Edwin Tappan Adney whose address I will give you and ask him to send to you the names of the big chiefs in the maritimes of whom there are quite a number. Then you could ascertain from them their opinion as to how your committee can obtain representatives to come here and be questioned.

I quite agree that later on when we have all this evidence before us and can compare the questions systematically it would be a good thing to have a number of chiefs here from all over Canada. Of course, I quite agree they

could not pay their own way nor their own expenses while here. I further agree we would not want them around here for months, but when we arrive at that stage we should have our work in such order that we can do all our questioning in an orderly way as rapidly as we can even if we have to meet several times a week which we could do quite well at the beginning of the next session.

I do not want to throw cold water on my hon. friend's proposal. He has given it a lot of thought and he is sincere in his promotion of it. I merely disagree with the necessity of having those representatives here now. I think the chairman of the committee should follow up that program by writing to them directly. If they have a letter from you as chairman they would reply to you as chairman. If you obtain the chiefs' names from the department you can communicate with all these tribes and you will be able to advise us just how we should proceed to have the Indians come here by and by.

Mr. CASE: I was greatly impressed with the statement of the Rev. Mr. Kelly, made off the record the other day, because he is an Indian and appreciates what we are trying to do here. He was inclined to suggest that it was too early to invite Indian representatives to make representations to this committee. I think the subcommittee has arrived at a place where it has decided there is no one competent to name those Indian representatives. I am sending the reports to the two chiefs of the reserves adjacent to my riding. I have invited them to review them. They are competent to do so. I think those who listened to Chief Thomas Jones realized that he was a man of considerable education and ability. They are free to make certain representations to us.

In the meantime we have before us the brief that was prepared by the North American Indian Brotherhood which is a very fine outline of some of the things they consider to be grievances and that should be provided for. I am inclined to accept the report of the subcommittee and to vote against the resolution at this time, not in any sense of being prejudiced with regard to their having any representation that they may feel free to make to this committee, but I think at this time we are proceeding on the proper course to get all the information we can. They know that the committee is sitting. They are free to approach us. As the chairman has already said there is nothing to prevent anyone sitting in here, and I certainly agree with former speakers that it would be absurd to invite representative Indians to come down here for two days a week. What would they do with the rest of their time?

The CHAIRMAN: Any further discussion?

Mr. BRYCE: I was the one who seconded the Castleden motion, and I still have my original idea that the Indians should be represented on this committee. My trouble has been that I have a lot of Indians in my constituency, and when I came here in 1943 and took the matter up with the department they said one thing and the Indians said another. I found out that both the deparment and Indians were telling the truth, but it was in the administration where the mistakes came in. The Indian Act is going to be amended and something done with it to improve the conditions of the Indians. Surely they have got a right to be represented on this committee. I know there has been quite a lot said as to whom we are going to get. When I seconded the motion I thought it would be quite simple. I thought that the department would be able to pick out five Indians with enough education to sit in and hear representations made by the department. They would be able then to give us their story. If they were not allowed to at that time then they would be allowed to on a future occasion. They would have the evidence. They would hear it. I thought that was only quite reasonable.

Of course. I am quite agreeable to abide by the decision of the committee, but I have seen Indians starving in this country and they never should have been starving. I have seen blind Indians starving in this country and they never

should have been. The department had no intention of that ever being so. You had men coming down here and swearing on a stack of bibles as to what was taking place and there was never anything done about it. If you want to give faith to the Indians that the Hon. James Glen means what he says you have got to bring them here to hear that. That is all I have got to say.

I think there is a place in the committee not for a lot of Indians but for one or two with enough education to take part and thus let them understand what this commitee is trying to do. We are trying to put the Indian on a better basis and give him the square deal that he has not had in the past.

Mr. REID: I am raising a point of order. The point of order is to protect myself if no one else. I am not going to sit in this committee and have the impression going out, in the words of the last speaker especially, that this committee is against representatives of the Indians coming here. That is the purport of the last speech. I am objecting to it. This committee has taken the stand first of all that the time is not ripe for it, and secondly some of us have taken the viewpoint that a watching brief is not sufficient for this committee, that we want the active participation of Indians. We have listened to speeches that the committee has turned the matter down as to Indians coming before the committee. I am placing on the record right now that I am not against it. I am voting against the resolution, but I am not not going to have any impression go out such as some speeches that are being made would raise.

The CHAIRMAN: Mr. Bryce, you are on the subcommittee on agenda and procedure. You know that it is our policy in that committee that every decision made is unanimous. I do not want the committee to get the impression that our decisions have not been unanimous. I know you will agree to that. I think what you have said deals with generalities. It is a matter on which we all agree. We, of course, have a specific matter before us. The specific matter before us is the most desirable and advantageous way of affording representation to Indians before this committee. That is what we are trying to do. So that there will be no misunderstanding of your remarks would you like to indicate what you think of this resolution? I am not trying to embarrass you. That is not my intention, but this matter has gone through the steering committee on a number of occasions. We have discussed it at every meeting of the subcommittee, I would say. We know that we have no solution. There is no solution that we can find as to how to get Indian representation to sit in with watching briefs, as you call it. We have had telegrams which are on the record. We have a telegram from the Caughnawagas. I will read it to you. It is on the record, but I will read it again.

Mr. MACNICOL: They are a part of the Six Nations.

The CHAIRMAN: Chief Moses Diabo sent a telegram when he found out that certain representations were being made here. I have a copy here addressed to the Prime Minister which was forwarded to me. It is the same telegram that was sent to many members of the committee. It is dated June 24th and it is from Montreal. It reads:—

> Councillors and band respectfully request an appointment on Wednesday 26th June for presentation of grievances to mixed committee attention: Not affiliated with North American Indian Brotherhood and have not authorized anyone to make representation on behalf of this band. Only officially elected council headed by Chief Councillor Moses Diabo Sr. are authorized. Been patiently waiting for invitation. Can't wait longer. Respectfully request an immediate reply. Sincerely yours.

That is one of the eastern tribes which has said, "We will not permit North American Indian Brotherhood to represent us."

Mr. BRYCE: I hope you are quite clear. I never said that the North American Indian Brotherhood should represent them.

The CHAIRMAN: This is the resolution we are dealing with.

Mr. BRYCE: The resolution did not say that.

The CHAIRMAN: The resolution does say that. The first part of the report, which quotes from the letter, reads:

> 1. That the offer of the Canadian executive of the North American Indian Brotherhood to name five Indians to this committee for those areas where the said Brotherhood is the only organization which is effective, be accepted.

Mr. BRYCE: I am talking about the original motion.

The CHAIRMAN: All right, the original motion. That is the letter in connection with our report. The original motion was:

> Therefore be it moved that this committee immediately invite the Canadian Indians to send at least five Indians to represent the following five parts of Canada: (1) British Columbia and Alberta; (2) Saskatchewan and Manitoba; (3) Ontario; (4) Quebec; and (5) the Maritime Provinces; to sit in on all the deliberations of this committee with watching briefs and to be available to be examined as witnesses under oath.

Mr. CASTLEDEN: May I point out that is quite different from what seems to be in the minds of some people, that we are opposed to having people come here to represent the Indians. That is entirely separate from the question of having Indians come to represent any groups on behalf of Indians anywhere.

The CHAIRMAN: I was discussing this matter with Mr. Bryce who is a member of the subcommittee. I do not want him to be misunderstood because we have discussed this resolution in the subcommittee and in this committtee.

Mr. BRYCE: If you will allow me, it does not say anything about the North American Brotherhood in our report. We talked about five Indian representatives.

The CHAIRMAN: This is the letter referring to the resolution. All right, I will withdraw the point about the North American Indians. We will come to the resolution itself. You will admit we have discussed the resolution in the subcommittee and in this committee.

Mr. CASE: Who is competent to name the representatives?

The CHAIRMAN: I do not care. If you do not want to have this cleared up it is all right with me, but I think in fairness to yourself it should be done because you know and I know and we all know that on the subcommittee we were unanimous that under the resolution we could not find in any one of the districts one representative or two who would represent all the Indians of that area.

Mr. CASTLEDEN: May I—

The CHAIRMAN: No, I am discussing this with Mr. Bryce.

Mr. BRYCE: I think we are getting more or less mixed up in this matter. The other gentlemen had an opportunity to get up and say what they had to say. I accepted that privilege, and I said what I had to say. I am sure you do not object to my saying what I have to say.

The CHAIRMAN: Not in the least.

Mr. BRYCE: Then it is up to the committee.

The CHAIRMAN: As far as I am concerned—

Mr. BRYCE: I am entitled to my say as a member of this committee.

The CHAIRMAN: I quite agree with you.

Mr. BRYCE: It was Mr. Reid who objected to what I said on a point of order. I do not know whether you gave any ruling on the point of order.

The CHAIRMAN: I merely wanted to give you an opportunity. In the subcommittee we were in unanimous agreement and I merely wanted you to clear up the wrong impression that may have been taken from your remarks by the members of the committee. However, that is the end of the matter.

Mr. CASTLEDEN: May I be allowed to reply shortly? I should like to say that I am sure that Mr. Reid did not want to create the impression that Mr. Bryce and myself or any other member of the committee is against having the Indians represented here. We are unanimous in our decision that all the Indians possible in Canada should have an opportunity to come before this committee and make representations on behalf of their tribes or their bands as the case may be. I think that is a matter of unanimous agreement. That is separate from the idea of getting a few Indians to sit in with watching briefs. That is the question we are deciding now. I understand that there are jealousies and suspicions among the Indians. I also understand that there is ignorance and fear and want, and I understand why these people are suspicious.

I do not think there is any member of parliament who sits in his seat in the House of Commons by the unanimous consent of everybody in his constituency. I am sure there are people who, while they may realize that the member of parliament may represent the majority, do not think that he is the man they would like to see there. My thought in presenting my motion was that if we could arrive at some agreement and make some arrangement whereby we could have representatives here to sit in with watching briefs it would do a great deal of good in that it would encourage confidence in the people with whom we are dealing and would have a good effect among all Indians of Canada if they know that we, as a committee of the House of Commons, have invited these people here to listen to all our deliberations. I suggest that probably we have spent more time than is necessary. I suggest we have the question.

The CHAIRMAN: Any further discussion?

Mr. RAYMOND: Before going on with the question I wish to refer to the fourth report of the subcommittee. I believe this is the explanation of the whole thing as far as your motion is concerned. We say here:

> Your subcommittee would be prepared to recommend that the joint committee invite Canadian Indians to send at least five Indian representatives from the said five parts of Canada to sit in on all the deliberations of the committee if some practical way could be found to elect such delegates. However, if the mover, Mr. Castleden, will indicate some feasible manner of choosing five Indian delegates from the said five parts of Canada, who will be satisfactory to all the particular Indian organizations and tribes in those five sections of Canada, your subcommittee is prepared to receive such a suggestion and to give it due consideration.

Mr. CASTLEDEN: I did do that. I wrote a letter to the clerk of the committee the next day. That was a part of my submission. The whole of the letter is not in the fifth report. May I ask that the whole letter be placed on the record since it has been brought up? The letter makes two submissions.

The CHAIRMAN: Is it your pleasure?

Mr. CASTLEDEN: There are two suggestions.

The CHAIRMAN: Wait a minute; you have asked that I place this on the record. Is it your pleasure that I put this on the record?

Mr. MACNICOL: I fear that the impression is going out all over the country that Mr. Castleden alone is fighting the battle of the Indians.

Mr. CASTLEDEN: No, no.

The CHAIRMAN: That is obvious.

Mr. MACNICOL: As far as you, and everybody else on the committee are concerned every one who sits here is in earnest in his intention to do every-

thing that he can to alleviate the situation of the Indians. I should like the impression to go out that we are all in earnest, but in my conversation with one of the Indians at the last meeting I gathered from him they are getting the impression, because Mr. Castleden keeps putting his motion every now and then, that he alone is the one who is most anxious above all others for Indian representation. I take the stand that the time is not ripe for that until we get through with the departmental officials and perhaps the Indian agents whom we call in.

Mr. CASTLEDEN: On a point of privilege, I do not want that impression to go out. I am sorry that this matter has taken so much time. I wish it had been settled on the first day. That is why I gave notive of motion on the very first day. I do not question the sincerity of any man here. I had the idea about having Indians sit in with watching briefs. If the rest of the committee do not want that they are entitled to their opinion on the matter.

Mr. REID: It is not a question of the committee not wanting it. It is a question that they do not want it at this time. You want a recorded vote for the very purpose of putting us on the spot. Let us be frank about it. It is not putting me on the spot. I am fighting for the Indians just as much as you are. I want the Indians to come before this committee just as much as you or any other member does. Let that be clear. Do not let us have any threats of a recorded vote, because that is what you are wanting. Those two want the impression to go out that they are the champions of the Indians and that the committee would not hear the Indians.

Mr. CASTLEDEN: I did not think it had to come down to that level. I have just finished saying that I am not questioning anybody's sincerity.

Mr. REID: I am down to that level now.

Mr. CASTLEDEN: I did not think that jealousies would go that far.

Mr. REID: He does not need to accuse me of anything.

The CHAIRMAN: That is enough of that.

Mr. REID: Let us have it recorded.

Mr. CASTLEDEN: If my hon. friend feels so touchy about it I will even withdraw my request that there be a recorded vote, but let us settle the question.

The CHAIRMAN: We will settle one thing at a time. The first thing that we are going to settle is do you want to have this letter placed on the record? I would be glad to do that or read it if it is your pleasure. I will read it. The letter is addressed to Mr. McEvoy, the clerk of the committee, and is dated July 3, 1946.

Dear Mr. McEvoy—

In reply to the proposal of the steering committee that I should suggest some manner of selecting Indians to sit on the joint committee on the Indian Act with watching briefs, I submit the following:—

1. That the offer of the Canadian executive of the North American Brotherhood to name five Indians to this committee for those areas where the Brotherhood is the only Indian organization which is effective, be accepted;

2. That other Indian Associations, namely the Native Brotherhood of British Columbia, the Indian Association of Alberta, and the Union of Saskatchewan Indians, be each asked to name a representative to the committee.

I would point out that this would be the most likely method of satisfying the largest number of Indians. Complete agreement of all the Indians of Canada with any selection would obviously be impossible, as is complete agreement between members of parliament.

I would again stress the value of having some members of the Indian race sitting on this committee, and may I urge the steering committee to

deal with this matter immediately since the work of the committee has gone so far already, and many of the reports and much of the evidence presented cannot be properly evaluated without the presence of Indians who actually live on the reserves and are affected by the treaties.

I think Indian representatives could make a valuable contribution to the work of the committee.

Yours sincerely,

G. H. CASTLEDEN,
M.P. For Yorkton.

As a result of that you have the fifth report of the sub committee here to-day which quotes the two pertinent paragraphs. That will be placed on the record. Now we will proceed with the question.

Mr. RAYMOND: Question on what?

The CHAIRMAN: First of all to adopt this subcommittee report. This is not a recorded vote. It is your pleasure—

Mr. CASTLEDEN: Which report?

The CHAIRMAN: The fifth report of the subcommittee on agenda and procedure which is now before you. It has been moved by Mr. Harkness and seconded by Mr. Gibson. All those in favour of the adoption of the report? Contrary? The report is unanimously adopted.

Mr. CASTLEDEN: May I have a vote on my motion?

The CHAIRMAN: Do not get excited. We will get to you. The next matter is the resolution presented on the 30th of May by Mr. Castleden reading as follows:—

> Whereas the amendment of the Indian Act will establish, for years to come, the type of control which will determine the standards of life, training and, perhaps, the very existence, of these subordinated human beings to whom democracy is denied in Canada, and, whereas without democracy there can be no economic or social well being and no pride or self respect, therefore be it moved that this committee immediately invite the Canadian Indians to send at least five Indians to represent the following five parts of Canada: (1) British Columbia and Alberta; (2) Saskatchewan and Manitoba; (3) Ontario; (4) Quebec; and (5) the Maritime Provinces; to sit in on all the deliberations of this committee with watching briefs and to be available to be examined as witnesses under oath.

Is it your request that the vote be recorded? Is that your wish, Mr. Castleden?

Mr. CASTLEDEN: In view of what has been said it would be better for the whole committee if there be no recorded vote.

Mr. MACNICOL: That is good sense.

Mr. GIBSON: I would say that is very wise.

Mr. CASTLEDEN: I want it known that it is not on account of anything that has been said. I do it for the sake of unanimity and as a result of the charge that has been laid against me.

Mr. RAYMOND: One can vote for and against this motion at the same time. There are three things in the motion. First of all there is the principle of it.

The CHAIRMAN: We have before us a resolution. It is moved that this committee immediately invite, and so on, five Indians to sit in on all the deliberations of this committee with watching briefs and to be available to be examined as witnesses under oath.

Mr. RAYMOND: If the word "immediately" were not there I would vote for it because I do believe the principle is a good one. I wish to record that. With the word "immediately" there I cannot accede to it, because the other day the Rev. Mr. Kelly said it was useless. I believe in it as to the principle. The principle is good.

The CHAIRMAN: You have the resolution before you. You are either for it or you are against it. All those in favour of the resolution?

Hon. Mr. STIRLING: Do I understand this motion to mean that we are putting ourselves on record in favour of bringing Indians here for the purpose of getting information from them?

The CHAIRMAN: No, immediately, that we immediately invite the Canadian Indians to send at least five Indians to represent those five areas, and they will sit in all deliberations of the committee with watching briefs and be available to be examined as witnesses under oath.

Mr. GIBSON: May I suggest that Mr. Castleden might like to withdraw his resolution now if he does not wish to have a recorded vote?

Mr. CASTLEDEN: No, I have moved the motion and I should like it voted upon.

Mr. REID: We are not voting on the principle of whether or not we will have the Indians here. We are voting on the actual wording of his resolution.

The CHAIRMAN: I think it is safe to say that every member of the committee is in favour of the principle of having Indian representation here, but there has been no feasible manner presented to this committee either by members of the committee or by others. We had the Rev. Mr. Kelly who spoke to us as a representative of the Native Brotherhood of British Columbia, which is probably the largest organization of Indians in Canada, and the most democratic organization in Canada, and he was opposed to having Indian representatives here at this time.

Mr. GIBSON: He displayed a lot of common sense.

The CHAIRMAN: I think that every member of the committee, including both chairmen, is absolutely in favour of having representation of the Indians, but there is no feasible manner which has been shown to this committee. Mr. Castleden has not presented a feasible manner of having representation. We have asked him to do so and he has not done so.

Mr. CASTLEDEN: Pardon me; on a point of privilege, I have presented my plan and my suggestion.

The CHAIRMAN: I said "feasible".

Mr. CASTLEDEN: That is a matter of opinion.

The CHAIRMAN: I said there has been no feasible method presented. That was the unanimous opinion of the subcommittee, and by that is what I stick. No feasible or practical method has been found, and there has been none presented to this committee to-day by which we could get representation which would honestly, fairly, and equitably represent all Indians in any district. If there is one, now is the time to say so.

Mr. REID: May I point out to the committee that in so far as the Indians on the Pacific coast are concerned it would not be practical to bring Indians from that coast at the moment because just now the fishing season has commenced and will grow in intensity. No Indian would leave the coast in the months of the fishing season, if I know them rightly.

Mr. CASTLEDEN: Not even Mr. Kelly.

Mr. MACNICOL: Our counsel himself comes from the largest single band of Indians in the country, as far as I know. There are several thousands of them.

I should like to ask him this question. How would you proceed to ask the Six Nations to send some one here to sit in? What would you suggest?

Mr. LICKERS: Merely ask the Six Nations council to appoint a representative from them.

Mr. MACNICOL: That bears out what I suggested a while ago, Mr. Chairman, that you yourself should communicate with all bands throughout the country to obtain information and possibly names. If the Six Nations council would name some one you would have that to start with and you could do the same thing with the Blackfoot, the Bloods, the Crees, and so forth.

Mr. CASE: This resolution says only one from Ontario.

The CHAIRMAN: That is right. Mr. Castleden does not want to withdraw his resolution. That is all right. Those in favour of his resolution? Contrary? The motion is lost.

Mr. RAYMOND: Before you proceed do I understand that yau have abandoned the idea of having Indians here?

Mr. MACNICOL: No, no.

The CHAIRMAN: I think that it would clarify it if we could have the following motion:

> That whilst this committee is happy to welcome to any open meeting any person interested in the proceedings of the committee, it is not of the opinion that at the present time the work of the committee would be facilitated, or expedited, by authorizing the constant attendance before it, with watching briefs, of any number of Indians or other representatives.

Mr. GIBSON: At the present time.

The CHAIRMAN: It speaks as of the present. Would you care to adopt that resolution?

Mr. MACNICOL: Does it say "at the present time"?

The CHAIRMAN: It reads:

> —it is not of the opinion that at the present time the work of the committee would be facilitated, or expedited, by authorizing the constant attendance before it, with watching briefs, of any number of Indians or other representatives.

Mr. CASE: I would move the adoption of that.

Mr. CASTLEDEN: Is that a resolution?

Mr. CASE: Yes.

Mr. CASTLEDEN: Has it been moved?

The CHAIRMAN: It is moved by Mr. Case. Do you want to support it?

Mr. CASTLEDEN: I should like it to be given as a notice of motion for our next meeting, if possible.

The CHAIRMAN: All right. The resolution has been moved. Is there anyone who will second it?

Mr. GIBSON: Yes, I second it.

The CHAIRMAN: Is it your pleasure to deal with that resolution at the present time?

Mr. HARKNESS: I think it should be dealt with at the present time. I think, as Mr. Castleden said himself a little while ago, we have already spent far too much time on this whole matter.

The CHAIRMAN: I think if we are honest about this job we will get away from the idea of always bringing up something of a contentious nature. If we are honestly trying to do a job for the Indians let us be honest about it and

get it over with. All those in favour of this resolution? Contrary? That motion has been adopted. Now, gentlemen, I think we had better take a recess for a few minutes.

——whereupon the committee adjourned for a short recess.

——on resuming after recess.

The CHAIRMAN: Gentlemen, is it your pleasure to proceed with Mr. Leslie at this time? Before Mr. Leslie proceeds let me remind you that you have your minutes of proceedings, number 10, dated the 4th day of July, 1946, before you. That has Mr. Leslie's evidence in chief. In view of the fact that some of you have just received your minutes of the last meeting is it your pleasure to proceed now with Mr. Leslie or would you like an opportunity to study his evidence somewhat with the purpose in mind of asking intelligent questions? We could proceed with Mr. Brown if you would like to do that. That is another Mr. Brown.

Mr. MACNICOL: Mr. Brown will give evidence?

The CHAIRMAN: Mr. Brown could give evidence if you would like to do that.

Mr. MACNICOL: I suggest that we do that. As some have only received the minutes now they are not in a position to ask questions.

Mr. CASE: I could not hear what Mr. MacNicol said.

Mr. MACNICOL: I said as some have only just now received the report of the committee at which Mr. Leslie appeared I think they should be able to read it over before they start to ask questions so as not to waste time.

Mr. CASE: I have some questions ready to ask the witness. I think this would be the best time to ask them.

The CHAIRMAN: Of course, there is this to it. We can always recall Mr. Leslie for further questioning if we so desire.

Mr. FARQUHAR: Is it the procedure to question Mr. Leslie now?

The CHAIRMAN: If that is your pleasure. I merely suggested in view of the fact some of you have only now received the minutes you might want to study them before asking questions.

Mr. CASTLEDEN: Is Mr. Leslie's statement complete?

The CHAIRMAN: Yes. Is it your pleasure that we proceed with Mr. Leslie or should we proceed with Mr. Brown?

Mr. CASE: I suggest that we proceed with Mr. Leslie.

The CHAIRMAN: All in favour of Mr. Leslie?

Mr. RAYMOND: No, I do not believe it is fair. I have not had time to examine his evidence.

The CHAIRMAN: All those who would like to hear Mr. Brown and leave Mr. Leslie until later kindly raise their right hands? Five. All those who would like to hear Mr. Leslie now and Mr. Brown later? Three. I am afraid you are outnumbered. If it is your pleasure I will ask Mr. Brown to come forward. We will ask Mr. Leslie to be prepared a little later. Gentlemen, apparently I have got myself into an embarrassing predicament in that the gentleman at the rear is not Mr. Brown. It will take five minutes for him to get here. If you would like to have Mr. Case ask Mr. Leslie his questions then we will have Mr. Brown later.

Mr. CASE: I should like to ask Mr. Leslie some questions.

The CHAIRMAN: Would those gentlemen who were in favour of having Mr. Brown be agreeable to question Mr. Leslie now?

Mr. RAYMOND: I have no objection at all.

The CHAIRMAN: Do you want Mr. Brown to-day?

Mr. CASTLEDEN: There may not be time.

The CHAIRMAN: All right, we will proceed with Mr. Leslie.

A. G. Leslie, Reserves and Trusts Service, Indian Affairs Branch, Department of Mines and Resources, recalled

Mr. CASE: What is the order of procedure?

The CHAIRMAN: Mr. Leslie has some remarks he would like to make in connection with the typewritten sheets that have now been placed at your disposal. (Printed as Appendix L).

The WITNESS: I should like to say that these are typical of the statements forwarded to each Indian agent at the end of the fiscal year or as soon after that as they can be prepared and distributed. I had in mind that if these were before the committee it might enable them to ask questions which would not otherwise occur to them. It is my desire to have you inform yourselves as fully as possible about these matters as far as it is in my capacity to answer the questions that you may direct to me.

Mr. CASE: The questions I have relate to Mr. Leslie's remarks which he addressed to the committee, on July 4th.

The CHAIRMAN: You are quite at liberty to ask them.

By Mr. Case:

Q. I was going to ask first this question. Mr. Leslie is an assistant to Mr. Allan and Mr. Allan is chief of the trust fund division?—A. That is true.

Q. Who arranges the transfer of funds between bands?—A. I would say Mr. Allan is the final authority on that, under the authority of the Act, of course.

Q. You made reference to the purchase of lands, and so forth. Is it the general practice of the department to purchase outside lands for the bands?—A. I would prefer if that question were left to be answered by Mr. Brown who will appear before you later.

Q. Then there is the privilege of commuting their trust funds. That is taking out lump sums?—A. Yes.

Q. Who makes the decision, and then I might ask this other question as well. Does the council of the band pass upon the recommendation? Who makes the decision and does the council of the band pass upon the recommendation?—A. No, the council of the band does not pass on that.

Q. The decision is made by the department?—A. By the department, but the individual who is seeking commutation makes application. There is an application form provided, and the individual seeking commutation completes that form. It is certified by the Indian agent and forwarded to the department.

Q. Never at any time is it referred to the council of the band?—A. No.

Q. Is there representation made that the council of the band should pass upon the qualifications of the Indian to determine whether he is going to be able to carry on after he has probably dissipated his trust fund?—A. It is not possible you are confusing enfranchisement and commutation?

Q. No, I am trying to stick to commutation.—A. It is provided in the Act when a former member receives moneys paid at commutation she is finished with her interest in the funds of the band or in any cash benefits to be derived. Before that application is made the person has already lost band membership by reason of marriage to a non-Indian. The Act stipulates that on marriage to a non-Indian she ceases to belong to the band.

Q. Automatically?—A. Automatically.

Q. I think you did give the answer to this, and if you cannot remember the figures offhand I will let it go. What is the average yield of the trust fund now?—A. I will give it in two figures, approximately $800,000 from government interest and probably $1,000,000 from other sources.

Q. What effect has reduction had in paying out? That is where your average rate of interest has decreased. Is that taken into account when you are paying out funds or do you encroach upon the principal if necessary?—A. No, we would never encroach upon the principal.

Q. So it would have a direct effect then on your ability to pay out?—A. Definitely.

Q. How does that affect individuals? Do they have less money?—A. You mean the reduction in the rate of interest?

Q. Yes.—A. There has been no reduction since 1917, as you will recall, and naturally prior to that I cannot say, but it would have the effect of making impossible interest distributions to certain bands who are now just on the borderline of having sufficient funds to enable distribution to be made.

Q. Are the trust funds earmarked for the various provinces or what regional earmarking do you have?—A. No, they are the distinctive and separate property of individual bands. Provinces do not enter into it. Occasionally you have bands which reside on the border of a province, and the band property, or where they live, is the determining factor.

Q. What supervision, if any, have you with respect to the investment of trust funds?—A. None, sir. That is the responsibility of the Department of Finance. I believe there is no investment at present in the ordinary sense of the term.

Q. Have you any supervision at all with respect to trust funds throughout Canada?—A. None as to investment.

Q. That is entirely with the department?—A. That is right, the Department of Finance.

Q. Have the department then an investment council that deals with the trust funds?—A. My understanding of that is—I would like to make it clear at this point that I am a junior official so I am not sure I can answer that question adequately—but my understanding of it is that these moneys form part of the Consolidated Fund of Canada and are treated the same way as other parts of that Fund.

Q. What do you think caused an increase in the trust funds?—A. There would be various factors entering into that during the last five years; generally the economic prosperity of Canada would be a reason for it. There was an increasing demand for Indian land and timber in connection with the war effort. When such land and timber was sold—there was a ready sale for them in the past few years as you know—that resulted in a marked increase. Another factor is that there is, in effect throughout western Canada particularly, land sale agreements. For various reasons beyond the control of the purchaser in the 1930's, he was not always able to meet his instalments; but recently there has been an increased demand for farm products and there have been good crops, which is a change from previous to 1939; so he has been able to meet his obligations in regard to paying off instalments due on land purchases. Another factor: where the land is leased on the crop share-basis, a quarter of the crop is common allotment for the payments on those lands. When the crops were poor the quarter share did not amount to much; but in the past few years, they have amounted to a great deal more. Those would be the chief factors, I believe.

Q. Is it the policy of the department to encourage the building up of the trust funds? Do you like to see the trust funds increasing even though the band might be able to use more money?—A. No, I believe I am safe in saying that the policy of the minister is to have the Indians use the band funds. There is no benefit to the Indians in having them increase alone. The only stipulation

is that we would like to see the band funds be used for constructive uses such as houses, benefits to aged individuals, bringing more land into cultivation, and for the building of roads.

Q. Generally for the benefit of the reserve and the band.—A. Yes. It is not the wish of the department to build up band funds just for the sake of having a large balance alone. Any desire to build it up is for the reason that we may have more money to use for the purposes which would enable the Indians to have better housing, to look after aged people of the band, and to have better roads and to progress generally.

Q. You referred to revenue and capital account. What is meant by revenue account, and how do you determine it?—A. The proceeds of the sale of capital assets such as timber and land are deposited to the credit of capital account. The interest on that balance at the end of March is deposited to the credit of revenue or interest account. Also, into the revenue account, go rentals of land, ground rentals for timber, proceeds of Indian produce sold, that is, property of the band held in common such as grain raised on band-owned farms. Does that answer your question?

Q. That would be revenue account?—A. Yes.

Q. With respect to loans, are they ordinarily repayable?—A. Yes.

Q. Are such loans actually being repaid?—A. Definitely. In the last five years particularly.

Q. Are loans made to individuals, or just to the band?—A. No, loans are made to individuals and very rarely to bands.

Q. But they can be made to bands?—A. Yes. About the only example I can think of is this: we had an experience of that kind in western Canada not so long ago; they wished to purchase heavy farm machinery such as tractors, combines, binders, and such things; and they applied to borrow $6,000, from their capital fund. They agreed to repay that sum in five yearly instalments of $1,200 each, together with interest at 5 per cent. That would be an example of where a loan is made to a band.

Q. And the implements so purchased would be used for the community generally?—A. That is right. Where these implements are used for the benefit of the individuals, we consider it sound practice to charge, or to have the Indians charge themselves an acreage or hourly rate for the use of those implements, not with any profit motive in view to the band funds itself, but merely to have a fund available with which to replace those implements when they become worn out. Generally speaking, the Indians are in accord with that practice.

Q. What security, if any, do you require for loans?—A. For loans to individuals?

Q. Or loans to a band?—A. In the case of individuals, the Act stipulates that no loan shall be greater in amount than one-half of the interest of the borrower in the land held by him; so we take a land mortgage signed by the borrower covering his property. If he has not property, if we can determine that he has improvements on the property he occupies which would represent assets we could realize on, in case of default a chattel mortgage is taken on those improvements. That covers losses from capital account. If an Indian wishes to borrow from his band funds and his land or property is not of such a nature that we can take it as security, and also, if the Indian agent has reported that this man certainly merits help, then we take stock or farm equipment and take the loan moneys from the revenue account. As I pointed out to you in the report previously submitted, there is no hard and fast rule for the general revenue account. Therefore we have adopted the practice of making loans from revenue accounts where the assets of the prospective borrower are not of a nature to justify the loan being made from capital account.

Q. You would enter into the agreement on the signature of the Indian consultant himself?—A. That is right.

The Indian agent does not enter into it?—A. Except in the capacity of witness to the agreement.

Q. But it is the Indian himself who gets the loan?—A. Yes.

By Hon. Mr. Stirling:

Q. In those cases does the band council express its opinion as to the worthiness of the borrower?—A. Very definitely. The borrower presents his request first to the band in council and it must have their approval before it goes any further.

By Mr. Farquhar:

Q. Is that done in all individual cases?—A. All that I know of or can recall.

By Mr. Case:

Q. Does interest accumulate if there are any arrears?—A. Yes.

Q. If they do not pay off the debt?—A. If the debt is not repaid, the Indian is given every reasonable opportunity to put himself back into good standing so far as the loan is concerned. Then, if it appears that the Indian is not going to be in a position to repay, he is given notice of foreclosure. There is a procedure established and he gets a notice that he must either pay the money or make some re-arrangement. If he indicates that he proposes to do something in repayment that is accepted and no action is taken; but if he is perfectly indifferent as to repayment, then a notice of foreclosure is sent to him by registered mail and, upon the expiration of thirty days, foreclosure proceedings are instituted and the property is taken possession of by the band.

Q. By the band?—A. Right.

Q. You spoke about outside creditors. What do you mean by outside creditors?—A. I meant storekeepers and other farmers. The storekeepers may have given him food supplies, perhaps; and the other farmers may have sold him livestock or seed. Those are matters largely between the Indians concerned; but in many cases without the knowledge or consent of the Indian agent.

Q. Without the knowledge and consent of the Indian agents, the debt is not readily collectible?—A. No.

By Mr. Farquhar:

Q. Isn't that true whether or not you have the knowledge or consent of the Indian agent? Suppose a merchant advances goods to an Indian, he does so on his own responsibility?—A. No; I think that the agent would seek to have the Indian promise that he would pay the debt out of moneys coming to him in the future.

Q. Supposing he does not agree to do that?—A. Then it would be the responsibility of the person extending the credit.

By Mr. Case:

Q. An Indian could not be sued on his own; if he entered into a deal and the creditor took action, unless there was the okay of the Indian agent, the Indian could not be sued in court.—A. I believe that is correct. There is a provision in the Act whereby the vendor of goods could enter upon a reserve and repossess the goods, but only with the consent of the Indian agent; that applies more particularly to articles such as pianos or phonographs.

By Mr. Farquhar:

Q. The goods could be repossessed in what way?—A. It is pretty much only where the Indian has made a rash purchase, such as a piano, a high pressure salesman may contact the Indian and load him up beyond his capacity to pay.

By Mr. Case:

Q. Have the provinces made a practice of supplying seed grain to the Indian reserves?—A. Only through arrangement with the department, so far as I am aware. It is the agent's responsibility to see to it, as far as he can, that an adequate seed supply is available. He may purchase it from the province or from individuals.

By Mr. Bryce:

Q. But the agent will, in every case, pay for that by cheque?—A. Yes.

Q. I would like to go through the procedure of an Indian buying grain, suppose he wants to buy seed from an outside person. What procedure must he go through?—A. As far as possible he speaks to the Indian agent about it; and if it is an individual case, the band submits the resolution that this man be advanced, say, $100 from the band funds. If the circumstances warrant it, we write back saying that it is approved. Then this man acting either with the consent of the Indian agent—or he may delegate the Indian agent to make the purchase for him—will go to the merchant or to the farmer selling grain and purchase it; then the agent will submit the account to Ottawa where it is paid by cheque issued to the vendor. Now, if he arranges it without the knowledge of the agent, that is something entirely between the two men.

Q. But the Indian has not the right to go and purchase goods; the Indian agent purchases the goods and he, in turn, sends to Ottawa for the cheque to pay for the goods.—A. The Indian has the right, if he has the money.

Q. But if he is borrowing money, then he never touches the money himself. The business is all done for him?—A. That is right.

By Mr. Case:

Q. At one time it was the policy of the department to encourage an increase of band funds; but according to your statement this morning, there is a change in that policy to some extent?—A. I would hesitate to answer that question.

Q. You said in your brief that great credit was due to the department in the past for the accumulation of band funds. Now you have departed from that policy to some extent?—A. Yes, but I might qualify my statement. They accumulated band funds and they deserved credit; but perhaps they made considerable expenditures at the same time. I could not speak about that. I was merely speaking about the building up of the funds and was not implying what they might not have spent on behalf of the Indians.

Mr. CASE: I have one more question which I would like to ask Mr. Lickers. I notice that he shook his head when I was asking about the responsibility for the debt of an Indian.

Mr. LICKERS: The Indian can be sued; and if he has any property off the reserve, it can be attached. For instance, if he owns an automobile and drives that automobile into town, the bailiff might be waiting for him and might seize the automobile, off the reserve.

Mr. CASE: But he does have some protection while on the reserve?

Mr. LICKERS: Yes, he has protection while on the reserve; but in connection with the purchase of an article by an Indian, suppose he purchases a sewing machine and he takes that sewing machine on the reserve, the seller has a lien on it without even taking a lien note or a chattel mortgage or anything else. Under the Indian Act he can go down to the reserve and seize the article right on the reserve and take it off the reserve.

Mr. FARQUHAR: Is that true of anything?

Mr. LICKERS: No; it is one of the provisions of the Indian Act.

Mr. RAYMOND: Suppose an Indian comes to me and borrows $10. Could I sue the Indian if he failed to repay that money?

Mr. LICKERS: You could sue him.

The CHAIRMAN: It is the matter of realizing on a judgment, not a matter of bringing action.

Mr. CASE: That completes my questioning of Mr. Lickers, unless he has some general observations to make that might be of interest to the committee.

Mr. MACNICOL: How could the Indian be served? Would the process server have to go to the chief of the band?

Mr. LICKERS: The officer serving a writ goes directly to the house where the Indian lives.

Mr. FARQUHAR: I was of the opinion that you could not sue an Indian for debt.

Mr. LICKERS: Oh yes, you can.

Mr. CASE: I would like to ask Mr. Leslie, if he has any recommendation he would care to make in regard to having the Indians make increased use of their band funds?

The WITNESS: I would say that the increased use of Indian funds by the Indian bands should be encouraged; and I think that one way that conditions in that regard could be improved is to have the inspector annually, or as often as he has the time, talk over with the band in council the whole question of band funds. The agent does what he can, no doubt; but the inspector would be able to give more details because he knows the Ottawa feeling in the matter more than the agent does. I think that such discussions would do away with a great deal of misunderstanding as to the attitude of the department in regard to the use of funds.

By Mr. Case:

Q. Those trust funds have nothing to do with the Indian treaty rights?—A. No, they are distinctly separate.

By Mr. Castleden:

Q. Do you make out a copy of the account in connection with the trust funds for each band, each year, and is such a copy the property of each band?—A. They are sent to the Indian agent with instructions that they be made available to the Indians at all reasonable times. The Indians have the right to see them and to examine them and discuss them in council.

Q. Why is not a copy sent to the band—A. In many cases we would have difficulty in locating the band; if representations were made by an individual to the agent, we could furnish such copies.

By Mr. Bryce:

Q. The general complaint in Manitoba is that they do not know how much money they have got. I see here that you are neglecting Manitoba again; there is no specimen for Manitoba. I would like to see one of the best and one of the worst of them.—A. I would be glad to correct that omission.

Mr. BRYCE: Do not forget Manitoba; she is the banner province.

By Mr. Castleden:

Q. Are there cases where they have refused to provide the band with a copy of their trust account?—A. The instructions to the agents are certainly to show such statement to the Indians and to discuss it with them.

Q. Suppose a sale is made of a part of a reserve; that has been done?—A. Yes.

Q. Who determines whether or not the sale shall be made?—A. I will answer that very generally because you will have another man before you

in that connection. The first thing necessary is a surrender by a majority of the voting members of the band.

Q. But that is not always done.—A. I am not aware of any exception; but it is possible. You can get more information about that later.

Mr. BRYCE: Is that always done?

Mr. HOEY: Always.

By Mr. Castleden:

Q. There was the case of a property survey in Alberta last year for power sites. We were informed in the House that the band was not consulted. Very well, that is another department. Could you give us the amount that is due and outstanding to the Indian bands in the different provinces for the sale of property, or could you give us a general amount for the whole of the trust fund?—A. I could give it to you for the whole of the dominion; $415,265.58 was owing on March 31 last on land sale agreements.

By Mr. MacNicol:

Q. Owing by whom?—A. By the purchasers of the various lands.

Q. Does the government allow any land of the Indians to be sold without making certain that payments will accrue to the band funds?—A. That is something that cannot be provided for; suppose the purchaser agrees to a certain price in good faith, payable in instalments over a period of years, perhaps by crop share agreement. It would be beyond the power of anyone to collect where there is no crop. That might be one case of an exception.

By Mr. Castleden:

Q. With regard to the sale of property, I understand in every case that the consent of the band is a first prerequisite.—A. That is true, as stated in the surrender.

Q. How is the consent of the band given?—A. By 51 per cent of the voting members male members over twenty-one years of age.

Q. How is the price arrived at?—A. The price is arrived at in the department with the consent of the Indians before the surrender which is the crux of the sale negotiations, as far as the interests of the band is concerned. Negotiations are taken up with those interested first; that is, the band is consulted through the department who with the purchasers get together on the price. I hope that answers your question, but I would prefer it if you asked this question when Mr. Browne is here because that is his work and he is much better qualified to answer the question than I am.

Q. Who carries on the collection of this account?—A. It is done by a division of the treasury branch. They enter the particulars of the contract in a ledger, and notices of instalments due are mailed at the appropriate times to the people owing the money.

Q. That is not done by your branch?—A. It is attached to our branch.

Q. And those funds are audited regularly by your branch of the department?—A. Yes.

Q. And those funds become part of the consolidated revenue of the Dominion of Canada?—A. Yes.

Q. With regard to relief, suppose relief is found necessary on a reserve and the Indian band makes application for funds to pay for that relief?—A. There are different procedures. Sometimes applications for relief are dealt with by the band in council. In other bands the Indian concerned, or someone acting on his behalf, makes application to the agent.

Q. And does the government grant any relief directly to the Indians or do they always charge relief against band funds?—A. For one year the relief granted directly, as you say, from Parliamentary Appropriation to the Indians was in

excess of $700,000, and in the same year from band funds relief was slightly more than $200,000. Does that answer the question?

Q. What I was thinking about is how that is provided for in the case of a band that has very little funds. Suppose they require relief. If one Indian band has a large trust fund they can draw on it and live fairly well. If another band happened to be settled on land that could not be used economically they might be a very poor band and would have to go on relief. How is it equalized?—A. That is not the case. They are all treated on the same basis. For those who have no funds relief at approximately the same rate is paid from the welfare appropriation. Those who have funds pay the relief from their trust funds.

Q. Is that relief repayable?—A. No. Under very exceptional circumstances it might be, but generally no.

Q. You gave an account last day of the transfer of some of these debts to uncollectible accounts?—A. Oh, yes. That would not be relief. These people to qualify for relief must be considered destitute.

By Mr. Farquhar:

Q. Did you say they were all paid on the same basis?—A. Within a reasonable range, yes. The welfare division establish what they consider to be an adequate scale of relief, and when we pay relief from their band funds we pay on that same scale in most cases. There are some bands that are richer, and by resolution of the band we supplement the official ration with cash or increased supplies.

By Mr. Castleden:

Q. Have you got any of those standards here?—A. No.

By Mr. Farquhar:

Q. In this financial summary all the bands in the agency are not included, are they?—A. To which one do you refer?

Q. I refer to some of the bands in northern Ontario including the Manitoulin Island—A. As I remarked before I chose those as typical ones.

Mr. MacNicol: I should like to ask about the Blackfoot hospital.

The Witness: Here is a book containing the statements for all bands.

By Mr. Case:

Q. How many are there altogether?—A. There are over 400 and I just chose six as types. That is all. I am sorry I omitted the Manitoulin.

By Mr. Matthews:

Q. Each with an agency?—A. There may be several bands in one agency.

By Mr. Farquhar:

Q. What is the idea of selecting these few?—A. I chose the Blackfoot because they pay everything practically from their band funds with the exception of the salary of the agent and his clerks. They pay costs of their farming operations, relief rations and all maintenance costs.

By Mr. MacNicol:

Q. Where is the Blackfoot hospital located?—A. At Gleichen.

Q. Who is it operated by?—A. By the Department of Health and Welfare.

Q. Are any of the nurses in the hospital Indians?—A. I could not tell you that.

Q. Are any of the nurses in the hospital Indian girls?—A. I could not answer that question.

Q. Is there no effort made to train the Indian girls for hospitals to act as nurses?

The CHAIRMAN: I think he said he could not answer the question.

Mr. MACNICOL: I know in the Moravian band of the Delaware tribe quite a number of girls have been trained as nurses and do excellent work.

By Mr. Castleden:

Q. As to the Six Nations of Grand River band you have a reference here to royalties on oil wells, $260. How is that arrived at? Do they surrender their rights for the use of that on the Six Nations reserve?—A. They negotiate a surrender which in the first place permits a surveyor to enter on the property, that is the proper name for a man who checks on oil deposits. Then the next step is a further agreement to enable them to go on for development. The right to go on for oil survey purposes is usually a flat rate per acre, 10 cents or some such sum as that.

Q. How is the agreement arrived at? Does that also require the consent of 51 per cent of the members?—A. Yes, before the surrender is completed.

Q. That was done in this case?—A. So far as I am aware, but once again that will be answered by Mr. Brown.

Q. How about the development of lumbering operations? I notice that sometimes there are rentals of lumber and lumbering operations. Where there is lumber available is there any effort made to have the Indians themselves operate their own lumber mill?—A. Yes. Where possible that is definitely encouraged. There is quite often too a stipulation, to employ Indians as far as possible, embodied in the contract with an outside operator.

By Mr. Bryce:

Q. Can you tell us anything about the houses that were built at Fisher Branch? They were built without assistance. Did they get any assistance whatever?—A. That is Fisher River?

Q. Fisher River Reserve?—A. So far as I am aware they got no assistance from the band funds.

Q. They built seven houses there, some of them worth $5,000. You cannot tell us anything about that?—A. No, as far as I am aware that was a project separate from the band funds.

By Mr. MacNicol:

Q. Coming back to the Blackfoot hospital, are you able to answer any questions?—A. I will be glad to answer any I can.

Q. The hospital was built by the band?—A. Yes.

Q. Who let the contracts? Did the department let the contracts?—A. I do not know.

By Mr. Castleden:

Q. Last day you were remarking about money used from the trust funds for the building of schools, churches, and halls?—A. Yes.

Q. Would you enlarge on that statement and tell us under what circumstances trust funds have been used to build these halls or schools and other cases where the church has built them?—A. As I said before, the building of schools from trust funds is no longer done. As to churches, however, where the entire band membership belongs to one denomination and they submit a resolution requesting that an expenditure be made from their funds for that purpose it is usually permitted.

Q. Can you tell us the amount of money that has been expended out of trust funds for the building of churches, schools and halls as you have outlined it in you report last day?—A. That would involve a considerable search of old files. If you wish I can get the information for you and present it at a later date.

Mr. HOEY: No schools have been built from band funds since I came in ten years ago, and I do not think any have been built within the last twenty-five years.

Mr. CASTLEDEN: What is that?

Mr. HOEY: I do not think that any schools have been built from band funds at any time during the last twenty-five years, and certainly none since I came into the department.

By Mr. Castleden:

Q. How about recreation halls?—A. Yes, they are built from time to time now from band funds.

Hon. Mr. STIRLING: Mr. Leslie, in the Indian trust fund statement there is an item land sales and registration fees, $215,000, under receipts, and under disbursements there is an item, "purchase of land for bands, $964". Does that give any sort of picture?

The CHAIRMAN: To what are you referring?

Hon. Mr. STIRLING: The Indian trust fund statement, the last two sheets of this mimeographed document.

The CHAIRMAN: Indian trust fund 1943-44, and what item?

Hon. Mr. STIRLING: On the receipts side I draw your attention to the sixth or seventh item, "land sales, $215,000", and on the disbursement side in the fourteenth or fifteenth line, "purchase of land for bands, $964". A great deal more land has been sold on reserves than has been purchased. Does that give any sort of picture?

The WITNESS: No. That large sum, as I pointed out earlier, results from increased collections on land sales made many years ago. The amount of collections has increased greatly due to current prosperity. I would say that was not a true picture as to the relation between sales and purchases.

By Hon. Mr. Stirling:

Q. Let us go back to the British Columbia cut-off agreement I referred to earlier in the proceedings. Lands were given up by the reserves by agreement, and I presume from what you have said to-day by the consent of the bands interested, so that those pieces of land which were given up were just ordinary lands, Crown lands. They were there for sale and when sold I am told that half the proceeds went to the consolidated revenue fund and half to the band funds. Would such a transaction as that pass through this Indian trust fund or would that sum of money go directly to the band itself?—A. No, it would go to a special account called "the Indians of British Columbia".

Q. And appear in this?—A. Yes, it would. It is covered. If such a sale occurred during the year 1943-44 it would appear as an item under receipts there.

Q. That sum of money would be in the possession and be the property of that band and would be handled by them as all their other band funds?—A. No, there has been some contention in that respect. The agreements in that regard provide that the proceeds of the sales of such cut-off lands shall be credited and used for the benefit of "the Indians of British Columbia". I might say that has raised a serious problem of administration. Just how can you use, say $1,000, for the benefit of the Indians of British Columbia? In one such case it was referred to the minister who directed that where feasible those moneys were to be used for the benefit of the band whose lands these formerly had been.

By Mr. Castleden:

Q. There is a question I have on the final page as to the Indian trust fund. You have got grants for maintenance of Mohawk Institute, $3,000, and Lytton residential school, $4,725.—A. Could Mr. Hoey answer that question?

Mr. CASTLEDEN: Is that taken out of the general trust fund?

The WITNESS: That is money received directly from the churches. You will notice there is a like amount in the receipts.

The CHAIRMAN: Gentlemen, it is now 1 o'clock. Probably we will have the answer for that for the next meeting on Thursday.

Mr. CASE: Just before we adjourn I was wondering if it would be possible to have the submission by the North American Indian Brotherhood put into the record?

The CHAIRMAN: It is in the record at page 428. We will meet again on Thursday at 11 o'clock.

The committee adjourned at 1 o'clock p.m. to meet again on Thursday, July 11, 1946, at 11 o'clock, a.m.

APPENDIX L

KENORA AGENCY—ONTARIO

ASSABASKA BAND—A/C No. 211

Population
261

	Agent N. W. Paterson Dr.	Cr.
Capital		
April 1, 1945. Balance	.....	$ 169,747 05
Timber dues	.....	777 42
Shares of transferred Indians	$ 16,154 00	.....
March 31, 1946. Balance	154,370 47	.....
	$ 170,524 47	$ 170,524 47
Interest		
April 1, 1945. Balance	.....	$ 16,153 66
Government interest	.....	9,295 04
Relief supplies	$ 947 94	.....
Interest distribution	3,645 00	.....
Funeral accounts	17 00	.....
Building material	126 72	.....
March 31, 1946. Balance	20,712 04	.....
	$ 25,448 70	$ 25,448 70

BLACKFOOT AGENCY—ALBERTA

BLACKFOOT BAND—A/C No. 138

Population
961

	Agent H. E. James Dr.	Cr.
Capital		
April 1, 1945. Balance	.....	$1,551,998 48
Payment on land	.....	23,232 02
March 31, 1946. Balance	$1,575,230 50	.....
	$1,575,230 50	$1,575,230 50
Interest		
April 1, 1945. Balance	.....	$1,145,306 69
Government interest	.....	134,865 26
Interest payment on land	.....	6,388 40
Sale of mowers	.....	235 00
Sale of bulls	.....	281 65
Sundry rentals	.....	26,810 28
Assignments	.....	7 00
Sundry refunds	.....	94 16
Interest distribution	$ 27,050 00	.....
Relief supplies	38,023 99	.....
Salaries other than at hospital	13,005 55	.....
Funeral accounts	912 30	.....
Water rights	1,064 28	.....
Coal, light, telephone and repairs to Band property	6,493 90	.....
Purchase of bulls	4,478 73	.....
Aid to coal mine	1,500 00	.....
Summerfallowing	3,000 00	.....
Expenditure on behalf of farming Indians	15,854 81	.....
Medical expense and upkeep of hospital	24,638 23	.....
Rental distributed	300 00	.....
Tuition	611 00	.....
Christmas cheer	250 00	.....
Sundry expenses	732 34	.....
March 31, 1946. Balance	1,176,073 29	.....
	$1,313,988 44	$1,313,988 44

QU'APPELLE AGENCY—SASKATCHEWAN

MUSCOWPETUNG BAND—A/C No. 214

Population
189

Agent
Frank Booth

	Dr.	Cr.
Capital		
April 1, 1945. Balance	.....	$ 107,522 02
Payments on land	.....	2,973 54
Payments on loans	.....	64 45
Band loans to Indians	$ 583 59	.....
March 31, 1946. Balance	109,976 42	.....
	$ 110,560 01	$ 110,560 01
Interest		
April 1, 1945. Balance	.....	$ 21,819 21
Government interest	.....	6,467 06
Interest payments on land	.....	533 89
Payments on loans	.....	414 55
Grazing dues	.....	46 00
Rental	.....	4,928 81
Collections a/c horses, fines, etc	.....	75 00
Relief supplies	$ 1,608 90	.....
Interest distribution	5,670 00	.....
Funeral accounts	32 79	.....
Well and fence repairs	219 91	.....
Compensation for loss	150 00	.....
Sundry expense	9 25	.....
March 31, 1946. Balance	26,593 67	.....
	$ 34,284 52	$ 34,284 52

SIX NATIONS AGENCY—ONTARIO

SIX NATIONS OF GRAND RIVER BAND—A/C No. 33

Population
5,520

Agent
Lt.-Col. E. P. Randle

	Dr.	Cr.
Capital		
April 1, 1945. Balance	.....	$ 708,666 19
Payments on land	.....	759 55
Payments on Band loans	.....	1,905 89
Timber dues	.....	157 00
Royalties on gas wells	.....	260 00
Shares of enfranchised Indians	$ 128 18	.....
Loans to Indians	2,271 40	.....
Settlement of estates	46 33	.....
Individual interest in property	400 00	.....
March 31, 1946. Balance	708,902 72	.....
	$ 711,748 63	$ 711,748 63
Interest		
April 1, 1945. Balance	.....	$ 51,382 43
Government interest	.....	44,447 86
Road subsidy	.....	10,434 22
Collection a/c Town line road	.....	190 34
Rentals collected	.....	7,740 84
Collections a/c coal, seed and sundry debts	.....	8,936 52
Interest payments on Band loans	.....	816 27
Coll. interest on land	.....	107 45
Relief supplies	$ 3,254 99	.....
Salaries and pensions	8,274 89	.....
Interest distribution	21,815 76	.....
Funeral accounts	703 00	.....
Expenditure *re* Band property	3,820 35	.....
Coal and coke	2,318 99	.....
Purchase of grain and aids to agriculture	3,493 07	.....
Expenditure on roads	21,000 00	.....
Donation to charity	1,000 00	.....
24th May celebration	249 21	.....
Grant to lacrosse club	100 00	.....
Compensation for fire and wind loss	1,095 11	.....
Rentals returned, etc	8,591 27	.....
March 31, 1946. Balance	48,339 29	.....
	$ 124,055 93	$ 124,055 93

VANCOUVER AGENCY—BRITISH COLUMBIA

SQUAMISH BAND—A/C No. 54

Population
505

	Agent J. D. Caldwell Dr.	Cr.
Capital		
April 1, 1945. Balance	.....	$ 180,332 12
Payments on Band loans	.....	1,069 71
Wood dues	.....	63 89
Loans to Indians	$ 446 30	.....
March 31, 1946. Balance	181,019 42	.....
	$ 181,465 72	$ 181,465 72
Interest		
April 1, 1945. Balance	.....	$ 25,892 24
Government interest	.....	10,321 31
Interest on Band loans	.....	98 37
Rentals	.....	11,570 30
Transfer fee	.....	3 00
Relief supplies	$ 2,683 49	.....
Salaries	205 00	.....
Interest distribution	14,030 00	.....
Funeral accounts	322 50	.....
Building material and repairs to houses	459 49	.....
Repairs to water system and water rates, etc	2,592 02	.....
Repairs to roads	125 00	.....
Fishing boat and sundry expenses	346 33	.....
March 31, 1946. Balance	27,121 39	.....
	$ 47,885 22	$ 47,885 22

ST. REGIS AGENCY—QUEBEC

IROQUOIS OF ST. REGIS BAND—A/C No. 46

Population
1,613

	Agent T. L. Bonnah Dr.	Cr.
Capital		
April 1, 1945. Balance	.....	$ 57,245 76
Payment on Band loans	.....	69 62
Royalty on sand	.....	224 00
Transfer (Sawatas estate)	$ 500 00	.....
March 31, 1946. Balance	57,039 38	.....
	$ 57,539 38	$ 57,539 38
Interest		
April 1, 1945. Balance	.....	$ 6,628 21
Government interest	.....	3,478 24
Interest on Band loans	.....	80 38
Rentals	.....	1,632 36
Trespass fines	.....	25 00
Interest on property	.....	133 34
Relief supplies	$ 3,126 08	.....
Salaries	597 50	.....
Funeral accounts	50 00	.....
Indian houses	11 74	.....
Fuel coke	524 06	.....
Fuel for church and upkeep of Band property	457 69	.....
Seed and fence posts	48 02	.....
Repairs to roads and bridge	612 74	.....
Rental paid out and sundry expenses	1,088 37	.....
Transferred to special account for Hamilton Island	4,422 08	.....
March 31, 1946. Balance	1,039 25	.....
	$ 11,977 53	$ 11,977 53

INDIAN TRUST FUND 1943-44

Balance at credit of Fund A/C, April 1, 1943		$15,027,771.56
Receipts		
Interest for year on above balance: 6 per cent on $1,074,293.72; 5 per cent on $13,929,792.24	$ 760,947.24	
Grant from Dominion Government: Robinson Treaty Annuities, Account No. 26	7,500.00	
Grants from New England Company: Mohawk Institute, $4,430.00; Lytton Residential School, $4,430.00	8,860.00	
Collections during year—		
Rentals and Royalties	249,615.75	
Land Sales and Registration Fees	215,215.57	
Timber rentals, licences and dues	158,419.22	
Sale of Handicraft products	23,787.56	
Liquor fines, $17,332.94; trespass fines, $486.50	17,819.44	
Province of Ontario road subsidies	13,688.88	
Gravel dues and royalties on stone	8,928.12	
Compensation for improvements	7,048.33	
Settlements *re* flooding: Lac Seul $50,263.00; Wahpaton $3,100.00; Ochapowace $170.00	53,533.00	
Sundry refunds of advances	5,569.55	
Proceeds from Community farms	26,602.29	
Agricultural Aids: Seed, feed, etc	36,570.84	
Sale of livestock $2,417.09; grain $3,500.00; and proceeds from ranches $11,894.93	17,812.02	
Proceeds from bonds and sale of muskrat pelts	39,465.72	
Repayment of Band loans	24,658.27	
Miscellaneous receipts	24,729.13	
Soldier Settlement of Canada: Grant from S.S. Board $2,600.00; repayments by Soldier Settlers $7,175.93	9,775.93	
Deposits to Savings Account No. 201	84,940.03	
Transfers between Band Accounts, contra	53,962.45	
	$1,849,449.34	

INDIAN TRUST FUND 1943-44

Disbursements		
Salaries and wages	$ 48,974.00	
Blackfoot Hospital, including salaries	26,154.05	
Building materials and repairs	41,189.23	
Enfranchisements and Commutations	24,006.73	
Farming operations	50,358.83	
Farming equipment, machinery and repairs	13,029.40	
Livestock purchases	8,028.25	
Fencing	3,431.87	
Medical attendance and hospital care	3,043.19	
Operation and promotion of handicraft	21,108.85	
Prevention of liquor traffic, including constables' salaries	8,616.66	
Relief supplies	174,327.24	
Repairs to roads, bridges, etc.	34,158.29	
Timber protection	5,528.50	
Purchase of land for Bands	964.35	
Water, light, power and telephone	519.81	
Wells $302.59; Insurance premiums $174.47	477.06	
Funeral accounts	9,733.41	
Fishing operation, licences, etc	2,566.31	
Miscellaneous	16,015.18	
Distribution to Indians: Interest moneys $311,226.82; rentals $68,988.03; land sale receipts $7,783.32; timber receipts $15,456.02; muskrats $36,148.73	439,602.92	
Loans to Indians	12,367.51	
Soldier Settlement of Canada: New loans $432.33; Salaries $1,800.00; Repayments of loans collected $7,175.93; Balance of advance $367.67 to Soldier Settlement Board	9,775.93	
Grants for maintenance: Mohawk Institute $3,000.00; Lytton Residential School $4,725.00	7,725.00	
Withdrawals by Indians from Savings	68,051.49	
Deposits etc. returned: Land sales $213.75; Timber $105.00	318.75	
Transfers between Band Accounts, contra	53,962.45	
	$1,084,035.26	
Excess of Receipts over Disbursements		765,414.08
Balance at credit of Fund a/cs, March 31, 1944		$15,793,185.64

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 12

THURSDAY, JULY 11, 1946

WITNESS:

Mr. A. G. Leslie, of Reserves and Trusts Service, Indian Affairs Branch, Department of Mines and Resources, Ottawa

OTTAWA
EDMOND CLOUTIER
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1946

MINUTES OF PROCEEDINGS

THE SENATE,

THURSDAY, 11th July, 1946.

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 11.00 o'clock a.m. The Joint Chairmen: The Honourable Senator J. F. Johnston and Mr. D. F. Brown, M.P., presided.

Present:

The Senate: The Honourable Senator J. F. Johnston.

The House of Commons: The Honourable Mr. Stirling and Messrs. Blackmore, Brown, Bryce, Case, Castleden, Farquhar, Gariépy, Gibson (*Comox-Alberni*), Harkness, MacNicol, Matthews (*Brandon*), Reid Richard (*Gloucester*) —14.

In attendance: (Department of Mines and Resources): Messrs. W. J. Ford Pratt; R. A. Hoey, Director, Indian Affairs Branch; Eric Acland, Executive Assistant to Director; L. Brown and A. G. Leslie, Reserves and Trusts Service, Indian Affairs Branch;

Also, Mr. Norman E. Lickers, Counsel for the Committee and Liaison Officer.

The Chairman (Mr. Brown, M.P.) on a question of privilege, produced and read excerpts from two newspapers which referred to the proceedings of this Committee on Tuesday, 9th July last.

On motion of the Honourable Mr. Stirling, it was

Agreed: That the Joint Chairman (Mr. Brown) will bring up the same question of privilege in the House of Commons this afternoon. (See Appendix N).

Mr. A. G. Leslie, of Reserves and Trusts Service, Indian Affairs Branch, Ottawa, was re-called and questioned.

The Committee adjourned at 1.00 o'clock p.m., to meet again on Tuesday, July 16th next at 11.00 o'clock a.m.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

THE SENATE,

July 11, 1946.

The Special Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 11 o'clock a.m. Mr. D. F. Brown, M.P., (Joint Chairman) presided.

The CHAIRMAN: Gentlemen, let us come to order. First of all I want to speak on a question of privilege. The Toronto *Star* of July 10 carries an article under the heading, "Defeat move to let Indians give opinions." That is dated at Ottawa July 9 and carried by the Canadian Press. The Owen Sound *Daily Sun-Times* carries an article under date of July 9, a Canadian Press story, under this heading, "Refuse to name Indian members to Commons body."

Now, I think you will all agree with me that those headings do not bear out the facts as those facts have been brought before this committee, and they are not in conformity with the minutes of our meetings. I think that the members of this committee—I do not care to what political pary they belong—have been honestly and sincerely trying to do a job of assisting the Indians of Canada to raise their standard of living, and to heal the hurt which they have suffered. When I accepted the chairmanship of this committee I asked that we as members of this committee forget our political affiliations, and I must say that the members of this committee to a very large extent have complied with that request.

Now, these two headings, as I have said, do not bear out the actual proceedings of this committee as the verbatim reports will reveal, and I think it is a disservice to the members of this committee, to the House of Commons and to the people of Canada generally—

Hon. Mr. JOHNSTON: And not forgetting the Senate.

The CHAIRMAN: Pardon me, I forgot; the Senate should come first.

I think it is not being honest, and is not doing a service to the Senate, the House of Commons and the members of this committee or to the people of Canada generally to try to spread such alleged facts when they are not true.

Hon. Mr. JOHNSTON: And a disservice to the Indians.

The CHAIRMAN: And, as I am reminded, it is certainly a disservice to the Indians of Canada.

Mr. CASE: And it certainly does the committee a great deal of harm.

The CHAIRMAN: Now, with regard to the articles in question, these two newspapers—there may be other newspapers not yet on file here which have carried this story—do not give the affirmative side of what happened; they quote only partially what was said by two members of this committee. Now, it is my humble opinion that any member of this committee or of any other committee of the Senate and the House of Commons who for political purposes or political reasons is trying to pit one class against another or to create unrest among any class of persons in Canada is not being honest with himself, he is not being fair to the Senate or the House of Commons, and is a traitor to his country.

Mr. MACNICOL: What are the articles, Mr. Chairman? I have not read them.

The CHAIRMAN: One article is in the Toronto *Star*.

Mr. BRYCE: Is it a long article?

The CHAIRMAN: It is not very long. I will read it.

Hon. Mr. JOHNSTON: It is based on a Canadian Press report.

Mr. CASE: It goes to most papers in Canada.

The CHAIRMAN: Yes, it goes throughout Canada. The article in the Toronto *Star* reads:—

DEFEAT MOVE TO LET INDIANS GIVE OPINION

Ottawa, July 9—(CP)—A resolution by G. H. Castleden (C.C.F. Yorkton) that five Indians be appointed immediately to serve on the committee with watching briefs was defeated to-day after a stormy discussion at the parliamentary committee on Indian affairs.

Mr. Castleden said: "We don't get a proper picture of the Indian problem unless we have Indians here to listen to the departmental evidence and then give us their opinion of it. The Indian hasn't been given a square deal. Here is an opportunity to give him British justice."

William Bryce (C.C.F., Selkirk) said that, since the Indian Act was going to be amended to improve the conditions of the Indian, "surely he has a right to sit in on this committee."

"I've seen blind Indians starving in this country and they never should have been," he said. "If you want the Indians to have faith . . . you've got to bring them here so they can hear what is being said."

The article in the Owen Sound *Daily Sun-Times* is as follows:—

REFUSE TO NAME INDIAN MEMBERS TO COMMONS BODY

Ottawa, July 9—(CP)—A resolution by G. H. Castleden (C.C.F., Yorkton), that five Indians be appointed immediately to serve on the committee with watching briefs, to-day was defeated after a stormy discussion at the parliamentary committee on Indian affairs.

In presenting the resolution Mr. Castleden said: We don't get a proper picture of the Indian problem unless we have Indians here to listen to the departmental evidence and then give us their opinion of it. The Indian hasn't been given a square deal; here is an opportunity to give him British justice.

Mr. MATTHEWS: Mr. Chairman, I cannot recall anything in the nature of a "stormy" discussion at that meeting. I think the storm existed in the imagination of the correspondent rather than here. I heard everything that was spoken and there was nothing in the nature of a stormy discussion; I think somebody has laid himself open to very severe censure. If that is the kind of report which is going to emanate from this committee, half truths, then I think we had better know it and decide what is going to be done about it.

Mr. MACNICOL: All I can say is that as far as you, sir, and Senator Johnston, as joint chairmen of this committee are concerned, you have both been eminently fair. At no time have you made any atempt to do anything other than bring out the utmost information available, and as far as I have been able to see the committee as a whole has been imbued with a sincere desire and wish that what will come out of this committee will be for the benefit not only of the Indians but for all of Canada. We are all of that opinion. The worst part about a record like this is that the Indians themselves will get a wrong impression of what the hopes of the members of this committee are. I fear that if they read such accounts as these you have read they will get a very wrong impression. I do not think any one member of this committee is any more sincere or earnest than any other member in the objective that we all have before us. I thought so at the last meeting. I hope nothing was taken from what I said that would cause a report such as this to the effect that an Indian had said to me at the

previous meeting that the impression was getting abroad that Mr. Castleden was the only one fighting the Indians' battle. I have no comment to make on Mr. Castleden's attitude. I admit the fact that he is as sincere as I am. I think he would be the first one, if he were here, to resent that impression going out. The committee did not vote against his proposal, they were voting against bringing in now, at a time when we are listening to—and I think quite rightly; I think whoever organized the program of the committee did it well—the departmental side of this whole question. We have that on record, and we will have an opportunity to study it carefully later on when we have the Indian agents in and we will get their side of the story of the administration from Ottawa. Later on, I presume, we will have the Indian chiefs before us, or men like Brigadier General Martin and perhaps Edwin Tappan Adney of New Brunswick who is a great student of Indian affairs. I am hopeful, as I am sure everybody else is, that what we want to know is how we can improve the lot of the Indian. I am sorry to see an account like that appear in the newspapers.

The CHAIRMAN: I think in fairness to the Canadian Press reporters at our meetings I should say that it is not their desire to misreport our proceedings, but I feel it is the fault of someone in the newspaper who uses only that particular part which he wants to print. I think the reporter here gives a fairly full account, but the trouble would lie with the local editorial or news writers.

Hon. Mr. STIRLING: Do you suggest that perhaps other papers than these two carried that portion of the story?

The CHAIRMAN: I have no knowledge as to that, but I do think the reporters who were present at our meeting gave us a full account, but the persons who disseminate the news locally probably picked out what they thought was news. In my opinion, they took a negative attitude—taking that which did not happen or shall I say part of which did not happen, and not giving the affirmative side which was the thing which did happen, and which was actually carried in the C.P. story. (See Appendix M)

Mr. CASE: It is very significant these two reports vary only in the headlines and so it would seem, as you say, that the local news editor has selected a portion and that the papers have arranged their own headings.

The CHAIRMAN: That is right; it is not a matter of reporters.

Mr. CASE: The Toronto *Daily Star* and the Owen Sound paper have printed the same substance; the difference is in the heading, but both are under Canadian Press headline.

Hon. Mr. STIRLING: I suggest, Mr. Chairman, that you consider raising this question to-day in the House. It is a sufficiently serious matter to receive as much attention as possible because I think it is a most damaging story to be spread across Canada. Those who understand what we have been doing in this committee realize that our plan has been to take our work in a certain order and that order calls for hearing expressions of opinion from government officials first and later on listening to communications which the Indians themselves desire to place before us. This story gives a completely wrong conception of the plan of our work.

Mr. BLACKMORE: It seems regrettable that there is omitted any reference to certain sessions of the committee such as the session at which we gave a full day to Mr. Paull and another prominent Indian. The committee room that day was full of Indians who, apparently, were well satisfied with their reception.

The CHAIRMAN: I would like to call your attention to the fact, Mr. Blackmore, that we did hear a representative of practically the largest democratically organized Indian group in Canada, from British Columbia, the Rev. Mr. Kelly, who recommended that we should not have Indian representation at this time.

Mr. BLACKMORE: What I regret deeply is the fact that a balancing was not achieved in the newspaper report, and I think the reporters should be advised that they are handling dynamite if they ever send out a report of this sort and that they have the responsibility to see that the proceedings of this committee are accurately reported, not only in respect to detail but in respect of the spirit, and the general truth appertaining to the conduct of this committee.

The CHAIRMAN: I am not a newspaper man, but my understanding is that there should not be criticism of the reporters who took the notes of that meeting; I think probably they have done an excellent job; and apparently they have taken some parts of our proceedings verbatim. Therefore, I do not think they can be criticized, but I do think offending newspapers should be.

Mr. MACNICOL: I support the suggestion of Mr. Stirling that to-day before the orders of the day are called you, Mr. Chairman, should, in your own capable way, point out to the Commons and to the country that the committee is doing what it believes to be its best, that it is following along a regular course and that these reports do not represent the attitude of the committee.*

Mr. CASE: I would be in favour of Mr. Stirling's suggestion that you raise the matter on the floor of the House to-day so that the people will know what is happening and that the Indians will have an opportunity to learn the attitude of this committee which is doing all it can for those concerned. We have only one objective and that is to raise the general standards of Canadian Indians so as to benefit them and, as Mr. MacNicol said, benefit the people of Canada as a whole.

Mr. BRYCE: May I say something, although I do not know what to say—

The CHAIRMAN: I do not know what you can say either; I feel sorry for you.

Mr. BRYCE: I feel annoyed at the whole thing, but I think you, Mr. Chairman, would have shown better judgment if you had waited until Mr. Castleden is here. I do not know why he is not here, but I do know he is coming. You should have raised your point of privilege when he was here. I think it would have been much better to have done that.

The CHAIRMAN: Right on that point—

Mr. BRYCE: Let me have my say. I have waited patiently. My name is in the reports too. This is the first time I knew that my name was in these articles. I did not know until Mr. Case told me this morning. However, I had never thought that I would live long enough in Canada to have somebody tell me that I had been treacherous to Canada.

The CHAIRMAN: Now, now—

Mr. BRYCE: You finish up your sentence with the statement that anybody who associated himself with that was a traitor.

The CHAIRMAN: No, I did not. I said that anybody who seeks to pit one class against another or seeks to create for political preference, unrest among any class of persons in Canada is not being honest with himself. He is not being—I do not know the exact words I used—he is not being fair to the House and is a traitor to Canada. I did not say that applied to you in the least.

Mr. BRYCE: If you threw the cap out to fit me, that did not fit me.

The CHAIRMAN: I did not intend it to fit you.

Mr. BRYCE: I hope you did not, because I could never wear that cap.

Mr. MATTHEWS: I do not think anybody sitting around this table would think that.

*See Hansard, page 3389, and Appendix N.

Mr. BRYCE: I could never wear that cap. As long as I am on this committee I will never let anyone deprive me of my right of saying what I think is right. While we are on this point of privilege and since you have raised this question, may I say that when we were in the subcommittee we took a vote and everybody voted for throwing the motion out but me. You appealed to me to make it unanimous. You did not like to go back without a unanimous decision from the subcommittee. I said then that I would be agreeable to make the thing unanimous if we would let the main committee decide the matter, and the matter was brought back to the main committee. Now, I have had it thrown up to me that I betrayed the confidence of the subcommittee, that I worked against it, that I said one thing in the subcommittee and voted against it in the main committee. Now, I know that you, Mr. Chairman—I do not know which presided, whether it was you or Senator Johnston, the other joint chairman—know the position I took. I never changed my vote. I still have the same opinion. I think in fairness to me that you gentlemen will agree to that now. You will agree that that is what happened. I was going to let the whole matter go, but now the matter has been brought up and members of the House have said that I changed my mind. You, Mr. Chairman, will agree that I have never changed my mind; that I brought in a resolution or a motion to the effect that we leave it to the main committee to decide this matter, that that was the best way out; and we made it unanimous because the other members of the steering committee agreed to that course.

The CHAIRMAN: What I said, Mr. Bryce, was that I felt honestly sorry for you. I felt that you were having to do things in the subcommittee that were not just to your own liking. We have tried to find some feasible solution. I do not like threshing old straw, but we were unanimous in finding one solution; we were unanimous in not approving of this one suggestion that was made. I think that is an honest and fair account of what happened. I remember very distinctly that you disagreed and I said that we in the subcommittee should be unanimous and that if we could not be unanimous we should let the matter stand over until we were unanimous; and then we came to a unanimous decision.

Mr. BRYCE: That we leave the decision to the main committee. I am glad that that is cleared up now, because the idea got around that I said one thing in the subcommittee and another thing here in the main committee.

The CHAIRMAN: I regret that very much, and I hereby apologize and I apologize to any member if he has taken unto himself the facts which I have set forth. They are not intended for you Mr. Bryce specifically or generally. But I do say that if any member of this committee wants to adopt that attitude and take to himself the words that have been spoken — —

Mr. BRYCE: I do not think there is anybody in the committee — —

Mr. MATTHEWS: Let us get on.

The CHAIRMAN: Is there any further comment? If not, let us proceed with the hearing of Mr. Leslie. Before we do so let me refer to the fact that I have brought this matter up while Mr. Castleden is not present. I have no idea if Mr. Castleden is going to be present; I do not know when any member is going to be present. My understanding of my duty is that if something is printed which is not true it should be corrected at once, and I do not think there has been an earlier opportunity than the present moment to do this.

Mr. BLACKMORE: Hear, hear.

The CHAIRMAN: If we waited until every member of the committee was present we might never have an opportunity.

Mr. BRYCE: I expect Mr. Castleden will be here this morning.

Mr. FARQUHAR: I cannot see why we should have Mr. Castleden here. I do not think he is responsible in any way for the report that has appeared.

The CHAIRMAN: I think you will realize that we waited not only until we had a quorum but for fifteeen minutes after our starting time.

Mr. BRYCE: What Mr. Farquhar says is very true. Nobody has been mentioned. It might have been anybody; it might have been someone else altogether, and we could not help it appearing in the press. If you raise the matter in the House today it will appear in the press all over again.

Mr. MACNICOL: I agree with what Mr. Bryce says, but this has already appeared in the press, and the longer we wait in following it up the more trouble there may be. I do not believe that we have a moment to waste. If we take the matter up in the House to-day it will be in the newspapers to-night or to-morrow. I feel that such statements are bad for the Indians in all parts of Canada who come to hear such statements. They will feel downcast, whereas we want them to feel that we are going to do for them the very best we can.

Mr. BLACKMORE: I think you, Mr. Chairman, are to be commended on the fact that you did not deny this statement before the committee met this morning, because that is something which you, as chairman of the committee, would have been quite justified in doing.

The CHAIRMAN: This is the first opportunity I have had, and this whole matter is subject to your comment and decision.

Hon. Mr. STIRLING: It seems to me that it is not our duty to tap any individual on the shoulder and say to him, "You are the sinner"; it is our duty to point out that the report which appeared in two newspapers, and which is identical in both papers, is wrong, and we want to put the matter right.

Mr. HARKNESS: I feel that such a report will undoubtedly do a considerable amount of damage and will shake the faith of the Indians and the people across Canada who are interested in the welfare of the Indians and in the work of this committee; and the sooner something is sent out through the press correcting that impression the better. The sooner we deny what appeared in those articles the better it will be for Canada and for the Indians at large. I favour Mr. Stirling's suggestion that the matter be taken up in the House this afternoon and that a request be made to the press to publicize the correct picture.

The CHAIRMAN: If there is no further comment we will proceed with the hearing of Mr. Leslie.

Mr. A. G. Leslie, Reserves and Trust Service, Department of Indian Affairs, recalled:

By Mr. MacNicol:

Q. In connection with the statement concerning the Blackfoot band—and these questions will apply to any other bands—my first question is in regard to your reply at our last meeting, namely, that there is a hospital at Gleichen on the Blackfoot reservation operated by the Blackfoot band. Do I understand that Blackfoot band moneys finance the operation of that hospital?—A. Correct.

Q. When the estimates of the Department of Indian Affairs come into the House—whether under the Mines and Resources branch or under the Health and Welfare branch—nothing will appear in those estimates pertaining to the expense of keeping up the Blackfoot hospital?—A. No.

Q. Is there any other band of Indians operating and financing their own hospital?—A. The Six Nations.

Q. At Ohsweken?—A. Yes, they do.

Q. The Indians at Muncie? There may not be enough of them; but when I was there a strong impression was made on me that they should have a small hospital like the one at Ohsweken; is that possible?—A. That would have to be submitted to the proper officials of the Health and Welfare Department.

Q. What they said was that the Indians are peculiar in not wanting to send away any particular members of their families from home, and there have been a lot of distress and unnecessary expense because of their objection to sending their dear ones to hospitals far away. If there were a hospital in the Indian reservation that would be very beneficial to the health of the Indians and to their welfare. I want to ask you if the department has in view this type of hospital on other large Indian reservations— hospitals similar to the one at Ohsweken on the Six Nations reserve and the one at Gleichen on the Blackfoot reserve?—A. So far as I am aware there are two reasons I can think of which would make that difficult. The first one is that the band you mention—

Q. The Blackfoot?—A. No.

Q. The Six Nations or the Muncie?—A. The Muncie. Their funds are insufficient to provide for that size of expenditure; the second reason is that the Department of Health and Welfare officials feel that ownership of the hospital by the department makes for more efficient administration. The Indians, if they have an interest in the hospital, have a right to a certain voice in its operation or in regard to its administration, and that is not always to the best advantage of the patients.

Q. Now, one final question: Does the department make a special effort in such a hospital as the one on the Blackfoot reserve to induce young Indian girls to learn to be nurses; and if so, after they become nurses, does the department make an effort to give them remunerative employment as nurses?—A. I can say there are instances where the Department of Health and Welfare have encouraged the employment of Indian girls as nurses' aides with a view to having them go on, even with government assistance, and complete their course leading to registered nurse; but in one instance I have in mind the Indian girl concerned was definitely not interested. As to their over-all policy in that regard I am unable to say.

Q. I leave that thought with you. A lot of white girls are not interested in being nurses either. Through my travels I have often thought to myself that it would be only fair, when Indians are hospitalized, that at least the odd nurse should be an Indian girl. Surely a percentage of Indian girls would be worth while, they would not have to be nurses. It is natural for a girl to desire to be a nurse. I think I would recommend to the department that a real effort be made to train Indian girls to be nurses. They have to come up through the various branches you outline, but when they are trained there should be provided for them an opportunity in a hospital, in a government hospital—not necessarily in an Indian hospital—in a white hospital.

By Mr. Blackmore:

Q. Could the witness tell the committee who owns the hospital on the Blood Indian reserve at Cardston, Alberta?—A. That is a question that could be answered only by the Department of Health and Welfare officials. As far as I am aware it is owned by them, not by the Indians.

Q. I was wondering if you were in a position to give any facts appertaining to the government policy. There is a hospital there which I think one would be safe in saying is exceedingly good. It is at Cardston on the Indian reserve.

Mr. MacNicol: Is it on the reserve?

Mr. BLACKMORE: That is right; it is on the reserve. I am wondering whether or not the department contributed to the cost of building and equipping that hospital and whether the department contributes to the maintenance of it or whether it does not; and whether the department built the hospital and contributes to the maintenance of it while the Blackfoot Indians are left to support their hospital from band funds? It would seem to me that would require to be looked into. Otherwise, to a certain extent some bands are being called upon to make greater sacrifies than others for the same service. The question which obviously comes to you and to every member of the committee would be this; by reason of possession of a large band fund they are in a preferred position with respect to maintaining hospital and medical services of their own while other Indians in a less fortunate financial position might be deprived of them. Obviously there is a condition there which is going to bear unfavourably on other Indians in Canada.

Mr. LESLIE: As I said before, I think this whole question would properly be dealt with by the officials in charge of hospitals. I might say, however, that the Blackfoot band are so wealthy that that is the main consideration so far in having them support their own hospital. They have expressed a willingness to do so and their funds are increasing to a point where sometimes we wonder what to do with the money without demoralizing the Indians by handing it out to them. That is all the comment I would like to make about the Blackfoot hospital.

Now, as to the Six Nations hospital, the reason for that being financed from the band fund was that the Indians there had a doctor, who is exceedingly well liked by the Indians, at any rate, and in order to encourage him to stay there they put forth the suggestion that they build him a hospital and a residence and provide him with all the necessary facilities at the cost of their band fund.

Mr. BLACKMORE: I am not sure that Mr. Leslie is the right witness for us to question on this matter.

The WITNESS: No!

Mr. BLACKMORE: Then we will defer questions on hospitalization.

The WITNESS: Before we go on to the points left over from the last day, I would like to dispose of this question which has been raised in respect to the Mohawk Institute. That question will be dealt with by the schools branch, but in the meantime I would like to say this:

The CHAIRMAN: Pardon me, could we just remind the members that we are now on the question of Indian trust fund receipts, about seven lines down on the second last page, and on the last page near the bottom: grants for maintenance, Indian trust funds, 1943-1944. That is on the last page of this material given to you. You will see the Mohawk Institute $3,000, and the Lytton Residential School, $4,725, etc. (Appendix L.)

The WITNESS: You will notice the amount from the New England Company. The New England Company has made annual contributions to the administration of certain schools under the Indian Affairs Branch, the sums are indicated in that statement there, $4,430 for the Mohawk Institute and the same amount for the Lytton Residential School. Those are turned over to the school administration to use as they determine to be in the best interest of those schools.

By Mr. Castleden:

Q. To the department or to the school administration; those in charge of the administration of the schools, not the department?—A. That is correct, those in charge of the administration of the school; that is the department. Then the department officials from time to time advance sums to those schools to be used at the school principal's request, or as the officials in charge of the schools in that branch determine to be a proper use of the funds. That explains the differences between the expenditures there.

Mr. LICKERS: Has all the money which has been sent by this New England Company been used up? Has it been applied to capital expenditures or operating expense?

Mr. HOEY: It is usually operating expense. The Mohawk School is owned by the New England Company and leased to the department so it does not matter much if that goes, the way we see it, on maintenance or operating cost. For a number of years they have been expending $5,000, and exchange makes the difference, for the upkeep of the Mohawk Institute and $5,000 for the upkeep of Lytton.

Mr. HARKNESS: What is this New England Company?

Mr. HOEY: I understand it is the oldest missionary society in England. They established two of the first missions on the Six Nations Reserve about a century and a quarter ago.

Mr. BRYCE: They have never withdrawn?

Mr. HOEY: No, they have never withdrawn, they are still interested in it.

Mr. CASTLEDEN: How did they obtain it, was it originally part of the reserve?

Mr. HOEY: Mr. Lickers might answer that more correctly than I, but I fancy it was. In any event, they have title to the building and to the land.

Mr. CASTLEDEN: How did they obtain title to that?

Mr. HOEY: I would say by surrender a century or so ago from the Indians of a part of the reserve.

Mr. CASTLEDEN: Are there documents there showing the surrender of that property?

Mr. HOEY: If a surrender was made the documents would be on file.

Mr. CASTLEDEN: I wonder if you can find out whether or not the surrender was made?

Mr. HOEY: That should not be difficult, we can secure that.

Mr. CASTLEDEN: We haven't got any representative of the Six Nations here so perhaps Mr. Lickers could enlighten me on this matter; in the information that was given to us, we were given to understand that the Indians had never surrendered that; and, of course, if they never surrendered it they would still have title to it.

Mr. HOEY: The whole thing is a quite complicated affair, the Mohawk Institute and building and the land actually adjoining are the property of the New England Company, while the Mohawk Institute Farm is the property of the Indians, but by the consent of the Indians it is operated in connection with the Mohawk Institute. It is a quite substantial farm of I don't know how many acres.

Mr. LICKERS: Two hundred.

Mr. HOEY: Yes, two hundred acres of very, very valuable land. The Indians have always consented to have the New England Company operate it. There you have the Mohawk Institute owned by the New England Company and the farm owned by the Indians, and the church operating the school, and the operation partly financed by the department. If you can get anything more complicated than that, I would like to know what it is.

Mr. CASTLEDEN: That does not clear up my point.

Mr. HOEY: Undoubtedly there was a surrender. We will look that up for you.

The CHAIRMAN: Mr. Castleden, what do you mean by "we have been given to understand"; do you mean this committee has been given to understand?

Mr. CASTLEDEN: No, I have been given to understand.

The CHAIRMAN: By whom?

Mr. CASTLEDEN: By some Indians from the Six Nations Reserve. They complained to me that there had been that property and now they would like to have the matter cleared up.

Mr. BLACKMORE: Did they state that they had never surrendered the land on which the institute stands?

Mr. CASTLEDEN: Yes, a considerable portion of the land at the present time held by the New England Company.

Mr. BLACKMORE: All of this land that is being used by the institute; is that it?

Mr. MACNICOL: I understand the surrender was applicable only to the land immediately around the institute. They probably paid rent. Possibly Mr. Lickers could tell us how it stands. I understand that the Six Nations Indians own the property, the farm around the Mohawk Institute, but that they took over and paid rent.

Mr. HOEY: They do not pay rent.

Mr. LICKERS: As to the property in connection with the Mohawk Institute itself they would pay rent, but there is another piece there of about one hundred acres also used by the Institute with respect to which there has been a certain amount of dispute. I understand that at the present time that is leased to the government for the purposes of the institute.

Mr. MACNICOL: But the land is cultivated for the use of the school, it is all used for the education of Indian children?

Mr. LICKERS: Yes.

Hon. Mr. STIRLING: And the proceeds from the farm go to help pay for the operation of the school?

Mr. LICKERS: That is right.

Mr. CASE: Can you give us a little more information about this New England Company?

Mr. HOEY: The grants for a number of years have been quite substantial. They are not made to a church. It is a very old missionary society, one which does note operate outside of the British Empire, or the British Commonwealth of Nations. Following the revolutionary war in the United States, they had very widespread activities there, and after that war they came over to Canada, of course they followed the Six Nations over probably. Just recently their provision has changed. Before this last war they held very heavy investments of one kind or another in London and during the war they sustained very severe losses in the "blitz". They held very valuable properties in certain sections of London. On account of their losses they have withdrawn their grants to the Mohawk Institute, and I am not sure just what the future of that institute is likely to be. They are sending a representative of their society over here to interview us, but it has not been possible owing to transportation difficulties for their representative to come here as yet; but they have raised no question with respect of Lytton. Speaking personally, there were times throughout the war when I had superintendence of the welfare and training branch but did not accept these gifts with any enthusiasm. I thought it hardly appropriate for the people of Canada to accept gifts for the education of Indians from a society which I thought in the past had done all that I think could reasonably be expected of them; I thought the time had come that the people of Canada should recognize their own responsibilities with respect to the education of Indians.

Hon. Mr. STIRLING: What about Lytton?

Mr. HOEY: In the case of Lytton the grant still comes, but as regards the Mohawk Institute the grant ceased about a year ago.

Mr. HARKNESS: Was that grant sufficient to maintain the institute?

Mr. HOEY: Oh, no.

Mr. CASTLEDEN: It was a missionary board, wasn't it?

Mr. HOEY: It was really a missionary organization. The question of our willingness or unwillingness seemed never to have been raised; they just took an interest in the Indians.

Mr. CASE: And you are recommending to the department that they be relieved of that burden?

Mr. HOEY: They are now, with respect to the Mohawk Institute.

Mr. MACNICOL: Do they still maintain that little church on the reserve?

Mr. HOEY: Yes, that is the oldest protestant church in Ontario.

Mr. MACNICOL: Oh yes, I have been there.

Mr. LICKERS: That was not built by the New England Company.

Mr. HOEY: No, but they maintain it; at least, I think they do.

Mr. CASTLEDEN: I wonder why it was surrendered to them originally?

Mr. HOEY: I cannot answer that offhand.

Mr. CASTLEDEN: Have you any idea how much land they have now to which they hold title?

Mr. HOEY: It is a fairly small acreage.

Mr. LICKERS: About five acres, I think.

Mr. CASTLEDEN: Is that the amount of the original surrender?

Mr. HOEY: I should think so, I do not know though.

Mr. CASTLEDEN: Do you know what the amount of the original surrender was?

Mr. MACNICOL: Mr. Hoey, you might explain to Mr. Castleden something about the background so that he will be able to get the real picture as to how the Six Nations Indians came there.

Mr. CASTLEDEN: I know how they came there.

Mr. BRYCE: Have the United States anything to do with the Six Nations?

Mr. MACNICHOL: You will recall that the British government gave them a grant running for six miles in from the river.

Mr. CASTLEDEN: Yes, that was under the Haldimand Treaty.

Mr. BRYCE: Who nominates the teachers for the institute?

Mr. HOEY: The principal of the school has always been nominated by the (Anglican) Archbishop of Huron; that is, in their lease they specify that the principal should be acceptable to the Anglican bishop in charge of the Diocese, and he always has been. But in view of the withdrawal of their grant of $5,000 a year and the desirability of working out of a new lease an Anglican clergyman has been placed directly in charge, but he was nominated by the Archbishop of Huron. Final settlement will not be made until we have an opportunity of discussing the whole matter more fully with the representative of the missionary society, the society which owns the building.

Mr. LICKERS: The principal there at the present time is only a temporary appointment?

Mr. HOEY: Yes.

Hon. Mr. STIRLING: What happens to the difference between the receipts for the Mohawk Institute and the disbursements. If I am right in following these totals the one is $8,800 and the other is $7,700.

The WITNESS: Any amount left over would be used in the ensuing fiscal year.

Mr. LICKERS: Might I ask a further question, Mr. Chairman?

Mr. CASTLEDEN: I was just wondering if I might ask another question myself with respect to the manner in which this Six Nations reserve fund was built up.

By Mr. Castleden:

Q. Could you give us an outline of how that fund was built up, how much has been made by thte surrender of property to different people; to what organizations land has been surrendered; and then, if there is any, what amount is still owing on this particular account?—A. I can tell you, Mr. Castleden, that at Confederation the balance to their credit was $798,288.98. How that accrued in the capital account could be best explained by Mr. Brown. As a matter of fact, it is some $90,000 less to-day than it was at Confederation, which means that capital expenditures of various natures have reduced it.

Q. So there must have been some receipts, because land has been surrendered since then?—A. That will all be dealt with by Mr. Brown; the land surrenders, etc.

Q. I was wondering how the sum itself happens to be depleted?—A. I am concerned only with the money after it gets into the account, as far as I am personally concerned. Mr. Brown will be able to tell you just how it got there much better than I.

Mr. LICKERS: I was just going over the figures there in connection with the years before 1859—money belonging to the Indians invested in municipal and commercial securities. Were there any losses since that time as the result of those investments?

The WITNESS: I can answer that only in a general way. The only case of which I know where there was a loss was in the Six Nations Grand River navigation project.

Mr. LICKERS: Were those investments made by the Indians or by the government?

The WITNESS: They were made by the province of Upper Canada, as far as I know.

Mr. MACNICOL: What right did they have to invest the money of the Six Nations Indians?

The WITNESS: Because previous to Confederation the province of Upper Canada played the same role that is now played by the Dominion of Canada, with some changes which have been made since then.

Mr. MACNICOL: That investment to which you refer, Mr. Lickers, does that relate to the canal from the mouth of the Grand River over to the east?

Mr. LICKERS: Yes, that would be the one.

The WITNESS: I do not know, I know that was one of the projects referred to, and it has been picked out as one instance where there was a loss to the Indian trust fund. It was one of the main reasons why the Dominion of Canada assumed responsibility, so that such losses would not recur. That is covered in my submission of the other day.

Mr. LICKERS: There is a lawsuit over that account at the present time, is there not?

The WITNESS: I understand it is a very contentious question.

Mr. LICKERS: Has it reached the courts yet?

Mr. HOEY: I do not think so, it is pending.

By Mr. MacNicol:

Q. The Six Nations Indians at that time likely gave their consent to an investment of that kind because of the fact that it was a development in the Six Nations area.—A. As to that, I am not informed.

Q. They should not be allowed to lose anything out of the funds because of that. They would not know enough about that kind of work really to permit of their approving such an investment. Anyone who knew anything about a project of that kind would never have recommended the investment of Indian funds for the purpose.—A. I believe that is one of the subjects under discussion. It will probably have to be settled in court.

By Mr. Reid:

Q. I would like to ask one or two questions with respect to the statements which have been presented to each member of the committee. I notice that it only covers the period up to the end of 1944 in dealing in detail with the trust fund. Why could we not have a more up-to-date statement in the same detailed form? That is my first question.—A. Yes. The detailed statement to which you refer was a concession to us by the chief treasury officer. He knew that it would be helpful to us and he supplied it by providing work for one man for about four months, and it was possible only because this man in the treasury office was without other work to do. The best they can give us since that date is the sort of statement you have in front of you and what appears as the report of the Auditor General; and that, I suggest, is a very inadequate statement for the purpose of examining into the transactions under the Act. I have before me a statement for the fiscal year 1944-1945 which will appear in the report of the Auditor General when it is printed. The reason I gave you that more detailed one for 1944 was so you would have an idea as to what the various items of expenditures were. I will run over some of the main items for your information, if you wish me to.

Q. What are you reading from there now?—A. From the 1944-45 report of the Auditor General.

INDIAN TRUST FUND

A statement of receipts and disbursements in capital and revenue account is as follows:—

CAPITAL ACCOUNT

Balance in capital March 31, 1944		$12,742,657 44
Receipts—		
Land sales, principal	$260,394 49	
Timber dues, royalties, etc.	118,560 99	
Loan repayments	16,704 36	
Miscellaneous	14,653 00	
		410,312 84
Total		$13,152,970 28
Disbursements—		
Cash distribution of timber dues	$ 31,485 20	
Enfranchisements	22,020 89	
Loans	12,593 20	
Construction	8,073 01	
Timber fire protection	6,275 53	
Miscellaneous	10,810 61	
		91,258 44
Balance in capital March 31, 1945		$13,061,711 84

INDIAN TRUST FUND—*Concluded*

REVENUE ACCOUNT

Balance in revenue March 31, 1944		$ 3,050,527 03
Receipts—		
Interest from government	$800,401 37	
Rentals	332,329 49	
Land sales, interest	120,556 97	
Savings' deposits	73,089 97	
Miscellaneous	268,236 61	
		1,594,614 41
Total		$ 4,645,141 44
Disbursements—		
Cash distributions of interest	$369,839 27	
Relief, hospital and medical fees	267,449 46	
Savings withdrawals	51,115 39	
Miscellaneous	380,797 79	
		1,069,201 91
Balance in revenue March 31, 1945		$ 3,575,939 53

In addition to the cash balance in the fund, amounts of $415,265.58 are owing on land sale agreements, $47,315.56 on account of loans and $13,996.93 on sales of timber. The cash value of rental leases outstanding and chiefly unmatured is $1,712,490.95.

Q. Can we find any comparable records to what we have before us?—A. No. That does not mean anything unless it were broken down, and to get it broken down the treasury office officials tell us that they simply haven't and cannot prepare such a statement under the conditions with regard to staff which exists at the present time.

Q. Now, the next question I have in mind, and this is for my own information, because I want to be sure of my facts on one particular point in connection with the trust fund, and that is this: what is the object of increasing the fund year by year? What is the real object? The department started in 1882 with a fund of over $3,000,000 which is now $17,000,000. I see in this statement which I hold in my hand that the excess of receipts over disbursements was $765,000. What is the idea? All the Indians I have spoken to have complained about the great amount of moneys that are held in Ottawa to which they have not access. Now, if the moneys are being held for later distribution—I mean fifty or a hundred years from now—that is one thing, but are the moneys not for the welfare of the Indians now, and if so why are we adding to the fund such enormous amounts? Can you explain that?—A. I am glad you asked that question. I covered it in part in the previous session. The fact that there is a credit balance, or an increase, is desirable only in so far as it gives us more money to help the Indians. The department, however, is in favour of using that money, and as soon as the Indians become educated to the proper use of those moneys, then the credit balance shown each year will be reduced. At the present time the Indians clamour for cash distributions. Now, I want to say at this point that cash distributions are made in many agencies and they are made proper use of. In others such is not the case. The uses we would like to persuade the Indians to make of their funds are for purposes which will enhance their welfare; for things such as better housing, road construction, increased aid to old Indians. Those are sufficient examples, I think.

By Mr. Richard:

Q. You mention better housing?—A. Yes.

Q. You expect to bring Indians to the point where they will tackle that issue themselves?—A. No, that is the responsibility of the agents, and many of them are making construction suggestions in that regard.

Q. Yes, constructive suggestions, but that does not give them better housing unless you go to work and build better houses.

Mr. REID: Later on we will deal with that point, as I am going to present evidence before this committee of a complete village in Alaska which is as modern as any city in the Dominion of Canada, a village which is entirely governed by Indians. They have modern houses and beautiful streets, and it has all been done by Indians.

Mr. RICHARD: My information with regard to British Columbia is that you have villages where the living conditions are deplorable.

Mr. REID: I will take you to Hull and show you worse places than B.C. Indians have. I was looking at them.

Mr. RICHARD: What conditions did you find?

Mr. REID: That is a different matter altogether. Now, will you be good enough to file with this committee the expenditures for the last ten years. I am interest in this to find out where all the money goes.

Mr. BRYCE: Mr. Reid said that the Indians think they have more money than they have. Now, would you be good enough to give me something with regard to Norway House? There are 957 Indians in that reserve and they only have a credit of $1.203, a little more than $1 each. Have they no income of any kind any more than that they have $1,000 or $1,200 in their account?

The WITNESS: There is no income as far as trust funds are concerned. I might say that the reason that many bands have not money is that the funds originated from the sale of capital assets such as land and timber, and nobody apparently was desirous of purchasing land in that vicinity.

By Mr. Bryce:

Q. That accounts for the poor conditions on that reserve. They have absolutely to depend upon the department to give them anything that they get. The way I see it from observations I have made—and I have made quite a few visits there—the white man took the trapping away from the Indian and he has encroached on his fishing, and when the Indian comes into competition with the white man the white man is better equipped to get revenue from the country and the Indian has nothing left to bring up his standard of living. That would be a good place for a muskrat conservation scheme or something like that, would it not?—A. I would like to say that the small trust fund indicates the extent to which my work is concerned. You will notice an item: contribution re sawmill, $870.75.[1] I was speaking to a welfare official this morning and he said that the government, at the instance of the Welfare division, has spent on the sawmill there far more than double the amount of money shown there, and that sawmill is turning out lumber which is enabling the Indians to repair and build houses on that reserve. This Norway House band is the concern of the Welfare officials.

Q. I am familiar with what is going on because I have been there and I have seen the conditions, and for the benefit of Mr. MacNicol I may say that that mill is being run by Indians. I have seen an Indian there slabbing logs, and he was the equal of anybody I had ever seen at the work of taking lumber out of a log—as good as any white man. Of course, I have not had much logging experience, but I have had some.

Mr. REID: I have not finished my question.

The CHAIRMAN: I was interested when Mr. Leslie said: we are trying to educate the Indians in regard to better housing. Mr. Richard brought up the question. I think it is fair, from the departmental point of view, to say

[1] See Appendix O.

that that is what they are trying to do. We can put a man in a castle and he would not be happy, whereas in a cave he might be quite happy. We in our station in life would not be happy in a cave. Now, is it not our desire then to try to lift that man out of his cave and his squalor? There is a way to reach that level and that is by education. Is not that what we are trying to do?

Mr. REID: Yes. I am going to suggest to this committee that we bring some representatives from the United States who will tell us in particular about that wonderful Indian town in Alaska. When we come down to it it is not only among Indians, but among other groups, that we see dilapidated homes. I am not going into that now because we are dealing only with the Indians. When I see this modern town run by Indians I am intrigued, and I think we should look into all the circumstances.

The CHAIRMAN: I think that would intrigue all members of the committee. We are hoping to see something like that.

Mr. REID: I will bring a picture here to show this committee. Now, the point I had in mind was this: with regard to the trust fund, in the statement given, there is only one band mentioned in British Columbia, the Squamish band. Now, where does the rest of the money go to?

The WITNESS: Mr. Reid, all the other bands are in this book. If you wish to see them they are available. To prepare the complete list, as was suggested, would entail several months in time and the work of many stenographers, and stenographers are very hard to get.

By Mr. Case:

Q. This is the consolidated balance sheet?—A. Yes.

Q. And the apportionment to each individual band is accounted for in every particular, and it is all in here; this is what the department is holding for all bands?—A. Yes.

By Mr. Farquhar:

Q. You spoke of building up your band funds to take care of the aged Indians. What is the plan in that regard? My information is that the old Indians are not very well taken care of.—A. In many reserves at the present time they are making use of their band funds. We were able to accumulate funds during the war by suspending or discontinuing interest distribution. Assistance is given in this way: they pass in the council a resolution naming certain aged Indians whom the band themselves consider as deserving of assistance and they are issued a cheque for $5 or $7 a month which they may spend as they wish to provide comforts which they would not otherwise be able to obtain.

Q. Is that all it amounts to?—A. No, that is additional to the ordinary relief. It is something which is available to them because the band has funds.

By Mr. Castleden:

Q. And if the band has not funds?—A. Well, that is—

Q. Too bad.—A. By no means. I should say that it is not then my responsibility, but that of those in charge of the Welfare division.

Q. I put this to you, that the $5 or $7 is in addition to the regular relief rations, and the ones I saw were pretty low; that is available only to certain bands where their funds permit it—or is it available to all Indians?—A. No, it is not.

Q. To which bands is it available?—A. To those who have sufficient funds to make that expenditure possible without reducing the balance—

By Mr. Farquhar:

Q. The other bands that have not sufficient funds are not cared for?—A. Yes, they definitely are.

Q. In what way?—A. They receive relief and housing; but I would be glad if you would raise that question when the Welfare official is here because he is conversant with that matter and will give you a better answer.

Mr. BRYCE: I am sure that Mr. Hoey could tell us what the old person gets?

Mr. HOEY: I have not the detailed information with me at the moment, but it has been submitted on a number of occasions. At the time medical services were detached from Indian Affairs we had a special committee consisting of Dr. Kruse, Dr. Tisdale and Dr. Moore working out what they considered to be a well belanced relief and ration schedule, a minimum standard for all Indians, and they worked quite conscientiously on that. The survey undertaken in Northern Manitoba, in your own constituency, was the first step. Now, to what extent they have proceeded with the work they had to do I am not in a position to state, because the medical men are no longer under me; but a very sincere attempt was made during the last two or three years to work out an adequate relief schedule. Members of the committee will appreciate very readily that it is exceedingly difficult to supply nomadic Indians, elderly Indians in remote parts, with proper relief supplies. There are the transportation costs, and the goods that are sent must be goods that will remain fit for consumption for a year. It is not like providing relief in the city of Ottawa where there is an abundance of vegetables and fruit and the like available. We supply in addition to the relief schedule thousands of dollars worth of garden seeds. We encourage them to go in for gardening and we supply trapping outfits. When Colonel Jones appears he will tell you about the family allowances and the success that has followed the working out of a well balanced relief schedule under family allowances, and he has had a good deal of success.

By Mr. Farquhar:

Q. Approximately what is the monthly relief for an Indian?—A. It would not mean a thing because the item of $5 or $6 or $8 a month to an Indian—well, it is most unfair. That may cost the department in the way of transportation costs 35 cents a pound, or ten times as much as if we were supplying it to say the Six Nations. It might cost one-fifth of that. The Indian does not get cash and his relief is never figured out in cash; he gets so many pounds of flour, a pound of cheese, he gets so much for fish and so much for other things, and it all depends on what the transportation and other costs are to get those things to him what its value would be if the Indian were purchasing it in his own district.

By Mr. Reid:

Q. What would be the percentage of Indians who would get relief, because one might gather the idea that all Indians get relief of some kind or other? Now, I am interested to know the number of Indians who get relief, because there are many Indians who are well off and who do not need relief at all—A. Well, that is true. The Six Nations Indians, for example, provide their own relief.

Mr. FARQUHAR: My experience has been that no Indian gets relief unless he is well investigated by the agent.

Mr. HOEY: True.

Mr. BRYCE: The truth is that those destitute Indians who travel along with the band do not go to the Indian agents for their relief and the condition is that the Indian will look after his own relief, and the lady will go for her own relief and she does not get any because she has to move along with the band because there is nobody at home to take care of her.

The CHAIRMAN: May I refer you to page 16 of the minutes of evidence of this committee where the question of welfare is dealt with in the presentation of Mr. Hoey?

Mr. REID: I have other questions to ask with regard to the trust funds.

By Mr. Reid:

Q. Where does the money come from if there is no money in the trust fund of a certain band and some of them find themselves in great need?—A. It comes from the welfare appropriation.

Q. Is that a departmental grant?—A. Yes.

Q. Where does the money go to which is obtained from certain reserves on which no Indians live but which have been designated, shall I say, as common property? Now, we have certain valuable properties in British Columbia which have been designated as Indian reserves but with no Indians on them, nor is there any information of any Indians ever having lived on them, but due to the fact that Indians may have put their canoes ashore while travelling up and down the river those valuable properties have been designated as Indian reserves. Now, as time has gone on these properties have been disposed of, generally speaking, to cities. Where does the money go and who distributes that money?—A. The first step would be to determine the ownership of that particular reserve, and the authority most generally useful there is the report of the Royal Commission on the Indians of British Columbia, 1913. We have available to us that report and there are copies, and it is reasonably easy to determine to which band the proceeds of the sale of any particular reserve shall go.

Q. Could one copy be produced for the information of the committee?—A. Yes, I will see to that.

Q. Where does the money go to?—A. The Squamish band is an example. I believe there are a large number of reserves, and the report sets forth the number of the reserve and its location and the money will go to the credit of the Squamish band. They have a number of reserves such as the ones you have referred to which are not occupied by Indians actually.

Q. I am thinking of the ones in the Fraser river valley next to New Westminster on which no bands of Indians have ever lived but which, since Confederation, have been designated as Indian reserves, and when we go to the city to try to obtain the land we are told that it is an Indian reserve. Now, there was no Indian on it and you could not refer to any band of Indians as to the disposal. I am wondering where the proceeds of that Indian band went? Did it go to the general fund of the government?—A. No, it did not. Mr. Brown will give you the answer to the question.

By Mr. Lickers:

Q. When there is an amalgamation of two bands; one at Kettle Point and the other one in the maritimes, and one of those bands had less funds than the other, how is that matter settled?—A. May I ask of what band in the maritimes you are speaking?

Q. Was there not an amalgamation of two bands?

Mr. HOEY: There was an amalgamation of several bands down there, but it is my understanding that the trust funds of the Micmacs of Nova Scotia are held in common. They do not belong to any particular band.

The CHAIRMAN: When you say that the funds are held in common do you mean that there is a separate amount for each band?

Mr. HOEY: No, a separate account for the Micmacs in Nova Scotia.

Mr. LICKERS: Was it always like that?

Mr. HOEY: Yes.

Mr. LICKERS: What about the Kettle Point fund? Had they any trust fund at all?

The WITNESS: They have now, but I could answer that only by looking at the files.

By Mr. Reid:

Q. Are there any Indians on Poplar Island, because I see you have a trust fund for Poplar Island of $8,120? It is an island the city of New Westminster is desirous of getting. I have never seen an Indian—I do not think there are any Indians living there.—A. Occasionally it is not clear. I believe the transaction is still pending as regards the disposal of Poplar Island. Occasionally there is some doubt as to what will be left there when the transaction is completed, but until that is finished the allotment of that fund to the band—it would probably go to one or other of the other accounts if that settlement is determined at the end.

Q. I would like to know where the money goes to, because there has been a great dispute there. There are no Indians there.

Mr. RICHARD: You cannot trust the ownership to that particular band?

Mr. REID: No. No Indians have ever lived there, except in the case I have mentioned of them passing down the river. In the early days they used it as a stopping off place and since Confederation it has been designated by the department as an Indian reservation. There is no band that I know of to whom it belongs because all the bands can lay claim to it. I wonder where the money will go. It is an interesting point.

The WITNESS: It will go to the credit of the Chilliwack bands, trust account 371, I believe, because it is recognized as property belonging to those bands, as I said before.

By Mr. Bryce:

Q. In the sheet you were good enough to give me this morning there is reference to the St. Peters band, with a population of 83, and they have over $50,000 in their fund. At the bottom you say that the Peguis band also share in this account and the population of the Peguis band is 1,158. How do they share in that?—A. In order to answer that question I will have to outline the history. In about 1905 the entire St. Peters band were on that original reserve now occupied by these 83 members. For various reasons, one of which was the encroachment of whites with the consent of the Indians, which Chief Peguis gave—I do not know under what authority, but probably on his own initiative—he gave what he thought was title to some of the band-owned land. He gave this title to whites and the result was that the reserve was spotted with white occupants. That is only one of the factors that entered into it, there may have been others. At any rate, it was considered advisable to move these Indians to a more suitable reserve and surrender was taken. They surrendered 48,000 acres and out of that surrender they reserved 21,000 to be allotted to various Indians of the band who might wish to stay. The chief was to get the largest part, the councillors a lesser amount and the individual Indian was to receive 16 acres, I believe.

Q. What Act covers that? There would be an Act of parliament to cover that, would there not?—A. There may have been. I do not recall it now. At any rate, it would be in accordance with the Indian Act. These Indians were given in exchange for the 24,000 surrendered, 75,000 acres where the Peguis band now are with a ten-mile frontage on Lake Winnipeg. The surrender provided that the chief was to get $10 more than the other Indians and each councillor was to get $6 more than each other Indian at every distribution. The moneys were to be deposited to the credit of their fund, the interest to be paid to them in the usual manner. When it came to the time, however, when the transfer of the population was to be effected, part of them objected for understandable reasons; they did not want to be moved and they could not be moved except of their own free will, and they were left there. A condition of that transfer was that those who wished to move would be helped at the expense of the government during the five years immediately following the date of surrender. So you will understand then that the St. Peters band of 83 and the Peguis band of over 1,000 have an equal right to the proceeds of the sale of the land and they share in the fund.

Q. Both are the same as far as the trust fund is concerned?—A. Yes.

By Mr. Castleden:

Q. Did I understand you to say that the chief had surrendered portions of land to white people?—A. I did not say surrendered it. What appears from our records is that acting in the capacity of head of the band he gave this to certain individuals—he may have given them a piece of paper.

Mr. BRYCE: What is the position of the Indian to that; that the land was given away without his sanction and without the sanction of the band?

The WITNESS: The fact remains that those who wished could remain on the reserve.

Mr. MACNICOL: Would the chief have the right to do that?

The WITNESS: I do not think so.

Mr. MACNICOL: Why should not the white people be dispossessed?

The CHAIRMAN: I am reminded that it might have been the chief who "arranged the arrangement".

By Mr. Castleden:

Q. The white people have no title to the land; it is an illegal sale?—A. With this reservation that the part surrendered for sale was a proper transaction.

Q. Yes. I am talking about this individual arrangement or bargain made between some white persons and the Indian chief or head of the band.—A. Yes, possibly.

By Mr. Case:

Q. What compensation was made for those who left? Were they given other lands?—A. They were given 75,000 acres to use as they wished.

Q. They were given 75,000 acres for something like 20,000 odd which were surrendered?—A. Yes.

By Mr. Reid:

Q. What explanation can you give for the money that is held for enfranchised Indians? I understood that when an Indian was enfranchised that generally speaking he kept aloof from the band. Why have you this money for enfranchised Indians?—A. The practice is that where there is an enfranchised Indian and his family are minors, the money is retained in the department

until they become twenty-one, when the money is paid to them. Interest on that fund which is retained on behalf of the children is paid to the father or mother each year.

By Mr. Case:

Q. But you do not cut a war veteran Indian off even if he becomes enfranchised? He still is a member of the band and has access to the fund? —A. No.

By Mr. Bryce:

Q. Are you prepared to go further and go into the grazing rights?—A. I would much prefer to leave that to Mr. Brown.

By Mr. Lickers:

Q. In connection with the interest on the trust fund, if it would give the Indian a little bit of responsibility in looking after his own affairs, would you think it would be a good suggestion to offer each year the interest alone from the trust fund to the bands so that they could work out their own budgets in connection with looking after their own affairs?—A. Well, as you know that interest is available to them and they do work out budgets in many cases as to what use they want to make of that fund. If I understand you correctly, you want to take the money from Ottawa and put it in a local bank as the property of the band, to the credit of the band. If you did that they would get only 1½ per cent interest on that amount, and another thing—

Q. They do not get that now, do they?—A. They get 5 per cent.

Q. Interest on the interest now?—A. Yes.

Q. When that is allocated for each year they do not get any interest on that while it is here?—A. If they start out with $50,000 in their interest account and during the year they use $40,000 there is the interest on $10,000 at the end of the year at 5 per cent.

Q. They would not be losing any money, they would be getting 1½ per cent if the $40,000 were transferred to them?—A. Possibly. The only difficulty I can see offhand is the trouble of accounting. A complete new bookkeeping system would have to be set up for each band and that involves considerable expense.

Q. Do not auditors go around to each agency in any event and look over their books?—A. They would not take the responsibility for doing that unless there is some change in the arrangement. I am quite sure the present staff could not take on that work.

Q. Suppose the Indians had appointed their own auditors?—A. That would eat up a portion of their fund.

By Mr. Reid:

Q. Did you say 5 per cent on the interest?—A. Yes.

Q. On the interest that is held?—A. On the interest that is left at the end of the fiscal year.

The CHAIRMAN: And it is put back into the general fund and on that general fund they get 5 per cent.

By Mr. Lickers:

Q. Of what is left at the end of the year?—A. Yes.

Q. Not what you started out with?—A. Yes. Of course, the same would apply if they had that money in the bank; they would get only 1½ per cent on what is left at the end of the half year, would they not?

Mr. LICKERS: I am thinking more or less of the Six Nations who can look after their own affairs without having to send down to Ottawa for an expenditure of $5 or something like that.

The WITNESS: They have a large measure of control over their own affairs. The council each month, as you know, passes a list of expenditures which are never questioned—except very occasionally.

By Mr. Lickers:

Q. You would give them a lot more sense of security in looking after their funds as well as making them responsible for the money, and it would help them if they were in a position to have the cheques signed by the chief and the Indian agent.

The CHAIRMAN: That will go on record as worthy of consideration.

Mr. MACNICOL: Any extension of autonomy to the Six Nations will be a wise step.

By Mr. Reid:

Q. Why would you keep for so small a band of Indians a sum like $582.60 for funeral account? That would bury all of the Semiamu band?—A Give me the full item.

Q. The Semiamu band?—A. We haven't got copies of that.

Q. I want to see the whole thing. This sheet does not give me all I wanted. I want to study this book. There are lots of question to ask.—A. Will you let us have the question.

Q. There may be only 277 in the band and here is a funeral account of $582.—A. There is the funeral account of $25. Rentals were $582.60.

Mr. MACNICOL: I would like to change the subject.

Mr. CASTLEDEN: I was going to deal with trust accounts.

Mr. MACNICOL: I was going to deal with the second last page of that statement, Indian receipts.

The CHAIRMAN: Would you let the witness say a word?

The WITNESS: Mr. Reid, with regard to that question you raised about the funeral account or referred to as being held in funeral account, if $25 was expended for funerals that is what that means—for funerals on the reserve.

The CHAIRMAN: Would a funeral cost only $25?

Mr. LICKERS: That is all you grant. You grant them $25 and then the family pays the rest of the funeral expenses.

Mr. CASTLEDEN: Is the funeral conducted by an ordinary undertaker?

Mr. LICKERS: Yes.

Mr. GIBSON: There are two different types, one in a community such as the Six Nations, and then those in the very isolated places where they require a blanket usually. The Indian agent often gives them authority to get a $5 blanket and it is a gesture by the department to the departed.

The CHAIRMAN: You are dealing with two different types of people entirely. The Six Nations are in an entirely different position.

Mr. BLACKMORE: There must be gradations all the way through.

The CHAIRMAN: Yes.

The WITNESS: That $25 funeral account would be paid probably to an indigent. The rate is about equal to the amount paid for indigents in white municipalities.

By Mr. MacNicol:

Q. Let me refer to line 18 of the second last page: "Settlements re flooding: Lac Seul $50,263.00". Who would judge on behalf of the Indians in that area where the dam on the river flooded a lot of land, the water being conserved to supply water to the English River to produce power upon that river? Who would say on behalf of the Indians just what amount of money they should be allowed for the flooding of their land?—A. Mr. Allan would probably be the person to deal with that.

Q. I will leave that for him. On the same page, the twenty-fifth line: "Proceeds from bonds and sales of muskrat pelts". Would he be the right man to answer that question?—A. No, Mr. Allan will be the main representative as far as the department is concerned.

Q. Who will give me an answer?—A. Mr. Allan would determine the equitability or amount of the compensation allowed. It may be that he would select counsel under the authority of the Department of Justice.

Q. Those rights will be pretty valuable to the Indians—A. Yes.

Mr. CASE: Would the Indians have a representative on the board too?

Mr. MACNICOL: Their rights would be very valuable because large blocks of power were being developed, and Indian land is flooded for the conservation of water. I doubt if $50,000 is an equitable allowance.

The WITNESS: The Indian is adequately safeguarded. Mr. Brown will give you a statement on that type of question.

Mr. CASTLEDEN: There is considerable complaint among the Indians in the Kenora, Ontario, district for not being properly recompensed for the flooding of their land.

Mr. MACNICOL: When Mr. Allan comes before the committee I shall ask him about this.

The CHAIRMAN: Mr. Brown will be here; Mr. Allan is ill.

Mr. MACNICOL: That will be all right. Line 25 deals with the item, "Proceeds from bonds and sale of muskrat pelts $39,465". Who would be able to tell me what the Indians received for muskrat pelts in northern Manitoba between The Pas and Cedar Lake?

The WITNESS: Mr. Conn will give the fullest possible information.

The CHAIRMAN: Will he come before this committee?

The WITNESS: Yes.

Mr. MACNICOL: Now, my last question has to do with timber rentals and dues. I found considerable complaint on the reservation at Nipigon Lake about the disposal of timber.

The WITNESS: Once again, Mr. Kehoe of the reserves branch will give you that information.

Mr. MACNICOL: That is all then until these people come before the committee.

Mr. CASTLEDEN: As regards soldier settlement, there is the grant from the Soldier Settlement Board of $2,600, and the soldier settler has paid into the trust $2,700 I see here, new loans, $433 and salaries $1,800; repayments of loans collected $7,175.93; balance of advance $367.67. What is the arrangement with regard to the trust fund in the Soldier Settlement Board?

The WITNESS: I can deal briefly with that. The $2,600 is to provide for salaries of men hired or in the employ of the department dealing with soldier settler problems. The main area where that is carried out is in the Six Nations reserve.

Mr. BLACKMORE: Will Mr. Leslie be back again?

The CHAIRMAN: Yes. We will meet again next Tuesday at 11 o'clock.

Mr. BLACKMORE: I should like to ask if at our next session Mr. Lickers would be ready to give us a statement of any bands he has heard from across Canada so that we will be able to understand to what extent he is representing the Indians.

The CHAIRMAN: Yes. I suppose you will be ready to give us that information, Mr. Lickers?

Mr. LICKERS: Yes.

The committee adjourned to meet on Tuesday, July 16, at 11 o'clock a.m.

APPENDIX M

Exact copy of Canadian Press Despatch from House of Commons, covering proceedings of Indian Affairs Committee, July 9, 1946.

H4
INDIANS

OTTAWA, July 9—(CP)—A resolution by G. H. Castleden (CCF-Yorkton), that five Indians be appointed immediately to serve on the committee with watching briefs, to-day was defeated after a stormy discussion at the Parliamentary Committee on Indian Affairs.

In presenting the resolution, Mr. Castleden said:—"We don't get a proper picture of the Indian problem unless we have Indians here to listen to the departmental evidence and then give us their opinion of it. The Indian hasn't been given a square deal, here is an opportunity to give him British justice".

William Bryce (CCF-Selkirk) supporting the resolution, said that since the Indian Act was going to be amended to improve the conditions of the Indians, "surely he has a right to sit in on this committee".

"I've seen blind Indians starving in this country and they never should have been", he said. "If you want the Indians to have faith . . . You've got to bring them here so they can hear what is being said".

MORE HC 118P
ADD OTTAWA INDIANS XX SAID

Thomas Reid (L-New Westminster), who opposed the resolution, said he favoured Indian representation, but it did not seem to be practical at present. "A watching brief has nothing to do with humanity or British Justice".

J. R. MacNicol (PC-Toronto Davenport) opposed the notion because there was not a good method of selecting representatives. There were so many Indian groups it was hard to decide who should be represented.

Mr. MacNicol said "The impression is going out all over the country that Mr. Castleden alone is interested in the fate of the Indians. That is the wrong impression. We are all interested in the Indians".

D. S. Harkness (PC/Calgary East) was opposed to the resolution because it would be "wasting time" to have five or eight Indians waiting around when the committee meets only two hours twice a week".
HC1245P 12.

APPENDIX N

3389-90

HOUSE OF COMMONS,
Thursday, July 11, 1946.

PRIVILEGE

Mr. Brown—Indian Affairs Committee—Newspaper Reports and Headlines

Mr. D. F. BROWN: (Essex West): Mr. Speaker, I rise to a question of privilege affecting the members of a special joint committee of the Senate and the House of Commons. As joint chairman of the committee which is examining and considering Indian affairs I raised this question of privilege at our committee meeting this morning, and the committee have directed me to raise the same question in this house at the first available opportunity.

The question arises out of newspaper headlines and reports which give an entirely misleading, unfair and untrue impression of certain of the proceedings of the joint committee on Tuesday, July 9, 1946. Newspaper reports, I hope unintentionally, are unfair to both houses of parliament, mislead Canadians generally and will cause grave distress to the people most concerned—the Canadian Indians. As examples I should like to quote the Toronto *Evening Telegram* of July 9, which contains this heading: "Defeat motion to put Indians on committee." The Cornwall *Daily Standard Freeholder* of July 10 had this heading: "Defeats motion to have Indians on committee." The Kitchener *Daily Record* of July 9 has this: "Reject Indians on Ottawa body." The Owen Sound *Sun-Times* of July 9: "Refuse to name Indians to Commons body." The Toronto *Daily Star* of July 9: "Defeat move to let Indians give opinions." The Toronto *Globe and Mail* of July 10: "Oppose naming of five Indians to house group." The newspapers from western Canada, the maritimes and British Columbia are not yet on file, but it is likely that many of them will carry similar headlines unless some correction is made.

I have seen the story which was sent out from the House of Commons by the Canadian Press. That story is fair and impartial, and if properly used by the newspapers this question could not have arisen.

Your committee has put itself on record time and again as being unanimous in its desire to give all interested parties the fullest opportunity to make representations to the committee. At present we are getting on record the departmental case. As a courtesy we have already heard representatives of one Indian organization, because they were in Ottawa in conference; and if we can find some feasible means of having Indians in attendance at all times we shall be glad to recommend it. However, the Reverend P. R. Kelly, himself a full blooded Indian, who represents the largest democratically organized group of Indians in British Columbia, and in fact in Canada, has expressed to members of the committee his belief that the present is not the time for the committee to have Indians attend Ottawa constantly to be in attendance during the deliberations of the committee.

But we have, and I think it is important to emphasize this, engaged as counsel and for a liaison officer between the committee and the Canadian Indians, a member of the Six Nations band who is also a member of the Ontario bar. He attends all meetings of the main committee and the subcommittee on agenda and procedure, questions the witnesses, and later, when we arrive at the time to hear representatives of Indian bands, will assist them in the preparation and presentation of their briefs.

It is most unfortunate that the newspapers did not take the time and trouble to make a proper use of the Canadian Press report. This is not the time when the Canadian Indian should be allowed to believe that your committee is not doing everything in its power to give effect to the resolution moved on

May 13 last by the Minister of Mines and Resources (Mr. Glen), the order of reference to the committee, or desires in any way to restrict either the scope or the character of our inquiry. I am glad to have this opportunity to assure the house, the people of Canada generally, and Canadian Indians in particular, that the work of the committee will be as thorough, as comprehensive and as searching as it is possible to make it.

Permit me in conclusion to assure all concerned that the committee is doing and will do all in its power to ensure that the revision of the Indian Act will in every sense be the Magna Carta of Canadian Indians.

APPENDIX O

Population 619—Agent, P. G. Lazenby

FISHER RIVER BAND—A/c No. 209

Capital	Dr.	Cr.
April 1, 1945—Balance	.....	$2,767 20
Wood dues	.....	85 20
March 31, 1946—Balance	$2,852 40	.....
	$2,852 40	$2,852 40
Interest		
April 1, 1945—Balance	.....	$ 503 62
Government Interest	.....	163 54
Rental	.....	100 00
Relief supplies	$ 274 60	.....
Funeral accounts	45 56	.....
March 31, 1946—Balance	447 00	.....
	$767 16	$ 767 16

Population 957—Agent, E. B. Goodman

NORWAY HOUSE RESERVE—A/c No. 428

Interest	Dr.	Cr.
April 1, 1945—Balance	.....	$ 316 87
Government Interest	.....	15 84
Contribution *re* sawmill	.....	870 75
Shares of enfranchised Indians	$ 2 33	.....
March 31, 1946—Balance	1,201 13	.....
	$1,203 46	$1,203 46

Population 83—Agent, E. McPherson

ST. PETERS—A/c No. 59

Capital	Dr.	Cr.
April 1, 1945—Balance	.....	$47,436 64
Payment on land	.....	2,057 08
Timber dues	.....	1,071 46
Shares of transferred Indians	$ 170 16	.....
Shares of enfranchised Indians	556 44	.....
Overpayment on land	20 34	.....
March 31, 1946—Balance	49,818 24	.....
	$50,565 18	$50,565 18
Interest	Dr.	Cr.
April 1, 1945—Balance	.....	$17,240 18
Government Interest	.....	3,233 84
Interest on land	.....	345 11
Share of fur crop	.....	2,849 21
Grazing permit	.....	50 00
Sale of boots	.....	4 00
Hay permits	.....	663 50
Rentals	.....	575 00
Relief supplies	$ 6,733 97	.....
Interest distribution	1,483 03	.....
Funeral account	311 50	.....
Building material for repairs to houses	566 93	.....
Wintering bulls, harness, etc.	129 85	.....
March 31, 1946—Balance	15,735 56	.....
	$24,960 84	$24,960 84

Peguis Band also share in this Account. The population of the Peguis Band is 1,158 Indians. They are in the Fisher River Indian Agency under Indian Agent E. McPherson.

APPENDIX P

APPLICATION FOR COMMUTATION

I, ...formerly a member of ..... Band and included on the pay-list of the said Band with family number..... having married ..... a White man, a half-breed, a non-treaty Indian, desire to have my share of the income of the said Band commuted to me at ten years' purchase, under Section 14 of the Indian Act, and I agree to accept the payment as full satisfaction of my claim against the funds or moneys of the said Band present or prospective.

.....

Witness:

.....

Approved in Council .....19....

} Councillors of the

This statement is certified as correct and payment is recommended.

Agent.

Form No. I.A. 504
R.385

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 13

TUESDAY, JULY 16, 1946

WITNESS:

Mr. L. L. Brown, Junior Departmental Solicitor, Indian Affairs Branch, Department of Mines and Resources, Ottawa.

OTTAWA
EDMOND CLOUTIER
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1946

MINUTES OF PROCEEDINGS

THE SENATE,

TUESDAY, 16th July, 1946.

The Special Joint Committee of the Senate and 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 11.00 o'clock a.m., the Joint Chairmen: The Honourable Senator J. F. Johnston and Mr. D. F. Brown, M.P., presided.

Present:

The Senate: The Honourable Senator Johnston.

The House of Commons: The Honourable Mr. Stirling and Messrs. Blackmore, Brown, Bryce, Case, Castleden, Charlton, Gariépy, Gibson (*Comox-Alberni*), Harkness, MacLean, MacNicol, Matthews (*Brandon*), Raymond (*Wright*), Reid and Richard (*Gloucester*)—15.

In attendance: (Department of Mines and Resources): Messrs. W. J. Ford Pratt; R. A. Hoey, Director, Indian Affairs Branch; Eric Acland, Executive Assistant to Director; M. McCrimmon, L. L. Brown, A. G. Leslie, of Reserves and Trusts; H. M. Jones, M. E. Armstrong and F. Kehoe, Indian Affairs Branch;

Also, Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Mr. Gibson presented the sixth report of the subcommittee on agenda and procedure.

On motion of Mr. Gibson, it was

Resolved: That the sixth report of the subcommittee on agenda and procedure be adopted.

Accordingly, the meeting of the Special Joint Committee on Thursday, 18th July next, will be held in camera, in order to consider and report upon the present and future agenda and procedure of the said Committee.

Mr. L. L. Brown, Junior Departmental Solicitor, Indian Affairs Branch, Department of Mines and Resources, Ottawa, was called and made a statement.

It was agreed that Mr. Brown will be re-called on Tuesday, 23rd July next, for questioning.

The Committee adjourned at 1.00 o'clock p.m., to meet again at 11.00 o'clock a.m., on Thursday, 18th July next.

T. L. McEVOY,
Clerk of the Joint Committee.

68690—1½

MINUTES OF EVIDENCE

HOUSE OF COMMONS,
July 16, 1946.

The Special Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 11 o'clock a.m. Mr. D. F. Brown (Joint Chairman) presided.

The CHAIRMAN: Gentlemen, Mr. Gibson will read the sixth report of the subcommittee on agenda and procedure.

Mr. GIBSON: Your subcommittee recommends that the meeting of the joint committee, on Thursday, 18th July next, be held in camera, for the purpose of considering and reporting upon the present and future agenda and procedure of the committee. All of which is respectfully submitted.

I move the adoption of this report.

Mr. REID: I second the motion.

Mr. CASTLEDEN: Is there any particular reason why it should be in camera?

The CHAIRMAN: It is usual when we are going to discuss our report. It is a matter of what we are going to do in the future. We have several suggestions to make and those matters do not go on the record.

Mr. REID: I think some suggestions to be made by members might be dangerous if they were carried outside and publicity given to them. I think we could have a freer discussion if we discuss our future by ourselves.

Mr. CASTLEDEN: This may have some bearing on our recommendations with regard to carrying on if the session dies as a result of prorogation.

The CHAIRMAN: Yes, and there are other procedures that we must carry on in the future. It will be an open and free discussion on how we are going to proceed during the recess, if we are to proceed during the recess.

Mr. CASTLEDEN: We cannot proceed during the recess as we are at present constituted.

The CHAIRMAN: That is right. That is one of the matters we want to discuss. Are there any further comments? All in favour? Contrary? Mr. Castleden is contrary. Motion carried, to adopt the report.

We have as a witness this morning Mr. Brown, who is one of the officials of the department. I believe he is one of the legal advisers. I understand there were some further questions to be asked of Mr. Leslie, but if you will permit Mr. Brown to be heard today we could proceed with Mr. Leslie when Mr. Brown has completed his presentation. If that is agreeable, I will ask Mr. Brown to come forward.

Leonard L. Brown, Junior Departmental Solicitor, Department of Indian Affairs, called.

By the Chairman:

Q. What is your full name?—A. Leonard L. Brown.
Q. What is your official position?—A. Junior Departmental Solicitor.
Q. Of the Department of Indian Affairs?—A. Yes.
Q. You are stationed where?—A. Ottawa.

By Hon. Mr. Johnston:

Q. Senior or junior—A. Junior.

By the Chairman:

Q. How long have you been with the department?—A. Eight years.

Q. What is your particular presentation to be on this morning?—A. Estates work of deceased Indians, location tickets and sale of Indian lands.

The CHAIRMAN: Are there any preliminary questions?

By Mr. Reid:

Q. I have one preliminary question. What did you mean by "junior" solicitor? Is there someone senior to you or is that just the status?—A. There are senior departmental solicitors. I suppose you would call it a qualification of the civil service.

Q. In your own Department of Indian Affairs are you the solicitor for the department?—A. No, more of an administrative officer with legal training. In other words, there are two departmental solicitors.

By the Chairman:

Q. Are you the one in charge of the work that you are presenting here today?—A. Yes.

By Mr. Bryce:

Q. Are you next to Mr. Allan?—A. No, Mr. McCrimmon is between Mr. Allan and myself.

Q. You are third in seniority in the department?—A. Well, approximately yes.

By Mr. Castleden:

Q. You have to do with reserve boundaries, the surrendering of land and the sale of property, the sale of land?—A. Not quite all that, but I am giving the submission for the reserves section because of the illness of Mr. Allan and because Mr. McCrimmon, the chief of the reserves section, has been away for over two months. He is here today but he is just back and did not have the opportunity to prepare for this so I am giving part of what would normally be his work as well as my own in this submission.

By Mr. Bryce:

Q. You will deal with conservation projects that have been undertaken by the Indian department?—A. No.

Q. Who will deal with those?

Mr. HOEY: Mr. Conn.

By Mr. Castleden:

Q. Will we be able to get information with regard to the sale of lands, and reserve boundaries?—A. Yes.

Q. The surrender of property?—A. Yes.

By the Chairman:

Q. That will be in your presentation?—A. Some of that will be brought out in my presentation. Probably there will be questions you wish to ask afterwards on that.

The CHAIRMAN: If there are no further preliminary questions I would ask Mr. Brown to proceed.

The WITNESS: Mr. Chairman and gentlemen: In the regrettable absence of Mr. Allan, the Superintendent of Reserves and Trusts, I have been asked to outline to you the work of the reserves section, and to answer such questions as you may care to ask regarding our work. I shall endeavour to do so to the best of my ability, but as my duties have in the main been concerned with Indian estates, location tickets and the sale of Indian lands there will undoubtedly be questions on other features of the work of our section which I am not too familiar with and which I will have difficulty in answering and, in fact, may not be able to answer immediately.

You will appreciate as a junior officer I am more concerned with carrying out policies than formulating them. I merely mention the foregoing so that any hesitancy on my part will not be considered as reluctance to answer any questions but rather what I should say on the subject before I investigate it further.

The work of the Reserves Section of the Indian Affairs Branch may be summarized under the following main headings: 1. Reserve Lands; 2. Indian lands; 3. Indian estates; 4. Location tickets; 5. Timber, oil and mining; 6. Enfranchisement; 7. Band membership. I propose to outline as briefly as possible our functions under these headings.

Reserve Lands

Reserve lands, as the name implies are the lands comprised in the 2,210 Indian reserves across Canada, the total acreage at the present time being over five and one half million acres. As the Indian population of the Dominion is in the neighbourhood of 105,000, the per capita land quota is, therefore, in the neighbourhood of 50 acres or approximately 200 acres per average family. If it were all good arable land it should be adequate not only for the immediate needs of the Indians but sufficient to satisfy their requirements for many years in the future at the present rate of increase in the population. In so far as land reserve is concerned, Canada has been just, if not generous, in her treatment of the Indian population.

Problems having to do with Indian reserves are the work of the Reserves Division, and as they are numerous and of great variety it is impossible in a brief of this nature to mention them all and it is, therefore, proposed to consider them under the following sub-headings:—

(*a*) Acquisition of land for new reserves or as additions to existing reserves.

(*b*) Disposal of unneeded portions of reserves.

(*c*) Leasing of reserve land to either Indians or persons of white status,

(*d*) Issuance of permits of occupation to persons of white status and trespass of white persons on Indian reserves.

(*e*) Granting easements and rights of way across Indian reserves.

(*f*) Survey work on reserves.

A. A large percentage of the land set aside for Indian reserves is arable and good land from the standpoint of agriculture and a good deal of the remainder is economically useful to the Indian and suited to their traditional requirements for hunting, fishing, trapping and the practice of forestry arts. There are, unfortunately, some Indian bands whose reserves are not large enough for their needs or adequate for the use to which the Indians would like to put them and there has been an increasing amount of attention given to this problem.

You will appreciate that with the number of reserves there are across Canada it is impossible to make an accurate survey as to the requirements of all bands over a short period nor does it appear necessary to do so for in many cases there is ample land. There are others where we know there is a deficiency of land or that the land is not suitable and in such cases it is the policy of the department, when possible, to either secure land as an addition to the reserve

or acquire land for a new reserve. Particularly in the more settled areas in eastern Canada it is extremely difficult to secure land and progress has been necessarily slow.

Due to the fact that a great deal of former Indian reserve land has been surrendered and sold over the past forty or fifty years, a great many people have unfortunately received the impression that the administration has permitted the Indians to be gradually deprived of a great deal of their land and I wish to show that this is not altogether a true statement of fact. In the main, the lands disposed of were not required by the Bands concerned and would, at least in the opinion of the administration at the date the surrenders were accepted, probably never have been required by them although it is also true that in certain cases the policy of allowing land to be sold was short-sighted. Certainly it can be definitely stated at this time that the department is against the alienation of further lands from Indian reserves in general and is in fact acquiring additional lands every year for the Indians, and I would like to outline very briefly what steps have been taken by the department to this end during the war years.

Looking across Canada from east to west, in Prince Edward Island the department acquired 1,095 acres in 1942 for an addition to the Lennox Island Indian Reserve and 1,768 acres as an addition to the existing Shubenacadie Indian Reserve in Nova Scotia. In New Brunswick negotiations are presently underway to add a good 500 acre farm to the Kingsclear Indian Reserve. In Quebec the department acquired title to the extensive lands in Indian occupation at Oka formerly held by the Sulpician Fathers and as an addition to the proposed new reserve there was purchased 700 acres on neighbouring Mont St. Alexis as a source of wood supply for the Indians. Forty acres was also acquired as a wood lot for the Indians of the Maria Reserve. In the Township of Toussaint in the Abitibi Agency 2,290 acres were secured from the Province of Quebec for the creation of the new Obidjiwan Reserve. The department is also at the moment negotiating with the Province of Quebec for seven areas to be set aside as Indian reserves for the Barriere Lake Band of the Maniwaki Agency, and the Abitibi, Grand Lake Victoria, Mistassini and Wasonapi Bands of the Abitibi Agency. There are no properly established reserves in these areas and the Indians have consequently been up to now in occupation of land to which they have no title.

There have been few additions to reserves in Ontario in recent years but I would judge that this has been due to two factors; first, that the majority of the reserves are adequate in size and second, that it is next to impossible to acquire additional land adjacent to southern and central reserves which are mainly in heavily settled areas. On some of the Ontario reserves the per capita acreage is small from the point of view of every Indian having an adequate farming unit, if he desired the same, but at least on one of the largest reserves there appears a trend towards the small holding which may possibly indicate that many Indians are finding employment in the neighbouring towns and villages and are not as dependent as heretofore on earning a living from the land. It is possible that they have been forced to seek employment elsewhere due to a shortage of land but if so we are not aware of it and I can say that in only one case of an Ontario reserve have I personally heard complaints from Indians as to a scarcity of land. When the opportunity presents itself the department has acquired additional lands and last year we purchased an old railroad right of way across the Tyendinaga Reserve which had been a detriment to the farming community for years. As Inspector Arneil previously mentioned, when before you, we also brought back into the Moravian Reserve a 40 acre farm which had been alienated over fifty years ago on the enfranchisement of an Indian. In 1940 we acquired 3,771 acres of land known as the Rankin Mining Location near Sault Ste. Marie for the purpose of creating a reserve for the Batchewana Bay Band of Indians who,

following the surrender of their reserve some years ago, had been split up and residing in various sections of the country. In 1944 Bear Island in Lake Timagami containing 645 acres was acquired from the Province of Ontario as a reserve for the Indians in that district and in 1945, 6,700 acres of land at Calstock on the Transcontinental Railway were secured from the provincial government for the new Constance Lake Reserve to provide accommodation for the Indians formerly scattered along the Transcontinental Railway. Negotiations are also under way with the Province of Ontario for the acquisition of land to provide a reserve for the Brunswick House Band of Indians in northern Ontario.

In the Prairie Provinces there does not for the most part appear any necessity for the securing of additional land as the reserves are fairly generally adequate to the needs of the various bands. In Manitoba 574 acres were acquired from the Hudson's Bay Company as an addition to the Fort Alexander Reserve and in the neighbourhood of The Pas 38·55 acres were acquired for the Indians at Big Eddy Settlement. Also in The Pas Agency the department has secured from the provincial government 2,080 acres as an addition to the Chemahawin Indian Reserve.

There is one notable exception to my previous statement that lands in the Prairie Provinces are generally adequate and that is the case of the Stony Band of Alberta at Morley, Alberta.

In accordance with the terms of Treaty 7 which was made in 1877 the Stony Band selected some 70,000 acres near Morley for their reserve and while the land selected may have been considered suitable for their purpose at that date the majority of it is a very low quality and will never maintain the Indians as either a farming or ranching community. This fact has been realized for some time but it was not until the end of the recent World War that an opportunity to correct the situation arose. At the moment the department is on the point of completing the purchase of two adjoining ranch properties to the east of the present reserve which together comprise some 9,000 acres of good agricultural and grazing land with the object of gradually moving members of the Stony Band to this new land and under proper supervision, assisting them to develop as a farming and grazing community. The department is also hopeful that further land of the same type may be acquired in the district for the Band.

In British Columbia the additional lands secured by the department have for the most part been small holdings and a few of these are as follows:—

> In the Bella Coola Agency 320 acres were added to the Andy Cahoose Meadow Reserve and 160 acres to Ulkatcho No. 13 Reserve in the Lytton Agency; 23 acres were acquired as supplementary land for the Anderson Lake Band and 125 acres for the creation of a new reserve, Seton Lake Reserve No. 7 In the William's Lake Agency, 322 acres were acquired for the Alkali Lake Reserve No. 4 and 120 acres added to the Seymour Creek Reserve.

In general it may be said that the department is endeavouring when possible to provide adequate reserve lands in cases where it is considered that the present reserves are not satisfactory and all steps taken to this end are the work of the Reserves Division.

B.—My second sub-heading is the disposal of unneeded portions of reserves, but as these portions, when disposed of become Indian lands within the meaning of the Act it is proposed to consider this phase of the work of the Reserves Division under the main heading "Indian Lands".

C.—My third sub-heading is the leasing of reserve lands to both Indians and persons of white status and that this has become of increasing importance in recent years is evidenced by the fact that the revenue from leases in 1945 was $331,267.33 or an increase of almost $85,000 from the previous year.

Revenue from leases has almost doubled in the past two years. There are three distinct types of leases to be considered:—

1. The leasing of the recognized holding of an Indian to another Indian or to a person of white status.

2. The leasing of band land to persons of white status with the consent of the band—that is after a surrender for leasing purposes.

3. The leasing of unused band land to persons of white status without the consent of the band.

Section 50 of the Indian Act provides in part that the Minister of Mines and Resources may lease for the benefit of any Indian, upon application for that purpose, the land to which he is entitled without such land being released or surrendered or in short that an Indian, subject only to the discretionary power reserved to the Minister, may lease his recognized holding to whomever he wishes—to another Indian or to a person of white status.

By Mr. Case:

Q. Does the land become subject to taxation then?—A. No, it is still part of the Indian reserve.

The CHAIRMAN: Gentlemen, before we proceed, I do not want to spank Mr. Case—

Mr. REID: It is nice that someone else is getting it.

Mr. CASE: I guess I was late for the first lecture.

The CHAIRMAN: I do not want to spank him for two obvious reasons, but let us remind ourselves again that we are to withhold questions until the presentation has been completed. If you care to put a question mark or any other sort of mark on the margin beside that part of the brief I think that it will remind you very nicely.

The WITNESS: If Mr. Case would ask that later I should like to go a little further on that matter.

In practice it is customary for the parties concerned with or without the assistance of the Indian agent to sign a preliminary leasing agreement which the Indian agent submits to the department with any comment or explanation he considers should be made. The Reserves Division reviews the preliminary agreement and if its terms are considered clear and reasonable and if the lessor is the recognized owner of the property to be leased, a formal leasing agreement between his Majesty the King on behalf of the Indian lessor and the lessee is approved and forwarded for the lessee's signature. On its return to the department the lease is executed on behalf of the department and the lease account is then set up in the ledgers of the revenue section of the treasury branch who thereafter, during the term of the lease, arrange for the collection of the rental for payment to the Indian lessor.

There are a large number of leases issued to white persons under this section of the Act and it is questionable whether the resulting encroachment of white tenants on an Indian reserve is desirable. To many Indians it looks like easy money to let a white man do all the work on the Indian's agricultural holding, the Indian collecting a cash rental for what has cost him little or nothing. The rent paid may be presumed not to exceed one-third or even less of the value of what the land will produce and too many Indians seem content, or so it appears, to take one-third without labour on their part rather than three-thirds and do the work themselves. On the other hand the freedom to lease his or her holding granted by this section of the Act may be of great value to an Indian who is physically incapacitated from working his land or to a widow with a family of small children or to elderly Indians who, through leasing to white persons are enabled to insure themselves of a regular annual income.

It is the case where an Indian is well able to work his own land but prefers to take a cash rental rather than to do so that presents the administrative problem and the answer may lie in the education and enlightenment of the Indian himself and in the creation in him of a desire to secure for himself the full benefits of his land.

I mentioned previously that, subject only to the discretionary power reserved to the Minister of Mines and Resources, an Indian may lease his holding to anyone and I would like to briefly explain that statement. It may be taken as a general rule that the consent or approval of the Minister to a lease as is required by section 50 of the Act is never unreasonably withheld. However, it is a fact that we do refuse consent from time to time and in more frequent cases refuse consent until certain changes are made in the terms of the proposed lease. All refusals are on the grounds that the terms of the proposed lease are not in the best interests of the Indian or the band as a whole. Two outstanding examples of such refusal are: 1. That we will not consent to any lease being executed which provides for subleasing without the consent of the department and 2, that we do not favour long term leases of say 15 or 20 years which provide for the same annual rental throughout the full term of the lease. Were the department to allow subleasing at the option of the lessee it would mean that we would have little or no control over the type of white person coming on the reserves and it has been found through experience that in the best interest of the Indians generally such control cannot be relaxed. In the second case mentioned we have also found through experience that conditions may so change over a period of as short as five years that the rental value of an Indian's property may greatly increase. If a twenty year lease had been given the Indian would lose the benefit of this increase in value for possibly 10 or 15 years, whereas this is not true under our present policy where we only consent to long term leases when the lease provides for a review of the rental at the end of each five year period the rental for the subsequent five year period to be mutually agreed on at such time between the parties to the lease.

The second type of leasing is that of band land to persons of white status. While the holding of an individual Indian may be leased as outlined previously without a surrender, this does not apply to the common lands of an Indian band and section 50 of the Indian Act provides in part "except in this part otherwise provided no reserve or portion of a reserve shall be sold, alienated or leased until it has been released or surrendered to the Crown." I propose to discuss this phase of the work a little later on as it involves an explanation of the procedure of "surrender", which leads directly into the main heading "Indian Lands".

The third type of leasing is the leasing of band land without the consent of the band. Section 93, subsection 3, provides;

> Whenever any land in a reserve whether held in common or by an individual Indian is uncultivated and the band or individual is unable or neglects to cultivate the same, the Superintendent General (Minister), notwithstanding anything in this Act to the contrary, may, without a surrender, grant a lease of such lands for agricultural or grazing purposes for the benefit of the band or individual, or may employ such persons as may be considered necessary to improve or cultivate such lands during the pleasure of the Superintendent General (Minister), and may authorize and direct the expenditure of so much of the capital funds of the band as may be considered necessary for the improvements of such land, or for the purchase of such stock, machinery, material or labour as may be considered necessary for the cultivation or grazing of the same, and in such case all the proceeds derived from such lands, except a reasonable rent to be paid for any individual holding, shall be placed to the credit of the band.

You will note that this section gives the Minister the right in his discretion to lease unoccupied or uncultivated land without the necessity of securing the consent of the owner, if an individual, or without first obtaining a surrender as provided in section 50 of the Act. As this is a very wide power it is exercised with caution and in practice there is no attempt made on the part of the department to lease land without the consent of the Indians, simply because the land is vacant.

However there are cases where leases are given under the provisions of this section. One example is the case of an individual holding on a reserve where agricultural land is in demand. The Indian owner may have secured employment in a town or city and temporarily given up residence on the reserve, leaving his farm to all intents and purposes abandoned for several years. Another Indian may wish to lease it but does not know the whereabouts of the owner or the weeds growing up on the property may be polluting adjacent lands and in either case the department under the provisions of section 93 could lease the property. The lease would be a short term one, so as not to interfere with the use of the land by the Indian owner should he return, and the revenue derived from the leasing would be either forwarded to him, if we had his address, or funded for him at Ottawa until his return.

In the case of band land, the weed situation might again play a prominent role in bringing about a lease of vacant land. A portion of a reserve adjoining white farms may have been cultivated for some years by an Indian or Indians and then abandoned and allowed to grow up in weeds, to the detriment of the white farms. It might be considered advisable to lease the land to white farmers to keep the weed situation under control and under this section of the Act steps could be taken without the necessity of securing a surrender. A further example might be the case of a band not cultivating portions of its reserve and being favourable to a surrender for lease but unable to give one due to the fact that many of the band members were away from the reserve and that sufficient of them could not be got together to ensure a majority vote of all the voting members of the band as is required by the Act. Rather than leave the land idle it would be possible for the Minister to lease the land under this section until such time as a surrender for lease could be taken.

However, as I stated previously, leases under this section are only given under exceptional circumstances, and then only when the advisability of such action has been carefully considered. The section, while giving the Minister wide discretionary powers, does not permit of the department allowing any general movement of white persons on Indian reserves as the leasing may only be for agricultural or grazing purposes.

The fourth sub-heading in the work of the Reserves Division is the control over residence of persons of white status on Indian reserves and the issuing of permits of occupation. As Indian reserves were set apart for the use of Indians it is obviously the department's duty to see that they so remain. The Indian Act provides under section 34 that no person or Indian other than an Indian of the band shall, without the authority of the Minister, reside or hunt upon, occupy or use any land or marsh belonging to or occupied by such band. In short no one other than a member of the Six Nations Band, to cite a well known band, can reside on the Six Nations Indian Reserve unless with the authority of the Minister. The Indian Act does not state under what circumstances the Minister may give authority for a white person or Indian of another band to reside upon an Indian reserve, and in practice permission has been confined to occupancies of short duration for the most part and customarily is given only after the consent of the band has been secured by a resolution of the council of such band. The circumstances under which permission may be given are varied and I think it will serve the purpose if I cite a few common examples. Permission to hunt on an Indian reserve for a specified period, permission given to a

survey party to enter for surveying a proposed power line or for a proposed widening of a road, permission to a logging company to use the foreshore of a reserve for anchoring booms, permission to traders to trade on an Indian reserve at the time of payment of treaty and annuity moneys. A special case and one that will probably not arise again was occasioned by the housing shortage general over Canada during the war years. Some of the Indian reserves were adjacent to manufacturing towns and cities where the demand for housing exceeded the supply and we received many applications from white persons to temporarily reside on Indian reserves in the vicinity of their work. While generally we would not be in favour of such applications except when the white person was leasing land from an individual Indian for agricultural purposes, due to the unprecedented situation and with the consent of the Indians generally, permits were issued to white persons giving them the right to lease houses from Indians for a one year term. If on the expiration of such term no complaints as to their occupation had been received and the Indians were willing that they should remain, a further permit for one year was issued and so on. If any of the tenants proved undesirable their right to reside on the reserve was cancelled and they were required to go elsewhere. The Pierreville Reserve near Sorel and the Caughnawaga Reserve across the river from Lachine both in the Province of Quebec were the outstanding cases where permits of this nature were issued.

We have also issued permits to white persons on certain reserves to rent cottages from the Indians for the summer season and some Indians particularly in Ontario have augmented their incomes considerably by renting cottages for summer holiday purposes and possibly to tourists.

It must not be assumed that the department is permitting white people to move on to reserves generally. That is definitely not the case and while a certain relaxing of control occurred during the war years when housing conditions were very bad the control will undoubtedly be progressively tightened from now on to keep reserves for Indians.

My fifth sub-heading is the granting of easements and rights of way across Indian reserves. As a general statement it may be said that the Indian reserves must remain intact and that reserve lands in Canada are not subject to spoliation by white neighbours. There are three exceptions to this general statement, however:—

1. The legal process of surrendering as provided by sections 49 and 54 of the Indian Act.

2. The taking of land for public purposes as provided by section 48 of the Indian Act.

3. Enfranchisement under section 110 of the Indian Act.

It is with the second exception that I wish to deal at the moment as it is the only one actually coming under the main heading "Reserve Lands". The other two exceptions will be reviewed further on.

Under section 48 of the Act land on an Indian reserve may be taken without a surrender having been given by the Indian owners.

(*a*) for the purpose of any railway, road, public work or work designed for any public utility with the consent of the Governor in Council,

(*b*) by any company or municipality or legal authority having statutory powers either Dominion or Provincial for taking or using land or any interest in lands without the consent of the owner with the consent of the Governor in Council and subject to the terms and conditions imposed by such consent.

The Reserves Division is quite frequently required to deal with alienations arising under this section, the commonest example in the past being land

required by the railways of Canada and the most common example to-day being land required for widening and straightening of roads, and rights of way for power transmission lines or for sewer or pipe lines in cases where reserves adjoin towns or cities.

It should not be assumed that under this section land is taken from the Indians without their receiving something in return. The section also provides that adequate compensation must be paid to the band or to the individuals of the band affected. In practice a company, such as the Canadian Pacific Railway, may require a portion of a reserve for purposes of a spur to a main line, for a wye or for a siding and in such cases applies to the department for permission to go on the reserve with a survey party. This permission is always granted and the company are advised to enter into negotiations with the council of the band for band lands affected and with individual Indians for any individual holdings and to present to the department signed agreements made between the Indians concerned and the company as to the compensation to be paid for the land to be alienated. If the company and the Indians cannot agree on the compensation section 48 of the Act provides for arbitration proceedings in a like manner as in ordinary cases outside the reserve, and I may add that at the moment we have an arbitration proceeding under way concerning land taken by the Province of Quebec for the widening of a provincial highway through an Indian reserve.

The sixth sub-heading is survey work on reserves. Any survey work required in connection with Indian reserves is arranged by the Reserves Division through the medium of the Surveys Branch of the Department of Mines and Resources. While the majority of eastern Canada reserves have been surveyed, unfortunately this is not true of the western provinces and British Columbia and particularly in recent years, when the Department is endeavouring to extend the operation of the location ticket system on reserves where it has heretofor not been in force, this lack of internal surveys has been most embarrassing. There are several reasons why internal surveys of reserves have not been carried out, particularly in the prairie provinces and British Columbia.

In the first place the idea of having a recognized unit of land as his own was foreign to the Indian in the early days. While he was principally following the pursuits of trapping and fishing he customarily required only sufficient land for his home, if even that in many cases and it was not until he turned from the pursuits of the field to agriculture that the idea of having his own land meant anything to him. This phase of his development came at a fairly early date in eastern Canada but in the west has been much more recent and has yet to come in many of the more northern and unsettled districts. At the date many of the western reserves were created it was probably considered unnecessary to put through expensive internal surveys, which the Indians themselves did not want and for which no immediate necessity seemed apparent.

The second factor was undoubtedly the cost of the services required for survey work runs high and it was probably not considered advisable to ask Parliament for the thousands of dollars required for this work on Indian reserves, particularly when it was not apparent that there was an urgency in the matter and when many of the Indians did not want their reserves surveyed.

The third factor I have just mentioned, namely the opposition of certain of the Indians to survey work on their reserves. Although this may come as somewhat of a surprise to many of you, there are to-day, and not necessarily in the remote sections of the Dominion, bands that still feel that to allow their land to be surveyed is the first step taken by the Government to deprive them of such land. That such an understanding of the matter is 100 per cent inaccurate you and I know but unfortunately they do not and cannot be convinced in the error of their thinking, and this fact undoubtedly did in the past hold up some internal

surveys. It should not have, when the survey was in the interest of the band as a whole, and in one case in mind in Ontario, where very strong opposition was met last year, surveyors are presently at work despite the protests of the band.

There is no question but that a long range plan of internal survey work should be carried out in the interests of efficient administration and while I cannot state as a fact that any such plan has as yet been formulated, considerable attention has been given to the matter and were it possible to place such a long range plan in effect immediately, we would now have one. It is impossible for the department to properly carry out the provisions of the Indian Act as they relate to location tickets, leases or Indian estates without having accurate surveys of the lands involved, and if these provisions of the Act are to be fully carried out, as they should be and were obviously intended to be, it is absolutely necessary that steps be taken to survey the lands involved. It is also essential that many of the reserves on which there are internal surveys be resurveyed, for the original surveys are so old as to be meaningless on the ground, in that neither the Indian agent nor an Indian can in nine cases out of ten, to-day locate the internal subdivision lines. This is particularly true of many of the reserves in Ontario where the surveys may have been made 50 or 60 years ago and where in many cases the survey was in 200 acre lots, whereas to-day these 200 acre parcels are divided into holdings of various sizes.

It is not considered that much can be done at the present to implement the surveys of reserves for unfortunately the Surveys Branch of our department has not on its staff sufficient surveyors to do more than a small fraction of the work required nor is it possible to-day to secure the services of outside surveyors for they are greatly in demand. Up till 1936, the Department of Indian Affairs had a survey staff among its personnel but following the amalgamation in 1936, creating the Department of Mines and Resources, this staff was incorporated in the present Surveys Branch of the department. The services of this branch are at the disposal of all other branches of our department and up to this year there has only been one field man on the staff whose time has been for the most part confined to surveys on Indian reserves. When survey work is required and the Surveys Branch has not a surveyor available it is necessary to seek the services for surveyors elsewhere and, particularly to-day, this is not easy to do unless you plan well in advance.

It is the feeling of the Indian affairs officials that the loss of the survey personnel in the 1936 amalgamation has not facilitated the work of the reserves section. It is not meant to suggest that we do not receive excellent co-operation from the Surveys Branch. We have always received the utmost assistance when we require it, but having the survey staff with whom you are working in a different building and under a different director is not the same thing as having them in the next office to you. When the survey staff was attached to the former Department of Indian Affairs, a certain amount of the administrative work leading up to actual surveys was handled by this staff who, by reason of the fact that they were working right in the department, knew the administrative problems that were being met from day to day. That is not the case now and in practice the Indian Affairs Branch officials, who are not qualified surveyors, do most of the planning of what shall be done and the Surveys Branch simply arrange for the men to carry out the plan and issue the technical instructions. It has been suggested that if and when a long range plan for necessary survey work is formulated possibly a qualified surveyor might be taken on the staff of the Indian Affairs Branch and serve as a liaison officer between our branch and the Surveys Branch. Such an official could formulate the year's work during the winter months and spend the outdoor season on reserves settling the many small survey problems that arise through transfer of property by deed or through the division of property on the death of the owner.

It is also considered that the necessity of relying on surveyors outside the government service is not conducive to getting the work done without a good deal of delay. If sufficient survey staff within the government service is provided plans for several years in advance can be formulated with the knowledge that the staff will be available to carry out the plans within a prescribed period. It is embarrassing to branch officials to promise the Indians of a reserve that a surveyor will come to their reserve during a certain period to perform badly needed survey work and later on have to advise that the work will have to be postponed for a year as no surveyor can be found available. That happened this summer. Survey work on an Ontario reserve had been planned for and a surveyor expecting his discharge from the army had been engaged to perform the work. His sudden death came at a time when there was no possible chance of securing another man this summer. The survey season in Canada is so short also that unless a fairly large number of surveyors are available, not much can be accomplished in any one year.

We feel that if the work of the Reserve Division is to be carried out to its fullest extent internal surveys must be carried out on many of the reserves presently unsurveyed, and that in order to make these surveys more surveyors should be in the government service and available when needed.

My second main heading is Indian lands and as defined by section 2 of the Indian Act "Indian Lands" means any reserve or portion of a reserve which has been surrendered to the Crown. Before proceeding to any review of the Indian lands work, it is considered essential to discuss the meaning of the term "surrender" which is of major importance in the administration of Indian reserves.

A surrender is simply a release by the Indians of any particular band of their interest in a reserve or part of a reserve to the Crown for such purposes as are permitted under the Indian Act as, for instance, for the sale of the land, for the leasing of the land, for the sale of the timber on the land or for the leasing of the mineral rights thereon.

Where lands comprising part of an Indian reserve are in excess of present or anticipated requirements the band may deem it desirable to convert its surplus lands into cash or to utilize them to secure revenue for the use and benefit of the band. If a band has expressed a wish to surrender property, the wish being usually ascertained by securing an expression of opinion from the council, a formal surrender document is presented to them at an open meeting of all voting members of the band, that is all male members of full age of 21 years, called for the express purpose of considering the question of surrender. To be approved the surrender must have received an affirmative vote from a clear majority of all the voting members of the band and if approved it must be accepted by the Governor in Council before it takes effect. When a surrender has been approved by the Indians and accepted by the Governor in Council, the land surrendered must then be disposed of in accordance with the terms of the surrender itself, the Order in Council accepting it and the provisions of the Indian Act. A surrender is then a release to the Crown by the Indians of their interest and may be either an outright release as, for instance, a surrender for sale or may be a limited release as, for instance a surrender for leasing purposes for a term of 21 years. Under section 50 of the Indian Act no part of a reserve may be sold, alienated or leased until it has been released or surrendered to the Crown and as shown above such release or surrender must be approved by a majority of the voting members of the band. Despite this fact, however, there has been on many occasions an unfortunate tendency to blame the department for either having taken a surrender or having failed to secure one and I would, therefore, like to emphasize the point that, when a surrender has been given, it has been given voluntarily by the Indians and that if a band does not

wish to vote on a surrender, or having voted has refused a surrender, the department has no option but to accept the band's expression of opinion as the final word on the subject at that time.

There has also been a great deal of criticism directed at the department from time to time for allowing so much of the one time Indian reserves to be surrendered and sold. There has been a very definite change in policy with regard to surrenders of Indian reserves and it may be definitely stated that at this date the policy of the department is against further surrenders being given, except in certain unusual circumstances. That this policy was not followed in the past is quite evident from the fact that, without attempting to quote an actual figure, over two million acres of one time reserve lands have been disposed of following surrenders since 1867. Viewed from the standpoint of present day policy, the conversion of unused land into cash, if not short-sighted, in many instances was at least unfortunate, for every effort is being made to interest the Indian in farming and in establishing himself on his reserve on a recognized unit of land and it has been discovered that if such aim is carried out to conclusion on certain reserves ultimately there will not be sufficient land for all. However, it is not altogether fair to criticize the disposal of the land surrendered and sold without considering the reasons for it and the viewpoint that the administration of the early days must have had.

In many instances the area originally set aside for use of a band was extremely large, in fact far larger than was required by the bands. As the district became settled it was only to be expected that the time would come when the best land in the vicinity of the reserve having been taken up for settlement further settlers would look with envious eyes at the good lands in the neighbouring reserve being put to little or no use by the Indians. Ultimately the time came when the Indians and the Department of Indian Affairs were approached with a view to white settlers securing portions of this land. In many cases, and perhaps in the majority of cases, the Indians were quite prepared to surrender parts of their reserve for sale. The department of that date obviously did not see any need for the Indians to have so much land and probably seeing no neccessity for retaining land they were not using and preferring to have band funds from which they could expect yearly interest payments, considered it in the Indians' interest to replace unused land with a cash credit at Ottawa which could be used for the general welfare of the band in many ways. It was inevitable that in certain cases the portion surrendered and sold was the very land best suited to the present-day agricultural needs of the Indians and that the portion retained and being used by the Indians at that date should now be of little value to them, when the settlement of the country has forced them to give up their traditional pursuits of hunting and fishing and turn to their reserve lands for a living. The majority of the surrenders in eastern Canada, as might be expected, came at an early date and the western surrenders are much later in point of time and coincide generally with the various land booms that have occurred in western Canada and the development that have resulted in western Canada becoming one of the world's great wheat growing areas.

While there may be reserve lands at this time that are not being used by the Indians, and we know there are such lands for we are continually receiving enquiries from white persons regarding them, as stated previously, it is not generally the policy of the department to consider accepting surrenders of such land for sale. There are circumstances under which the general policy of the branch would not be followed and where, if the Indians were willing to give a surrender, it would probably be accepted. One instance would undoubtedly be where existing reserve land was not being used by a band and was not well suited to any attempt by the department to assist the band in utilizing it. In such a case it might be considered advisable to take a surrender and sell the

land with the object of acquiring additional land more suited to the requirements of the Indians. We have had an example of this in the past years. I mentioned previously that in Manitoba 2,080 acres had been secured from the province as an addition to the Chemahawin Indian Reserve, but I purposely avoided any reference then to the fact that this acreage was received on an exchange of land with the provincial government. The Chemahawin Band hold five reserves and one of these, Poplar Point Reserve No. 32F, was situated in the middle of a provincial fur development area and was not easily accessible to the Indians from their other land. It was suggested that an exchange of land might be to the advantage of both the Indians and the province and following negotiations the Indians surrendered the reserve in question containing 446 acres and received on an exchange with the province 2,080 acres adjoining Chemahawin Indian Reserve No. 32B. It is considered that the Indians profited by the exchange.

Other instances where a surrender might be considered would be small relatively unimportant parts of reserves cut off from the main reserve of a band by intervening white land or in the case of British Columbia possibly some of the very small reserves of which there are a great number and which could not by any stretch of the imagination be said to be required in the future development of the Indians of the band in question. There are other cases where a surrender might be given and accepted on the grounds that the intended use after surrender and alienation would be to the general interest of the band as a whole as, for instance, allowing an irrigation company to cross a reserve with an irrigation canal from which the Indians could secure badly needed water. Irrigation projects in general would be of great assistance to various reserves in western Canada and if land was required for such projects it is highly probable it would be given by a surrender of the band with the consent of the Governor in Council. While the policy at the present is against surrenders it must not be assumed that surrenders will not be given and accepted in the future. What is meant is that the advisability of taking a surrender in any particular case is very carefully reviewed by both the field officials and the branch officials from every possible angle and unless it can be clearly seen to be in the interests of the Indians they will not be permitted to surrender the land even though they be willing to do so.

Assuming a surrender to have been given by the Indian owners and accepted by the Governor in Council, what procedure does the department follow in disposing of the land surrendered? If it is a surrender for lease in all probability the reserves service will arrange through the Indian agent for the reserve in question to advertise the property for lease by tender in certain cases or in other cases to simply post notices in the neighbourhood that the land is open for leasing on application to the department. If it is grazing land the lease will be for grazing purposes only, subject to payment of a yearly rental per acre, and if for agricultural purposes in western Canada the lease will be on a crop share basis calling for yearly payment of usually one quarter share of all crops grown on the land. In certain cases where the land is highly desirable and we know there will be keen competition the land may be offered for lease by tender on a one-quarter crop share basis plus a cash bonus per acre. During the term of the leasing surrender if it is a limited one the department's aim is to secure for the Indians the best possible revenue from the land, the said revenue being credited to the revenue account of the band at Ottawa.

It may be of importance to point out to you one advantage that a band may secure through a surrender for lease. On the Muskoday Reserve in Saskatchewan the Indians last year surrendered for lease for a 10-year period only 3,200 acres of good land which they were not using. It was advertised for lease by tender on a quarter crop share plus cash bonus basis and has all been taken up by white farmers residing in the district.

The soil is said to be excellent but as the cost of breaking it was estimated to be high and heavy machinery would be required, there was little expectation of the Indians themselves making use of it. However, as I mentioned previously, the surrender was for 10 years only and therefore at the expiration of such term the Indians of the band will have available for agricultural use 3,200 acres of well cultivated land as well as money in their band funds.

The surrender given may be for the disposal of timber, oils or minerals and this phase of the work of the Reserves Section will be discussed later on under the heading "Timber, Oil and Minerals". Surrenders for sale predominate or at least have in the past and while there is a tendency for the work under this phase to decrease in recent years, it has occasioned the branch officials in the past a great deal of work. As an example of a typical surrender of land for sale we might take almost any one of the western surrenders as, for instance, Beaver Indian Reserve No. 152 in the Province of Alberta which was surrendered for sale by the Indians. Following the acceptance of the surrender by Order in Council, the area was offered for sale by public auction on terms of one-tenth cash down and the balance in nine consecutive annual instalments with interest at 5 per cent and as it is very high class farming land almost the entire reserve was disposed of at the auction. Following the receipt of tenders and their acceptance sale contracts were forwarded to the respective purchasers for signature and when returned and executed by the department the sale accounts were set up in the accounts branch, and during the term of the contract all collections on the sale were made by the Indian agent on advice from the accounts branch. As received at Ottawa from the Indian Agent payments on account of principal were placed to the credit of the capital fund of the band and payments on account of interest to the revenue fund of the band.

As was almost invariably the case in western land sales much of the land which was sold in quarter section units was purchased by persons who were speculating and had no intention of farming themselves, and during the first years after the auction the sale accounts were reviewed very carefully each year with a view to seeing that the proper yearly instalments of principal and interest were paid, and that if they were not paid the reasons for the purchaser's failure to do so were investigated. If he was a farmer and on the land there might be several reasons for his inability to pay and in nearly every case he would be given a chance to make good the following year or at least pay something on account. On the other hand, if it was evident from the agent's report that the purchaser was a speculator and was simply endeavouring to avoid paying more than the cash down payment before he could find a purchaser short shrift was given to him in most cases, and unless he lived up to the terms of his sale contract the department took action to cancel the sale and repossess the land in accordance with the jurisdiction to that end vested in the Minister under section 64 of the Indian Act. Following repossession of such land if a new purchaser could be found the land was usually sold to him without the necessity or readvertising provided the price offered was considered reasonable under the circumstances. If no purchaser was immediately available the agent would be requested to try to find a tenant who would farm the property on a crop share basis, thus ensuring that until a purchaser could be found the land would be earning revenue for the Indian owners. During the period between the signing of the sale contract and payment in full thereunder the property may have been assigned one or more times and in accordance with the provisions of sections 56, 57, 58 and 59 of the Indian Act, the Reserves Division would consider the assignment and, if acceptable, register its particulars in registers kept for that purpose as well as taking steps to see that the change in ownership was entered in the accounts branch.

Following payment in full under a sale contract a purchaser or his assignee is entitled to receive letters patent from the Crown covering the property purchased and this also is the work of the Reserves Division and while not presenting any great difficulty in itself is a sufficiently involved procedure as to require considerable time and attention. Following the issue of the patent it is mailed to the registrar of titles in all provinces where the lands titles system is in effect and to the patentee in all other provinces. During the war years, with farm produce bring an unusually high price and the various war industries offering high wages, a great many purchasers, who had fallen in arrears during the depression years, seized the opportunity to pay out their sale contracts with the result that the work of the Reserves Division staff in connection with issuing letters patent was more than doubled at a time when it was short handed. Last year alone in the neighbourhood of 250 letters patent were issued.

In some cases portions of reserves surrendered for sale were not of good quality or were undesirably located and were not sold at the auction nor for many years after and these lands presented a considerable amount of work for the branch officials and the Indian agents in that every effort was made to have them earn some revenue by securing tenants on crop share basis or in some cases if the land was only suitable for grazing, at a cash rental per acre. During the war years when the farmer was receiving good prices for his crops many of them seized the opportunity to acquire these inferior parcels of land for pasture or other purposes and we were fortunate enough in many cases to dispose of quarter sections at prices higher than it was ever expected they would bring and for the most part in western Canada we have very little unsold land on our hands at this time. In all cases where an application is received for land which has not previously been sold or which has been under lease for a good many years following cancellation of a sale contract, it is the present practice of the branch to secure an appraisal either from the agent for the district or sometimes, if they are available, from field officials of the Soldier Settlement Board and the offer received is considered in the light of such appraisal and also in the light of the revenue that has been earned by the property while under lease over the preceding years. In many cases the value of the land arrived at by capitalizing the revenue derived over a period of years on a 5 per cent basis exceeds the appraised value and we have always taken the view that we will not sell in such cases and that it is in the interests of the band to receive a yearly rental until a fair price for the land is offered.

I do not think there can be much criticism of the manner in which surrendered land has been sold by the department, and although in one or two instances it has been claimed that the prices received were low these allegations were considered unwarranted in the light of appraisal reports that had been made by entirely disinterested appraisers. For the most part I would say that in recent years, at any rate, the department drives a hard bargain and is most insistent that purchasers of land live up to the terms of their contracts and I can assure you that many of our purchasers think so as is shown by correspondence on our files. We are continually being accused of asking more for surrendered Indian reserve land than other land in the vicinity is bringing in on sales.

My third main heading is estates. The administration of the estates of deceased Indians presents one of the most complex features of the work of the Reserves Section and it must be quite frankly admitted that in this phase of the department's work there has been a regrettable absence of administrative action up to quite recent years.

Under the provisions of the Indian Act the Minister of Mines and Resources is given sole jurisdiction over the estates of deceased Indians, and it must be assumed, therefore, that it was the intention of Parliament that the Department of Indian Affairs, and its successor the Department of Mines and Resources,

should actively supervise the administration of estates but little real effort to do so is apparent from the records prior to 1938, and before going further into the matter I think it is advisable to consider some of the reasons for this lack of effort.

In the first place, this work is necessarily of a legal nature and should, therefore, be carried out by persons with legal training. It is not apparent, however, that prior to 1939 any person with legal qualifications was specifically assigned to this phase of the work alone, and while it is true that at all times the department had a solicitor on the staff his time was to a large extent taken up by the legal problems arising in the work of the department as a whole, and in so far as we can tell it was only in particular cases where some contentious point arose that his services were called on and that he actively concerned himself with estate administration.

In the second place, the administration of earlier years may have considered that it was adequately fulfilling the functions imposed on it by the Indian Act. We do not today consider this to have been the case. Sections 25 to 33 inclusive of the Act are those having to do with the descent of property and generally speaking under the said sections the Minister of Mines and Resources is placed in the same position as a judge of a Surrogate Court in that he and he alone may approve the wills of Indians and issue letters probate or letters of administration. It is the contention of the department today that the Indian Act gives the Minister of Mines and Resources far wider powers, however, than any Surrogate Court judge possesses and it is possible, as I mentioned previously, that the administrative officers of earlier years did not have this conception of the powers of the Superintendent General of Indian Affairs.

Twenty years ago if an Indian died and his will was forwarded to the Department of Indian Affairs at Ottawa it was the practice for the Deputy Superintendent General of Indian Affairs, or some senior official acting on his behalf, to sign a simple form stating that the last will and testament of the Indian who died on such and such a date had been approved. The agent was then advised that the will had been approved and in a great majority of the cases, in so far as departmental records now show, that was the end of the matter in so far as we now know. In some cases a dispute apparently arose among the heirs as to the division of assets or the proper interpretation of some clause in a will and the Indian agent may have referred the problem or dispute back to the department. In such cases the estate was then referred to the departmental solicitor who advised the agent on the legal aspects of the problem and usually outlined the proper course to be followed in the administration. In short the department of that day was actually functioning in a very similar manner as does the provincial court having jurisdiction over testamentary matters in that the executor was given the carriage of the administration and more or less left to his own devices as to how he should proceed. If he were uncertain on any point of law he could come to the department for assistance.

It is our opinion today that the Indian Act was never intended to limit the jurisdiction of the Minister and the department to this extent and that it is essential to the proper administration of estates that he should have wider powers and that the department should, when it is considered necessary and advisable, actively supervise and direct the course of administration of an estate. It is difficult to see how it can be stated that the Minister is confined solely to approving wills and issuing letters of administration or probate when there are such sections in the Act as section 25, subsection 3, where the Minister is to sell land devised to a white person and pay the benficiary in cash; section 28, where the Minister is authorized to make such general regulations and orders in particular cases as he considers necessary to secure the satisfactory administration of estates; and section 32, subsection 2, which gives him very wide powers

in determining how distribution of assets is to be made. No court in Canada has such wide powers with regard to estates of white persons as those above mentioned and it must, therefore, have been the intention of Parliament to give the Minister of Mines and Resources much closer supervision over estates.

I regret if I have been over lengthy in the foregoing but before actually discussing the estate problem as we are faced with it at the department to-day I wish to make it quite clear that the department has not always had the same concept of its duty in this connection, or if it has, that the carrying out of the duty is now radically different to what it was some years previous.

The administration of estates is as previously stated carried out in accordance with the provisions of sections 25 to 33 inclusive of the Indian Act and I propose to outline briefly to you how we handle the typical estate. As soon as possible after the death of an Indian the agent for the reserve in question is expected to make enquiry as to whether there is a will in existence and if there is one to secure it and take steps to have completed our departmental form of application for probate or administration, a copy of which is attached hereto as Appendix "Q". As you will note the form when completed provides a concise record of the date of death, heirs, assets and debts together with an affidavit as to the date of death and an affidavit of execution of the will if there is one. This departmental form together with the original will is then forwarded to the department by the agent with such comments as to the assets, heirs or debts that he feels may be of assistance to the department together, in certain cases, with suggestions as to the course the administration might best pursue. Letters probate or letters or administration, as the case may be, are then issued and returned to the agent with the department's comments as to how the executor or administrator should proceed to the payment of debts and distribution of assets.

In the simple case we may merely advise that, as everything appears in order, on payment of debts the assets may be turned over to the heirs in accordance with the terms of the will or if it is a case of intestacy advise who are the heirs and what are their respective interests. If the assets are difficult of division we may suggest to the executor or administrator how we consider a proper division can be made or suggest that the heirs be consulted and a plan for distribution be submitted to us for consideration and approval. In short, we do not, as would the provincial courts, simply place the carriage of the administration in the hands of an executor or administrator and do nothing further unless direction on a certain point is requested. We enter the picture at the very start and, in fact, the Indian agent in most cases enters it before the executor or administrator is appointed by making comments or suggestions in the first letter referring the estate to the department. This is encouraged for while branch officials have a wide experience in estates in general the Indian agent in question knows the people and the property and is in a better position than anyone else to comment on the particular circumstances of each estate.

It may properly be asked why we do not allow the executor or administrator to have the complete carriage of the administration in the same manner as would an executor or administrator of an estate of a white person. If we did this it is submitted that there would be few cases where it would be properly done and that in the long run the department would be called upon to step in and untangle estates which in the beginning, with proper supervision, would have presented no distribution problem. I venture to say that few or any of you gentlemen, other than those of you who are lawyers, would undertake the duties of executor to an estate without securing legal advice as to the steps to be taken and in practice placing a great deal of the actual detail of the administration in the hands of your legal adviser. If gentlemen of your position and experience are hesitant to act on your own how much less chance has the average Indian to successfully administer an estate lacking as he does your education and business

experience. There are Indians who have admirably carried out the duties of an executor or administrator and who, if they were reappointed to other estates tomorrow, would be given almost a free hand but they are the exception rather than the rule and the average Indian is not fitted to carry out the obligations of an executor without close supervision nor will he seek legal advice as to how he should act. I cannot off-hand recall a single estate in my experience where an Indian executor or administrator has consulted a solicitor for advice. In practice, therefore, it has been found almost essential that the department actively supervise the administration of estates.

The present administration has more and more frequently in the past two or three years received complaints over the delay in dealing promptly with estates referred to the department and I think that our position and the main reasons for the delay should be clearly set out.

In the first place it is a rare occasion when we can deal with any estate recently referred to us without the necessity of securing information with regard to other estates. As I mentioned previously little emphasis was placed on estate administration in years gone by with the result that many of the Indian agents took the line of least resistance and either settled the estates themselves or left the entire matter to those concerned. It was only in certain agencies—largely in Ontario—that the agents made any real effort to refer estates to the department, and even then for the most part the department merely approved the will or suggested how distribution should be made in the case of an intestacy and made no effort to follow up and see that the estate was properly administered and the assets distributed. Many of our estate files merely disclose only that a man died and that his will was approved and contain no record of his assets or what disposition was made of them. It is a fact that in certain agencies more estates have been referred to the department in the past seven years than in the entire period before that date.

When an estate is referred to us including land in its assets one of the first steps is to check the ownership of the deceased and as often as not that is where the delay and trouble commences. If the deceased lived on a reserve where the location ticket system, as we call it, is in effect it is an easy matter to check the title, but in many cases we find that the land claimed as the deceased's may be registered in the name of his father or brother or even some one not a relative. We then try to find in our records the estate of the father or brother or a deed from the person in whose name the location ticket stands, but in far too many cases there is no record and it is then necessary to write the Indian agent and endeavour to have him supply the missing details or documents. It is not at all uncommon for the branch to secure particulars on several unadministered estates before we can verify to our satisfaction that the deceased Indian, whose estate is before us, is actually the owner.

It may be said, why do you go to all that trouble when no one has ever questioned the deceased's right to the property? There are two answers to that, the first that if we are to serve the function of a registry office for Indian titles, as contemplated by the Indian Act, we cannot record anyone as the owner of land without satisfying ourselves that he is entitled to ownership. The second is that it is our duty to see that those entitled to property under an estate get it and we know from experience that in many cases this has not followed as a matter of course. It is rather a strange feature of many of the old estates, which we open up at this date, that an Indian entitled to a share of property, and knowing that he was so entitled, did nothing to secure it and allowed it to be used and held for years by someone not entitled there to. In certain cases it was obviously indifference and in others it arose through the absence of the heir from the reserve and the fact that on his return the person in possession would not give it up. Invariably when we come into the picture at this date any

heir who considers he did not receive his full share immediately makes claim to it. You will appreciate the tangle that we often uncover and must straighten out before we can proceed.

The second main reason for delay is undoubtedly shortage of staff both in the field and at Ottawa. When increased attention was given to estates in 1938 the volume of estate work being referred to the department was not large. However, the increased attention inevitably meant an increase in the volume of work coming in and in no time at all it had assumed alarming proportions. To offset this an officer with legal training was added to the Reserves staff and placed on estates work alone, and had matters remained as they then were some at least of the present delay would have been avoided. However, the war commencing shortly thereafter brought increased work to the division and this coupled with the retirement within a two year period of the three senior officials under the Superintendent of Reserves and Trusts meant that the work of the division had to be reallocated among a depleted staff and that everyone was asked to assume additional duties. That situation prevailed up to the end of the war for although some additions were made to the staff it was not possible to secure adequate staff replacements. The increased attention being given to estates work therefore suffered a set back early in the war years but unfortunately before that happened we had impressed on the Indian agents the necessity of referring all estates to the department and at the very time we were least in a position to handle it the estate correspondence doubled and tripled. Furthermore, many of the Indians became aware that there was some attention being given to estate matters and commenced a steady flow of correspondence on grievances many years old involving for the most part unadministered estates. I regret that I have been overly lengthy in pointing out the reason for the delay at Ottawa but I wish to impress upon you that under the circumstances prevailing we did the best that we could, and little as that may have been in terms of volume it meant overtime work in many cases.

There is also delay in the field due to the Indian agent being asked to do more than any one man can accomplish. An agent's work does not finish when he secures the particulars of an estate, has our departmental form completed and forwards it to the department. He is quite apt to receive a reply asking him to uncover particulars with regard to old estates or ascertain what division was made of a piece of land years before. Then it is considered advisable in many cases to appoint him administrator of the estate of an Indian who has died intestate and he then must concern himself with various administrative problems. In many cases also he is asked to measure land, appraise farm property and perform many other functions to do with estates and the lands involved. In the meantime he has all his regular agency duties to perform and is probably being asked to do certain things almost daly by other sections of our branch. Is it any wonder that there is often delay in the field, when the only assistance many of the agents get is from a stenographer and often a part time one at that.

It may well be asked what steps are being taken or should be taken to remedy the undesirable situation prevailing. At Ottawa we have within the past few months added a junior departmental solicitor to the staff, a principal clerk who has had years of experience in one of the field offices and a junior clerk. We have also for the first time during the war years adequate stenographic help. Whether these additions will result in the estates work being brought up to date in the near future is questionable as it is too early as yet to get a clear picture of the matter. I think I am in a position to definitely state that should more assistance be needed on the estates work it will be provided as the department is most anxious that this phase of the work be implemented and prove of real benefit to the Indians.

I am not in a position to state whether additional field staff will be provided but it is the opinion of the Reserves Division that unless it is forthcoming

any increase in the volume of work handled at Ottawa will only add further to the work of the already overburdened field staff.

I believe that while the Indian Commissioner for British Columbia was before you the suggestion was made that an official might be added to his staff to handle a great deal of the estates work for British Columbia, and I understand in a similar manner as do examiners of inheritance in the United States Indian service. We are not familiar with the work of these examiners of inheritance but if the system has proved successful in the United States it might well be considered for application in Canada. I can see some obvious difficulties in divorcing the estates work in British Columbia from Ottawa but on the other hand can see certain definite advantages and it is perhaps possible to work out a procedure which could be given a fair trial.

If I have said very little up to now with regard to the actual detail of the administration of estates it is because this is carried out in accordance with the provisions of Sections 25 to 33 of the Indian Act and follows the act quite closely. It sometimes seems to me that I never see two estates which have exactly the same circumstances and if that is a fairly accurate statement it is obviously impossible for me to attempt to cover every point that may arise in the course of administration and I have endeavoured therefore to confine myself to outlining some of the reasons for delay in dealing with estates matters. I assume that if there is any particular phase of the estates work on which you desire more detailed information you will ask questions with regard to it. I might add to that that a certain amount of delay has also been occasioned by, we shall say, an increase in the assets of the average Indian estate. Before the war the average estate might consist of a small parcel of land, a few chattels, farm implements and live stock, but since the war years there are war savings certificates, registered bonds, cash in the bank and various other things which the department must handle. We have to have their war savings certificates redeemed. We have to have the bond registration changed, and in some cases complete succession duty forms before the bank will release the funds in the bank. We have to perform a good many functions that we did not normally do before the war years.

My fourth main heading is "Location Tickets". The term "location ticket" is not defined in the Indian Act but is in fact documentary evidence that the Indian named therein has been recognized by the council of his band and the department as entitled to possession of a particular part of his reserve to the exclusion of all other members of his band. The term "certificate of ownership" or "certificate of possession" might just as readily have been used and I believe it is the intention of the department to suggest the term "certificate of possession" be used in the Act in place of "location ticket" as being more expressive of the actual rights covered thereby.

The system adopted to enable an Indian to have a recognized unit of his reserve for such purposes as he wishes to make of it is provided under sections 21 to 24 inclusive of the Indian Act, and their application will be more readily understandable if we take as an example a new reserve acquired for a band of Indians. If such a reserve had been acquired and surveyed into lots of say 100 acres each, in order for any Indian to lawfully enter and live on a lot he would first have to be located thereto by the council of his band or the band itself. In practice he would make application to the council for whatever lot he had picked out, and if the council consents to his having that lot it passes a resolution recommending that the Minister of Mines and Resources approve the allotment and issue a location ticket to the Indian as provided by section 22 of the Act. If the location as aforesaid is approved by the department, as it usually is, the location ticket is then issued in triplicate, one copy being retained at the department, one copy going to the agency office and the third copy being handed to the Indian "locatee" as he is called. As the actual

location ticket is different from any other document of its sort that I have seen I have deemed it advisable to attach a copy hereto as Appendix R.

Now that we have the Indian located to a specific parcel of land we can stop and consider what benefits he has derived from such location. Under the Indian Act while an Indian can and does by location as aforesaid get the physical control and the exclusive right to occupy a parcel of land the actual title to the land does not pass to him, remaining at all times in the Crown in trust for the band to which the Indian belongs. His title is therefore something less than full title and is often spoken of as a "possessory title".

He can use the land or not use it as he wishes and can will it or in the event that he dies intestate it will devolve upon his heirs. He can lease it to another Indian or to a white person under the provisions of section 50 of the Act, which we have previously discussed, and may transfer or sell it to another Indian of the same band with the consent of the Minister as provided by section 23 of the Act. He cannot, however, transfer the actual possession of it to anyone who is not a member of his band, although there is nothing in the Act to prevent him from willing it to an Indian of another band or to a person of white status. Section 25, subsection 3, of the Act, specifically covers this contingency however and provides that in such cases the land shall be sold to a band member or to the band, the sale proceeds going to the devisee.

It has been found that there are certain inherent weaknesses in the location ticket system. The first is the tendency to split up an original allotment of land which started with a logical economic unit of, say, 100 acres, or a quarter section, into smaller units. This frequently occurs by the natural laws of inheritance. An individual who started with 100 acres as his personal allotment dies leaving, for example, four sons. The easy and natural method of distribution is by partition so that each son gets 25 acres of land and a distributive share of the personal property and equipment, etc. That is not bad and the families of the four sons may be adequately housed and supported on it. But as time passes a further partition may occur, and in another generation a third. It can be seen that if partition is used as the most convenient instrument of estates distribution the economic unit is so broken up as to be useless. This constitutes a definite administration problem.

Partition beyond a certain limit must be disallowed if any of the virtue and advantage of the system is to be preserved and in practice we have been able to partially prevent this although it is difficult to determine where to approve or disapprove a partition. Under the wide powers vested in the Minister under section 32 of the Indian Act we have refused to permit partitioning of estates in certain cases and have also done so during a locatee's lifetime by refusing to permit transfers, as the Minister has the right to do under section 23 of the Act.

The second weakness in the system is the tendency of the more alert and aggressive individuals or families (and some times the more clever and unscrupulous ones) to acquire by purchase or influence the allotments of less progressive individuals or of the common lands until too great a proportion of the reserve lands are owned and controlled by one individual or family group. A case in point arose some years ago where one influential band member had acquired in himself 250 acres. He had many sons and had already applied for a substantial allotment from the unallotted lands of the band for his eldest, and secured a band resolution supporting it. If he does equally well for his remaining sons his family group may have full ownership and control of 500 or 600 acres of high-class agricultural land on a reserve where the pro rata apportionment of arable land would not exceed 50 acres per family. In such a case it is urged that the father's lands, surplus to his requirements, should provide allotments for his sons before the common lands of the band are made available, and departmental consent to the action of the council might in the illustrative case properly be withheld. It is doubtful if a wise and capable agent, who by

law must be present at all band meetings, would have allowed such a situation to have arisen which can only be embarrassing to the administration. It is a situation which will have to be met with firmness, but as the same time preserving as far as possible the authority of the band council to manage its own affairs. This particular evil of the "allotment" system is potential rather than actual, and there is, as a matter of fact, little of it as yet on the Canadian reserves.

The third weakness I mentioned previously, namely, the possibility of an Indian securing a location ticket to land and then preferring to lease it to a white man rather than use it to its full advantage himself.

The location ticket system is actually in operation on only thirty-nine reserves across Canada—four in Quebec, twenty-three in Ontario, one in Manitoba, three in Saskatchewan, and seven in British Columbia. One of the chief reasons why it has not been extended to more reserves has already been mentioned, the lack of internal surveys but why it was not placed in effect on all the eastern reserves—the majority of which were surveyed years ago—is not altogether clear to me, unless it was the opposition encountered from the Indians. The actual basis for their opposition has always been somewhat of a mystery to me and perhaps Mr. Lickers could explain it for the Six Nations Band bitterly opposed the inauguration of the location ticket system on its reserve some two or three years ago. The branch went ahead with the matter, however, as we consider we cannot efficiently carry out the functions required of us under the Act generally unless the location ticket system is extended to all reserves.

It is obvious that a great deal of work will be required in introducing the system on other reserves in Canada and it is anticipated that eventually additional staff for that work alone will be required with the ultimate aim of having a registry system showing the ownership of all individually held parcels on Indian reserves across Canada.

The fifth main heading is Timber, Oil and Mining.

Section 76 of the Indian Act provides that the Minister may grant licences to cut trees on reserves or on ungranted Indian lands at such rates and subject to such conditions, regulations and restrictions as are from time to time established by the Governor in Council and that such conditions, regulations and restrictions shall be adapted to the locality in which such reserves or lands are situated.

There are two sets of regulations governing the disposal of timber at the present time, the regulations for British Columbia which were adopted by Order in Council in 1921 and the regulations covering the rest of Canada, adopted by Order in Council in 1923. Copies of these regulations are attached hereto as Appendices S and T and both sets of regulations require that timber on Indian reserves be released or surrendered before sale in accordance with the provisions of the Indian Act, and that following a release the timber must be sold by public auction or by tender following a cruise and valuation. We have no timber cruiser immediately attached to the branch and if timber on a certain reserve is in demand and has not previously been cruised it is customary to seek special authority from the Governor in Council to sell the timber without a cruise at a price per thousand feet or per cord.

It has been estimated roughly that of the 5,500,000 acres of Indian reserve land in Canada approximately 2,500,000 are forest land and it may well be asked what is the department's policy with regard to this timber. The answer is definitely to manage it for the Indians in such a manner and to such purpose that by judicious cutting and possible reforestation it will be conserved as a source of long term revenue to the Indian owners and a long term source of supply to the Dominion. It is perhaps doubtful whether the amount of timber cut on Indian reserves since Confederation could be said to have been disposed of with that object in mind, but certainly there has not been the wastage of the

timber resources on reserves that there has been in other parts of the Dominion, probably for the reason that until fairly recent years timber operators, for the most part, paid little attention to the timber on Indian reserves due to the vast amount of timber that was available elsewhere.

It is not true to say that we have done our utmost to conserve the timber resources and that cutting on reserves under licences has always been carried out with the object on taking only timber of merchantable size and leaving the young growth untouched. There are certain timber areas where this policy is in effect at the present time and it is probable that it will be enforced more and more in future operations.

It is only on very rare occasions that the department approaches a band and suggests to the Indians that they surrender their timber resources in order that the department may look around and find a buyer. Rather it is the buyer that comes to the department and makes the first suggestion and if it is considered advisable under the circumstances to permit the timber to be sold, and it has not previously been surrendered, the question of surrender is placed before the band and if they are agreeable a formal surrender is taken.

A surrender having been given, the timber is then publicly advertised for sale by tender in accordance with the timber regulations and the successful tenderer is granted a licence to enter on the reserve and cut, subject to terms as to the amount of timber and kind that is to be removed and the dues that are to be paid. The operator is required to pay dues on the stumpage value of the timber cut and these dues payable as they are on a capital asset of the band are funded to the credit of the capital account of the band at Ottawa.

I mentioned previously that timber on an Indian reserve must be surrendered before being sold, and while this is absolutely correct when white operators are purchasing under licences it is not true as applied to a member of the band owning the reserve in question. In accordance with section 15 of the timber regulations, with the consent of the council of the band and the Minister, an Indian may be given a permit to cut timber for sale on his reserve subject to payment of timber dues at the rates prevailing in the district for the type of timber cut. It may well be asked why an Indian should pay dues on timber cut from his own reserve or from a parcel of land which has been allotted to him by the band with the approval of the department in accordance with the provisions of the Indian Act, and the answer is simply this: that timber is a capital asset of the band as a whole and as such no individual may benefit from its sale to the exclusion of the other members of the band and to unborn band members. While, therefore, an individual may be permitted to sell timber from his reserve the value of the standing timber as a band asset must be replaced, when the timber is cut, by a cash credit in the capital funds of the band, the cash credit being represented by the stumpage dues.

There are four exceptions to the general statement that timber may not be cut for sale without a surrender or without payment of dues. Section 50 of the Indian Act provides that the Minister may, without a surrender having been given, dispose to the best advantage in the interests of the Indians of wild grass and dead or fallen timber. The second and third exceptions are provided by section 119 of the Indian Act—subsections B and C. Subsection B provides that an Indian may cut trees for the immediate use of his family, which has been interpreted to mean for fuel purposes and subsection C gives him the right with the consent of the council and the minister to cut or use pine or large timber for building of his own location or farm. Fourthly, under the regulations, as a measurement of relief, the Minister may waive collection of dues on timber cut by an Indian on his reserve.

While up to this date no mining of any importance has been done on Indian reserves and no oil-well has been brought in on a reserve a considerable revenue has been derived from prospecting licenses and leases and there is some

possibility that in the future oil in commercial quantities may be found on reserves in Alberta.

As set out in section 50, subsection 2 of the Indian Act, the right to prospect for oil or natural gas on Indian reserves may only be given after a surrender of the land in question by the Indian band concerned. After a surrender has been given and accepted by the Governor in Council, the disposal of oil or gas rights is covered by the regulations adopted by Order in Council in 1944, in accordance with jurisdiction given by section 50, subsection 2, a copy of which is attached hereto as Appendix "V".

The regulations are based on and closely follow regulations in effect in the province of Alberta and provide in the first instance for giving of a permit to prospect for oil or gas. The area to be covered by any one permit is limited to 10,240 acres although there is actually no limit to the number of permits that any one company may hold. The permit allows the company to prospect for a period of one year on payment of a rental of 10 cents per acre and at the end of such year if the work has been proceeded with but not completed, a six months extension at the same rental may be granted.

At the termination of the permit term—twelve to eighteen months as the case may be, the permittee has a right to take up one-half the area under permit on a lease—the lease to run for a twenty-one year period at a rental of 50 cents per acre for the first year and $1.00 per acre yearly thereafter. The regulations further provide that during the term of the permit and the first two years of the lease expenditures for work done by the permittee may be set off against the rental owing. As mentioned previously there is no producing oil-well on any Indian reserve but should a well be brought in the regulations provide for payment of royalty in addition to the rental. The royalty is to be collected on a sliding scale based on production, the range being from 5 per cent to 15 per cent, with the lessee having the option of electing to pay a flat rate of 12½ per cent on all production. The regulations also provide that in accordance with part B of subsection two of section 50 of the Indian Act the lessee may secure a lease of the surface rights at the well-site at a rental of $1.00 per acre per year.

As I mentioned previously, there is no production of oil on an Indian reserve but there is some natural gas production on one reserve—the Six Nations Indian Reserve. The gas on this reserve is produced under a lease given in 1925 for a term of 20 years and such longer period as production is maintained, the royalty paid being at the rate of $50 for each 100,000 cubic feet of gas per day in open flow.

It is necessary to discuss the mining of minerals under three geographical headings: The Province of Ontario, the Province of British Columbia and the rest of Canada.

(*a*) *Ontario.*—Following a period of dispute and litigation in 1924, the Dominion Government and the Province of Ontario agreed that following surrender by the Indians minerals, including precious metals on any reserve, might be disposed of by the Dominion on the basis of one-half of the rental and royalty being paid to the province, excepting in the area of the Norhtwest Angle Treaty made in 1873, the method of staking the claims in Ontario to apply equally to Indian reserves subject to any conflicting provisions of the Indian Act. Regulations governing the staking of mining claims on Indian reserves were adopted by the Governor in Council in 1938 and a copy of the regulations is attached hereto as Appendix "V".

These regulations provide that a permit to prospect may be issued to a holder of a provincial mining licence and that, except as otherwise declared by the Minister of Mines and Resources, the regulations governing staking in force in the province shall apply. The regulations provide no rent for the first two years, and thereafter 50 cents per acre per year. On completion of 200 days of assessment work the claim owner may apply for a mining lease

for a term of 21 years, renewable, and under the said lease royalty is payable on a sliding scale ranging from 3 per cent to 10 per cent of the annual profits. That there is little mining in Ontario on reserves is evidenced by the fact that in the last two years only $360 has been collected as rental. There is no production of mineral ore on any Indian reserve in Canada.

(*b*) *British Columbia.*—Mining in British Columbia is governed by the British Columbia Indian Reserves Mineral Resources Act of 1943 which confirmed an arrangement reached with the province by the Dominion Government. This arrangement gave to the province the administration of all mining on Indian reserves in British Columbia following the surrender by the Indians of mineral rights. It provides that one-half of the revenue—rental, royalty and fees, shall be remitted to the Dominion for the benefit of the Indians concerned. No revenue has been received on this arrangement to date.

(*c*) *Other Provinces.*—There are no mining claims in other provinces in Canada on Indian reserves, but if there were they would come under the quartz mining regulations of 1938, a copy of which is attached hereto. All revenue derived therefrom would go directly to the Indians concerned as no arrangement as to division of ownership or revenue has been reached with these other provinces.

The sixth and seventh main headings are enfranchisement and band membership. Both of these phases of the work of the Reserves Division are carried out under the direct supervision of Mr. McCrimmon, the chief of the division, and as he will shortly be available to outline to you the department's policy and action, I do not propose to anticipate his brief by making any comment at this time.

The CHAIRMAN: I think we all appreciate very much the form of this brief. We will not dismiss Mr. Brown at the present time. Probably members of the committee will prepare their questions preferably in the order in which the brief is outlined.

Mr. MACNICOL: That is right.

The CHAIRMAN: And if we can arrange a meeting for next Tuesday we will have Mr. Brown back then.

Mr. CASTLEDEN: On page 48 you mention $50 and you talk about 100,000 cubic feet of gas per day. Does that $50 cover a year?

Mr. MACNICOL: I suggest we leave all these questions.

Mr. CASTLEDEN: The phraseology makes it difficult to understand what you mean. We can leave that as a notice of question.

The WITNESS: I think it would be better.

The CHAIRMAN: $50 for every thousand.

Mr. CASTLEDEN: 100,000 cubic feet of gas per day in open flow.

Mr. MACNICOL: It refers to the Six Nations Indians reserve, where the gas is flowing all the time.

Mr. CASTLEDEN: I was wondering if the $50 was per year.

Mr. MATTHEWS: I move we adjourn.

The CHAIRMAN: It will not be necessary for the departmental officials to be here on Thursday. It is a meeting at which we will discuss our procedure for the coming months. I would ask you to bring up on Thursday anything that you may have in mind as to the best means of facilitating the work of the committee. If there is nothing more we will now adjourn.

The committee adjourned at 1 o'clock p.m. to meet again at the call of the chair.

APPENDIX

CANADA

DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

APPLICATION

FOR

ADMINISTRATION OR PROBATE

THE ESTATE OF.....

.....BAND NO.....

OF THE.....BAND OF INDIANS

I.....Indian Agent for.....
Indian Reserve do hereby certify that by reason of education, business capacity and personal integrity, the above applicant is a fit and proper person to fulfil the duties of an administrator.

Omit if the applicant is the Indian Agent.

.....
Indian Agent

Letters .....

Issued to.....

Dated .....

APPLICATION FOR ADMINISTRATION, OR PROBATE

To the Minister of Mines and Resources:

IN THE MATTER OF THE ESTATE OF.....deceased

The petition of.....

of the.....Indian Reserve, in the Province

of.....sheweth:

Insert name of
(a) deceased
(b) applicant
(c) reserve

1. That .....

.....Band No.....of the.....

Band of Indians, died on or about the.....day of.....

A.D. 19....at.....Indian Reserve, on which

.....had.....fixed place of abode.

2. (*a*) That the deceased left no Will

or (*b*) That the deceased left a Will dated the.....day of.....

A.D. 19....naming.....as executor.

or (*c*) That the deceased left a Will dated the.....day of.....
A.D. 19.... but appointed no executor.

Strike out inapplicable section.

3. That the deceased left $\frac{\text{him}}{\text{her}}$ surviving the following next of kin and heirs at law:

Name	Relationship (to deceased)	Age
.....	.....	..... Yrs.
.....	.....	..... Yrs.
.....	.....	..... Yrs.
.....	.....	..... Yrs.
.....	.....	..... Yrs.
.....	.....	..... Yrs.
.....	.....	..... Yrs.
.....	.....	..... Yrs.
.....	.....	..... Yrs.
.....	.....	..... Yrs.
.....	.....	..... Yrs.
.....	.....	..... Yrs.

4. That your petitioner claims to be entitled to administration as.....

.....
(Executor named in will—Widow—Son—Daughter—Indian Agent, etc.)

5. That an inventory of the Real and Personal property and effects of the deceased as presently ascertainable are as herein listed, as follows:

Best possible description. Location Ticket number if any.

LAND INTERESTS:

CHATTEL INTERESTS:

PERSONAL EFFECTS:

6. That the debts of the deceased chargeable to the estate and including testamentary and funeral expenses, as presently ascertainable, are as listed herein, viz.:—

And your Petitioner prays that (*a*) Letters of Administration (*b*) Letters Probate, or (*c*) Administration with Will annexed, of the estate of the said deceased be granted and committed to this applicant.

.....
Signature of Applicant

To be completed by any one who has the required information.

IN THE MATTER OF THE ESTATE OF.....deceased

I.....of.....Indian Reserve No.....

make oath and say that I knew.....late of

the.....Indian Reserve No.....deceased.

That the said deceased died on or about the.....day of.....

A.D. 19...., at.....and that the said deceased

at the time of his death had his fixed place of abode at.....

Sworn before me at.....in the Province of..... this.....day of..... A.D. 19....

.....

.....
Indian Agent or Notary, etc.

I.....of.....in the Province of..... .....
(occupation)

To be signed by one of the witnesses.

make oath and say:

1. That I knew.....late of..... Indian Reserve, deceased.

2. That on or about the.....day of.....A.D..... I was personally present and did see the paper writing hereto annexed marked "A" signed by.....as the same now appears and as and for his last Will and Testament and that the same was so signed by the said.....in the presence of me and of .....who were both present at the same time, thereupon the said.....and I did at the request of the said.....and in his presence attest and subscribe the said Will.

Sworn before me at.....in the Province of..... this.....day of..... A.D. 19....

.....

.....
Indian Agent or Notary, etc.

I.....of.....in the Province of..... .....
(occupation)

Strike out inapplicable portions.

make oath and say:

1. That I am of the full age of Twenty-one years.
2. (*a*) That I am the sole executor or one of the executors of the Will or
   (*b*) That I am the applicant for Letters of Administration of the said.....

.....deceased.

3. That I do solemnly promise and swear that I will faithfully administer the property of the said deceased by paying his just debts and legacies so far as the same will thereto extend and the law bind me and by distributing the residue according to law and the terms of the Will (if any) and that I will exhibit under oath a true and perfect inventory of all the property of the said deceased and render a just and true account of its administration when lawfully required.

Sworn before me at.....in the Province of..... this.....day of..... A.D. 19....

.....
Applicant

.....
Indian Agent or Notary, etc.

APPENDIX R

INDIAN LOCATION TICKET

ISSUED UNDER SECTION INDIAN ACT

TRIPLICATE FOR DEPARTMENT

Be it Known by these Presents that

of the Indian Reserve
in the
in the
in the Province of
and Dominion of Canada, being a member of the

having been allotted by the Band owning the Reserve, with the approval of the Minister of Mines and Resources,

on the aforesaid Reserve, containing by admeasurement
acres of land, more or less, is hereby located for the same, under the provisions of Sections 21, 22 and 23, of the Indian Act, Chap. 98, Revised Statutes of Canada, 1927.

Given under my Hand and Seal at Ottawa, this
day of in the year of Our Lord,
one thousand nine hundred and

Director of Indian Affairs.

APPENDIX S

DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

Regulations Governing the disposal of Timber on Indian Reserves in the Province of British Columbia, established under the provisions of Section 76 of Indian Act, by Order of His Excellency in Council, dated the 5th day of May, 1921.

1. No timber on Indian Reserves shall be disposed of until a Surrender thereof has been obtained from the Indians in accordance with the provisions of the Indian Act.

2. The timber covered by such Surrender shall be cruised and valued, and the boundaries thereof established in such manner as may be directed by the Minister of Mines and Resources, and such cruise and valuation shall be filed in the Indian Affairs Branch of the Department of Mines and Resources.

3. The berth or timber limit thus cruised shall be offered for sale by public tender, and the advertisement of sale shall specify the approximate quantity of timber on the limit without in any way giving a guarantee that such quantity would be produced should the limit be properly worked. Such advertisement shall further specify the period of time that will be allowed in which the whole of the merchantable timber shall be cut and removed.

Provided, that should the value of such timber not exceed the sum of $500, the Minister may dispose of the timber to the best advantage in the interest of the Indians, without public advertisement.

4. Every offer to purchase a licence, which shall be in the form as shown under section No. 18 hereunder, to cut and remove timber from an Indian Reserve under these regulations, shall include an offer by and on the part of the offerer or tenderer to pay to the Indian Affairs Branch of the Department of Mines and Resources:—

(*a*) An annual rental at the rate of twenty cents (20c.) per acre.
(*b*) Licence fee of fifty dollars ($50).
(*c*) The royalty for each class or kind of timber at the rate shown under section No. 6 hereunder.
(*d*) Such upset price as the department may establish for the sale in question, payable either as a lump sum before the issue of the licence or as stumpage per thousand feet board measure or per cord or per lineal foot as the case may be.
(*e*) Such further price in addition to the upset price as the tenderer is prepared to pay.

5. Each tender must be accompanied by an accepted cheque on any Canadian chartered bank covering the following items:—

(*a*) Rental for one year.
(*b*) Licence fee.
(*c*) Deposit of ten per cent (10%) of the stumpage price and royalty tendered as applied to the total estimated quantity of timber on the limit.

Such cheque will be dealt with in the following manner:—

1. Returned forthwith if the tender is not accepted.
2. Held in trust to be returned upon the satisfactory completion of the undertaking.
3. Forfeited to the department if the undertaking is not completed to the satisfaction of the Minister of Mines and Resources.

6. Royalties to be paid on timber cut from Indian reserves under licence shall be as follows:—

(*a*) $1 per thousand feet board measure on all timber suitable for saw-logs, boom-sticks, etc., scaled under the British Columbia log rule.
(*b*) 75 cents per cord of 128 cubic feet on all timber suitable for shingle bolts, pulpwood, cordwood or other wood goods customarily measured by the cord.
(*c*) 2 cents per lineal foot on all timber suitable for piling, poles and spars.
(*d*) 5 cents per tie and 3 cents per post.

7. The stumpage and royalty on timber cut under authority of each licence shall be charged upon the quantities, grades and kinds of timber as certified by a duly qualified scaler and all fees for such scaling shall be paid by the licensee.

68690—3½

Provided: that in cases where such timber is not scaled until its arrival at the mill, the licensee shall furnish a statement in the form of affidavit showing the number of pieces and kinds of timber and the approximate measurement thereof composing any raft, boom or crib before such timber was removed from the Indian Reserve.

Provided also: that when it is shown to the satisfaction of the Minister that the services of a licensed scaler cannot be obtained by the licensee or the person in charge of his lumbering operation, the department may appoint an unlicensed person as an acting-scaler temporarily, until the services of a duly qualified scaler are available for the purpose. All losses sustained during the towage or conveyance of logs or timber from the point of cutting to the point of scaling shall be borne by the licensee.

8. A licensee shall be required to pay an original licence fee of fifty dollars ($50) and if he has complied wtih the existing regulations he shall be entitled to have his licence renewed upon application to the Minister, and for each renewal there shall be paid a fee of two dollars ($2).

9. Prior to the commencement of any lumbering operation on an Indian Reserve and before the issue of any timber licence to authorize such operation, a distinguishing timber-mark shall be designated by the Minister, and such mark shall be placed on each piece of timber cut and removed from such reserve so as to distinguish such timber from that cut from lands other than the reserve in question.

10. The Minister of Mines and Resources or other officer deputed by him shall prior to the sale of any berth or limit determine the necessity or otherwise of placing such berth or limit under an adequate system of forest protection and the licensee of such berth or limit shall be required to defray half the cost incurred by the department in protecting the same.

The licensee shall further be required to:—

(*a*) Utilize all the timber in every tree cut down and manufacture the same into lumber or other saleable product.

(*b*) Dispose of the tops, branches and other debris resulting from his operation in accordance with the directions of the proper officer of the Indian Affairs Branch of the Department of Mines and Resources, so as to prevent as much as possible the danger of fire.

(*c*) Exercise strict and constant supervision to prevent the origin or spread of fires, and shall prevent all unnecessary destruction of the growing timber on the part of his men.

11. All timber licences are to expire on the 30th day of April next after the date thereof, and all renewals are to be applied for before the 1st day of July following the expiration of the last preceding licence, in default whereof the berth or limit may in the discretion of the Minister be declared forfeited.

12. Timber cut on reserves for which the licences have been suspended or held in abeyance shall be considered as having been cut without authority and treated accordingly.

13. No renewal of any licence shall be granted unless the limit covered thereby has been properly worked during the preceding season or sufficient reason be given under oath, and the same be satisfactory to the Minister, for the non-working of the limit, and unless or until the rental and any royalty due on the previous season's operations shall have been paid.

14. All transfers of timber licences shall be made in writing, but shall be subject to the approval of the Minister, to whom they shall be submitted for approval or rejection, and they shall be valid only from such time as the approval is expressed in writing. A fee of five dollars ($5) shall be payable in respect of each transfer, but no transfer shall be accepted whilst the licensee is in default for non-payment of royalty or other charges.

15. The Minister of Mines and Resources or any authorized agent shall at all times have free access to and be permitted to examine the books and memoranda kept by any licensee, showing the quantity of lumber in board measure sawn by him from logs cut on his berth or berths, and failing to produce such books and memoranda when required so to do, will subject such licensee to a forfeiture of his right to a renewal of his licence.

16. When any licence holder is in default for, or has evaded the payment of royalty to the Indian Affairs Branch of the Department of Mines and Resources, on any part of the timber or sawlogs, such royalty may be levied on any other timber or sawlogs belonging to such defaulter, cut under licence.

17. Before the issue of any timber licence the licensee or licensees thereof shall furnish security by a bond of himself or themselves, and two responsible sureties, for such amount as the Minister of Mines and Resources may consider sufficient to ensure the proper working of the limit, the due fulfilment by him or them of the conditions of the licence, and the due observance of all the regulations of the department in respect to the timber to be cut. The giving of such security shall not, however, in any way prejudice the right of the Minister or his agent, to levy upon any timber cut or owned by the holder or holders of the licence, or to cancel the said licence should there appear to him to be sufficient cause for so doing.

18. *Form of Licence.*

LICENCE TO CUT TIMBER ON INDIAN RESERVES IN THE PROVINCE OF BRITISH COLUMBIA

No .....

File .....

By Authority of Chapter 81 of the Revised Statutes of Canada, and amendments thereto, and for and in consideration of the payments made, and to be made to the credit of Indian Funds:—I do hereby give unto and unto Agents and Workmen full power and Licence to cut upon the Location described upon the back hereof, and to hold and occupy the said Location to the exclusion of all others, except as hereinafter mentioned:—from 19 to 19 , and no longer; with the right of conveying away the said Timber through any ungranted or waste Indian Lands.

And by virtue of this Licence the said Licensee has right by the said Statute to all timber cut by others in trespass on the ground hereby assigned, with full power to seize and recover the same anywhere within the Dominion of Canada.

But this Licence is subject to the following conditions, viz.:

That the dues to which the Timber cut under its authority are liable, shall be paid as follows, namely:—

Under a sworn return furnished by a licensed scaler and on or before the 30th of November following the season in which the timber is cut.

That all Lots sold prior and all Lots sold subsequently to the date hereof, and which have been settled upon and are being cleared for cultivation, shall be exempt from the operation of this Licence, excepting in so far as Pine and Spruce merchantable timber are concerned, which this Licence will continue to control until all conditions of sale have been fulfilled.

That any person or persons may, under authority of the Minister of Mines and Resources, at all times, make and use Roads upon, and travel over, the ground hereby licensed.

That nothing herein shall prevent any person or persons, having authority from the Minister of Mines and Resources to do so, from taking the standing Timber of any kind to be used for the making of Roads and Bridges, or for Public Works.

And that persons settling under lawful authority or title within the Location hereby licensed shall not in any way be interrupted in clearing and cultivating by the said Licensee, or any one acting for

or by permission.

And further upon condition that the said Licensee or representative shall comply with all regulations that are or may be established by Order in Council, and shall submit all the Timber cut under this Licence to be counted or measured, and shall settle for the duties chargeable thereon when required by me or any officer thereunder authorized,—otherwise the said timber will be forfeited to the Crown, and the said Licensee be subject to such other penalty or penalties as provided by law.

Given under my hand at Ottawa, this day of in the year of Our Lord one thousand nine hundred and

.....

Director of Indian Affairs.

Amount payable on giving this Licence ....

Bonus, $

Deposit, $

Ground Rent, $

Licence Fee, $

The above named Licensee shall be bound before or when paying the ground rent and renewal fee—if the Licence is renewed—to declare on oath whether still the bona fide proprietor of the limit hereby licensed, or whether sold or transferred it, or any part of it, or for whom hold it.

We have read and comprehend the nature of the obligations contained in this Licence, and we bind ourselves jointly and severally, and each of our Heirs, Executors, Curators and Administrators to pay all duties that may become due and payable to His Majesty, His Heirs or Successors on any Timber cut or acquired by virtue of this Licence, in the event of the above named Licensee failing or refusing to pay the same or to give satisfactory bonds for payment thereof.

Signature of Licensee:

.....

The timber limit or berth covered by this Licence No. ..... comprises the following lands:—

Royalties payable:—

Stumpage payable:—

This Licence No. ..... renewable yearly, under the provisions of section No. 13 of the Regulations governing the disposal of timber in Indian Reserves in the province of British Columbia, for a period of ..... years.

Timber-mark to be placed on timber cut under authority of this Licence No. ..... thus:—

APPENDIX T

DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

Regulations governing the disposal of Timber on Indian Reserves in the Dominion of Canada with the exception of those situated in the Province of British Columbia, under the provisions of section 76 of the Indian Act, by Order of His Excellency in Council, dated the 1st day of May, 1923, P.C. 752.

1. No timber on Indian Reserves shall be disposed of until such timber has been released in accordance with the provisions of the Indian Act.

2. The timber covered by such release shall be cruised and valued and the boundaries thereof established in such manner as may be directed by the Minister of Mines and Resources, and such cruise and valuation shall be recorded in the Department of Mines and Resources.

3. The berth or limit thus cruised shall be offered for sale by public auction at the upset price fixed by such valuation, or by tender, at such time and on such conditions as the Minister shall direct by public notice for that purpose; but in the event of berths or limits being offered for sale by tender, the Minister shall not be bound to accept the highest or any tender should he deem it in the interest of the Indians who own the timber to do otherwise;

Provided that should the value of such timber not exceed the sum of $500, the Minister may dispose of the timber to the best advantage in the interest of the Indians, without public advertisement.

4. Every offer to purchase a licence, to cut and remove timber from an Indian Reserve under these regulations, which shall be in the form as shown under section No. 24 hereunder, shall include an offer by and on the part of the offerer or tenderer to pay to the Department of Mines and Resources:—

(*a*) An annual rental at the rate of $5 per square mile.
(*b*) Licence fee of $4.
(*c*) The dues on each class or kind of timber at the tariff rate shown under Section No. 20 hereunder.
(*d*) Such upset price as the Department may establish for the sale in question, payable as a lump sum before the issue of the licence, or as stumpage per thousand feet board measure, or per cord, or per lineal foot as the case may be.
(*e*) Such further price in addition to the upset price as the tenderer is prepared to pay.

5. Each tender must be accompanied by an accepted cheque on any Canadian chartered bank, for such amount as the Minister shall direct by public notice, so as to ensure the proper carrying out of the undertaking; such cheque to be retained by the Department in the event of acceptance of tender; returned forthwith if the tender is not accepted; and forfeited to the Department if the undertaking is not completed to the satisfaction of the Minister.

6. A licensee shall be required to pay a licence fee of $4 and if he has complied with the existing regulations he shall be entitled to have his licence renewed upon application to the Minister, and for each renewal there shall be paid a fee of $2.

7. No renewal of any licence shall be granted unless the limit covered thereby has been properly worked during the preceding season, or sufficient reason be given under oath and satisfactory to the Minister, for the non-working of the limit, and unless or until the rental and any dues payable on timber cut during the previous season shall have been paid.

8. All timber licences shall expire on the 30th day of April next after the date hereof, and all renewals must be applied for on or before the 1st day of July following the expiration of the last preceding licence, in default whereof the berth or limit may in the discretion of the Minister be declared forfeited.

9. Timber cut on berths or limits for which the licence has been suspended or held in abeyance shall be considered as having been cut without authority and treated accordingly.

10. The stumpage and dues on timber cut under authority of each licence or permit shall be charged upon the quantities, grades and kinds of timber as certified by a duly qualified culler or scaler, and all fees for such scaling shall be paid by the licensee;

Provided: that in cases where such timber is not scaled until its arrival at the mill, the licensee shall furnish a statement in the form of affidavit showing the number of pieces and kinds of timber and the approximate measurement thereof composing any raft, boom or crib, before such timber was removed from the Reserve, and all losses sustained during the towage or conveyance of logs or timber from the point of cutting to the point of scaling shall be borne by the licensee.

Provided also: that when it is shown to the satisfaction of the Minister that the services of a licensed scaler cannot be secured by the licensee or the person in charge of his operations the Department may appoint an unlicensed person as an acting scaler temporarily or until the services of a qualified scaler are available for the purpose.

11. The Minister or any authorized agent shall at all times have free access to and be permitted to examine the books and memoranda kept by any licensee showing the quantity of lumber in board measure sawn by him from logs cut on his timber berths, and failing to produce such books and memoranda when required so to do shall subject such licensee to a forfeiture of his right to a renewal of his licence.

12. When any licensee is in default for or has evaded the payment of dues to the Department of Mines and Resources on any part of his timber or saw-logs, such dues may be levied on any other timber or saw-logs belonging to such licensee or defaulter, cut under licence.

13. Dues on all kinds of timber cut under licence or permit which remain unpaid on the 30th day of November following the season in which such timber was cut, shall be subject to interest at the rate of six per cent per annum from that date, but without prejudice to the Department of Mines and Resources to enforce payment of such outstanding dues at any time that the Minister may think proper.

14. In cases where timber although cut in trespass on Indian lands or reserve was so cut through error in good faith by licensees or other parties, it shall be lawful for the Minister to exact in settlement a penalty equivalent to double, triple or quadruple the ordinary rate of dues as established by section No. 20 hereunder according to circumstances, in addition to cost of seizure and other expenses incurred in connection with the investigation into such trespass.

15. Permits to cut timber for sale on an Indian Reserve which is not covered by timber licence may be granted by the Minister or other officer deputed by him, to the Indians of the band who own the Reserve, with the consent of the council of the band, and subject to the payment of dues at the

tariff rate as shown under section No. 20; such dues to be credited to the funds of the band.

Provided: that the Minister may waive collection of the dues as a measure of relief to the Indians, should he deem it in their interest to do so.

16. (Rescinded June 7, 1935.)

17. All timber berths or limits, shall be subject to an annual ground rent of $5 per square mile payable in advance before the issue of any licence or renewal thereof, and in computing the ground rent, no licence shall be charged at less than eight square miles in area.

18. Before the issue of any timber licence the licensee or licensees thereof shall furnish security by a bond of himself or themselves and two responsible sureties for such amount as the Minister may consider sufficient to ensure the proper working of the limit, the due fulfilment by the licensee of the condition of the licence, and the proper observance of all the regulations of the Department with respect to the timber to be cut. The giving of such security shall not however in any way prejudice the right of the Minister or his agent to levy upon any timber cut or owned by the holder or holders of the licence or to cancel the said licence should there appear to be sufficient cause for so doing.

19. All transfers of timber berths shall be made in writing but shall be subject to the approval of the Minister, to whom they shall be transmitted for approval of rejection, and they shall be valid only from the time of such approval to be expressed in writing. In all cases of transfer of limits or timber berths they will be subject to the payment of $2 per square mile for each limit or berth, and in proportion if only a part is transferred or if the licensee takes in one or more partners with him.

20. The tariff of dues chargeable on timber cut under permit shall be as follows:—

Pine logs	per M f.b.m.	$2 50
Logs cut from trees of deciduous species, hardwood varieties, i.e., maple, beech, ash, birch, elm, hickory, oak and basswood	per M f.b.m.	2 00
Logs cut from trees of coniferous species other than pine, i.e., cedar, spruce, hemlock, fir and tamarac	per M f.b.m.	1 50
Logs cut from trees of deciduous species, softwood varieties, i.e., poplar and balm of gilead	per M f.b.m.	1 00
Shingle bolts	per cord of 128 cu. ft.	0 75
Pulpwood	per cord of 128 cu. ft.	0 40
Cordwood (hardwood)	per cord of 128 cu. ft.	0 30
Cordwood (softwood)	per cord of 128 cu. ft.	0 20
Ties	each	0 04
Posts	each	0 02
Poles, piling, spars, pit props, etc., per lineal ft.		0 02

All other forest products not enumerated, 15 p.c. ad valorem.

21. Licences shall specify the species of trees and the minimum diameter size to be cut, which shall be at a distance of not less than 18 inches from the ground, and licensees shall not have the right to cut any trees that may be designated by the proper officer of the Department of Mines and Resources as required to provide an adequate supply of seed for the reproduction of the forest.

22. The Minister or other officer deputed by him shall, prior to the sale of any berth or limit determine the necessity or otherwise of placing such berth or limit under an adequate system of forest protection and the licensee of such berth or limit shall be required to defray half the cost incurred by the Department in protecting the same. The licensee shall further be required to:—

(*a*) Utilize all the timber in every tree cut down and manufacture the same into lumber or other saleable product.

(*b*) Dispose of the tops, branches and other debris resulting from his operations, in accordance with the directions of the proper officer of the Department of Mines and Resources, so as to prevent as much as possible the danger of fire.

(c) Exercise strict and constant supervision to prevent the origin or spread of fire and shall prevent all unnecessary destruction of the growing timber on the part of his men.

23. Prior to the commencement of any lumbering operation on an Indian Reserve and before the issue of any timber licence to authorize such operation, a distinguishing timber-mark shall be designated by the Minister, and such mark shall be placed on each piece of timber cut and removed from such Reserve so as to distinguish such timber from that cut from lands other than the Reserve in question.

24. Form of Licence:—

LICENCE TO CUT TIMBER ON INDIAN RESERVES IN THE DOMINION OF CANADA EXCEPTING THOSE SITUATE IN THE PROVINCE OF BRITISH COLUMBIA

No......

File.....

By authority of Chapter 81 of the Revised Statutes of Canada and amendments thereto, and for and in consideration of the payments made, and to be made to the credit of Indian Funds:—I do hereby give unto

and unto Agents and Workmen full power and Licence to cut

upon the Location described upon the back hereof, and to hold and occupy the said Location to the exclusion of all others, except as hereinafter mentioned:—

from 19

to 19 , and no longer; with the right of conveying away the said Timber through any ungranted or waste Indian Lands.

And by virtue of this Licence the said Licensee has right by the said Statute to all timber cut by others in tresspass on the ground hereby assigned, with full power to seize and recover the same anywhere within the Dominion of Canada.

But this Licence is subject to the following conditions, viz:—

That the dues to which the Timber cut under its authority are liable, shall be paid as follows, namely:—

Under a sworn return furnished by a licensed scaler and on or before the 30th of November following the season in which the timber is cut:

That all Lots sold prior and all Lots sold subsequently to the date hereof, and which have been settled upon and are being cleared for cultivation, shall be exempt from the operation of this Licence, excepting in so far as Pine and Spruce merchantable timber are concerned, which this Licence will continue to control until all conditions of sale have been fulfilled:

That any person or persons may, under authority of the Minister of Mines and Resources, at all times, make and use Roads upon, and travel over, the ground hereby licensed:

That nothing herein shall prevent any person or persons, having authority from the Miinster of Mines and Resources to do so from taking the standing Timber of any kind to be used for the making of Roads and Bridges, or for Public Works:

And that persons settling under lawful authority or title within the Location hereby licensed shall not in any way be interrupted in clearing and cultivating by the said Licensee, or any one acting for

or by permission.

And further upon condition that the said Licensee or representatives shall comply with all regulations that are or may be established by Order in Council, and shall submit all the Timber cut under this Licence to be counted or measured, and shall settle for the duties chargeable thereon when required by me or any officer thereunto authorized—otherwise the said timber will be forfeited to the Crown, and the said Licensee be subject to such other penalty or penalties as provided by law.

GIVEN UNDER MY HAND at Ottawa, this day of in the year of Our Lord one thousand nine hundred and

.....

Director of Indian Affairs.

(Amount payable on giving this Licence)

Bonus, $

Deposit, $

Ground Rent, $

Licence fee, $

The above named Licensee shall be bound before or when paying the ground rent and renewal fee—if the Licence is renewed—to declare on oath whether still the *bona fide* proprietor of the limit hereby licensed, or whether sold or transferred it, or any part of it, or for whom hold it.

We have read and comprehend the nature of the obligations contained in this Licence, and we bind ourselves jointly and severally, and each of our Heirs, Executors, Curators and Administrators to pay all duties that may become due and payable to His Majesty, His Heirs or Successors on any Timber cut or acquired by virtue of this Licence, in the event of the above-named Licensee failing or refusing to pay the same or to give satisfactory bonds for payment thereof.

SIGNATURE OF LICENSEE:—

.....

.....

The timber limit or berth covered by this Licence No. ..... comprises the following lands:—

Dues payable:—

Pine logs	per M f.b.m.	$2 50
Logs cut from trees of deciduous species, hardwood varieties, i.e., maple, beech, ash, birch, elm, hickory, oak and basswood	per M f.b.m.	2 50
Logs cut from trees of coniferous species other than pine, i.e., cedar, spruce, hemlock, fir and tamarac	per M f.b.m.	1 50
Logs cut from trees of deciduous species, softwood varieties, i.e., poplar and balm of gilead	per M f.b.m.	1 50
Shingle bolts	per cord of 128 cu. ft.	0 75
Pulpwood (Spruce)	per cord of 128 cu. ft.	1 50
Pulpwood (Balsam)	per cord of 128 cu. ft.	0 75
Pulpwood (Other)	per cord of 128 cu. ft.	0 40
Cordwood (hardwood)	per cord of 128 cu. ft.	0 50
Cordwood (softwood)	per cord of 128 cu. ft.	0 25
Ties	each	0 10
Posts		0 02
Poles, piling, spars, pit props, etc., per lineal ft.		0 02

All other forest products not enumerated, 15 p.c. ad valorem.

Stumpage payable:—

This Licence No. ..... renewable yearly, under the provisions of section No. 7 of the Regulations governing the disposal of timber on Indian Reserves, with the exception of those in the province of British Columbia, for a period of .....years.

Timber-mark to be placed on timber cut under authority of this Licence No. ..... thus:—

APPENDIX U

P.C. 5315

PRIVY COUNCIL

CANADA

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 13th day of July, 1944.

PRESENT:

HIS EXCELLENCY
THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Minister of Mines and Resources, and under the authority of Chapter 31, 2, George VI, being an Act to Amend the Indian Act, Chapter 98, Revised Statutes of Canada, 1927, is pleased to make the attached regulations with respect to prospecting for and disposal of petroleum and natural gas on Indian Reserves and Indian lands and they are hereby made and established in supersession of the regulations made by Order in Council P.C. 2103, dated the 31st day of August, 1938.

A. D. P. HEENEY,
Clerk of the Privy Council.

The Honourable
The Minister of Mines and Resources.
44-25-606

DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

CANADA

Regulations For The Prospecting For And The Disposal Of Petroleum And Natural Gas On Indian Reserves And Indian Lands

1. These regulations shall be applicable to the prospecting for and recovery of all petroleum and natural gas within Indian Reserves and Indian lands which have been released or surrendered to the Crown in accordance with the provisions of the Indian Act.

2. In the construction of these regulations the following expressions shall have the following meanings respectively unless inconsistent with the context—

"Agent" shall mean a Commissioner, Superintendent, Indian Agent or other officer acting under the instructions of the Minister or Director;

"Branch" shall mean the Indian Affairs Branch of the Department of Mines and Resources;

"Department" shall mean the Department of Mines and Resources;

"Director" shall mean the Director of the Indian Affairs Branch of the Department of Mines and Resources;

"Minister" shall mean the Minister of Mines and Resources;

"Allowable Production" shall mean the greatest amount of petroleum, natural gas, or both, that shall be produced in 24 hours from a well drilled on a location or on an authorized group of locations;

"Group" shall mean two or more locations described in petroleum and natural gas leases consolidated for purposes of operation;

"Lessee" shall mean any individual, partnership, company or corporation the holder of a petroleum and natural gas lease in good standing;

"Location" shall mean the tract described in a petroleum and natural gas lease;

PART I

3. The Agent for the lands in which the rights applied for are situated or any other officer appointed by the Minister or Director for the particular purpose may receive applications for permits to prospect for petroleum and natural gas on Indian Reserves and Indian lands and the Minister may, in his discretion, issue such permits subject to the terms and conditions of these regulations.

4. The area and dimensions thereof which may be applied for shall be not more than 10,240 acres and, if available, not less than 2,560 acres but the Minister in his discretion may refuse to grant a permit for all of the area applied for.

5. If the area applied for is situate in subdivided lands it shall consist of sections, legal subdivisions or lots and aliquot parts of lots according to the subdivision but if situated in unsubdivided lands shall contain a description in metes and bounds of the area applied for, accompanied by a plan showing position of such location in its relation to some point known but in either case the boundaries of the area to be included in the permit shall be subject to the approval of the Director.

6. A fee of $5.00 shall accompany each application for a prospecting permit together with the amount of the first years' rental of 10c per acre for the area applied for. If the area applied for be greater than the area granted the applicant shall be entitled to a refund of the rental paid in excess.

7. The Agent or other officer of the Department authorized to receive applications for prospecting permits shall immediately endorse thereon over his signature the date, hour and minute when each such application is received and priority of filing shall prevail.

8. The term of the permit shall be one year from the date of issue provided, however, that the Minister may if he considers that prospecting operations have been diligently proceeded with and the terms and conditions of the permit fully complied with, grant to the permittee a further permit for a period not exceeding six months upon payment of additional rental at the rate of 10c per acre for each acre applied for and at the expiration of either of the aforesaid times all rights granted therein shall automatically cease and determine provided, however, that the Minister may in his sole discretion grant further extensions of time on such terms and conditions as he may deem advisable provided that the application therefor is made during the life of the permit.

9. Before prospecting operations on the area described in the permit shall be commenced, the permittees shall submit to the Director a statement containing detailed information as to the character of the operations to be conducted

including a description of the methods to be employed in collecting required geological information, the method by which such information is to be conveyed to the Director and the uses, purposes and disposal of any cores which may be obtained together with the personnel to be employed, the date upon which the prospecting operations are to be commenced, and the approximate date upon which they are to be completed. The applicant shall commence prospecting operations within 90 days of the issue of the permit and thereafter diligently prosecute such operations to the satisfaction of the Minister. Failure to commence prospecting operations within that period shall automatically terminate the permit. If the permittee should fail to carry on prospecting operations to the satisfaction of the Minister, the Minister may terminate the permit on giving 30 days notice in writing to the permittee of his intention so to do. Such notice shall be sufficiently served on the permittee if mailed to him by registered post to his last known address or if left at the said address. A notice sent by post shall be deemed to be given at the time when in due course of post it would be delivered at the address to which it was sent.

10. The permittee shall from time to time, as prospecting and drilling operations proceed, furnish the director, free of cost, and in the manner determined with all geological and other data and reports obtained as a result of such prospecting and drilling, also with the logs of the several wells drilled, the conditions ascertained, and the results obtained.

Prior to the termination of the period for which the permit was granted, the permittee shall submit under affidavit to the Director a full and detailed statement of the geological examination, prospecting or drilling operations, conducted on the area during the term of the permit and the several items of expenditure so incurred, and the specific purpose for which each such item was expended.

11. The permittee may relinquish his permit at any time during the term thereof and/or provided that the prescribed terms and conditions of his permit have been complied with and accepted as satisfactory by the Minister he shall be entitled to a lease or leases of such portion of the area as he may select not exceeding one half thereof.

12. At the time of the application for a lease and upon receipt of evidence satisfactory to the Minister that the permittee has incurred, during the term of his permit, expenditures in actual core drilling, or other operations on the area for purposes of structural discovery, exclusive of the cost of the machinery and casing employed and of all other extraneous expenses, credit may be granted the permittee for such portion of the confirmed expenditure so incurred as the Minister may consider advisable.

The whole or such portion of the credit so established may, in the discretion of the Minister, be applied on account of the prescribed rental due for the first year under a petroleum and natural gas lease or leases under the provisions of these regulations by such permittee of that portion of the area described in the lease or leases which the permittee may be granted under the provisions of Part II of these regulations. Any unused portion of such credit shall automatically lapse.

13. At the expiration or sooner determination of the permit, in case the permittee has not exercised his right to apply for a lease under the regulations, such area may again in the sole discretion of the Minister become available for application under these regulations.

14. The permittee shall not assign, transfer or sublet the rights granted under the permit, or any portion thereof, or any interest therein, without the consent in writing of the Director being first had and obtained.

15. The permittee, his agents or employees engaged specifically in prospecting the area shall have the right of entry on the land held under permit but shall be held responsible for any damage arising from such operations.

16. If in the course of drilling, natural gas or potable waters are discovered, such natural gas and waters shall be controlled and the Minister may take over such boring and utilize such natural gas or waters free of cost, the permittee shall have the use of such natural gas or waters as may be required by him in connection with the exercise of his rights granted by the permit.

17. All fires used by the permittee shall be so safeguarded that no hazard to surrounding property shall be created.

18. The petroleum and natural gas rights within the area included in any permit which has not been granted in a lease or leases to the permittee shall not be available for disposal under these regulations for a period of one year after the termination of the said permit, provided, however, that the Minister may dispose of such rights in the said portion or any part thereof by public auction, competitive tender or otherwise as he may determine.

Part II

19. The petroleum and natural gas rights which are available may be leased to applicants on the terms and conditions provided herein.

20. The lease shall be in such form as may be determined by the Minister in accordance with the provisions of these regulations and shall be for 21 years renewable for a further term of 21 years provided the lessee shall furnish evidence satisfactory to the Minister to show that during the term of the lease he has complied fully with the provisions of such lease and with the provisions of the regulations in force from time to time during the currency of the lease and provided further that such renewal shall be subject to the regulations then in force or to any amendments thereof made thereafter.

21. The lease shall in all cases include the right only to the petroleum and natural gas in the lands leased that can be obtained by the usual processes of drilling, but not the right to mine oil shale or to extract the oil that may be recovered from such shale and shall not include helium.

22. The rental for the first year of the lease shall be 50c per acre and for each subsequent year $1.00 per acre, payable yearly in advance; all rentals in arrears shall bear interest at the rate of 5 per cent per annum.

23. The lessee may, upon application, be granted a lease at a rental of one dollar an acre per annum, payable yearly in advance, of whatever area of the available surface rights of the tract described in his petroleum and natural gas lease the Minister may consider necessary for the efficient and economical working of the rights granted him. The surface lease shall be concurrent with the petroleum and natural gas lease.

24. In case the surface rights of a petroleum and natural gas location are covered by a timber licence, grazing or coal mining lease, mining claim or other form of terminable grant, the lease shall not authorize entry thereon without the permission of the Minister being first had and obtained, and such permission shall be given subject to such conditions for the protection of the rights of such licensee or lessee as it may be considered necessary to impose.

25. The maximum area of a petroleum and natural gas location shall be 2,560 acres. The minimum area of a location shall not be less than 160 acres, except in such special cases as the Minister in his sole discretion may decide as being proper and convenient.

26. Application for a lease other than from the holder of a permit shall be filed by the applicant with the Agent of the Indian Reserve in which the rights applied for are situate or an officer of the Department authorized to receive such application. The application shall be on a form to be approved of by the Minister and shall be accompanied by a fee of $5.00.

27. No lease shall be granted to, nor shall any assignment be accepted from or in favour of, any person indebted for rent or royalty or is otherwise in default under any permit or lease issued to him.

28. Any company acquiring by assignment, or otherwise, a lease under the provisions of these regulations, shall be a company incorporated, registered or licensed in Canada.

29. The location applied for shall consist of sections, legal subdivisions or lots and aliquot parts of lots according to the subdivision, but the several parcels as grouped to comprise the tract shall be one rectangular block the length of which shall not exceed four times its breadth.

30. Application for a location situate in unsubdivided areas shall contain a description by metes and bounds of the location applied for, and shall be accompanied by a plan showing the position of such location in its relation to some known point provided that where the lands adjoining are subdivided into sections the plan may show section lines projected into the area and the location applied for may comprise sections or legal subdivisions of sections. The plan shall contain sufficient data to admit of the position of the location applied for being definitely shown in the records of the Branch. The location must be rectangular in form, except where a boundary of a previous location is adopted as common to both or where the location is bounded by an irregular limit of the area, the length not to exceed four times the breadth.

31. As soon as the subdivision survey of an Indian Reserve has been approved, all petroleum and natural gas leases embracing any portion of such reserve so surveyed and approved, shall be made to conform to the subdivision of the reserve, if the Minister so decides, by the substitution of a new lease describing by sections, legal subdivisions of sections or regular portions of lots, as nearly as may be, the tract embraced in the leasehold, in so far as the reserve so surveyed is concerned. If any part of the leasehold is in territory which remains unsubdivided it shall continue to be described as in the lease originally issued until such portion is included in an approved survey.

32. If for any reason, it is considered necessary or advisable to have a survey made of any location or locations applied for or leased under these regulations, the Minister may direct that such a survey be made by a duly qualified land surveyor under proper instructions, and may require payment in advance of the costs of such survey to be made by the applicant for, or the recorded owner of, the location or locations to be surveyed in whole or in part, or the Minister may require such portion of the payment of the costs as may seem to him just. Failure on the part of the applicant or lessee to make such payment in advance, when called upon to do so by the proper officer of the Department shall render the application or lease subject to immediate cancellation in the discretion of the Minister.

33. The rental of the location for the first year shall accompany the application, and no application for a lease of petroleum and natural gas rights shall be accepted or recorded until the full amount of the rent for the first year shall have been paid in cash or by established credit.

34. When credit has been established under the provisions of Part I of these regulations, the whole or any portion of the credit so established may at the discretion of the Minister be applied for the first year only on account of the prescribed rental of a location acquired under the provisions of these regulations.

35. If during the term of the lease the lessee shall fail to pay rental in advance for each subsequent year within thirty days after the date on which the same became due, together with interest thereon, whether demanded or not, the lease shall be subject to cancellation in the discretion of the Minister without notice to the lessee.

36. The lessee shall commence drilling operations with suitable machinery and equipment capable of adequately testing the location within three months of the date of his lease or within such further time as the Minister may in writing approve and he shall continue such drilling operations with reasonable diligence, to the satisfaction of the Minister with a view to the discovery of petroleum or natural gas. If the lessee does not commence drilling operations within the time prescribed, or if having commenced such operations he does not prosecute the same with reasonable diligence, to the satisfaction of the Minister, or if he ceases to carry on the same for a period of more than three months, the lease shall be subject to cancellation in the discretion of the Minister upon thirty days' notice to this effect being given to the lessee.

37. No well shall be drilled within 300 feet of any road allowance, surveyed road, railway right of way, or the boundaries of any dwelling, school, church, or of the location, without the written consent of the Minister or Director.

38. The Minister may permit a lessee who has acquired by assignment or otherwise more than one petroleum and natural gas lease where the locations are contiguous and on the same oil structure to consolidate his operations and expenditures on one or more of the locations upon such terms and conditions as he may consider advisable.

39. The total area which may be consolidated under these regulations shall be at the discretion of the Minister and shall not exceed 10,240 acres.

40. In the event of the lessee obtaining production of petroleum or natural gas on a location or locations within a group he shall continue to drill such further well or wells thereon as the Minister may in his discretion determine and may be required to produce therefrom so long as the said location or group of locations shall continue to yield petroleum or natural gas in remunerative quantity.

41. The Minister may in his discretion limit the number and define the distance apart of wells on a location or locations within a group as he may consider desirable.

42. (*a*) If the lessee during the first year of his lease incurs expenditure in actual drilling operations exclusive of the cost of machinery and casing employed and all other extraneous expenses but including reasonable depreciation, he shall ge entitled to a credit on rental to become due and payable for the second year of his lease for such expenditure not exceeding the amount of the rental if before the end of the first year of his lease he gives notice of his intention to apply for such credit and within thirty days thereafter files with the Minister satisfactory evidence supported by affidavit that such expenditure has been incurred. The decision of the Minister as to the amount of the credit to be allowed shall be final. Likewise, a credit on the rental to become due and payable for the third year of his lease may also be obtained in the same manner for similar expenditure incurred on the location during the second year.

(*b*) The balance of rentals due, if any, in each of the said two years shall be paid at the same time as the evidence in regard to work done is submitted as above required. Failure to submit such evidence and to pay the balance of rental due, if any, shall render the lease liable to cancellation as provided in paragraph 35 hereof.

43. (*a*) The royalty to be computed, levied and collected on all products, other than natural gas for which provision is made in paragraphs (*b*) and (*c*) hereof, obtained by separation from every location acquired under the provisions of these regulations shall from each well on the location be that per centum of the products obtained from such well equivalent to the square root of the average daily production in barrels for each day the well had been on production during the calendar month for which the return is made to the

Branch free and clear of any deductions whatsoever; provided that, where as the result of an order or a direction of the Minister, a well is operated intermittently and in consequence of such operation the royalty payable is in excess of the royalty which would be payable if the well had operated continuously, then the royalty to be computed, levied and collected shall not exceed the square root of the average daily production during the calendar month for which the return is made to the Branch free and clear of any deductions whatsoever; provided further that the royalty to be levied and collected on all such products obtained from every location, shall from each well on the location not exceed a rate of fifteen per centum (15%) and shall not be less than five per centum (5%) of such products obtained from such well during the calendar month for which the return is made to the Branch, free and clear of any deductions whatsoever; provided further that the person responsible to the Cown for the payment of the royalty to be levied and collected on all such products obtained from every location may elect to pay a royalty at the rate of twelve and one-half per centum (12½%) of all such products obtained from the location during the calandar month for which a return is made to the Branch, free and clear of any deductions whatsoever, and such election shall be determined by the first return filed with the said Branch.

(*b*) The royalty to be computed, levied and collected on all products obtained through absorption plants or other process of a similar nature and not by gravity from every location shall from each well on the location be fifteen per centum (15 per cent) of the amount received by the lessee or grantee for such products, provided that where the lessee or grantee is also the operator of the absorption plant the royalty to be computed, levied and collected shall be fifteen per centum (15 per cent) of the amount which would be paid to the lessee or grantee if the lessee or grantee and the operator of the absorption plant were not one and the same person.

(*c*) The royalty to be computed, levied and collected on natural gas obtained from every location, consumed for some useful purpose off the location or sold shall be fifteen per centum (15 per cent) of the selling price or fair value at the time and place of production, provided that for the purposes of this paragraph each sub-lease shall be deemed to be a location; provided further that in no event shall the royalty to be computed, levied and collected as herein provided be less than one-quarter of one cent (¼c.) per thousand cubic feet (mcf).

44. The lessee shall pay and discharge all rates, assessments and taxes, properly imposed by any Provincial, municipal, improvement, school, irrigation or drainage districts, now charged or hereafter to be charged upon the said demised premises, as occupant, or upon the said lessee or occupier in respect thereof or payable by either in respect thereof.

45. The lessee shall not assign, transfer or sublet the rights described in his lease, or any part thereof, or any interest therein, without the consent in writing of the Minister being first had and obtained, and no assignment of such rights shall be accepted and recorded in the Department unless it is unconditional. The fee for approval of the assignment shall be $5.

46. The lessee may be permitted to relinquish at any time the whole or any portion of the location described in his lease provided he has complied with the provisions of the regulations to the satisfaction of the Minister and that all payments on account of rental to the date of such relinquishment or other liability to the Indian Affairs Branch due in connection with the lease, have been fully made and satisfied and provided the portion of the location which may be retained shall be of the prescribed shape, and shall not be of a less area than 160 acres but in such event the lessee shall not be entitled to repayment of any portion of the rentals paid in advance.

47. If it is not established to the satisfaction of the Minister that petroleum or natural gas in paying quantity has been discovered on the leasehold, the lease

shall be subject to termination upon one year's notice in writing being given to the lessee by the Minister or Director.

48. At the end of each year of the lease, or whenever so required by the Minister, the lessee shall furnish a statement supported by affidavit, showing the number of days during the year that operations were carried on upon the location; the number of men employed in such operations; the character of the work done; the depth attained in each drilling operation; the total expenditure incurred; a detailed statement setting out fully the purpose for which such expenditure was incurred; the quantity of petroleum and natural gas or either of them obtained and the amount realized from the sale thereof. Failure to furnish such yearly return within a period of ninety days shall render the lease subject to cancellation.

49. The lessee shall furnish to the Branch at least once a year a plan in duplicate showing the position of all wells, pipe lines, tanks, buildings, or other structures on the location under lease and such plan shall be prepared on a scale of not less than 200 feet to the inch.

50. It shall be lawful for the Director or any officer duly authorized by him at all times to enter upon the location or group of locations and have access to all wells, records, plant and equipment and the lessee shall render such assistance as may be necessary or essential and such officer shall have the right to take samples, particulars or carry out tests or examinations desired.

51. The lessee shall clear all combustible material from the area around any well or other works constructed or operated by him to the satisfaction of the Minister and, where necessary and practicable, the lessee shall construct and maintain a ploughed fireguard around such area.

52. The Minister may reserve from disposal the whole or any portion of the petroleum and natural gas rights on any lands as in his sole discretion he may consider desirable and may dispose of such reserved portion or portions by auction or tender, and the procedure for such disposal shall be that prescribed by the Minister.

53. When a petroleum and natural gas lease, issued under the provisions of these regulations, is cancelled the rights described in such lease shall not again become available for disposal under these regulations for a period of one year thereafter, provided, however, that the Minister may dispose of such rights by public auction, competitive tender or otherwise as he may determine.

54. The lessee shall before beginning drilling operations on a location acquired under the provisions of these regulations notify the Director in writing of his intention to begin such operations on forms obtainable from the Branch. The lessee shall not begin drilling operations on any location until he has received in writing the approval of the Director of the proposals submitted under this section. No change in the program outlined in the notice of intention to begin operations shall be made without submitting notice of the change of plans to the Director and receiving approval of such change.

55. The lessee shall keep a daily report of operations on forms obtainable from the Branch or on forms approved by the Branch and such report shall be made in duplicate, one copy being at all times retained at the well and open to inspection by any duly authorized officer of the Department. The original reports shall be countersigned by the lessee and forwarded to the Branch at the end of each and every week during the course of operations.

56. (*a*) The lessee shall cause to be preserved and maintained a series of samples of the formations penetrated by the drill in each drilling operation, such samples to be taken from successive depths of ten feet or at such intervals as may be prescribed by the Director and such samples shall be washed, dried, accurately labelled, and forwarded as requested to the Branch.

(*b*) When drilling methods resulting in the recovery of cores are employed the lessee shall cause samples to be taken from the cuttings carried up by the flush water from successive intervals of ten feet in depth or at such intervals as may be prescribed by the Director. He shall also keep and preserve all cores recovered in properly constructed and marked core boxes and such cores shall be available for inspection and examination by any duly authorized officer of the Department.

(*c*) When cores are taken from the core barrel they shall be released into the core box and shall be protected from theft or misplacement by being housed in a suitable building and under lock and key, and no final disposition shall be made of such cores except with the written permission of the duly authorized officer of the Department. When the breaking up of cores for detailed geological examination is permitted, the lessee shall furnish to such officer an accurate report of such examination.

57. The lessee shall, during the drilling of a well, make or cause to be made tests for the purpose of ascertaining to what extent, if any, the well deviates from the vertical and shall set forth the results of such test or survey in writing on the daily drilling report. Should it be ascertained that the well has deviated more than 4° from the vertical the lessee shall take steps to correct such deviation. When the drilling has reached the horizon from which it is expected to obtain production the lessee shall make or cause to be made a survey for the purpose of ascertaining the depth and position of the bottom of the well in relation to the top of the well. In case such survey shows that the position of the bottom of the well projected to the surface is nearer to the boundary of the lease, upon which the well is drilled, than a distance equivalent to one-half of the total distance from the top of the well to the nearest boundary, the well shall not be completed and shall not be brought into production and the Minister may require the lessee to redrill the same in such manner as he may prescribe and the lessee shall cause such requirement to be complied with without delay.

58. (*a*) When during operations on a petroleum and natural gas location acquired under these regulations petroleum or natural gas or both be discovered, the lessee shall immediately notify the Branch of the same by the most reasonably expeditious means.

(*b*) When during drilling or production operations water makes its appearance in a well or any indication appears that may reasonably be taken as evidence of change in the source or other condition of water already notified as having appeared in a well, the lessee shall immediately notify the Branch with the fullest details available and when the drilling system permits shall take and preserve in a clean and enclosed glass or earthenware vessel a quantity of not less than one gallon of such water to be placed at the disposal of the Branch for analysis and shall when so directed afford any duly authorized officer such facilities as may be necessary for sampling the water in or at the well.

59. (*a*) The lessee of a location upon which a well has been or is being drilled shall use every means and endeavour in accordance with the most approved practice to shut off water above or below the petroleum or natural gas-bearing stratum or strata to test the efficiency of such shut-off and to prevent water from penetrating such petroleum or natural gas-bearing strata.

(*b*) The lessee shall notify the duly authorized officer of the Branch of the time he intends to test the shut-off of water in a well on any location. Such notice shall be received by such officer at least five days before the test is made. The officer acting on behalf of the Branch shall be present at such test and shall report the result in writing, a copy of which report shall be sent to the lessee. If the test be unsatisfactory he shall so notify the lessee and shall within

five days after the completion of the test order such additional work as he deems necessary to shut off the water in such well and in such order designate a day upon which the lessee shall again test the well, which day may upon the application of the lessee be changed from time to time in the discretion of the Branch.

60. When it appears to the Director that water is penetrating any petroleum or natural gas-bearing stratum penetrated in a well drilled on a location acquired under these regulations or that water in such a well is likely to become injurious to the economic production of oil or gas from the structure upon which such well is drilled, he may order a test of water shut-off and designate a day upon which the same shall be made; such order shall be in writing and shall be served upon the lessee at least five days prior to the day designated in the said order upon which the test of the said shut-off shall be made.

Upon receipt of such order the lessee shall make the said tests in the manner and at the time specified.

61. The lessee shall make adequate provision for the control and conservation of petroleum and natural gas before any well is drilled into a potentially productive stratum.

62. The lessee shall confine natural gas to its original stratum whenever such gas be struck in commercial quantity or a gas-bearing stratum known to contain natural gas in quantity be penetrated in a well drilled under these regulations until such time as the gas be produced and utilized without waste.

63. The lessee shall take all reasonable and proper precautions to prevent waste of petroleum or natural gas should either or both be discovered in a well drilled on a location acquired under these regulations and his operations shall be so conducted as to enable him immediately upon discovery to control and prevent the escape of such petroleum and natural gas.

64. The lessee of a petroleum and natural gas location shall not allow the use of explosive or acid in a well drilled on a location acquired under these regulations until the consent of the Director has been obtained in writing. Such shooting or such use of acid shall be so conducted as to prevent damage to the well or to the petroleum or natural gas-bearing formations penetrated by the well. The lessee shall submit to the Branch a report of the result of such shooting or treatment by acid. This section shall be understood to apply to the use of explosive or acid in or at a borehole regardless of the quantity or purpose.

65. (*a*) When natural gas from any well contains natural gasoline such natural gasoline shall be subject to the same regulations as are applied to petroleum within the meaning of these regulations.

(*b*) When natural gas from any well is produced with petroleum or water such natural gas shall be efficiently separated from the petroleum, natural gasoline, or water. The method of separation as well as the type and size of the equipment used in separation shall be subject to the approval of the Director.

(*c*) The content of gasoline of any casing-head gas shall be determined by such method and in such manner as the Director may direct.

(*d*) The Director may order that a test be made of the content of gasoline of any natural gas and if in his opinion natural gasoline be present in paying quantity he may require that such natural gasoline shall be separated, conserved, and utilized as provided in these regulations.

66. The surface equipment of every natural gas well shall include such fittings as will enable a duly authorized officer of the Department to test the rock pressure or working pressure of a gas well at any time.

67. The lessee of a petroleum and natural gas location at such times and in such manner as the Director may direct shall take a gauge of the volume and rock pressure of all wells producing natural gas on the location and shall forward the report of such tests to the Branch.

68. When gas from any well is being produced the flow thereof shall be restricted to twenty-five per cent of the potential capacity as computed from the test made in accordance with Section 66, provided that the Director may in his discretion allow such additional proportion to be produced as he may deem expedient.

69. (*a*) Each and every well producing gas shall be equipped with an approved gas meter and all production drawn from such well shall be measured by meter. The meter shall be at or near the well and any by-pass around such meter shall be closed by a blank disc inserted in the same manner as an orifice plate, which may be sealed by a duly authorized officer of the Department and only unsealed in an emergency or to repair the meter, notice of such unsealing shall be furnished to the Director, immediately or previous to the unsealing if possible and as soon as the repairs are effected the by-pass shall again be closed and sealed.

(*b*) Each meter shall be properly housed and locked and any duly authorized officer of the Department shall have access to well meters at all times, and shall make such reasonable tests as he may see fit, and the lessee shall furnish to the Director at the end of each month a statement showing the amount of natural gas produced each day through the meter.

(*c*) The Minister may allow wells to be grouped for the purpose of measuring the gas.

70. If petroleum or natural gas is being produced from any well or wells, the lessee shall file with the Director on forms obtainable for this purpose, not later than the 15th day of the month, a full report of the petroleum or natural gas produced during the preceding month.

71. The Minister may prescribe regulations for the determination of the allowable production of any well or wells and regulate the taking of petroleum or natural gas from any natural source of supply so as to prevent waste or the reduction of the ultimate recovery of any petroleum or natural gas from any common reservoir.

72. (*a*) The Minister may assume control of the operation of a well and adopt such means as may appear to him to be necessary or expedient to prevent the escape of petroleum or natural gas if the lessee fails to do so or appears unable to do so.

(*b*) The Minister may assume control of the operation of a well and adopt such means as may appear to him to be necessary or expedient to prevent the access of water to a well, the access of water to petroleum or natural gas-bearing strata or both, or the escape of water from the well.

(*c*) The Minister may appoint such agents as he deems necessary and may authorize them to enter upon the premises and perform the work and for that purpose to take possession of and use any drilling rig, derrick, tools, machinery, other appliances or equipment, fuel, water and other materials necessary for the performance of the work, which may be upon the location or which may be the property of the lessee.

(*d*) The Minister may recover from the lessee of the location upon which he takes control of a well for the reasons mentioned in subsections (*a*) and (*b*) all costs and expenses incurred in the performance of the operations so undertaken.

73. Notice shall be given to the Director immediately drilling or production operations are suspended at any well. Before suspension the wellhead shall be so arranged that no waste of gas or petroleum can occur and that no opportunity be afforded for the access of water to or between the casings.

74. The lessee shall not deepen nor undertake the repair or other permanent change to the condition of a well in which drilling has been suspended for a period of more than six months or which has been in production without previously notifying the Director in writing to that effect. Notice of such intention to resume drilling operations must be furnished on a form obtainable from the Branch.

75. Where approval has been granted to drill a well on any location beneath which a bed or seam of coal is being worked or in respect of which operations have been started for the working of the coal the lessee shall conform to all requirements that may be prescribed by the Minister as to the manner of drilling, casing, cementing, producing and otherwise to prevent the escape of gas, petroleum, or water into the coal seams or into any mine workings that may be undertaken in connection therewith.

76. The lessee shall use every possible precaution in accordance with the most approved practice to stop and prevent waste of petroleum or gas during drilling and producing operations.

77. The Minister may prohibit the use of petroleum or natural gas from any well drilled on a location acquired under these regulations for any purpose or by any means he considers to be uneconomical or conducive to waste.

78. Before abandoning a well drilled on a location acquired under these regulations and before removing any part of the casing from such well the lessee shall notify the Director in writing of his intention so to do on forms obtainable from the Branch and shall furnish a log of the well if he has not already done so and shall obtain written approval of such abandonment and removal of casing from such officer as the Director may designate. The lessee shall use every effort in accordance with approved practice to shut off and exclude all water from entering the gas, petroleum or coal-bearing strata that may have been penetrated in the well.

79. Violation of any provision of these regulations shall render the lease or leases involved subject to cancellation at the discretion of the Minister.

80. The Minister may, from time to time, make such additional regulations as may appear to be necessary or expedient governing the manner in which drilling operations shall be conducted, and the manner in which producing wells shall be operated, also such orders as he may deem necessary for the interpretation and effective administration of these regulations. Failure on the part of the lessee to comply with such additional regulations shall render the lease subject to cancellation in the discretion of the Minister.

81. Where the Minister considers it is in the interest of conservation he may direct that the lessee shall comply with any or all of the regulations of the Lieutenant Governor in Council of the Province of Alberta heretofore or hereafter established under the authority of the Oil and Gas Wells Act 1942 being Chapter 7 of the Statutes of Alberta, 1942, and any amendments thereto and any or all of the orders of the Petroleum and Natural Gas Conservation Board constituted pursuant to the Oil and Gas Resources Conservation Act being Chapter 1 of the Statutes of Alberta, 1938 (second session).

APPENDIX V

DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

CANADA

Regulations for the Disposal of Quartz Mining Claims within Indian Reserves

Established by authority of Order in Council P.C. 2113 dated August 31, 1938

1. These regulations shall be applicable to all minerals defined as such within Indian Reserves.

2. In the construction of these regulations the following expressions shall have the following meanings, respectively, unless inconsistent with the context—

"Minister" shall mean the Minister of Mines and Resources.

"Department" shall mean the Department of Mines and Resources.

"Director" shall mean the Director of the Indian Affairs Branch, Department of Mines and Resources.

"Indian Affairs Branch" shall mean the Indian Affairs Branch of the Department of Mines and Resources.

"Mineral" shall mean all deposits of gold, silver and all naturally occurring useful minerals other than placer deposits, peat, coal, petroleum, natural gas, bitumen and oil shales.

Limestone, marble, clay, gypsum, or any building stone when mined for building purposes, earth, ash, marl, gravel, sand, as well as any element which may, in the opinion of thte Minister, form a portion of the agricultural surface of the land, shall not be considered as mineral within the meaning of these regulations.

"Mineral Claim" shall mean a plot of ground containing mineral, staked out and acquired under the provisions of these regulations.

"Holder", "recorded holder" or "recorded owner" shall mean any person in whose name a mineral claim, acquired under these regulations, stands recorded in the records of the Department.

"Mining recorder" shall mean the officer of the Department of Mines and Resources appointed by the Minister for the particular purpose referred to.

"Mine Assessor" shall mean the person so designated from time to time by the Director.

3. Any person or any corporation authorized to prospect for minerals under the laws of the Province in which an Indian Reserve is situate, wherein it is desired to enter upon for the purpose of prospecting for minerals, may, after obtaining a permit from the Director prospect for minerals upon Indian Reserves except as hereinafter mentioned, and may acquire exclusive right to carry on mining operations in a specified area by staking out and recording a claim therefor, and upon performing and filing proof of the performance of the prescribed development work with the Director and upon obtaining a survey and plans of the area staked and entering into a lease with the Minister in the prescribed form.

4. No person or corporation, not the holder of a prospector's permit shall prospect for minerals upon Indian Reserves subject to these regulations, or stake out, record or acquire any mineral claim or area of land for which a lease has not already been issued or acquire any right or interest therein.

5. (1) Any person or any Dominion or Provincial corporation duly licensed to transact business or hold lands and authorized to prospect for minerals under the laws of the Province in which an Indian Reserve is situate wherein it is desired to enter upon for the purpose of prospecting for minerals shall be entitled on payment of the fee of $5.00 to obtain a prospector's permit in the prescribed form.

(2) The permit shall be dated on the day of issue thereof and shall expire at midnight on the 31st day of March then next ensuing.

(3) The permit shall not be transferable.

(4) A permit shall not be issued to a corporation if it is incorporated under the laws of the Dominion or a Province unless or until it has satisfied the Director that it is so incorporated. A Provincial corporation wishing to obtain a permit in a Province other than that of its incorporation shall file with the Director a copy of the licence authorizing the corporation to transact business or hold land in the Province in which a permit is required verified by an affidavit of an officer of the corporation.

(5) A prospector's permit held by a corporation shall not entitle any shareholder, officer or employee thereof to the rights and privileges of a permit holder.

(6) A permit holder shall be entitled to a renewal of his permit, in the prescribed form, on production of his permit before the expiration thereof and on payment of the prescribed fee.

(7) The Director, upon proof to his satisfaction of the wilful contravention by any permittee of any of the provisions of these regulations, may revoke the permit of such permittee.

(8) The permittee, his agent or employees shall exercise every care in the use of fire. Any infraction of existing fire laws on the part of the permittee, his agents or employees shall render the permit liable to cancellation.

6. Subject to the provisions herein contained, the holder of a prospector's permit may prospect for minerals and stake out a mineral claim on any Indian Reserves surveyed or unsurveyed which have been declared open for staking by the Minister provided none of the said lands are under staking or record as a mineral claim which has not lapsed or been abandoned, cancelled or forfeited or withdrawn from prospecting or staking by the Minister.

7. A permit holder for himself or on behalf of any other permit holder may stake out a mineral claim on any Indian Reserve open for prospecting and subject to the other regulations, herein contained, may work such claim and transfer his interest therein to any permit holder, but where the surface rights in the land have been leased or are held under licence or location ticket issued by the Director a mineral claim may be staked but compensation must be made as provided hereinafter.

8. No person or corporation shall prospect for mineral or stake out a mineral claim on any part of any Indian Reserve used as a garden, orchard, vineyard, nursery or plantation or upon which crops, which may be damaged by such prospecting, are growing or on that part of any Indian Reserve upon which is situated any artificial reservoir, dam or waterworks or any dwelling house, outhouse, manufactory, public building, church or cemetery, except with the consent of the Director.

9. A water power lying within the limits of a mineral claim shall not be deemed to be part of the claim for the uses of the permit holder and a road allowance of one chain in width shall be reserved on both sides of the water,

together with such additional area of land as in the opinion of the Director may be necessary for the Development and utilization of such water power.

10. The Minister may, provided the same have not been staked or leased, withdraw from prospecting and staking out temporarily or permenently any lands within an Indian Reserve declared open for staking.

11. No person or corporation shall enter upon for prospecting or mining purposes or shall mine upon lands leased or held under licence or location ticket until adequate security has been given to the satisfaction of the Mining Recorder for any loss or damage which may be thereby caused and any person or corporation so entering, locating, prospecting or mining upon any such lands shall make full compensation to the lessee, licensee or locatee of such lands for any loss or damage so caused, such compensation in case of dispute to be determined by the Director.

12. Except as otherwise declared by the Minister, the rules governing the mode of staking and the size and number of mineral claims in force from time to time in the Province or in the part thereof within which any Indian Reserve is situate shall apply to the staking of mineral claims on any such reserve.

13. A permit holder or other person who for any purpose does any staking out or plants, erects or places any stake, post or marking upon any land open to prospecting except as authorized by these regulations, or causes or procures the same to be done, or who stakes out or partially stakes out any such land, or causes or procures the same to be done, and fails to record the staking out with the recorder within the prescribed time, shall not thereafter be entitled to again stake out such lands or any part thereof, or to record a mineral claim thereon, unless he notifies the recorder in writing of such staking out, partial staking out, or planting, placing or marking and of his abandonment thereof and satisfies the recorder by affidavit that he acted in good faith and for no improper purposes and pays to the recorder a fee of $20 and procures from him a certificate stating that the recorder is satisfied that he so acted.

14. Substantial compliance as nearly as circumstances will reasonably permit with the requirements of these regulations as to the staking out of mineral claims shall be sufficient.

15. (1) A permit holder who has staked out a mineral claim or upon whose behalf a mineral claim has been staked out, shall within thirty (30) days thereafter furnish the recorder with an outline, sketch or plan of the mineral claim showing the corner posts and the witness posts, if any, and their distance from each other in feet, together with an application setting forth the name of the permit holder by whom the claim was staked out, and of the Permit holder on whose behalf the application is made, and the number of their permits, and such other information as will enable the recorder to indicate the claim of his office map, the length of the outlines, and if for any reason they are not regular, the nature of such reason, the day and hour when the claim was staked out and the date of application, and with the application shall be paid a fee of $10 for each claim.

(2) The application and sketch or plan shall be accompanied by an affidavit, in the prescribed form, made by the permit holder who staked out the claim, showing the date and hour of the staking out and stating that the distances given in the application and sketch or plan are as accurate as they could reasonably be ascertained and that all the other statements and particulars set forth and shown in the application and sketch or plan are true and correct, that at the time of staking out there was nothing upon the lands to indicate that they were not open to be staked

out as a mineral claim, that the deponent verily believes they were as open and that the staking out is valid and should be recorded, and that there are upon the lands or the lot or part lot or section of which they form a part, no buildings, clearing, or improvements for farming or other purposes except as set forth in the affidavit.

(3) Where it appears that there has been an attempt made in good faith to comply with the provisions of these regulations, the inclusion of more or less than the prescribed area in a mineral claim, or the failure of the permit holder to describe or set out in the application, sketch or plan furnished to the recorder the actual area or parcel of land staked out shall not invalidate the claim.

(4) A permit holder by or on whose behalf an application is made to record a mineral claim shall at the time of the application produce the permit of the permit holder by whom the staking out was done and of the permit holder by or on whose behalf the application is made to the recorder, and the recorder shall endorse and sign upon the back of the last mentioned permit a note in writing of the record of the claim.

(5) The recorder shall forthwith enter in the proper book in his office the particulars of every application to record a mineral claim which he deems to be in accordance with the provisions of these regulations, unless a prior application is already recorded and subsisting for the same, or for any substantial portion of the same lands or mineral rights, and he shall file the application, sketch or plan and affidavit with the records of his office; and every application proper to be recorded shall be deemed to be recorded when it is received in the recorder's office, if all requirements for recording have been complied with, notwithstanding that the application may not have been immediately entered in the record book.

(6) As soon as reasonably possible after the recording of the mineral claim, and not later than the expiration of the time for performing the first instalment of work, the holder of the claim shall affix or cause to be affixed securely to each of the corner posts of the said claim, a metal tag plainly marked or impressed with the recorded number and letter or letters, if any, of the claim, and in default the claim may be cancelled by the recorder on the application of any one misled by the lack of such tags. The recorder on application shall supply such numbered tags free of charge.

16. The staking out or the filing of an application for or the recording of a mineral claim, or all or any of such acts, shall not confer upon a permit holder any right, title, interest or claim in or to the mineral claim, other than the right to proceed, as in these regulations provided to obtain a certificate of record and a lease from the Minister.

17. (1) Every application for a mineral claim and every other application and every transfer or assignment of a mineral claim or of any right or interest acquired under the provisions of these regulations shall contain, or have endorsed thereon, the place of residence and post office address of the applicant, transferee or assignee.

(2) No such application, transfer or assignment shall be filed or recorded unless it conforms with the provisions of the next preceding subsection.

(3) Another person resident in the Province in which the mineral claim is situate may be substituted as the person upon whom service may be made by filing in the office in which any such application transfer or assignment is filed or recorded, a memorandum setting forth the name,

residence and post office address of such other person, and such substitution may be made from time to time as occasion may require.

(4) Service upon the person named as the person upon whom service may be made, unless another person has been substituted for him under the provisions of subsection 3, and in case of such substitution upon the person substituted shall have the same effect as service upon the person whom he represents.

(5) The provisions of the next preceding subsection shall apply to every notice, demand or proceeding in any way relating to a mineral claim or to mining rights or to any other right or interest which may be acquired under the provisions of these regulations.

18. (1) A transfer of a mineral claim or of any interest therein shall be in the prescribed form and shall be signed by the transferor or by his agent authorized by instrument in writing. Such transfer shall be recorded in the office of the recorder and a fee of $2.00 paid by the transferee to the recorder for recording each claim or each interest in a claim transferred.

(2) No transfer or assignment of or agreement or other instrument affecting a mineral claim or any recorded right or interest acquired under the provisions of these regulations, shall be entered on the record or received by the recorder unless the same is approved in writing by the Director and purports to be signed by the recorded holder of the claim or right or interest affected or by his agent authorized by recorded instrument in writing, nor shall any instrument be recorded without an affidavit in the prescribed form, attached to or endorsed thereon, made by the subscribing witness to the instrument.

19. In the event of the Director receiving notice of any right or interest in any mineral claim claimed by any person or corporation other than the recorded holder thereof, the Minister may in his sole discretion, refuse to enter into any lease of said mineral claim until an instrument, executed by the person or corporation so claiming, releasing his, her or its claim, has been recorded or until a Judgment of a Court of Competent Jurisdiction has been recorded, defining the rights of the parties interested.

20. (1) The recorded holder of a mineral claim heretofore or hereafter recorded shall, within 5 years immediately following the recording thereof, perform or cause to be performed thereon work which shall consist of stripping or opening up mines, sinking shafts or other actual mining operations to the extent of two hundred days' work of not less than eight hours per day, which work shall be performed as follows: At least thirty days' work within three months immediately following the recording of the claim, and not less than forty days in each of the remaining four years provided that in any one of the said five years ten days additional work shall be done to make up for the total of two hundred days.

(2) The recorded holder of a mineral claim shall pay a rental of fifty cents per acre per annum for the area contained in the recorded claim for the third, fourth and fifth work years. The completion of the required work in two years will thereby relieve the recorded holder from the payment of rent under this section.

(3) The work may be completed in a less period of time than herein specified. If more work is performed by or on behalf of the recorded holder than is herein required during the first three months or in any subsequent year, the excess upon proof of the same having been performed

shall be credited by the recorder upon the work required to be done during any subsequent year.

(4) Boring by diamond or other core drill shall count as work at the rate of one day's work for every foot of boring and work by a machine drill operated by compressed air shall count as work at the rate of three days' work for each man necessarily employed upon each drill so operated.

(5) The recorded holder of a mineral claim shall, not later than ten days after each of the periods specified, make a report as to the work done or caused to be done, by him during such period, verified by affidavit but a report shall not be required for any period in which in consequence of the work having been previously done and reported no work has been done. The report shall show in detail the names and residences of the men who performed the work and the dates upon which each man worked in its performance, together with a sketch of the claim showing the location of the work.

(6) A permit holder may perform all the work required to be performed by him in respect of not more than six contiguous mineral claims held by him on one or more of such claims and the report and affidavit to be filed by him in respect of such work shall certify the claim or claims on which the work was performed and the claims upon which it is to be applied.

(7) The construction of houses or roads or other like improvements shall not constitute "actual mining operations" within the meaning of this section.

(8) The survey of a mineral claim in compliance with section 25 shall count as forty days' labour performed on the same claim.

(9) Survey by a recognized geo-electrical or geo-physical method may be counted as work at the rate of one day's work for each man necessarily employed in each survey.

21. The period of time between the 16th day of November and the 15th day of April, both days inclusive, shall be excluded from the time for performing the first instalment of work, but this shall not have the effect of extending the time for the performance of any subsequent instalment of work.

22. If by reason of pending proceedings or of the death or incapacity from illness of the holder of a mineral claim, the work is not performed within the prescribed time, the Director may from time to time extend the time for the performance of such work for such period as he may deem reasonable and he shall forthwith enter a note of every such extension on the record of the claim.

23. (1) A permit holder may, at any time, abandon a mineral claim by giving notice in writing to the recorder of his intention so to do.

(2) Non-compliance by the permit holder with any requirement of these regulations as to the time or manner of the staking out and recording of a mineral claim or with a direction of the recorder in regard thereto, within the time limited therefor, shall be deemed to be an abandonment, and the claim shall, without any declaration, entry or act on the part of the Director be forthwith open to prospecting and staking out.

24. (1) All the interest of the holder of a mineral claim before the lease thereof has issued shall, without any declaration, entry or act on the part of the Director cease and the claim shall forthwith be open for prospecting and staking out,

(*a*) if the permit of the holder has expired, and has not been renewed;

(*b*) if, without the consent in writing of the Director or for any purpose of fraud or deception or other improper purpose, the holder removes or causes or procures to be removed any stake or post forming part of the staking out of such mineral claim, or for any such purpose changes or effaces or causes to be changed or effaced any writing or marking upon any such stake or post;

(*c*) if the prescribed work is not duly performed and required rental not paid;

(*d*) if any report required under these regulations is not made and filed with the recorder in reference to the work performed as herein required;

(*e*) if the application for the lease required herein and initial payment thereunder is not made within the prescribed time.

(2) The recorder upon any forfeiture or abandonment of or of loss of rights in a mineral claim, shall forthwith enter a note thereof, with the date of entry, upon the record of the claim and mark the record of the claim cancelled.

25. (1) Before a lease of a mineral claim in unsurveyed territory is issued the claim shall be surveyed by a Provincial Land Surveyor at the expense of the applicant who shall furnish to the recorder before or with his application the surveyor's plan in duplicate, field notes and description showing a survey in conformity with the regulations governing the disposal of quartz mineral claims in the Province in which the claim is situated.

(2) The Surveyor, before proceeding with such survey, shall examine the application and sketch or plan of the claim or certified copies thereof and before completing or filing his survey ascertain by careful examination of the ground and by all other reasonable means in his power whether or not any other subsisting claim conflicts with the claim he is surveying, and no survey shall be accepted unless accompanied by the certificate signed by the surveyor in the following form:

I hereby certify that I have carefully examined the ground included in mineral claim No.....surveyed by me, and have otherwise made all reasonable investigations in my power to ascertain if there was any other subsisting claim conflicting therewith, and I certify that I have found no trace or indication and have no knowledge or information of any such claim except as follows: (if none, so state, if any, give particulars).

(3) The surveyor immediately after the completion of every survey of a mineral claim made by him shall deliver or forward by registered post to the Director a certified copy of the plan and of his field notes and the description of the claim.

(4) Claims found upon survey to contain a greater area than that prescribed by the regulations of the Province in accordance with which such claims were staked shall be dealt with in the manner prescribed by the regulations of such Province.

26. All mineral claims shall be subject to any taxes, rates or other assessments which may be legally imposed and the holder of any mineral claim upon receipt of any bill therefor, shall pay same promptly.

27. The recorded holder of a mineral claim shall not at any time lop, top, cut down or destroy any timber or trees growing on the mineral claim further than may be necessary for the proper working of the claim.

28. Upon compliance with the requirements of the Indian Act and these regulations as aforesaid and upon application within one year from the date upon which all work on any mineral claim is required to be performed, the claim holder shall be entitled to a lease thereof in the prescribed form for 21 years. The rent payable thereunder for the first 5 years shall be $1.00 per acre per annum; for the second 5 years $1.50 per acre per annum, and for the remaining 11 years $2.00 per acre per annum with the right of renewal for further periods of 10 years, subject to such rentals, terms and conditions as may be deemed advisable by the Minister, provided the lessee shall furnish evidence satisfactory to the Minister to show that during the term of the lease or any renewal thereof he has complied fully with the provisions of such lease or renewal and with the provisions of the regulations in force from time to time during the currency of the lease or renewal and with the terms and requirements of the Indian Act.

P.C. 5605, 15th October, 1940.

28A. Notwithstanding anything contained in Sections 20 (1) and 28 of these regulations, the Minister or such officer to whom he may delegate the responsibility of recording mineral claims may grant (1) an extension of time up to six months within which the initial 30 days' work may be performed but such extension shall not affect the total five-year period as provided in subsection (1) of section 20 of these regulations. (2) An extension of time up to one year within which an application may be made for a lease of 21 years as set forth in section 28 of the regulations, provided that reasons and justification for the extension of time substantiated by sworn affidavit by the recorded holder of a claim are satisfactory to the Mining Recorder and subject to the payment in each case of the sum of $2.00 for each claim so affected.

29. (1) There shall be paid to the Indian Affairs Branch on every mine acquired under the provisions of these regulations an annual royalty on any profits of such mine during any calendar year and the owner, manager, holder, tenant, lessee, occupier and operator of the mine shall be liable for and shall pay to the said Branch an annual royalty on the first day of May in each and every year as follows:—

1.	Upon annual profits up to $100,000.00.....	3 per centum.
2.	On the excess above $100,000.00 up to $200,000.00.	4 "
3.	" " " $200,000.00 " $300,000.00.	5 "
4.	" " " $300,000.00 " $400,000.00.	6 "
5.	" " " $400,000.00 " $500,000.00.	7 "
6.	" " " $500,000.00 " $600,000.00.	8 "
7.	" " " $600,000.00 " $700,000.00.	9 "
8.	" " " $700,000.00 " $800,000.00.	10 "
9.	10 per cent on the excess above $800,000.00.	

(2) The annual profits shall be ascertained and fixed in the following manner, that it to say: The gross receipts from the year's output of the mine, or in case the ore, mineral or mineral bearing substances or any part thereof is not sold, but is treated by or for the owner, tenant, holder, lessee, occupier, or operator of the mine upon the premises or elsewhere, then the actual market value of the output, at the pit's mouth, or if there is no means of ascertaining the market value, or if there is no established market price or value, the value of the same as appraised by the mine assessor shall be ascertained and from the amount so ascertained, the following, and no other expenses, payments, allowances or deductions, shall be deducted and made, that is to say:

(*a*) The actual cost of transportation of any output sold if paid or borne by the owner, tenant, holder, lessee, occupier or operator;

(*b*) The actual and proper working expenses of the mine, both underground and above ground, including salaries and wages of necessary superintendents, captains, foremen, workmen, firemen, enginemen, labourers and employees of all sorts employed at or about the mine, together with the actual and proper salaries and office expenses for necessary office work done at the mine and in immediate connection with the operation thereof;

(*c*) The cost of supplying power and light, and of the hire of horses or other means of transportation used in the mining operation, or in handling the ore or mineral;

(*d*) The actual cost price of food and provisions for all employees aforesaid, whose salaries or wages are made less by reason of being furnished therewith; also the actual cost of fodder for horses used as above mentioned;

(*e*) The actual cost price of explosives, fuel and any other supplies necessarily consumed in the mining operations;

(*f*) Any actual and proper outlay incurred in safeguarding or protecting the mine or mineral product;

(*g*) The cost of proper insurance upon the output if paid or borne by the owner, tenant, holder, lessee, occupier or occupant and upon the mining plant, machinery, equipment and buildings used for or in connection with the actual mining operations, or for storing the ore or mineral;

(*h*) An allowance of a sum for annual depreciation, by ordinary wear and tear, of the said plant, machinery, equipment, and buildings, such sum to be based upon the probable annual average cost of repairs and renewals necessary to maintain the same in a condition of efficiency and in no case to exceed for any year fifteen per centum of the value at the commencement of such year, such value to be appraised by the mine assessor;

(*i*) The cost of actual work done in sinking new shafts, making new openings, workings, or excavations of any kind, or of stripping, trenching or diamond drilling in or upon the lands upon which the mine is situated or upon any other lands belonging to the same owner, lessee, holder, tenant, occupier, or operator, within or upon the same Indian Reserve, such work having for its object the opening up or testing for ore or mineral; Provided, however, that such expenditure is bona fide, and actually made or borne by the person or persons liable or who would but for this provision be liable to a charge upon the said mine under these regulations, and that separate accounts of such expenditure are kept and an affidavit or affidavits giving reasonable details of the nature, extent and location of such work shall be furnished to the Director with the annual statement hereinafter provided for;

(*j*) All taxes payable or paid upon the profits of the mine or upon the profits of the mine or mining work, or upon the profits made in smelting, refining, or otherwise treating any of the products of the mine or mineral work.

(3) No allowance or deduction shall in any case be made for cost of plant, machinery, or buildings, nor for capital invested, nor for interest or dividend upon capital, or stock or investment, nor for depreciation in the value of the mine, mining land, or mining property by reason of exhaustion or partial exhaustion of the ore or mineral, but this shall not restrict the generality of anything hereinbefore in this section contained.

(4) For the purpose of this section, unless a contrary intention appears, the operations, business, matters and things carried on, occurring or existing during the preceding year shall be taken as the basis of fixing, assessing, and ascertaining the royalty hereunder, but the royalty payable shall nevertheless be deemed to be a charge for the calendar year in which it is payable.

30. The owner, lessee, tenant, holder, occupier, manager and operator of every mine from which ore, minerals, or mineral bearing substance is or are being taken, shall within ten days from the commencement of such active operations, notify the Director of the fact that such mine is in active operation, and shall give in such notice the name of the mine, and the name and address of the owner, lessee, tenant, holder, occupier, manager and operator of such mine, and the name and address of the manager, or of some other person, to whom notices to be given under these regulations may be sent (to be known as the name and address for service), and shall forthwith notify such Director of every change in the name and address of such manager or person, and of every change in the ownership, holding, tenancy, management, occupation, or operation of such mine, and of every discontinuance of active operations, and of every re-commencement thereof after discontinuance.

31. No person, shall ship, send, take, or carry away, or permit to be shipped, sent, taken, or carried away from the mine from which the same has been taken, any ore, mineral, or mineral bearing substance, or any product thereof, until such person has notified the Director that the mine from which the same has been taken is in active operation.

32. (1) Every owner of any mine in active operation shall, without any notice or demand to that effect, in addition to any other statements which may otherwise be required, on or before the 1st day of March in every year, deliver to the Director a detailed statement in which shall be set forth:

(*a*) The name and description of the mine;

(*b*) The name and address of the person or persons, owning, holding, leasing, managing, occupying and operating the same;

(*c*) The quantity of ore, minerals, and mineral bearing substances shipped or sent from or treated on the mining premises during the year ending 31st December last preceding;

(*d*) The name or names of the smelter or mill and locality to which the same or any part thereof was sent;

(*e*) The cost per ton for transportation to the smelter, refinery or mill, and actual, proper and necessary expenses of making sale, if any, and by whom paid or borne;

(*f*) The cost per ton for smelter or mill charges, and by whom paid or borne;

(*g*) The quantity of ore, minerals, and mineral bearing substances treated on the mining premises during the said year;

(*h*) The value of the ore, minerals, and mineral bearing substances shipped after deducting the charges for making sales, and for transportation or for treatment;

(*i*) The value of the ore, minerals, and mineral bearing substances treated on the mining premises.

And such statement shall also show in another column or columns, with reasonable detail, the various expenses, payments, allowances and deductions which are proper to be made under the provisions of these regulations; and such statement shall show by way of

summary the total receipts or market value at the pit's mouth of the year's output, as in these regulations specified, and the total amount of expenses, payments, allowances, and deductions proper under these regulations to be deducted therefrom, and the balance of profits for the year as in these regulations provided.

(2) Such statement and information required by this section shall be made and furnished by and under the oath of the owner, manager, holder, lessee, tenant, occupier or operator of such mine; but the Director or any mine assessor may require such information and statement, or any part thereof, to be given or verified under oath by any other or others of such persons, or by any person connected with the ownership, operation, or management of any such mine, and may in addition to the particulars above detailed require any other information, particulars or statements that may be thought expedient, and such requisition or requisitions may be made at any time or times the same may be deemed proper.

33. (1) Every person liable to pay any royalty hereunder shall keep at or near the mine, proper books of account of the ore, minerals, or mineral bearing substances taken from the said mine, containing the quantity, weight and other particulars of the same and the value thereof, and showing the returns of the amounts derived from the sale of such ores, minerals, and mineral bearing substances; and no ore, mineral or mineral bearing substances taken out of any mine shall be removed therefrom or treated at any smelter, mill or refining works, until the weight thereof shall have been correctly ascertained and entered in the said books of account; and such person shall also keep proper books showing each of the several expenses, payments, allowances or deductions mentioned herein, and showing any other facts and circumstances necessary or proper for ascertaining the amount of the royalty payable.

(2) If any doubt arises as to where such book or books shall be kept or as to how many, or what books shall be kept, the mine assessor shall determine the number and character of books to be kept and the place or places at which they shall be kept.

34. On the first day of March in each and every year during the currency of any quartz mining lease, the lessee shall file with the Director accurate plans of all underground workings at that date on the lands demised.

35. "Mine" as referred to in the royalty provision aforesaid shall include any opening or excavation in, or working of the ground for the purpose of mining, opening up or proving any mineral or mineral-bearing substance, and any ore body, mineral deposit, or place where mining is or may be carried on, and all ways, works, machinery, plant, buildings and premises below or above ground belonging to or used in connection with the mine.

36. The Minister reserves the right to make such additional regulations from time to time as may be necessary or expedient in the public interest governing the development and operation of any mineral claim or mine acquired under these regulations.

SCHEDULE OF FEES AND RENTALS

Permit to prospect or renewal thereof	$	5.00
For recording each claim staked out by a permit holder	$	10.00
Rental of mining claim held under prospector's permit, Third, Fourth and Fifth years, per acre	$	.50
Rental payable under lease first five years $1.00 per acre per annum; for second five years $1.50 per acre per annum and $2.00 per acre per annum for remaining eleven years		
For filing transfer or agreement to sell or transfer whole or part of a minimum claim	$	2.00
For recording extension of time for performing working conditions	$	3.00
Application fee for lease of mineral claim	$	5.00
For certificate relieving from disqualification under Section 13	$	20.00
For abstract or copy of entries in record book respecting any mineral claim per folio (100 words) 10 cents. Minimum charge per claim	$	.25

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 14

THURSDAY, JULY 18, 1946

APPENDICES

OTTAWA
EDMOND CLOUTIER, B.A., L.Ph., C.M.G.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY
1946

MINUTES OF PROCEEDINGS

THE SENATE,

Thursday, 18th July, 1946.

The Special Joint Committee of the Senate and 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 11.00 o'clock a.m. The Joint Chairmen: The Honourable Senator J. F. Johnston and Mr. D. F. Brown, M.P., presided.

Present: The Senate: The Honourable Senator Johnston.

The House of Commons: The Honourable Messrs. Glen and Stirling and Messrs. Blackmore, Brown, Bryce, Case, Charlton, Farquhar, Gariepy, Gibson (*Comox-Alberni*), Harkness, Little, MacLean, MacNicol, Matthews (*Brandon*), Raymond (*Wright*), Reid and Richard (*Gloucester*), 18.

The meeting was held in camera for the purpose of considering the present and future agenda and procedure of the Committee.

It was agreed that the subcommittee on agenda and procedure will draft a sessional report for consideration by the Joint Committee at the appropriate time.

It was agreed that there be printed as appendices to these minutes such briefs as have already been filed with the Committee.

The Committee adjourned at 1.00 o'clock p.m., to meet again on Tuesday, 23rd July next, at 11.00 o'clock a.m.

T. L. McEVOY,
Clerk of the Joint Committee.

63762—1½

BRIEFS SUBMITTED TO
SPECIAL JOINT COMMITTEE ON THE INDIAN ACT

		PAGE
APPENDIX	W.—Western Canada-Yukon Fish and Game Council	605
"	X.—Society for the Furtherance of British Columbia Indian Arts and Crafts	605
"	Y.—Okanagan Society for the Revival of Indian Arts and Crafts	611
"	Z.—The Indian Council Fire of Canada	636
"	AA.—Board of Trade, Cochrane, Ontario	641

APPENDIX W

WESTERN CANADA-YUKON FISH AND GAME COUNCIL

9-10 Wells Block,
Calgary, Alberta,
May 14, 1946.

At the annual meeting of the Western Canada-Yukon Fish and Game Council, which comprises every parent organization in the provinces of British Columbia, Alberta, Saskatchewan, Manitoba and the Yukon, numbering close to 25,000 sportsmen affiliated with the organizations concerned, the following resolution was presented:—

Moved by Mr. G. E. Watt, Calgary, Alberta, seconded by Mr. J. B. Washington, Vancouver, B.C.

That this Council recommends to the Federal Government the revision of the Indian Act, so as to provide full protection during the breeding season of our game and game birds, and the spawning of our fish generally.

Further, that whilst this Council and its affiliates have every sympathy for and recognizes the rights of the Indian population for protection under the Indian Act, it is respectfully submitted that this Indian Act is now outmoded, especially in so far as the protection of wild game and fish are concerned.

Further, that due to the alarming inroads of present day life into stands of wild life and fish generally, evident it is incompatible with conservation that any section of the community shall be permitted to kill big game, game birds or fish during their breeding and spawning season, which is the safeguard of all wild life and the fundamental principle of conservation.

Further, that in lieu of these rights to fish and hunt at all times and in all seasons, and due to the sub-standard mode of living now evident in the increasing numbers of Indians throughout the West, that the Federal Government, whose wards these Indians are, be required adequately to recompense all Treaty Indians.

Moreover, this Council and its affiliates sympathize with and recognize the difficulties of the Indian population of the West and earnestly suggest the time is overdue for an overhaul of the Indian Act for better treatment of the Indians.

Carried unanimously.

Respectfully and earnestly submitted.

G. M. Spargo,
Secretary-Treasurer.

APPENDIX X

INDIAN WELFARE IN BRITISH COLUMBIA

A Brief Prepared and Submitted by The Society for the Furtherance of British Columbia Indian Arts and Crafts, June, 1946

Having learned on reliable authority that certain revisions of the Indian Act are contemplated by the Indian Affairs Branch of the Federal Department of Mines and Resources, this society begs to offer the suggestions which follow in this brief.

Foreword

In the opinion of our society, Education, Health and Social Services for Native Indians should be administered through the provinces. Common aims and standards would develop a bond of unity between the Indian people and the general population and would increase the rate of progress in these fields.

Public Health Services in British Columbia have already been made available to the Indian Department by the Provincial Government, and in the districts where these facilities have been used, the results have proved very successful. Similar arrangements with the provinces in the fields of Education and Social Service could be administered with marked profit to the native Indians.

It is essential that the trained personnel selected to serve in these areas should be equipped with a knowledge of the history, customs, temperament and traditions of the districts in which they serve.

Health

1. We recommend immediate attention to the care of Indian health by the increase of medical staffs and hospital accommodation for the treatment of active disease. Special provision should be made for the control of tuberculosis and venereal diseases at all ages including personal, individual training on the Reserves in preventive measures.
2. Supervision by trained welfare workers in applying remedial and preventive measures and establishing good health habits on Reserves; Teaching of Health subjects in all schools, with daily supervision and other incentives to habit formation.
3. The immediate removal of existing unsanitary conditions in Reserves, including dilapidated houses and other conditions contributory to disease and general ill-health and slovenly habits.

Education

1. The readjustment of the educational system along the following lines:—
   (*a*) The substitution of Day Schools in proximity to the children's homes for Residential Schools.
   (*b*) The provision of Junior High Schools, Technical Schools, and courses in Native Crafts to encourage preparation for self-supporting occupations along various lines.
   (*c*) The provision of adult education in industrial and occupational fields and the introduction of facilities for lectures, discussions and other recreational activities.

Note.—The aim of these reforms is to remove existing inequalities between the life of the Indian and that of the rest of the Canadian population.

From the outset, the educational opportunities offered the Indian should be equal to that offered to all other Canadians. In leaving school, the Indian boy or girl should not be placed at a disadvantage in comparison with his fellow Canadians.

Health Services

1. *Medical Services*

To combat the present high mortality rate among native Indians, especially among children, we recommend the expansion of medical and nursing services, baby clinics, etc., without delay.

Doctors, nurses and welfare workers should be specially trained to work among the Indians of this province.

To facilitate the coverage of large districts, travelling vans should be provided to work from a centre as headquarters; for coastal points, boats should be used.

Emphasis should be placed upon health education and practical demonstrations on First Aid, infant care in the home, control of tuberculosis and other diseases.

2. *Social Services*

We recommend the appointment of trained persons to do welfare work on the reserves.

Inasmuch as present welfare problems among the Indians arise largely from health needs, social service workers should be specially trained to approach their tasks from the "medical-social service" standpoint. (Recognized courses in "Medical Social Work" have been established for some years at McGill University. Steps have been taken towards the establishment of a similar course at the University of Toronto and the University of British Columbia.)

Sympathetic, systematic demonstrations on healthful habits in the home should be given, illustrating—

(*a*) care of the person
(*b*) choice and cooking of foods
(*c*) cleansing methods for clothing and household equipment.

The ill effects of living upon too much canned food should be stressed. Instruction should be given concerning well-balanced diets suited to Indian taste and needs.

In carrying out this work, the assistance of the Provincial Dietitian, and of dietitians in hospitals and other institutions which serve the Indians, should be utilized. Under provincial direction, a vigorous, co-ordinated attack upon the problem of malnutrition among native Indians should be instigated.

3. *Living Conditions and Housing*

1. We recommend the construction of modern houses to act as models for future housing.

   Overcrowding should be prevented. The custom of simultaneous occupation of the same dwelling by several generations should be discouraged.
2. Adequate water supply and sanitary arrangements should be provided and their utilization supervised, also the regular destruction of waste materials.
3. Vegetable and fruit gardens should be encouraged.

Reform in Education

1. *Day Schools*

We recommend the use of Day Schools on Reserves for Grades 1-6 for the following reasons:—

(*a*) Young children would be eased the shock of removal from family life. The restrictions, discipline, exclusive use of English, etc., of the Residential Schools are now recognized as having a far-reaching harmful effect on immature minds and bodies.

   (The beneficial effect upon young children of maintaining normal family relations has been conclusively proved by recent war experience in Britain, where children who remained within the family showed comparatively little ill effect from the blitz, while those removed to safety away from their parents, often suffered serious shock.)

(*b*) The amount of time devoted to school maintenance and agricultural chores at Residential Schools could be devoted to essential studies, physical exercises and organized games.

(*c*) Day Schools on Reserves would permit practical demonstrations on actual building construction and at the same time would serve as a community centre for various desirable activities. Playgrounds would be available for physical training.

The Day School should be made an intrinsic part of the life of the Indian community.

We would urge that only experienced principals, trained in teaching, and with an understanding of Indian life and background, be placed in charge of schools attended by Indian children.

We recommend that the Provincial Curriculum be followed as closely as possible in all schools so that graduate students may take their place without handicap in the larger community.

We also recommend the early introduction of such group activities as Junior Red Cross, Scouts and Girl Guides.

We recommend that organized games, physical education be stressed throughout the entire school course, and that initiative and leadership in all school and recreation activities be encouraged.

For the restoration of proper pride of race among the native peoples, we strongly advocate measures for encouraging the gathering of Indian songs, legends, tribal designs, etc., and their utilization for decorative and other commercial uses.

Junior High Schools and Higher Education

We recommend that Junior and Senior High Schools be established in buildings now used as Residential Schools.

Two types of courses should be offered to boys and girls who have completed the Sixth Grade school requirements:

(1) High School Graduation.
(2) Matriculation.

Nine out of every ten entrants would probably choose the High School Graduation course. This should offer a common core of subjects corresponding to that offered in Provincial Junior High Schools including Health, Physical Training, Social Studies (including family responsibilities), business arithmetic, English, music, art and handicrafts.

Much guidance should be given on choice of optional courses such as carpentry, mechanics, electricity, agriculture, horticulture, stock breeding, forestry, fishing, art and design, wood carving, typing, shorthand, etc.

When students select the Matriculation Course and give evidence of qualities which fit them for professional study of university standards, they should take their last two years of High School work at a "white" school. Through this arrangement the transition to University would be rendered less difficult and establish closer relationship with "white" companions.

Those desiring to enter University would need at first much special guidance. Many lines of professional achievement are open to youths with keen observation, retentive memories and the manual dexterity so characteristic of B.C. Indians. Both boys and girls could train advantageously as teachers and workers and technicians in medical and health fields, with a view to practising these skills among their own people, and selected condidates be prepared for Social Work Training.

Provision must be made for attracting girls to the values and interest of modern home-making methods.

The introduction of what are known as Practice Houses for girls of 16 or 17 and upward is strongly urged. Groups of six or seven young girls live for at least two months in simply but conveniently equipped houses where they learn to carry out every type of household and child care, under the superintendence of a resident teacher. The course, following 2 or 3 years of theoretical teaching in High Schools, can be rendered attractive and valuable as has been demonstrated at centres in both the United States and Canada.

Adult Education

We recommend that programs of adult education be carried out in all Indian communities for the following reasons:—

1. So that the Indians can study and equip themselves for the duties and responsibilities of Canadian citizenship.
2. In order to equip them to take an active part in their own program of health improvement.
3. To develop leadership among themselves.
4. To provide opportunities for social intercourse and discussion with fellow Canadians.

The Folk Schools of Denmark, which provide adult education for people with little previous formal education, offer a practical example of what might be achieved among native Indians; while the successful establishment of a Fisherman's Co-operative among young Indians at Nootka, B.C., has proved that co-operatives can be successfully managed by the Indian people themselves.

Selected Indians could help carry out the programs of adult education after preparatory instruction in such subjects as the following:—

> Personal responsibilities in health maintenance, constructive suggestions on industries and occupations; skilled handicrafts and their market value; duties to families, neighbours and country, revival of tribal history, legends, etc.

The establishment of camps along the lines of the C.C. Camps in the United States would also prove of value. Instruction here should include forestry, care of stock, agriculture, repair of houses and surroundings, gardening, construction of buildings, repair and maintenance of roads and bridges, etc.

The Teaching Staff:

It is of very great importance that the most efficient teachers should be induced to undertake service in Indian schools.

Of corresponding importance is the preparation of the teacher for the special problems which he must meet in his work. It would be necessary for the student teacher to devote some weeks to a study of Indian history, tradition and temperament. Through his understanding and appreciation of their accomplishments, the teacher must overcome the widespread Indian tendency to an inferiority complex, reawaken wholesome pride of race so that he will arouse ambition in the Indian to exercise his latent capacity to its utmost.

Gifted teachers need encouragement to take up this arduous work and should be rewarded with corresponding higher salaries.

The sense of isolation could be reduced by the organization of centres to which teachers and welfare workers might resort for week-end recreation and discussion. Summer courses, and other forms of conference, should be organized so that teachers, inspectors, welfare workers, Indian agents and others could meet from time to time to work out common problems.

The Inspector of Indian Schools should be a man of special qualities, intimately acquainted with the Indian's background and temperament and sympathetic towards his problems.

Industries and Occupations

The vast area of British Columbia, with its wide variations, geological and climatic, provides a variety of industries and occupations. In considering these, the province may be roughly divided into three sections:—

(1) The Pacific Coast and adjacent islands, including Vancouver Island and the Queen Charlotte Group.

(2) The southern area of the Interior extending from the Coast along the Fraser and Thompson Rivers through what is known as the Dry Belt, the Okanagan and Kootenay country to the Rocky Mountains.

(3) The vast Central Section extending north to the extreme limits of the Province and East to Alberta. It embraces many rivers, great lakes and mountainous areas including the remote Peace River section, much of which has only become accessible since the introduction of motor transport.

1. *Coast Indians*

The tribe located in this district are born fishermen, skilful navigators, efficient in woodcrafts and forestry, highly artistic and intelligent. Encouragement should be given to these people to enter grainful occupations by offering the following optional courses:—

Mechanics; Electricity; Forestry; Fish preservation and handling of fish products; Metal work; Handicrafts and Art Work in various forms.

Such courses could be given at Residential Junior High Schools or Technical Schools at convenient centres as suggested in a previous section.

2. *Indians of the Southern Interior*

The people of the Southern Interior did not develop industries or arts comparable with those in the Coastal district due to varying ecological conditions. A few today carry on horse and stock breeding and these should be encouraged. Others should be persuaded to enter into the industries of fruit farming and gardening, using modern methods as demonstrated by Government experimental farms. In this connection, irrigation projects should be encouraged whenever possible.

Native industries among the women, such as beadwork, weaving and the manufacture of coiled and imbricated baskets should be encouraged by insuring a good market with fair prices. Instruction in these industries and other handicrafts should be made available at existing schools or at conveniently located centres.

3. *Indians of the Northern Interior.*

The Northern Interior of British Columbia is now assuming much importance due to the mineral wealth recently brought to light. In this work Indians have been found to be of great assistance by reason of their abilities as trail blazers, prospector's assistants, packers, etc. Opportunities should be extended to these people to obtain technical training fitting them to take an even more active part in the development of the mineral resources of this Province.

Trapping forms an important part of the occupation of natives in this area, and steps should be taken to see that their rights in this form of livelihood are adequately safeguarded.

Canada is a country of many peoples. She can only rise to her full strength when all ethnic groups are enabled to make their individual contributions to the national pattern. The Indian, with his rich background of native lore, artistry, and tradition, has a special contribution to make to Canadian culture. Every etncouragement should be given to him in order that he may take his rightful place in the building of this great new land.

(Mrs.) JOAN TULLIS,
Vice-President.

APPENDIX Y

RECOMMENDATIONS SUBMITTED BY THE OKANAGAN SOCIETY FOR THE REVIVAL OF INDIAN ARTS AND CRAFTS, JUNE, 1946, TO THE SPECIAL JOINT COMMITTEE OF THE SENATE AND HOUSE OF COMMONS APPOINTED TO EXAMINE AND CONSIDER THE INDIAN ACT

These Recommendations to be considered in conjunction with this Society's brief entitled *Native Canadians, a Plan for the Rehabilitation of Indians* submitted to The Committee on Reconstruction and Re-Establishment, Ottawa, 1944.

ENDORSED BY: Agassiz Branch, Okanagan Society for the Revival of Indian Arts and Crafts; Council of the Society for the Furtherance of B.C. Indian Arts and Crafts, as per letter from Council Secretary, dated 5th July, 1946.

RECOMMENDATIONS

The Okanagan Society for the Revival of Indian Arts and Crafts herewith submits to the Joint Committee on Indian Affairs a plan for the Rehabilitation of Indians. This Brief, entitled—"Native Canadians, A Plan for the Rehabilitation of Indians" was submitted to the Committee on Reconstruction and Re-Establishment, Ottawa, in May 1944 and a copy is attached hereto for your consideration. It has been reprinted several times since then and has had wide circulation and wholehearted approval from interested persons, Indian and white, over the whole of Canada as will be clear to you from records of the Committee on Reconstruction and also from records of endorsements sent direct to the Indian Affairs Branch in 1944 and 1945.

In the two years since our study was made this Society has found little to add to the main points therein outlined. However, this further submission will touch upon matters not sufficiently emphasized in the Brief, and upon material not covered by it.

It is clear to us that a great demand is coming from Indians, and particularly Indian veterans, for vast improvements without delay. An Indian fights for democracy and obtains the vote, his son has no vote. He notes in the armed services the care given to food preparation, sanitation, anti-pollution measures and health. The Native Brotherhood of British Columbia states that returning service men "are not in the least satisfied to see the same old conditions of poverty existing among their old people". Young Indian farmers attended the 1945 Convention of the B.C. Federation of Agriculture to ask for help in pressing for improvements. "Loans for seed and machinery are most necessary" they stated, "but the Indian Department has always pleaded lack of funds". In our own district a young man with ambition to improve his education has sent in an application to the Indian Agent (as a veteran) for a correspondence course; as he has been unable to obtain a reply he is pressing this Society to intervene with the Indian Agent on his behalf.

A long range policy is needed with the over-all aim of the total emancipation of the Indian, at his own pace and as he wishes, fundamental to this being the establishment of democratic practices, provision for opportunity to make a living, full health care and a proper educational program.

In addition to the points developed in the Brief which we present for your consideration, we should also like to call attention to the following matters:—

Reserves.

A comprehensive survey should be undertaken of all Reserves in order to ascertain whether the Reserve can maintain the present population, and whether facilities will permit the natural increase in population also to make a living.

A survey would establish the fact that in B.C. for instance, a great part of the Reserve lands in the interior are of little value without irrigation being made available to those sections of land capable of being brought under cultivation. It is not possible for present occupiers to better their condition unless they can make proper use of the land through utilization of fundamental essentials.

If the survey finds there is not sufficient grazing or arable land to sustain the population, then additional land should be made available. A case has been brought to our notice where summer grazing is too limited to meet requirements of the Band whose vocation is cattle ranching. The herd could be considerably increased by allotting more grazing ground from the Government lands on the mountain slopes directly adjoining that particular Reserve.

In order to safeguard the future of the Indian population, no land from the present Reserves should be disposed of, unless there is a very decided voluntary movement of the Indians themselves away from the ancestral occupations.

This suggested survey would reveal the state of living conditions on the Reserves, further it would bring to light:—

(*a*) Condition of the main road into the Reserve.
(*b*) Health and sanitary conditions, domestic water supply, etc.
(*c*) Facilities for education both on and adjacent to the Reserve.
(*d*) Recreational facilities on the Reserve.
(*e*) Possibilities for more suitable industry to supplement that already being practised.
(*f*) Vocational training possibilities.
(*g*) Best ways and means to foster revival of native arts and crafts.

Indians not on Reserves.

(This does not refer to nomadic Indians of the North.)

While those anxious to continue on the Reserve lands should be given far greater encouragement and assistance, there should be a definite system of help for those who wish to set up for themselves, either as individual farmers or ranchers, or in the many other occupations for which they have aptitude. After some generations of dependency under which Indians have not been permitted to make any business decisions for themselves, they can hardly be expected to attain high standards without strong support being given them in their endeavour. Tactful and not interfering assistance is needed in the construction of modern houses in suburban areas, advice as to vegetable gardens, home-making, child care and so on, so that slum conditions may not arise through lack of knowledge.

Education.

We wish to give all possible emphasis to our previous recommendations in "NATIVE CANADIANS" pages 17-18 on the community centre and adult education, for only by reaching the young adult, particularly the young mother, can any real progress be achieved. Health, home-making, child care and recreation are all crying needs today. On some Reserves poor condition of moral behaviour can be attributed mainly to the fact that there is nothing of interest for the young people to do. Adult education facilities should be readily available to all. Vocational training for young people is essential. Trained welfare workers with a thorough background of the social sciences should be in charge of such centres if the Reserve is large enough; if not, a system of travelling vans could have a settled route to cover each week, bringing demonstrations, films, such as those of the National Film Board Circuits, possibly radio programs, discussions, clinics, and most certainly recreational facilities. The program offered in some rural areas by the Dominion Provincal Youth Training Schools provides a very acceptable model for this work.

All institutions of learning must be open to native Canadians on a merit basis. We point to the amazing record of Indian doctors, lawyers, nurses, teachers and ministers who have absorbed an academic education. There is evidence of accelerated progress made by children who have transferred from Indian to the regular public schools. As long as Indians remain wards of the Government, no Indian proving worthy of higher education should be deprived of the means to enable him to qualify for professional or executive positions. To illustrate our point we quote from a letter written by Mr. Eric J. Dunn, Principal of the Alberni District High School, dated 7th September 1937. (A copy of this letter was passed on to us by the Society for the Furtherance of B.C. Arts and Crafts, Victoria, and had been addressed to Mr. F. E. Pitts.)

Quote:

> I have been informed there seems to be some possibility of three Indian boys not being able to continue at school. In my opinion if such should happen it would be nothing short of a tragedy. I have been teaching school here for ten years and can unhesitatingly state that Eddie and Willie are by far the most brilliant all-round pupils I have encountered. Should they continue I feel morally certain that either will have an excellent chance for the Provincial scholarship. It would be a shame if these two boys who are probably the first Indians who have had the opportunity of leading the Province, should be deprived of the chance. I feel sure that if you consult any member of my staff you will find that my views are shared by every teacher here . . . I trust you will use every means in your power to have them enabled to complete the High School. Signed—ERIC J. DUNN.

Mr. A. E. Pickford, Bibliographer of the Victoria Society informed us that one of these young students had wished to become a doctor and the other a lawyer each to act in these professional capacities on behalf of their people, but the desire of these two lads had been frustrated through lack of interest of those Government officials who were responsible for local education.

As Mr. Pickford comments, "the letter from the Alberni High School contains a measure of eulogy which will be very helpful in proof of the proposition that Indian children have a mental equipment which entitles them to the very best education which the country can afford." It may be of interest to the Joint Committee to learn that one of the lads in question is working as a fisherman on the West Coast of Vancouver Island, the other was killed overseas serving with H.M. Forces.

It is unnecessary to emphasize the fact that this is a direct reflection on our Government's policy towards the native Canadians, wards of the Government, in whose cause we plead for justice.

Beautiful paintings and other works of art executed by young Indian children of the Inkameep and Lytton Indian Schools and which won some of the highest awards in the Royal Drawing Society's War Time Competition, London, England, in 1940-41 and 42 testify as to the value of native art, which if encouraged and not stifled can constitute a real contribution to the arts and crafts of this Dominion. It is worthy of note that Her Majesty Queen Elizabeth acquired one painting executed by Sis-hu-ulk of Inkameep, for her private collection.

The educational system must be improved rapidly in order to remove the disadvantages of the present often third-rate curriculum. We endorse the urgent appeal for more day schools, and for semi-residential schools where geographical factors make the day school impossible—all these schools to give an education at least equal to that in the regular schools of the province. We suggest that since education is at present a prerogative of the provinces that

Indian education should likewise be transferred to provincial control in order to gain some equality for the Indians in the places where they live. Since in B.C. some 250 Indian children already are receiving education in public, elementary and high schools such arrangements can easily be made. Where possible a school bus can pick up the children and take them either to the Reserve school or to a nearby public school. A bus would be particularly necessary with a semi-residential school in order that the students might get home at the week-ends. Since the Reserves do not come under Provincial taxation for school purposes, federal and provincial authorities could work out some suitable arrangement.

Agricultural Education

The white citizen farmer can avail himself at all times of the knowledge and experience of those in charge of our Dominion Experimental Stations as also of the services of Provincial Government District Horticulturists and Agriculturists. It is suggested that these facilities be made more easily available for Indians, and also that special instructors be appointed whose work will be to stimulate, encourage, and instruct Indian farmers, cattle ranchers, etc., urging them to take advantage of the present facilities. Young Indians should be encouraged to qualify as instructors to fill these posts.

Reforestation

Youths showing special ability at school might qualify for a special practical reforestation course and those proving competent should be given every assistance to qualify for higher executive positions. Reforestation of depleted Reserves as well as proper care of existing stands of timber on the Reserves should be given immediate consideration. The Reserves could be used for practical demonstration and training. The Indian's background makes him especially suitable for this type of work.

Fishing and Trapping

Steps must be taken by the Federal and Provincial Governments to ensure that Fishing and Trapping Rights are more closely safeguarded for the Indians. It is most advisable that Indians should be instructed and encouraged in the conservation of wild life, which has, and is still being sadly depleted to the point of extinction in some cases.

Health

In addition to our previous recommendations on "Health" we suggest that travelling T.B. Clinics whose itinerary covers the whole Province to control T.B. among the white population, should be extended to include and take care of all the Indian population on the different Reserves. Strictest control is necessary to combat the spread of this devastating disease among our Indian people.

Transportation—Roads

Indians on small Reserves such as are the rule in B.C. cannot own their own road grading equipment. The approaches to some of the Reserves are not even worthy of the name of "trails". It is suggested that at least the main road into a Reserve should be graded at specified intervals, the Dominion making some arrangement with the provinces for this purpose.

Improvement of the roads is a prerequisite to the institution of much of the health and education program. A school bus cannot travel over the present rough tracks nor could travelling adult education workers visit the Reserve regularly. In our own district the V.O.N. Nurse appointed to make a weekly visit to the Reserve, is very often precluded from doing so (for weeks at a time) owing to the impassable state of the road. Thus even this health service is denied those who would be benefited greatly from regular visits.

Indian Agents

Your Committee should, in our opinion, investigate thoroughly the matter of Indian Agents. Who appoints them? How are they recruited? How trained? What qualifications are required? Do they receive any in-service training? How many of their dictatorial powers are necessary to-day?

We endorse some curtailment of powers, as outlined in the Brief of the "Protective Association of Indians and their Treaties of Saskatchewan", September, 1945. A man placed in the position of prosecutor, judge, jury and defence cannot be expected to produce impartial British justice.

Power of Chief and Council

The present position of Chief and Council is little better than a debating society. These elected officials should be regarded as a municipal council with similar powers within their territory. They should be able to use the money of the Band at least for minor improvements without obtaining permission of the Agent. By them using moneys of the Band for minor improvements they can progressively attain that state where they become capable of handling all their resources. They should have law-making and law-enforcement powers similar to those of municipal councils. They should be entitled to receive remuneration for their activities, as municipal representatives do.

Enfranchisement and Parliamentary Representation

Many native Canadians are opposed to enfranchisement, seeing as a hollow mockery the granting of a vote in exchange for all tribal rights, rights in land and property and so forth. There is in our opinion no reason why Indians should not be given the vote immediately, without any qualification or reservation whatsoever. They were given the vote thus in the United States in 1934. However, it should be a matter entirely for the Indians themselves to decide through their own organizations. They have discussed the possibility of electing, for the time being, Indian representatives to Parliament, perhaps one to a province, representing Indians only in order that they may be free from political manoeuvring. The Native Brotherhood of B.C., The Indian Association of Alberta, The Union of Saskatchewan Indians, are three Provincial Groups containing most of the Indians of their respective provinces; who have already had considerable practice in electing executives and so forth and are no doubt capable of electing one of their members to represent them in Parliament.

The plan for separate representation may tend to perpetuate separatism and reinforce the ideas of those who would keep the Indian apart, but for the present it seems the only feasible method by which the Indian may have a voice in his own affairs.

United States Administration

We first strongly urge your Committee to call as witness a member or members of the United States Indian Affairs Department. In the last 15 years the whole attitude of the United States Indian Administration has completely changed and is still in a state of revision. Our Brief ("Native Canadians") gives a short outline of the underlying philosophy and the start of the achievements, but further detailed study would be invaluable in the formation of a new policy for Canada.

Indian War Veterans

We urge that Indian veterans of the Second World War participate in the matter of gratuities, benefits and other privileges in connection with rehabilitation, on the same basis as white veterans; for this reason we endorsed a resolution passed in May by the Indian Association of Alberta.

That all Indian veterans in Canada be eligible for an additional sum of $3,500. This additional sum will be a loan through the proper channels of rehabilitation and the Department of Veterans Affairs. This loan will be repaid on amortized instalments over a period of 25 years with interest at 3 per cent per annum. An additional down payment of 10 per cent would be furnished from the Band Funds to which the veteran belongs.

Attitude of Other Canadians

The Indian Affairs Branch must have at its disposal sufficient funds and well-trained personnel to put Indian achievements and possibilities before the public in a sympathetic manner through exhibitions, radio, films, press notices, etc., etc. Race prejudice must be defeated and the public must be educated in tolerance, friendliness and understanding. The public is itself responsible for the serious state of Indian Affairs, and yet it is from the public, as well as from the Indians themselves, that demands have come for reforms. A speaker in the House of Commons stated (22nd September, 1945, Canadian Press Report):—

> I believe the time has come or is fast approaching when we should give earnest consideration to changing the emphasis, and thinking not so much of building up the Indians to our standard of living, *but of developing a program that would prepare the hearts and minds of our own people to receive the Indian on a basis of equality.* There are many Indians who are our equal in knowledge, in ability and in service.

Finally, we ask that the Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act should earnestly consider our brief—"Native Canadians" and these submissions made in the hope that they may be instrumental in furthering the cause of our Indian citizens. As the writer, Hazel Robinson, points out:—

> The race that had evolved a knowledge of astronomy equal to that of Europeans when the first white man came, is capable of ventures into the realm of abstract thought. The people who had developed and practised a free and beautifully conceived democracy hundreds of years before even the idea was born amongst the suffering people of the Old World have other contributions to make to our democratic way of life. The minds that evolved the system of sending messages centuries before the telegraph was dreamed of can evoke modern miracles for the benefit of their own and the white race.
>
> The sensitive artistry and deft fingers of their artisans who produced unbelievably beautiful silver and gold work, jewel cutting, pottery, weaving and basketry, are ready to give Canada a truly native handicraft.
>
> Up to the present day they have been stunned and stultified by the tragedy which has engulfed their race. Now, with our good neighbour assistance, with tolerance, understanding and friendliness we may yet help to restore, and even better—help this fine people to restore themselves to their proud heritage. Thus Indian and white men alike can measure up to their full stature and responsibility as Canadians.

We desire to place on record the fact that this Society has, on separate occasions, endorsed the following:—

1. Suggestions on the encouragement of arts and crafts *in the Indian schools of British Columbia,* by Miss Alice Ravenhill. President of the Victoria Society for the Furtherance of B.C. Indian Arts and Crafts, in October 1942.

2. *Memorial on Indian Affairs,* presented by the Indian Association of Alberta, September 1945.

3. 2nd Memorial on Indian Affairs, presented by the Indian Association of Alberta, 1946.
4. Brief submitted by the Protective Association for Indians and their Treaties of Saskatchewan, October 1945.

OKANAGAN SOCIETY FOR THE REVIVAL OF INDIAN ARTS AND CRAFTS

OLIVER, 17th June, 1946.

ALBERT MILLAR,
President.

NATIVE CANADIANS

A PLAN FOR THE REHABILITATION OF INDIANS

Submitted to the Committee on Reconstruction and Re-establishment, Ottawa, by The Okanagan Society for the Revival of Indian Arts and Crafts, Oliver, B.C.

CONTENTS

The approach of Canadians to the Indian..... 617
Analysis of deficiencies in present conditions..... 619
Improvements in the United States in the last ten years..... 626
Short-term improvements suggested for Canada..... 630
Long-term suggestions for solution of the whole problem..... 631

SHORT-TERM PLANS

1. Indian relief on the same basis as white.
2. Old age and other similar pensions to Indians on same basis as white.
3. More money for food at Residential Schools.
4. More money for hospital care, particularly for maternity.
5. Infiltration of whites on hunting preserves checked through licensing system.
6. Indians employed as Game Wardens.
7. Provisions of the Veterans' Land Act of 1942 open to returned Indians.

LONG-TERM PLANS

1. A new Indian Act to replace the Act of 1868.
2. Reorganization of the Indian Affairs Branch to make it similar in philosophy and administrative practices to that of the United States.
3. Decentralization of Administration.
4. Self-Government on the reserves.
5. Full citizenship with its duties and rights.
6. The administration free from exploiting interests.
7. A modern system of education established on much the same lines as the regular provincial systems.
8. A system of adequate vocational training.
9. A new approach to health and its placing under provincial authority.
10. More hospitals.
11. The economic security of the Indians secured through far-sighted long-term planning, and the establishment of co-operative undertakings in such lines as owning livestock, farming, canning, fur-raising, etc.
12. Freedom of speech, assembly, and particularly religion.
13. *A Royal Commission to enquire into the whole Indian question.*

NATIVE CANADIANS

Indians of Canada

In the last ten years, we, the citizens of Canada, have become aware of the rich heritage of our native Canadian people through the astonishing renascence of Indian arts, the outer sign of an inner renascence of the almost vanished Indian spirit. We know of the powerful paintings of the young artist Sis-hu-lk and others; of the deeply moving work in mimetic drama of the Inkameep children and those of Lytton; of the outstanding art work produced by the Coast and Island Indians; of the lecturing through all Canada of Chief Oskenonton of the Six Nations; of the proposed Indian Drama Festival sponsored by the B.C. Community Drama Department; of the frequent exhibitions of Indian arts and crafts of past and present, sponsored by such individuals as the Reverend George Raley in Vancouver, and such groups as the Society for the Furtherance of B.C. Indian Arts and Crafts in Victoria, the Society "The Friends of Indians," as also the Okanagan Society submitting this brief. To many of us the approach has been literary, and we have read with consuming interest Barbeau's "The Indian Speaks"; or the musically inclined have enjoyed Indian folk songs over the radio. This offers only a sample of the great riches laid before us in British Columbia alone, and no doubt they can be equalled or surpassed in other provinces.

Others again are interested in archeological and anthropological investigations. Many papers, articles and books deal with the Indian arts and customs of the past—organization, religion, and ritual, medicine men and medicinal lore, buildings and transportation, food and clothing, hunting and fishing—the very means of livelihood. Our intellectual curiosity has delved far into the rich Indian past, and has rescued much interesting material.

But while we were fascinated by the past of a deeply rooted and highly developed culture, showing no signs of decadence at the conquest, we seemed unaware that our native Canadians were still in the world of the living. We appreciated their arts, but we seemed to imagine that these could be produced in a vacuum.

Meanwhile the Indian population of Canada lived, and for that matter is still living, in many cases in most deplorable conditions, often almost below subsistence level. Indians have practically no means of making themselves self-supporting except in certain cases as labourers and domestics in wartime, *and they have no rights as citizens anywhere in the world.* They appear to be administered by a Department whose policy often reflects neglect and parsimony due to totally inadequate financing from the government.

There have been two defaults which are interdependent. First, the Indian Affairs Branch has failed to introduce a modern policy for administration of Indian Affairs, and is still proceeding under the obsolete regulations of 1868. As an Indian leader says, "Indians have changed a lot since then." So has the world. Which of us would willingly go back 70 years to the days of Canada's pioneering on little subsistence farms? Second, due to scantiness of information, the general public has been so lacking in interest and so deficient in social consciousness that no pressure has been brought to bear on the Government to provide more adequate appropriations, and to formulate an up-to-date administrative program.

The responsibility is ultimately that of all Canadians and therefore we are presenting this brief.

ANALYSIS OF PRESENT DEFICIENCES AS REVEALED BY THE ANNUAL REPORT OF THE INDIAN AFFAIRS BRANCH, MARCH, 1942[1]

We quote certain sections indicating that malnutrition or even semi-starvation are the lot of some of our Indian friends.

p. 132. "The supply of Caribou was scarce in the Fort Resolution District and muskrat hunting in the spring was very poor . . . bands trapping towards Martin Lake reported that the catch of fur was poor . . . Rabbits have increased in the Fort Norman and Fort Simpson Agencies which, with better prices of fur, helped the Indians considerably, although they complained of the depredations of wolves which have greatly reduced the number of moose in that region."

p. 132. "Crops in the dry farming area in Alberta were only fair . . . considerable damage was done by sawflies . . . At the Blood Agency the wheat crop was only fair, owing to drought . . . The oat crop was not very good . . . The potato crop was fair, and gardens generally suffered from lack of moisture . . . Grazing was not so good as last year owing to drought . . . The special herd which was started at the Blood Agency with the object of supplying all meat rations for *destitute Indians of that Agency* (our italics) will issue female stock to Indians as foundations for new herds."

"The summer was so hot and dry in the province of Saskatchewan that crops were very poor . . . Gardens were poor . . .

p. 133. "Several Indians in Manitoba have small flocks of sheep.[2] The wheat yield was light . . . Flax was grown but light yield and poor prices resulted in poor returns . . . Coarse grain gave only a fair yield . . . The potato crop was light. In Ontario, "Indian girls experienced no difficulty in securing steady employment as domestics."[3]

We are naturally not laying the blame for poor weather conditions or lack of game on the Indian Affairs Branch. We quote these items to show that while Indians and whites alike suffer from these calamities, whites obtain relief payments, inadequate enough, but at least keeping them above the line of starvation, while Indians only obtain groceries to the value of $4.00 a month when actually too sick or too old to work. It is known that in the North, Indians have starved to death, and that such a thing could be allowed to happen in a rich country like Canada is incredible.

War Services.

The number of Indian enlistments has now been far supassed so there is little point in mentioning the figure of 1,448 as given in the 1941 Report. The high number of rejections for malnutrition is not given in the Report.

In spite of our native Canadians being denied the right of citizenship, we know that a very fair percentage has volunteered and is serving with the Active Forces and that Indians had, out of their meagre funds, given over $11,000 for war purposes by the end of 1941. This makes us feel very small indeed.

Indian Health Service.

Very little of positive value seems to have been accomplished, according to the Indian Affairs Branch Report. On page 135 we read:

p. 135. "A nutritional investigation was undertaken during the year. It was found that a large section of the Indian population was suffering from dietary deficiencies. *Measures to counteract this condition are being studied.*"

[1]*NOTE.* The Report is dated March 1942, but deals with 1941 and all figures quoted therefore are for 1941.

[2]We mention this because we cannot understand why there are not many large flocks of sheep either there now, or planned for, especially when war and post-war needs in wool are so great.

[3]This is quoted because we cannot find any mention of any other possible employment for Indian girls in the Report.

Unless this study undertaken in 1941 has already resulted in energetic and definite action right across Canada, it is urged that the only possible solution to dietary deficiency problems is not to "study measures" but to ship in crates of preserved milk, butter, eggs, and oranges, and then to press for the most energetic and vigorous campaign for:—

(1) Ensuring a full living for Indians so they can purchase what they need.

(2) Stringent adjustment of game laws made to prevent white "sportsmen's" and trapper's depredations so that Indians may have fresh meat (a potent source of vitamins).

(3) Education through community centre schools in health and diet, remembering the value of local and native foods.

Welfare and Training Service

For many years thoughtful people have urged the teaching of Indian pupils by teachers trained in modern methods of psychology, educational theory and practices, adapting these newer types of instruction to the special abilities and needs of Indian students. The work of Mr. Anthony Walsh in arts and crafts and drama at Inkameep (Okanagan) and of Mr. Noel Stewart, whilst at Lytton, B.C., are particularly outstanding. The report says on p. 135: "The Department is wholly dependent on the provincial normal schools for its supply of teachers," but to our knowledge many Indian teachers and administrators have no teaching qualifications.

Furthermore, the report states: "A report of an I.Q. survey of a number of residential schools in Ontario, undertaken by the Provincial Department of Education, *suggests that it may be necessary in the future to provide special courses of study for Indian Day and Residential School Teachers.* (Our emphasis.)

We would point out that in October, 1942, The Society for the Furtherance of B.C. Indian Arts and Crafts, Victoria, B.C., submitted to the Indian Affairs Department a brief entitled "*Suggestions on the Encouragement of Arts and Crafts in the Indian Schools of British Columbia,*" which, if implemented, would assist in raising the status of Indian schools. It is appalling to think that authorities had not realized the necessity for specially qualified instructors until 1941, and then only to lament the dearth of such qualified teachers. We would like to be assured the Department is actively planning for the training schedule now, so that the program may be established as soon as personnel becomes available.

We find higher education almost entirely neglected. According to the 1941 Report the expenditure on education contains an item, "Assistance to Ex-pupils," which we interpret to mean an expense for further education. This item in a total expense of $1,878,726 comes to $1,323.85.

There is no longer the possibility of using the excuse that Indians cannot assimilate white education. We point to 92 Indian nurses and two Indian doctors employed by the United States Indian Department in 1940; to the fact that in the U.S.A. each year "a selected group of young Indian college graduates are offered apprenticeships in teaching in Indian schools" (according to the U.S.A. 1941 Report); that Brig. O. M. Martin, a full-blooded Iroquois Indian, has been appointed Commandant of the Hamilton-Niagara Military area (as reported by the Canadian Press on July 5, 1943); that the balance, judgment, and organizing ability of the leaders of the Native Brotherhood of B.C. with five thousand Indian members compare favourably with that of white executives; that there are apparently no more limits to an Indian's capabilities than there are to those of other races, when adequate educational facilities are provided.

Then why have so few Indians achieved more than a few grades of school education? They feel this terrible lack in to-day's world. A British Columbia Indian leader says, as reported in the Vancouver *Province* of June 12, 1943:—

> In the year 1927 the Parliament of Canada provided that any Indian child who showed promise would be assisted in learning any of the professions. Indians of B.C. are seeking the fullest education for their children, but that promise made by the Government of Canada has not yet been carried out . . . Indians of B.C. would like to see their children attend technical and normal schools as well as to the University of B.C.

This applies, of course, to the wishes of Indians in all other parts of Canada.

If our interpretation is correct, the sum of $1,323.85 (Assistance to Ex-pupils) already mentioned is the total Canada expended for the above purpose. How many students could be aided to a higher education for that outlay is an interesting conjecture.

In the realm of elementary education, while 17,281 pupils are on the rolls, the average attendance is 13,935, or 80 per cent. The following table shows the number enrolled in each grade:—

Grade 1	6,240
Grade 2	2,835
Grade 3	2,419
Grade 4	2,037
Grade 5	1,608
Grade 6	1,006
Grade 7	627
Grade 8	378
Grade 9	131

Therefore, out of 17,281 children enrolled in school, *only 378 in the whole of Canada were in Grade 8 in 1941.*

All educational administrators to-day are revising former false ideas on the I.Q., on capacity and on curriculum. It is now found that nutrition affects I.Q. to a very marked extent and if our Indians had access to proper supplies of food, the inherent I.Q. would go up considerably. Secondly, progressive educators everywhere have finally banished the old "book-learning" goal of preparing 100 per cent of the students for the academic studies that only 5 per cent of them would pursue. Education nowadays sees three sides for school development: first, the fitting in of the child with the group (socialization); second, the development of skill such as drawing, manual dexterity, reading, writing; third, the use of such aptitudes as co-operatives, courtesy, curiosity, initiative, combined with knowledge of skills for the group's benefit. Education has been brought in tune with the times, in which the useful but varied place of any member of society is thought valuable, and a way is at last open for the individual to develop individuality.

It would be therefore a very reactionary person who could not fit the *modern* curriculum to the needs of all children, including Indians (whilst allowing full scope for the development of their special gifts) when the matter of malnutrition has been attended to.

Welfare

> The Report states on page 136: There is little evidence to indicate that the Indian has become in any sense more frugal as the result of the period of economic depression from which he is now emerging. The failure of the Indian population, when work is plentiful and wages high, to provide for their future needs or to spend their earnings on worth-

while projects, such as the repair and furnishing of their dwellings is one of the most perplexing features of the welfare program, although in many cases they are showing improvement in this respect.

It surely goes without saying that a Department that has never striven to have adequate or even regular employment of its charges cannot expect those people to have learned thrift and frugality out of the air. In comparable economic groups, and in very much higher economic groups, the war has brought a rush of luxury-spending instead of a putting of money into worthwhile projects. How unfair it is to blame the Indians for what is noticeable over the entire continent! Money is a new thing to many white people, too, and wisdom in its use has to be slowly and painstakingly learned. The Report makes no mention of plans for encouraging thrift and frugality.

> p. 137. Large quantities of discarded military clothing . . . shoes, great-coats, socks, and battle dress blouses . . . have been distributed to Indian agencies. Unusual skill and interest has been displayed by Indian women, members of Homemakers' Clubs, in the repair and remodelling of this clothing.

This paragraph is a disgrace to the Department. How will fitting out Indians with soldiers' discarded clothes make them feel on a level with other ordinary citizens of this Dominion? As voting citizens we strongly protest against such methods. How would we like a few discarded military garments as charity? When will it be realized that welfare work ceases as jobs are provided, whether for Indians or whites?

Occupations in Each Province

As further opportunities for work must stem from what is already there, occupations and conditions therein in 1941 are quoted in full from the Indian Affairs Report. From this it is obvious that given equal opportunity with the whites in such matters as proper education and health facilities together with adequate vocational training, the question of Indians becoming absorbed into the economic life of the nation need no longer constitute a problem.

Nova Scotia

> While many of the Indians raise their own gardens, any other agricultural pursuits that are engaged in are on a small scale. With the progress of the war, however, more Indians are finding employment with white farmers and fruit growers. Their natural ability as guides and canoe men is utilized during the tourist season, and their skill at making baskets and at woodworking is another important source of income. They also work in lumber camps as labourers.

New Brunswick

> Except for growing potatoes and vegetables for their own use, little farming is engaged in. The potato crop in the State of Maine, however, provides seasonal employment for many Indians every year. They also hunt and fish and act as guides. Many work in lumber camps and sawmills, while others earn a living as day labourers. In certain parts of the province they are engaged commercially in the manufacture of axe and pick handles and baskets.

Quebec

> The Indians of Caughnawaga are noted steel workers and find highly remunerative employment in that trade. The native handicraft projects continue to be successful. The Indians of the northern interior and the north side of the Gulf of St. Lawrence depend almost entirely on hunting, trappng and fishing *for their subsistence* (our italics). In the Saguenay

district they act as guides and canoe men and also find employment in lumber camps and mills. The Indians in the organized central and southern portions engage in mixed farming. They raise fruit and dispose of it at nearby markets and those who possess cows sell the milk to the creameries and cheese factories. A few also act as game guardians on established beaver reserves.

Ontario

In northwestern Ontario the Indians are dependent largely on fishing and the trapline for their living. In eastern Ontario they engage in lumbering. All northern reserves are reasonably well stocked with merchantable timber. In the southern and western parts of the province farming is the chief source of revenue, *although the Indians in these sections, close to industrial centres, are to a marked degree becoming absorbed into the industrial life of their respective communities.* When advantageously located to do so, the Indians engage in guiding during the tourist season, in which they are particularly efficient, and in themselves actually constitute an attraction to tourists, unfamiliar with the aboriginal races.

Manitoba

Fishing, hunting and trapping . . . in the lake regions and north; the large commercial fishing companies employ many Indians . . . Agriculture is confined chiefly to four Agencies, although Indians from other Agencies work in the harvest fields in the farming communities. The new sugar beet industry is also providing work for Indians in the beet fields. Good herds of cattle . . . and other livestock are to be found on many reserves, and their products are a vital source of income to the Indians of southern Manitoba. Surplus hay is sold . . . Taking out wood for winter requirements has always been an Indian occupation while recently more and more Indians have been engaged in cutting pulpwood. Indian women find their native handicraft, particularly the manufacture and sale of gloves and moccasins, a profitable undertaking.

Saskatchewan

Farming and stock-raising comprise the chief occupations of Saskatchewan Indians. *They are equipped with good implements and horses and employ the same advanced modern farming methods as their white neighbours. Their cattle are of a good type* . . . In the north central sections of the province they supplement their incomes by selling their surplus hay and taking out fuel-wood, while further north, they depend almost entirely upon hunting, trapping and fishing for their livelihood. They make good woodsmen. The recent shortage in the pulpwood industry has opened new opportunities for earning good money to Indians from all parts of the province, many of them finding work in the wooded section of Saskatchewan and several going to Ontario . . .

Alberta

Stockraising is the principal occupation of the Indians of the southern and foothill regions, where they have *large herds of horses and excellent cattle herds. They grow grain on up-to-date, well-equipped farms.* Indians in the northern parts while mainly occupied in hunting and trapping, also engage in fishing and selling fuelwood. Those Indians who do not farm for themselves, find employment with farmers and ranchers; haying, harvesting, and working in the beet fields . . . A number also work in lumber camps, sawmills and as labourers. *The Blackfoot Indians operate two coal mines of their own.*

British Columbia

> The Coast Indians exhibit skill as salmon fishermen and the fishing industry has continued to be their chief occupation. *Many own their own power boats and up-to-date equipment* and either fish independently or under contract with the canneries. Herring canneries give work to a large number of Indians, especially women, who give excellent satisfaction as cannery workers along the coast. They also engage in clam digging while others work at various occupations such as logging and as unskilled labourers. Indians of the central and northern interior regions make their living by trapping on registered traplines, while towards the south they are turning their attention more and more to agriculture and other pursuits. Many engage successfully in cattle and horse raising, while others are making a success of fruit growing, some of them having orchards of their own. Whole families participate in the seasonal migratory labour movement to pick hops, fruit, etc., which frequently takes them into the United States in their wayfaring.

This Society has no knowledge of any Indian operating an orchard on a commercial basis in British Columbia.

We conclude from these statements that in cases where Indians have been enabled to go into modern types of work, such as structural steel work as in Quebec, or operating a coal mine in Alberta or having farms with good implements and a high type of stock (as in parts of Saskatchewan and Alberta) they soon become on a par with their white neighbours.

We note, however, that no figures are given for the number thus engaged and we are inclined to think these constitute exceptional cases. Every province reports Indians working as labourers, as unskilled labourers, as harvest or haying or fruit picking hands, and such casual seasonal labour cannot be said to be a firm foundation for making a self-supporting citizen. *We note no system of training adults for the many occupations possible and no plans for future training in permanent types of work when the war-industry boom is over,* although we note that in some schools courses in vocational pursuits are now being given.

Dwellings.

A description is given of housing in each province. It is impossible to tell without seeing them in exactly what condition the houses are. As far as B.C. is concerned, personal acquaintance of members of this Society is with houses in places as far apart as Canoe Creek, Alkali Lake and Williams Lake (Williams Lake Agency), Osooyos, Penticton, and Similkameen (Okanagan Agency), the Nicola settlement outside Merritt (Nicola Agency), the reserve outside Duncan (Cowichan Agency). Housing conditions in most of these places are very poor, and therefore we are particularly interested in the following statement of the Report:—

> Special attention continues to be given to the improvement of Indian homes. All new houses are built upon modern lines of the small compact type *used by white labouring classes.*

It would be interesting to learn where these houses built upon modern lines are to be found in the interior of B.C. and to what extent they were financed by the Indian Affairs Department.

We have information from Ontario which states: "Most of these better homes have been built by individual initiative, but there are some examples of government housing programs."

It seems to us, however, that the Department's whole attitude and interest is here nakedly revealed: Indians are not to be educated to their ability and aptitudes, to take on the great tasks that this world waits for; they are not to

take their place among other inhabitants of Canada for whom upward paths are not closed; they are to remain "labouring classes" as the *highest ideal.* The Department says it is trying to get them up to this level.

We as responsible citizens absolutely reject this attitude to our fellow human beings. Indians are Canadian people, and we shall not rest until we have made every possible attempt to bring their plight to the Government's attention.

Number of Indians.

We learn from the Indian Affairs Report that there were in 1939, 118,378 Indians in Canada and on them we spent $5,004,165—*i.e.*, $42.28 each. This covers total administration, the Indian Agencies, reserves and trusts, all medical care and welfare, all education (including $1,393,393 in grants to residential schools), a few very small items for grants to exhibitions, statutory Indian annuities and pensions. All this is covered by $42.28 per person per year, and of this amount, approximately 7 per cent is absorbed by cost of administration.

We note there were 17,281 children in schools (275 day, 78 residential, and 10 combined). Although the census of 1939 gives 26,390 Indians between the ages of seven and 16, apparently only two-thirds are in any kind of school at all, and as we have already pointed out, the majority are in the lowest grades.

The amount spent on "welfare" shows a marked decrease from previous years but totals only are given. We understand from other sources that the relief paid to an Indian family, whatever the size, is about $4.00 per month in groceries. We further learn that Indian residential schools (total on rolls, 8,840, or half the children in school) have very inadequate grants, especially for food and clothes, receiving only 40c to 47c per day per child. Due to this cause the children have to spend much time planting and growing food, instead of being in the classroom, and the under-nourishment and poor clothing naturally lead to tuberculosis in later life besides keeping the children backward in their school work. We understand the grant is the same as before the war although every housewife knows how prices have gone up and quality gone down, especially in clothing of the plainer kinds.

Shocking as the deficiencies appear to be, judging by the Indian Affairs Report, we should have felt the Government was doing its best to "right the wrong" had the Report ended with enthusiastic and generous plans for the future. We are becoming seriously alarmed at the complacent acceptance of the Indian as a lower class labourer to be kept alive at as little cost to the commonwealth as possible.

This Province is showing deep concern over the plight of our aged folk, subsisting on the amount of $30.00 per month. Yet we ask our native Canadian friends to live and support a family on $4.00 a month in groceries.

Per capita income of Indians increased from $52.00 *per annum* in 1933 to $105.00 per annum in 1943. (These figures are supplied by the Indian Affairs Branch). While this great increase amounts to a doubling of income, it must be remembered that it still means less than $9.00 a month per person for all expenses, and it must be remembered, too, that the relatively very high income of the few like the structural steel workers of Caughnawaga (who have been called to work on great engineering projects all over the continent) does much to unbalance the per capita figure. No figures can conceal the fact that Indians have not been placed in a position to earn an adequate living in the modern world, and such a trifling sum has been expended on their behalf by the people of Canada that their condition shows little improvement.

The Report gives no figures to indicate how many babies are born in hospitals, for instance, or even whether medical care at childbirth is available. It gives no figures of water pollution at reserves leading to typhoid. It gives no figure of expenditure for 1941 on trachoma, the leading concern of the United States Indian health authorities, along with tuberculosis.

Improvements in United States Indian Administration in the Last Ten Years

In many other countries plans have been made, and circumstances have been adjusted to help in the transition from the hunting and herding economy to the machine age of to-day. The Maoris of New Zealand, after much repression, dishonest treatment with regard to land, and neglect, have at length progressed to the point at which they have four Maori members to represent them in the New Zealand Parliament. We mention this to show what has been done elsewhere within the British Commonwealth. In Yakutia, a portion of former Siberia, corresponding to our northwest territories, the nomadic tribes have been brought into a modern life of aeroplanes and tractors, the transition period being less than 25 years. Again, conditions are not exactly the same. However, conditions are very similar in the United States, and a résumé of the American approach is of value to us.

The appalling conditions we see to-day in Canada once prevailed in the United States, except that taking land away from the Indians seems to have gone much farther.

The Report of the Commissioner of Indian Affairs (1940) of the United States gives a summary of the situation as it was some 20 years age (page 357).

> The cumulated and inherited official policy in 1920 was moving ahead impersonally and with a ruthless benevolence or a benevolent ruthlessness. That policy was one of extinguishing the Indianhood of all Indians through all devices within the control of a government whose power over Indians was absolute; it included a continuing expropriation of the Indian fund.
>
> And everywhere, excepting in certain limited parts of the southwest, the tribal and the individual life of Indians was managed through thousands of uncodified statutes and of more than ten thousand pages of unassembled regulations, by an Indian Bureau which monopolized all the power over Indians and all the Indian Service.

The 1941 U.S.A. Indian Affairs Report states:—

> The problem facing the Indian is in its essence a world problem and one which must be solved if there is to be achieved any ordered stability in the international and internal relation of states. It is the *problem of reconciling the rights of small groups of people to cultural independence with the necessity for larger economic units demanded by modern methods of mass-production and distribution.* This has been at the very heart of Indian policy since 1933 . . . The rights of the Indian to cultural independence have been seldom recognized by Indian policy, but rather there has been the totalitarian concept of a super race dominating, absorbing and reducing to serfdom the small minority groups of a different culture. (Our italics.)
>
> In the recognition of the rights of Indians to cultural independence present day policy has not lost sight of the fact that this right must be reconciled with the demands for adjustment to modern technologies. (p. 408.)

The problems here stated so admirably for the U.S.A. are essentially the same problems with which Canada is faced to-day and problems which we insist are capable of solution.

The following short list of dates shows what was done in the U.S.A.:

1924—Full citizenship was voted to all Indians.

1927—A far-reaching survey (comparable to our Royal Commission) was begun.

1928—A special committee of the Senate began hearings on Indian investigation.

1929—Policy changes were begun in the Indian Department.

In 1929 the Secretary of the Interior and the Commissioner of Indian Affairs joined in memorials to Congress, asking for legislation to re-establish the local democracy of the Indians, to curtail the absolution of the Government's Indian system to apply the concept of constitutional right to Indian economic affairs, and to settle decently and promptly the host of Indian tribal claims . . . And of inconspicuous but of basic importance was an effort to apply modern principles of personnel work in the Indian Service. That effort is not yet finished. (p. 358.)

1933 onwards saw a drive towards Indian democracy and the cherishing of the land.

Indian cultures and religion were put in possession of the full constitutional guarantees . . . The institutionalized boarding schools for Indians were cut by one-third and the children were moved to community day schools, and thousands of children never before schooled were brought into the classroom. (p. 359.)

1934—The Indian Reorganization Act was formulated.

The administrators took this proposed reform legislation to the Indian in great regional meetings and through the Indians assembled there back to all of the Indian communities. For the first time in history, all Indians were drawn into a discussion of universal problems focussed upon the most ancient and most central institution, local democracy integrated with the land. (p. 359.)

The Act when passed, was arranged with a referendum so that each tribe might adopt or reject it by majority vote.

The newly organized Indian Bureau acted as a clearing house for all efforts made by other agencies in care of Indians, and gave its concentrated attention to all matters thus covered.

The 1941 U.S.A. Report mentions that results soon showed; for instance, in that year 80 per cent of Indian babies were born in Indian Service Hospitals. Investigation into tuberculosis showed that its incidence was not higher among Indians than among comparable economic groups. Arrangements were made to hospitalize Indians in State sanataria as near reserves as possible. Much anti-T.B. vaccination was carried out among children.

The 1940 U.S.A. Report says:—

Tribes such as the Apache have stepped to the forefront as conservators (of range lands), creators of great cattle herds which do not overgraze, and operators of co-operative enterprises of the most modern types. And in their political self government these tribes have become models, deserving study by the white countries or States . . .

The impressive material achievement of the Indian across recent years has been attained through the revival of ancient forms, and the establishment of very modern forms, and the merging of ancient and modern forms, in local democracy. The Indians have proved that democracy can plan and can execute. (p. 361-2.)

An Indian tribe can assume complete political and economic control over its internal affairs, just as any incorporated municipality.

Quoting the same report we read:—

The type of organization adopted by the tribe reflects, again, the Indian will. Self government amond Indians, if effective, will follow no set pattern . . . Some of the most effective native governments, in terms

of maintaining social control within the group, are arcaic forms . . . But whether the tribal government is an ancient one or a twentieth-century product, membership in the governing body, tenure of office, control of procedure, are wholly within Indians hands. (p. 364.)

Every tribal constitution has granted women full political equality. Since the beginning of tribal organization, numerous women have served as members of tribal councils. (p. 365.)

Progress . . . has not been even. To deny the failure and shortcomings of these five years (1934-1939) would be to claim too much for the democratic principle; it does not re-make men overnight; it does not endow them with super-tolerance. At its best it seeks only to remove from men's minds the fear of authoritarian control, to leave each man free to develop his own powers, and to fulfil his responsibility to society. A democratic state is not created overnight by fiat; it is arrived at slowly and painfully, a product of the deepest aspirations of the men and women making the state. (p. 366).

Never has there been any question of the ability of the Indian people to rule themselves and to rule more wisely than benevolent absentee authority could. The failings do demonstrate, however, that the Indian Office in the years ahead can be particularly helpful by working with the tribal governing bodies and encouraging them to make full and wise use of their powers and to develop habits of thinking in terms of tribal welfare. (*p.* 366).

We feel there is no need to go into details of land restoration, conservation, etc., which can be read by those interested in the Report. The information on co-operative livestock associations, irrigation schemes and so on, is of great value.

The persistent aim is to use money to make the Indian self-supporting independent and prosperous.

In health matters only the highlights can be touched. This is the background:—

(U.S.A. 1941 Report). "It (health) is a story of human conservation, scientifically applied through the medium of medical workers whose application of modern methods must be continually adjusted to the ancient beliefs, ceremonies, traditions and taboos of the many Indian tribes and bands.

As a privilege of free peoples, tolerance in the practice of local customs and beliefs is essential to a democracy. (our italics). Yet, for generations, *religious liberty was not permitted to the Indian tribes, while the curing ceremonies, an essential part of their faith, were discouraged.* (Our italics). Few persons considered of value the mental stimulus produced by the powerful song prayers and the fact that through generations of testings, these "medicine men" had acquired an extensive knowledge of medical herbs and the use of practical therapeutics in the form of massage, sweat baths, cathartics, and cauterizations. Years ago the Indian people were reluctant to accept modern medicine. . . . But gradually, as skilled treatment brought the ill back to health and as health education proceeded in the schools, the Indians themselves began demanding new hospitals, clinics, and medical facilities.

As evidence that it by no means wished to interfere with or belittle the "medicine-man's role in tribal life, the government recently invited Navajo medicine-men to participate in the dedication of two federal hospitals. The fact that the Navajo medicine-men offered the prayers with which they bless their own homes in the dedication ceremonies, demonstrated a reciprocal appreciation and realization of their own limitations in the face of modern science. Of similar interest, a full-blood Osage

Indian, Eugene Butler, Jr., presented the Indian Pawhuska Municipal Hospital in Oklahoma a few months ago with an X-ray machine of the latest model. (*p.* 380).

Much detailed work is being done on tuberculosis, venereal diseases and trachoma, and research into new methods goes on continually.

In the U.S.A. Indian Department, education has the following aims:—

> Teaching Indians to make wise use of their own resources, encouraging and assisting them towards better self expression, fitting their cultural and other gifts into the pattern of national and community life, finding new and more effective ways of teaching basic conservation facts, and discovering and recruiting better Indian Service teachers . . .
>
> There has been a great emphasis throughout the Indian schools, not only on the preservation or revival of native handicrafts, but also upon self-expression through paintings, wherever possible, in a perpetuation of revival of traditional forms of expression.
>
> While emphasizing the desirability of perpetuating native art traditions, the authorities will continue to recognize the right of Indian genius to assistance in whatever form it may appear. (*p.* 384).
>
> The system of selecting teachers has been completely revised; within the last two years two examinations have been announced which demand qualifications more in keeping with Indian Service. Rural living, training for rural life, teaching in schools which actively participate in community activities, and experience in adapting curricula to local needs, are some of the qualifications now demanded in the examinations which are supplemented by personal interview, tending to reveal such human qualities as initiative, ingenuity, and sympathy with the problems to be faced.
>
> Teachers chosen through these new examinations are being sent into remote Indian communities. These teachers make friends with the older Indians of the community, inaugurate school gardens, which rapidly spread to become community gardens, and through initiating school children in the care and value of livestock and farming, arouse community interest in the school program.
>
> Adult women in the community are encouraged to visit the school to learn to cook, sew and preserve the newer food in newer ways. The men of the community are invited to use the tools and equipment of the shop for home improvement and care of farm equipment. (*p.* 385).

The following extract is of particular interest to us in Canada:—

> Twenty years ago the federal boarding schools required students to do much of the manual labour connected with the maintenance and operation of these schools. (*Note:* Still the case in Canada today).
>
> To-day, while many young Indians may be seen working around the schools, they do so of their own choice. Through a selection of certain subjects, they may earn a little cash as spending money or a share in the livestock, poultry or whatever other field or activity they have chosen as a vocation after leaving school. In the day schools, students begin farming on their own land or that of their parents under the supervision of skilled instructors. In the boarding schools, these students who select agricultural training may, through contract with the school, borrow a certain number of livestock, poultry or seed, and through their enterprise return the cost of the school's original investment, as specified in the contract. At graduation they take their material assets home, where they may serve as a beginning for their future enterprise, or sell them for cash. (*p.* 388).

The Indian Day Schools are being converted into community centres as rapidly as possible. They are being built up as this centre of community life in response to modern needs, just as they are for white people in the most progressive parts of Canada and the United States.

The number of day schools has been greatly increased in the past ten years, and the school attendance has more than doubled. Twenty-five reservation and non-reservation boarding schools have been closed and attendance at boarding schools has dropped about 6,500. Many of the remaining boarding schools have been reorganized as vocational high schools. Where Federal Indian schools are not maintained because there are other schools, the Government contributes to State or private agencies a part of the cost of education for children with one-fourth or more Indian blood.

In 1940, 4,682 of the permanent Indian Service staff of about 8,000 consisted of Indians. There were eight Indian superintendents, 251 in professional positions, 935 in clerical jobs and about 3,475 in other skilled occupations.

Adequate training opportunities are given in all sorts of work, through various Federal agencies, the CCC have been notably successful.

> Today there are more carpenters, painters, mechanics, surveyors, draughtsmen, and engineers among the Indian population than ever before. (*p.* 392).

There are not comparable agencies in Canada, so such work will have to be done from the ground up.

The key to the entire U.S.A. Indian program is found on page 392 of the Report as follows:—

> *Indian participation was sought in all Federal activities concerned with Indian affairs, and this participation was given added momentum* by the Indian Reorganization Act of 1934, by the conservation programs carried out largely by the Indian themselves; and by the co-operative planning for economic and political self-sufficiency in which the Indians play a primary role.
>
> *The ideal of the Indian Service personnel has been initiative and anonymity, to the end that the Indians should eventually lend themselves.* (Our Italics).

Decentralization is well carried out, only 3 per cent of the administrative personnel being located in Washington, D.C. Attention is paid to the evaluation and improvement of each employee's talents and work, and the expansion of in service training, together with plans for selection of future personnel. This all points to a solid basis being laid for the future.

Arts and crafts are greatly encouraged, while the worker is protected from cheaply imitated wares. Markets have been developed for high quality goods of authentic origin.

The 300,000 Indians of the United States (Canada has just over one hundred thousand) have a Department which can accomplish things because of capable leadership and an appropriation of $35,000,000—a per capita grant of $117 as against Canada's $42. Naturally, then, the conditions of life and hope for the future of these Indians are both better than conditions and hopes of their Canadian brothers under existing methods of administration.

Short-Term Improvements Suggested for Canada

In the light of these findings, only briefly summarized here, of great achievements under almost exactly similar conditions we request the following plans to be implemented for our native Canadian friends.

Short Term Items Requiring Money Only, and Not Extra Personnel, Which Is Not Easily Available in 1945

1. That immediate steps be taken to put Indian relief on the same basis as white.
2. That old age pensions be granted to Indians on the same basis as whites.
3. That immediately more money be made available for food at residential schools.
4. That immediately larger grants be made for hospital and medical care.
5. That infiltration of whites into lands hunted and trapped over by Indians be stopped at once, as this infiltration is causing severe hardship to our Indians.
6. That Indians be employed as game wardens wherever possible and to keep predatory birds and animals in check.
7. That the provisions of the Veterans' Land Act of 1942 be open to returned members of His Majesty's forces who are of Indian race.

LONG-TERM PLANS

1. *A new Act based on the lines of the United States Indian Reorganization Act of 1933, to replace the present Act of 1868.*

This new act to have in mind to-day's situations, circumstances and needs, built on a firm basis of *consulting the Indians as to their needs, and assuring them cultural entity (when not already lost) and economic independence in the modern world. As in the U.S.A., this should be extended to all of one-quarter or more Indian blood.*

To have economic independence demands the operation of large units. The co-operative fish cannery, the community farm or ranch, the co-operative live-stock association, the co-operative fruit and vegetable cannery—all these are to-day's units for ensuring large-scale production along with ownership for the many. What are they but the modern adaptation of the tribal unit? The Indians in their own culture knew, as industrial man is painfully learning, that the group is the centre of economic life. One can hardly name an article of modern commerce which is not the product of pooled resources in invention, technology and manufacture. The tribal organization is to-day's democracy: people rule themselves through the tribal group.

At the same time, the Act should be so framed as to make assimilation (without destruction) of the Indian easy.

We quote Mr. G. C. Monture, an Iroquois who studied at Queen's University:—

> Nearly all our people speak English; in fact, only among the older people is the ancient language preserved. In consequence, our old legends, myths, and traditions are in danger of being lost. It is in these legends and myths that I hope our Canadian authors and poets will find a source of inspiration for the creation of a distinctive school of Canadian literature.
>
> We must forget our old traditions and take our place among the whites. Because some cannot forget our ancient glories, their paths are not easy. They are as wanderers between two worlds, the one lost and the other not yet ready to receive them. It is for them that I make a plea to our white brothers, asking that you be patient and understanding. We have contributed much to your culture. We are capable of contributing more. To do that, however, we must merge our identity with yours. *You must accept us, not as Indians, but as Canadians,* whose ideals are the same as yours—the building up of a united Canada free from sectionalism and the prejudice of race and creed—a Canada founded on the British principles of justice, truth and loyalty.

We desire to see a Canada made up of many racial origins and we want no theories of holding aboriginal inhabitants down to the quaintness of the past, isolating them in picturesqueness for the tourist trade, or limiting them to the "labouring classes." These native Canadians are our brothers and have rights as human beings.

2. *Under the Act, Reorganization of the Indian Affairs Branch.*

It should be planned much as the United States Indian Service (which has proved its suitability by actual recorded results), with vigorous leadership anxious to serve the Indian to the best of the white man's ability. It should be progressively more and more staffed with Indians, as in the U.S.A., where 60 per cent of the administration were Indian in 1940.

(Note: We are informed by the Department of Mines and Resources at Ottawa that:—

> The total number of employees engaged in the administration of Indian Affairs is about 1,000, of whom 65 are at headquarters and the remainder in the field. The figures of Indian employees are not available. (Letter, Feb. 7, 1944).

This sugegsts that there are not many Indian employees).

3. *Administration should be decentralized* so that officials on the spot, with knowledge of local conditions, may make decisions.

4. *Self Government on the Reserves* should be encouraged as much as possible. Responsibility for the keeping of the law should be in the hands of the Chief and Council. Women should have equal voice with men in the council, as in the United States.

5. The Act should provide full citizenship without any loss of lands, etc., as at present. Such was given without question in the United States in 1924. At present there is the anomaly of the government conscripting for military service, demanding income tax, and yet saying that the Indians cannot be citizens, cannot have old age pensions, etc. The Indians should be granted full citizenship with the same rights and privileges as white people with regard to taxation, military duties, relief and old age pensions and other matters of social security.

This is not a matter for accomplishment at one stroke, but should rest upon the expressed willingness of native Canadians themselves to accept duties and gradually abandon the attitude of "wardship" under which so many inequalities have been perpetuated. Many Indians wish to retain their Indianhood, for they find many white men's traits far form admirable. The typical Indian attitude to community welfare, for instance, must find expression, and not repression, in modern society.

6. The new Department must take every possible precaution against exploiting parties, vested interests, etc., having a voice therein and thus exerting influence. A prominent Vancouver Island Indian says:—

> The real need is for an Indian or a white man not tied up with any other office, to represent our point of view in parliament. As it is now, we are never notified of any change or amendments until they come up and are passed in the House. We need a representative who would be well informed on our problems, who could obtain our viewpoint before any legislation is passed, and who would be interested solely in our rights.

The Department must employ ethnologists and welfare officers trained to assist in the transition from a hunting and herding economy to modern life, and yet aware of the value and dignity of native ways, especially in the regions far from settlement. These men must have the welfare of the Indian at heart, and

must work with intelligence and enthusiasm for improving every aspect of life for the Indians until such time as Indians can take care of themselves as fully-fledged citizens.

7. A new system of education should be established. Mission schools of the past have performed much devoted work, caring for children when parents went to hunt for fish, but the task now facing them is beyond their powers either as regards money or personnel. They are not able to provide an adequate modern education and why, indeed, should we expect private groups to look after our national responsibilities? We gave up private schools (except in a minor way) as the educational system for Canada many decades ago, and we expect the same democratic system to be extended to the Indians.

These schools should be established in conjunction with the provincial departments of education and there must be an endeavor to bring them up to provincial standards as soon as possible. Teachers for them should be specially trained to help in the work of transition.

The schools should be day schools with the boarding schools being adapted as high schools and technical schools for the older pupils. No one nowadays considers institutional care, however good, as suitable for young children. In the days of Dickens that was the accepted thing. Now social and educational workers know that the home is the place on which to base the responsibility for bringing up the child. The breaking up of family life has wrought great damage among the Indians, and means for repairing it cannot be taken too quickly. It is surely against every principle to take children of seven and eight years away from their parents, and, in the north, keep them away for perhaps seven years. Day schools benefit both child and parent, the latter being brought into close touch with the teachers and school, and therefore being led to understand and value the school program.

With the new community-centre type of school so strongly to the fore among educationalists and sociologists, there is no need for lower standard Indian school. There will need to be slow changes, but our ultimate aim is the establishment of the same educational opportunities for all.

Modern instructors teach the use of the immediate environment to white pupils, and there would be little difference in adapting it to Indian needs. Teachers for schools predominantly Indian must have special training to-day. It is a courtesy due to all minorities, until such time as they are made a part of our great Canadian mosaic.

With the school a community centre, health education, home-making instruction, child care, and all the myriad facets of adult education, could be carried out as in the United States, and the Department should have special plans developed for this purpose.

8. A system of adequate vocational training should be established. This should be more than perfunctory training in manual arts. It should be connected with the characteristic industries of the region, whether they be shipbuilding, farming, lumbering, or other occupation. The school should provide a training that will establish a groundwork for future entrance into skilled trades. Adult training also should be provided for.

9. Health needs a new approach. We suggest the study of the Canadian Federation of Agriculture Plan for Health Insurance, which envisages a health centre in every rural community. These are to be devoted to preventive health measures, and secondarily, to curative treatments. Such should be established in every reserve of reasonable size, or else by some other method of Indian health should be made a part of the general health of the rest of the district, and should be under the care of the provincial health authorities. Putting the health of all inhabitants on the same basis under the same authorities, will make a good start towards breaking down our isolationist technique towards the Indians.

Tuberculosis, regarded as a special scourge of the Indian, has now been discovered to be largely a disease resulting from poor nutrition. The United States Indian Service says in 1941 (p. 432) as already quoted:

> The preliminary evidence indicated that the occurrence of tuberculosis among Indians, while higher than the general population, hardly exceeds that of comparable economic groups.

Therefore, all attempts at curing tuberculosis without curing its cause are wasteful attempts to build on sand. This, and the sulfanilamide treatment for trachoma are advances of science which must be widely used in treating the victims of these diseases.

9. More hospitals, and hospitalization for childbirth. We repeat that 80 per cent of Indian babies in the United States are born in hospitals and we do not want Canada to be behind. According to information obtained from the Department of Mines and Resources at Ottawa, under date 7th February 1944:

> "No figures are available respecting the percentage of Indian babies born in hospitals."

10. The economic security of the Indians must be ensured. (It is all, of course, a part of the larger problem for all Canada. We do not advocate copying everything American, but it seems to us that Canada is lacking in provisions for making share-croppers, migrant farm labourers, etc., into productive, self-supporting, self-reliant members of society, through resettlements such as those carried out by Federal Security Administration and other agencies. If all low-income and under-privileged groups are being aided, then help to the Indian does not partake of charity, nor even depend on past treaties, but is a part of every Canadian's rights. We believe that such plans lie within you Committee's terms of enquiry as to rehabilitation in Canada).

(*a*) Indians occupied in farming and ranching must be assured of a big enough land base to carry out operations that will yield a good return. The new Act should provide for extension of lands, or resettlement on new lands when present ones are inadequate. Modern large-scale methods and machinery must be used and we suggest therefore the setting up of co-operative establishments of every type. Co-operative livestock associations have proved very successful. We suggest a study of the United States program in this respect.

(*b*) Hunting and trapping Indians need to be assured of adequate territory, especially since so much game has disappeared. There must be some over-all survey of the areas and fewer licences issued so that those who do have licences can make a living. The encroachments of white hunters and trappers which render it almost impossible for Indians in those areas to make a reasonable living, must be prohibited through the licensing system.

The various muskrat and beaver conservation schemes are to be greatly commended and should be extended, but alternative methods of earning a living must be provided while the areas are "closed". In our opinion, wild animal trapping is on the decline and Indians so employed should be gradually led to participate in co-operatively owned fur farms, raising scientifically, mink, fox, or whatever the market demands as on the island fox-farms in the Aleutians.

(*c*) The fishing Indians of the west coast have already done a great deal for themselves through native leadership aided by sympathetic white persons. The University of British Columbia helped in laying the foundation for the co-operative clam cannery wholly owned and operated by Indians and whites of Massett, Q.C.I. Our native Canadians have done much to improve conditions for all fishermen, white and Indian, including participation in a successful trip to

Ottawa to have prices adjusted more equitably. The "model village" of Cape Mudge (Alert Bay district) should be studied by all interested in Indian welfare. We would advocate as an objective, the bringing of all Indian dwellings and conditions in general up to that fine level.

(*d*) The economic future of all Indians is not necessarily related to the present means of support. We look for a time when reserves will have turned into great co-operative undertakings and when all Indians will feel free to engage in any activity, quite apart from their ancestral rights. We look for a time when they will have equal opportunity to obtain education and adequate training for these occupations.

We particularly repeat that training in welfare work, nursing, health services, teaching, and so on, are of the very greatest importance, so that native Canadians may themselves help to raise the standards of their fellow men. Such trained welfare workers are greatly aiding in the work of rehabilitation of Indians in Mexico.

We have not suggested specific methods for training, since that is the province of technical experts. The principles, however, must be those of building on the characteristic Indian abilities. These are a community-minded people and can therefore easily engage in large co-operative activities; they are from early environment and training often very highly perceptive woodsmen and trackers, and occupations such as registered guides in season, and forestry department workers out of season would take advantage of such special skills.

The natural talents, whatever they may be, must be developed to the utmost, so that these people may make the greatest possible contribution to Canadian life.

11. A definite attempt to establish the "Four Freedoms" for Indians must include freedom of speech and assembly, which has not always been the case of the past, and also freedom of religion. To-day Canada practises religious toleration and every Canadian is free to belong to any sect, or not to belong, as he chooses. We insist that this right of all Canadians must be extended to Indians, and that religious domination over Indian education must cease. If various churches wish to provide facilities for Indians, it must be on exactly the same basis as the rest of the population—a matter of choice.

We realize that the problem of transition to the machine age is not confined to Indians, but is a difficulty the world over. But there must be help for the Indians whom we have treated so shamefully and neglected so long.

We therefore desire that a Royal Commission should be appointed at once to investigate the Indian question; that it should visit every reserve in Canada, to take evidence and receive the suggestions of interested persons; that it should have enough Indian counsel on it to ensure that the Indian point of view does not result only in a minority report.

We suggest that the personnel of this Commission might vary somewhat from province to province. While there would neeessarily have to be Indians on it travelling the breadth of Canada to get the complete picture of the living conditions of their fellows across the country, we think that Indians should also be appointed for each province, acting only for the province from which appointed, so that the Commission will have access to the ideas of Indians in each area. It is important, too, that the Commission be composed of representatives elected by National Welfare Councils, the Canada and Newfoundland Educational Association, the Indians themselves, etc., as well as a representative from the United States Indian Affairs Office. The latter should be a man who has taken an active part in Indian reorganization work under the United States Indian Act of 1934, and who is therefore conversant with administrative policy and subsequent results.

Such appointments to the Commission would ensure the bringing down of findings unbiased by political or economic influence.

When the Commission's findings are received, they should form the basis of a new Indian Act, whose provisions should, as in the United States, be discussed, considered and voted on by secret ballot in every tribe.

Respectfully submitted by

THE OKANAGAN SOCIETY FOR THE REVIVAL
OF INDIAN ARTS AND CRAFTS,
OLIVER, B.C.

A. MILLAR, Oliver, B.C.....*President*
B. WEBBER, Penticton, B.C.....*Vice-President*
MRS. A. MILLAR, Oliver, B.C.....*Secretary*
MRS. E. PARHAM, Oliver, B.C...*Recording Secretary*
MRS. S. M. WORSFOLD, Oliver, B.C.....*Treasurer*

APPENDIX Z

THE INDIAN COUNCIL FIRE OF CANADA

(Salvaged from the ashes of the past)

TORONTO, ONTARIO, CANADA

July 1, 1946.

To/

The Special Joint Committee of the Senate
and the House of Commons,

The Special Joint Committee of the Senate

(The History of America Began With Us!)

My Indian Brothers, and Honourable Gentlemen
of the Senate and the House:—

There are many distinctions which I could claim for my people, but I am contented with just this one—"The History of America Began With Us!" Ours is a legacy of majesty and beauty. We belong to this continent just as the mountains and hills, the buffalos and beavers, the rivers and lakes, the swans and eagles, belong here. Our bodies are formed from the dust of our forefathers' bones . . . But lo, we are now a crippled and broken people. We have been shorn of our pride and our heritage. We are being gradually assimilated by the white race. To-day at our best we are but poor semblances of our former beings. Truly, we have lost almost all we own.

When the Red Indian ruled supreme; when he was lord over all upon this wonderful new world, he was indeed a happy and care-free man... To him the world and the universe was a library and his books were the stones, rocks, brooks, rivers, lakes, trees, flowers, herbs, sun, moon, and stars. From these many things he formed his material culture; from these things he received the beautiful inspirations to compose his many songs and ceremonies. The fishes of the laughing waters, the animals in the living forests, the birds of the air, taught him how to be brave and courageous and true.

To-day all of this freedom and happy life is gone, and the camp-fire of the Red Man is burning very low... We must re-kindle that camp-fire; it must not die! Because when my people have forgotten the music to which our forefathers danced and sang; when the rhythmic drone of the Indian drum has died; when this silly swingy-jive has drowned out the sweet melodies of the chant and flute—then they will indeed become a forgotten people.

When the valorous deeds of our great sachems, warchiefs, seers, prophets, and warriors, are no longer recited to our little ones; when the Indian mother no longer cuddles her baby gently to her breasts—then the white man will have completed his stranglehold, and we will no longer be worthy of the name "North American Indian."

When we have forgotten how to grow the white corn, beans, squashes, pumpkins, potatoes, tomatoes, and tobacco; when we have forsaken the Holy Love Feast—then our bodies will die and our souls will be lost.

When my people have entirely forgotten their beautiful arts and crafts, their symbols, picture writing, and sign language—then they deserve to be called a lazy people.

When we are no longer able to converse with the animals, trees, flowers, and herbs—then we will indeed become a stagnant and sickly race of people, and the magnificent undertakings of our ancestors will mean little or nothing to us.

When we have completely forsaken our native tongue for a foreign language; when we no longer believe in the Great Spirit—we will become a shameful and ignoble race.

When my people refuse to assist in advancing a nobler brotherhood and better understanding between themselves and other races—they lack foresight and vision. Yea, they deserve to be rebuked.

When my people will look with disdain upon the gorgeously eagle plumed bonnet; when they will no longer wear the fringed buckskin and the beautiful beaded moccasins for ceremonial dress—then they are as traitors, who dishonor their country and their race.

When my people have lost all of their respect for the Holy Pipe of Peace; when they have forgotten how to soothe the troubled heart and mind with the purifying incense of sacred cedar—then, indeed, they shall become just an aggregation of imbeciles.

When we have forsaken all that is ours; when we no longer commune with Nature; when we have lost all that "Kitche Manitou" granted to us, we then, truly, will be dead Indians... Our hearts will be empty, and though we walk the crowded streets of the mighty cities, with gold and silver jingling in our pockets, we will, in truth, be nothing better than walking mummies!

But all of this must never happen, because we have not as yet really fulfilled our purpose upon this Earth. We must continue to live, and try to create a new hope for our people. We must do something to cheer them in their loneliness, and comfort them in their misery... We must act now! Then someday, out of the gloom, and the ashes of the past; out from the misty fog of illiteracy, shall rise a new people; a wiser people, a stronger people, a braver people, and they shall be of the Red Indian race!

This is my message to the 125,946 Indians living in Canada.

Now, in concluding this paper, and as a direct descendant of the Native Canadians, may I add:— I am just the ordinary striving and struggling type of citizen, trying so desperately to enjoy in perfect fullness all the privileges and rights granted to me by an Act of Parliament.

Gentlemen of the Senate and the House:

I represent The Indian Council Fire of Canada, a non-profit, non-political, non-sectarian, all-Canadian Organization. And I can assure you, gentlemen, I have no high pressure men to back me up. I have no politician whispering over my shoulder telling me what to do. My ideas are entirely my own. I speak for myself!

I herewith graciously submit the attached seven-point brief to The Special Committee of the Senate and the House of Commons for study and careful consideration and formal adoption of the following resolutions as recommended by The Indian Council Fire of Canada.

(See attached brief.)

Respectfully yours,

JASPER HILL "BIG WHITE OWL".

A non-profit, non-political, non-sectarian, all-Canadian Organization, respectfully submits for study and careful consideration, and formal adoption, the following recommendations with regard to:—

A Magna Carta for the Indians of Canada

1. The Red Indian people should be admitted to a full and free life in this country without forfeiting any more of their privileges and rights as native Indians. Every possible effort must be put forward to establish the "Four Freedoms" for the Native Canadian Indians, which will assure them equal civil rights, cultural entity and economic independence in this new atomic age of progress.

It is a well known fact that the present form of the Indian Act of Canada, formulated in 1868, is definitely a shameful hindrance to the material and spiritual and social progress of the Red Indian race in Canada. It is the most infamous, unjust, uncivil, outmoded, undemocratic law, ever imposed upon a people and any straight thinking sane person would not hesitate to recommend its revision—in the near future—by a convention of selected Indian men and White men, but not by White men alone!

A Magna Carta for the Indians of Canada should be based on the lines of the United States Indian Reorganization Act of 1934. The voice of the Red Man appealing and pleading for justice and liberty before a world court cannot any longer be shelved nor neglected.

The Question of Indian Agents

(2) It is a well known fact that far too many of the White men holding positions as Indian Agents lack the technical and vocational training desirable to properly carry out the Indian Administrative Work entrusted to them.

The Indian Agent should be a man of refinement and culture, who honestly believes that no racial factor can limit the possibilities of a people, and that Native Canadian cultures have made great many worthwhile contributions to our civilization and ideals of liberty on this Western Hemisphere. He should be a man who understands that he can contribute to enriching these cultures if he adopts a generous, and optimistic attitude in dealing with the band or tribe under his charge. Such an attitude on his part will be his greatest guarantee for achieving success in his noble enterprise.

And it is very essential for the Indian Agent not only to understand and appreciate the various characteristics of the native culture of the region he is to work in, but also he must explore and find out what are the special problems of his area. In other words, he must not limit himself to office work only. He

must be up and about and be able and willing to co-operate to the fullest extent in defending the Band or Tribe he is responsible for from the dastardly exploitation of which they are too often victums. And he must, at the same time, strive to constantly improve the living conditions and the education of the Indians in his agency. The Indians of Canada must again be able to be a proud, self-confident people and the best of their culture must be recognized and utilized to the best advantage of all peoples.

Inter-Tribal Relations and Corporate Purposes

(3) In the new Magna Carta for the Indians of Canada the following provisions should be made: (*a*) to eliminate the dictatorial powers of Indian Agents; (*b*) to grant certain rights and privileges of home rule to the Indian people; (*c*) to extend to the Indian people the right to form business and other organizations; (*d*) to establish a credit system for themselves; (*e*) to provide for more up-to-date vocational education for the Indians of Canada; (*f*) to provide a limited number of government controlled Indian Residential Institutes, undenominational in character and patterned somewhat after the Haskell Institute in Lawrence, Kansas; (*g*) to provide more Day Schools for Indian children and better teachers who are sympathetic to the solution of the native problems.

Indian Civil Service Laws

(4) In the reorganized Indian Affairs Branch the Director should have authority to establish special Indian civil service laws with respect to standards of health, age, character, experience, knowledge, and ability for Indians who may be appointed, without regard to the general civil service laws, to the various positions maintained, now or hereafter, by the Indian Affairs Branch, in the administration of functions or services affecting any Indian band or tribe. And all qualified Indians should thereafter have the preference to be appointed to the Indian Service as such vacancies occur. An office for carrying out this program should be organized.

Tribal Incorporation Applicable to Indian Reserves

(5) In the new Magna Carta for the Indians of Canada the following provisions should be made: That any group or band or tribe of Indians, treaty or non-treaty, numbering not less than twelve (12) adults, as determined by the official tribal list, or Indian descendants of such groups, or Indians as they may be defined in the new or revised act, and who reside in convenient proximity to each other, be granted the right to organize as a co-operative unit, for its common welfare, and adopt a constitution and by-laws, under such rules and regulations as may be prescribed by the Director of the Indian Office in Ottawa; (*a*) That the Director be authorized to issue, upon receiving proper application, to any such organized group or band or tribe, a charter of incorporation, which shall become operative only when ratified by a majority vote of the adult members; (*b*) when an Indian group or band or tribe adopts a form of constitution and by-laws, and after such form of laws have been ratified by the Indian Affairs Branch; it gives them the right to run their own affairs about in the same way that a village or municipality operates; they will have the right to say what shall not be done with their tribal assets and funds; they will have the right to prevent the present arbitrary use of their trust funds by the Federal Government. The band or tribe which declines to approve of these added provisions will surely drift to the rear of the great advance in this historical march of progression being made by the Red Indian race.

RED INDIANS AND ADULT MEMBERS DEFINED

(6) When the term "Red Indian" is used in this brief it is meant to include all persons of Indian descent who are members of any recognized Indian group or band or tribe now under wardship of the Federal Government, and shall further include all persons of one-half or more Indian blood; (*a*) the words "Adult Members" wherever used in this brief shall be construed to refer to Red Indians who have attained the legal voting age of twenty-one (21) years.

ENFRANCHISEMENT, TREATY RIGHTS AND OBLIGATIONS, ETC.

(7) The question of Indian enfranchisement is a very touchy problem. The very mention of it at any Indian gathering creates a state of fear and distrust. To the reservation Indian it means the selling of your birthright for thirty (30) pieces of silver—and under the present system of Indian enfranchisement it is exactly that. The little blue walking ticket issued by the Director of the Indian Affairs Branch reads in part: "That from the date of the aforesaid order in council the provisions of the Indian Act and of 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 cease to apply to *him* as *he* now possesses and enjoys all the legal powers, rights and privileges of His Majesty's other subjects and is no longer deemed to be an Indian within the meaning of any laws relating to Indians." The enfranchised Indian is required to obtain permission from the Indian Agent before he may visit on an Indian Reserve. The enfranchised Indian cannot buy land on any Indian Reserve. He is cast out into sea of white humanity, to drift aimlessly about until he is sucked into the mad whirlpool of assimilation. Try as hard as you like, you cannot make an Indian into a white man by an order in council.

In the new Magna Carta for the Indians of Canada the following provisions must be made: The right to vote in Provincial and Federal elections; (*a*) the right to retain their lands; (*b*) the right to acquire more land; (*c*) the right to retain their treaty rights and privileges; (*d*) the right to full citizenship without having to sell out their inherited birthright. Remember, gentlemen, the Indians are a people too!

Respectfully yours,

JASPER HILL—"BIG WHITE OWL"

The Indian Council Fire of Canada, herewith respectfully submits the Appendices 1, 2, 3 and 4, to be added to the seven-point brief of July 1, 1946, submitted by Mr. Jasper Hill, "Big White Owl," of Toronto, Ontario, Canada.

OLD AGE PENSIONS FOR INDIANS

Appendix 1—In the new Magna Carta for the Indians of Canada the following provision should me made:—The Federal Government take into consideration the Amending of the Old Age Pension Act so as to extend its various provisions to the Indians of Canada. The Indian People of Canada, the Native Canadians, the Original People, are the only people who do not come within the provisions of the Old Age Pensions Act of Canada . . . When we enquire why they do not come within the provisions of the Old Age Pensions Act; why they are not entitled to old age pension; we are told, in no uncertain terms, that old and indigent Indians are provided with monthly rations allowance from the Indian Affairs Branch in Ottawa. And that monthly rations allowance amounts to approximately **$7.00.**

INDIAN DAY IN CANADA

Appendix 2.—That the reorganized Indian Affairs Branch in Ottawa, make a special effort to promote the permanent establishment of an "Indian Day" in Canada, on the 19th day of April of each year—In the season of the "Grass and Geese Moon," according to the Red Indian Calendar.

OUR NATIVE CANADIANS

Appendix 3.—In the new Magna Carta for the Indians of Canada the following provision should be made:—That the Director of the Indian Affairs Branch in Ottawa, Ontario, be authorized to pubish an Indian magazines something like the "Indians at Work" booklet as published by The United States Department of the Interior. The Canadian Wartime Information Board 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 as 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 regard to the Indian activities taking place in the various provinces of this great country—"Canada!"

INDIAN REPRESENTATION IN THE PARLIAMENT

Appendix 4.—In the new or revised Indian Act, a special proviso should be included which will enable the Indians of Canada to elect their own representative to speak for them in the House of Commons, and anywhere else in Canada . . . Remember, gentlemen, a thought once formed exists as an image in the mirror of many tomorrow's.

I Have Spoken!

JASPER HILL, "Big White Owl,"

July 7, 1946.

APPENDIX AA

COCHRANE BOARD OF TRADE

COCHRANE, ONTARIO

July 3, 1946.

The Chairman and Members,
Parliamentary Committee Studying Indian Affairs:

GENTLEMEN.—The Cochrane Board of Trade requests the opportunity to place certain observations before you. It is not that we claim to be able to present any comprehensive scheme for settlement of the complex of problems gathered under the head of "the Indian problem". But the Town of Cochrane is built on an old Indian camping ground. There is a large Indian population north, east and west of the town, and the railway system, to a lesser extent the road system, like the river system in former days, makes the town one of the major Indian trading centres. Nearly one-quarter of all Indians and Eskimos in Canada live in Ontario, and more than one-half of these (16,238) live in Northern and Northwestern Ontario (Table 32, Vol. II, 1941 Census). Excellent opportunities to observe certain aspects of the problem are therefore ours.

Economic Base of the Problem

2. As there was an economic base to the original relationship of Indian and white man—the trade in furs—we respectfully suggest that the committee should pay particular attention to the economic base of the present situation. It is suggested that at the moment—and during the past few years—certain aspects of the "Indian problem" are not acute, just as certain problems of the white

population are not pressing—and for the same reason. Employment is available for most of those who want to work. The committee will find large numbers of Indians working on the railways, in bush camps, and in factories in the industrial centres. The problem of employment is as fundamental in the economy of the Indian as of the white man, and tuning of the economic system to maintain a high level of employment for the whole population is in itself a partial solution of the whole "Indian problem."

3. We would commend in the highest terms the work which has been done to restore the beaver population of large areas around James and Hudson Bays. Originated by the late James Watt, taken under the wing of the Hudson's Bay Company, and later sponsored on a large scale by the Federal Government, the livelihood and prospects of large groups of Indians have been transformed. Projects relating to other fur-bearing animals seem to be equally successful. With co-operation of the Indian population and of the provincial governments, trapping is being placed upon a self-perpetuating basis. An increasing number of Indian families is in consequence being given an assured livelihood in a traditional occupation. An extension of this program of wild life conservation and controlled trapping is strongly recommended.

4. The program referred to in the preceding paragraph improves diet and health of those concerned in two ways. It is increasing the meat production (formerly seriously depleted), and hence improving the diet. And by assuring larger and steady income it is correcting the purchasing habits and to a limited extent the housing conditions.

Treatment and Control of Disease

5. Progress is being made in this matter, and greater progress would have been made if the war had not delayed all building plans and led to a serious shortage of medical and nursing personnel. Because of the relatively small population and the vast distances of the North, with the extreme difficulties resulting from inadequate transportation (difficulties which for parts of the year cannot even be surmounted by air), it is not to be expected that city standards of health service can be made available to isolated groups in the great Northern territories. But improved hospital and outpost services, travelling clinics, and increased personnel, will help to meet the situation. We recommend that greater study and assistance should be given to the training of Indians as nurses and doctors. (The same recommendation applies to teachers.) And an improved network of radio communication is needed to bring needs and facilities and staff closer together.

6. We welcome the decision of the Department of Indian Affairs to establish a hospital for the James Bay area Indians. We are primarily concerned with seeing that better care is made available, but are naturally desirous of having such an institution located in Cochrane if it can serve the area here. With this in mind, we would like to call attention to certain factors:—

(*a*) Any Indian hospital should be so located that it can be visited as conveniently as possible by relatives and friends of the patients. Sanatoria in southern Ontario, for example, are quite unsuitable for Indian patients. Availability for such visits is almost an essential element in the treatment—more important with Indians even than with whites. While the Moosonee area thus has an important advantage from the standpoint of the James Bay Indians, the large Indian population along the Canadian National Railway must be considered. Cochrane is a central point for the whole area.

(*b*) Considered from the standpoint of a general hospital, and thinking particularly of emergency cases, patients brought by air from isolated sections can be flown to Cochrane from any part of the Bays in relatively little longer flying time than to Moosonee. Nearby Lillabelle Lake provides suitable base for flying boats.

(*c*) It would obviously be simpler to obtain and keep competent and adequate staff in Cochrane than in an isolated outpost.

(*d*) If the proposed new hospital is to be for TB patients only, we would recommend that study be given to the extended use of the Indian Wing of the Lady Minto Hospital at Cochrane.

Liquor Traffic

7. From the beginning of the Indian's contact with the white man, the former has been debauched by liquor. Fr. Dudouyt, emissary of Bishop Laval to Colbert, Minister of Finance under Louis XIV, in 1677, reported to his chief that he had told the King's Minister that "the inclination of the Indians for becoming intoxicated is much stronger than that of the people of Europe; that they have much greater weakness in resisting it; that it is universal, and that the disorders committed by the Indians are more aggravated, and this I proved to him, my Lord, in this way: If, in a bourgade, there be liquor freely accessible to the Indians they usually all become intoxicated, old, young, great, small, women and children, so that there is hardly one left unintoxicated; that if there be liquor for two days, drunkenness will continue for two days; if there is enough for a week, it will last for a week; if for a month, it will last for a month; that we do not see in Europe . . . It means, my Lord, persons who wish to have beavers from the Indians by means of liquor, without respect to the risk of disorders they cause by that means, and without regard to their own salvation or that of the Indians."

—(Report on Canadian Archives, 1885, Vol. I, p. cl).

In January, 1690, the Marquis de Demonville, writing to the Marquis de Seignelay, King's Minister at Versailles, said, "I have witnessed the evils caused by that liquor (brandy) among the Indians. It is the horror of horrors . . . Those who allege that the Indians will remove to the English, if brandy be not furnished them, do not state the truth; for it is a fact that they do not care about drinking as long as they do not see brandy; and the most reasonable would wish there never had been any such thing, for they set their entrails on fire and beggar themselves by giving their peltries and clothes for drink . . ."

—(Report on Canadian Archives, 1889, Vol., pp. 290-291).

(Quotations from Gustavus Myers, "History of Canadian Wealth").

8. Modern students of the problem see little to correct in such reports. Whatever degree of equality in economic, political and social spheres may be attained for the Indian population, it would seem that they are even less capable than their white neighbours of using liquor with discretion. We are not satisfied that sufficient vigour and care are taken to enforce the prohibition of use of intoxicants by Indians. We do not argue for increased prosecutions of Indians, except as a means to an end—that end being the corking of sources of supply. There appears to be room for more prosecutions of suppliers, and stiffer penalties should have a salutary effect.

9. We suggest that study should be given to the advisability of establishing hostels in white communities like Cochrane where Indians congregate, in which they might obtain meals and lodging at reasonable rates, and opportunities for healthful recreation and rest, so that they will not be thrown upon their own resources, to gravitate toward the most unscrupulous elements of the white and breed population. We are not advocating a "ghetto"; such hostels should serve transients only, and would appear to be one practical remedy for a real problem. If an average Indian away from home has money in his pocket and nothing else to do, it is logical that he should get drunk with the assistance of his white benefactors, whether the law forbids it or not.

Respectfully submitted on behalf of the Cochrane Board of Trade.

Approved by the executive council, July 3, 1946.

HAROLD A. WILLS,
President.

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 15

TUESDAY, JULY 23, 1946

WITNESS:

Mr. L. L. Brown, Junior Departmental Solicitor, Indian Affairs Branch, Department of Mines and Resources, Ottawa.

OTTAWA
EDMOND CLOUTIER, B.A., L.Ph., C.M.G.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY
1946

MINUTES OF PROCEEDINGS

THE SENATE,

TUESDAY, 23rd July, 1946.

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 2.00 o'clock p.m. The Joint Chairmen (The Honourable Senator J. F. Johnston and Mr. D. F. Brown, M.P.,) presided.

Present:

The Senate: The Honourable Senators Horner and Johnston.

The House of Commons: Messrs. Blackmore, Brown, Bryce, Case, Charlton, Farquhar, Gariepy, Gibson (*Comox-Alberni*), Harkness, MacNicol, Matthews (*Brandon*), Raymond (*Wright*), Reid—13.

In attendance: (Department of Mines and Resources): Messrs. R. A. Hoey, Director, Indian Affairs Branch; Eric Acland, Executive Assistant to Director; M. McCrimmon, L. L. Brown and A. G. Leslie, of Reserves and Trusts Service; and H. M. Jones, M. E. Armstrong and F. Kehoe, of Indian Affairs Branch;

Also Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Mr. Bryce, of the subcommittee on agenda and procedure presented the seventh report of that subcommittee. (For text of report, *see* page 645 of Minutes of Evidence.)

On motion of Mr. Bryce, it was unanimously

Resolved: That the seventh report of the subcommittee on agenda and procedure be adopted.

Mr. L. L. Brown, Junior Departmental Solicitor, Indian Affairs Branch, was re-called and questioned.

The Committee adjourned at 3.30 p.m., to meet again at 2.00 o'clock p.m., Thursday, 25th July next.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

THE SENATE,

July 23, 1946.

The Special Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 2.00 o'clock p.m. Mr. D. F. Brown, M.P., (Joint Chairman) presided:

The CHAIRMAN: Shall we open our meeting now, gentlemen? First, we would like to have the report of the subcommittee on agenda and procedure. Mr. Bryce, would you read that report, please?

Mr. BRYCE:

SEVENTH REPORT OF SUBCOMMITTEE ON AGENDA AND PROCEDURE

Monday, 22nd July, 1946.

As the House has agreed to sit in morning session on and after Tuesday 23rd July, and in order to accommodate those members of your Committee who are also members of the Standing Committee on Industrial Relations,

Your subcommittee recommends that:

1. Commencing with the meeting called for Tuesday, 23rd July, and until further notice, your meetings shall be at 2.00 o'clock p.m.;
2. On Tuesday, July 23rd, the hearing of Mr. L. L. Brown, will be continued;
3. On Thursday, 25th July, Mr. Conn, Conservation Officer, Indian Affairs Branch, will be called;
4. On Tuesday, 30th July, Mr. C. H. Bland, CMG., Chairman, Civil Service Commission, will be called;
5. Brigadier General O. M. Martin, Toronto, will be invited to appear before your Committee on Thursday, August 1st;
6. Your subcommittee will, on August 1st, report with regard to further hearings of Departmental officials.

All of which is respectfully submitted.

The CHAIRMAN: It is moved by Mr. Bryce and seconded by Mr. Harkness that the report of the subcommittee on agenda and procedure be accepted. Is there any discussion?

Mr. CASE: I think the subcommittee should take into consideration the meeting of the Industrial Relations Committee. I would draw to the attention of the chairman the fact that that committee has decided to arrange its meetings so that it may be possible for every member to attend the opening of the House. I presume that we would meet at two and rise at four.

The CHAIRMAN: I do not think it would make much difference in any event. For other reasons it may soon be necessary that we suspend the meetings of this committee until the next session. The minutes of our meetings are taken verbatim by our committee reporters, and there is now a very serious shortage of court reporters. I have just been advised this afternoon that it is very difficult

to provide a reporter for this meeting to-day. Secondly, there will be a considerable delay with respect to the printing of the proceedings of our metings, due to the excessive amount of work of the printing bureau because of the many committees now in session, especially the Industrial Relations Committee which, at the moment, is a very important committee, and must receive daily reports.

Now, for that reason, your subcommittee in paragraph 6 of this report has stated:

> 6. Your subcommittee will, on August 1st, report with regard to further hearings of departmental officials.

The consideration behind that thought is that it may be that we cannot proceed further during the present session of the House, (1) because of lack of stenographic help; (2) because we cannot get our minutes printed; (3) the members of the House are obliged to be in the House a certain amount of time, at least from 11 a.m. in the morning until 11 p.m. at night, with time out only for lunch. In fact, we are encroaching upon our lunch hour to-day by having this meeting opening at 2 o'clock. The Industrial Relations Committee, I understand, has four of our most regular attendants as members of that committee, so that the two committees do conflict. The House considers that that committee is a very important one at the moment.

Is there any further comment?

Mr. REID: Did the committee give any consideration to how many days a week we should sit?

The CHAIRMAN: You will note the report says Tuesday and Thursday of each week. We did give consideration to extending that time but we felt, by reason of the heavy work in the House and the other committees at the present time, we could not ask the members of this committee to attend more than two meetings a week.

Mr. REID: In view of the fact that many members of this committee are on other committees.

The CHAIRMAN: The Industrial Relations Committee opens at 11.30 in the morning, and we have many members on it.

Mr. MACNICOL: I think you are using good judgment, Mr. Chairman. We did not get started with our meetings early this session, for well known reasons.

The CHAIRMAN: We were not born until late in the session.

Mr. MACNICOL: But next session we should start early and catch up any meetings we have to forego for the balance of this session.

The CHAIRMAN: Let me remind the members of the committee that this is our twentieth meeting we have had. I believe, yesterday in the subcommittee, in discussing this matter, we found that we have sixteen departmental officials yet to hear. We have found that each departmental official took at least two meetings, so, assuming each of the sixteen will now take two meetings we will have thirty-two more meetings before we will at least get the whole departmental picture. Thirty-two meetings at the rate of two a week means sixteen weeks, and counting four weeks to a month that means four months. In the subcommittee we were considering the request of this committee with respect to recess activities, and a report will be made to you on Thursday of this week, with recommendations in that regard.

Mr. REID: I do not know how many members read the reports or how diligently they go into them, but the thought struck me, as a member of this committee, that we sit, as members of this committee, while briefs are being read, and during the reading, of course, we have not always had copies of them before us. That necessitates, in many cases, the reading of the brief again. I was just wondering if we could not expedite and help things along, if briefs

were submitted to us in advance by the various officials rather than for us to sit for two hours listening to the briefs being read, and then have to bring back the witness for questions on those briefs. I offer that as a suggestion.

The CHAIRMAN: I think we found that most members received probably five or six briefs in a day. Obviously we cannot read all of them. The objection to your suggestion was that we would not be finding time before the meeting to read the briefs that were then being presented.

Mr. REID: I had in mind the recess. Could we not have all the briefs before the end of the session?

The CHAIRMAN: I think that will be generally done; however, Mr. Hoey could make a note of it and if there are briefs to be presented, he could present them now so that we could have an opportunity to study them during the recess.

Mr. BLACKMORE: I would rather hear them read, even at that.

The CHAIRMAN: Yes, but they would be subsequently read anyway.

Mr. HARKNESS: I agree with Mr. Reid, that we could save a fair amount of time that way, if we had these briefs before the recess. I think that during the recess every one would have plenty of time to read them and to make notes on them and come back prepared to ask questions. I do not think there would be any necessity of having the briefs read again after that.

Mr. BLACKMORE: As far as I am concerned, my reading capacity is at least limited. It is not unlimited, and I would rather hear the thing. A member can easily break himself down and ruin his eyesight and do other unfortunate things by trying to read too much.

The CHAIRMAN: No member can read all the briefs that come before him.

Mr. GIBSON: If you do too much reading at home, you will lose your wife and family!

Mr. CHARLTON: We should have time to read over the briefs to enable us to ask questions. We should not have to sit here and hear them read over again.

The CHAIRMAN: I think we have had a fair discussion of this matter. All those in favour of this report please say 'aye'? All those contrary? I declare the report carried.

The witness to-day is Mr. L. L. Brown, who gave us this very excellent brief the other day on estates and trusts. Is it your pleasure to hear from Mr. Brown further?

Mr. MACNICOL: Yes.

The CHAIRMAN: Very well. Come forward, Mr. Brown, please.

Mr. Leonard L. Brown, Junior Departmental Solicitor, Indian Affairs Branch, recalled:

By the Chairman:

Q. Mr. Brown, you have completed the reading of your brief?—A. Yes.

The CHAIRMAN: Now, gentlemen, if you would like to present your questions, we would ask that each member of the committee be permitted to complete, as nearly as possible, his line of questioning before another member interrupts. Of course, if you have anything pertinent to the question, I would see no objection to interruption.

By Mr. MacNicol:

Q. I have six questions. On page 541, Mr. Brown, reports that there are approximately 200 acres of land available per Indian, not in every reservation, but as an average throughout the country. What percentage of those 200 acres would be arable land?—A. I am not sure I can answer that question, Mr. MacNicol. That was more or less of a general statement. It was 200 acres per average family.

Q. My point is that I have been on many reserves and much of the land I have seen on the reserves is poor land.—A. That figure was arrived at by dividing the number of Indians into the total acreage on the reserves in Canada.

Q. It does not really mean very much.—A. It does not mean very much.

Q. On page 543 you made reference to the Chemahawin Indian Reserve. "Also in the Pas agency the department has secured from the provincial government 2,080 acres as an addition to the Chemahawin Indian Reserve." What would that be?—A. It is, I believe, on Cedar Lake; part of it is swamp and part of it is agricultural land.

Q. Yes, I have been there.—A. I do not know what the proportion is, but I believe it included both types of land.

Q. It would not be more than half a mile from Cedar Lake itself. There is some land there. I spent an hour or two on the reservation. I would say that most of it would be swampy land good for raising rats.—A. Some of it was.

Q. The next question is also on page 543: "The Stony Band selected some 70,000 acres near Morley."—A. Yes, I believe that is correct.

Q. That land is exceptionally poor land, I would say, because of the mere fact that you bought more, another 9,000 acres near; is it adjacent to the reservation?—A. Not immediately, but close to it, I believe.

Mr. HARKNESS: It is, as a matter of fact, adjacent to it. It joins right on to the reserve.

By Mr. MacNicol:

Q. It is joined to the reservation?—A. Yes.

Mr. HARKNESS: Entirely on the south side of the Bow River.

By Mr. MacNicol:

Q. We passed a bill at the last session about the power rights on the Bow River. What does the department do to make sure that the Stoney Indians receive fair compensation for the surrender of their power rights or for the permission given to an operator to use their water? They have reserves on both sides of the river at that point?—A. It would be our department, probably through the assistance of our Water Power Bureau. I cannot say what the case is in this instance. I do not know.

Q. The next question is at page 547 down near the bottom of the page. You make reference to: "(*a*) For the purpose of any railway, road, public works or work designed for any public utility with the consent of the Governor in Council." I want to ask about the railway rights. Take Mr. Blackmore's reservation, the Blood Indian reservation. Where the railway runs west from Lethbridge it runs through the Indian property. We would see to it, or what method would be used to see to it, that the Blood Indian reservation, or, further north, the Blackfoot reservation, receive fair compensation for the railway's right to run throught the reservation?—A. Both the Indians and the department are involved in a deal like that. The railway would go to the

Indians and arrange for the compensation to be paid to them. If the railway and the Indians cannot agree on the compensation, the Railway Act provides for a board of arbitration.

Q. Why wouldn't they do that in the beginning, the same as if they were going through a white person's property?—A. They have an opportunity of arriving at their deal, if they are satisfied to accept a certain amount. I think that practice has been fairly common in the past; they have been able to reach an agreeable rate of compensation.

By Mr. Case:

Q. Might I ask a question? Would the negotiations be carried on with the individual Indian or would the band be entitled to consideration as well? —A. Both; the individual for holding a unit for which he was recognized as the owner with the consent of the band.

By Mr. MacNicol:

Q. You make reference to the band selling their lands and themselves receiving the money, which is quite all right. But there are other bands with poor land. Would it not be advisable, where one band sells land, to make use of the money for buying better land elsewhere?—A. For other bands?

Q. Yes, or for the same band?—A. Where the reservation is set aside for a band of Indians, where any portion of it is sold, the proceeds are for that band.

Q. Before the land is sold, there would be an accurate estimate made of the possible growth of that land?—A. That is true.

Q. Before selling it. My last question pertains to estates on page 554, at the bottom of the page, where you say: "My third main heading is estates." If an Indian makes a will, who draws the will for him?

The CHAIRMAN: What is the question again?

By Mr. MacNicol:

Q. If an Indian makes a will, who draws the will for him?—A. It can be anybody, in practise. Nearly always, on a reserve, there are Indians who make a practice of drawing wills for other Indians. In other cases they will go to a lawyer in an adjacent town. Then again, the Indian agent may be asked to do it.

By the Chairman:

Q. Does the drawing of a will have to comply with provincial laws? —A. With respect to personalty, I think, but not with respect to land. That is getting into a sort of involved question. There have been decisions given that—

By Mr. Case:

Q. I have one question on page 544, the one where I received the little lecture. I asked the witness, Mr. Brown, "Q. Does the land become subject to taxation then?" And his answer was: "No, it is still part of the Indian reserve." Then, he added that he would enlarge upon it.

The CHAIRMAN: What page is that?

Mr. CASE: That is on page 544. What observation would he like to make. You got sort of involved as well.

The CHAIRMAN: I did not get involved.

Mr. CASE: You could have.

The WITNESS: The answer is that the land itself does not become taxable. The white tenant of the land becomes taxable by the municipality. In other words, when a white farmer goes in there and takes Indian land under lease, the municipality may tax him.

By Mr. Case:

Q. In other words, he would not enjoy the advantages himself by leasing the Indian land.—A. Right. If he does not pay his taxes, the municipality has no claim against the Indian or against the land, but only against the tenant.

Q. If they do not enforce their Act?—A. There are lots of cases where they do not even know there is that Act. They do not enforce it. We know they do not.

Q. That might encourage a white man to pay a little higher rent for it if he thought he was going to get it without taxes; likewise the Indian might be inclined to negotiate the deal because he would not be charged with the labour of operating his land.—A. That may be true in some cases.

Q. Do you think it would be a good arrangement?—A. That brings up the entire problem I mentioned in my brief, whether an Indian should be allowed to lease land that he won't work himself.

By Mr. MacNicol:

Q. What is your answer?—A. I said that that brought up the whole problem I mentioned in my brief, whether an Indian should be allowed to lease land that he won't work himself, and whether we should permit Indians to sit back and take the revenue where they won't work their own land.

Mr. BRYCE: But the country allows white people to do it.

By Mr. Harkness:

Q. Has the deal for these two ranches actually gone through?—A. No, but it is on the point of going through.

Q. There is no doubt that it will go through?—A. I think I can safely say "yes".

Q. When will the department secure possession of that land?—A. April 1, 1947.

Q. Have any further steps been taken in connection with securing land that might be used for the Wesley band of the Stonies on the north side of the river? —A. Yes, I think we are still looking around in that neighbourhood. I believe it is for that unit. Is that correct, Mr. Hoey?

Mr. MCCRIMMON: No further steps have been taken with respect to the Weslies.

Mr. HARKNESS: The Wesley land is probably the worst land of the entire Stoney tribe. They, of course, will be, in their present home, a long way from this new land, so it wont be of much value to them even if they just cut hay. They were particularly anxious that some land on the north side of the river adjacent to the east end of the reserve might be secured for them.

Mr. MCCRIMMON: I discussed it with the Chief in Calgary a few weeks ago. I hope to discuss it with Mr. Allan during the next few days.

Mr. HARKNESS: You are still contemplating that?

Mr. CASE: If we are to hear someone give evidence, should'nt he be introduced to the committee so we may know who he is?

The CHAIRMAN: I agree. This is Mr. M. McCrimmon, chief of the Reserves and Trusts Division, Department of Indian Affairs. Are there any further questions?

Mr. CHARLTON: Regarding estates, there are many instances with respect to Indians, not full-blooded Indians now, but Indians whose ancestors have kept on marrying whites down through a series of years. In cases where the present family has no son and only daughters, what becomes of the land upon the death of the present owner, when he has a daughter who is married to a white?—A. There could be two answers to that question, one, if the man died intestate, and the other, if he left a will.

Q. If he leaves a will?—A. If he leaves a will, naming the white daughter as his sole heir, then section 25, subsection 3 of the Indian Act covers the case. Under those circumstances the Minister shall sell the land to any member of the band or to the band itself and the proceeds thereof shall be paid to such devisee or heir. In other words, no person of white status can hold land on an Indian reserve. He can inherit it, but he cannot take physical possession. It must be sold for a cash payment.

Q. Supposing this chap had a grandson by the white daughter, of course; can that grandson become a member of the band?—A. No.

Q. He can not?—A. He can not.

Q. I understand that in some cases that is being done now.—A. Not to my knowledge.

Q. There is a way of getting around that particular thing.—A. No, not to my knowledge.

Q. There is no way, then, whereby the daughter could live on the property? —A. Oh, she might be given permission for a month or so, but not any permanency; she could not hold that property permanently.

Mr. CHARLTON: I might say, Mr. Chairman, on the Six Nations Reserve, there are probably some cases where people have taken a very great pride in their farms, and it so happens that they have no sons. They feel very badly because, as you well know, that farm is probably worth $5,000 to $6,000, but it would probably be sold to a member of the band for perhaps $2,000. The people feel they would be "gypped" in that case.

By Mr. Farquhar:

Q. Is there any action being taken by the department to purchase back lands that have been sold off the reserve to whites? Some of them have been sold to whites?

By Mr. MacNicol:

Q. Land sold by the band?—A. There may have been a few scattered cases of it. I know of one case where we bought back a 40 acre parcel that had been enfranchised out to an Indian forty years ago. We bought back a railway right of way recently on a reserve, but I cannot think of any large scale movement of that kind.

By Mr. Farquhar:

Q. I know of one white man who had a store right in the centre of an Indian reserve. He is still living there and I find he is sometimes making quite a lot of trouble. Is there any action being taken to purchase back land that has been sold that way?—A. I think that probably would be the type of case where we purchase it back. That was an enfranchisement case again.

Q. That is right.—A. To-day we do try to buy those lands back because we do not like an individual to be isolated within the boundary of a reserve that belongs to the Indian people or of which we have no control.

Q. Has any action been taken by the department to do that?—A. Not to my knowledge. I do not personally know that the Indians do not still own that.

By Mr. Case:

Q. Can an Indian adopt a child and make him his legal heir or a member of the band?—A. I would rather not answer the second part of that question. I would say he can adopt, yes; but I am not at all certain as to the status of the adopted child.

Q. There is one example in the reserve near my home where an Indian has adopted an Indian boy. That boy has served overseas and has a very fine record and has now returned home. The father expects he will be the heir to his estate, but so far he has found no means whereby he could have him admitted to the band.—A. Is the boy a member of the same band?

Q. It is his sister's child, but he has never been a member of his band.—A. That more properly might be brought up in connection with band membership, because it is directly involved in that question.

Mr. REID: I have one or two questions. I am sorry I have not my list of questions. I seem to have mislaid it, so I will have to take the ones I have just checked up hurriedly. My first question has to do with additional lands as mentioned on page 543 of your report, where it states: "In British Columbia the additional lands secured by the department have, for the most part, been small holdings and a few of these are as follows:", and it goes on to outline where those additional lands have been.

The CHAIRMAN: What is the page of the printed report you are referring to?

Mr. REID: At page 543 of the printed record.

By Mr. Reid:

Q. Has the report of the British Columbia Commission which sat in 1916 in regard to Indian lands in the province of British Columbia been dove-tailed into the work of the Dominion, and is the lands mentioned on page 543 the land as recommended by the commission that was appointed in British Columbia in 1916?—A. I am afraid I could not answer that without looking it up.

Q. It is important, because one of these days I am going to bring down the British North America Act to prove that we, at the time of Confederation, stipulated with the Dominion that the Indians had to be treated as fairly and as generously as they had been treated by the colony of British Columbia previous to Confederation. I am anxious to know just what treatment they did receive in certain aspects. In 1916 the government set up a commission which visited every reserve in British Columbia with the exception possibly of some away in the north. At a later date I shall bring down the recommendations. You mentioned on page 543 additional lands. Has that been done at the instigation of the authorities and following the commission's report in British Columbia? —A. They were quite recent, within the last three years.

Q. I would like you, at our next meeting, to give me the answer as to what steps the Dominion government took in regard to the recommendation of the Royal Commission in British Columbia in 1916. Now, with regard to leasing I am inclined to the view expressed by Mr. Bryce. My own view is that in the past they have been a little too strict, with respect to land held by the Indians,

with regard to the leasing of that land. I think if we are ever to establish the Indian as free and white, the situation should be given a little more latitude.

Now I come to the question on page 546 of weeds on land, the cutting of weeds on land. My question is, does the department go ahead and cut weeds on Indian land in conjunction with the municipalities or in accordance with the municipal law; or do you know of instances where the Indian department has cut weeds on land, and the municipalities have not obeyed the law relating to the cutting of weeds?—A. No, I cannot say that I know of any instance of that nature.

Q. I believe it is important. I happen to have had some experience regarding the cutting of weeds, because I have been a reeve for nine years. We cut weeds on Indian lands, but before doing so, we cut them on our own municipal lands. Do you know what is being done in the other provinces? Are you going out and cutting weeds on reservations, while the land of the private individual and the municipally-owned land is left with the weeds growing on it? I want to know if the Indian department has a policy of their own or in conjunction with municipalities, and in accordance with various municipal laws and acts?

Mr. MacNicoll: You mean white farmers' lands?

Mr. Reid: No, in most municipalities, in each province, the municipality has passed laws regarding the cutting of weeds, and they can go in and cut weeds on your land if you do not do it, and sell your land for it. I want to know what is being done by the Indian department. Are they actually doing it in certain districts, while the municipalities and the people are ignoring those laws? Is the Indian department alone spending money in doing so, or what co-operation are they getting?

Mr. Hoey: I think I can answer that question because it comes under the welfare division. When noxious weeds or weed infestation is brought to the attention of the department, we usually work through the Indian agent or the farm instructor to have the land brought into a state of cultivation that will be acceptable to the municipal authorities. I have a case in mind that happened about three weeks ago at Ste Anne's, where there was weed infestation and the weed inspector brought it to the attention of the municipality who brought it to our attention. They said it was foolish or unwise for that particular municipality to branch out on a weed elimination or a weed reduction programme, if the weeds were allowed to grow on that particular Indian reserve and infest the adjoining countryside.

I have not the exact figures in my mind at the moment, but I think we spent $3,000 to $5,000 in oil treatment in that particular area. We certainly do everything that is humanly possible not to antagonize the municipalities and to bring our programme, in so far as we can, into conformity with theirs. It is just common sense. That thing comes up quite frequently in the welfare division. We get notice of weed infestation on a particular reserve and we take what we deem to be the necessary steps to correct the condition.

Mr. Reid: I suppose you know that many municipalities are afraid, for political reasons, to enforce such a policy; but they can say to the Dominion government, "Go ahead and cut it."

Mr. Hoey: They bring it to our attention quite frequently and we try to do the best we can.

By Mr. Reid:

Q. On page 547 I was rather intrigued by a statement that you lease and rent houses to white people, houses that are situated on Indian lands. I am just wondering if you have any of the difficulties that other people have, once you get a man in a house.—A. Yes, we have.

Q. Not that I am against it; but we in British Columbia took over all the Japanese property following Pearl Harbour. Many of those properties were left to white people to look after. They had a terrible time getting people out of the houses due to the housing shortage.

The CHAIRMAN: Who do you mean by 'they'?

Mr. REID: The government, or the Veterans' Land Act officials acting for the government.

By Mr. Reid:

Q. I wonder what policy is in effect in leasing houses and allowing people to go on the reserve and lease houses? I did not know that there were any Indian houses fit for white men; I am glad to hear that there are; that is all to the good. I am, however, rather interested in the leasing program. Can you make a further explanation regarding it?—A. I was largely referring there to two reserves, Pierreville and Caughnawaga in Quebec. Those reserves were near to manufacturing centres and there was an inflow of white persons to those towns during the war years. Due to lack of housing facilities, they overflowed to the nearby Indian reserves and wanted to lease from the Indians various vacant houses due to wartime needs. The Indians were quite willing to do it. They wanted to do it.

Q. What rents were charged? Were they under the Rental Control order?—A. They were not originally, but I believe they are now.

Q. What about eviction?—A. I do not know of any case where we had actually to evict anybody down there.

Q. Who sets the rental?—A. The Indians themselves.

Q. What was the range of rentals, and what were the size of the houses?—A. I would say that some of them went as high as $25 a month.

By the Chairman:

Q. Supposing you had to evict somebody, would the provincial law apply?—A. There is a provision, I may say, in the Act for eviction of trespassers upon reserves. A person is a trespasser who has actually gone on without permission or who exceeds his permission to stay.

Q. What about overholding tenants?—A. Overholding tenants? Our leases are double-barrelled; there is a permission to lease and a permit to be on the reserve. The Act provides quite fully for the eviction of persons who are unlawfully on the reserve.

By Mr. Lickers:

Q. In view of the fact that the department actually leases the land to the white person, do you guarantee his rent to the Indian owner?—A. I would say 'no'.

Q. Why not?

By Mr. MacNicol:

Q. That is a good question, too.—A. We are leasing on his behalf.

By Mr. Lickers:

Q. But the lease is signed by the department.—A. The lease is signed by the department as provided by the Act.

Q. Yes?—A. But on behalf of the Indian.

Q. The money is paid by the tenant to the department. Is that correct?—A. That is correct.

Q. And the department then sends out a check to the Indian?—A. That is correct.

By the Chairman:

Q. Do you do that as agent for the Indian?—A. That is approximately the position, yes.

By Mr. Gibson:

Q. Is the money obtained in advance?—A. Sometimes, and sometimes not.

By the Chairman:

Q. Would you rent the property, as suggested by Mr. Lickers, without the Indian's consent?—A. No.

Q. When you do enter into a lease, you do so as agent with the consent of the principal who is the Indian.—A. A preliminary document is signed by the Indian and is sent to us; and from that formula the lease is drawn up.

By Mr. Lickers:

Q. The lease is actually between the Indian and the department, and the department then turns around and more or less sub-lets it to the white tenant. If that is the case, why don't you then guarantee the Indian his rent in view of the fact that you are actually leasing from him?—A. I do not think we are actually leasing from him; that is not the type of agreement that comes into us. There is no agreement between the Indian and the department as such. The agreement that is sent into us, and from which the formal agreement is provided, is a preliminary agreement between the lessor and the lessee, between the Indian and his tenant.

By the Chairman:

Q. Does not that establish your agency?

By Mr. Case:

Q. Does the Indian sign the final document?—A. No, the final document is signed by the department and the lessee.

Q. Why not have the Indian's name on it and make him a party to the agreement?—A. We have it on the preliminary agreement which embodies the same terms in short form that are in the final document.

By the Chairman:

Q. Why do we not have the Indian realize his responsibilities in connection with the document by putting his signature on the formal completed document?

Mr. MacNicol: What redress has he got against the white man?

The Chairman: It would have to be the Indian Affairs Department that would make the agreement with the lessee; but in giving his consent, the Indian would join in the document.

Mr. Case: In other words, the three parties to the agreement would all be identified with the agreement.

Mr. Lickers: The reason why I asked that question was because at the present time the Indian does not collect the rents at all. He has to wait until he gets the money from the department and often times he might get the rent from the department about three months or more after it was paid to the department by the tenants; and often times he does not know whether the rent is paid or not. So, in view of the fact that the final lease is

between the department and the tenant, I think the department should at least guarantee the Indian his rent as it becomes due, regardless of whether it has been paid or not.

By Mr. Reid:

Q. Does the rent go to the band or to the man direct, to the Indian ultimately?—A. To the individual, if it is an individual holding.

Mr. MACNICOL: I think there is some point to what Mr. Lickers says.

The CHAIRMAN: I cannot agree with him as a matter of law. Of course, lawyers do not agree anyway.

By the Chairman:

Q. Is it not a fact, Mr. Lickers, that if A owns land and gives an agency agreement to B, and B rents that land to C, then B would be personally responsible for the payment of the rent?

Mr. LICKERS: I think so.

The CHAIRMAN: That would mean that A, who has engaged B, is the principal. A is personally responsible to himself for the rent because B and A are the same. A owns it and B is the agent. B merely enters into an agreement with C.

Mr. LICKERS: On the straight principal and agency basis.

The CHAIRMAN: Isn't that what this is?

Mr. LICKERS: No, this is more than that—because the Indian cannot himself rent to a white person without, first of all, more or less surrendering the land to the department, and then the department sublets.

By Mr. Reid:

Q. I do not want to get side tracked, but off hand I think the Indian is probably better protected by having the Indian department act as his agent, because when it is the Crown, it would make a difference.

By Mr. Bryce:

Q. Can an Indian rent land himself without the assistance or supervision of the Indian department?—A. No.

Q. Then I think the second party who comes into it is responsible. You maintain that the Indian is not responsible and cannot do his own business, then, when you do not collect the rent for him, you say it is his lookout.

Mr. HOEY: Could I interject a comment. I think that the present arrangement is profoundly unsatisfactory. Mr. Lickers speaks of the Six Nations; but take the case of the Queen Charlotte Islands. If a man rents a piece of land there—out in Mr. Reid's constituency—the rent is paid to the Indian agent and that rent is forwarded to Ottawa. We have been short of staff during the war years. In fact, we have been short of staff since I entered the department ten years ago. There are delays which are necessary and delays which are unnecessary and the Indian becomes profoundly dissatisfied. He does not know whether the rent has been paid or not.

Mr. MACNICOL: He would not know, would he?

Mr. HOEY: No. I have suggested to the treasury officials, and Mr. McCrimmon suggested to me this morning, that this is one problem with which the committee would have to wrestle. I have suggested to the treasury officials that the rent be paid to the Indian agent, that it be deposited in a trust account at the local bank, and that the Indian agent be bonded to issue cheques against it. I cannot see why that cannot be done. But the treasury officials say there are

insurmountable difficulties in the way. But whether that be so or not, this is one of the really important matters with which this committee must deal and which it must settle because the present practice is profoundly unsatisfactory. More criticism reaches us with respect to it than about any other single administrative problem facing us at the moment. Just think of the delay in forwarding money from northern British Columbia to Ottawa.

Mr. REID: I am glad this matter has been brought up. One of the chief complaints of the Indian is that of delay in waiting to hear from Ottawa.

Hon. Mr. HORNER: To my personal knowledge it is in the wheat lands of western Canada where the Indian may see his credit disappear. The tenant may take the crop and sell it. He may be moving out. He may have taken a valuable crop of grain, sold it all, and paid nothing. I suggest that with respect to land of that kind the rent should be paid in cash. There should be a cash rental then there would be no doubt about the crop being moved off, or a division of the crop.

Mr. BRYCE: Would you apply that recommendation to the other things as well as just to rent for a house? Suppose a man is receiving wages that are being paid to him.

Mr. HOEY: Yes, I would apply it to the most important things first such as these leases whether they be for land or houses. I may be a little bit dull and stupid, but I cannot, for the life of me, see why an Indian agent who is bonded, or is a responsible departmental official, cannot accept that money and hand it over to the Indian just as capably as an official at Ottawa.

Mr. REID: The books can be audited once a year.

Mr. HOEY: Yes, the books can be audited once a year. It all seems very silly to me, not to adopt the idea.

Mr. CHARLTON: Would it not make things a lot easier if the Indian should sign that agreement along with the agent?

Mr. HOEY: It would not make any difference.

Mr. CHARLTON: Then the dominion would be purely an agent in respect to subletting the man's land, you would have the rent payable in advance, and you would have a month to work on too.

By Mr. Reid:

Q. I mislaid my long list of questions. My question has to do with page 549. "Up till 1936, the Department of Indian Affairs had a survey staff among its personnel but following the amalgamation in 1936, creating the Department of Mines and Resources, this staff was incorporated in the present surveys branch of the department." How many of a survey staff did you have?—A. I believe it was five.

Q. Were these people kept fairly well employed surveying Indian lands before the amalgamation?—A. I would say so, yes.

Q. I think, Mr. Chairman, we should note that it says: "since the creation of the Department of Mines and Resources, this staff was incorporated in the present surveys branch of the department," which means that, in effect, since 1936, the surveyors have all been given new jobs.

The CHAIRMAN: What page are you reading?

Mr. REID: It is page 549. They have been taken away from the Indian department, and now the Indian department is left to get a surveyor wherever it can.

By Mr. Reid:

Q. How many surveys a year would you be called upon to make?—A. It would vary. I perhaps misled you by saying there are five on the staff. I do not think all five were qualified surveyors. There was a staff of five attached to the survey section, but perhaps two or three of them would be surveyors only.

Q. I do not want to correct you in your statement, but at page 550 I note you say: "The survey season in Canada is so short." you had better modify that statement because we think twelve months in a year is the whole year out in British Columbia.

I have one other question. On page 561 it speaks about timber cruising and timber dues. My question to you is this, and it is asked in the light of the early title deeds in British Columbia. I, at one time, owned land in British Columbia, which was old Crown grant land. The owner had all the timber and all the mines, under all old Crown grants up to 1882 issued in the province of British Columbia. The owner of the land obtained a clear title to the timber, to the mines, to the minerals and to everything. He had no timber dues to pay at all. I wonder, in so far as our province is concerned, why the Indians now would have to pay timber dues, because their land ante-dates 1882.—A. But the Indian pays timber dues to himself by paying it to his band. With respect to timber on the Indian reserve, if any one Indian cuts timber to the exclusion of the others, he must pay back a portion on that to the general band fund.

Q. Yes, that would answer my question fairly well. I did not have that point before I asked it. There has been criticism regarding the length of time taken for agreements and titles. I know I attended one meeting of Indians out there and you could hardly mention the department at Ottawa. They were not prepared to have anything. They were prepared to wait as long as five years in getting an agreement from Ottawa. I think we had better look into the matter because agreements and documents from Ottawa cause more unrest, in my opinion, than anything else. That is all I have for the moment, but if I can find my list of questions, I shall have a lot more.

By Mr. Bryce:

Q. Could Mr. Brown tell us something about the St. Peters reserve? How much land has been sold of the original lands of the reserve to the provincial government?—A. I am not quite sure.

Q. I would like to have the history of the whole thing.

Q. That is a long and big deal. The former reserve as surrendered by the Indians contained 48,000 acres, and was surrendered by the Indians in 1907.

The CHAIRMAN: Where is this reserve?

Mr. HOEY: It is north of Winnipeg, between Winnipeg and Selkirk.

The WITNESS: The old reserve was called "Selkirk". The Indians surrendered it for sale and the property was auctioned off. Certain lands and certain parcels went to various Indians who were nominated by their bands to receive patents for their land. I am not sure how that lease was prepared; I think it was done by the Chief and the council.

Q. You are sure that the council was included?—A. That is my understanding.

Q. My understanding is that the Chief did the business, but I want to be clear on that. You people in the department ought to be able to give us authentic information as to which is right and which is wrong. You do not know how many acres the provincial government holds now?—A. No.

Q. Could you find that out for us?—A. I think I could.

Mr. CASE: On a point of order, how many constitute a quorum?

The CHAIRMAN: I can still see a quorum.

By Mr. Bryce:

Q. Could you give me authentic information regarding the land that was taken over by the Soldiers' Settlement Board and sold by them and then, I understand, was returned to the Indian department, and also what you are doing in connection with it now? There are Indians there who have hay rights, or have they lost them?—A. Is that at St. Peter's too?

Q. Yes.—A. I believe it was never actually taken over by them. They were merely administered on their behalf.

Q. There was some arrangement made; I do not know what the legal terms were.

Q. Was there any money transaction there?—A. I would have to look this up for you.

Q. Will you get it and put it in the record so that we can have it.

The CHAIRMAN: Wouldn't it be better for him to get it and bring it back here so it could be put into the record?

Mr. BRYCE: Yes.

The WITNESS: All these things happened before I came into the branch.

By Mr. Bryce:

Q. They happened before I was a member. I do not want to condemn a person before I hear the department's views.

Mr. HOEY: There was a statement made about the alienation of land at Walpole Island, by a witness who appeared before the committee, Mr. Paull. I think it was a rather serious charge, that we had been alienating land without the consent of the band. You many remember. I think that Mr. Bowden who is responsible for the administration of that matter should have an opportunity.

The CHAIRMAN: Yes, I think that will be quite in order. Mr. Paull was here with the North American Indian Brotherhood and he made an assertion at page 457.

Mr. RAYMOND: Concerning a reserve in Ontario.

Mr. HOEY: One.

Mr. RAYMOND: One case.

The CHAIRMAN: At page 457.

The WITNESS: Page 457, a question by Mr. Farquhar.

The CHAIRMAN: The report reads as follows:—

By Mr. Farquhar:

Q. Has any part of your reserve been taken away in recent years?—A. This year, yes, this year.

Q. Where was that?—A. I have not got the date, but I can find that for you.

By the Chairman:

Q. Where?—A. Walpole Island. The Indian agent sold a piece of land.

Q. Without consulting the band?—A. Without consulting the band, yes.

Q. Where was the land?—A. On the Indian reserve at Walpole Island.

By the way, the witness at that time was Mr. Paull.

The WITNESS: Yes, Mr Andrew Paull.

The CHAIRMAN: Does Mr. Paull represent the Walpole Island Indians?—A. He does not.

Mr. HOEY: That is a rather serious charge against the Indian agent.

The CHAIRMAN: Yes, I think it would be quite in order to have a correction of that statement now.

The WITNESS: The implication of that statement was that land had been alienated from the Walpole Island reserve without the consent of the band. The statement is entirely incorrect in that no portion of that reserve has been alienated for years. It is typical of the type of statement that is continually being made to the branch, or against the branch; and when a person making it attempts to check on it to see if it is accurate or not, the actual fact there was that the piece of land was sold within the boundaries of the reserve, but it is not a part of the reserve and has not been for some thirty-five years.

By Mr. Bryce:

Q. Is that where the customs office was?—A. That is where the customs office was; that was transferred to the Department of Marine and Fisheries in 1908 and was given up some years later to the customs people for that purpose. They built a new building and sold it to a white person for a summer cottage and it has been used for that purpose ever since. But it changed ownership this year.

Q. Was it originally Indian land?—A. Yes, it was part of the Walpole Island reserve.

Q. Was it not the policy of your department to acquire that land back?—A. It might have been if we knew it was going to be sold.

By Mr. Raymond:

Q. It was surrendered land?—A. No, it was not surrendered, it was expropriated. It would come under our present section 48 of the Act, for public purposes.

By Mr. Case:

Q. That is probably what was confusing him.—A. He just heard it was sold.

By Mr. Bryce:

Q. Was it paid for or just taken?—A. Yes.

Q. Have you got the price?—A. Yes, $500.

By Mr. Raymond:

Q. When land ceases to be needed for public utility, you have no provision in the Act saying that it should be returned to the Indian?—A. No, there is none in the Act.

By Hon. Mr. Horner:

Q. In a case of that kind would it have been better policy to have given it back to the reserve or at least have given them an opportunity to acquire it?—A. It certainly would have been.

By Mr. Bryce:

Q. Is that the case Mr. Farquhar referred to?

Mr. FARQUHAR: No.

By Mr. Lickers:

Q. When an estate is filed, or an application is made to your department, do you have to send in a valuation both to the Dominion and to the Ontario succession duty offices here in Ontario?—A. No, we do not generally deal with the Ontario succession duty office at all. We do not recognize that lands on an Indian reserve are subject to the Ontario Succession Duty Act.

Q. How do you get a release of the bank account?—A. By filing a return, if we require a release; but we do not file a return unless we require a release.

Q. So, as far as the Dominion is concerned, does the Dominion Succession Duty Act apply to estates?—A. It has been held to apply to Indians.

Q. On taxation?—A. Yes.

Q. Is that correct?—A. That is what we have been advised.

Q. In arriving at the valuation, do you also include in the estate the value of the land which may be in that estate on the reserve?—A. Everything, for Dominion succession duty purposes.

Q. That would be as far as the land on the reserve is concerned; then, if that is part of the valuation, would not that be going contrary to the provisions of the Indian Act which says that no land or property owned by an Indian is taxable on the reserve?—A. That is correct; but my understanding of the matter is that that provision is overridden by the Dominion Succession Duty Act which is an Act of the same parliament at a later date.

Q. Have you run across any difficulty with the provincial authorities along that line?—A. Not that I can think of. I do not know of any case where they have attempted to claim that a tax should be paid on Indian lands. There may have been in the past.

Q. You have no difficulty in getting releases from the provincial authorities? —A. I cannot recall any.

Q. Now about the gas lease on the Six Nations reserve; was that renewed last year?—A. Can you answer that, Mr. McCrimmon?

Mr. McCRIMMON: My recollection is that the lease is a perpetual lease and does not have to be renewed.

Mr. LICKERS: I would like to have a copy of that lease because I do not think that it is.

Mr. McCRIMMON: My understanding of that lease is that it reads: "For as long as gas is found."

Mr. LICKERS: Could I get a copy of that lease?

Mr. McCRIMMON: Yes.

Mr. LICKERS: In connection with the Kettle Point and Stony Band reserve, is there an amalgamation there now of those two reserves?—A. I believe there has been for some time.

Q. Was part of the Stony Band reserve taken over for military purposes? —A. That is correct.

Q. And was the band compensated for that?—A. They were, I believe; it was $50,000 or $60,000 that they received for it; the figure may not be accurate.

Q. What about the right to cut timber; was that left to the Indians?—A. I would not say it was left to them, but I believe they have been given that privilege right along during the operation of the camp, by arrangement between the Indians and the camp commandant, in certain designated areas, and in certain quantities, I suppose.

Mr. LICKERS: I think that is all I have to ask.

The CHAIRMAN: Are there any further questions?

Mr. CHARLTON: In regard to enfranchisement, where an Indian girl, for instance, took her enfranchisement, as a single girl, and then goes back to the Indian reserve and marries an Indian, what would be her status on the reserve? —A. She would be an Indian upon re-marriage.

Q. She can get her enfranchisement money and then marry an Indian and get back her rights?—A. That is right.

Q. I have another question regarding band membership. Can a white woman become a member of a band?—A. Yes, a white woman can, by marriage to a member of a band.

Q. I understand there is one particular case where a white man had an illegitimate child of an Indian woman and that child has been made a member of the band.—A. The brief on band membership has not been given yet and I would not like to anticipate it.

Q. I understood it was No. 7.—A. I referred to it by saying that Mr. McCrimmon would later present a brief himself.

By Mr. Farquhar:

Q. Did I understand you to say, if property was bought or leased by a white man from an Indian, that it was taxable?—A. It is not taxable by the municipality. The white man himself is taxable; his occupation is taxable.

Q. But is his land taxable.—A. No, but his occupation of the Indian's land is taxable.

Q. By whom?—A. By the municipality.

Q. Indian lands are not considered to be taxable by any municipality.—A. They are for purposes of taxation. They must be. I do not know the municipalities viewpoint on that; but we know that they do tax in cases like that. It is the municipalities trouble. We are not concerned in the matter at all. It is a matter between the white man and the municipality. It does not affect the Indian or his land.

Q. By whom are they taxable, though?

By the Chairman:

Q. Are you prepared to answer the question, Mr. Brown?—A. No, we have nothing to do with that. I could not answer that question.

The CHAIRMAN: Gentlemen, I am sorry, but we must adjourn until Thursday, at which time we will hear Mr. Conn. We will meet on Thursday at 2 o'clock. If there are no further comments to be made, I declare the meeting is now adjourned.

The committee adjourned at 3.30 p.m. to meet again on Thursday, July 25, at 2 o'clock p.m.

APPENDIX AB

SUBMISSION TO THE PARLIAMENTARY COMMITTEE ON INDIAN AFFAIRS

PREPARED BY BERRY RICHARDS, M.L.A., THE PAS, MANITOBA, IN CONSULTATION WITH THE CHIEF AND COUNCIL OF THE PAS INDIAN BAND

The following brief on Indian affairs has been prepared on behalf of the Indians of Northern Manitoba, and in particular of those Indians dwelling upon The Pas Reserve. The opinions expressed herein have been checked with the Chief and Councillors of the Siad Band, representing some 600 persons. The matters have also been discussed in general meetings of the Indians. Various groups and individuals other than the Band have contributed to the ideas contained herein.

PREAMBLE:

We wish to congratulate the Government on having set up this Parliamentary Committee to review the problems of the Indians, and to formulate a Governmental policy towards them. The result of your findings, your deliberations, and your recommendations can do much towards strengthening our Canadian democracy. To the extent that you recommend policies that will assist the Indian towards a position of equality in Canadian society, to that extent you will have raised our democratic standards.

The history of the Canadian Indian is available to the Committee. This history is important as a means by which to trace the changes through which the Indians have passed, and the changes that have been forced upon him by the white man, particularly over the last hundred years. The conditions of the past must not, however, be taken as the sole guide for action in the future. If this is done then the same mistake will be made as has been made in the present Indian policy—it will be too rigid and will be incompatible with present day condtions. Its rigidity would prevent its future modifications as conditions change.

Flexibility alone is insufficient. There must also be a predetermined objective towards which that policy works, as rapidly as conditions permit. All aspects of the policy works, as rapidly as conditions permit. All aspects of the policy must be framed in accordance with that final objective.

What should be the correct and democratic objective of an Indian policy? In our opinion *it must consist basically in assisting the Indian to assist himself to absolute equality in Canadian society.* Such a policy sees in the future the assimilation of the Indian with other races. Such is the final solution of all so-called racial problems, and no one should shy from it. Already Canada's history as a multi racial nation demonstrates this.

Flexibility of policy must be seen from two points of view: first, the policy must advance with the changing times; secondly, the policy must be flexible enough within itself to allow for different conditions, economic, geographic and occupational prevailing in the various parts of the country where Indians are resident.

As time advances the relationship between the Indians and the white people becomes closer. This is a natural and inevitable development, but carries with it problems which the Indian finds great difficulty in meeting and solving. In many instances advantage is taken of the Indian by those who have

more knowledge of business than they have appreciation of honesty and fair dealing. Diseases which the Indian is unable to combat accompanied the advent of the white man. Further, new tastes have been aroused in the Indian which have radically changed his mode of life. Where the reserve is situated near a town or settlement the Indians, or some of them, seek employment in the local shops and industries. Many have taken up agriculture. All these things serve to uproot the old basis of Indian civilization. Nothing permanent and substantial has been substituted, except in the case of those rare individuals who have found a new and stable existence in the white man's society.

REVIEW OF CONDITIONS:

1. *Population.*—On October 26, 1945, Hon. J. A. Glen, Minister in charge of Indian Affairs, stated that the Indian population was increasing at the rate of approximately 1,500 per year. According to a census taken in 1944 they numbered 125,666. This increase of population is in spite of an alarmingly high death rate. According to an article in the journal of The Canadian Medical Association last year this figure runs as high as 400 per thousand live births. The increasing population is also in spite of an alarmingly high T. B. death rate whch in 1942 for all Indians in Canada, exclusive of the Yukon and the Northwest Territories, was 627·9 per 100,000 population. These two figures, of 400 and 627·9, point to figures concerning the same subjects among the whites of 52 and 45.

2. *Health.*—In section 1 above reference has been made to death rates and T. B. death rates as part of the population picture. With regard to health it can safely be said that there is no other group in Canada, outside of the walls of the hospitals, whose health standards are as low as those of the Indians. Seldom do Indians die of old age, uncomplicated by some common disease, such as tuberculosis, whooping cough, influenza, measles, etc. We want to bring one startling and significant fact to the attention of the committee, and that is the alarming number of deaths among the children. In 1944 at Nelson House there were a total of 48 deaths; of these 39 occurred among children under ten years of age. In 1943 the proportion was 7 out of a total of 10.

3. *Education.*—At the time the treaties were signed the Indians were guaranteed education for their children. There are still thousands of Indian children who are getting no education whatsoever. To mention only two areas in Manitoba—at Reindeer Lake and at Southern Indian Lake. Furthermore, out of a total enrolment in 1941-42 of 17,281, only 381 were in grade eight. The average attendance was only 80 per cent, and in some schools as low as 50 per cent. (See the report of the Indian Affairs Branch of 1941-42).

The type and quality of the education is not satisfactory either. Under a later section of this brief recommendations will be made in this respect. At this point we wish to register the following criticism of the education which our children are receiving.

1. The education is too standardized and does not fit the child for his mode of life. The rigidity of the system does now allow for variations to meet the needs of various, and differing areas.

2. The residential schools, to which the Indian children are removed miles from their parents and their homes, are not satisfactory. The child who returns from a residential school at the age of 16 or 17 is invariably unable to fit into the life of the reserve, since their training received at the school does not prepare them for it. In fact, it does the very opposite.

3. Religious influence is not in the interest of the Indians. It is felt that the Indian should have the right to join whatever church he wishes, without becoming a member "automatically" as a result of having been educated in one particular secular school. Much as we appreciate the past work done by the

various churches, work which should have been done by the Government, we suggest that the work of educating the Indian youth is now beyond their resources to properly discharge.

4. Little attempt has been made to train teachers especially for teaching in Indian schools. We suggest too that insufficient encouragement has been given to Indian youth to train for this work.

5. *Homes.*—The poor standards of housing upon the average reserve merely reflects the general poverty of the Indian population. Since the Indian has been restricted to living permanently upon reserves he has found it necessary to build permanent homes, insufficient attention has been given this vital problem by the authorities.

6. *Food.*—The Indians, except in the very far north, have been forced to adopt a diet which consists of partly the food of the white man and partly the food of the Indian. Due to the shortage of game and the restricted freedom of the Indian on the one hand, and the shortage of money on the other, the Indian's diet consists of the poorest type of each. In the article in the journal of the Medical Association referred to above, which was based upon the nutritional and health standards of the Indians of Northern Manitoba, it states that the diet of the Indian contains an average of 1470 calories per day, but 85 per cent of that is supplied in coarse foods, lacking in minerals and vitamins. This in a large measure explains the prevalence of disease among the Indians. It should be noted that 1470 calories is less than one-half the number provided in the diet of the average Canadian.

7. *Economic Conditions.*—We hold this to be at the heart of the whole problem. Without a decent income the average Canadian, Indian or otherwise, will not be healthy. He will not maintain a good home, nor will he be a good citizen. As the Indian is forced into closer relationship with the white man, and the white man's civilization, it becomes increasingly valid to compare his monetary income with that of his white brother, in order to judge his standards of living. By this standard the Indian population of our country is a depressed class indeed.

8. *Other Social Services.*—Hospitals and facilities, doctors and nurses are in number hopelessly inadequate to meet present needs. It should be pointed out and re-emphasized that the health problem of the Indian is unnaturally enormous for such a small group. The answer to this lies in the low standard of living of the modern Indian. The health problem and the need for large expenditures for the treatment of disease will progressively diminish as the economic standards of the Indian people are raised. Such security measures as old age and blind persons' pensions, and mothers' allowances are denied the Indian people in the form that they are provided the rest of the population.

9. *Attitude of the Administration.*—Unless a truly scientific and democratic attitude is taken towards the Indian people, no matter how good a policy may be in other respects, it will fail. Among administrative circles to-day the benevolent, superior attitude is all too prevalent. As long as the Indians are treated as children by the administration, so long will they demonstrate lack of initiative and a dependent attitude. It should be recalled that independence and initiative were the outstanding characteristics of the Indians of the olden days.

RECOMMENDATIONS:

Previous mention has been made of the need for an Indian policy being flexible rather than rigid; dynamic and progressive rather than static. The whole problem thus resolves itself into two main parts at all times—the implementation of an immediate policy to meet dire needs, and then the building towards a long term objective as rapidly as possible. Rather than

divide our recommendations into a short term and a long term, as is sometimes done, we will state them without regard to this consideration. The place of each in a total policy will be quite evident from the recommendations themselves.

1. *Administration.*—We have stated above our belief in the importance of a proper attitude on the part of the administration. Allow us to quote from the U.S.A. Indian Affairs Report of 1941:—

> The rights of the Indian to cultural independence have been seldom recognized by Indian policy, but rather there has been the totalitarian concept of a super race dominating, absorbing and reducing to surfdom the small minority groups of a different culture.

This attitude, still prevalent in Canada, must be replaced by a more democratic approach which recognizes all men as equal.

The administrators of Indian policy require a special kind of training. Indians themselves should be encouraged and assisted to get this type of training, and to fill administrative posts. Too often local administrative officers of Indian affairs have not the training to properly discharge their responsibilities. Further, administration as we have known it must be replaced as rapidly as possible by self-government. In the larger field of administration the role of the Indian Affairs Branch must become less and less significant, until it eventually disappears altogether.

2. *Hospitals, Clinics and Health Services.*—The need for these at present far exceeds the supply. This lack must be made up as rapidly as possible. Sufficient personnel must be provided to serve the scattered Indian population. At present most of the Indian doctors are overworked and are unable to serve the huge areas assigned to them. With the raising of the economic standards the health problem will become relatively less acute. But we are faced with an immediate problem of attending to those presently suffering ill-health. Health education should be an important part of the school curriculum and provision of nutritious lunches should be provided at the schools. Resident public health nurses, with adequate facilities, should be on every reserve and settlement.

Transportation by air for emergency cases must be provided, perhaps in co-operation with the provincial forestry patrols.

3. *Education.*—There is considerable dissatisfaction with the present residential schools and their management by religious bodies. We suggest that the task of educating Indian children is too big to be left in the hands of charitable bodies, and that the Government should be the sole administrator of all Indian schools.

Residential schools, where the children are kept from their homes until they are old enough to start work are not satisfactory. Schools in the Indian community, properly staffed and equipped are necessary, so that the child when he has finished school will be capable of taking his responsibilities in his own community. This can be further accomplished by providing the pupil with a less academic and more practical course of studies. It is suggested that training should be provided the young so that they may be able to go in for farming, saw mill operating, chicken raising, fur farming or whatever the location of the reserve makes possible in line with the demonstrated interests of the pupils.

Since we are of the opinion that there is great scope for co-operative development among the Indians, we urge that great stress be laid upon the teaching of co-operation, its theory and practice. Co-operative industrial development is consistent with the community life of the Indians and can do more than anything else to raise the living standards of the people.

4. *Extension of Democracy.*—Apparently there are some sections of the Indian population who have been opposed to the idea of the Indians having the

franchise. We are of the opinion that this has been caused by the idea that to get the vote would be to automatically lose some present existing concession, such as the treaty money. Not only do we feel that it is the Indians' right as residents of Canada to have the vote, but we also state that there is no logical connection or relation between the "concessions" that they got and their right to the franchise. As far as responsibilities go they are already liable for military service and the payment of income tax. After all, when an old person receives the old age pension he is not required to give up his franchise.

In respect to political representation in the various provincial legislatures and the House of Commons, we do not suggest any special consideration. They should be allowed to take their place as Canadian citizens along with everybody else. It has been suggested that the Indians be given the right to elect their own Indian representatives. This would not be in the best interests of the Indians nor would it be consistent with the objective of complete equality for the Indians. They should not have their political representation segregated in this way.

This is as good a point as any to make emphatic request of your committee: That whatever changes in Indian policy are contemplated be referred to the Indians themselves for their opinions and recommendations. This is an example of the kind of democracy we have in mind. We would remind the committee that this system was adopted in the U.S.A. in 1934 when the Indian Reorganization Act was formulated. First, mass meetings were held among the Indians themselves to determine their wishes. After it was passed each tribe was given the right to accept or reject it by secret ballot. It is not too late o adopt the same system with regard to this committee. Mass meetings on all the reserves should be called at which members of the committee should attend. Only in this way will the true opinion of the Indians themselves be known.

We suggest too that complete democracy be introduced into the administration of local affairs, with the opportunity and encouragement to the women to take an active and equal part in them. The maximum of control and responsibility must be put into the hands of the local Indian authority. The Indian agent should advise and assist in this. In fact we advise that the old term "Agent" be dropped and the word "Advisor" substituted—"Indian Advisor". His relationship to the Indians should change accordingly.

5. *Administration and Use of Band Funds:* The total of Indian funds held in trust by the government is now about $17,000,000. We suggest that this money is not being used to the best interest of the Indians. There are vast opportunities for industrial development on many of the reserves. A portion of this money should be used every year for this purpose. We suggest that money invested in this way among the Indians themselves will result in far greater returns than are obtained under the present system. There is ample opportunity on many reserves for developments in farming, pulp wood production, fishing, dairying, fur farming and market gardening. These things should be done co-operatively, the only method of doing business that is consistent with the Indian way of life, and type of social organization.

6. *Co-operative Industrial Development:* While this has been referred to above it is deserving of special consideration. Experience in the U.S.A. and other places has shown the great advantage of adopting the co-operative method to help the Indian gain economic freedom. Courses in co-operation both in the schools and among the adults should be provided, and guidance given to see that whatever co-operative enterprises are undertaken are given every opportunity of success. The need for such assistance and guidance dictates the need for a new kind of Indian Administrator, particularly locally. It is again emphasized that Indians themselves should be given the chance of filling these posts, after they have had the necessary training and education.

The funds at present held by the federal government in trust for the Indians can be gradually returned to the Indians themselves by placing them in the capital assets of the various community and reserve co-operatives. Supervision over these early developments would be sufficient protection. Local members of these co-operatives would contribute whatever their means permitted.

7. *Pensions and Allowances:* We request your committee to recommend immediate inclusion of the Indians in the provision of old age and blind persons' pensions and mothers' allowances. As citizens of Canada, liable to the payment of income taxes, and military service, we feel that such social security measures as apply to other Canadians should apply also to the Indians.

8. *Observation by Committee:* Finally we would impress upon your committee the need for your receiving first-hand knowledge of conditions upon the reserves. Also the need for you to visit the reserves to get the opinions of the Indians themselves on these problems. While it may not be possible for the whole committee to absent themselves for a long period, it should be possible for various sub-committees to visit different areas for these purposes. Unless this is done your committee will not properly appreciate the size and complexity of the problem it is called upon to solve. We humbly suggest that your work will reduce itself to a farce unless every effort is made to get the opinions of the Indians.

9. *Conclusion:* In summary we wish to reiterate the main thread of our argument:—

(*a*) That a policy for the Indians must be drawn up that will allow and encourage them to achieve complete equality with their white brothers.

(*b*) That such an objective is both desirable and practical; desirable because it will raise the democratic standards of our nation; practical because the Indian has all the necessary potentialities; he is limited only by his present environment.

(*c*) That the implementation of such a policy must be in the hands of men and women properly trained and equipped with a democratic approach towards the Indian people.

(*d*) That the heart of the Indian problem is economic—only by raising the living standards of the people through co-operative industrial development will the basis be laid for a healthy and virile Indian people.

Allow us to extend to your committee our sincere good wishes, hoping that as a result of your deliberations great social and economic advances for the Indian people will be made possible.

Respectfully submitted,

(ADDITIONS TO THE BRIEF WHERE INDICATED IN THE BRIEF ITSELF)

(*a*) Further it is pointed out that the children attending these residential schools spend so much time on chores and uninstructive work that their actual schooling suffers.

(*b*) And this is in spite of the fact that Indians engaged in wood cutting, commercial fishing, and trapping pay all regular fees, licences and royalties.

(*c*) Moreover, there should be no limit to which an Indian child be allowed to advance, within the limit of his abilities and interests. It is deplored that so few of the Indian pupils ever enter the professions. Given the opportunity, there is no reason why many of them should not reach a high level of education.

(*d*) However, it must be admitted that there is considerable difference of opinion among the Indians themselves on this point.

(*e*) It should be pointed out that in many areas, particularly in Northern Manitoba, the conditions and problems of the Half-breeds are identical with those of the Indians. For this reason, in such areas, the Half-breeds should be taken into any plan designed to raise the standards of the Indians. This would require federal-provincial co-operation in the fields of education and natural resources. This has already been accomplished in fur rehabilitation and we think it should be extended to other fields.

APPENDIX AC

BRIEF FILED BY THE INDIAN ASSOCIATION OF ALBERTA

The primary aim of Indian education should be to train children of the reserves to make a living and to live among their own people. Only a very small percentage of Indian School graduates go on to high school or vocational school and an almost infinitesimal number go on to college in the Western Provinces.

The steps in any revised program of education should be:—

(*a*) To prepare Indian boys to use their own land in the best way.

(*b*) To give instruction in tribal handicrafts and to adapt these crafts to the requirements of the modern markets.

(*c*) To introduce new homecrafts which will improve the economic standards of the Indian and to open markets outside the reserve for the products.

(*d*) For a few to give suitable trades training which will enable them to find employment at good wages.

(*e*) For the very few, to provide special opportunities to enable them to enter the professions which may, or may not, enable them to secure employment either in or outside the government service.

It would follow, therefore, that beyond instruction in reading, writing and speaking English, and in elementary and practical arithmetic, the program of studies would have to vary largely even from school to school in the same province.

Since white children must receive instruction motivated through purposeful activities which will give meaning to their educational experiences, even stronger motivation must be given to the Indian child for whom the ordinary pre—and post—school life of the white child is still a new experience.

A growing emphasis must be placed upon Day Schools since it is very obvious that the education of the Indian child in residential schools has little effect upon the environment to which he returns in the holidays or upon graduation. Beyond the use of certain pieces of furniture, utensils, implements and articles of clothing, the home remains very much Indian in thought and activity. We find, for instance, the boy or the girl, trained to eat at a table, now sitting on the floor to eat his or her meal; bathing becomes very often a semi-religious and ceremonial sweatbath and so on.

Yet—two factors must not be ignored; first, the great services which have been rendered by the residential schools upon large reserves and upon reserves which do not support their population; second, the very large investment in buildings and equipment represented by the existing schools.

Upon large reserves, the residential school has been a centre not only of educational but of religious life. Upon reserves of little economic value, or of undeveloped resources, the school has enabled children to receive the only education they could receive for schools cannot follow the trap-lines of the fishing camps.

In any revised system providing for the substitution of Day Schools upon the reserves, the existing plants can be utilized for a variety of purposes. There will be a need for:—

(*a*) homes for orphans and neglected children.
(*b*) One or two Indian High and Vocational Schools.
(*c*) Dormitories within the present provincially-administered school system in Alberta where Indian and White children could share the advantages of the present Alberta school curriculums. Such a scheme would not only bring the benefits of the centralized schools to the Indian but to the white children in isolated areas. *Costs of such would be proportionately borne by the Indian Affairs Branch for the Indian, and by the provincial authorities for the white students. Administration of such institutions would necessarily be in the hands of the Provincial Authorities.*

The Provincial School already provides for the proper certification of teachers who are automatically members of a contributory Pension scheme. It already provides minimum requirements for equipment, for social activity, for vocational training of a practical nature, for cultural training and for Health instruction and Physical Training. In addition, the School Act carefully provides for religious instruction at suitable periods by the clergy of any faith for the benefit of the children whose parents adhere to that faith.

While it may appear that we here are presenting contradictions—that is not the case. We recognize and advocate the retention of a residential school in certain areas as desired by the Indians themselves but this school must be properly equipped, adequately financed, and efficiently staffed to provide the highest possible type of education. We also recognize and advocate the urgent need of Day Schools, operated according to the standards set by the Department of Education of this Province, but extended to supply the need of a cultural centre and of a centre for Adult Education.

So many startling changes have taken place in the world since the Treaties were signed that provision must be made to equip all people to meet the vastly changed needs and conditions. Segregation, desirable or undesirable, is no longer possible in the world of 1946. We must face that fact, simply because it is an existing fact.

In September, 1945, the Indian Association of Alberta presented to the Director of the Indian Affairs Branch, Memorial No. 2 embodying certain representations made by the Treaty Indians of Alberta who comprise this Association.

Part II of this Memorial requests certain changes in the educational services at present rendered the Treaty Indians of the Province of Alberta, and suggests how the educational services can be adjusted so that they serve better the needs of the Indian children of to-day and to-morrow.

In general the Indian Association of Alberta submitted that a three-fold plan be devised, in any revision of the Indian educational system.

A. That day schools, be erected, equipped and maintained according to the best modern educational principles, under properly trained provincially certificated teachers, who are permanent civil servants, and who are also trained Welfare workers, at the expense of the Federal Government as part of a general plan of Indian Rehabilitation and Advancement.

B. That, on other reserves where the resources of the reserve are so inadequate, or so imperfectly developed, that it is impossible for the Indians to reside permanently on the reserves and make a living, the residential school is the only present practicable solution.

C. That a semi-residential school system of properly equipped, staffed and maintained schools should be set up for those reserves which are between the

two classes above mentioned. The children in such schools should be permitted to spend weekends and established school holidays of short duration, e.g.—Christmas, Easter vacations, national holidays, with their parents contingent upon the co-operation of the parents in returning their children at the close of these holidays.

D. That, wherever possible, Indian children should be encouraged to attend the schools maintained under the various provincial systems of education at the expense of the Federal Government at such rates as may be set by the authorities of the schools concerned.

E. That, in all Indian schools, the system of half time labour on the part of the children be abandoned, and all children spend the full school day in the classroom.

F. That the per capita grants furinshed by the Indian Affairs Branch be increased so that an adequate staff may be maintained by the schools to perform the tasks formerly and at present, performed by the elder children themselves.

G. That the present per capita grant be increased to the sum of Three Hundred Dollars per annum to enable the schools to increase, modernize, and re-equip their facilities.

H. That technical departments for various vocations be added and that such form a part of the educational program. Such vocational training must be particularly adapted to the needs of the reserve and the geographic location.

I. That, the present curricula based upon the needs of white children be modified to include Indian lore, customs, handicrafts etc., peculiar to that region. This phase must be so arranged that it encourages the development of pride of race, language and tradition rather than attempting to substitute false standards which merely imitate the white neighbour of the Indian.

J. That an active campaign of education through literature, publicity and any other justifiable means to educate white people to an acceptance of and respect of the Indian as an Indian.

PART B.—*The Establishment of Day Schools*

Day schools as outlined in Part 1, Section A have been specifically requested by the following reserves and a partial census of children is appended.

1. Samson, No. 137
2. Michel's No. 132
3. Bull's No. 138B
4. Alexis No. 133
5. Saddle Lake No. 125
6. Enoch's Band No. 135
7. Paul's Band No. 133A
8. Goodfish Lake No. 128
9. Ma-Me-O No. 138A
10. Alexander No. 134

At present Protestant children fron any of these reserves must be sent to the school near Edmonton, at present under charge of the United Church of Canada. Such a practice discourages the parents from sending their children so far away from the opening in the Fall to the beginning of the summer vacation. The parents of an Indian child have strong feelings of affection for their children and this separation involves heartbreak on the part of both parents and child and the loneliness and homesickness of the child thrown into a strange environment, does in no uncertain way hinder educational progress. It is therefore only natural that such a practice increases problems of discipline and is sometimes the first step towards educational delinquency.

The Roman Catholic children of the reserves comprising the Edmonton Agency must send their children to the school located at St. Albert. The same arguments therefore pertain to them. It is a fact that the children of the Indians resident upon Michel's Band reserve No. 132 have been withdrawn by their parents and are attending white schools located near their reserve at the expense of their parents. This cost has not, in so far as the Indian Association of Alberta is aware, been in any way borne by the proper agency, the Education Branch of

the Indian Affairs Branch. It is, moreover, definitely certain that the progress of these children is more rapid and more satisfactory than the children of similar age and grade attending the residential schools.

It is a general fundamental principle that education is a threefold responsibility—school, church and home. *Day schools* can best serve this threefold principle.

The day school can concentrate upon the proper function of the school—academic or vocational training. Instead, at present, language difficulties and the half-time work system deprive the child of approximately three years of his allotted school time, from seven to sixteen years of age. Evidence of this unfortunate condition can be verified by the figures on school attendance issued by the Department of Mines and Resources, Indian Affairs Branch. Comparatively few children attain a standard much beyond that of Grade six.

To speak about Indian advancement under such conditions is sheer mockery. Practically speaking, the present system encourages educational delinquency, retarded development, and an aversion to education; practically it develops a class of people who are unable to be other than hewers of wood and drawers of water in the land of their forefathers.

Again, children attending the residential schools are thereby deprived of their right to participate in the full benefits of the Family Allowance Act, save for the summer holiday months.

Indian parents have an inalienable right to the companionship of their children; no child can develop as he should without the care and affection of family life. The child in the residential school is deprived of this God-given and natural right to the companionship of his parents.

It is the belief of the Indian Association that this lack of family ties and parental training is at least partially the cause of post-school delinquency. Regardless of how kind, sympathetic and even affectionate, the staff of a residential school may be, such a staff cannot replace the average parent.

In cases of unsuitable home conditions, white children are removed from the parents; similarly, Indian children who are definitely neglected could be removed from improper home conditions.

It is moreover submitted that the presence of children in the home is a stabilizing factor and conducive to improved home conditions.

We argue further that the association of children attending school is an invaluable asset towards adult education and the subsequent improvement in home conditions. Thousands of residents of Canada came from homes where the parents spoke some European language. The impact of these children upon their parents, in daily association, was of supreme educational benefit to the parents. There is no reason to suppose that Indian children attending a day school would not exert an equally strong influence towards parent education. The Indian Association submits that the Indian Affairs Branch might consider this as a means toward Indian rehabilitation and advancement.

PART C.—*The Maintenance of Residential Schools*

The Indian Association of Alberta fully recognizes and appreciates the value and service of the residential school. Several reserves have expressed a preference for this type of school, particularly those reserves upon which the residential is located, such as the Stoney Indian Reserve at Morley, the Peigan Reserve at Brocket, the Blood Reserve at Cardston and the Blackfoot Reserve at Gleichen.

Inasmuch as these schools are partially financed by a system of per capita grants paid through the Education Branch of the Indian Affairs Branch, partially by the missionary organizations of the churches concerned, and partly by their own resources or private charity, the Indian Association takes the stand that the

full responsibility for the proper financing of these schools is the sole and direct responsibility of the Government of the Dominion of Canada by the treaties enacted with the various tribes of this province.

The present per capita grant (maximum, approximately $187.00) per annum is entirely inadequate. No school can function on 61·4 cents per child per day under present conditions. No school can provide the services, food, clothing, education, medical attention of a minor nature, and maintain staffs etc. under such conditions. No school can render the service it is capable of rendering were it adequately financed.

The Churches cooperating with the Government in Indian Education have made representations to this effect without appreciable results. The Indian Association of Alberta believes that the government has failed in its responsibility to the Indians by thus throwing the burden of financing upon the churches and upon private charity.

It is moreover degrading in the extreme thus to compel the administrators of Indian schools to beg from charity in order to maintain services that are the responsibility of the government.

In the United States, grants of approximately $335.00 per capita are paid for the maintenance and education of resident pupils. A visit to a residential school in the United States and an inspection of its buildings and equipment will convince the most skeptical. The Secretary of the Indian Association was privileged to be invited to visit the residential school near Browning, Montana, on the Blackfoot Reserve. Both academic and vocational training received ample equipment and encouragement; splendid brick buildings for dormitories, with libraries and play rooms, a well-equipped gymnasium, organized sports and physical training, a model home for Household Economics, a modern laundry, a bakery, and a model dairy barn; and above all, well furnished cottages and suites for visiting parents, as well as a school house with ample class-room space, equipped according to the best principles of modern education. It is significant that about sixty per cent of the pupils from this school later attended the village High School at Browning. Yet the Secretary was assured that this plant was considered obsolete according to U.S. standards of Indian education.

Ample funds have been obtainable for the very necessary and successful prosecution of the recent war in which some 2,500 Indian boys and girls volunteered for service. *Surely education for life is as important as education for death.*

Staffs in the residential schools are inadequately paid according to modern standards. They are not permanent civil servants with pension benefits—as they are in the United States. This is an injustice and a deterrent to the many competent men and women in service in the residential schools.

A sound educational system is based upon sound psychological principles. Such principles are however established only through studies of the groups to be educated. This Association is not aware of the existence of adequate training schools where prospective teachers in Indian schools may obtain a grounding in the principles of Indian psychology. Moveover, too few of them have a speaking knowledge of the languages of the Indians. To remedy this training schools should be established.

About 1,000 Indian children in this province are without schooling at this time. This is due partly to the aversion of Indian parents to send their children long distances from home; it is even more due to the fact that there is insufficient school accommodation. Most schools are overcrowded; some are operating above capacity; classes which to obtain best results should not exceed 25 or 30 pupils are very much overcrowded. It is imperative that additions be made to many of the existing schools without delay and plans for such additions should be prepared now against the time when materials are readily available.

Some reserves are prepared to donate labour to the construction of schools. To summarize:

1. The per capita grant should be increased to $300.00
2. Adequate accommodation should be at once provided by additions to existing schools or the establishment of day schools.
3. Teachers should be permanent civil servants with adequate salaries and pension benefits.
4. Training schools for teachers should be established.
5. Part time labour should be abolished and equipment provided for vocational and cultural development—leather work, woodwork, household science, physical training, elementary mechanics, metal work, art, music and drama, on a far greater scale than at present available.
6. Classes should be less heavy in numbers.

PART D.—*The Post-School Years*

The lack of a program to follow up the school "graduate" is all too evident.

Every Reserve should have a trained Welfare worker, either attached to the School Staff or to the Agency or Sub-Agency. The critical period following school leaving is the ruination of many a promising boy or girl. The pupils find themselves returned to reserve life without the opportunity of practising whatever training they have had. They are at once brought into conflict with the elder generation, which, like all elder generations of any race, has certain fixed ideas and customs. Consequently, many pupils simply drop into the older ways and customs and unfit themselves for life in a modern world. They cannot farm because they cannot obtain equipment for modern farming; they have not the facilities for housekeeping and home making that they have been taught to use and unless they go out to work for wages, they cannot obtain these in the average Indian home. If they go out to work for wages, few jobs save the most menial, jobs of hard labour, are open to them. Here they frequently come into contact with most undesirable influences. Their situation is aggravated by having to combat the ignorant prejudice of race-conscious whites who, however ignorant and incompetent they may be, often consider themselves superior by virtue of some mysterious skin pigmentation.

A welfare worker could attempt to guide these ex-pupils into occupations, could help supervise their inevitable readjustment to reserve life, could act as liaison officers between the ex-pupil and the outside world, in assisting them to get employment.

A welfare worker could help them to avoid the often inevitable moral disasters that too often befall the young Indian.

Some scheme of economic establishment should be made available to the graduate. This would vary according to the geographical location of his reserve. On many Alberta reserves some cows or some fishing and trapping equipment should be made available for the boys; some household goods should be made available for the girls. Strict supervision must be maintained to see that such help reaches ONLY the Treaty Indian ex-pupils.

At the Pine Ridge School in North Dakota where grazing is the chief industry of the reserve, boys are loaned breeding stock while they are still in school. This stock they are trained to care for, and they work out the charges for feed and pasture by caring for the school herd. At the end of a reasonable time they begin to return the breeding stock loaned them. Such a plan should not be impossible in many parts of this province.

PART E.—*Higher Education*

Too little encouragement is given Indian children who may desire higher education with a view to entering some trade or profession. The Indian Affairs Branch provides a series of grants, it is true, but these are difficult to get and

too inadequate to serve the purpose. While a few, very few, whites are able to earn money enough to assist with their education, the chances for the Indian are negligible.

With the inadequate grounding which the residential schools, through no fault of their own, are able to furnish, the Indian student is handicapped when he goes to an outside or white school. Some overcome this by increased application but that requires a stronger character than is demanded of the whites themselves. In fact, at every turn, the would-be student finds himself or herself facing tremendous obstacles because a higher standard of achievement and character is immediately demanded.

Then there is too little incentive to train for work in the Indian service itself. Here again, the Indian finds himself or herself faced with white competition. which has every advantage, sometimes even of an unfair nature in that preference in employment is inevitably given the white. *Regulations should be so relaxed that the Indian has the preference over any white competitor for employment in Indian Agencies, hospitals and schools.*

PART F.—*Recommendations*

1. An immediate study of the needs of the Indian educational system by a Commission of competent, practical and experienced educationists. This commission should include people experienced in Indian education who have a sound knowledge of conditions upon the reserves, they should possess the confidence of the Indians themselves; they should be aware of the conditions the Indian student must face in this world as well as have a knowledge of Indian psychology.

2. This commission should be empowered to visit any or all reserves, to move among the Indians themselves and finally to recommend changes in curricula so that a very flexible curriculum adaptable to the needs of any section of the country could be adopted. This curriculum should include a knowledge of basic English, elementary mathematics of a practical nature, Indian lore, vocational training suitable to the locality, and cultural activities.

3. Community centres with facilities for an ultimate system of adult education should be established in connection with day or residential schools.

4. Immediate preference to Indians as farm instructors, or clerks, nurses and teachers, etc.

5. The establishment of day schools as soon as conditions permit upon those reserves asking for them.

6. Increase of the per capita grant to meet modern needs and conditions.

7. Appointment of Welfare workers along the lines of the Guidance Officers in modern school systems.

8. Provision for teachers in Indian Schools to become permanent Civil servants.

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 16

THURSDAY, JULY 25, 1946

WITNESS:

Mr. Hugh Conn, General Supervisor, Fur Developments, Indian Affairs Branch, Department of Mines and Resources, Ottawa.

OTTAWA
EDMOND CLOUTIER. C.M.G., B.A., L.Ph..
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY
1946

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,
Thursday, 25th July, 1946.

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 2.00 o'clock p.m. The Joint Chairmen (The Honourable Senator J. F. Johnston and Mr. D. F. Brown, M.P.,) presided.

Present:

The Senate: The Honourable Senators Johnston and Taylor.

The House of Commons: The Honourable Mr. Glen and Messrs. Blackmore, Brown, Bryce, Case, Charlton, Farquhar, Harkness, MacNicol, Matthews (*Brandon*), Raymond (*Wright*), Reid, and Richard (*Gloucester*), 13.

In attendance: (Department of Mines and Resources): Messrs. W. J. Ford Pratt; R. A. Hoey, Director, Indian Affairs Branch; Eric Acland, Executive Assistant to Director; M. McCrimmon, L. L. Brown and A. G. Leslie, of Reserves and Trusts; H. M. Jones, M. E. Armstrong, F. Kehoe, Indian Affairs Branch; and Hugh Conn, General Supervisor, Fur Developments, Indian Affairs Branch;

Also, Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Mr. Harkness, of the subcommittee on agenda and procedure presented the eighth report of the subcommittee. (For text of report, see page 677 of Minutes of Evidence).

It was agreed that clause (*a*) of the report would be adopted, but that discussion of clauses (*b*), (*c*) and (*d*) should be deferred for further consideration at the next meeting.

Mr. Hugh Conn, General Supervisor, Fur Developments, Indian Affairs Branch, was called, and read a prepared statement.

The Committee adjourned at 4.00 o'clock, p.m., to meet again at 2.00 o'clock p.m., on Tuesday, 30th July next.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

HOUSE OF COMMONS,

July 25, 1946.

The Special Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 2 o'clock p.m. Mr. D. F. Brown, M.P., (Joint Chairman), presided.

The CHAIRMAN: Shall we come to order, gentlemen, please? I will ask Mr. Harkness to read the eighth report of the Subcommittee on Agenda and Procedure.

Mr. HARKNESS: Mr. Chairman and gentlemen, the report is as follows: Your subcommittee has under consideration the 1946 Sessional Report of your Committee.

With regard to certain aspects of that Report, your subcommittee submits the following for your consideration and instruction:—

To complete the formidable task set out in the Order of Reference, dated 13th May 1946, your subcommittee, at the outset, envisaged the following large scale plan, covering three Sessions of Parliament:—

1946 Session, hearing of departmental case;
1947 Session, hearing of Indian, church and other organizations;
1948 Session, the revision of the Indian Act.

There are approximately 2,300 Indian Reserves in Canada. It is assumed that arrangements will be made to visit, during the 1947 Session and Recess, such of the Reserves as the hearing of Indians will indicate to be necessary, and which shall not previously have been visited as recommended hereunder.

Your subcommittee is unanimously of opinion that it is essential, for very obvious reasons, that the work of the Joint Committee should not be permitted to lapse entirely during the coming 1946 Recess.

Accordingly, the following proposals are submitted:—

(*a*) we suggest that each member of the Joint Committee, during the coming recess, should visit such Indian Reserves as are in or near his Division or Constituency; and, in addition, but alternatively

(*b*) we recommend that Parliament be asked to consider the advisability of appointing a Commission, or one Commissioner, with requisite counsel, and secretarial and stenographic assistance, to hear and take evidence of Indians at places across Canada convenient to large Indian Reserves; or

(*c*) we recommend that Parliament consider the possibility of empowering as a Commission, certain members of the present Committee to visit, hear and take evidence at certain places in the Maritime Provinces and Eastern Quebec;

(This would leave Reserves in Ontario and Western and Northern Quebec to be visited during the 1947 Session and Reserves in British Columbia and the Prairie Provinces to be visited during the 1947 Recess) or

(*d*) we recommend that Parliament be asked to consider the possibility of empowering the Joint Committee as a Commission to sit at Ottawa during the coming Recess, in order to hear representatives from Indian and other organizations.

It is respectfully submitted that unless the above proposal be adopted, it will not be possible for a Parliamentary Committee to complete, even during the 1947 and 1948 Sessions, the task allotted to your Committee on May 13, 1946. All of this is respectfully submitted.

The CHAIRMAN: Is there any discussion?

Mr. REID: I would suggest, Mr. Chairman, that it might be advisable for us to deal with this clause by clause.

The CHAIRMAN: Would you care to take this as a notice of motion and discuss it at the next meeting?

Mr. MACNICOL: Have you got a witness for us to-day?

The CHAIRMAN: Yes; and on Tuesday Mr. Bland, the Chairman of the Civil Service Commission, will appear before us. I do not know if there is any object in delaying this any further.

Mr. MACNICOL: I think, Mr. Chairman, we should try to expedite the matter as much as possible because any undue delay here might mean that it would not be referred to the House for a considerable time after the budget was disposed of.

The CHAIRMAN: It is just a question whether you want to take a few minutes to-day and have a short discussion on it, or to do it all next Tuesday.

Mr. REID: I think I see danger in some of the proposals outlined here First of all, taking the clauses seriatim, I believe that at the last meeting most of the members agreed to clause (*a*). As regards clause (*b*), I doubt very much the wisdom of appointing a commission to travel across Canada. My recollection is that at the beginning of the session the question was seriously discussed whether it was desirable to travel across the country taking evidence, and what was said in that regard is equally applicable to both clauses (*b*) and (*c*): they are linked together. I submit it is unwise to divide this committee into sections and to ask Parliament to empower a certain number of members to go officially to the Maritime Provinces, let us say. I do not think we should do anything that might arouse suspicion in the minds of the Indians, which might be the effect here, even if the counsel were of Indian blood himself. The Indians might prefer to talk direct either to the commission as such or to the individual members of the commission. The members of the committee should be prepared, when they go—if this is decided upon—to ask the questions themselves of the various Indians. These are my views on clauses (*b*) and (*c*) and I think I would take exception to them along the lines I have just stated.

Mr. HARKNESS: If I may be pardoned for interrupting, I would point out that those are alternative proposals.

The CHAIRMAN: The first one was adhered to.

Mr. HARKNESS: I am referring to (*b*), (*c*) and (*d*).

Mr. REID: One links in with the other; that is perfectly clear. Then we come to clause (*b*). I think this committee should come to some concrete understanding or agreement among themselves, so that any recommendation made to Parliament would be definite, instead of asking Parliament to consider the possibility of a joint commission. Either you ask for straight powers to do a thing, or you do not. You do not go back to Parliament as a committee and ask it to consider possibilities. These are my preliminary remarks, but I see a great deal of difficulty regarding clauses (*b*), (*c*) and (*d*).

The CHAIRMAN: Perhaps I might say a word on behalf of the subcommittee on agenda and procedure. It is assumed, of course, that we will, all of us as members of this committee, visit all of the local Indian reserves, or attend functions of Indian bands or organizations, or as many as possible, during the recess, so that we may indicate to the Indians that we are desirous of learning at first hand from them all their problems. I do not think therefore that there need be any discussion with respect to clause (*a*). As far as the other clauses are concerned, your subcommittee has given this matter a great deal of consideration over a long period, having in mind, of course, the length of time this committee has been or may be in existence.

Mr. CASE: Mr. Chairman, may I interrupt to say this. Does the subcommittee say, or does it feel, it is desirable that we should adopt one of these clauses, (*b*), (*c*) or (*d*)? Is that your opinion, that one of these clauses should be adopted?

The CHAIRMAN: Yes.

Mr. HARKNESS: Mr. Chairman, it is quite obvious that we shall never finish the job as we are going along now. I think we should offer an alternative.

The CHAIRMAN: If I may be permitted to proceed, in respect to clause (*a*) I think we are in agreement. That will be done anyway.

Mr. CASE: Suppose you put that as a question now.

Mr. HARKNESS: We agreed on that at the last meeting.

The CHAIRMAN: If you would like, of course, we can put this to a vote.

Mr. MACNICOL: On what?

The CHAIRMAN: Clause (*a*).

Mr. CHARLTON: Following up what Mr. Reid says, if we adopt (*a*), it means that some of us are going around at our own expense while others are getting paid for it.

The CHAIRMAN: If you will permit me to continue. We suggest that each member do that. We *suggest* it; we do not require it. This committee cannot order any member to do anything. Now, I assume that clause (*a*) is agreeable. Clause (*b*) reads: "We recommend that Parliament be asked to consider the advisability of appointing a Commission, or one Commissioner, with requisite counsel, and secretarial and stenographic assistance, to hear and take evidence of Indians at places across Canada convenient to large Indian Reserves." That was suggested at the last meeting as a means of expediting the work of this committee. It has been pointed out, however, that from the standpoint of the members of this committee, if they desire to learn at first hand from the Indians of their affairs, and to be able to interrogate witnesses, it would be a distinct disadvantage. True, it would expedite the work and a report would be made; but there are certain difficulties. Now, with respect to clause (*c*).

Mr. BLACKMORE: Certain difficulties with respect to what, Mr. Chairman?

The CHAIRMAN: With respect to sending one man out to collect all the evidence from the various Indian bands.

Mr. BLACKMORE: It says, "appointing a Commission, or one Commissioner."

The CHAIRMAN: If the commission comprises more than one person, or the whole committee, we did not feel that this was a time—during the 1946 recess—to go about the country interrogating Indian organizations. Our plan has been worked out on a long-scale program as you will see at the top of the report. Most of the Indian organizations are in Ontario, in the Western provinces and in British Columbia, but we think there should be some activity during the coming recess, and for that reason we get down to clause (*c*), wherein the committee recommends that "Parliament consider the possibility of empowering as a Commission, certain members of the present Committee." You will note "certain

members of the committee." That may be one or all, depending on the individual desires of the committee members.

Mr. REID: If I may interrupt, I believe there is one very important question facing us and that is whether or not this committee will visit reserves. To my way of thinking, if in the beginning we should decide to visit Indian reserves, we are sure to incur a good deal of criticism because, to begin with, it is impossible for this committee to visit all of them.

The CHAIRMAN: If I might just continue on this point. It was the thought of the subcommittee, in so far as clause (*c*) is concerned, that the commission, which might comprise one or all of the members of this committee, would attend three points only in the Maritime Provinces, which would take, we hope, not too long. They would be able to sit every morning, afternoon and evening for the purpose of taking evidence from such organizations in that area as wished to make presentations. Now they will not visit the Indian reserves officially—that is, as a part of their duties. They will merely go as we would do. They will attend at three or more different points.

Mr. RICHARD: Are you talking about any particular province?

The CHAIRMAN: The Maritime Provinces; and the reason we have chosen that section is that it is at one side of the Continent. Furthermore, the Indian population in that area is not very considerable. That would therefore indicate to the public and to the Indians that we are going about it systematically, to hear them where they are; but, since we have not received all of the departmental presentations, and in all probability will not receive them before the termination of the present session, it will be merely an indication of our desire to do the work of the committee systematically, orderly and efficiently.

Mr. MACNICOL: First I want to compliment the subcommittee on the apparent effort they have exerted to present something to this joint committee. I have read it all over and as far as I can see, clause (*a*) is okay. However, as to clauses (*b*) and (*c*) I feel at present that they are away ahead of their time to get really efficient service. My experience and knowledge of other committees during the course of 17 years would suggest to me the soundness of clause (*d*). The whole committee would be empowered to come to Ottawa during the recess for probably two weeks, or whatever time was deemed necessary, some time in the Fall—in November perhaps. A program could be arranged beforehand, so as to have at these meetings all the members of the committee. It could meet for two or three weeks, sitting all day long. Heretofore we have been sitting only two hours, but we could go in, say, at nine o'clock in the morning and sit until twelve, from two until six, and from seven until ten in the evening. We could get over a great deal of business in that way.

In the first place we could finish up completely all the departmental evidence, and if the program were properly arranged we could come regularly on the stated days and invite the Indians for two or three days. We could invite also the Indian bands to send one or two representatives. Of course, their expenses would have to be paid. It would cost the Government less to bring, say, the Mic Macs from the Maritimes than to have a Commission go down there. At any rate, there would be only two or three main bodies to be brought up and heard by this commission. I am quite in accord with the committee sitting here as a commission in the Fall to do a full job, for whatever period it decides, whether two or three or more weeks, before the next session opens.

Mr. RICHARD: The method that you propose is probably the easiest and surest way of getting acquainted with every phase of any complaints the Indians may have, or any suggestions which they may wish to make, but I am looking at the matter from the point of view of my own province. In the Maritime Provinces, as far as I know, we have no Indian problem comparable to that in

British Columbia, for instance, but I think it would be best if you appointed some members from this committee to deal with the Indians of the Maritime Provinces as well as of Eastern Canada, and leave it to their judgment as to how to go about it. In my own province of New Brunswick there are, I believe, 2,500 not more than 3,000, but I do not think there is any particular centre where you could ask them to meet, because they are scattered all over the province. One or two members of the committee by going there could get a clear picture of the Indian population of that province. This may not apply to the other provinces of the Maritimes. I am not sure how many there are in Nova Scotia or in Prince Edward Island, but in my opinion it would be best to leave it to the members of the committee to decide a plan of visitation.

The CHAIRMAN: Your proposal, as I understand it, is to leave it to the Maritime members of the committee?

Mr. RICHARD: I would say so.

The CHAIRMAN: The same objections would apply to that as to clause (*b*), that is to say, the objection to sending a single commissioner. In that way, members of the committee desirous of ascertaining all phases of this matter would not have the opportunity.

Mr. REID: May I ask whether the situation has been canvassed, as to how many members would be willing to go—and be available?

The CHAIRMAN: Not to my knowledge.

Mr. REID: That is important because, when we started to go around with the War Expenditures Committee, we found that only six were willing to travel. It is all right to suggest it but I doubt very much if you would get any members to go around during the recess.

The CHAIRMAN: We have canvassed the members of the subcommittee but not the whole committee.

Mr. RICHARD: I do not know how many you have on the subcommittee from the Maritimes, but if you were to ask somebody from British Columbia to go to the Maritimes—

The CHAIRMAN: I do not wish to interrupt you, Mr. Richard, but may I ask whether the same objection that you voice now would also apply next year?

Mr. RICHARD: What do you mean by objection, Mr. Chairman?

The CHAIRMAN: As I understand it, you see an objection to the proposal.

Mr. RICHARD: No, I do not.

Mr. REID: This session is entirely different from most, Mr. Chairman, because, having started so late, most members have felt like going home for part of the summer and when they meet in January, in all probability, the House will rise in July at the latest. I feel sure that there will be more members available for travelling next year than this.

The CHAIRMAN: That is the feeling of the subcommittee but you will see, from our proposal, we felt that we should do something about the Maritimes. Next year we shall not be able to go from one side of Canada to the other in one summer. It is our proposal that we spend a week, probably, or two weeks, in the Maritimes this Fall; during the winter session we would visit Quebec and Ontario, and the next summer we would be free to deal with the large Indian population of the Western Provinces and British Columbia.

Mr. CASE: I would be inclined to go along with Mr. MacNicol and support clause (*d*), provided we met for say two weeks in November. I think we would make progress then and would accomplish a great deal. I would be in favour of accepting clause (*d*), provided we met in the month of November.

Mr. RICHARD: I think it would be better if you sent out a certain number of members here and there.

Mr. CASE: The steering committee or subcommittee, before we leave Parliament at this session, and the departmental officials in the interval, could follow the representations made and could organize the work that we were going to attempt in whatever two weeks we selected in November, so we would not be wasting our time, and in that way I think something could be accomplished.

Mr. REID: Sitting in Ottawa is splendid; but I have had some experience of committee work when Parliament is not in session and I do not think the members would be constantly in attendance. They would want to go here and there, and two weeks would not be very long. I think a longer period than two weeks should be allotted if you are going to sit in Ottawa. I am drawing attention to the probability that if you stayed here for two weeks you would be sitting for only six days.

Mr. MACNICOL: I have been on committees before and we sat all day long and I myself never missed a meeting. We got a great deal of work done at these meetings. I feel that if we go around the country during the coming recess we have not enough information to work upon. Going on a two-week trip to the Maritimes now you would not get very far. That is why I say, Mr. Chairman, with reference to clause (*d*), that if you called a meeting for two or three weeks, or whatever period might be decided upon, and invited all the members of this committee, it would be more satisfactory. It would be understood, of course, that the expenses would be paid, as they have always been before, and there would be a daily allowance.

Mr. RICHARD: Yes. But, Mr. MacNicol, would you be satisfied that, if you called Indian representatives here at a meeting, you would get the complete picture of Indian affairs throughout the country?

The CHAIRMAN: We want to deal with the whole of this schedule as we have it before us, because it is desirable that we should complete the revision of the Indian Act during the 1948 session.

Mr. REID: Suppose you met here for two weeks to hear the Indian organizations, what would be the point in going to the various districts to hear the Indians there? Why would you call Indians here if you were going to Manitoba, Saskatchewan, Alberta and British Columbia?

The CHAIRMAN: It is the subcommittee's recommendation.

Mr. BRYCE: You might remind the committee that the schedule that is ahead provides for the calling of 26 officials to be heard, and that will take 15 weeks at this rate.

Hon. Mr. GLEN: Mr. Chairman and gentlemen: The recommendations that are made here are, of course, worth considering, but at this moment I do not think we are in a position to do that. The first proposal that came before the committee was (*a*), namely, that members during the recess should go around the reservations either in their own or adjoining constituencies, and I suggest that in a personal investigation the members would get far more information as to what the proposal should be to hear the Indians later on. I think the other proposals are just a little previous. Moreover, I see this difficulty. If the Indians appeared before one member of the Committee, with a clerk, they might not regard that as an adequate reception, and therefore the best means of attaining our objective would probably be to have as many of the Indians as possible present before the committee as a whole. It seems to me that if the members of the committee do as is suggested in proposal (*a*), that is, if they go into all the reserves they know of and elicit all the information they can, they will be in a position to say how best the Indians could be represented before our committee. I suggest that the first step to take is that proposed in clause (*a*).

Mr. CASE: Mr. Chairman, I certainly had clause (*a*) in mind when I spoke of clause (*d*).

The CHAIRMAN: We have adopted clause (*a*); let us forget about it.

Mr. CASE: Having followed out the suggestion in clause (*a*), by the last two weeks in November, if we were to meet here as a committee, we would have obtained the information which it is suggested that we should have and we would be ready for the session of 1947.

The CHAIRMAN: When would you visit the reservations or the organizations in the Maritimes, Quebec, Ontario, the Western Provinces and British Columbia?

Mr. CASE: That will be some time after the 1947 session.

The CHAIRMAN: That is what the subcommittee is trying to avoid. We say that it cannot be done in one recess. It is not fair to ask any member of the committee to devote several months to that.

Mr. REID: May I make this suggestion? Does the committee deem it advisable to adopt clause (*d*)? I would suggest in that event that we meet here, not necessarily in November but at least two weeks prior to the meeting of the House. I am thinking of those of us who come from 3,000 miles away. We could come down say two weeks before Parliament convened and be at work for that time.

The CHAIRMAN: We have had a good deal of helpful discussion of the matter. Would you like to have the question further considered at the next meeting? Your subcommittee has been perplexed with it for some time. We say that there must be some activity during the 1946 recess. If this committee says there should be no activity during that recess we are quite content; on the other hand, if we are to be active, what form does the committee think that activity should take?

Hon. Mr. GLEN: I am quite sure the members will come back here after having visited the reservations and will know what the views of the Indians are in regard to their later representation.

Mr. RICHARD: I agree with you, Mr. Minister. If we have some knowledge of conditions on the different reservations when we have this joint meeting afterwards, and the representatives of the Indians here, we will be in a far better position then to put any questions we wish to ask.

The CHAIRMAN: Very well. We will consider the sub-committee report again at the next meeting.

Mr. Hugh Conn, General Supervisor of Fur Developments, Indian Affairs Branch, called.

By the Chairman:

Q. Mr. Conn, what is your official position?—A. I am General Supervisor of Fur Developments, Indian affairs Branch.

Q. How long have you been with the Department?—A. Only six years but I have lived among Indians since 1923 and have always been interested in matters affecting their welfare.

Q. How long have you been in charge of fur developments?—A. A little over one year in my present capacity. I started as a supervisor on one project in 1940.

The CHAIRMAN: Are there any other preliminary questions to be asked the witness?

By Mr. MacNicol:

Q. I notice, Mr. Conn, in looking through your report, that you show pictures of Tom Lamb's conservation?—A. Yes.

Q. Have you been there?—A. Yes. I might say, Mr. MacNicol, that that illustration of pumping was prepared in response to the question which you put to Mr. Hoey when he presented the original report.

By Mr. Bryce:

Q. What project were you in charge of previous to a year ago?—A. I was working in connection with the Peribonca reserve in Northwest Quebec from 1940 to 1941. Prior to my connection with the Department I was for a time Chief Fire Warden at Grand Lake Victoria in Quebec, and in 1940 I became associated with the Department.

The CHAIRMAN: And you have been with them ever since?

The WITNESS: Yes.

By Mr. Reid:

Q. May I ask, Mr. Conn, whether your duties take you all over Canada, or are there other men under your jurisdiction? How do you cover the field?—A. There are other men working in some of the other provinces.

Q. How many men have you under your jurisdiction?—A. Three supervisors, and of recent years our fur conservation work has been branching out considerably.

By Mr. Bryce:

Q. Where you engaged in fur conservation previously to a year ago?—A. Yes. The move, as you know, started in Manitoba and for a number of years we have been operating both in Saskatchewan and in Alberta on a small scale.

Q. Did you supervise that work?—A. I was out to Manitoba in 1944 and the field survey conducted then laid the ground work for the present set-up in that province.

By Mr. Reid:

Q. When were you in British Columbia?—A. I was never in British Columbia.

The CHAIRMAN: Will you proceed now, Mr. Conn. Following our usual practice, gentlemen, I assume questions will be withheld for the time being.

The WITNESS: Mr. Hoey has already outlined for you the history of the fur conservation work which the Indian Affairs Branch has undertaken in co-operation with the various provinces and has summarized the results that have been achieved under the three types of development in which we participate.

It is a pleasure to give you some further insight into the field organization methods used in these projects and to attempt to show you that this supplementary feature of our Indian administration is the one which promises most toward the permanent solution of the economic problems of nearly half our Indian population, who still depend for their livelihood on their traditional pursuits of hunting and trapping.

Field work has been my particular sphere of activity and it is a matter of regret that, since this submission must touch upon administration and legal questions, Mr. D. J. Allan, Superintendent of Reserves and Trusts, is unable to be with you in his official capacity to-day. Mr. Allan has guided this movement from its inception to date and is much more conversant with these problems than your witness. His health is improving and there is every hope that he may, at some future date, be able to fill in the gaps left by this submission.

It is a pleasure to see that your committee has gone beyond the scope of the Indian Act in your enquiry and that you are looking into ways and means of improving the livelihood of the Indians. Since the administration of our fur conservation projects does not come under the Indian Act it is in response to that enquiry that this submission has been prepared.

One of the most contentious problems that will be placed before you by the Indians themselves is the question of hunting and trapping rights under their treaties. These treaties are not mentioned in the Indian Act but have a direct bearing on fur work and must be considered both from the white man's or legal aspect and from the Indian viewpoint.

Before going into treaty rights an attempt will be made to elaborate on Mr. Hoey's brief under the same headings starting with muskrat developments.

Muskrat Developments

The first obstacle to be overcome when a suitable area is discovered is the complicated and at times almost insurmountable conflict of interest as between the provinces on the one hand and the dominion on the other.

To understand this problem one has to keep in mind the whole question of ownership of lands and jurisdiction over natural resources as between the dominion and the provinces under the British North America Act and the natural resources agreements. Excluding only Indian Reserves, the province is the proprietor of all Crown lands within the province and the dominion has no jurisdiction. Any arrangement, therefore, under which the dominion enters upon provincial lands must be based on an agreement with the province as owner of the lands and custodian of the natural resources. This places definite limitations on what the dominion may or may not do and we can go only so far as we can persuade the province to allow us.

In this connection, considering the weak bargaining position of the dominion and the strength of the provincial claim to the exclusive administration of the resources which they own, we have had some success and the attitude of the provinces has been much more friendly and much more co-operative than the administration had any right to expect in view of its own lack of action when the administration had full ownership and full administrative authority over the resources which were the subject of our negotiations.

Frequently we were met with the statement that the Indians, being a federal responsibility, should be looked after out of dominion assets and with federal moneys and that we were in an untenable position in attempting to utilize provincially owned resources for that purpose. We were further met with the challenge to show the various provincial administrations what there was to their advantage in our attempts to assist the administrative effort of the provinces in relation to fur. We found it extremely difficult to persuade them that there was anything we could do to assist them or, much less, show them how their administration of the resources could be improved.

On the other hand, the dominion, as tutor for the Indian, is charged with the responsibility of safeguarding their underlying interest in the fur resources as set out in their various treaties and the natural resources agreements. Although legislated almost out of existence in the legal sense, these treaties present a strong moral claim by the Indians and must be considered.

Since these projects involve expenditures from public funds of the dominion it is necessary to provide some voice in the way the money will be expended, while at the same time avoiding conflict with the provinces' control of their lands and natural resources.

These points are all covered by entering into an agreement with the province which, in general, provides for:—

1. The creation of a Fur Advisory Board consisting of three members—two from the province, one of whom is the convener, and one from the dominion.

2. The amount of financial contribution from each party.

3. The degree of participation by Indians and other classes of trappers.

There are, of course, other features to this agreement but these are the main points. By the terms of these agreements the field administration is under the provincial department concerned and all regulations are passed under the Provincial Game Act, thus assuring the province of full control of their own resources. The Indian interest is safeguarded and our financial contribution controlled by our seat on the Fur Advisory Board. It is very gratifying to say that results of this plan have been very satisfactory and that never yet has our representative on a Fur Advisory Board brought down a minority report.

One of the questions most often asked by persons with only a superficial knowledge of muskrat development is that if the Summerberry project and those associated with it are capable of producing almost one million dollars in one year, why cannot the hundreds of thousands of square miles of our unused northland be made to do the same thing in proportion to its area. The answer is that muskrat developments are limited to marshlands which must be completely enclosed by higher land and which contain the types of vegetation suitable for muskrat feed. In addition there must be an adequate water supply which can be diverted on to the marsh or, if already there, be regulated at a suitable level.

While there are many lakes and streams containing along their courses the requisite feed, they are minor factors in the muskrat picture and it is to the delta areas that we must look to find the ideal conditions necessary for a development such as the Summerberry.

You have already heard the story of the drying marshes and how Tom Lamb evolved the theory that restoration of water levels meant the rehabilitation of the muskrat so it might be of interest at this time to describe the topographical changes that led to this condition. Visualize, if you will, the mighty Saskatchewan River, bearing the flood waters from the Rockies augmented by the spring runoff from the prairies until its low banks could no longer contain it. Each year it spilled over on to the vast delta area with its myriad snyes, sloughs, and small ponds forming a temporary catch basin which held the excess waters during the flood period.

Gradually over a long period of years seedlings took root along the banks and a fringe, first of grass, then small alder and willow and finally large trees took root and, as the vegetation became heavier, attracted more and more sediment until a natural dyke was built up. This process took place very gradually at first but was accelerated during the past century by the breaking of farm lands in the prairie region and the subsequent increase through erosion of the volume of sediment carried by the river and deposited on its delta. The consequence of this building process was that the banks were built up enough to contain most of the flood and water reached the marsh only in small amounts through openings in this natural barrier. This inevitably meant the disappearance of the subaqueous vegetation and with it the muskrat.

The first stage in the development of such an area is a detailed examination by a qualified surveyor who, in addition to his engineering qualifications, must have some practical knowledge of muskrats, their habit, and the natural conditions necessary to support them. This examination consists of running levels around the outside perimeter of the area and traversely through each small watershed within it so that the exact depth of water needed to make it ideal rat country can be determined. This engineer-naturalist must also determine where, and by what means, the water can be let into the marsh, and the control works necessary to hold it there.

With his report the engineer submits blueprints of the control structures with a detailed estimate of their cost. These engineering works consist of canals provided with control gates to regulate the supply of water taken on to the

marsh, the construction of block dams at the small natural outlets from the marsh and the building of dykes, often miles in length, along low places in the banks and across the area to prevent the spread of water to unproductive muskeg areas or to "terrace" water which would otherwise be too deep in spots.

At this point it should be pointed out that too much water is as bad as none. The generally accepted water index range is between 18 inches and 48 inches. Less than the minimum leaves danger of the marsh freezing to the bottom in severe winters and more than the maximum makes it difficult for the muskrats to build their houses and drowns out much of the food grasses on which they depend for their subsistence.

In addition to the natural flow of water, pumping can be used to increase the water level behind dykes and to develop slum areas which cannot be flooded by natural means. Fortunately from our viewpoint it has not as yet been found necessary on any of our projects, but both Thos. Lamb at The Pas and the Hudson's Bay Company at Cumberland House have had occasion to use this valuable adjunct to natural flow. Mr. Lamb was the pioneer in this field and we are again indebted to him for this ace in the hole for use in an emergency such as a very low water year. Pumping, however, will remain only a supplement to natural methods and is limited in its scope. You have before you to-day two photographs which will serve to illustrate more graphically than any words of mine the relationship between pumping and natural flow. The first picture shows the canal leading from Mr. Lamb's pumping station and shows the water running into the ditch through a sluiceway two feet wide.

That is the larger of the two photographs.

The CHAIRMAN: Shall we mark that as No. 1?

The WITNESS: The second photograph shows the intake on to the Two Island portion of the Summerberry through the control dam. This inlet is seventy feet wide and ran 7½ feet deep with all the force of the Saskatchewan River behind it for fifty-four days.

Once the water is restored and controlled the muskrats reappear with startling rapidity as the following table will show. Figures are from the Summerberry area during the development period.

The CHAIRMAN: May I interject a question here? Where is the Summerberry area?

The WITNESS: Near The Pas River in Manitoba.

Year	*Houses*	*Muskrats*
1935	65	520
1936	700	5,600
1937	4,000	32,000
1938	12,500	100,000
1939	32,369	258,952

The first crop was taken in 1940 and the figures from then until the present time will be shown later in this submission.

Had unrestricted trapping been permitted on a first come first served basis the muskrats would have disappeared with equal speed so it was recognized at the outset that some plan should be worked out which would permit full utilization of the fur resource while at the same time guarding against depletion.

To do this it was necessary to obtain an accurate count of muskrats on the marsh, which, considering its size, is a job of considerable magnitude.

The marsh, I may say, is about 300,000 acres in area.

For this purpose the area is divided into zones, each of which is bounded by natural topographical features. A guardian is assigned to each zone to protect it from unauthorized trappers and during the period immediately after freeze-up to count the rat houses on each zone.

When the count is completed each guardian submits a list giving the number of houses on each lake, slough or snye on his particular zone. These reports are sent to the head office at The Pas where they are compiled and

tabulated and on the information contained in these tables the crop is planned. The amount of labour involved both in the field and the office can be visualized when I tell you that the census of the Summerberry area runs to 175 pages annually.

This work is generally completed early in January of each year and after they are given close study by the administrative officers of both departments, the stage is set for the annual conservation meetings where the number of rats to be trapped is worked out down to the zone from which the rat is to be taken and the name of the trapper permitted to trap in that particular zone.

These meetings mark the first time in game administration that the trappers themselves were consulted in the formulation of plans which would affect their means of livelihood and it is a pleasure to report that they have supported the plan in a measure deemed impossible by all but a few idealists only a few years ago. The meetings are attended by the Indian councils of the bands concerned as well as representatives of the Metis and white groups. Changes in regulations are discussed with these groups and the head trappers to be in charge of actual trapping operations are selected. Each head trapper has a group of about ten trappers under his direction and is responsible for seeing that proper trapping methods are used and that the pelts are skinned and stretched in the approved manner.

Another new departure is the marketing of the furs under government auspices and the distribution of proceeds to the trappers on a monthly basis. Since the whole success of the venture depends on the allotted quota being adhered to they must pass through one outlet where they can be counted and graded. The pelts are then baled and shipped to the fur auction houses where they are sold to the highest bidder. The uniformly high quality of these pelts is getting quite well known and the offering of these pelts is attracting ever increasing numbers of buyers.

The returns of the sale are paid over to the provincial government, who, after deducting 20 per cent which is set aside to provide for protection, supervision, administration and improvement of the area, return the balance to the trappers on a monthly basis. In the case of Indian trappers this is done by remitting the net proceeds to the Indian Affairs Branch who make the distribution through the Agency offices, also on a monthly basis.

It is a matter of regret that this submission was prepared in spare time while I was engaged in live trapping beaver in Algonquin Park and therefore did not have available all the figures I should have liked to place before you. These can be prepared for a later date if you so desire and in the meantime I might tell you that in the productive years from 1940 to 1946 inclusive the Summerberry area alone has produced pelts to a value of over $3,000,000, out of which over $2,500,000 was returned to the trappers with the Indians getting their full share, as arranged with the province.

The cost of this development to the federal treasury has been as follows:—

Prior to 1938	$ 90,000 00	(relief)
1938-1939	32.450 18	(Fur Vote)
1939-1940	48,081 36	" "
1940-1941	17,067 33	" "
Total	$187,598 87	

You will note from the foregoing that the federal government's financial contribution ceased in 1941 when the area came into production. From then on the province assumed all costs of administration and development out of the special impost previously referred to. That is a 20 per cent cut. However, although our financial contributions are at an end the participation of the Indian continues and I should like to point out that in the 1946 crop alone the Indian participation will equal almost the total amount of federal funds expended on the project.

These few statistics are offered to show that the results achieved by muskrat development projects are not measured by intangibles alone, nor are muskrat development projects an endless sinkhole into which funds are poured year after year with no return. The returns from these projects can be measured not only in terms of health and welfare as living conditions among the Indians improve but can be measured in actual dollar returns to the trappers in whose object these works are undertaken.

Beaver Preserves

Beaver preserves do not have the topographical limitations that affect the muskrat projects and the techniques employed are capable of very widespread application all across Canada and, since our organization is based on Indian tradition and custom, it meets with approval among the limited number of Indians to whom we have been able to bring its benefits.

The main reason for their appreciation is that once the white man's practices of written leases and agreements are disposed of we revert to Indian custom, pattern our organization after their sound, well-established practice and divide our preserves according to the aboriginal plan of land tenure that from time immemorial has served the Indian population.

Under this system every square mile of the forested portion of Canada was owned and occupied by tribes, bands and, finally families of Indians, even as we whites divide into provinces, counties, townships and lots. True there were no fences, surveyed lines, monuments or other artificial landmarks separating the various land divisions but they were, nevertheless, rigidly bounded by such natural landmarks as watersheds, rivers and chains of lakes with their connecting portages.

The ownership of such family tracts was, and in isolated districts still is, recognized by other Indians and within band areas a certain amount of tolerance was granted to members of the same band. They were permitted to fish, pick berries, or kill moose and caribou for subsistence, but this privilege did not extend to members of other bands unless they were travelling to or from one of the periodic pow wows, thus having a claim on the hospitality of the band they were visiting. Fur bearing animals, especially after the arrival of the white traders, were regarded as the exclusive property of the proprietor and woe betide the man who trespassed in this respect. Inter-tribal wars and family feuds were the result of such trespass in ancient times and even to-day fist fights, quarrels and an occasional murder result from disputes over trapline rights. This whole system of family ownership and exclusive rights is part of the recognized moral and economic code of the Indians where they have not had contact with the demoralizing effects of the whiteman's civilization.

Quarrels, feuds and even minor wars were the inevitable result of deliberate poaching but provision was made for the welfare of band members who, due to cyclic fluctuations of fur bearers or such catastrophies as extensive forest fires, were unable to make a living on their own lands. In such instances the victim had only to apply to the tribal assembly to acquire the use of a hunting ground until his own area recovered its full productivity. This practice continues to the present time and has proved of inestimable benefit to our fur conservation scheme.

In addition to his land holding system the Indian had, and still maintains where conditions permit, a beaver conservation scheme that produced results. There were two phases to the system, the first of which was one of rotation whereby the hunting land was divided into quarters and only one section trapped in a season. Thus one quarter was intensively trapped for one year and allowed to remain fallow for three seasons. This method is only parctical where large tracts are available for each family, something that is out of the question in most localities, so in setting up our organization we adopted the alternative Indian plan.

Under this method the Indian deliberately left breeders in each colony. If, for instance, six beaver were in a lodge, two or three were trapped and the balance left to repopulate the same colonies. Some bands practised selective cropping by releasing immature beaver taken in trenching operations and by setting their traps in such a way as to increase their chances of taking only mature beaver.

You will probably start to wonder why, if this ideal condition existed among the Indians, our whole northern country is not thickly populated with beaver. The answer is that but for the intrusion of the white man it would be. White intrusion has in three ways caused the complete or partial breakdown of the family holding system and natural conservation methods.

First came the fur trader who was unrelenting in his quest for furs and, through his debt system, forced the native to bring in more and more pelts without regard for the remaining supply. This practice continues to this day and there is no more vicious enemy of our efforts to improve the lot of the Indian than the fur trader. Looking only to his immediate gain and unscrupulous in his exploitation of the native, he has no regard for anything or anyone who dares to interfere with his trade. I wish to qualify this statement by saying that it does not apply in full to the storekeepers who take furs in exchange for supplies and who are a rather decent element, although inclined to take advantage of the native ignorance of markets by purchasing below the real value of their pelts. I am referring specifically to the travelling fur buyer who, with no more stake in the country than a licence and a railroad ticket, has little or nothing to lose if he is caught, as he can always move on to another location.

Our largest trading company has recognized the damage done in the past and are actively engaged in fur conservation work. The fact that their motive is not altogether altruistic detracts in no way from the value of their work.

The second factor in the disruption of Indian practice is the opening up of the country by farming, mining, lumbering and all the various developments of our modern civilization. The extent of this disturbance can be visualized if we stop to think that the room we are sitting in to-day, as well as the homes of each and every one of us, is located on what once was an Indian's hunting lands. This disruption of Indian hunting practice is unavoidable and none of us would seek to halt any of these activities to restore to the Indian his trapping lands. The Indians themselves concede that such progress is necessary and this is the right they conferred upon the white man when they signed the treaties with the Crown. Although unavoidable, this disruption leads to overcrowding in the remaining trapping grounds and the result is the break-down of the family land holding system along the fringes of civilization.

The third and major factor is the roving white trapper. It may be argued that there are enormous areas that have never been visited by whites but if there are I have never seen them. There are definite proofs of their presence in the form of cabins, blazed trails, etc., on the Peribonca Preserve 250 miles from the nearest settlement in northern Quebec, and we find remnants of the last influx all through the northern part of the prairie provinces. In the preamble to their Order in Council setting aside the northern part of that province for Indians only, the government of the province of Quebec recites the following:—

> That, since a few months, we have been informed, that, in many instances white trappers go by aeroplane to the Mistassinni regions, Abitibi, and even New Quebec to hunt fur bearing animals.

If, as proven, white trappers have penetrated 200 to 300 miles from settlements to these, the most isolated parts of the country, where are the places that have not witnessed their depredations?

The term "depredations" is used deliberately because no other word would adequately describe the results of their operations. They are, for the most part, not interested in conservation, for when they clean out one section they can

always move on to another. I have met one trapper who has hunted near Mistassinni, Nitchiquon, Manicougan, Nemascau, Chibougamou and Neoskwiskau, and still causes trouble amongst Indians by lifting their traps set as far as fifteen miles distant from where he is employed as guardian for a power company. Not all of these white trappers are predators and for those willing to remain in one place and practise conservation there is room under a plan which will be explained later.

The effects of a white trapper's clean-up extends far beyond the amount of fur he catches himself. An Indian who has practised conservation only to have the fruits of his labour taken by some white man is certainly not going to continue the practice any more than a farmer is going to leave live stock in a field constantly raided by black market operators. Even here the anomaly does not fit because the farmer has recourse in law to protect his rights, but until recently the Indian had none.

The provincial government in Quebec has shown the way in the recognition of Indian practices by setting aside the Grand Lake Victoria area as well as all the province north of 49° north latitude and west of the height of land for Indian trapping only. The Grand Lake Victoria Indian Hunting Reserve, an area of 6,300 square miles, has been reserved for Indians since 1928 and offers a perfect illustration of Indian conservation methods. It is located near civilization, less than 200 air miles from this very building, a provincial highway runs through it, tourist resorts are located on this road, lumbering operations are carried on all through it but in spite of this it has produced over one thousand beaver each year right up to the present. This, then, is the result of natural Indian conservation with little supervision and only partial protection from the poachers who make sneak and run raids along its borders.

When the chief obstacle, the white trapper, is removed the Indians make definite progress on their own, so in setting up our organization we do not originate anything. We merely recognize the efficiency of their system and adapt ourselves to it.

In organizing a beaver preserve we first determine the boundaries of the band areas and, within each band area, the family areas. Even if we did not go beyond this point the beaver and other fur bearers would undoubtedly increase, but in restoring the beaver we have accomplished only part of the objective of our plan. It is necessary to institute a long range plan of management over the preserve as a whole. To accomplish this, definite information as to the number of lodges and their location is necessary, so each family area is placed in charge of the head of that particular family and he is appointed as tallyman for that section.

Each tallyman is charged with counting the beaver houses on his lands and at the end of each year turns in to the supervisor his count, accompanied by a sketch map showing their location. A tabulation of these counts, besides giving progress of the preserve as a whole, enables our officers to see where progress is unsatisfactory and to lay the blame for failure directly on the doorstep of the man responsible for lack of progress.

Due to the fact that quite often there is more than one trapper on an area, there was some confusion in counting due to overlapping or leaving a lodge on the supposition that someone else has reported it, so, to offset this, we have adopted a system of numbering and marking each lodge with metal markers. These markers are nailed to a tree at the lodge or if no tree is close enough—beaver lodges are often found in alder swamps where there are no large trees—a post of suitable size is planted at the lodge and the marker affixed to it.

When a tallyman turns in his count, he is given a metal token for each lodge found and marked. This token is stamped with a number corresponding to the marker at the lodge and serves as visual evidence of the family wealth. When

it is considered that the value of beaver in an average lodge is about $300, and we have quite a few families with over 100 lodges, wealth is the proper term.

These tallymen are given a grubstake of $50 annually to assist in counting beaver houses and, in addition are provided with a windbreaker and cap badge as symbols of their position. These items are highly prized for the distinction they give the wearer and although a white man's institution they have a foundation in Indian history. The members of Indian bands denoted their attainment of manhood by the wearing of a feather in their scalplock with additional feathers being added to indicate prowess in the hunt, valour in battle and other achievements.

To illustrate the importance some of the natives attach to this uniform the following rather amusing incident which occurred at Rupert House three years ago might prove of interest. Your witness had just finished tabulating the beaver counts and had paid off the tallymen when a very old man came and asked why he did not get any "beaver money", i.e., tallyman's wages. One look at the applicant convinced me that he was long past the age when he could trap or undertake the arduous task of counting beaver lodges. Investigation revealed that he had not trapped for a number of years and was in receipt of an old age ration which amounted to more than double the beaver money so it was difficult to see what his motive might be. The late Jim Watt of whom you have heard from Mr. Hoey whispered "it's the badge and coat he is after". I explained to the old man that to take the beaver money he would have to give up his ration and would have to count beaver houses. The old man replied at some length giving details of previous hunts, the loads carried over portages and the enormous distances he had snowshoed in a single day. He finished up by the assertion that he was still a pretty good man and was therefore entitled to a hunter's rating. The problem was solved by appointing him honorary tallyman without salary, leaving him his ration and giving him the symbols of authority so dear to his heart. Exit one very happy old man who interrupted the proceedings at the feast that night to extoll the virtues of the Ahmik Okima (Beaver Boss) to the assembled tribe. If an old man with no other means of support is willing to give up more than half his income for a badge and windbreaker we may rest assured that the results in Indian interest far outweigh the cost of these items.

Organized under this plan are over 40 million acres in the provinces of Quebec and Ontario under our administration and a similar area in the same two provinces is being developed by the Hudson's Bay Company by arrangement with the provincial governments. We do not have accurate figures for the company developments but the following table showing increases in our projects will give you an idea of the results that have attended the plan. The increases by projects from inception to 1945 are as follows. The figures for last winter are not as yet compiled.

Preserve	Area	Beaver start		1945
Quebec—				
Nottaway	7,040,000 acres	255	(1938)	7,036
Abitibi	3,840,000 "	2,012	(1942)	5,380
Grand Lake	4,032,000 "	1,076	(1942)	4,398
Old Factory	8,960,000 "	520	(1942)	3,435
Peribonca	8,064,000 "	195	(1941)	1,240
Ontario—				
Kesagami	3,840,000 "	569	(1942)	3,360
Albany	6,960,000 "	100	(1943)	970

The progress of an individual project may be more graphically illustrated by converting the beaver increases into dollar value for each year from inception to production. Take, for example, the Nottaway Preserve which was organized

in 1938 and came into production in 1945. Converting beaver into dollars at last year's average realization on the market we have the following result:—

1938	$ 17,850 00
1939	34,300 00
1940	51,100 00
1941	78,750 00
1942	110,250 00
1943	172,900 00
1944	272,650 00
1945	447,300 00

By Mr. Blackmore:

Q. How many Indians have you on the Nottaway Preserve?—A. Approximately 100.

Q. That is a nice income.—A. Yes, it is a nice profit now but they have gone though a long period of hardships and are now beginning to reap the benefits.

The WITNESS: Thus the value of provincial assets leased to the department in trust for the Indians is now twenty-six times what it was in 1938. The cost on this area was only $3,000 per year or a total of $21,000. It is now on a self-sustaining basis but even if we financed it indefinitely from appropriation we would be money ahead because the relief bill of $3,300 annually at Rupert House has been wiped out.

Spectacular as these results seem they can be improved by transplanting beaver to a depleted area. Under straight conservation it takes seven to ten years to bring an area into production yet by transplanting beaver the same results can be achieved in five years or less depending on the number transplanted. For instance if you will turn to the figures for the Kesagami Preserve in Ontario you will see that it has reached productive stage in only five years. This acceleration was due to transplanting only thirty beaver annually for four years.

Some difficulty was experienced in early live trapping operations as it was necessary to ship long distances from provincial parks such as Algonquin in Ontario but now that we have adequate supplies of beaver on our own preserves we can greatly accellerate this work. Last season we moved one hundred beaver and this season we intend to double that figure. The only limitation to this feature is the funds available and funds devoted to this purpose are amply repaid in beaver increases. As a matter of fact if we convert the results of transplanting into banking terms we reach the almost incredible return of 35 per cent compounded annually.

These are the methods by which a depleted area is brought to production level and at this point we must start our control of trapping practice. After all, the restoration of beaver is not new and can be accomplished easily by simply enforcing a close season without any necessity of an annual census or any of the organization methods we have adopted. If the only object were to rehabilitate the beaver we could stop now but the second and most important objective is to ensure that the fur resources will never again be depleted.

To enable the trappers to take a crop while at the same time providing for further increases trapping has been put on a basis of one beaver for each occupied lodge. Since beaver litters are generally four each, this is well below the annual increment. Other factors such as sections below the standard of 20 houses per family set by our service had to be considered.

Take for instance the Abitibi Preserve with a total of 1,076 houses which gave a permissible quota of 1,076 beaver. In view of the high prices anticipated it was decided to allow a quota which would provide for the Indians' needs rather than take the maximum permissible amount. The band list was gone over and quotas allowed on the basis of 20 for each man with a family, 15 for

married men without families, 10 for single men and 5 for widows and old pensioners. The total of this reached 740 beaver which still left a considerable extra margin for increase.

Arrangements were made to have all skins inspected and graded before marketing and this crop control is very important because valuable information concerning trapping can be deduced from the pelts themselves. For instance an analysis of the grading sheets for the Abitibi crop shows that 75·6 per cent of the beaver caught were mature beaver—that is large, extra large and blankets, and of the remaining 24·4 per cent, 18·9 per cent were medium. This left only 5·1 per cent small or kitts. This proves two things very conclusively, first, that there are plenty of mature beaver, and second, that our Indians are practising selective trapping. If the percentage of large sizes dropped below 50 a restricted quota or close season would be necessary to maintain our seed stock.

The same skins graded by quality showed 93·5 per cent firsts and No. 2's only 6·5 per cent seconds, thirds, shots and damaged. The high quality proves that the beaver were killed in proper season and that care was taken in preparing pelts for the market.

Marketing of beaver from the Abitibi was on a voluntary basis and about half the pelts were sold at Quebec by arrangement with the Quebec Department of Fish and Game. Prices realized for these pelts averaged over $60 and it is interesting to note that this figure is fifteen dollars more per pelt than was realized by the trappers who did not turn in their pelts for sale. It is anticipated, therefore, that the coming season will see an increase in the percentage of pelts surrendered to the Department.

As in the case of proceeds of muskrat sales it was decided to distribute the proceeds to the trappers gradually rather than turn over the money in a lump sum, but since these men go to their traplines in September and do not return until June it is obvious that the monthly payment system would not work. We, therefore, decided to pay one-third of the value of their pelts when they came out, one-third in equal instalments during June, July and August, with the balance to be distributed when they are leaving for the bush this fall.

Like the muskrat development, results of beaver rehabilitation can be measured in dollar returns as is shown by the value of the initial crop from the Abitibi and Nottaway Preserves which are our first producing areas. These two preserves produced a total of 1,810 beaver pelts which on the basis of those sold and for which we have received the returns are valued at $106,600. Compare this with the amount of $69,980, which is the total expenditure to March 31, 1946, on fur conservation in Quebec, and you will see that the actual cash return to Indian trappers on one year's partial production from two preserves is over 50 per cent more than the total amount spent on all development work in that province.

Registered Traplines

The organization methods used on our beaver preserves have been set out at some lengths because this plan can be adapted to all of northern Canada and can be modified to meet the changed conditions where trappers of mixed racial status are trapping together. This type of organization is commonly called "registered traplines".

Unlike the muskrat projects which are limited to certain topographical conditions and beaver preserves which are developed only where the trapping population is exclusively Indian and where the province is willing to turn the administration of their resources, in part at least, over to the Dominion, there are no limitations to the application of registered traplines.

This system has been evolved because experience has shown that trapping under the ordinary permit system has led to recurring periods of depletion necessitating complete close seasons every few years. No incentive is given to

the trapper, I should say, under the ordinary permit system, to conserve and protect his fur bearers because any he leaves for seed stock are almost inevitably taken by other trappers before he can get back to them. Registration of traplines, or more properly trapping areas, is simply the assigning of each trapper or family to a definite area where they and they alone may trap thus assuring them that any conservation of fur bearers they may practise will be for their own benefit.

Near civilization where there is a large proportion of white trappers, and where the territory is surveyed into townships, this consists of the granting of a whole or part township, depending on size to each trapper and giving him the full protection of the law on the area so assigned to him.

In the remoter areas where the trapping population is predominantly native, and by native I mean both Indians and halfbreeds, it follows very closely the procedure outlined under the heading of "Beaver Preserves" in this submission.

The system of registrations was first inaugurated in the province of British Columbia and was adopted in part by nearly all provinces, but the province of Manitoba was the first to apply the principle on almost a province wide scale.

The plan was first set up along the Hudson's Bay Railway on an experimental basis in 1941 and seeing the success that had attended the first efforts the Honourable John S. McDiarmid, the Minister of Natural Resources of that province, invited the Honourable T. A. Crerar, then Minister of Mines and Resources, to send a representative to Manitoba for the purpose of studying the northern part of the province and ascertaining whether or not the plan could be capable of application in the isolated and unsurveyed sections of the province.

Having had some previous experience in this type of work your witness was given this very interesting assignment and during the summer of 1944 spent three months in the field in company with Mr. H. E. Wells, Manitoba's Inspector of Registered Traplines.

In this field trip every Indian and halfbreed band, as well as representatives of the white trappers, were met and every one of them expressed satisfaction with te plan and the methods by which it was to be introduced. The procedure followed at each point visited was that on arrival at, say, Cross Lake we summoned the Indian council and halfbreed representatives together and gave them an outline of the proposals, explaining the division of the country into community areas and family grounds within each section. We then took out a set of maps and, with their help, plotted out the areas claimed by the community as a whole as well as the location of each family grounds. Before leaving an open assembly of the whole community was held which, after explanatory addresses by the chief and councillors, was thrown open for a general question period.

On arrival at the next community a new set of maps was taken out and the same procedure was followed. In no case were representatives of one community given any idea of what ground was claimed by their neighbours although all were warned that extravagant calims would only result in delaying and disrupting the plan that was being contemplated for their benefit.

On completion of the survey the claims of the various communities were plotted on a master map and, as might be expected, quite a number of overlaps and conflicting calims were found. During the winter of 1944-45 the councils were informed of these overlaps and arrangements were made to have them assembled at three central points for the purpose of adjusting their differences.

In July, 1945, the final settlements were made and the procedure followed in these meetings served to remove any doubts that our natives, within the scope of their experience, are capable of conducting their own affairs. When the representatives of the bands were assembled the purpose of the meeting was

again explained to them and they were told that the problem was their's and their's alone and that they must settle it before any improvement in their living could be effected. They were then left to themselves to adjust their differences with instructions to call upon us when they were agreed. In several cases the arguments lasted till the small hours of the morning and, after reaching agreement, they went home and slept on the bargain. Resuming negotiations in the morning, they reviewed their work and, still finding it good, called upon us to put it on paper for them.

In the meantime, Mr. McDiarmid and Mr. Crerar had met in Winnipeg where they entered into an agreement which extended the administrative authority of the Fur Advisory Committee to take in the new and larger area.

The Fur Advisory Committee, I might explain, is the body charged with the responsibility of that work on the Summerberry Project.

Under this agreement Indians are recognized as citizens of the province and subject to the same restrictions and privileges as other residents. At the same time it was recognized that their welfare remains the responsibility of the federal government so we agreed to aid in financing the development.

The estimated cost was $50,000 annually for ten years and, speaking generally, the cost was divided equally between the two governments. Recognizing the fact that in the first five years payment of licence fees by Indians would place an undue burden on them it was agreed that an additional $8,000 in lieu of some fees would be added to our contribution during that period.

It was anticipated that at the end of ten years the plan would be self-sustaining but to provide for unforeseen contingencies or setbacks the agreement covers a further period of ten years during which we have agreed to finance any possible deficit in the direct ratio our Indian trappers bear to the total number of licensees.

Muskrat rehabilitation projects have been fitted into the over-all picture by a provision in the regulations that projects considered too large to be given to one community can be withheld or withdrawn from allocation and developed for the benefit of the trappers from the surrounding districts who may be considered as eligible to participate.

This plan has just been in effect for one season and, as the progress report has not as yet been received from the Manitoba government, no definite data is available at this time. However, some indication of its probable success is evidenced by the fact that in at least three communities the natives refused to take beaver trapping permits on the ground that, with high prices being realized on their other furs, they were able to get by and preferred to conserve their seed stock of beaver.

This co-operative arrangement with the province of Manitoba can be the blue-print for future arrangements with other provinces. Starting with a money grant to assist Manitoba in carrying out a program of muskrat rehabilitation conceived and planned by that administration it has progressed until within the last couple of years we have reached full co-operation and what might be termed a junior partnership in their fur resources. As a matter of fact in using the term "our projects" throughout this submission it is used in the sense of partnership and it might be a more accurate statement of fact to say that they are in reality provincial developments in which we are allowed, by agreement, to participate.

As previously explained in dealing with muskrat development projects the jurisdiction over the resources remains with the province, our interest is taken care of by a voice on the Fur Advisory Committee, and the trappers themselves, including Indians, are consulted and given the opportunity of expressing their views before the program is inaugurated or before regulations governing their trapping are formulated.

Referring to trappers, except for a small minority of whites who try to secure more than their fair share of the trapping country and a few Indian extremists who insist that their treaty gives them the right to kill game on sight at any place and time, co-operation by the trappers leaves nothing to be desired.

Other provinces than Manitoba are interested in these works as the following brief recital of progress in other provinces will show:—

In the province of British Columbia, while we do not have a comprehensive over-all plan of development we have set up a beaver experimental block which has shown excellent progress and, as Major McKay told you, over half the registered traplines in that province are held by Indians. Although they have security of tenure on their trapping lands the natives have no knowledge of the new fur conservation techniques, so it is planned to have a man sent out there as soon as a suitable man can be located and satisfactory arrangements made with the province.

In the province of Alberta we have already progressed to where 869 individual Indian traplines have been registered. In this province we have had a man permanently employed in studying the problem on the ground and in transplanting beaver from areas where they are plentiful to depleted areas. This work is being done in co-operation with the National Parks administration as well as the provincial authorities. He has also carried on an experimental transplanting of marten from the national parks, the success of which it is yet too early to foresee. Negotiations are also under way with the province to conclude an agreement for the co-operative development of a muskrat area of great promise, That area is the Athabaska Delta.

In the province of Saskatchewan two muskrat areas, still under development but which have reached partial production stage, produced pelts valued at over $50,000, the entire amount of which will be returned to Indians. Also in Saskatchewan is the second widespread application of the registered trapline or conservation area plan. Only recently the Honourable J. L. Phelps, Minister of Natural Resources and Industrial Development, instituted a plan of registered fur conservation areas and at his invitation your witness assisted in drawing up an organization plan similar to that in effect in Manitoba. An agreement also very similar to the Manitoba plan has been drawn up and has reached the final stages of preparation and will be concluded very soon.

In the province of Ontario besides the two beaver preserves described in this report individual Indian lines totalling over three hundred have been acquired and only last week preliminary conversations took place in Toronto with the object of looking into the possibility of developing all of the Patricia district on the same general basis as in Manitoba.

In the province of Quebec we have, as you already know, almost 30,000,000 acres under development and, since all the James Bay watershed north of 49° has been set aside for Indians only, we have five times that area available for development as soon as trained men and funds are available. In addition we are co-operating with the province in their individual registered trapline program, and the Quebec Indians are receiving, as always, the fullest consideration from the provincial administration.

Treaty Rights

In the foregoing several references have been made to treaty rights having been legislated out of existence and it is the purpose of this section to show how this was done and how by active co-operation with the Province, we have within the past few years substituted something better for it. Since the province of Manitoba has been used as an illustration throughout this submission, and since they are now in the forefront as far as fair treatment of Indians is concerned, Treaty No. 5 which is applicable to a large part of that province has been chosen.

In Treaty No. 5 we find the following reference to hunting and trapping by Indians.

> Her Majesty further agrees with her said Indians that they, the said Indians, shall have the right to pursue their avocation 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 would appear from the foregoing that only the dominion government could legislate concerning the Indian hunting and trapping rights and this was true up until the signing of the Natural Resources Agreement of 1930. At that time it would have been quite simple to reserve these rights for the Indians and to have guaranteed them as a matter of right the privileges which they now enjoy only by sufferance and by consent of the provincial government. In the Natural Resources Agreement of 1930 a certain reservation was made on behalf of the Indians and set out in clause 15 thereof:—

> 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.

The CHAIRMAN: What province is that?

The WITNESS: The province of Manitoba. I am using Manitoba as an illustration. Similar terms are used in all three prairie provinces.

You will note that in the treaty the Indian rights are guaranteed only in what we now call "unoccupied Crown lands", and that the rights ceased when land is taken up by the province for the specific purposes of settlement, mining and lumbering or the all inclusive "other purposes".

In the Natural Resources Agreement you will note that the final phrase is "and on any other lands to which the said Indians have a right of access".

In our consideration of the treaty we now have reached the stage where the Indian rights are narrowed down to unoccupied Crown lands to which he has right of access. At this point we have a section of the Manitoba Game Act which sets out (Sec. 71, Chap. 81)

> 71. (1) Notwithstanding the provisions of this Act, and in so far only as is necessary to implement the provisions of "The Manitoba Natural Resources Act", it shall be lawful for any Indian to hunt and take game for food for his own use at all seasons of the year on all unoccupied Crown lands and on any other lands to which the Indian may have the right of access. In case any fur bearing animal is taken by an Indian for food during the closed season the pelt shall be the property of the Crown and shall not be sold or otherwise disposed of by the Indian, and shall be delivered by him on demand to any game guardian.

The same section also provides:

> 71. (4) For the purpose of subsection (1) lands set aside or designated as game preserves, forest reserves, provincial parks, registered trapline districts, or fur rehabilitation blocks shall be deemed occupied Crown lands and not lands to which an Indian has right of access.

In accordance with this, the provincial government, by simply designating any area of the province, or all of it for that matter, a game preserve or registered trapline district can rule that the Indian has no right of access and has therefore no special rights under his treaty.

This is what was meant by the phrase "legislated out of existence". Whether or not this legislation is intra vires the provincial legislature is a matter of conjecture since it has never been tested in the higher courts. Similar provisions are found in almost all provincial game Acts and, since all have gone untried in a court of competent jurisdiction they must be considered as legal and binding on the Indian.

Fortunately something better is being substituted for these privileges through our fur conservation service and it now appears that this very controversial subject may be settled to the satisfaction of all concerned without recourse to the courts.

So much for the legal aspect. Let us examine the Indian side of the case in order to properly understand his viewpoint which has been the subject of so much distortion and misrepresentation.

Please bear in mind that the Indians who signed the treaties were illiterates and were confident that the treaty contained what they were promised verbally at the time it was signed. We have an excellent record of these promises, not from the Indians, but in the form of reports from the commissioners who negotiated the treaties on behalf of the Crown.

To save time quotations from only two such reports will be submitted but the same general terms are used in all treaties with northern Indians.

In their report on the negotiations before the signing of Treaty 8 the commissioners set out:—

> Our chief difficulty was the apprehension that the hunting and fishing privileges were to be curtailed. The provision in the treaty under which ammunition and twine is to be furnished went far in the direction of quieting the fears of the Indians, for they admitted that it would be unreasonable to furnish te means of hunting and fishing if laws were to be enacted which would make hunting and fishing so restricted as to make it impossible to make a livelihood by such pursuits. But over and above the provision we had to solemnly assure them that only such laws as to hunting and fishing as were in the interest of the Indian and were found necessary in order to protect the fish and fur bearing animals would be made, and that they would be as free to hunt and fish after treaty as they would be if they never entered into it.

The commissioners who negotiated the James Bay Treaty No. 9 in Ontario on behalf of the province and dominion jointly have this to report:—

> Missabay, the recognized chief of the band then spoke, expressing the fears of the Indians that. if they signed the treaty, they would be compelled to reside on the reserve to be set aside for them, and would be deprived of the fishing and hunting privileges which they now enjoy.
>
> On being informed that their fears in regard to both these matters were groundless as their present manner of making their livelihood would in no way be interfered with, the Indians talked the matter over among themselves, and then asked to be given to the following day to prepare their reply. This request was at once acceded to and the meeting adjourned. The next morning they signified their readiness to give their reply to the commissioners, and the meeting being again convened the chief spoke, stating that full consideration had been given the request to them to enter into treaty with His Majesty, and they were prepared to sign, as they believed nothing but good was intended.

The intent of the treaty was plain in the minds of the commissioners for, in their concluding remarks, they write:—

> Throughout all the negotiations we carefully guarded against making any promises over and above those written in the treaty which might afterwards cause embarrassment to the Governments concerned. No outside promises were made, and the Indians cannot, and we confidently believe do not, expect any other concessions than those set forth in the documents to which they gave their adherence.

These, then, are the promises made to the Indians, in return for which they surrendered all their other rights, and while these promises may not be capable of substantiation under law they present the strongest possible moral claim on the country as a whole and the administration which ignores this claim is violating the principles of fair treatment of minorities upon which our Canadian federation is founded.

What happens to an Indian under this interpretation of his treaty?

Let us take as an example an Indian who has just signed a treaty with the Crown and returned to his trapping grounds secure in the knowledge that his right to hunt and trap are guaranteed by the King. He carries on for a few years on the grounds on which his forefathers trapped, making room from time to time for a few white men who come into the country. He does not mind that so much for the country is big and there are plenty of furs for all. Gradually he becomes aware that his friend the white man is cleaning out the country and complains to the game warden. Getting no satisfaction there he decides that he might as well get his share. This leads to depletion and diminishing returns so the provincial administration sets up a game preserve or the federal government creates a national park, and he is forced to move on to his already over-crowded neighbours.

Then comes the crowning indignity. A white man arrives armed with a licence conferring upon him—the white man—exclusive trapping rights on the area. Adding further to this injustice the white holder of such licence is quite often gainfully employed as a section foreman for a railroad company or in some such capacity, or is a member of a fishing club who uses the proceeds of fur taken from the club lease to employ a game guardian whose chief occupation, other than poaching the fur he is hired to protect, is to chase away the rightful owner of the trapping ground.

Small wonder the Indian is outside conservation areas the sworn enemy of the game enforcement officer and we are fortunate that he has been unorganized and is by nature law abiding else life for those of us who have had to live in the north would have been unhealthy indeed.

I think you will agree that at this stage the Indian is in a very unfortunate and ambiguous position insofar as his treaty rights are concerned and it is at this stage that our co-operative efforts with the province bring him new hope and a wider, fuller enjoyment of hunting rights than was ever promised in any treaty. You may have noticed that in no treaty was there every any promise either actual or implied that the Indian would be given exclusive trapping rights and it is in this respect that the fur conservation program substitutes something better for his non-existent rights.

Under the registered trapline or conservation area plan he is given the exclusive right to trap on at least part of his former hunting lands and is able to practise conservation by his own traditional methods, secure in the knowledge that the benefits of his efforts along this line will accrue to him and his family. In return for this security of tenure and assistance in restocking his area with beaver he has agreed, voluntarily, to give up his claim to special privileges and to forget all past ill treatment. He asks only equality with his white brother and even agrees to pay licence fees on the same basis as the white man. In this

connection it is suggested that the Dominion might give consideration to permanently providing the money to pay these fees as it hardly seems reasonable to pay an Indian four dollars treaty money only to compel him to pay five dollars for the very rights he was promised by a representative of the Crown when he signed the treaty.

Conclusion

The interest in fur conservation as a means of bringing a fuller life and means of maintenance to the Indians dates back only a few years. Prior to 1930 fur appears to have been considered as one of the natural assets that has always been, and always would be, available to the Indian for the taking.

In this brief period the Indian administration has made a start on the task of general fur conservation and has made progress of which we have no reason to be ashamed. Up to the present, expansion has been curtailed by wartime shortages of men, money and material, but the period has been used to advantage in perfecting techniques in the field and in establishing friendly relations with the provinces as well as re-winning the confidence of the natives.

We have picked the brains and have stolen the ideas of such pioneers as Tom Lamb and Jimmy Watt, and have proven that their basic theories could stand up in the hard light of experience.

Mistakes have been made which have perhaps been more beneficial than our successes since they led to a greater knowledge of our problem and to methods applicable to the widely diversified conditions encountered in such a huge country as ours.

The provinces are recognizing in increasing measure the moral claim of the Indian to participate in the fur crop. The Indian generally is eager to substitute our plan for his non-existent legal rights; so the only remaining requirement is adequate capital to invest in the provincial resource which is the means of subsistence of over half our native population.

Let us, therefore, follow the now well indicated course that leads to the permanent restoration of our basic industry and the providing of occupational opportunity for the most under-privileged cross section of our social order.

Mr. MacNicol: Before the witness retires, Mr. Chairman, may I ask just two questions? I did not hear you read any reference to Tom Lamb having introduced the beaver into Northern Manitoba.

Mr. Conn: I think, Mr. MacNicol, it might be a more accurate statement of fact to say that Tom Lamb reintroduced the beaver into the Summerberry section of Northern Manitoba.

Mr. MacNicol: Yes. You are right.

The Chairman: Now, Mr. Conn, I believe you are stationed in Ottawa?

Mr. Conn: Owing to the illness of Mr. Allan, I am.

The Chairman: How long will you be here?

Mr. Reid: I have a number of questions that I would like to ask.

Mr. Conn: I would be available as long as you gentlemen might need me.

The Chairman: Why I ask that question is that we have to vacate this room within the next couple of minutes. The Banking and Commerce Committee are taking over this Committee Room and it will not be possible this afternoon to proceed with questioning. However, we certainly want Mr. Conn back for the many questions which I am sure have arisen in the minds of the various members of the committee.

Mr. MacNicol: We can do that at the next meeting.

The Chairman: No. I am sorry. We have Mr. Charles Bland, Chairman of the Civil Service Commission, and we hope next Thursday to have Brigadier Martin. The Committee will remember that on June 11 Mr. MacNicol asked

that we invite Brigadier Martin and the subcommittee so recommended in its seventh report which was adopted at our last meeting.

Mr. REID: May I ask why Mr. Bland is coming before the committee?

The CHAIRMAN: He will be here as Chairman of the Civil Service Commission to answer questions concerning the rights, duties, promotions and mode of appointment of members of the Indian Affairs Branch, including Indian agents. I think that is, broadly speaking, the scope of the presentation to be made. He had been requested on several occasions and has consented to come next Tuesday.

Mr. MACNICOL: You did not mention the Sipanok area. On another occasion I would like information on that.

Mr. CONN: The Sipanok is one of the two small areas in Manitoba, to which I have referred.

Mr. REID: Mr. Conn will probably be back during this session?

The CHAIRMAN: We have prepared an agenda until the 1st August. Owing to the terrific pressure being put on members of the House by reason of three sittings a day in the Commons, and the large number of committees now in session, including the important Industrial Relations Committee, which is meeting each day, morning and afternoon, we are finding it increasingly difficult to maintain a quorum. For that reason we have not prepared any agenda beyond the first of August. It may be that we shall have to suspend the meetings of this committee soon after that date.

Mr. REID: That would mean that we would not have a chance of interrogating the present witness?

The CHAIRMAN: It is possible that during this present session of the House we may have this privilege. We shall do the very best we can to get this witness, but we have to quetion Mr. Leslie, Mr. Brown, Mr. MacInnis, and others. I do not think any of them has completed his testimony.

Mr. MACNICOL: I should have thought it would be possible to check up on this in view of your proposed intention to have a meeting here in the fall.

The CHAIRMAN: That, of course, has not been decided upon.

Mr. MACNICOL: It may be that we can check all this in the fall.

Mr. RICHARD: It seems that we spend a lot of time reading briefs. That may be unavoidable, but could they not be given to the members of the committee to read during their leisure time?

The CHAIRMAN: We have discussed that on a number of occasions in this committee. Probably you were not here, but we have discussed that and we have felt that the best way of getting facts firmly imbedded in the minds of the members of this committee is to adhere to the procedure we are now following.

Mr. REID: May I raise this point? We have had an important witness to-day. At the next meeting we will see Mr. Bland, and the testimony is going to be disjointed so far as the records are concerned.

The CHAIRMAN: That is true, but so far we have had no means of overcoming that difficulty. The time alloted to this very important work is extremely limited, and with the terrific pressure that is now being put on members of the House we do not feel that we can go much beyond the first of August in the present session. It may be that we will, but the subcommittee has not contemplated an agenda beyond that date. Are there any further questions? If not, we stand adjourned until Tuesday next at 2.00 p.m.

—The committee adjourned to meet on Tuesday, July 30, next at 2 o'clock p.m.

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 17

TUESDAY, JULY 30, 1946

WITNESS:

Mr. Charles H. Bland, C.M.G., Chairman, Civil Service Commission of Canada, Ottawa.

OTTAWA
EDMOND CLOUTIER. C.M.G., B.A., L.Ph..
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY
1946

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,
Tuesday, 30th July, 1946.

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 2 o'clock p.m. The Honourable Senator J. F. Johnston, Joint Chairman, presided.

Present

The Senate: The Honourable Senators Fallis, Ferland, Johnston, Macdonald (*Cardigan*), MacLennan, Nicol and Taylor.—7.

The House of Commons: The Honourable Mr. Stirling and Messrs. Bryce, Case, Castleden, Charlton, Gibson (*Comox-Alberni*), Harkness, MacNicol, Raymond (*Wright*), Reid, Richard (*Gloucester*), and Stanfield.—12.

In attendance: (Civil Service Commission): Mr. C. H. Bland, C.M.G., Chairman; (Department of Mines and Resources): Messrs. R. A. Hoey, Director, Indian Affairs Branch, Eric Acland, Executive Assistant to Director; M. McCrimmon, L. L. Brown and A. G. Leslie, of Reserves and Trusts Service; H. M. Jones, M. E. Armstrong and F. Kehoe; and Hugh Conn, General Supervisor, Fur Developments, Indian Affairs Branch;

Also, Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

The Chairman announced the unavoidable absence of Mr. D. F. Brown, M.P., Joint Chairman.

It was agreed to postpone until the next meeting the further consideration of the eighth report of the subcommittee on agenda and procedure. (For text of that report, see page 677 of Minutes of Evidence).

The Chairman read into the record a resolution on Indian Affairs presented, discussed and carried at the last annual meeting of the Canadian Federation of Agriculture, held in London, Ontario, January 22nd and 23rd, 1946.

Mr. Charles H. Bland, C.M.G., Chairman, Civil Service Commission of Canada, was called and was questioned with regard to civil service matters affecting Indian Affairs Branch.

On motion of Mr. Case, it was

Resolved: That the subcommittee on agenda and procedure consider the advisability of calling before the Committee, as soon as possible, Mr. W. C. Ronson, Assistant Deputy Minister, Department of Finance, in order that he may be questioned by the Committee with regard to matters concerning Indian Affairs and certain rulings of the Treasury Board pertaining thereto and concerning which evidence has already been placed on our record.

The Chairman announced that owing to court engagements, it will not be possible for Brigadier General O. M. Martin to appear before the Committee on August 1st next, but that he will be prepared to come at a later date, which will be announced. Messrs. Conn and Brown, of Indian Affairs Branch, will be recalled for questioning on Thursday, August 1st next.

The Committee adjourned at 3.30 p.m., to meet again at 2.00 o'clock p.m., on Thursday, August 1st next.

T. L. McEVOY,
Clerk of the Joint Committee.

69489—1½

MINUTES OF EVIDENCE

HOUSE OF COMMONS,

30th July, 1946.

The subcommittee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 2.00 o'clock p.m. The Honourable Senator J. F. Johnston (Joint Chairman) presided.

The CHAIRMAN: Mrs. Fallis and gentlemen, will you come to order, please? Mr. Brown is unavoidably absent but has sent a note stating that he will be in Ottawa to-morrow. I have in my possession a communication from the Canadian Federation of Agriculture. The letter, which was addressed to myself, reads as follows: "A resolution on Indian affairs was presented, discussed and carried at the meeting of the Canadian Federation of Agriculture held at London, Ontario, January 22nd and 23rd, 1946. A copy of this resolution is enclosed for the consideration of your committee." There are a number of points in the resolution and as they are brief I might as well read it: "Whereas Indians are the wards of the crown. Whereas there is considerable evidence of unsympathetic treatment of Indians, particularly with reference to the following points:

(1) Failure to provide for old age pensions, or equivalent protection.

(2) Unsuitable educational facilities, indicating need of a general overhauling, with particular reference to improved vocational training, and the need of aggressive leadership courses.

(3) Failure to give an account of Federal stewardship with reference to royalties collected from timber, gravel, etc., sold from Indian reserves.

(4) A study of various provincial game laws, with a view towards revision being requested from any provinces where such laws may be working a hardship on Indians living on reserves.

(5) Lack of adequate provision for unemployment relief, or preferably a work program.

Therefore be it resolved that we interview the Department of Indian Affairs, and any other responsible authorities with a view towards having such conditions improved.

At our last meeting we did not conclude the consideration of the report of the subcommittee but as we have Mr. Bland here now, and, as I understand a number of the members of this committee wish to be free at 3.30 to-day to attend another committee, I would suggest that it might be advisable to let further discussion of the eighth report from the subcommittee stand over until Thursday of this week. Does that meet with your approval?

Some Hon. MEMBERS: Agreed.

Mr. MACNICOL: I suggest that the communication received from the Federation of Agriculture be filed. It covers to a large extent the same matter that was submitted by others, and it will all be considered.

Mr. CASE: Mr. Chairman, who is the communication from? I am sorry, I was out of the room.

The CHAIRMAN: From the President and Managing Director of the Federation of Agriculture. It will be on the record. I read the resolution.

Mr. BRYCE: Who is it that cannot be here until to-morrow morning?

The CHAIRMAN: Mr. Brown. As it is the wish of the committee to allow this matter of the further consideration of the report of the subcommittee to stand until next Thursday, we will now proceed to hear Mr. Bland.

Mr. CASTLEDEN: Do I understand that the letter which you have received has been acknowledge?

The CHAIRMAN: Yes. I have it on the record.

Mr. CASTLEDEN: Yes, but are you going to acknowledge it?

The CHAIRMAN: It has been acknowledge.

Mr. CHAIRMAN: It has been acknowledged. I might say that a communication has been received from Brigadier Martin who was supposed to be here Thursday of this week wherein he states that it is not possible for him to be here at that time, but he has indicated that he could come next week or later.

Mr. MACNICOL: If he cannot be here he will have to wait until he is able to come.

The CHAIRMAN: He can come on the 6th of August, Tuesday next. Shall we ask Brigadier Martin to be here next Tuesday?

Mr. MACNICOL: Yes.

The CHAIRMAN: That is carried.

Mr. Bland, we are pleased that you are here. I have a list of questions that I would like to put to you and I think in order to save time I will hand this list of questions to you. You can give the number of the question and the answer to it and it will go on the record in proper form. Avoiding duplication of reading will save time.

By the Chairman:

Q. Mr. Bland, you are Chairman of the Civil Service Commission?—A. Yes, Mr. Chairman.

Q. Have you held other positions in the Civil Service?—A. Yes. I joined the staff of the Commission in 1909 and became Chief Examiner in 1921. I was appointed Commissioner in 1933 and Chairman in 1935.

By Mr. Case:

Q. Have your colleagues on the Board experience as well?—A. They both have been in the service for a long time.

Q. Who is on the Civil Service Commission?—A. Mr. Arthur Thivierge; and Mr. Stanley Nelson the latter of whom was formerly Chief Examiner.

Q. You are the Chairman of the Civil Service Commission?—A. Yes.

By Mr. Bryce:

Q. Have you the final decisions in civil service appointments?—A. Yes. It is the duty of the Civil Service Commission to make all appointments which come under the jurisdiction of the Civil Service Act. That includes the appointments of Indian inspectors, Indian agents, and clerical appointments as well.

Q. Do you have to do with the appointment of school teachers?—A. We do not appoint farm instructors, nurses, or school teachers.

Q. That would deprive these men of being eligible for the position of Indian agent?—A. That is true. One of the recommendations or submissions that I was going to make later to the committee—I think I might make it now—is that it would be in the interests of the Indian service if the farming instructors were to come under the Act and be eligible for promotion.

Mr. MACNICOL: Let us get the matter in order. Does Mr. Bland wish to make a submission?

The WITNESS: No. I have no brief. I understood I was to come here to answer questions put by the committee.

Mr. HARKNESS: Mr. Chairman, I would propose that we proceed with the list of questions that you have.

Mr. MACNICOL: Who made up the list of questions?

The CHAIRMAN: Mr. Brown, the secretary and myself. My first question, Mr. Bland, has to do with the chart that was submitted by the Indian Affairs Branch. I believe Mr. Hoey put it on the record. You will find it on page 7 of our minutes. A question in connection with the chart: was it drafted by the Organization Branch of the Civil Service Commission?—A. I do not think so, Mr. Chairman. It does not seem to be the same as our chart. I may say that I brought along a number of copies of the official chart of the Department as I thought it might be of assistance. The chart on page 7 does not appear to be from our Commission, but I suppose it was made up departmentally . It probably will not be very different.

The CHAIRMAN: I will just hand you this list of questions, Mr. Bland, and you may take them in their order.

Mr. CASE: Will it be possible to put this chart on the record?

Mr. MACNICOL: Turn to pages 6 and 7 of our number one report.

The WITNESS: I will be glad to supply enough copies so that each member of the committee may have one.

Mr. CASE: I suggest, Mr. Chairman, that we accept the offer of Mr. Bland to supply each member of the committee with a copy because the chart looks too large to go on the record. I feel we should each have a copy.

Mr. MACNICOL: The proper place to put any chart conveying this information is in our Report No. 17, if the Printing Bureau can easily do so.

By the Witness:

Question 2, "Does this chart represent what your organization branch considers the ideal set-up for the Indian Affairs Branch?"—A. I believe this chart which you now have in your evidence at page 7 is the old official chart of the Indian Affairs Department, and it would not represent what the Civil Service Commission considers to be an adequate organization for present needs. Basically it is probably fairly satisfactory but we are of the opinion—and we have discussed this matter with Mr. Hoey—that administratively both in headquarters and in the field a number of additional positions are necessary if the work is to be satisfactorily done. Members of the committee will note in the chart that I have had passed around that there are several additional positions provided. In addition to this we are of the opinion and have recommended to the Department that a position of Assistant Director to assist Mr. Hoey should be set-up, and that a further position of General Executive Assistant be provided. We feel that the magnitude and the importance of the work is such that there should be more administrative assistance than is presently provided. Consequently we have suggested a number of amendments to the old chart.

By Mr. Case:

Q. When was this matter first brought to your attention, Mr. Bland?—A. This question of general improvement?

Q. Yes.—A. It has been the subject of constant attention because under our Act it is required that we keep in touch with such matters and offer amendments to the organization when required. If I may give a little background here it may help the committee to appreciate the situation more readily. In 1935 the Indian Affairs Department—it was a department then, not a branch—was re-organized, not by the Civil Service Commission but under the jurisdiction of an Act of Parliament. It became part of the Department of Mines and Resources and a new organization was set up by the department itself. It

went along like this for several years but after a few years had passed it became obvious that certain changes were desirable. Our first report was in 1939 but only partial action was taken on it at that time because of the outbreak of war. As members of the committee know, during the war period, re-classifications in general were not permitted owing to Treasury Board regulations. Therefore, from the period of 1940 to 1946 the Department was more or less allowed to stand still as far as changes in organization were concerned. Recently, however, at the request of the department we have made a number of recommendations for increases in staff and changes in personnel. These recommendations have gone to the department for approval and I believe they will be approved and in the near future, in my opinion, Mr. Hoey will be provided with much needed help.

Mr. CASE: Mr. McKay made certain recommendations to this committee and it seems to me that they were in line with what you have said.

The WITNESS: I have read the discussions and I believe we are in agreement with the need for the suggestions put forth by Major McKay.

By Mr. Reid:

Q. Mr. Bland, who makes the recommendations for these various officials? What I have in mind is this: I notice "one petroleum engineer". Would that be suggested by the Indian Affairs Branch?—A. In all probability, Mr. Reid, that would be a suggestion made by the Indian Affairs director. It would be concurred in by the Commission.

Q. And the same for "Administrator of Indian Schools"?—A. Probably all of those would be recommended by Mr. Hoey. We work together on that; that is, our man works in consultation with Mr. Hoey. In most cases the recommendations would come from the department. In certain cases, however, we may be able to suggest recommendations and as a result of these conferences a good result is obtained.

Q. I would suggest, Mr. Bland, that it might be helpful with regard to the advertisements for these various positions if we could see just how the positions in this chart are filled and what qualifications are required. For instance, I would like to know what qualifications the administrator of Indian schools is required to have?—A. I would be very glad to file with the committee the qualifications for these posts.

By Mr. MacNicol:

Q. Is the same procedure followed in the matter of salaries?—A. In most cases the recommendations come from the departmental officers. They may, in some cases, come from our officers. However, they will be as a result of conferences between the two.

By Mr. Reid:

Q. I have in mind another question, one with regard to school teachers. Say you are asking for a school teacher for British Columbia. I am wondering if the same grade of education is required in all nine provinces or is each province considered separately? Is there a different examination set in British Columbia to that set in the other provinces?—A. Yes, there would be, Mr. Reid, because the conditions are different.

Q. Who sets the conditions? What guide have you?—A. It would be based on the original recommendations of Major McKay as to the requirements for the job. They would then be considered by Mr. Hoey in his department and passed for approval by the Commission. We have a great deal of confidence in Mr. Hoey and I can say that in most cases we would agree to his recommendations.

Mr. MacNicol: I do not think we will get much out of this questioning unless we deal with it in a systematic and regular way. We started with a chart and now we are dealing with other branches. When a number of the other witnesses were before the committee certain points stood out very prominently. One was the question of Indian agents. I suggest that we spend some time on that subject. Another topic was the question of schools. I suggest that we take that up too. Another point had to do with Indians in the service. I have suggested three subjects. Let us take one at a time and finish it before we go on to the next.

By Mr. Bryce:

Q. Mr. Bland, under the present regulations when an Indian agent is retiring it is six months before you appoint another one. Do you not think that is ridiculous?—A. The Commission agrees entirely with what I believe is the feeling of this committee, that there should be no break in service of Indian agents. In other words, when a man leaves, another man should be trained and ready to take the job so that there would be no break. There are some difficulties, however, of which I would like to speak later. They are not insuperable difficulties.

Q. When you advertise for an Indian agent is it for local applicants or is the position open for Dominion-wide competition?—A. It is usually open only to persons living in the vicinity of the Indian agency.

Q. Do you not think it should be open to Dominion-wide competition? —A. The wider you set your field the more likelihood there will be of getting the best man. On the other hand, if you throw your field open to the Dominion for example, instead of a locality only, there would be two points that the committee would wish to consider. In all likelihood you would get a man who did not know the requirements at all. For example, you might send a man to British Columbia from Nova Scotia. In the second place, the returned soldiers preference would override completely local residents for the jobs. I do not see that one way is better than the other.

Q. Would you please continue and explain the first question?—A. Which one was that?

Mr. MacNicol: May I suggest, Mr. Bryce, that you start with the subject of agencies becoming vacant?

Mr. Bryce: That is what I am asking.

By Mr. MacNicol:

Q. What is done when an agency is about to become vacant?—A. When an Indian agent is retiring or leaving the service and his job is to be filled, the first step obviously is that the department should ask the Civil Service Commission to make an appointment. That may sound unnecessary but it is necessary to be said for the reason that in some cases, as Mr. Hoey knows, there are delays in the department due to the fact that the department cannot make up its mind what to do. I notice that the evidence refers to an inspector of schools for British Columbia. That position became vacant in 1942 and we were only asked to make an appointment in 1946, four years afterwards.

By Mr. Richard:

Q. Why?—A. I do not know. I am only pointing out that it is necessary first for the department to ask for an appointment; then the Commission advertises locally and holds a board to examine the candidates and the appointment is made. One of the difficulties in making a prompt appointment of an Indian agent or an inspector is the fact that the person formerly occupying the post is given six months' retirement leave. While he is on this leave he is still on the payroll and no other man can get the same money for the same job. That is the way it is all through the Civil Service.

Q. Who is doing the work during this period?—A. The department usually appoints someone to act in his stead. I agree with the committee that that is not good business and we have recommended to the Treasury Board that in such cases in order to speed up the procedure, the man that is retiring should be given a lump sum rather than be kept on the payroll for six months.

The CHAIRMAN: I think we have the picture on Indian agents clearly now.

By Mr. MacNicol:

Q. When a person is going to retire you give them six months' leave of absence. Is someone not appointed to take his place during that time?—A. Usually some other member of the department is appointed in an acting capacity.

Q. One thing we are going to insist on is that they be filled promptly.—A. I am in agreement with that.

By Mr. Bryce:

Q. Is it the Treasury Board that is opposed to it?—A. Yes. I would like to finish my statement if I may. I think there are three difficulties in this matter and I want to be quite frank about them. One of the difficulties lies with the Civil Service Commission itself. We take too long a time on these things. However, after a great many years of working in confined quarters we are going to move to a building where we will have our staff in one place instead of having them in six different buildings. We feel confident that once we are settled there we will be able to speed up our end considerably. Another delay is caused by the department itself. In Mr. Hoey's case, his recommendations for positions have to pass through the head office of his department, the Department of Mines and Resources, and there are many occasions when action is not prompt there. In certain instances with regard to appointments to be made we do not get the requisitions for a long time and we obviously cannot act until then. The third difficulty has to do with the question of this retirement leave of six months. In this connection we would be very glad if this committee felt it could recommend in the public interest in such cases as this a lump sum be granted instead of having a period of leave during which time the retiring man is kept on the payroll. This would mean that immediate action could be taken to promote a man from the service or to find a man from outside and place him permanently and securely in that position.

By Hon. Mr. Stirling:

Q. In the meantime the Treasury Board has said no?—A. That is quite true. I might add that in many instances a good man who is not in the service will not accept a temporary post. A man will only leave what he is doing if he is offered some security. If it is purely on a temporary basis we cannot give him any security.

By Mr. Bryce:

Q. Is it a fact that you have many men temporarily employed who have been in the service for years?—A. It is.

By Hon. Mr. MacLennan:

Q. Would there be anything in this: that you could appoint or promote a man to a permanent position and that he might not hold it?—A. The probationary clause applies to both appointments and promotions. If Mr. Hoey promotes a man, that person is on probation. He is there to prove that he is good enough for the position.

By Hon. Mr. Stirling:

Q. Would that probationary officer pass through your hands?—A. Yes.

By Mr. MacNicol:

Q. Getting back to the question of Indian agents. How are we going to have them appointed promptly?—A. There would be little difficulty if we could correct three things. One of them is the six months change—the retirement leave. The second is that the department does not allow us enough time to pick one if it does not put in a requisition soon enough. You cannot pick an Indian agent overnight.

Mr. MacNicol: How many Indian agents have you?

Mr. Hoey: One hundred.

Mr. MacNicol: I would consider that in a field of that size there should be nine or ten men ready to move anywhere at any time.

The Witness: That is probably true. If Mr. Hoey could advise us at a fairly early date that he is going to need a change, I do not think there should be any difficulty. If Mr. Hoey were to tell us, for example, that an agency in British Columbia was to become vacant on September 15, we would immediately notify applicants in British Columbia and hold examinations there, the examining board having Major McKay as a member. A selection would be made on the spot and there is no reason why he could not step into the job on the 15th of September.

By Mr. MacNicol:

Q. Would not the Blackfoots, the Bloods and the Six Nations Indians have more than one assistant to the Indian agent?—A. Yes.

Q. Could these assistants not be qualified?—A. I might say that that is one of the reasons that I would suggest that the Indian farming instructor should be included under the Civil Service Act, because in many cases he is the logical man.

Mr. Case: It would seem to me, Mr. Chairman, that the Indian agent requires some specialized training and I am wondering why the department would not give consideration to a training school for prospective Indian agents. It might be for a period of only thirty days, but it does seem to me that he should be specialized in his work. Where does he get his sense of direction? How can you tell whom you might call an Indian agent in the making? He must have some place to go in order to get his instructions.

The Witness: That was one reason, Mr. Chairman, why it appeared to me that if an Indian agent could be chosen and placed on the job before his predecessor left it would be a more satisfactory arrangement. It is the obvious place for him to receive instruction.

Mr. Case: Yes. I agree with that. It is logical.

By Mr. Reid:

Q. Would it be advisable to give a man who is retiring all his money at once? In my opinion there is a great deal of merit in holding a man for six months. I know of one case in British Columbia where a man was on six months' retirement. He was around to give advice but he had no control or authority. The new man had all the authority.

A. Yes, but it might be better still if the new man came in before the old one left the payroll. You would get a double benefit from this.

Mr. Case: I am wondering whether the department should have a system whereby certain transfers would be made of Indian agents from one location to

another. In that way they would benefit by the training and they might bring new ideas to the places they are posted to, and it would remove the "familiarity breeds contempt" idea.

By Mr. Bryce:

Q. There is a question that I would like to ask with regard to this. Must the approval of the Civil Service Commission be given to the department before they can transfer an Indian agent from one agency to another, and does that refer to the Indian agency clerk as well?—A. Yes. Generally speaking, Mr. Bryce, the approval of the Commission must be given but in most cases—I think Mr. Hoey will agree with me—there is no objection raised. In certain instances where it is proposed to move a man from one province to another province, an investigation has to be made to find out whether or not there is not someone there who can fill the job satisfactorily. If I may answer the further question raised by Mr. Case, I was going to say that the question of transfer and promotion is, I consider, an important feature of the Indian agency administration and there has been a provision made for both transfer and promotion. Inspectors are the higher officials and may be promoted from the ranks of Indian agents. Similarly, inspectors frequently or sometimes move to headquarters while agents occasionally move to headquarters. I quite agree that there is a good deal of merit in the idea that there should be movement among agents and inspectors, and I was going to suggest that it might go further than that. I believe that there is a certain amount of merit in having movement between headquarters and the field. That is, I think it would be very helpful if some of the headquarters' officers have seen service in the field. They get a broader point of view and a wider field of experience.

By Mr. Reid:

Q. Where does the efficiency of the system come if the department is going to move an Indian agent from one district to another? How does the Commission know in what manner this agent had been conducting himself? You might know his qualification on being taken into the service, but what information have you as to how he has been actually serving?—A. Our control of that, Mr. Reid, is confined to the question of movement from one province to another; not one locality to another.

By Mr. Richard:

Q. Do you not find it preferable to avoid that as much as possible?—A. There are certain difficulties that you have to watch out for.

Q. You must look at it from another angle. If the Indian agent is going to get the co-operation of the general public he will get it better if he works in his own province than if he is a stranger in another.

Mr. MacNicol: I feel that should be tabooed altogether—the practice of moving a man from one province to another.

By Mr. Richard:

It is my opinion that if the Indian agent remains in his own province he will get better treatment from the provincial authorities.

The Witness: I would say that there is an advantage in a transfer in some cases. For instance, in the prairie provinces the conditions are somewhat similar. We have found it desirable in the past to look rather carefully on transfers from the prairies to British Columbia because conditions are different, but where conditions are similar between the provinces we do not try to use much control. We take the department's decision on the matter. I might add that

there are certain standards of education for the agents, although generally speaking I do not consider that education is the primary consideration for an Indian agent.

Mr. CASE: The members of this committee listened to an Indian chief who explained that he himself had been a school teacher and that his Indian agent had only had book three education. The chief said, "Yet I have to go to him for advice when I think I could advise him".

The WITNESS: There is something in that but I am of the opinion that a man with education alone will not necessarily make a good agent. He is required to have some other qualifications in addition. He has to have some business capacity, and leadership ability and the right type of personality to handle an Indian agency.

Mr. REID: Winston Churchill himself said that he could not pass a Civil Service examination.

By Mr. Bryce:

Q. Mr. Bland talked about promotional competition. I would like you to tell this committee how you select an Indian agent. Is it by open competition?—A. This is not in the promotional field. We had an agency in British Columbia that became vacant. We invited applicants from the residents of the locality, that is, the surrounding district. The advertisement indicated that preference would be given to veterans. When the applications were received our local representative in British Columbia, together with Major McKay called in a representative of the Canadian Legion to sit as a watching member on the committee. They went to where the applicants lived, picked out those who seemed the most suitable from their statements of experience, and examined them orally and personally and then reported that, in their opinion, this man was first, this man was second, this man was third; and they sent their report to the Commission. I think that the present feeling of the Department of Mines and Resources is that before final action is taken they wish to see the committee's reports. As far as the Civil Service Commission is concerned, we are quite prepared, in order to expedite matters, to leave it in the hands of our local representative who has actually seen the man. That is the way in which the Indian agent is selected as a result of open examination. An agent, however, is an important position and the desire of the department is that they want to see what the grounds are before the man finally gets the job.

By Mr. MacNicol:

Q. You advertise and get all sorts of applications?—A. Yes.

Q. What chance has a man, working as an assistant to an Indian agent on any reservation, to apply?—A. Perhaps I should have explained that first because it is a perfectly proper point. If the position can be filled by someone already on the staff, that is the first step; what I have described is the second stage.

Q. I think that is very important.—A. Yes. If it is at all possible the man on the staff gets the promotion. If the department feels they have a good enough man to promote they tell us so and we ask for a report concerning him. There are three factors which are taken into consideration: first, length of service; second, the kind of work the assistant has been doing for the department; third, the department's opinion, Mr. Hoey's opinion, of the man's capacity to do the job.

Q. Do you not think that the department itself should set up some plan whereby it would be prepared to submit the names of a number of men to the Commission at any time?—A. I think that is pretty generally the position now. The commissioner in British Columbia, for example, would have in his mind and

also on his records a pretty clear indication of how the possibilities are in that province. There is one point I would like to reiterate here. In many cases the obvious choice for the agency is the Indian farming instructor on the reservation. As I said, however, he is not under the Civil Service Act and consequently if he applies he has to be treated as an outsider, and I do not consider that that is good business. My suggestion to the committee would be that they should be given the same rights as the Indian agent and inspector, and have the same opportunities of promotion.

Q. We have discussed this before and the feeling is that the farmer instructor is a very important individual and is worthy of promotion. His contact all over the reservation should make him an ideal man for the position of Indian agent if he is otherwise qualified.—A. I do not think that in every case he is qualified because we do not at present get the best men for that job. We do not pay them enough. I would be in favour of raising their salaries, recruiting them by competition and giving them full rights of promotion.

The Hon. Mrs. Fallis:

Q. Mr. Chairman, I would like to ask Mr. Bland a question about the educational requirements. I think you stated at the beginning, Mr. Bland, that they vary according to the needs of the provinces. Is there not some minimum standard that would apply?

A. Yes, there is. I do not think that it is good business to have a situation such as Mr. Case described, that is, where the Indian agent had less education than that of his charges. However, we do not like to be too difficult about educational standards because of the fact, Senator, that occasionally you get a very good applicant who, by practical experience, has acquired the qualifications to make him a good Indian agent. Frankly, we generally feel that we would sooner get a man with competent business sense and good personality rather than a person with high educational qualifications who did not have the other qualifications. I agree with you, however, that there should be a minimum standard of educational requirements. I would not say there is no minimum at the present time.

Q. If what Mr. Case said is an example, it must be a pretty low standard.—A. As Mr. Hoey suggests, it may be a part time agency that he referred to.

By Mr. Richard:

Q. How would you determine whether or not the agent was educated? Would you determine it by the grade he left school? He may have been educated after he left school.—A. I would not limit it to his early schooling.

By Mr. MacNicol:

Q. Are there any Indian agent vacancies at present?—A. Yes.

Q. How many?—A. Mr. Hoey could tell you that more accurately than I could. I know of two in British Columbia and of a vacancy for an inspector in British Columbia, and an inspector in the province of Quebec. Do you know of any other, Mr. Hoey?

Mr. HOEY: An inspector in Alberta.

By Mr. MacNicol:

Q. What is the minimum or average term of vacancy?

Mr. HOEY: The vacancies in British Columbia were created quite recently, a couple of them since Major McKay gave evidence before this committee.

Mr. MACNICOL: Is some effort being made to fill them at present?

The WITNESS: Yes. Action is being taken to fill them all. There has been no action taken to fill the vacancy of inspector for Quebec because we have not yet been asked by the department to fill it.

By Mr. MacNicol:

Q. With regard to salaries, what do they start at on the Blackfoot Reservation, for instance?—A. I do not suppose you are interested in the part time people. Their salaries vary. For full time employees the lowest rate of pay is $1,380.00 plus house, light and fuel expenses, and allowances. That is the lowest. They run from there to $2,580.00 with full allowances. That would be a Grade V agency.

Mr. HOEY: That would be in British Columbia.

Mr. MACNICOL: Coming down to Ontario what would the top position be with, say, the Six Nations?

Mr. HOEY: It is a superintendency. It is higher than Grade V. It should be $3,000 a year. I would say a majority of agents in Ontario are Grade V's, but Tyendenaga is Grade IV.

Mr. HARKNESS: What would it be for the Blackfoots or the Bloods?

Mr. HOEY: Grade V.

The WITNESS: What would they run in allowances—$1,000?

Mr. HOEY: It consists of a free house and fuel and light. Under the old system they had a free house, fuel, light and rations.

Mr. MACNICOL: Would not the agents on the Blood, Blackfoot and Six Nations reservations have to have cars?

Mr. HOEY: Yes. They use department cars.

Mr. REID: Are they graded according to the numbers on the reservation or the extent of it?

The WITNESS: I would like to say that the Grade V position actually runs to about $4,000 a year. I think the committee feels that these are pretty low salaries. Now that the war is over, if Mr. Hoey is agreeable, we are going to continue a survey of the salary rates and gradings throughout the various agencies in Canada. In answer to Mr. Reid, I do not believe they are graded solely on one factor. I would say they are graded, as far as the department and ourselves can grade them, on the degree of responsibility; that is, the difficulty of administering each.

Mr. RICHARD: What is Lorette?

Mr. HOEY: It is a part time agency. I understand the agent there gets three or four thousand dollars a year, but he is somewhat of a philanthropist and turns it back into war savings certificates. In Nova Scotia I think they are Grade IV.

The CHAIRMAN: May we proceed now. We have been a long time on this.

Mr. MACNICOL: I know, Senator, but the agency, in my opinion, is of first importance and we should take some time to consider it. I feel that the standard of the agent has to be lifted and I am sure that others will agree with me; that is, in relation to his qualifications in a business capacity and everything else. In time I presume that in Northern Manitoba from The Pas east both the Government of Manitoba and this government, with the help of the Indians, will produce a very large quantity of food. In this regard I would ask whether the Indian agents will have any connection with the supervision by members of the Department of Mines and Resources from here or, say, by a department in Manitoba, in seeing to it that the Indians of that entire area get a square deal. Would they have something to do with that?

The WITNESS: I would think so.

Mr. MACNICOL: I feel that is important and that the Indian agent should be a qualified man. Therefore in order to get a man of that capacity there is no reason why his salary should not be increased.

Mr. HARKNESS: What is the rate of remuneration of assistant agents? I ask that question because I am wondering whether or not it would be attractive enough to induce the man to accept the position.

The WITNESS: As a matter of fact, in many instances the assistant agent is rather conspicuous by his absence. His work in performed, quite often, by clerical assistants, and, in some cases by the Indian farming inspector. I do not believe there are many assistants. That might be a very good point.

Mr. LICKERS: Is there not one at Brantford?

The WITNESS: Yes.

Mr. LICKERS: The reason I ask that question is because the assistant there is a chief clerk who at one time was an Indian agent in Northern Ontario. Was he demoted or what? Why was he brought to Barntford?

Mr. HOEY: The clerk at Brantford was a clerk at the Port Arthur agency and was transferred. He is classified by the Civil Service Commission as Clerk, Grade IV. That is his actual classification. Whether or not he acts as assistant superintendent, that is his classification on our records.

By Mr. Harkness:

Q. In connection with that point, is not the best way to have a man become an Indian agent to appoint assistants?—A. If we had capable assistants a good deal of our trouble in the selection of agents would be dispensed with.

By Mr. MacNicol:

Q. Reservations like that of the Six Nations or the Blackfoot would be big enough to have assistants. Has there ever been any attempt to train one of the brighter Indians for one of these positions?—A. Well, I can remember that question having been discussed on several occasions. I can recall it being discussed by Dr. Duncan Campbell Scott when he was Deputy Superintendent General several years ago, and I can remember it being considered on several occasions in the more recent history of the department. I might say that it has never borne much fruit. There may be the odd case in which it has actually happened, but I do not think the discussion has ever resulted in many actual appointments being made of well qualified Indians for posts of that nature.

Mr. RICHARD: That is one question which was asked here during several sessions that we have had. We have talked about educating the Indians and having them assume our standard of living and all that. I believe we were told previously that is was possible, and yet you do not consider that objective can be reached. I do not know why it cannot be. From all we have been told of the character of the Indian and his capacity to learn things, I do not know why we could not develop some members of the Indian tribes to assume their own responsibilities. They would have much better authority over themselves than we have had. That is one phase which I think we should develop.

Mr. MACNICOL: I agree with Mr. Richard.

Mr. RICHARD: I realize that they belong to different tribes and have different mentalities, that some are brighter than others, but it seems to me that we have sufficient knowledge of the Indians to educate them. We have teachers from among them to-day. We have doctors and lawyers from among them. We have one here to-day who is in the legal profession and I consider that he could hold his own with anybody of the Ontario bar. You cannot tell me that we can not teach certain Indians to assume the responsibilities of the agencies among these different tribes.

The WITNESS: I was going to corroborate what you say by this comment: I do not think anyone can feel that there are not Indians who can do this work entirely satisfactorily, because in the Civil Service I know of certain Indians who are giving excellent service while performing some of the most difficult tasks.

Mr. RICHARD: After all, one of the things we boast of is our love of democracy. If we believe in it, it should apply to everyone.

The CHAIRMAN: Have you had many applications, Mr. Bland, from the Indians themselves for the positions of Indian agent or farming instructor?

The WITNESS: Very few.

Mr. RICHARD: There are Indians in the medical and legal professions. Some to-day are ministers and clergymen. Why can we not get Indian agents from their rank and file?

The CHAIRMAN: What would be the attitude of the department with regard to the application of an Indian?

The WITNESS: It would be considered exactly on the same basis as any other application.

Mr. CASE: Of course, Mr. Chairman, if we are going to express opinions, I think there are many places in which the Indians could be placed. But if you put them in as Indian agents are you asking them to administer an Act for which we are responsible? When I look at this chart I notice that there are many places they could fit in, but I question whether the Indians would show more respect for them than they would to others acting as Indian agents.

Mr. RICHARD: But, after all, we want to uplift the Indian standard somehow, and the best way to do it is to try and place some of the Indians themselves in positions of responsibility.

Mr. MACNICOL: We are having Brigadier Martin come here in another sitting. He is a magistrate in a County Court and would not hold that position unless he were fully qualified. When he comes here I am going to look him over carefully. He might be a man who could go into the department as an assistant director or something. He is a full-blooded Indian, and the time has come when we have to give them more prominent positions.

Mr. RICHARD: The Indians have a far better idea of good citizenship than a good many of our people.

The WITNESS: Question 3, "At the time this chart was drafted, was there also set up a chart showing the personnel distribution of Indian affairs, (*a*) at Ottawa, (*b*) in the field?"

A. Well, the chart which I have filed to-day indicates the personnel distribution in Ottawa. The one for the field can be prepared and I would be glad to prepare one for the committee.

Question 4, "Could you file a copy of that personnel chart?"

A. I will do that.

Question 5, "Was that distribution based on departmental requests?"

A. I should say, largely, yes. That is, in the great majority of cases, requests for changes in organization emanated from the department, and, in all cases decisions were arrived at after discussions between the commission and the department.

Question 6, "What is the most recent date your investigation branch made a report to your board with regard to personnel requirements at Indian Affairs?"

A. I believe it was in March, 1946, and we are just awaiting the permission of Treasury Board with reference to salaries, before we submit the report for approval, and, as I said a moment ago, we also intend to conduct a survey of the agencies in the near future.

Question 7, "And previous to that date, how frequent were similar reports?"

A. During the war years, reports were more noticeable by their absence than by their presence. Restrictive provisions made reports of this nature impossible.

Question 8, "And the investigator, is he a person who has made a particular study of the peculiar needs of Indian affairs with regard to personnel?"

A. In answer to that question I should say that we have had several investigators on this work. The first investigator made a broad study of Indian agencies. He travelled from coast to coast, talking to Indian agents and inspectors and acquired a pretty good field of information from them. He has recently retired but his work is still with us. The second investigator was a French Canadian who had a good deal of business experience and he too made a number of trips throughout the agencies. He also left us. He went to another department. The investigator now in charge has only recently taken over and it would be he who would go to these various places to determine what should be done as to increases in salary rates and with regard to the general improvement of the organization.

Question 9, "Does he confine his investigations to that branch alone?"

A. He has not done so in the past but I am of the opinion that he will have enough to do in that branch alone in the future.

Question 10, "What is the name of that investigator?"

A. Mr. J. A. Murray has been the investigator and Mr. H. B. Orr is now in charge.

Question 11, "Can you tell us something of his background?"

A. Mr. Murray is a Master of Science in Agriculture from the University of Alberta. He had a good deal of farming experience before coming to the commission and he has been with us for six years, doing classification and organization work. He has had some contact with the Indian agencies and would have considerably more if he conducted this survey. Mr. Orr came to us more recently. He has been with us for only three years. He is a graduate in Forestry Engineering from Toronto and has had a large amount of business administration in the fifteen years he was employed by the Province of Ontario, the Abitibi Power and Paper Co. and Price Brothers.

Question 12, "Did your investigator concur in the recommendations of the Director of Indian Affairs Branch?"

A. We have a high opinion of Mr. Hoey's knowledge of this work and his sincerity in administering it and I believe in the great majority of cases we concurred in his recommendations. In some instances changes or amendments have been suggested by the commission and I think Mr. Hoey will be the first to admit that we have helped matters. There has been and is close co-operation between the commission and Mr. Hoey.

Question 13, "And was that concurrence brought to the notice of your board?" The answer is yes.

Question 14, "And your board considered those investigation reports?" Again the answer is yes.

Question 15, "Did your board, in addition, have requests from the Director of Indian Affairs?"

A. Now, I do not know exactly what that means. I suppose it means, generally, "Did the Director of Indian Affairs discuss with Civil Service Commission any additional needs of the department?" The answer to that is yes. We have had many talks with Mr. Hoey and some of the recent recommendations that we have made, for example the post of assistant director, are the result of talks with Mr. Hoey.

Mr. MacNicol: Is there a vacancy for that position now?

The Witness: We feel that there should be an assistant director to assist Mr. Hoey and we are making such a recommendation to the department.

Mr. MacNicol: Is there any reason why that man could not be an Indian?

The Witness: No. We want the best man we can get, but we will certainly not rule out any Indian applicant. He might be the best man for the job.

Question 16, "How many" this refers to requests, "and roughly on what dates? Since 1935, for example?"

A. Well, as I said, in 1936 the Interior department was re-organized under an Act of Parliament. Consequently during the next two or three years there was comparatively little done in the way of changes in organization. In 1939 a large number were indicated. During the war years comparatively few were made but this year quite a number have been. I think probably 75 or 100 changes have been discussed with Mr. Hoey, recommended by Mr. Hoey and submitted to Cabinet for approval.

Question 17, "And as a result of the recommendations of your own investigators, and the requests of the Indian Affairs Branch, and the considered judgment of your own board, what was your next step?"

A. Our next step was to make a recommendation to Cabinet, in the case of permanent appointments, or to Treasury Board, in the case of temporary positions.

Question 18, "And the dates of those submissions?"

A. I would have to have a large file to give the exact dates. They stretch mainly over the period of 1938 and 1939, and the latter part of 1945 and the early part of 1946.

Question 19, "And what form did those submissions take; was it a memorandum giving reasons for your submission, or was it just a pro forma covering letter?"

A. In each submission the actual report of the investigator is attached, so that the reasons for the recommendation are given in detail.

Question 20, "And when you said Treasury Board, did you mean Treasury Board as constituted by Statute, or do you mean some official of Treasury Board?"

A. The procedure as required by the Civil Service Act is that we submit recommendations, in connection with permanent positions, to the Governor General in Council. We do this through the minister of the department concerned. It is usually the practice of Council to refer these to Treasury Board which, as the Committee knows, is a board consisting of five ministers of the Crown dealing with matters of expenditure. Under the regulations of Treasury Board, applications for temporary positions are submitted direct to that Board and our submissions are passed, formally, to the secretary of the Treasury Board.

Question 22, "What is the name of that Treasury Board Official?"

A. Dr. W. C. Clark, the Deputy Minister of Finance. His assistant is Mr. W. C. Ronson, Assistant Deputy Minister of Finance. Due to Dr. Clark's other duties, Mr. Ronson in most instances acts as secretary of the Board.

Question 23, "When that official of Treasury Board notifies your commission that your recommendations are not accepted, does he give you any reasons, or does he just send you a pro forma notification?"

A. Usually he gives reasons. Perhaps they are not as extensive as were our reasons for making the recommendation. In certain cases the answer is simply that the Treasury Board has not agreed with our recommendation, but usually the reason is given.

Question 24, "What has been the general fate of your submissions to Treasury with regard to personnel requirements of Indian Affairs?"

A. With very few exceptions, I would say Treasury Board has approved our recommendations. There have been a few instances where have disagreed, but there have not been many.

Question 25, "Can you tell us what proportion of your submissions *re* Indian Affairs have been turned down by Treasury Board or that named Treasury Board official?"

A. I should say a very small proportion, less than five per cent; perhaps less than one per cent. Certainly less than five per cent. I should, perhaps, qualify that by saying that while they may approve the principle of a recommendation they do not always approve the means we recommend of carrying it out. For example, they may approve of a new position that we think should be filled by the promotion of a permanent officer. We feel in such cases that the permanent officer should be promoted from the lower job to the senior job. The Treasury Board have said, "We will give you a war duty supplement", which means the man will get his regular salary and an additional payment to bring him to the top salary, but he does not get benefits of superannuation on the latter and we do not think that is fair.

Question 26, "Is there any appeal from a ruling of that Treasury Board official?"

A. Well, gentlemen, I have never found a very effective one. I wish you would tell me of one.

Hon. Mr. STIRLING: There is a question I would like to ask Mr. Hoey. It has to do with the desirability of appointing assistant agents. I understand from Mr. Bland that they are there in theory but not in practice. Does Mr. Hoey think that it is an important point? I do, for the reason that careful selection should be made of assistant agents and from these clerks would come suitable people for the positions of Indian agents when vacancies occurred.

Mr. HOEY: I am rather disposed myself, Mr. Stirling, to look upon the farming instructor as the logical man to take over an Indian agency. That is to say, if he were appointed under the provisions of the Civil Service Act and given a sense of security that he does not now enjoy and if he became eligible by promotional competition and if his salary were increased a little, then I think we would get a far better type of farm instructor. We recruit agents now from agency clerks and from school teachers. The school teacher cannot take part in an open competition, either. If these matters were ironed out, the needs for an assistant Indian agent would not be quite so apparent. I am beginning to think that if our office set up an Indian agent with a Grade III or IV clerk, or even a Grade II clerk, unless the assistant agent were a fairly good authority on farming operations and was prepared to spend a great deal of his time in the field, it might be difficult to fit him into this administrative set-up. However, I am definitely in favour of recruiting better farming instructors. I do not know why we cannot get men who have had at least a two-year course in agricultural college. They would not necessarily have to be graduates. I think we could get them, if they could see real promotion ahead.

Mr. CASE: Mr. Chairman, I wonder if Mr. Stirling would pardon me for interrupting, but I must go to Industrial Relations Committee and I would like to suggest before I leave that the sub-committee take under consideration the advisability of bringing before this committee as soon as possible a representative of the Treasury Board. I think it would be proper that we know the

workings back of the Civil Service Commission. I offer that in the way of a motion or suggestion; that is, the advisability of bringing before this committee a representative official of the Treasury Board, at an early date.

The CHAIRMAN: Are you making a motion?

Mr. CASE: I make it in the form of a motion.

Mr. MACNICOL: That would mean getting a cabinet minister.

The CHAIRMAN: Mr. Case, do you mean an official of the Treasury Board such as Mr. W. C. Ronson?

Mr. CASE: Yes.

Mr. BRYCE: I will second the motion.

The CHAIRMAN: Would all those who agree please signify in the usual manner.

Hon. MEMBERS: Agreed.

Motion carried unanimously.

Mr. BRYCE: I have one more question to ask Mr. Bland before he leaves. The more I study this Indian situation the more complicated it becomes. For instance, the Indian Affairs to-day is just a branch of the Department of Mines and Resources, and we also find that there is a section of Indian Affairs that has been transferred to the Department of National Health and Welfare. Do you not consider that, for administration purposes, an Indian department in itself would be more satisfactory?

The WITNESS: In my opinion a great many of the difficulties that we have been talking about would be ironed out, if the affairs of the Indians and Eskimos were all under one department.

Mr. BRYCE: With a minister as head of the department?

The WITNESS: It is a full time job.

Mr. BRYCE: You agree with me in that?

The WITNESS: I think it would be better.

Mr. BRYCE: Thank you, very much.

Mr. LICKERS: Are there not any Indians who now hold positions as clerks in Indian Affairs offices?

Mr. HOEY: We have at least three at headquarters, but I do not know of any in our outside service. As a matter of fact I think it is only fair to the committee to state that the average Indian is not particularly interested to serve in the Indian Affairs Branch. We have trained a number of girls but they have sought positions in other branches of the service. They prefer serving in other branches of the public service. They are not particularly enamoured about going into Indian Affairs. We have three in our branch now, however.

Mr. MACNICOL: What positions do they hold?

Mr. HOEY: One is in our Treasury Branch, in a rather high position, a Miss Chollette. The other is a clerk, a Mr. Benaire, and the third is a Grade II stenographer.

The WITNESS: Perhaps I can say to the committee that there are a number of well qualified Indians in other services.

Mr. MACNICOL: In what capacity?

The WITNESS: Some of them are in quite senior positions.

Mr. MACNICOL: Administrative positions?

The WITNESS: Administrative and research positions.

Mr. MACNICOL: I know a number of Indian lawyers, doctors and teachers who are successful.

The WITNESS: There is a question I missed, with reference to the extension of the veterans' preference to Indian war veterans. The policy in that connection is just the same as the policy with reference to any other Canadian veteran; that is, any Canadian citizen irrespective of creed or racial origin is entitled to enter into competition for a post with the civil service and if he is a veteran and passes the examination, he receives an absolute preference in appointment.

Mr. MACNICOL: Are you familiar with the move in the United States a few years ago which revolutionized—

The CHAIRMAN: Pardon me, Mr. MacNicol, but we must now adjourn. On Thursday of this week we will have Mr. Conn and Mr. Brown here from Indian Affairs Branch and we shall endeavour to have Brigadier Martin here for next Tuesday. I declare the meeting now adjourned.—The committee adjourned at 3.30 p.m. to meet again on Thursday, August 1, at 2 o'clock p.m.

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 18

THURSDAY, AUGUST 1, 1946

WITNESS:

Mr. Hugh Conn, General Supervisor, Fur Developments, Indian Affairs Branch, Department of Mines and Resources, Ottawa.

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY
1946

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

Thursday, August 1, 1946.

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 2.00 o'clock p.m., the Joint Chairmen, the Honourable Senator J. F. Johnston and Mr. D. F. Brown, M.P., presided.

Present:

The Senate: The Honourable Senators Fallis, Johnston, Macdonald (*Cardigan*), MacLennan and Nicol—5.

The House of Commons: The Honourable Mr. Stirling and Messrs. Blackmore, Brown, Bryce, Case, Castleden, Charlton, Farquhar, Gariépy, Gibson (*Comox-Alberni*), Harkness, MacNicol, Raymond (*Wright*), Reid, Richard (*Gloucester*), and Stanfield—16.

In attendance: (Department of Mines and Resources): Messrs. W. J. Ford Pratt; R. A. Hoey, Director, Indian Affairs Branch; Eric Acland, Executive Assistant to Director; M. McCrimmon, L. L. Brown, M. E. Armstrong, F. Kehoe, I. Neary, and Hugh Conn, of Indian Affairs Branch;

Also, Mr. Norman E. Lickers, Counsel for the Committee and Liaison Officer.

Consideration was resumed of the eighth report of the subcommittee on agenda and procedure. (For text of report, see page 677, Minutes of Evidence).

On motion of the Honourable Senator Fallis, it was unanimously

Resolved: That the subcommittee, in drafting the 1946 Report include clauses (*a*), (*c*) and (*d*) of their eighth report, but that with regard to clause (*d*) the subcommittee decide whether the said Commission should sit for the two or three weeks immediately prior to the 1947 Session.

Mr. Gariépy asked that the subcommittee consider the addition of Mr. Raymond to their subcommittee, for reasons stated in the Minutes of Evidence.

Mr. Castleden asked that the subcommittee consider the setting-up of a subcommittee on Treaty Rights and Obligations.

Both of which requests were accepted as notices of motion.

Mr. Hugh Conn, General Supervisor, Fur Developments, Indian Affairs Branch, was recalled, questioned, thanked by the Chairman for the excellent brief he had submitted and for the manner in which he had answered questions, and excused from further attendance before the Committee.

The Chairman announced the following tentative program for further meetings: August 6, hearing of Brigadier General O. M. Martin; August 8, hearing of Mr. W. C. Ronson, Assistant Deputy Minister of Finance; August 13, meeting in camera for the consideration of the Report of the Special Joint Committee covering the proceedings of this Session and certain recommendations to Parliament.

The Committee adjourned at 4.00 p.m., to meet again at 2.00 o'clock p.m., on Thursday, August 6, next.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

HOUSE OF COMMONS,

August 1, 1946.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 2 o'clock p.m. Mr. D. F. Brown, M.P., (Joint Chairman), presided.

The CHAIRMAN: We will come to order now, please. The first matter of business is re-consideration of the eighth report of the Subcommittee on Agenda and Procedure. At the last meeting but one, one of the proposals submitted was adopted. That proposal was as follows: that each member of the Joint Committee, during the coming recess, should visit such Indian Reserves as are in or near his division or constituency. The other recommendations were: (*b*) that we recommend that Parliament be asked to consider the advisability of appointing a commission, or one commissioner, with requisite counsel, and secretarial and stenographic assistance, to hear and take evidence of Indians at places across Canada convenient to large Indian Reserves; (*c*) that we recommend that Parliament consider the possibility of empowering as a commission, certain members of the present committee to visit, hear and take evidence at certain places in the Maritime Provinces and Eastern Quebec; and, (*d*) that we recommend that Parliament be asked to consider the possibility of empowering the Joint Committee as a commission to sit at Ottawa during the coming recess, in order to hear representatives from Indian and other organizations. Now, what is your pleasure with respect to these three clauses? Which one of the three would you like to adopt, or would you prefer to reject all of them?

Mr. REID: I made a statement with regard to (*d*) when the question was last before the committee. I said at that time that we should ask the members of the committee to meet here at least two weeks before the session of parliament commences next year. I am now putting that as a proposal and I make the suggestion for several reasons. First of all, we will have many representatives to see and hear and we could carry on our deliberations for two or three weeks in order to accomplish this. This is apart from the fact that we could visit Indian reservations ourselves later on. The proposal of coming to Ottawa some weeks before the beginning of the session is made from a practical point of view. Speaking for myself, I would be extremely reluctant to come down here from British Columbia in the month of November, for instance, and then travel back to B.C. again. I do not like to be repititious but when I was on the War Expenditures Committee and we came down here between sessions, we found that there was only a nucleus of members prepared to come to Ottawa and sit and deliberate day after day. We sometimes discovered that there were as few as six members deliberating on war expenditures. It is due to a vast experience from every angle that I propose we should come to Ottawa at least two weeks before the session commences.

The Hon. J. F. JOHNSTON (Joint Chairman): Mr. Reid, are you making that suggestion on the assumption that Parliament will meet in January, 1947?

Mr. REID: Yes.

The Hon. J. F. JOHNSTON (Joint Chairman): What if Parliament does not meet until February or March?

Mr. REID: The same thing would apply. I feel that we could meet say two weeks before the session begins and sit every day with the exception of Saturday. We should have full day sessions during those weeks. It would put us that much farther ahead.

Mr. CHARLTON: I will second the motion.

Hon. Mr. STIRLING: Mr. Chairman, I do not find myself in agreement with this proposal. A certain number of the members of the committee may find that that is a convenient thing to do and would come here and do excellent work, but I believe that the quorum will have to be reduced in order to get the work done. I am not in the position to-day myself to say whether or not I would be one of those able to come to Ottawa. As I said the other day, I am leaning more and more to the proposal set out in (*b*). You may call it a commission or anything you like. I am of the opinion that an enquirer who is well suited to the work at hand would be able, with the assistance of a stenographer and possibly other personnel, to travel across Canada and gather and later present to this committee information which he has gleaned from the Indians in a uniform manner. The report would be in a balanced condition by the time it reached us. I do not favour the idea that certain members of the committee should form a subcommittee to go to specific parts of Canada. I do not believe that that would be a good method. It seems to me that once we have laid a foundation from the information received from listening to the evidence presented by officials of the department, the next stage should be the presentation of the views of the Indians who wish to express themselves before this committee. Through the medium of a commission a report could be put before this committee in an orderly and systematic way. From past experiences of committees meeting between sessions I do not consider that we would achieve our purpose by asking members of this committee to come here and sit continuously two weeks before the opening of Parliament.

The CHAIRMAN: Is there any further comment? For those of you who have just come into the room I might inform you that we are at present discussing the resolutions as to the recess activities. We have adopted (*a*), that we will all visit as many Indian reserves as we are able to. Now we are discussing which, if any, of (*b*), (*c*) and (*d*) we will adopt.

Mr. FARQUHAR: I see not objection in coming down here two weeks before the session commences and I do not imagine that if we came here at that time we would have any difficulty in getting a quorum. It is possible that if we came to Ottawa in November or December we would have difficulty but, as I say, I feel that we would have no trouble in getting a quorum if we came here just two weeks before the opening of Parliament. When we realize the fact that we will not get through with this work for possibly two years or more, I consider it would be a splendid idea to spend two entire weeks on this matter and then we would be in a position to question the Indians as we called them before us.

The CHAIRMAN: Has the committee considered the question of a two week period? It may take considerably longer than that.

Mr. REID: In my motion I merely said two weeks as a tentative period. It could be three weeks.

Mr. FARQUHAR: I am of the opinion that it would be better if we make it three weeks.

Mr. CASTLEDEN: We would not be in a position to come down here two weeks before New Year's if the House of Commons is going to meet in January. The committee all realize, I think, that we have a big job ahead of us in dealing with the matter of treaties and the matter of actual conditions among the Indians throughout the country. I think the committee also realizes the apparent urgency of the problems, and, because the job is so great it seems to me we are doing too

much postponing of it. I feel that the recommendation should be that we ask Parliament to consider the advisability of appointing a commission, with counsel and other necessary personnel and any other interested persons who would be willing to act, and that they should continue with this work. I do not like to think that the work we have started here is going to die out at the end of August and that nothing will be done again in this regard until the first of the New Year. I feel that we ought to keep working at this. In fact, I would like to see a subcommittee of this committee working on the matter of treaties alone. There is a tremendous job to be done and I would certainly urge that we do everything we can to carry on with the work and keep it going until the job is done. It should really have been done a long time ago.

The CHAIRMAN: Which of the three suggestions are you recommending?

Mr. CASTLEDEN: I am recommending the appointment of a commission, not a commissioner. I refer to either (*b*) or (*c*).

The CHAIRMAN: (*c*) would be the same thing except that it would provide for members of this committee to travel to the maritimes.

Mr. GARIÉPY: (*c*) does not cover all of Canada.

Mr. REID: I am giving only my personal views but I am of the opinion that if we ask Parliament to consider the advisability of appointing a commission as outlined in (*b*), it is tantamount to saying that the task is too big for the members of the committee and that we feel that Parliament should delegate the powers to some other commission. I believe that from the point of view of the Indians they would have more faith in members of the House of Commons than they would in an appointed commission.

The CHAIRMAN: Not only that, Mr. Reid, but it has been expressed before when discussing this matter that if a commissioner were appointed, the members of the committee would not have the opportunity of cross-examining the witnesses.

Mr. CASTLEDEN: I am not in favour of one commissioner being appointed.

The CHAIRMAN: Proposal (*b*) is the same as (*c*) except that the latter is limited to the maritimes. The reason for that is because the maritimes has the smallest population of Indians.

Mr. BRYCE: You might explain a little more fully to the committee, Mr. Chairman, that when we discussed this recommendation in the subcommittee we realized the magnitude of the task and that we could do only so much, and that whether or not we could clear up this work in three years' time we really had to do something this coming recess. That is the reason we suggested the maritimes. It has the smallest population of Indians.

The CHAIRMAN: I think that at the past four meetings we have discussed the groundwork for our activities but I can go over it again. The overall picture is divided as follows: During the 1946 session—that is the one we hope is now drawing to a close—we were to hear departmental cases; that is, witnesses from the department were to give us evidence on the department's aspects of Indian affairs. During the 1947 session it is planned that we hear the Indians, the church representatives and other organizations. In the 1948 session we are to revise the Indian Act, or, I should say, in 1948 our programme provides that we start in with the revision of the Indian Act.

Mr. REID: Do you feel that after two years of deliberations we will be ready in 1948 to revise the Indian Act?

The CHAIRMAN: We hope to. It is only a hope; but if we do nothing during the recess we may not be able to carry out that program.

Mr. GIBSON: We have not yet completed the departmental cases.

The CHAIRMAN: We may take thirty odd meetings to do so.

Mr. RICHARD: What will we have to work on if we come down here two weeks before the start of the 1947 session?

The CHAIRMAN: We would have to arrange that we hear the various departmental officials; and the church organizations would probably be heard during that two-week period.

Mr. RICHARD: But we will have no benefits at all in the way of personal contact except what we might do ourselves during the recess.

The CHAIRMAN: That is right.

Mr. RICHARD: I am in favour of supporting Mr. Castleden's idea, in this sense, that I would delegate to a commission the duty of interviewing the Indians before they came here. I feel that the commission should gather the evidence of all sides and submit their report here, because if we only hear from certain tribes who are organized we will not get a complete picture.

Mr. FARQUHAR: Is the idea behind this submission to have the commission take evidence across the country and then have the Indians come here and give the same evidence? If that were the case it would seem to me that we would be duplicating the work.

The Hon. Mrs. FALLIS: I suggest, Mr. Chairman, that perhaps we could reach a compromise from the suggestions that have been made. It has been suggested that the Indians would not look upon an appointed commission with as much favour as they would upon members of this committee. In that case we would adopt (*c*), and that would not prevent members of this committee from coming to Ottawa a week or two before the next session. In that two-week period we could hear the report of the members who formed the commission. I think it would be more satisfactory to have a commission either appointed by the government or from this committee go to each section of the country. In this way there would be a uniformity about it, whereas if you are merely depending on evidence presented by representatives of the Indians you bring here from various parts of the country, you are going to receive a sort of biased viewpoint. You will not get the viewpoint of every section of the country. My personal opinion is that a commission should be appointed by the government, or from the membership of this committee, to travel to the various sections of the country hearing evidence, and to submit their report here.

The CHAIRMAN: Are you suggesting a combination of (*c*) and (*d*)?

The Hon. Mrs. FALLIS: Yes. Then this committee could reconvene and examine the commission's report.

Mr. REID: The way I see the question, Mr. Chairman, is this: At the beginning of the session, as a member of this committee, I was not in as good a position to go and discuss with the Indians their problems as I am at the moment, and, once I get clearly in my head the set-up of the department, I will be that much better equipped to talk to them. When I go out during the recess to talk to the Indians I will have at my disposal a certain amount of information that I have acquired as a member of this committee from what has been presented to us. Before I came to the committee I had a great deal of notions about the Indians; some were wrong, others were right.

The CHAIRMAN: Does the committee object to adopting the suggestion put forth by Senator Fallis and leaving it to the steering committee to carry it out the best way it can? That is to say, if we could get a sufficient quorum to go to the East we would do so, and then return here and hold our meeting just the same.

Mr. REID: I can see a great deal of merit in Senator Fallis' suggestion, but I would like to draw to the attention of the committee the fact that once you take the step of sending a commission to the maritimes, you will be duty bound, from the point of view of the Indians, to follow it out across the country.

The CHAIRMAN: That was our original plan—to do that during the 1947 recess. If you will refer to the eighth report you will see that the only reason

we have selected the maritimes for this recess is in order to show some activity, and, because of the fact that there is a low Indian population in the maritimes.

Mr. REID: May I also comment on another thought that just came to me now? I think that before the subcommittee reaches a decision on the proposal of Senator Fallis, the members of this committee should be canvassed, because if you make a recommendation to this committee that a certain number of members should go to the Eastern provinces and you cannot get any to go, what would be the result?

The CHAIRMAN: If the subcommittee on convassing the members find there are not enough interested, we will just drop the proposal entirely.

Mr. CASTLEDEN: I think the suggestion has a good deal of merit in it. Is it suggested that five meetings be held in the maritimes?

The CHAIRMAN: More than that; at least a couple of days in each place.

Mr. CASTLEDEN: I mean at five places, and three or four days in each.

The CHAIRMAN: That has not yet been worked out.

Mr. CASTLEDEN: I think it should be worked out and that a plan be formulated because unless that is done it is going to be quite impossible for us to visit all the reservations. If the Indians knew that a commission was travelling across Canada and holding three or four day sessions at various places, they would feel that something was being done. We could move right across the country and probably by the end of November we would have covered most of Eastern Canada.

The CHAIRMAN: It was our proposal that during the 1947 session we would visit reservations in Ontario and Northern and Western Quebec.

The Hon. Mr. MACLENNAN: I should think that it would be a good scheme to have members of the committee visit in the maritime provinces as is suggested in (*c*), but I do not see why the same thing would not be done in other parts of the Dominion.

The CHAIRMAN: We are going to do that, but we have not heard the department's case yet and we are not prepared to hear all Indian organizations until we have heard the department's evidence. The reason that we are going first to the maritimes is that there are not many Indians there and it will mean that we will have that part of our job done.

Mr. FARQUHAR: I see no objection to that.

The CHAIRMAN: In other words you are leaving it, to a great extent, to the subcommittee.

The Hon. Mrs. FALLIS: May I ask a question for my own information? Is it the idea of the subcommittee to have one commission go right across Canada?

The CHAIRMAN: No. The subcommittee will have to ask this committee for a suitable number. If after canvassing the members the subcommittee could not get a suitable number, we would have to abandon the idea of going to the maritimes.

The Hon. Mrs. FALLIS: Would we appoint maritime members to go there?

The CHAIRMAN: We would want to get a cross-section of the country both geographically and politically.

The Hon. Mrs. FALLIS: You would not confine it to maritime members?

The CHAIRMAN: Oh, no.

The Hon. Mrs. FALLIS: I would think that it would be less difficult to get members to go if they were not going to be too far from home.

The CHAIRMAN: Would you like to make a motion on this, Mrs. Fallis?

The Hon. Mrs. FALLIS: Yes.

Mr. CASTLEDEN: Do I understand that the subcommittee is going to work on this?

The CHAIRMAN: We have been discussing this now at four or five meetings, that is, to allow the subcommittee to act in this way. If they can decide on a suitable subcommittee,—we will call it a subcommittee—which may be comprised of all of this committee, to go to the maritimes, then we will ask parliament for authority to set that subcommittee up as a commission. In addition to that we are to come back here two or three weeks before the opening of the next session of parliament to hear the report of the travelling commission and to hear the balance of the departmental presentation. Is that clear to everybody?

Mr. REID: I will second Senator Fallis' motion.

The Hon. Mrs. FALLIS: If I am making the motion I would not like to have the period for as long a time as three weeks.

The CHAIRMAN: We will leave that to the subcommittee.

The Hon. Mrs. FALLIS: In order to get the members back I would confine the period to one or two weeks.

The CHAIRMAN: We will amend the motion to one or two weeks.

The Hon. Mr. MACLENNAN: We do not know when parliament is going to meet.

The CHAIRMAN: No, we do not know at present when parliament is going to meet, but we would know that at least two weeks ahead of time.

The Hon. Mr. MACLENNAN: That is why we should make it two weeks.

The CHAIRMAN: That matter could be left to the chairman of the subcommittee.

Mr. CASTLEDEN: Mr. Chairman, I would like to oppose the suggestion that we leave it to the subcommittee to act on this.

The CHAIRMAN: Of course, anything the subcommittee recommends is subject to approval by this Joint Committee. We are empowered to do only so much and if your committee feels it cannot leave this to the subcommittee, it will have to be discussed again at another meeting. If we adopt this motion we will have agreed that a commission will be set-up to go to the maritimes and that we will sit here immediately prior to the 1947 session. Or, you can make two motions if you like, the second being that we will come here not more than two weeks before the next session.

Mr. CASTLEDEN: On the recommendation of parliament?

The CHAIRMAN: Oh, yes. There has to be an application to parliament for authority. Now is there any objection to that? All in favour? Contrary? It is unanimous.

As to the next matter, we were to have had Brigadier Martin here to-day, but he wrote to me, and I have not had an opportunity of discussing it with the subcommittee, that he was not able to come to-day. He asked for leave to come next Tuesday, August 6th, and if it is your pleasure we will hear him then.

Mr. CASE: Mr. Chairman, I am under the impression that we dealt with that at the last meeting and it was decided then that Brigadier Martin would be with us next Tuesday.

The CHAIRMAN: I will take that vicarious explanation although I have not got it officially yet.

Mr. REID: I would like to bring to the attention of the committee a point of information with regard to teachers who are instructing the Indians in the province of Saskatchewan. I am wondering if that is a scheme under the Department of Indain Affairs, or is it strictly a provincial scheme. I feel that there is a great deal of merit to the scheme. An article appeared in the *Ottawa Citizen*

on the 24th of July of this year and describes how French-Canadian teachers are helping to teach basic English to Indians in the province of Saskatchewan. I am wondering under whose authority and jurisdiction that is being done.

Mr. BRYCE: Do you know whether or not they are half-breeds?

Mr. REID: No. The article is by Norman Altstedter. I do not know who he is, but the article reads as follows: "Thirty-one French Canadian teachers and students tried to prove in a classroom here to-day that disharmony between races in Canada was not inevitable.

The Quebec group have stopped here for a four-week course in advanced English on their tour of the West and are helping to teach basic English to 30 Saskatchewan teachers.

John Kelly of Montreal, top Canadian authority on basic English, thinks their presence in Western Canada and the warm reception they have received, go a long way towards proving their point. He is head of the touring party which next Saturday leaves for Vancouver, with later stops at Victoria, Lake Louise and Banff.

The Saskatchewan department of education is sponsoring the course in basic English and citizenship for the provincial teachers. Eight of the teachers have come from remote northern Saskatchewan settlements where their instruction will reach treaty and Metis Indians. Forty seven per cent of the province's population is of 'other European' (not English or French) origin—the largest in Canada. The province has a relative number of people who do not speak English.

The provincial program began last fall when four teachers from Wymark, Sask., were given instruction in basic English. Winter evenings they taught Mennonite groups the language.

Next winter at Camsell Portage, isolated trapping base on Lake Athabaska, John Gertzon, taking the course here now, will instruct a class of Indians in English and citizenship. He will be one of the first fully-trained teachers of basic English in Canada." I read that as a matter of information.

The CHAIRMAN: Have you anything to say to that, Mr. Hoey?

Mr. HOEY: I am inclined to believe that that is a provincial project, but I want to say that our supervisor of vocational instruction is out in the prairie provinces now, conducting a number of short courses there. That is to say, he goes to a central point where he calls together the teachers of Indian day and residential schools and gives them instruction in vocational training, physical culture and visual instruction. At the present time we have short courses all running concurrently, but I am inclined to think from what Mr. Reid read that that is a provincial project.

The CHAIRMAN: Does that answer your question, Mr. Reid?

Mr. REID: Yes.

Mr. GARIÉPY: What are the names of the members of the subcommittee? The point I want to make is that our subcommittee has many powers and responsibilities. At the commencement of the proceedings, on the subcommittee we were represented from my part of the country by Senator Ferland, but it happens that he has not been able to give much attention at all to the work of this committee. He has been too busy with other duties. One of my colleagues, Mr. Raymond, has been very active in our work, and, although I do not wish to change the proportion of representation from the Senate, it would seem more satisfactory from the interests I am taking care of to have Mr. Raymond on the subcommittee.

The CHAIRMAN: The subcommittee was recommended and adopted by this general committee after the various sections of our committee were considered. The subcommittee comprises the following persons: Mr. Bryce, Mr. Gibson, Mr. Stanfield, Mr. Harkness and myself from the Commons. I am sorry, I

should have listed the senators first. The Senate is represented by Senators Ferland and Johnston. Now, I can give you the reason for this.

Mr. GARIÉPY: I do not want to take up the time of the committee. I think we can settle that ourselves. The length of life of this committee is not the same as that of parliament itself; it can be altered at any time. We could have two more members, one from the Senate and one from the Commons.

The CHAIRMAN: That would make nine members. We try to hold it down to seven. However, that could be taken as a suggestion for consideration by the subcommittee.

Mr. GARIÉPY: I would ask that Mr. Raymond be taken on the subcommittee. It is not necessary for me to enlarge upon this, but Mr. Raymond has been very active and is a valuable member of this committee. It would be more satisfactory in the end to have him placed on the subcommittee because the problems are many.

The CHAIRMAN: If you leave that as a suggestion it will be taken to the subcommittee for consideration. Now, going back to what I was speaking about a moment ago, you will note that on July 23 the report of the subcommittee was that on August 1 we would deal with the matter of further hearing of department officials. In this respect Brigadier Martin will be here next Tuesday. This has not yet been discussed with your subcommittee but it will be. It is now tentatively proposed to hear Mr. W. C. Ronson of Treasury Board next Thursday, and on August 13 we will hold a meeting in camera to discuss the report to be presented to parliament. It is not proposed that we will have many meetings after that.

Mr. CASTLEDEN: What about all these people we were to hear?

The CHAIRMAN: We have had just so many meetings to hear all these people and it has been a point of objection all along that we have not had the opportunity of questioning these witnesses. The reason we are coming back here prior to the 1947 session is so that we may devote our time to cross-examining all these people. To-day we have Mr. Conn here. He was a witness last week and gave us a very excellent report on fur conservation. If it is your pleasure I will have Mr. Conn come forward. He has presented his brief and you will have now an opportunity of asking any questions that you desire. I might say that Mr. Conn will soon be going out in the field. He thought he would have gotten away before this but he was detained in Ottawa for several days. When he does leave he will not be back in Ottawa for a considerable time.

Mr. CASE: Before Mr. Conn is called I would like to bring to the attention of the committee a newspaper editorial which compliments this committee on its decision to have members of this committee visit the Indian reservations. It expresses, to some extent, public opinion.

The CHAIRMAN: Would it be your pleasure to have that editorial incorporated into the minutes of this meeting?

Mr. CASE: Yes; as an expression of public opinion that we are seeking to obtain the information that the committee desires to have. The editorial is from the Owen Sound *Daily Sun-Times* of July 29, 1946. It reads as follows:—

> The Parliamentary Committee investigating Indian affairs throughout the Dominion has gone on record as approving a proposal whereby every member will visit all Indian reservations in or near his constituency during the coming recess. The proposal is on a voluntary basis, and whether or not all of the 2,300 reservations will be visited is a matter of conjecture.
>
> Much of the success of such a program will, of course, depend on the spirit in which it is carried out by the members of the committee. Certainly the suggestion is a splendid one and should be carried out to the fullest possible extent. The committee has given much thought and study to the affairs of the original natives of this land, while a vast amount of further investigation is essential if the planned revision of the

Indian Act is to fulfil all that is expected of it. Another suggestion advanced is that the committee should continue to sit during the session to hear representations from the Indians themselves as well as other bodies.

Now that such a splendid start has been made nothing should be allowed to interfere with the completion of the task. While many Indians live under as near to ideal conditions as possible, the truth of the matter is that many live in utter poverty, eking out a mere existence. No small share of the cause for this situation is the lack of proper leadership given the Indians. If given proper instruction and guidance the Indians can raise themselves to a much higher standard of living. Much of their land has very considerable possibilities if it is developed to the best advantage. Where such leadership has been given, either by the white men or by some members of their own race who took such duties upon themselves, vast improvements have been made. Properly instructed and advised, farming, fishing and hunting can be made to pay much greater dividends than they now do. A great deal more can be made out of their native arts than has been done in the past.

There would be no better way for the members of the committee to become acquainted with actual living conditions than to make a complete survey themselves. Let the visits not be too official. Rather let the members visit the reserves unannounced, more as interested tourists than in an official capacity. Let them visit the homes, talk to the people as they meet them while they go about their daily duties. And then, later, talk to the officials of the reserve. It is the viewpoint of the every-day Indian that it is desired, not that of the agents and other officials.

Mr. CASTLEDEN: I would like to give notice of motion to move that we set-up a subcommittee to study particularly all matters concerning Indian treaties in Canada.

The CHAIRMAN: We will accept that as notice. In hearing Mr. Conn shall we follow the procedure previously adopted; that is, of one person asking as many questions as he has prepared, subject, of course, to minor interruptions by other members of the committee?

Mr. Hugh Conn, General Supervisor of Fur Developments, Indian Affairs Branch, recalled.

Mr. REID: I am sorry, I did not bring with me the brief that Mr. Conn presented, but there are one or two questions which I would like to ask.

The CHAIRMAN: Pardon me, Mr. Reid, but would you mind if Mr. Conn makes a correction?

The WITNESS: On page 684 of the minutes of proceedings of Thursday, 25th July, 1946, Mr. Reid asked the question, "How many men have you under your jurisdiction?" In reply to that question concerning our staff, Mr. Reid, I replied that we had three supervisors. Now, I might explain that those are three full-time supervisors. In addition to them we have a superintendent of construction who, at the present time, is working on development in northern Saskatchewan. We also have a full-time engineer who is serving certain areas in northern Alberta. In addition to all that we have two part-time supervisors who are engaged during the summer months and who are at the present time live-trapping beaver. Our permanent staff, though, consists of three supervisors, a superintendent of construction, and an engineer.

The CHAIRMAN: Is that the correction which you wished to make?

The WITNESS: Yes.

By Mr. Reid:

Q. Has any consideration been given to the propagation of other animals besides the beaver? I notice that in the brief you presented that over half of it is devoted entirely to the raising of beaver. In reading over the old history of "Hudson's Bay Correspondence and Letters" I discover that the Indians of those days evidently caught and skinned thousands and thousands of animals every year. To-day some of those animals are being kept in captivity and raised by those who are in the fur business. I am wondering if any thought has been given to the raising of any animals other than beaver. That is why I asked the last time you appeared before the committee whether or not you had any knowledge of British Columbia. The Hudson's Bay Company show that part of the payment which Canada and the United States made to Russia was in the form of pelts which were obtained from the Indians. When reading this I could not help being struck by the thought that the wealth of the north country in fur must be exceedingly great.—A. Yes, Mr. Reid. If you will refer to my brief you will notice that I make reference to the transplanting of marten from the national parks. That is being done in the province of Alberta but at the present time is only being carried on in the experimental stages. I might explain that we have concentrated on beaver and muskrat because they are the only two animals that you can actually count and measure your result. If you see a beaver at a certain place in the fall you know that he is still going to be there the next year. Once the Indian has reached his subsistence level with these two aquatic animals, we plan to branch out to others. As a matter of fact, the Rupert House in Alberta has refrained from trapping marten these past two years. We are now only in the initial stage in that respect.

Q. In the raising of these beaver is any thought given to the ratio of males and females in the harem or flock? I ask the question because if this were done indiscriminately the colony could be weakened. I am wondering what is being done with fur seals. A system adopted by the United States in this regard has resulted in the harem of the fur seals actually increasing.—A. I think you have a difference in the conditions there, Mr. Reid. That is, the beaver and muskrat live in families and are largely monogamic while the fur seals are just the opposite.

Q. Are Indian reservations considered unoccupied lands under the treaty, I mean, in so far as the fur animals are concerned?—A. No, Mr. Reid. The Indian reservation lands are considered in a class apart from the treaty and we have never had any trouble with game enforcement on the Indian reservations. However, I think you will realize that in relation to the overall trapping ground, the Indian reservation is only a minor factor. In dealing with the trapping ground necessary to support the Indian population we have to deal with thousands of square miles.

Mr. GIBSON: Do you market the beaver skins for the Indians?

The WITNESS: Yes.

Mr. BRYCE: And you spread the payments over twelve months?

The WITNESS: Not at Abitibi, for instance. There they are not out of civilization the year round like they are at the Pas. What we did in that case was to pay them one-third when they came out of the bush in the spring. The second payment will be made this summer and the final payment will be made in the fall.

Mr. REID: Do the game wardens at present supervise game laws?

The WITNESS: Not to my knowledge.

Mr. FARQUHAR: Are the payments made to the individual who trapped the beaver or are they made to the band?

The WITNESS: They are made to the individual. The skins are marketed in lots and a report is sent in giving the grade of the skin and the amount realized on it.

Mr. RICHARD: Nothing has been done in the maritimes on that up to the present.

The WITNESS: I might explain here that there has been quite a bit of resentment on the part of the provinces with regard to going into them. As a matter of fact, we feel that it is better to allow the provincial representatives to come to us. When we meet at game conferences we talk to the provincial representatives and tell them of the work that we have been doing, but, as a rule, the representations come from the provinces.

By Mr. Case:

Q. In a case where there is development in connection with a reservation, who determines who should trap there?—A. The fur advisory committee.

Q. The Department of Indian Affairs?—A. No, the fur advisory committee. It consists of three members, two from the provinces and one from the Dominion.

Q. Would there be any whites included, or just Indians?—A. Do you mean in the results of the project or on the committee?

Q. The persons trapping?—A. Oh, Indians.

Q. All Indians?—A. No. In the beaver preserves which we are undertaking now, the administration is in our hands.

By the Chairman:

Q. By "our hands" do you mean the Indian Affairs Branch?—A. Yes.

Q. What are the registered trap lines under?—A. Under the provincial authorities, subject to the recommendations and advice of this fur advisory committee consisting of three members from the administrative staffs of the departments concerned; that is, two from the provincial staffs and one from our department, Indian Affairs.

By Mr. Case:

Q. Now, then, does this fur advisory committee determine how many whites and how many Indians might trap on these developments?—A. Yes.

Q. And how is that determined?—A. Are you referring specifically, Mr. Case, to the muskrat projects?

Q. I want to find out specifically who may obtain the rights and how they do so?—A. There again, Mr. Case, there is a difference. The muskrat rehabilitation projects were designed to take care of the resident population of that area and when the crop grew to the extent that the resident population of the small area concerned could not take care of all them, word was sent out to other districts for additional trappers. Indians comprised a fair proportion of the people brought in from other districts. In the case of the Summerberry project men were brought in from Cross Lake and Norway House.

Q. This advisory committee is charged with the responsibility of determining who should trap on these developments. Suppose I were to make an application. How are you going to determine my right to trap there?—A. The trapping is confined to the residents of the community or to those for whom the project was set up. We have found this system working for the set-up of registered traplines in Manitoba and Saskatchewan; that is, that it is confined to the residents of the area or to those persons for whom the project was developed.

Q. And they would be living adjacent to the project?—A. Yes.

By Mr. Bryce:

Q. You suggest that the project was established for their development. Who do you mean by "their"?—A. The residents of the community; that is, the Indians, whites and half-breeds. In the case of the beaver reserves, they are established entirely for the Indian population because there is nobody else there. With regard to the muskrat reserves and registered traplines, we have to take in all the sectors because the provinces have both half-breeds and a scattering of whites and Indians. That is why the three classes are included.

Q. You mentioned that Indians came in from Cross Lake and Norway House to the project at Summerberry. Will you tell the committee the proportion of whites, half-breeds and Indians that went to Summerberry?—A. The proportion of the half-breeds was very small. They were almost entirely Indians. I might say that in the case of the Summerberry development, every able bodied Indian took part in the development.

Q. You have not answered my question. How many Indians, whites and half-breeds took part in that project you mentioned? Can you supply the committee with that information because I do not think that is a proper thing? —A. Yes.

By Mr. Case:

Q. Did the provincial governments make a contribution to the development in the first instance?—A. They made a contribution in the form of all the land, and a good proportion of the development capital was put up by the provinces.

Q. Did the Department, Indian Affairs, make a contribution?—A. In money only.

Q. Did the people who made up the community make any contribution? —A. You might say they did hard work. They performed the labour on the project.

Q. Did they receive some remuneration for it?—A. Yes.

Q. Now, when you come to determine who should trap there it would be those people of the community who were engaged in the project, would it not? —A. Yes. They would have a priority.

Q. And no one from outside would have the right to go in there at all? —A. That is right.

Q. It is confined to the community?—A. Yes.

Q. How many people of the community might be considered for permits? —A. Well, I think I just referred to an incident where they had to send out to Cross Lake and Norway House for Indian trappers. That is probably because they could not get enough trappers in the community itself.

Q. Would all the men of a community be eligible to apply for trapping permits?—A. Superficially, yes. However, there have been certain abuses under the system. For instance, a man taking a party and going out on the marsh to trap.

Q. How do you determine who is to trap?—A. They have the past record as trappers of all the men, both Indians and half-breeds, who held trapping licences prior to the development of the project. Together with those who assisted on the project they are the first to be given consideration.

Q. Do you make any allowance for those persons who made a contribution to the development?—A. The individuals?

Q. Yes, the individuals?—A. I think I just mentioned, Mr. Case, that they are the first to be considered.

Q. They have first priority?—A. Yes.

Q. The yield from this development amounts to quite a sum of money, does it not?—A. Yes.

Q. And how is that divided?—A. The rats are sold in Winnipeg by auction. That is, no private buyers handle them, and the average price realized is divided over the number of trappers according to the number of rats each one caught.

Q. In relation to the number of rats the individual trapper caught himself or to what the community caught?—A. In relation to what the trapper himself caught. I might say that his catch is limited by a quota. He is not permitted to catch all that he can get.

Q. What is the quota?—A. I think it is 225 rats.

By Mr. Bryce:

Q. Had you any Indians come over from St. Peter's?—A. No. It is quite a bit south.

The CHAIRMAN: Mr. Bryce, you said a little while ago that there was something that was not right according to your idea. What was that?

Mr. BRYCE: I do not think that this scheme should include the white man. I think it should be for the Indians themselves. I agree with what is being done to give the Indians a steady income twelve months of a year, but you have bartenders and men in different phases of life getting licences to trap. I think Mr. Conn will explain to the committee here that it is because of the arrangement that has been made and which the provincial government insists upon in giving these trapping rights to other people.

The WITNESS: The number of men such as bartenders is a negligible factor.

By Mr. Bryce:

Q. There are still a few depriving the Indians of a living.—A. No, because the Indians of the district are taken care of.

Mr. MACNICOL: I have been listening to Mr. Case asking questions and Mr. Conn answering them and I gather that Mr. Case was talking about Norway House, 150 miles or more away from Summerberry where Mr. Conn was talking about; or, were you talking of the two areas at the same time?

The WITNESS: Both.

Mr. MACNICOL: They are not the same at all.

The CHAIRMAN: The question was a general one.

Mr. MACNICOL: The Summerberry area is purely a separate one.

Mr. GIBSON: Did you say that each trapper is allowed a quota of 225 rats?

The WITNESS: Yes.

Mr. GIBSON: That is not much, is it?

The WITNESS: Oh, yes. The rats brought in an average of $3.40 last year.

Mr. MACNICOL: I would like to ask Mr. Conn a few questions on what occurred at the last meeting when he was before the committee. Just before Mr. Conn retired at that time I started to ask him some questions with regard to the splendid work of Tom Lamb in northern Manitoba. I am now going to ask a few questions on that topic.

Q. Did the department reimburse Mr. Lamb for bringing in pumps to start the watering of the dry swamps on the Summerberry area?—A. No, because his pumps were used on his own ranch which he still operates.

Q. But it seems to me that he should be reimbursed for the whole scheme? —A. No, I do not think so.

Q. I suggest that neither the department nor the Manitoba government would have thought of it?—A. As a matter of fact, Mr. MacNicol, we have never found it useful to us.

Q. You stated at the last meeting that the watering of the swamps did increase the production of rats, and it would seem to me that it would. For instance, you take the marsh in the Summerberry area and you find that in mid-summer it is dry. Now, unless water was pumped into those swamps the rats would die. That is why Tom Lamb put the pumps in there.—A. That is on his own marsh, but we have never encountered the same conditions on the

Summerberry. I mentioned in my brief that the Hudson's Bay Company pumped at Cumberland House, and I might say that on a straight dollar and cents basis they were not too well satisfied with the procedure. They estimated that the water cost more to be pumped in than the revenue derived from the rats afterwards.

Q. But the evidence in the report is that it was to the contrary of that. The number is thousands and thousands to what we got before, and it would seem quite plain to me,—you have been there, of course?—A. Yes, sir, I have.

Q. Well, you have 50,000 acres of land between the Summerberry and the Head river, which really forms an island. That land is now producing many, many rats and those rats are there as a result of pumping water into those marshes. I might explain, Mr. Chairman, that the Saskatchewan River, when it enters the Summerberry area it meets two rivers. The natural effect of these rivers on the land is that they have made banks for themselves. I presume that these banks are sixty feet high. When you get up and walk over the top of the bank in September you are on dry land, but it is actually a marsh. That is, when the waters are flooded in during late July and August, that land over the bank of the river becomes a marsh with two or three feet of water. That is where the rats are. However, when the river lowers its level the marsh becomes dry land and the rats die for the want of water. Now, this very capable man, Mr. Tom Lamb thought of the idea of pumping water over the land and as a result of that the rats have come back again in large numbers. I cannot conceive of a man on the south side of the Head River and the Saskatchewan River not having required water to be pumped into that land.—A. As I mentioned the other day, Mr. MacNicol, I regard that pumping process as an adjunct to be used in an emergency. Actually, we have never found the necessity of it. We have always managed to get enough water in during the spring.

Q. Then you have pumped the water into little lakes have you?—A. Yes. I think I showed that in the brief by the 7½ foot deep inlet that is used on the Two Island portion of the Summerberry. We get enough water from that source and do not have to resort to the pumping system.

The CHAIRMAN: You are referring to the pictures that were appended to that brief?

The WITNESS: Yes.

Mr. MACNICOL: I have pictures many times the size of those. I took them myself. Those pictures which you have with the brief do not cover the Tom Lamb pumping outfit.

The WITNESS: Mr. MacNicol, I am a great admirer of Tom Lamb. I was talking to him in July—

Mr. MACNICOL: Well, I am not asking that he be paid. I was just wondering if the government did pay him. At page 701 of the minutes of proceedings, 25th July, I said that I had not heard Mr. Conn make any reference to Tom Lamb having introduced the beaver into northern Manitoba. Mr. Conn replied, "I think, Mr. MacNicol, it might be a more accurate statement of fact to say that Tom Lamb reintroduced the beaver into the Summerberry section of Northern Manitoba". My next question, Mr. Conn, is: was there ever any beaver there?

The WITNESS: Oh, yes.

By Mr. MacNicol:

Q. What happened to them?—A. As was the case in a great many other districts of Canada they were exterminated. The very thing that makes the beaver valuable in propagation makes them equally vulnerable in trapping. They are there all the time.

Mr. MacNicol: Lamb reintroduced the beaver into the Summerberry area, Mr. Chairman, and it was quite a job to keep them living throughout the first winter. The beaver came from New York State and it was necessary to put in a certain quantity of wood for so many months in order that the beaver would not starve to death. When they came out in the middle of winter looking for food, Lamb cut a hole in the ice and put wood there for food. Now, I was going to ask this question: as those beaver have gone all over that area up as far as, I am told, Cumberland, has Tom Lamb ever been reimbursed for that?

The Witness: I do not think that Mr. Lamb could lay any claim to reimbursement for the beaver which he put on his ranch because the descendants are still on his ranch.

Mr. MacNicol: And they have gone all over the country?

The Witness: I do not think so, Mr. MacNicol. They would not last very long once they got off his ranch.

Mr. MacNicol: I was informed that they had gone a good distance up the river towards Cumberland House?

The Witness: I do not think so.

The Chairman: Has Mr. Lamb made any claim?

Mr. MacNicol: I do not believe so. At the last meeting I also asked Mr. Conn a question about the Sipanok area. I said, "You did not mention the Sipanok area. On another occasion I would like information on that." Mr. Conn's reply was, "The Sipanok is one of the two small areas in Manitoba, to which I have referred". The Sipanok is not in Manitoba, it is in Saskatchewan.

The Witness: Yes, that is correct. I have that change marked in my notes. If I said "Manitoba" I stand corrected. With regard to the Sipanok I might say that the main structure on the Sipanok channel has been built but we cannot close it for its full effectiveness until we get some dykes in on the side of the river to hold the floods back. That portion of the project is going to be delayed for more than a year because we have not been able to get a drive line with a big enough bucket to do this work.

Mr. MacNicol: For the information of the committee, Mr. Chairman, the word "Sipanok" means cut-off. The channel was originally caused by the Saskatchewan River overflowing its banks and flowing into the Chimahawin River. The federal government is now controlling the flow through the channel, is it not, Mr. Conn?

The Witness: That is the main structure to which I referred.

Mr. Gibson: I was very much surprised at the prices of muskrats. I hope you are not projecting your plans on the assumption that those prices are going to stay that way because that is a very good price.

The Witness: Well, it is not intended that this work lasting for three weeks will sustain the men. It is merely a subsistence.

Mr. Gibson: You say that the quota for each man was 225 rats. Might it not have been better to issue fewer licences but to permit the Indians who had them to trap, say, 500 rats this year and keep a back log for when the rates go down?

The Witness: As I understand it, your question calls for two answers. First, if we were to limit the number of licences we would have the problem of who should be permitted to trap. Another thing is that we have already created just such a plan and we have enough on hand now in the case of either a crop or price failure to carry our trappers over two years.

Mr. Gibson: Is that out of the 20 per cent?

The WITNESS: It is out of the amount that is paid to us on behalf of the Indians.

Mr. RICHARD: The Pas Indian development has been growing by leaps and bounds. Is it possible to make a fair estimate of the potential possibilities of this development, say, in the course of the next few years—ten years or so?

The WITNESS: The development of the Pas has reached close to the maximum. I would not say it has reached the ultimate in rat population, but it has reached pretty close to full development.

Mr. GIBSON: You mentioned crop failure. Would there be an epidemic of fever among them?

The WITNESS: No. There is a periodic one among the wild ones but we have come to the conclusion that it is on a very wide scale.

Mr. RICHARD: What is the estimate of the number of rats you can keep on any given acreage?

The WITNESS: We have no estimate of that.

Mr. RICHARD: I was thinking of beaver when there was a good quantity of wood and water. Under those conditions how many acres would it require to keep a colony?

The WITNESS: That is one thing which we really have not worked out yet because in these marshes there are sections that are non-productive. You may find rock islands or patches of muskeg and we have not separated the active from the inactive and nonproductive acreage.

Mr. REID: Is there any study of what area supported a certain number when there was no interference by man, compared to the areas such as preserves, which are now assisted by man?

The WITNESS: In the case of the Summerberry we had wide seasonal fluctuations. We had a record as high as 200,000 but in the opposite direction, production dropped to 6,000. We have a level 225,000 to 250,000 which is slightly higher than the best production under natural conditions.

Mr. REID: I notice that in one of the great canals that they dug in the State of Washington for agricultural purposes it was only in use three or four years before the muskrats themselves began to invade it with their colonies At the present time there are great colonies of muskrats in these channels. The vegetation seems to be right for them.

The WITNESS: Yes. You have the two necessary conditions, a good water and food supply.

Mr. LICKERS: Did any of these projects, about which we have been speaking, take in any Indian reservations?

Mr. MACNICOL: They are all Indian reservations from the Pas down to Cedar Lake; perhaps not reservations, but land occupied by Indians.

The WITNESS: I think you are mistaken there, Mr. MacNicol. It consists of provincial lands.

Mr. MACNICOL: I said, occupied by Indians.

The WITNESS: What I mean is that the marsh areas to which Mr. Lickers refers are not Indian land.

Mr. LICKERS: They are on government land?

The WITNESS: Yes.

Mr. LICKERS: I am wondering as to your method of conservation here. Are the Indians satisfied with that method to recompense them for the loss of hunting rights under the treaty?

The WITNESS: I believe you are referring to the registered traplines, Mr. Lickers. In the first place I showed you that under the Provincial Game Act the

treaty rights are practically non-existent, but I will say that where we have instituted these new methods the Indians have voluntarily and of their own free will promised to stop killing fur bearing animals for food and that they would, as far as possible, help us preserve these animals.

Mr. LICKERS: Are any of the game preserves which you are now establishing being set up on land which was surrendered under the treaty referred to on page 698?

The WITNESS: Yes. The registered trapline program I referred to in Manitoba takes in a great deal of this treaty land.

Mr. LICKERS: In that case, then, you are only giving the Indians the rights which they had under the treaty.

The WITNESS: No, Mr. Lickers. We are giving the Indians exclusive rights. As I mentioned the other day, in no treaty were there ever any terms that provided that the Indians had exclusive rights, and what good would the rights be if there was nothing there to trap?

Mr. LICKERS: Do you mean to say that at the time the treaty was made—Treaty No. 5—there were no animals there to trap?

The WITNESS: I am not referring to the time of the treaty, nor am I attempting to defend the previous deals that the Indians have gotten under these treaties. What I am trying to get across to the members of this committee is that under the fur conservation work we have substituted something that is better than these treaties, and the Indians themselves are satisfied to accept it.

Mr. LICKERS: You were talking about the difficulties that you had with the provincial governments in connection with these projects. Would you agree with me when I say that the difficulties which you are now encountering with the provincial governments are as a result of the failure by the federal government, at the time the different provinces came into confederation, properly to preserve for the Indians their rights to hunt and fish as given to them under their treaties?

The WITNESS: I believe that statement is correct, Mr. Lickers. I could go one step further and say that the same thing could have been done at the signing of the National Resources Agreement in 1930.

Mr. LICKERS: Yes, and if it had been done then you would not have the difficulties you are facing now?

The WITNESS: I believe I mentioned that in my brief. Incidentally, Mr. Lickers, when I was discussing these difficulties we have had with the provincial authorities I was dealing with the past and what happened at the time we started this fur conservation movement. We have very little difficulty in reaching agreements with the provincial authorities now.

Mr. LICKERS: In your broad plans for the future are you making any provisions for the Kenora area?

The WITNESS: I may say that we got off to a fresh start with the Ontario administration only two weeks ago. The proposal that we are now considering takes in the whole Patricia district in a plan similar to the one we have in Manitoba. The Patricia district is the isolated section of the province. We are also going to make a review of the registered trapline system in Ontario.

Mr. LICKERS: It might be well if the committee were told what your entire plan for the future is.

Mr. REID: Coupled with that question I feel that the committee should have information before them, Mr. Chairman, as to the allocation by the provincial governments of traplines and game preserves in connection with their use by Indians. I notice that on page 699 it reads, "In accordance with this, the provincial government, by simply designating any area of the province, or all of it for that matter, a game preserve or registered trapline district can rule

that the Indian has no right of access and has therefore no special rights under his treaty". I feel that the committee should have some information as to how each province defines the Indians' rights with regards to traplines and reserves.

Mr. BRYCE: I have a question to add. When you make your explanation, Mr. Conn, you may answer the three questions at the one time. The Indians have felt that it was their right to find food and yet we have them jailed to-day for shooting duck or goose because it is against the Provincial game law. This is something which we have to make clear to the Indians. They sincerely believe that they have a right to this food, and then the provincial government says no and puts them in jail for this.

The WITNESS: I agree with you. I think I went to some length the other day in sketching the Indian problem and I tried to make two points clear. One was that these acts of the provincial legislature have never been tested in the Supreme Court of Canada. In the case of Rex vs Wesley[1] we have a decision for the Indians. In the case of Rex vs Commanda[2], Justice Greene's decision given in Ontario was the opposite. These decisions have never been tested, and if we can extend our program I do not see any necessity of testing them because we will be substituting something better.

Mr. REID: In the National Resources Agreement, which I now have before me, it says: "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". With regard to food does that not mean that the Indians would have the right to take the food whether it was on occupied lands, Crown lands or anywhere else?

The WITNESS: That is exactly the point, Mr. Reid. What I endeavoured to do was to give you the treaty and show how it was narrowed down by the National Resources Agreement and further narrowed by the Provincial Game Act, and to draw attention to the fact that the validity of it has never been tested. It was my intention to leave you gentlemen to decide whether the validity of it should be tested or not.

By Mr. MacNicol:

Q. Mr. Conn, is there not an Indian reserve on Moose Lake in the Summerberry area?—A. Moose Lake, Mr. MacNicol, is in the general vicinity of the area but it is not in the Summerberry area.

Q. There is a reservation there?—A. Yes.

Q. And the Indians from there work in the Summerberry area do they?—A. Yes. Some trap on Tom Lamb's private ranch and some go on the government land.

Q. Is there not a reservation just where the Saskatchewan River enters at Cedar Lake and Chimahawin?—A. Yes.

Q. Do the Indians there work the land too?—A. A few of them.

Q. If I remember correctly the Athabaska flows for about forty miles alongside the south bank of the Athabaska Lake, and in all that area may be found rats. One agent told me there that he had sold rats to the value of $4.000. That was for a one-year period, and that figure represents a great many rats. What does the department do for the conservation of rats in the Athabaska

[1]1932, 4 D.L.R. 744;
[2]1939, 3 D.L.R., 635; *See also* R. v Rodgers, 1923, 33 Man. R. 139.

area?—A. The Athabaska delta is the next step in our conservation program. In the Athabaska delta we have both Indian and provincial lands. We have progressed so far to the stage where we have a complete report on the Indian lands, and we are now having discussions with the province as to the development there.

Mr. REID: I feel we should have it clear as to the rights of the Indians to kill animals for food.

The WITNESS: As far as killing for food is concerned, I have found in getting around and visiting game wardens that in general the Indians are given every break. I have been told that those who are brought before courts for having killed deer out of season are old offenders. Of course, if an Indian parades up the main street of a town with moose meat out of season the game warden must act.

Mr. BRYCE: Do not the Indians think that they are in the right?

The WITNESS: Exactly. That is one of our basic problems—to educate the Indian as to what his position is.

Mr. REID: But he has the right to kill for food. As a matter of fact, any man has the right to kill game out of season for food. There is no law against that. If I were in the wilds I would have the right to kill animals if I required food.

Mr. RICHARD: Out of season?

Mr. REID: Yes.

The CHAIRMAN: What I understand Mr. Reid to mean is that there is no moral obligation to refrain from killing animals for food if it is necessary to do so in order to maintain human life.

Mr. REID: I suppose the trouble is that so many get around this by saying they wanted the animal for food when they did not want it for that purpose at all?

The WITNESS: Yes.

Mr. RICHARD: What is the right of the Indian in that regard? Does his right over-ride all provincial game laws?

The WITNESS: That is a thought which I wanted to leave with this committee the other day.

Mr. REID: In British Columbia the Indians have the right to come down and take the Sockeye salmon. We have not tried to interfere with that practice.

Mr. FARQUHAR: They would interfere with that in the province of Ontario whether or not it was for food. The fact is that if they shoot deer out of season they are fined.

The WITNESS: That was Mr. Justice Greene's decision in 1939. We have the opposite ruling made in Alberta in 1932.

Mr. FARQUHAR: In this plan that you are working out, to what extent have you applied this to the province of Ontario?

The WITNESS: Very little. We have two reserves in Ontario, the Kenagami and the Albany with a total of 21.000 square miles. In addition to that we have quite a number of registered traplines in Indians' names. As I said before, we are now considering the application of this plan to the whole of the Patricia district; that is, everything north of the main line of the C.N.R., which would take in close to 200,000 square miles and 11,000 Indians.

Mr. MACNICOL: Are you starting right at the C.N.R. line?

The WITNESS: Yes.

Mr. MacNicol: There is one final question that I would like to ask you. What are you doing to control the rat industry at the mouth of the Mackenzie River in the mouth of the Mackenzie delta?

The Witness: That does not come under our jurisdiction, but I understand that at the present time there is a great wealth in the number of rats and the prices obtained for them. Apparently they hit the top of the scale.

Mr. MacNicol: It is a splendid area for rats. It should be protected by somebody.

Mr. Reid: There is a question that has come to my mind since we started sitting here. Generally speaking, are the Indians poorer to-day than they were 25 years ago? The reason I ask this is because of the fact that glib statements are made about "poor Indians". However, you can say that about our own people too. For instance, I could take you to quarters where our own people live and you would find the conditions appalling. I could take you to Indians who make more money than members of parliament. Are Indians as poor as some people make them out to be? Are they as poor as they were 25 years ago? Are they poorer than when the treaty was signed? I am not going to delay the committee on this question now, but sometime in the future I shall, because I have read of instances where whole tribes have been wiped out by starvation before they had any contact with the white man. I would like a general statement giving information as to a comparison of the Indians to-day and 25 years ago, because I am disputing any statement that they are in a poorer position now.

The Chairman: Mr. Conn, would you like to comment on that.

The Witness: I can say that among the Indians that live 200 miles or so back from the track, we still find the most abject poverty.

Mr. Reid: But white men have improved the conditions?

The Witness: In certain cases, yes.

Mr. Lickers: It is generally conceded that the Indians at the present time are in a better position than they were, say, 50 years ago. However, since coming in contact with the white man we have not made the progress which we could make, or in comparison with the progress that our white neighbours have made.

Mr. Reid: That is a reasonable statement.

Mr. MacNicol: Or in comparison with what the coloured people have made.

Mr. Bryce: I believe that in my own constituency the Indians are as well off and are good respectable citizens. However, on the fringe of civilization where the white man has gone and deprived the Indians of their fish and fur, they are worse off than they were. Their standard depends on the environment in which you find them.

Mr. Reid: Are there not tribes of Indians in the north lands of British Columbia and in the Northwest Territories who are living the life they did 65 years ago? They have had no contact with the white people and are nomads, and if they have deteriorated they cannot blame that on the whites. This whole Indian question is a great, wide one and one statement can not be made that would apply to all Indians. I believe there are tribes in the great north who are so far away that they see a Northwest Mounted Policeman only once a year, and whatever their condition is they cannot blame any of us for it.

The Witness: I believe I mentioned the other day that if there are areas to which the white man has not penetrated, they have not been heard of.

Mr. REID: I can show you a place in northern British Columbia where a ship goes in only once a year. The Indians there are living close to the Eskimo.

The WITNESS: The people I am working with on the Quebec projects are living right next to the Eskimo and there is not a white man in the district now but they were there 20 years ago and cleaned out all the marten and the beaver.

The CHAIRMAN: Gentlemen, we have now reached the end of our period. Mr. Conn will not be able to come back for any further meetings. On behalf of the committee I want to thank him for the very informative and interesting brief which he has presented here, and for the courteous manner in which he answered all questions. I want to thank him for the information which he has given us. I know it will be very valuable to this committee.

The committee adjourned to meet on Tuesday, August 6, next at 2 o'clock p.m.

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 19

TUESDAY, AUGUST 6, 1946

WITNESS:

Mr. Oliver M. Martin, Magistrate, County of York Court, Toronto, Ontario.

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY
1946

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

TUESDAY, August 6, 1946.

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 2.00 o'clock p.m. The Joint Chairman, Mr. D. F. Brown, M.P., presided.

Present: The Senate: The Honourable Senators Fallis, Horner, Macdonald (*Cardigan*).

The House of Commons: The Honourable Mr. Stirling and Messrs. Blackmore, Brown, Bryce, Castleden, Charlton, Farquhar, Gariépy, Gibson (*Comox-Alberni*), Harkness, MacLean, MacNicol, Matthews (*Brandon*), Raymond (*Wright*), Reid.—15.

In attendance: (Department of Mines and Resources): Messrs. W. J. Ford Pratt; R. A. Hoey, Director, Indian Affairs Branch; Eric Acland, Executive Assistant to Director; B. F. Neary, Superintendent, Welfare and Training; P. N. L. Phelan, Chief, Training Branch; M. McCrimmon, Trusts and Reserves; F. Kehoe, Lands Division, Indian Affairs Branch;

Also, Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

The Chairman announced that at the meeting called for Thursday, August 8, Mr. W. C. Ronson, Assistant Deputy Minister, Department of Finance, will appear for questioning; that the meeting on Tuesday, August 13 would be in camera for the purpose of considering the Report of the Joint Committee to Parliament; that no further activities had been planned for the 1946 Session.

The Chairman informed the Committee that the Clerk of the Committee would make a survey of members who would be asked to answer three questions:

(1) Is it your intention to visit Indian Reserves in or near your Division or Constituency during the coming recess;

(2) Would you be available to sit in Ottawa two or three weeks immediately prior to the opening of the 1947 Session;

(3) Would you be available to visit the maritimes and eastern Quebec during October, November, 1946?

On the answers to the above questions will depend certain recommendations to be contained in the Final Report.

Mr. Oliver M. Martin, Magistrate, County of York Court, Toronto, was called, made a statement, was questioned thereon and thanked by the Chairman for the "interesting presentation", and was excused from further attendance before the Committee.

The Committee adjourned at 4.00 p.m., to meet again on Thursday, August 8 next, at 2.00 o'clock p.m.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

HOUSE OF COMMONS,

August 6, 1946.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 2 o'clock p.m. Mr. D. F. Brown, M.P., (Joint Chairman), presided.

The CHAIRMAN: We have to-day as our witness Brigadier Martin of Toronto. Before proceeding with the witness, however, I think I should let you know what we have in mind for the future. On Thursday of this week it is proposed to have Mr. W. C. Ronson here from Treasury Board to answer some questions that have arisen in the minds of members of the committee.

Next Tuesday it is proposed we have a meeting in camera for the purpose of considering the report which will be presented to the House before the conclusion of the present session. We have nothing planned beyond next Tuesday, and it is hoped that our activities for this session will cease shortly after that date, if not on that date. The subcommittee on agenda and procedure has also been discussing the motion made by Senator Fallis at the second last meeting of this committee with respect to inter-session activities. Mr. McEvoy, the clerk of the committee, will be making a survey to ascertain what members will be available for inter-session activities. In due course he will communicate with you and you will be asked to answer three questions. They are:—

1. Is it your intention to visit Indian reserves in or near your division or constituency?
2. Would you be available to sit in Ottawa two or three weeks prior to the 1947 session?
3. Would you be available to visit the maritimes and eastern Quebec during October and November of 1946?

To those questions you will be asked to answer yes or no. If we get a majority answer on any one of those questions we will make a recommendation accordingly.

Mr. HARKNESS: That last question should be "October or November," not "and", should it not?

Mr. CASTLEDEN: I think not.

Mr. CHAIRMAN: I suppose we could say "and/or" November.

Mr. HARKNESS: My idea was that I did not think there was any anticipation of spending two months there.

The CHAIRMAN: We would visit during the months of October and November. It would not be in September or December, but my thought on the subject would be that the visit should not last longer than two weeks. That two weeks would be some time between the first of October and the last of November. Is that clear?

Mr. HARKNESS: Yes, it was merely to clear up that point.

Mr. CASTLEDEN: Does that take in Quebec as well?

The CHAIRMAN: Eastern Quebec, merely on the fringes of Quebec. Of course, it will depend on whether there are sufficient members who are interested. Then, of course, we have to make our recommendation to both Houses for authority. If there are no further questions we will proceed with the witness.

Mr. CASTLEDEN: There is also my notice of motion.

The CHAIRMAN: Yes, and there is another notice with respect to additions to the subcommittee. That is now being considered; the subcommittee has not forgotten it. Of course, I might tell you that we hope that this present session will be terminated very shortly, and whether or not at this late date we should proceed with those two motions we will have to decide a little later, at an early meeting. If it is your pleasure I will call on Brigadier Martin to come forward.

Brigadier Oliver M. Martin, Magistrate for the County of York, called.

By the Chairman:

Q. Brigadier Martin, I believe you are first of all a full blooded Indian? —A. I am an Indian; whether it is full blooded or not I do not know.

Q. You are an Indian?—A. I just do not like this term "full blooded Indian". We find it used all over the American continent. Why should we not call you a full blooded Englishman? I do not think it is a good idea.

Q. The term has arisen here. I think you will find that our committee is desirous of seeing that there is no such thing as this hyphenated Canadian or that hyphenated Canadian or any other kind of Canadian. We are Canadians. —A. That is right.

Q. And I believe that it is a purpose of this committee to recommend eventually some means whereby Indians have rights and obligations equal to those of all other Canadians. There should be no differences in my mind, or anybody else's mind, as to what we are, because we are all Canadians.—A. I would rather put it that I am a Canadian of Indian ancestry.

Q. I think we agree. Secondly, you have had some experience in the army?—A. Yes, quite a lot.

Q. And you have attained the rank of brigadier?—A. That is right.

Q. You have been in charge of large forces of Canadian soldiers?—A. Yes, that is right.

Q. Then, too, you have attained the high office of magistrate in the city of Toronto?—A. Magistrate, in the county of York.

Q. You are stationed at Toronto?—A. Stationed at Toronto.

Q. And there you are called upon to administer the laws of the province and the dominion?—A. That is right.

Q. So that I think we can modestly say you have quite a wide experience in and knowledge of the affairs of Canada?—A. I have a fair experience.

Q. And you have knowledge, of course, of your own ancestry?—A. Yes.

Q. And you can probably give us some valuable information which might be of assistance to this committee in our work in examining and considering the Indian Act?—A. I hope to do so.

By Mr. MacNicol:

Q. Would Brigadier Martin mind telling us to which tribe his people actually belonged?—A. We belonged to the Mohawk tribe of the Six Nations Indians.

Q. I wonder if Brigadier Martin would like to tell the committee in the beginning his ideas as to his own survey of this problem. I do know he has made quite a survey. Then we could ask questions, or do you want to ask questions now?

By the Chairman:

Q. Can you tell me if you have a submission that you would like to present?—A. When I got the invitation last week I sat down and wrote out what I thought might be the more sensible way of putting the problem.

The CHAIRMAN: I think if it is your pleasure we will ask Brigadier Martin to make his presentation. Then we will ask questions after he has terminated his presentation. Probably you would not object to questions being asked then?

The WITNESS: Not at all.

By Mr. Bryce:

Q. Has he got copies of the statement?—A. No, I have not.

By Mr. Castleden:

Q. Have you ever lived on a reserve?—A. Oh, yes, I was born there and lived there until 25 years ago.

Q. But not within the last 25 years?—A. Oh, I go back on frequent occasions. My mother is still there.

Q. What reserve is that?—A. That is at Brantford, the Six Nations.

The CHAIRMAN: Just proceed, please.

The WITNESS: Mr. Chairman, Mrs. Fallis and gentlemen: First of all I want to thank you for inviting me to be here to-day. I feel it a very high honour to appear before you on behalf of the Indians of Canada, and I hope what I have to say may be of some assistance to you in the difficult task which lies ahead of you. Whatever I may say does not mean to point to any person in particular, but I hope what I do say will give you a general idea of the Indian's viewpoint in connection with this question.

There is one thing I should like to correct, first of all. I note on page 118 of the minutes of proceedings that I am spoken of as one of the most outstanding authorities on Indian affairs in Canada. I do not know how that idea came about, and can only say that perhaps it is because of the fact that during the past years, whenever I had the opportunity, I have spoken frequently to service clubs, church groups and other organizations in behalf of a better deal for Canada's Indians. I do not claim to be any authority, but I have always been deeply interested. I have taken every opportunity to assist the people of Canada towards a sympathetic understanding of the Indian, and have done what I could to show the Indian that his future welfare and well-being depend, in the initial instance, on himself. I want to say that I have learned more about Indian affairs since reading the minutes of your proceedings than I ever knew before, except knowledge of the Indian himself and his reactions and ideas in connection with the Indian Act and its administration.

I do know the Indian because I am one of them, as I told you before. I lived on the Six Nations reserve. My home was there, until 25 years ago, when I became enfranchised after the first great war. Just as you, whose ancestors come from Great Britain, fight to retain the union jack as part of our Canadian flag, and just as you, whose ancestors came from France, wish to retain some symbol of your ancestry in our national emblem, so I, a Canadian, am deeply thankful for this opportunity to say something to this distinguished group of legislators from the Senate and the House of Commons on behalf of my racial group which has played no small part in the development of our country. I am not, however, going to suggest to you that crossed tomahawks be placed on our flag. But what I do hope is that the result of the work of this committee will be such that our distinctive new national Canadian flag, which I understand is to come, will forever be a symbol to Canadians of Indian descent that their freedom was restored to them when that flag was born.

During the great war I was for a time an officer in the 107th Battalion from Manitoba, and in that battalion were Indians from Saskatchewan, Manitoba, Ontario and Quebec, about 450 all told. In the war recently ended there were quite a number of Indians in units of brigades in areas which I commanded and I was privileged to associate with and visit Indians on quite a number of reserves in British Columbia during the year and a half when I was stationed on the Pacific coast. I have also visited some reserves in Quebec and the maritimes. I tell you this to let you know that my knowledge of Indians is not confined only to the Six Nations group. Indians vary, of course, to a mixed degree, across Canada, in appearance, manner of living, educational accomplishments, health standards and religious attachment; but they have one thing in common and that is an antipathy towards the Indian Affairs Branch, more especially among the older people. It is most unfortunate that this is so, because the opposite should be the case. In looking for the reason for this feeling of distrust, and, in some cases, active antagonism which the Indian feels towards the branch and its officials, if I tell you a few things which took place between certain officials of Indian Affairs and my immediate family, and myself personally, you will perhaps see why Indians feel as they do, and I hope you will be more willing to show patience—which you are going to require—and sympathy, towards these Indians and groups of Indians who may appear before you during the coming months. My father was an industrious man—

By Mr. MacNicol:

Q. Pardon me there. I did not catch that. What did you say about your father?—A. My father was an industrious man. Besides working a small farm of some 50 acres, he was a carpenter and builder and occasionally got contracts for the building of schools, bridges and culverts on reserves. We were seven children in our family, four of whom he sent off the reserve to high school and one to a hospital in Greenwich, Connecticut—my eldest sister—to train as a nurse, with the result that he was unable, with all these obligations, to accumulate any money. Therefore whenever he was awarded a contract, it was necessary for him to make an arrangement with a Brantford city merchant, through the Indian agent, to supply him with materials and cash for his work, to be paid back when the cheque came through, as it eventually did, in payment for the completed job. In order to do this, he had to sign an undertaking that he would endorse the cheque, when it came, over to the Indian agent, who would pay the merchant and return him the balance. It was all right, and it worked out satisfactorily for a time. This went on for a while and my father got to the point where he trusted the agent. During the summer of 1911 or 1912 he got a larger contract than usual, for building a reinforced concrete bridge which took some two or three months to complete. In due course the work was done. The cheque came along. The accounting was made with the merchant showing that my father had a balance due him of $1,600. The cheque was endorsed, and when he called for his money a day or so later, he was given $1,100 only, with the explanation from the agent that somewhere a mistake had been made. When he demanded to be shown where the mistake was, he was put off, time after time, and never was shown to the time of his death. To get contracts, you have to what is commonly known as "play ball" with the Indian agent. In those days, although the council of the Six Nations awarded the contract, the agent had to approve and recommend it to the then department before it was finally granted by them. I am not at this late date accusing that agent of theft. I intend only to show how some agents disregard the obligations which they should have towards the people they are expected to instruct and guide.

In the early 1900's the Six Nations Council spent a great deal of money in legal fees paid to lawyers for services of one kind or another without getting any satisfaction with the result that after days of deliberation over a period of months they concluded that the only way they might hope to achieve anything would be to send some of their own people to take up the study of law. The Council at that time was under the old system of government by hereditary chiefs as formed by the Iroquois League. Fine men they were, for the most part —good orators and forceful characters. There were some sixty chiefs then in the Six Nations Council with long experience in governing their people.

In 1913 or 1914, I'm not sure which year it was, the council, without a dissenting voice, passed a resolution to select two boys to attend Upper Canada or St. Andrew's College, the University of Toronto and Law School to take up the study of law. The expense of their undertaking was to be paid for from the interest money—which was their own—and which amounted to several thousand dollars annually paid to each member of the band. The people were willing to give up their interest money for that purpose and so expressed themselves. The boys were selected and the resolution was forwarded to the Department of Indian Affairs at Ottawa for approval. The Department refused to sanction this expenditure and so far as I have been able to find out gave no reason for its refusal. I was one of the boys selected—the other was Jim Moses who was killed in action while flying over Germany as an officer in the Royal Air Force.

After the war in 1919 I came to Ottawa to try to get a job in the Department and while here I asked the then head of the department—I believe he was then called Deputy Superintendent-General of the Indian Affairs—why the resolution of our council was turned down and the answer I got was most surprising. "It's no use sending you Indians to school you just go back to the reserve anyway". I later made application for an Indian Agency—I had not yet been re-established from the last war—in northern British Columbia at Hazelton. I never got the job and never got an answer. In the winter of 1921 I was teaching school on the Six Nations Reserve. At that time quite a number of our returned soldiers had bought land on the reserve under the Soldiers' Settlement Act and some of them were unable to continue payments with the result that some of the farms were up for resale by the department. It was apparently one of the tasks of the Indian agent to dispose of these repossessed farms. One April day the agent, accompanied by his clerk, called on me at the school where I taught and asked me if I would take over one of these farms. He knew I had no adequate farm experience, there were no buildings on the farm, the land was poor and covered with weeds. However, it was land and the price was attractive so I agreed to take it providing that I be permitted to rent it and continue with my job as a school teacher. He agreed to my proposal and I took over the farm. The verbal agreement was made in April of 1921. In July—three months after he made that promise to me—I got an official letter from him notifying me that because I had purchased a farm under the Soldier Settlement Act my position as teacher was terminated forthwith and that another teacher had been appointed to take over my school in September.

It was then that I decided to get out of the jurisdiction of that Indian agent. I applied for enfranchisement and, with the help of influential friends I had at the time among the members of parliament in Ottawa, obtained it.

In 1935 my youngest sister came to me in Toronto where I lived, suffering great pain from a lump on her breast, claiming that the doctor at the hospital on the reserve couldn't do anything for her. We took her to the Toronto General Hospital for examination after which the doctor who saw her diagnosed the case as cancer requiring an immediate operation. They kept her at the hospital that day to prepare her, but later on that evening she returned to our home saying that the hospital authorities, after finding out that her home was on an Indian reserve, would not do anything without her first obtaining authority from

the Department of Indian Affairs. I immediately got in touch with the doctor on the reserve by telephone to get, as I thought, the required authority. I know this doctor personally. He is a fine man who would, I know, do everything possible for anyone in need of help but apparently he was helpless because he told me that due to the fact that there was a hospital on the reserve he couldn't authorize an operation in the Toronto General Hospital. She returned to the reserve, where she was operated on some time later, and died—leaving two small children. I am not blaming the doctor—he is a good man who has done excellent work for many years on that reserve—but I do blame the system which apparently requires authorization from Ottawa before any action can be taken, even to meet an emergency of that kind. I am not sure that I am correct in assuming that authority has to be obtained from Ottawa to meet an emergency—I hope I am wrong—but it appeared to me in this case to be true. Of course, she might not have lived even if the best surgeon in Toronto had performed the operation, but she should, in my opinion, have been given the chance to live, especially since there was no cancer specialist or qualified surgeon available at the hospital on the reserve.

I note in your minutes that it is said the Six Nations Reserve is the most progressive one in Canada—if that is so—and since what I have told you represents some of the injustice suffered by one family during a quarter century and since the same sort of thing must have been experienced, more or less, by every Indian family across Canada, all through the years since the Department of Indian Affairs was formed—you can see why Indians feel as they do towards departmental officials. I hope, as a result, that you will be more sympathetic towards those Indians who will make presentations to you than you otherwise might be.

On page 413 of the minutes I notice the question is asked by Mr. MacNicol:—

> Q. How are Indian agents chosen and how are they appointed, and by whom?

In answer to this question the witness replied that they are appointed by the Civil Service Commission, after examination by a local board. I would like to suggest that the local board goes through the motions and that they are really appointed by the local M.P., if his party is in power; or by the defeated candidate, if his party is in power. I would also like to suggest that that is the chief reason why Indian agents are so often unsuited to the important work they are expected to do. I would further suggest that the director of the branch would have a most difficult time in getting rid of an unsatisfactory agent as long as the government which appointed him remains in power.

I believe that some one, speaking of residential schools, spoke of vocational training being given to boys and girls in attendance. I am very glad that is being done baceuse that is one of the courses of training which should be available for Indian girls and boys as it is to other Canadian children. I personally know only one residential school. I refer to Mohawk Institute, which I inspected just before the war and found that the vocational training which the children got there consisted chiefly of the girls doing the necessary housework and the boys doing the farm labour and chores around the stables. I hope that is not the type of training which passes under the heading of vocational training in other residential schools because if so, it is of no value in the preparation of children for earning a living after they leave school.

I have a sincere appreciation of the good work that has been done by our denominational residential schools in the past but the time has now come, in my opinion, when the primary education of our Indian children should take place in undenominational day schools. What to do with the buildings now occupied as residential schools should be of secondary consideration.

In the education of Indian children stress should be laid not only on the three R's but on vocational training in preparation for future usefulness as Canadian and on the history of the contribution of the Indian people to the growth of Canada in order to give Indians pride in their race. You can never make an Indian into a white man, any more than you can make a French-Canadian into an English-Canadian, or vice versa; but you can make an Indian a good Canadian and it would not take very long, if the task were undertaken with sympathy and understanding.

In my opinion, every adult Indian should have the right to vote in dominion elections and in provincial elections, without losing any of the privileges which he possesses at the present time. He pays all taxes except the direct land tax. He pays taxes to the province and taxes to the dominion. By virtue of that fact, I maintain, he should be entitled to the right to vote. Of course, like other Canadians he, no doubt, will often not turn out to vote, but he should have the right to do so. You have been told that any Indian may apply for his enfranchisement and by so doing obtain the rights of citizenship. It is really not as simple as it sounds. As an example, I have a brother who has lived off the reserve for the past 20 years, chiefly in the United States. He told me not later than last Sunday that he went to the Indian agent last year to apply for enfranchisement, and the agent refused to give his approval.

I know many Indians who would not consider making application for enfranchisement because they would have to give up their land and their homes on the reserve, and they do not consider that the sacrifice they would have to make would be worth 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.

Much has been said about poor housing conditions on some reserves. I suggest that a good percentage of you in this room to-day would not have the homes you have, if you were unable to borrow money with which to build them. Indians have to pay cash for most of the things they buy and definitely for building materials for houses and buildings built on a reserve.

On page 464 of the minutes you will see that the total amount loaned to Indians in the whole of Canada for 1944-45 for the purchase of livestock and equipment, the purchase of land and buildings, repair to buildings, construction of new buildings, the sinking of wells and miscellaneous expenditure amounted to the total sum of $30,652, and only $6,075 was for the construction of new buildings and the sinking of wells. How can you expect the Indians to have good homes if that year's loans represents a fair example of the average annual assistance they can obtain?

One page 462 of your minutes it will be noted that the Indian Trust Fund has grown from $2,469,945.69 in 1867 to $17,096,489.68 in 1946, which represents a growth of over $15,500,000 in 85 years. It would appear to me that the department has been more interested in creating a fund than in spending money humanely to assist their wards. I note the number of Indians dying from tuberculosis. Housing conditions are responsible.

It used to be said that the only good Indian is a dead one. One does not hear that any more. The conclusion that we can draw, therefore, is that the average Canadian and American has begun to realize that an Indian too, is a human being.

We on this continent, as a whole, know little of the Indian except those we see in illustrated magazines decked out in ceremonial costumes as a background for some advertising campaign or visiting dignitary, or those we come in contact with as guides during our annual hunting or fishing trip in our northern wilds.

In the city an Indian is merged with our teeming thousands. We do not recognize the man in the factory, the doctor on the corner, the waitress in the lunch room, the family chauffeur, the teacher of our children, the barber, or the nurse in the hospital as one of our native Canadians. He is there and he is one of us which is at it should be.

Outside of those whose names appear in history as famous warriors of bygone years, few Canadians know of Indians who have left their reserves and taken an active place among other Canadians. For your information I will name a few of those I personally know who made, or are making, important contributions to our national life. There is George Martin (Oronhyatekha), graduate with honours from Oxford University—practised medicine in London, Ontario—and was several years head of the Independent Order of Foresters, a world-wide organization. His brother, Dr. Peter Martin, a physician in Cleveland, Ohio; and his son, Dr. Ackland Martin, a physician in practice in Copenhagen, Denmark. Dr. Thomas Miller, a consulting physician in Cleveland, Ohio; Dr. George Johnson, a physician and surgeon in Toledo, Ohio; Dr. F. A. Johnson, a specialist in eye, ear, nose and throat, Akron, Ohio; Dr. Thomas Jamieson, specialist in ear, nose and throat, Detroit, Michigan; Dr. Minerva Burke, physician, in Chicago; Dr. Elmer Jamieson, Doctor of Paedagogy, head of the Science Department, North Toronto Collegiate; Mr. Gilbert C. Monture, an engineer with the Department of Mines at Ottawa; Dr. Edward Davis, a physician and surgeon, Chicago; Mr. James Miller, a merchant, Liverpool, England; Reverend Theodore Montour, B.A., B.D., a clergyman. And, among our soldiers in the recent war, I would name Captain A. Y. E. Smith, M.C., Croix de Guerre, Star of Poland, etc., Canadian Infantry; Captain George Smith, M.C., Canadian Infantry; Captain John Stacey, M.C., Royal Air Force; Lieut. James Miser, Royal Air Force; Major Robert Montour, Canadian Army; Lieut. C. Brant, Canadian Army; Mrs. Ethel Montour, historian and novelist, Rochester, New York; Miss Josephine Johnson, Miss Florence Martin and Miss Lillian Styrer, nurses; and others too numerous to mention.

Mr. MacNicol: Did you mention Pauline Johnson?

The Witness: I did not mention Pauline Johnson.

Mr. MacNicol: I would.

The Witness: Then I will add, Pauline Johnson, distinguished Canadian poetess. I haven't much more to say, but I should like to express the thought that just as in the army I found the Indian soldier readily assimilable among his companions so I feel that the Indian will gradually assimilate with his fellow Canadians through the gradual process of educational and economic advancement which is sure to come with the passage of years. The sooner he can have a good home, a decent income and a fair education for him the quicker the process of assimilation will be. And that is where the Indian will require some help.

It is my opinion that the Indians of Canada should have some form of representation in Parliament. I know there are many difficulties, but I would recommend that consideration be given by this committee for appointment by the government of an Indian Senator-at-large, which will overcome the difficulty of elections all across the country. I feel sure that such an appointment would do much, not only in giving the Indians confidence in the sincere intentions of this government but would also be a great deal of help in the future administration of Indian affairs. I say this because human nature requires us to be responsible to somebody. I am not saying anything against our present director of Indian Affairs whom I think is one of the best men this department has ever had, but I am speaking only of human beings who have no means of being checked effectively by anybody; and, unless he is a very, very good man things will not go as they ought to go.

Since the Six Nations have now in my opinion reached the stage in their progress where they are able to take definite responsibility in the administration of their own affairs—and I think they have reached that point—I would suggest that the new Act which I hope will result from your deliberations will contain a plan by which that band would, beginning say in the year 1950, be handed over the total amount of their accumulated *interest* money annually to be administered wholly by their Council for the purpose of carrying out all public services on their reserve, such plan to be continued in operation as a measure of self government for them until such time as it is considered they have proven their ability to govern themselves well and completely, at which time they should be paid the whole of their *capital* account and cease to be wards of the government in any sense whatever. The same plan, I suggest, should be made applicable to other bands across Canada, when they are ready for it.

I have spoken a long time; if I can answer any questions, I shall be glad to do so.

The CHAIRMAN: Now, Mrs. Fallis, gentlemen, if you have any questions you would like to submit to Brigadier Martin: we will follow our usual procedure of having each member submit his questions, with required interruptions by other members on the point on which the witness is being interrogated. Have you any questions to submit?

By Mr. Reid:

Q. I have a question which I should like to ask Brigadier Martin. Have you any idea what the situation of the Indians would have been to-day if they had been treated right from the inception of Confederation in the way you have suggested. What I have in mind is this; I was very much intrigued with your statement that later on you would like to see Indians cease to be wards of the state. That gave rise to the thought in my mind that I should like to have your opinion as to what the position of the Indians would have been to-day had they been treated differently?—A. I think I can best answer that by saying this, that twenty-five years ago I was on a reserve and I got away and I managed to get along on my own; so, I think we have been inclined to take too much care of the Indian and not doing it in the right way, without really understanding him. Does that answer your question?

Q. Yes, and I am inclined to agree with your statement. Personally I think that we have been very fortunate in having your statement for the committee. I was just wondering if you had given any thought to what the status of the Indians would have been to-day had no treaties been entered into, and had we treated them differently from the time the country was taken over, or let us say from Confederation?—A. That is a pretty hard question to answer.

Q. You see, the reason I ask that question is because of the situation we have to-day where Indians are wards of the state. And now, the statement which you have made to-day has brought us a lot of interesting information. As I say, I have been wondering, had we treated Indians differently from the time treaties were made with them, what the condition of Indians would have been to-day.—A. I would be inclined to dispute those statements because, after all, the white man brought the Indians many, many things which they would have been centuries—if ever—if he had not come.

Q. Have you any specific reason for advising undenominational day schools to be put into general effect, rather than denominational schools; have you anything particularly in your mind?—A. Nothing particularly, only I think we should follow the same rules with Indians as we follow with all other people in the province or in the country, where everybody has the choice of the school to which he wants to go. Many Indians, as I understand—I am not sure about this—but I understand that if an Indian family lives next to a Roman Catholic school,

whether that family is Roman Catholic or Protestant or follows the native belief, the children go to that nearby school and have to be brought up in that religion. It is not right.

Q. You really believe that with a different and more humane treatment, shall I say, that in a reasonable length of time all the Indians could be taken out from under the care of the state?—A. I believe that definitely.

Q. That is an important statement. You are the first witness who has said that.—A. I believe that definitely. You see, you cannot deal with people if they have their backs up before they ever see you. Now, not many Indians have had the honour of meeting the director of Indian Affairs yet as soon as people speak of the director of Indian Affairs their back is up right away because of what has happened in the past.

By Mr. Castleden:

Q. In regard to that very point, your own experience which caused you to leave the Indian reserve and take out naturalization papers was the thing that influenced you: as a fact, you had no voice in your own affairs, no appeal from the decision of the agent?—A. That is right. I left our reserve against the very definite wishes of my father and my mother and all my people. They do not like to see Indians becoming enfranchised because they feel that such Indians are deserting the group. But I was so angered at this agent who treated me, I considered, most unfairly, that that was the reason I got away.

Q. Is there no appeal from the decision of the agent to which the Indian can resort?—A. Not that I know of.

Q. Do you think that in our amendments to the Act we would be well advised to recommend a change so that the Indian himself should have some voice, some avenue of appealing, those decisions?—A. I do.

The CHAIRMAN: Is that the fact, Mr. Hoey; that there is no appeal?

Mr. HOEY: I do not think the point is definitely covered in the Act, but in practice I would say about one-third of the average inspector's time is taken up in answering questions that have been answered by the agent and not answered to the satisfaction of the Indian. That is what our inspectors are for. They go out with no other purpose in mind. It would not do for the department to keep those senior officials constantly in the field. According to present practice, not only do they meet the Indians, but we have the assurance in their reports that they visit every Indian home, meet the Indians in groups with the agent present, and with the agent absent. That is definitely their work. Mr. Arneil and Major MacKay could have assured the committee on that point when you heard their evidence. That is definitely the inspectors' task. I do not know what the policy was in the past of which Brigadier Martin speaks; I can speak only of what is going on now.

The WITNESS: May I make a statement in answer? It is my object to bring the facts before the committee. All the time I was on the reserve the Indian agent came to my place only once, when my father died. I never saw or knew anything about an inspector of Indian agencies; and if they are supposed to do that, Mr. Director, I do not think they are doing their job.

By the Chairman:

Q. That was before 1921?—A. I would doubt if the inspector has ever been to the homes—in any home—maybe not more than one or two homes on the Six Nations reserve.

Q. What you are speaking of now has to do with your own experience prior to 1921?—A. Oh, yes, definitely.

By Mr. Castleden:

Q. I would like to state at this point that I visit Indian agencies in my constituency in Saskatchewan frequently. Actually what you have said about

the attitude of the Indians and of the bands towards the agents and the Indian department exists there, and I am trying to find some means of changing that attitude. As you wisely pointed out, if we are going to solve the problem of the Indians there must be a better feeling between the Indian on the reserve, in the band, and those who have authority over them.

The WITNESS: Might I suggest, Mr. Chairman, how this might be accomplished. I am of the opinion that agents have got to be paid much more than they are now, in order that you may hold out some incentive to good men and that good men will seek the jobs. I am also of the belief that they should have some training—

The CHAIRMAN: You say training. What do you mean by training?

The WITNESS: What I have in mind is training under the direction of the Department in Ottawa before they are sent out as Indian agents.

The CHAIRMAN: Do you think that there should be some social service training?

The WITNESS: I think, whatever training is decided upon at headquarters.

Mr. REID: Do you think there is, on the part of the Indians, more suspicion of officials than there is among white people—if I may use the term—in relation to government investigators? I know that the average citizen is loath to say anything in the presence of a government official, whether male or female. The moment one enters his house he becomes silent. I have met men ready to shoot any government agent who might come enquiring about matters relating to settlement, veterans' land and so on, and I am wondering whether that is not just a common instinct?

The WITNESS: My experience of the Indian is that he likes to see a good-natured white man come around and talk to him about his affairs. Further, in answer to the question, I must say that the Royal Canadian Mounted Police are very highly thought of among the Indian people.

Mr. REID: Members of the Royal Canadian Mounted Police force who come in contact with the Indians are picked by the Department itself. You cannot expect the Civil Service Commission to pick a good man 3,000 miles away and know whether or not his heart and mind are well disposed to the Indian.

Mr. CASTLEDEN: Do you not think that the two foremost qualifications of an Indian agent, or for that matter, anyone else dealing with Indians, are precisely those that you have emphasized throughout your brief, namely, sympathy and understanding?

The WITNESS: Oh, yes.

The CHAIRMAN: Yes, but that understanding should be along scientific lines, should it not?

The WITNESS: Understanding of human nature.

The CHAIRMAN: I have in mind, for example, such people as welfare workers, who have a knowledge of the social sciences.

The WITNESS: It would be better, provided they also had a deep understanding of human nature.

The CHAIRMAN: In other words, even a good magistrate has to have something more than simply a knowledge of the law?

The WITNESS: Well, I should think so.

Mr. CASTLEDEN: Do you think that any good purpose would be served by members of this committee visiting Indian reservations during the course of our deliberations?

The WITNESS: I fancy you would find out many things you would not be able to discover sitting here in Ottawa.

Mr. HARKNESS: As a result of all that you have observed on many reservations, what proportion of our Indians would, in your opinion, be ready for, say, that measure of self-government that you recommend the Six Nations should have?

The WITNESS: I do not know the others sufficiently well to make any recommendation concerning them at this point. However, I am familiar with the Indians of the Six Nations and I am of the opinion that if they knew that this was going to take place in five years hence, they would send to business colleges the boys and girls they have in high schools so that when the time came they would be ready to look after this first phase.

Mr. HARKNESS: You do not feel prepared, however, to make any statement with regard to Indians generally across the country?

The WITNESS: Only this, that they should be given the same opportunity when ready for it.

Mr. GIBSON: What is your observation with regard to the Indians at Nanaimo? You must have had some opportunity to observe them.

The WITNESS: I feel that they are not yet far enough advanced and the reason for that is that they are off in one corner of the town where they are segregated and looked down upon.

The CHAIRMAN: Is that not usually true where you find reservations adjacent to large cities?

The WITNESS: Yes.

Hon. Mrs. FALLIS: Mr. Chairman, I would like to ask Brigadier Martin a question based on the list of the Indians who made successful careers for themselves in the outside world. I noticed, Brigadier Martin, when you were reading your list, that apart from those who achieved prominence or received credit in military service, there were very few who had received recognition in Canada. The majority of the persons mentioned on your list were in the United States. Is there any reason for that? Do they find it easier to make good in the United States than in Canada? Do you feel that they have a better chance to make good in the United States than in Canada?

The WITNESS: I think they have, for the reason mentioned.

Hon. Mrs. FALLIS: It is not that there is more discrimination against them in Canada?

The WITNESS: I would not like to say that, but it works out that way, just the same.

Hon. Mrs. FALLIS: I notice that Cleveland and other large cities in the United States were mentioned on your list. What about Toronto? It is a good sized city.

Mr. MACNICOL: We have a brigadier and a magistrate in Toronto.

Hon. Mrs. FALLIS: Well, he is too modest to talk about himself.

The WITNESS: I might say that if I had remained in Brantford I do not believe that I would ever have become a magistrate there. In Toronto, it was possible.

Mr. MACNICOL: If the other members of the committee are through for a moment, I would like to ask a question—

Mr. CASTLEDEN: First I would like to ask just one question along educational lines. Brigadier Martin, in your own experience with regard to the

Department's reason for not giving assistance to higher education, the answer was that there was no use educating Indians because they would just go back to their reservations anyway. That was some time ago, was it not?

The WITNESS: 1920 or 1921.

Mr. CASTLEDEN: Have you any records with regard to the opportunities that were given to other Indians to continue higher education, or do you think that attitude has prevailed to a large extent throughout the Department?

The WITNESS: I believe the attitude has changed, but the $100, which I believe is the normal asistance given to each student, does not go very far.

Mr. CASTLEDEN: You feel that there should be more money made available to assist these students, do you?

The WITNESS: Yes. I would recommend a sum larger than $100. I understand that it has been increased to $200 or $300 in special cases, but I have never heard of it being more than $100 in the normal cases that I know of.

Mr. CASTLEDEN: I wonder if we can get on record from the Department the number of Indians who are being assisted at the present time in this regard?

Mr. FARQUHAR: You pointed out some of the outstanding men among the Indians who, through education, obtained the positions that they had. You feel then, do you, that with regard to the Indians the important question is the education of them?

The WITNESS: It is one of the important questions.

Mr. FARQUHAR: How do you find the work of the day school compared to that of the industrial school?

The WITNESS: Do you mean by that the residential school?

Mr. FARQUHAR: Yes, or industrial schools, as we call them.

The WITNESS: I do not see how there can be very much comparison because in the case of the day school the children attend every day from nine o'clock to four o'clock, while in the residential school the children go to school half a day and they work the rest of the time.

Mr. FARQUHAR: You consider, then, that they accomplish a good deal more at the day school?

The WITNESS: Oh, yes.

By Mr. Charlton:

Q. You said, Brigadier Martin, that in view of the fact that there was a considerable amount of interest money, the reserves could be given that money to operate on for a few years and then they could be given self-government. What would you do in the case of non-treaty Indians?—A. That would be a problem which would have to be met when the time came.

Q. Do you think that there could be another method evolved to deal with that?—A. I would think so. In answer to that question I might also say that just because some Indians have not got the money to obtain their freedom, why should the rest of the Indians be held back.

Q. Do you not feel, Brigadier Martin, that there are many Indians across Canada who are capable of filling various positions in the Department at the present time, as for instance, the position of Indian agent?—A. I know of some Indians who would make very good agents. I do not say that there would be many. I cannot say that because I do not know.

Q. What I am trying to get at is this: Do you feel it would be a good idea, for instance, to have an Indian of the Six Nations as an Indian agent for the Six Nations?—A. Oh, I think so.

Q. Do you consider that it would work out satisfactorily?—A. Yes.

Q. Probably better than it is now?—A. It would not have to work out extremely well to be more satisfactory than it is at the present time.

Q. If you would rather not answer the next question you will be excused. Was it the Indian agent who refused your brother?—A. Yes. Mind you, he may have had a very good reason.

Q. Did he state the reason?—A. I did not go into the question with my brother. He is younger than I am and I said to him, "I think you had better stay as you are. You may need that hospital one of these days". I was merely pointing that out as an example.

Q. As you were originally from the Six Nations have you had any occasion recently to visit the Mohawk institute?—A. No.

Q. You are inclined to believe that the day school is far superior to the residential school?—A. Absolutely.

Mr. FARQUHAR: Is the Indian agent who held the cheque from your father still in the Department?—A. He is dead. So is my father dead.

By Mr. Bryce:

Q. Brigadier Martin, I would like to hear your views on the Indian Affairs Branch. What I want to know is whether you think it is right and proper for Indian Affairs merely to be a side branch of the Department of Mines and Resources?—A. There is a thing that I feel Mr. Hoey—

Q. I can contact him any time. I may not see you again. I want your views.—A. My opinion is that it should be a separate department by itself.

Q. I agree with that completely.—A. I could never tell why they put Indians in with the Department of Mines and Resources because, after all, Indians are human beings.

Q. I believe it should be a department by itself, and I want to know if you agree with this opinion?—A. I agree with it one hundred per cent.

Q. In connection with the Health and Welfare Department, I know of instances in my own reservation up north where people have had to come to Ottawa to secure sanctions from the Department of Health and Welfare for Indian agents to move them. Do you think it would be for the betterment of the Indians in general to have one department?—A. I do not see how it could not help but be better. If Mr. Hoey were entirely in charge without having to refer to higher authority, which he has to do from time to time, I do not see how it could help but be more satisfactory.

Q. And you consider that having more day schools is a better plan? —A. Oh, yes.

Q. And that the present residential schools should be turned into vocational schools for young men and women in order that they may go out and take their places with white men?—A. I had not thought very much about that because I felt you would have to act with consideration before enacting that. Off-hand, however, it looks like a good plan to me.

The CHAIRMAN: Brigadier Martin, I would like to ask you a question which is not without malice aforethought. You see, we members sitting around this table are members of the Senate and of the House of Commons. I was interested in your statement when you claimed that the Indian agents were appointed through the Civil Service but really by the members of parliament. I would like you to tell us why you say that a member of parliament would have any particular influence or authority. We are dealing with the Civil Service all the time and we would like to know how that is done.—A. You will see, Mr. Chairman, that I only suggested that I thought that was what happened. After all, as you know, there are all kinds of members of parliament and local examining boards are usually influenced a great deal by the opinion of the local member of parliament who talks to them before the meeting and so on.

The CHAIRMAN: Mr. Hoey, is the Indian agent appointed on the recommendation of a local examining board of the Civil Service Commission? A board of the Civil Service set up with representation from the head office, or the provincial office of Indian Affairs? What are the means and method of appointing an Indian agent?

Mr. HOEY: Let us suppose that an agency is at present vacant or is about to become vacant, in Ontario, and that it is a Grade III or Grade IV or Grade V agency. If it were a Grade V agency I would be asked first of all, to decide whether the agency should be filled by promotional competition or open competition. If it were decided to fill it by promotional competition the Department itself would do most of the final rating for the Civil Service Commission and the latter would send over an investigator. So far as promotional competition is concerned it is confined to full-time, permanent employees of the Indian Affairs Branch. Now, in the case of open competition we send in a submission that the agent has retired, and after six months, as you know, the position is advertised in post offices and other public buildings in the district. All applications are forwarded to the Secretary of the Civil Service Commission in Ottawa. When the applications are all in and the competition is closed, the first rating board meeting is held. Latterly I have been representing the branch on that. Ordinarily the General Superintendent of Indian agencies would be the representative but I have had to take on that additional duty. Usually at these meetings there is a representative of the minister's office, the head of personnel; a representative or two of the Civil Service Commission, and an outside man selected by the Civil Service commission. He may be an educationist or an experienced administrator from the Department of Veterans Affairs. We go completely over the applications and reject those who have not the necessary educational qualifications or who have not the returned soldier's preference. We scrutinize all applications and frequently write to the applicants, seeking additional information. Having done that the Civil Service Commission selects a rating board. Let us suppose it is in Saskatchewan. The Civil Service Commission and not the Department would select a local rating board. As I understand it, that board is made up of a representative of the Civil Service Commission, a representative of the returned soldiers, another local individual who may be selected by the Civil Service Commission, and our senior official in the province concerned—Inspector Ostrander in Saskatchewan or Major McKay in British Columbia. They meet, interview the candidates, have oral examinations, and send forward a list of the candidates in order of preference. Now, that is not always accepted by the Civil Service Commission. As Major McKay pointed out during the course of his evidence, the Civil Service Commission, for reasons best known to themselves, do not always accept the findings of the local board. They may or may not; then we receive an announcement that a certain man has been selected for a certain agency.

The CHAIRMAN: Is there any question of political patronage entering into the selection of an Indian agent?

Hon. Mr. HORNER: Of course there is!

Mr. BRYCE: Mr. Chairman, Brigadier Martin has hit the nail on the head. It is not what you know, but whom you know.

Hon. Mr. HORNER: Mr. Chairman, I am surprised at your bringing up so superfluous a question as that.

Mr. FARQUHAR: There are some Indian agents in my constituency and there is nothing in my experience to substantiate any suggestion in regard to patronage. I think it is generally felt among the members who have had any experience that the suggestion is unfounded. They have had nothing to do with the appointment of Indian agents. It is, I believe, an erroneous impression that Indians and a few members as well have.

Mr. HARKNESS: We can more profitably spend the time of Brigadier Martin in canvassing other matters.

Mr. FARQUHAR: No. I do not think so. One of the things we have to do is clear up some of these misunderstandings in the minds of the Indians. This is a case in point.

The CHAIRMAN: Probably, Mr. Farquhar, we could do that when Brigadier Martin is not here.

Mr. FARQUHAR: You brought it up.

The CHAIRMAN: Yes, I admit that, but the matter can be pursued further at some other time.

Mr. HOEY: May I be permitted, in the interests of accuracy, to point out that the appointment of farming instructors or Indian day school teachers should not be confused with the appointment of Indian agents. Farming instructors are ministerial appointments. Fifty per cent of Indian day school teachers are ministerial appointments. It is only fair to the Civil Service Commission to say that in the ten years that I have been in the Department—I will place the records at your disposal—at no time has there been even the semblance of political interference either directly or indirectly with the single exception of local selection. The Civil Service Commission concedes the minister the right of local selection. Until a man is selected, well, of course, he is a ministerial appointee, though he has no standing. When the competition comes up, the fact that he has been locally selected does not give him any preference whatever.

By Mr. MacNicol:

Q. I would like to ask a few questions along specific lines. These questions fall under four headings—education, health, opportunities for the Indians, and assistance to the Department and legislature. Commencing with education, I understood the brigadier to indicate a decided preference for the education of the Indian children through the day schools rather than by the residential or industrial schools.—A. Yes, under the present system of running the residential schools where the children have to work half the day and go to school half the day.

Q. Secondly, would you be prepared to maintain as preferable that the Indian schools should be wholly under the provincial departments of education right across Canada or, as so many are now, under various denominations? —A. I am of the opinion that the day schools should be subject to inspection by the provincial departments of education.

Q. And the curricula?—A. Yes.

Q. Now, in the matter of health, before the white man came, were Indians afflicted with tuberculosis to the same extent as they are to-day, as far as you know from legend or otherwise?—A. I do not know.

Q. You have no answer to that?—A. No.

Q. With reference to the hospital which you mentioned on the Six Nations reserve, are there any Indian doctors in that hospital?—A. No.

Q. Any Indian nurses?—A. Yes, I believe so.

Q. Qualified nurses?—A. I believe so.

Q. That is a step in the right direction. Why are there not any Indian doctors?—A. I don't suppose there are any. The doctor who is there, although he is not an Indian by birth, is virtually one anyway because he was brought up on that reservation. It amounts to the same thing.

Q. That is satisfactory. Quite a number of us have felt that Indian doctors and Indian nurses could be used to a greater extent in all hospitals across Canada in the treatment of Indians. Do you think so too?—A. I think so, if they were available.

Q. There would be no objection from the Indians themselves?—A. Not as far as I know.

Q. One other question before I leave health: Would you say that every large reservation should have its own hospital?—A. Yes, on the reserve.

Q. In moving around among the Indians I have gathered the impression that they would feel that their loved ones were being better taken care of if they could be hospitalized locally than if they were sent to some hospital 70 or 80 miles away. What do you say?—A. It is only natural that they would want a hospital in their own vicinity.

Q. Now, as to opportunity. You mentioned in your brief a Mr. Martin, a Mr. Jamieson and others who have made good, and of course there is yourself and Mr. Lickers. I am interested to know what it was that inspired all you gentlemen—you had no particular means—to leave the reservations?—A. I do not know; I cannot answer that. It simply happened—that is all.

Q. They have a very excellent teacher, Mr. Dobson, at the day school on the Moravian reservation. This year he passed three children from the day school to high school. Where will these children go now for further education? —A. I do not know where they will go; perhaps Belleville high school, if it is available.

Q. There should be some program to enable those children to go ahead, on the basis of the education they have so far obtained, so that they may become doctors, laywers and so on.—A. Yes—if they wish to do so, and if their parents so desire and are sufficiently interested.

Q. My next question has to do with assistance to the Department. You mentioned somebody who was employed in one government department. I believe that at a previous meeting Mr. Hoey mentioned others who were so employed. As far as I can remember there was one, perhaps two, Indians in the Department. What is your opinion as to Indian Affairs department itself having quite a number of Indians in it? What do the Indians themselves think about it?—A. I cannot answer that question.

Q. I have found that in the United States they use a great many Indians in their administration. In Canada I do not know any of the chiefs of our Departments who are Indians. Would the Indians themselves be opposed to being directed or sub-directed or assisted by Indian officials in our government departments?—A. Oh, no, I do not think so.

Q. There is no reason why they should not be pleased?—A. What was that question?

Q. I do not know whether or not we have an assistant director to Mr. Hoey, but suppose the assistant directorship, if there is such a position, were to become vacant, would the Indians themselves across Canada consider having an Indian appointed to the position?—A. I think they would be very pleased if such were the case.

Q. I am glad to hear that. I think it would be sensible myself. Now, lastly, in South Africa the black races have several representatives in the South African legislature. They are not black people. They are white people elected by the black people to represent them. What would you say to the suggestion that the Canadian government place all the Indians of Canada in one electorate to elect four Indian representatives to sit in our parliament at Ottawa? Do you feel that the Indians would prefer to be represented by white men or by Indians?—A. I feel that you would have a much better result if they were permitted to vote in the ridings as they are at present set up, and let whoever happened to win, an Indian or a white man, represent them.

Q. Your reservation is one of the largest and from what I have seen, in any event, the Six Nations is the most advanced educationally of all the tribes in Canada, but you are not nearly numerical enough to create any effect on the

election in the county of Brantford.—A. I do not know but I presume they might elect a white man if they could agree upon one.

Q. All I know is that they do elect directly to the legislature in New Zealand, and in South Africa the representation of the coloured people is such that the electors are all black people. As regards a modus operandi where the Indians themselves could elect a white man or an Indian to represent them in parliament, what would your opinion be? I do not mean that they should form a political party; I do not think that would be a good thing. I am speaking of a system in parliament here whereby they could take part in all matters pertaining to their affairs.—A. With all the Indians being segregated across Canada as they are, it would be very difficult to arrange to elect any one Indian to represent all the Indians.

Q. Well, there are quite a number of very fine tribes and bands in southern Alberta: the Blackfoot, the Bloods, the Peigans, the Stonies; then, in Saskatchewan, the Wood Crees and the Plain Crees. I would imagine in the West and in British Columbia there would be enough to elect one representative for that part of the country. Two representatives could be elected in the East. There are approximately 125,000 Indians in Canada. On the same voting proportion as we whites have that basis would allow them to elect three representatives across Canada.

The CHAIRMAN: Two.

Mr. MACNICOL: The point I have in mind is that in accordance with the systems employed in New Zealand and South Africa, we would have parliamentary representatives for Indians.

The CHAIRMAN: Is that not another means of segregation?

The WITNESS: That is correct. I do not think that that would be a good policy.

Mr. MACNICOL: I am not arguing for or against it, but in New Zealand the Maoris do elect four of their own people.

The CHAIRMAN: What percentage are the Maoris to the total population of New Zealand?

Mr. MACNICOL: Stating from memory and subject to correction, total population is roughly a million and a half.[1]

An Hon. MEMBER: About 92,000 Maoris.

Mr. MACNICOL: In South Africa they do not follow that program; the black people elect whites to represent them. I have no doubt that in due course, however, they will elect their own coloured people. At any rate, I was just seeking the Brigadier's opinion.

By Hon. Mr. Stirling:

Q. We have listened with great interest to your own story of how you have progressed. I wonder if you could tell us whether amongst others who were your associates before you left your reserve, were there many who had the desire to do the same?—A. Yes. Most of the people whose names I read this afternoon were people who went to school about the time I did.

Q. Yes, I understand that but they, I gather, were those who have succeeded and obtained some prominence in the walk of life they chose. Were there besides them, however, a considerable number of others who wished to break loose from the reservation and go their own way, or were there just a few?—A. Well, they all would like to have had an opportunity of making a better living,

[1]March 31, 1945, population of New Zealand proper, *including* Maoris, was 1,679,972 (Whitaker's Almanac).

but in those days it was difficult. We did not have any automobiles or means of getting around and we simply had to go away. That is all there was to it.

Q. Can you tell us whether, in your opinion, in the tribes throughout Canada there are a considerable number of Indians to-day whose wish it would be to break loose and go off on their own?—A. In answering that I would say that they do, what you call, break loose and go off on their own. However, like the rest of the people of Canada now, because of the automobile and other easy means of transportation, they have left school at the age of 16 and gone off to the cities where they have acquired jobs and have been satisfied with getting 18 or 20 or 25 dollars a week. The result of that has been such that I do not think that at the present time the young people have the same ambition as those of us say 20 or 25 years ago, simply because we had to do that or we would get no place.

Hon. Mrs. FALLIS: Is that not also true of the white people to-day? There are only a limited number who have the ambition to get out and make something of themselves.

By Mr. Castleden:

Q. Do you know, Brigadier Martin, that there is a large body of Indians opposed to enfranchisement? They fear that if that is done it will be the first step towards losing their reservation and treaty rights; it is through a lack of understanding.—A. Well, I think the fear is the loss, as I said, of the land which is necessary for them under the present system before they can become enfranchised.

Q. There is one other thing about the choice of chiefs. Some Indians are opposed to the present system instituted by the Department of selecting a chief for so many years. Do you know of Indians in Canada who wish to maintain their own system of electing their tribal chief?—A. Oh, that still goes on in the Six Nations.

Q. How many, half?—A. Oh, not half. I would say perhaps six or seven of them.

Q. There is one other question: Have you studied the series of treaties?—A. No, I do not know anything about the treaties.

Q. Do you know that there are Indians of Six Nations who claim that their treaty guaranteed to them—under the Haldimand Treaty, I believe—that they be permitted to exercise complete autonomy or self-government.

The CHAIRMAN: The witness has said that he knows nothing about treaties.

Mr. CASTLEDEN: I know, but that is in line with what he has advocated.

The WITNESS: Ever since I was a boy I have heard that treaty quoted but I never had an opportunity to read it.

By Mr. Lickers:

Q. Brigadier Martin, do you think that many of the professional men and women that you named this afternoon would be prepared to enter the Indian service in Canada?—A. To enter it?

Q. Yes?—A. Well, I do not think they would because they are established where they are.

The CHAIRMAN: Did they ever have the opportunity of entering that service?

The WITNESS: I do not know whether or not they did.

By Mr. Lickers:

Q. Is it true that at the present time we have not reached the stage, as far as the Indians are concerned, where we really have a professional group such as other races have?—A. That is true.

Q. And would you agree with me if I said that the only possible way that could be accomplished would be by hiring them in our own Indian service here?—A. I think it would be a very good plan and a very admirable idea.

Q. You mentioned that in 1919 you endeavoured to get a job in Ottawa?—A. Yes.

Q. Supposing that you had been employed, would you have stayed in the service?—A. Oh, yes. That is the reason I applied for the job.

Q. Did that recently happen again?

By Mr. MacNicol:

Q. Did you apply for a position in the Indian Affairs Branch here?—A. I applied for a job last winter but I am really very glad that I did not get it.

Q. Were you a magistrate then?—A. Oh, yes. But I applied for the job only because I felt that perhaps I might have an opportunity to do some good for my own people.

Q. I am sure that you would have.—A. But all the time I had my fingers crossed that I would not get the job, and I did not.

By Mr. Lickers:

Q. Did you do that more or less as an experiment to see what is the attitude of the present Department and the Civil Service Commission?—A. No, I did not. I did it with the honest belief that I had the qualifications, except that a university degree was required. I naturally felt that that was the reason that I did not get the job.

By Mr. MacNicol:

Q. What kind of a degree? What degree?—A. They required a university degree for the position and I did not have one.

By Mr. Lickers:

Q. If the councils on the reservations had the authority to spend money to assist their children in obtaining higher education, you would not have had the difficulty which you had in getting a higher education?—A. No, I would not.

Q. Would you advocate, then, that the regulations be changed so that the councils would have absolute authority to vote their own money to assist their own people?—A. That is one of the reasons why I made the suggestion in my presentation, that in a period of time the Indian council be given each year all the interest money that has accumulated annually in order that they might look after their own public service, and, at the same time, if they had any money left over, they could loan it for the building of houses and so on.

Q. Would you advocate now even spending more money than was allowed in their trust fund, using some of the capital in order to make loans for houses, farming and similar purposes?—A. I certainly do. I have never seen any reason for building up large amounts of money. I do feel that if the Director of Indian Affairs were permitted to use more money he would do so.

Q. Would you place that directly under the authority of the council?—A. Later on when they have learned to take care of their capital fund.

Q. So that in about five years or so, when they have a certain degree of control, they would be able to govern themselves?—A. I would say that in five

years they would be able to take care of all the interest money, and in a later period of time they would be able to take care of, as they should, the capital fund which is now held in trust.

Q. Would you advocate that at the present time on the more advanced reserves that Indian councils be given more authority in connection with Indian affairs?—A. Oh, yes.

Q. And would you subsequently enlarge that control to include, perhaps, looking after their own schools, the appointment of their school teachers? —A. That is what I had in mind, by turning this fund over. They have got to have money before they can do that, and that is what I meant by suggesting that they get this interest money annually. It was so that they could look after all the interests on their reservations.

Q. With reference to the non-treaty Indians, would you suggest that the money which the government is now spending should be turned over to them and used by them each year?—A. I think that is a question which the Director of Indian affairs should answer rather than myself. I do not know the situation well enough to give an intelligent answer.

Q. Coming to the question of Indian agents, would you suggest than on the larger and more advanced reservations that in the selection of Indian agents the band council should be consulted in the appointment?—A. I would not see anything against it.

By Mr. MacNicol:

Q. If I might interject—would there be anything against the appointment of an Indian as an Indian agent on the Six Nations reserve?—A. Not at all. As I understand the Indian Act, if an Indian were appointed as an Indian agent he would first of all have to become enfranchised in order that he could carry on the business of the band, signing contracts and so on.

By Mr. Lickers:

Q. Would you say that next to the appointment of an Indian agent he should get some experience as a clerk in the office for some time?—A. I believe that every Indian agent should be trained under the direction of the Department of Indian Affairs.

Q. I do not know whether as a magistrate of the Crown you have run across it or not, but what would you say as to relaxing of the liquor law as far as the Indians are concerned?—A. As far as I can see, they get all the liquor they want anyway and they might as well have the privileges. That is one thing I intended to mention. The fact that an Indian cannot go into a store or a place to buy liquor legally brings him in contact with the undesirable elements of the towns and cities around him, and this is very much to his disadvantage. He should be able to go into the store himself and get the liquor.

Mr. MacNicol: Why should not the the government have a dispensary peculiarly and exclusively for the Indians?

The Witness: Well, then, you are segregating them again.

Hon. Mr. Horner: If the Indians could get liquor legally it would do away with bad liquor. That is a point I was going to raise. The bootleggers sell liquor for as high a price as $12 a bottle and they are not punished nearly enough for that offence.

The Witness: My experience has been that the Indians get all the liquor they want anyway.

Hon. Mr. Horner: I lived on a road near a reserve and I had to go out and settle rows more than once at night,—rows that took place on the way home. They had had plenty of liquor.

By Mr. Lickers:

Q. In connection with the professional men and women you named, they were all pretty well from the Six Nations, were they not?—A. All of them except John Stacey, who was from Caughnawaga. Dr. Jamieson came from Caughnawaga too.

Mr. MACNICOL: Would any of you western members know of any outstanding Indians from the western reserves?

Mr. HARKNESS: When I was attending the University of Alberta there was a man by the name of Hennepin from a northern Saskatchewan reserve who was taking medicine there. I do not know whether or not he graduated.

By Mr. Castleden:

I am particularly interested in the recommendations that the brigadier gave as a solution: first, education; second, income and, third, homes. What would you recommend with regard to these Indians whose present economic conditions are such that they have not sufficient income to maintain a good living, whether or not they work all the year?—A. I would say that the same answer applies to the Indians as to anybody else across the country. There is no special weakness, as I see it, with the Indian. It is just that the conditions around him are as difficult to change, I suppose, as they are for other people.

Q. But where the Indians down on the Six Nations reserve at Brantford have an opportunity of making a fairly decent income you find a high standard of living and homes among some of them as compared to some of the reserves in the west and other parts of Canada. That opportunity does not exist for them and the standard of living and the houses that they live in are just hovels in comparison.—A. If they could raise cattle or do something in that respect, I would certainly say that they should be assisted in that.

Q. Do you not think that it is the duty of the government to see that the opportunity does exist for these people to earn for themselves a proper income? If the reserves cannot provide them with that income, something should be done immediately to see that the opportunity does exist.—A. Yes, it is the opportunity that should be there rather than direct assistance.

The CHAIRMAN: There is just one point that I would like to draw to the attention of the committee. Brigadier Martin said something about children living next to residential schools having to attend the schools whether or not they are of that particular religious faith. If you refer to section 10, subsection 2 of the Indian Act you will see that it says:

> 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.

Mr. HOEY: That is what has been provided in the Act. There may be instances of where one or another mistakes have crept in, but I think they have been few.

By Mr. MacNicol:

Q. May I ask one question? It has to do with the Indian councils. Do they interest themselves in improving farm conditions by the drainage of the land or the improvement of the soil by fertilizer? What do they do themselves to raise the level of the Indians?—A. I do not know very much about the present council on the Indian reserve at Brantford. I do know they now have a riding and driving association there. They have a guide and considerable money raised for it. They have their annual affairs.

Mr. MACNICOL: Yes, I have been at some of them.

By Mr. Farquhar:

Q. What has been your attitude towards the older people who have gone beyond the years when they are capable of making their own livelihood?—A. The young people care for the older people as well as they can. I think that the older people are pretty well cared for by the children if the latter are making any money.

Q. But that is not done by the Department?—A. No. I do not think they get any old age pension or anything like that. If they do it is very small.

By Mr. MacNicol:

Q. Coming back to the question of the council again. Firstly, has the Six Nations one big council covering the five or six tribes that may be represented there?—A. There are twelve counsellors.

Q. How often do they meet?

Mr. LICKERS: Once a month.

Mr. MACNICOL: What do they do? What do they take up? What do they decide?

Mr. LICKERS: More or less the legal aspects; for instance, disputes, and looking after contracts for roads.

Mr. MACNICOL: And bridges?

Mr. LICKERS: Yes.

Hon. Mr. HORNER: And pass on requests for lands?

Mr. LICKERS: Yes.

By Mr. Castleden:

Q. Does the agent there attend each of these meetings?

Mr. LICKERS: Oh, yes. He is the presiding chairman. On our own reserve they have taken an interest in the farming. They have tractors which they use to cultivate land which was not under production before, and they have also started a reforestation program down there at the present time.

Mr. MACNICOL: What do they do, if anything, with reference to education?

Mr. LICKERS: Nothing.

Mr. MACNICOL: The main thing that I have learned from the brigadier is that he himself is a product of education as were all those others he mentioned. What does the council do, if anything, to improve the education of the young folks on the reservation, or have they any authority?

Mr. LICKERS: They have no authority whatsoever. The only authority they have is that when somebody is passed through the public school and they make application to the council for the $100 grant, then the council passes on that.

Mr. MACNICOL: To send the children to some outside school?

Mr. LICKERS: Yes, but apparently the department regulation is that you have to get a higher than pass mark before you are entitled to the extra grant of $100. Now, that may be a good policy and then again it might not be because it could cut off many people who might raise their standard of living by having three or four or five years higher education.

Mr. MACNICOL: As wards of the department, what does the department do to see that these Indian children, who pass into high schools or colleges, get placed satisfactorily in civilian life?

Mr. LICKERS: Not a great deal. They have no program in the east that I know of. To give you an instance of that: We have a girl stenographer in Brantford who is very good. There was a position open at our own Indian office for her to more or less act as a clerk in connection with

family allowances. I know that our Indian agent approached her about the job to see if she would accept it. She wanted it and would have taken it but she was turned down by the department or the Civil Service Commission. I do not know who got the job but she never got it just for the simple reason that she had not joined the C.W.A.C., or something like that, during the war.

The CHAIRMAN: There was a veteran's preference that came in there. You would not suggest that we abandon that policy, would you?

Mr. LICKERS: Well, as far as Indians are concerned, if you are going to help them they should at least be given preference in their own work.

The CHAIRMAN: Does that not lead to segregation?

The WITNESS: I would not agree with Mr. Lickers in that. I do think that the returned soldiers should get the preference over everybody else.

The CHAIRMAN: You see, if you are going to have Indians look after Indians you are going to have segregation. We are all Canadians.

Mr. MACNICOL: If I understand this case properly, here is a young Indian girl who is a first-class stenographer and she applied to the department for a job and she was turned down. We are all in favour of soldiers having a preference, of course, but stenographers are not soldiers. Some of them were employed in the women's part of the services—

The WITNESS: As I understand it, Mr. Lickers, the girl who got the job had been a C.W.A.C.?—A. No.

The WITNESS That is a different story.

The CHAIRMAN: No veteran's preference applied, then?

Mr. LICKERS: It may have.

Mr. REID: Let us get this clearly. Did the lady who got the job have anything to do with the services during the war?

Mr. LICKERS: To tell you the truth, I do not know who got the job.

The CHAIRMAN: Brigadier Martin, I wish to thank you most sincerely on behalf of this committee for attending here and giving us this most interesting presentation. I want to assure you that the members of this committee are most desirous of hearing representations from persons such as yourself who have knowledge of Indian history and background. On behalf of the committee I want to extend to you our appreciation for coming here to-day.

Mr. MACNICOL: Might I express my own personal appreciation because I believe it is myself who is responsible for having you brought here, Brigadier Martin. Mrs. M. Morris of Toronto, the widow of a former church minister, apparently knew your background and it was she who suggested that you would be only too glad to come down here.

The CHAIRMAN: Yes, it was Mr. MacNicol, Brigadier Martin, who suggested that among others we have you here in attendance, and he not only suggested that at one of our early meetings in June, but I think at several meetings since then.

The WITNESS: I want to say that I have enjoyed coming here, and I would like for the purpose of the record to say that I am here representing only myself. I want to go to the Six Nations reserve sometime and do not want to have them blame me for coming down here as representing them. I am not. Thank you.

The Committee adjourned to meet Thursday, August 8, at 2 p.m.

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 20

Thursday, August 8, 1946

WITNESS:

Mr. W. C. Ronson, Assistant Deputy Minister, Department of Finance, Ottawa.

OTTAWA
EDMOND CLOUTIER. C.M.G., B.A., L.Ph.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY
1946

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

Thursday, August 8, 1946.

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 2.00 o'clock p.m., the Joint Chairmen (The Honourable Senator J. F. Johnston and Mr. D. F. Brown, M.P., presided.)

Present:

The Senate: The Honourable Senators Fallis, Horner, Johnston, Macdonald (*Cardigan*) and MacLennan—5.

The House of Commons: The Honourable Mr. Stirling and Messrs. Blackmore, Brown, Bryce, Case, Castleden, Charlton, Farquhar, Gibson (*Comox-Alberni*), Harkness, MacLean, MacNicol, Matthews (*Brandon*), Raymond (*Wright*), Reid, Richard (*Gloucester*), and Stanfield—17.

In attendance: (Department of Mines and Resources): Messrs. W. J. Ford Pratt, R. A. Hoey, Director, Indian Affairs Branch; B. F. Neary, H. M. Jones and J. H. Gordon, of Indian Affairs Branch;

Also, Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Mr. Reid produced and had referred to the subcommittee on agenda and procedure a letter from Mr. Andrew Paull, President, North American Indian Brotherhood, complaining about certain statements in evidence of Mr. L. L. Brown.

Mr. W. C. Ronson, Assistant Deputy Minister, Department of Finance, was called, questioned, and thanked by the Chairman for his appearance, and was excused from further attendance before the Committee.

On motion of the Honourable Senator Horner, it was

Resolved: That the minutes of proceedings of the following meetings be concurred in: July 9, July 11, July 16 and July 18.

The Chairman announced that the next meeting would be held in camera for the purpose of considering the Report of the Committee to both Houses, and also the final report of the subcommittee on agenda and procedure.

The Committee adjourned at 3.55 p.m., to meet again at 2.00 o'clock p.m., on Tuesday, 13th August next.

T. L. McEVOY,
Clerk of the Joint Committee.

MINUTES OF EVIDENCE

HOUSE OF COMMONS,

August 8, 1946.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 2.00 o'clock p.m. Mr. D. F. Brown, M.P. (Joint Chairman), presided.

The CHAIRMAN: Mrs. Fallis and gentlemen, will you come to order, please?

Mr. REID: Mr. Chairman, I would like the privilege of referring to the subcommittee a communication I received this morning from Mr. Andrew Paull of the North American Indian Brotherhood, in which he makes a denial of claims allegedly made against him in evidence offered by Mr. L. L. Brown. I think the matter he speaks of is regarding a sale of lands by an Indian agent at Walpole Island and the acceptance of a white man into a band of Indians.

The CHAIRMAN: Would you permit me to refer that to the subcommittee on agenda and procedure?

Mr. REID: Yes, I think the matters complained about should be looked into.

The CHAIRMAN: This letter will be referred to the subcommittee for further consideration.

Mrs. Fallis and gentlemen, we have as a witness to-day Mr. W. C. Ronson, assistant Deputy Minister of Finance who is here to answer questions which have been brought up from time to time by other witnesses as to the operations of the treasury board with respect to Indian affairs matters. If it is your pleasure I would like to refer on behalf of the committee to certain questions that have been raised in previous meetings of this committee; probably Mr. Ronson could give us some explanation. If it is your pleasure, I would like to put these questions.

W. C. Ronson, Assistant Deputy Minister of Finance, called.

By the Chairman:

Q. On page 472 of the minutes of evidence at the top of the page there is a letter addressed to the secretary of the treasury board by F. P. Varcoe, Deputy Minister of Justice:

> I acknowledge your letter of the 4th instant with which you submitted a copy of a report to Council made by the Minister of Mines and Resources on the 6th ultimo for approval of the expenditure of $800 from the funds of the Squamish Band of Indians in the Vancouver Indian Agency for the purchase of musical instruments.
>
> You ask my opinion as to whether the proposed expenditure could be properly authorized under section 92 of the Indian Act. With reference thereto, I may say that I am of opinion that this expenditure cannot be made under the Indian Act unless it be shown that the Indians are entitled thereto under the terms of the surrender or other document under which the property from which the moneys were realized was received.
>
> (Signed) F. P. VARCOE.

There is a further letter dated at Ottawa, April 27, 1946 by Mr. Ronson addressed to C. W. Jackson, acting Deputy Minister, Department of Mines and Resources:

> This will refer to your Minister's recommendation of March 6, 1946 that authority be granted for an expenditure of $800 from the Revenue account of the Squamish Band of Indians for the purchase of musical instruments.
>
> In reply to an enquiry the Department of Justice have advised by letter of April 15 that the Indian Act does not provide for expenditure of the type in question except and unless these expenditures are provided for under the terms of surrender. A copy of the Justice's reply is enclosed.

and then there is a question as to the use of funds to provide sports equipment. There was some question as to the treasury board policy with respect thereto. Would you like to make any comment, Mr. Ronson?—A. I was not given any note as to what the committee had in mind. I have your proceedings here in which the letters you have just read are quoted. It would seem that the treasury board's only functions are to preserve the restrictions contained in the Indian Act. There are very definite restrictions contained in sections 92 and 93 of that Act as to how these Indian moneys shall be spent. Recommendations are made from time to time by the department and nearly always passed by the treasury board. On an occasion when there seems to be some doubt as to whether the recommendation conforms with specific items in these sections, it might be referred to the Justice department, as it was in this case. In the event that we get an adverse decision we can only accept that decision.

By Mr. Reid:

Q. When this matter came before you what particularly raised doubts in your mind that it was illegal to pay this money?—A. The implication in sections 92 and 93 of the Indian Act is that the money shall be used, more or less, for permanent improvements to their property.

Q. You did not go back to the British North America Act. I am thinking that when that Act came into force it said that the Indians in British Columbia were to be treated as well or better than they were being treated previous to that. Was the question of musical instruments mentioned in that British North America Act?—A. No.

Q. I would like to know, Mr. Chairman, what is being done here in Ottawa by the Department of Justice for these Indians?—A. My answer is, with regard to the treasury board, that we submit, under the normal course of procedure, any question of doubt to the Department of Justice since they are the law officers of the Crown. In this instance we got a negative answer and there was nothing for us to do but to accept it and return the recommendation to the department.

Q. If you had viewed the demand from the Squamish Indians in the light of the B.N.A. Act, would it have affected your decision because you had the right to decide whether this amount of money should be paid out or not. Having a doubt, you referred it to the Department of Justice, and I say candidly that the Justice Department can give many answers. I say that on my responsibility as a member of parliament. I am asking you a question, Mr. Ronson?—A. I think that in any question of doubt we would have referred it to the Justice Department.

By the Chairman:

Q. When there has been a question of doubt, it has been referred to the Justice Department. Would you explain to the committee the procedure in

appealing from a decision of the Department of Justice?—A. You mean do Department of Indian Affairs have a right to make an appeal?

Q. Can you explain to the committee what is done in the event the Indian Department is not in agreement with the decision of the Department of Justice?—A. I think the Indian Department might go to the Department of Justice and discuss the matter with them. That would be the only procedure I would have in mind. As far as the treasury board is concerned, the question is settled.

Q. Is it your opinion that if the Indian Department were to convince the Department of Justice that their first opinion was not quite correct, would you then be guided in your decision by a subsequent opinion of the Department of Justice?—A. Yes.

Mr. Reid:

I think, Mr. Chairman, the committee might well take note of the statement just made by Mr. Ronson. He says that as far as his department is concerned, the matter is finished. Once the Department of Justice makes a decision apparently nothing can be done. If that is a correct statement, then we should have some one from the Department of Justice here because we are not faced by the treasury board, according to Mr. Ronson. I am particular about it. I think the Indians in British Columbia are not being treated nearly as well as British Columbia treated them. I think that the treasury board should have viewed it in that light.

By Mr. Case:

Q. Who makes up the treasury board?—A. Six ministers of the Crown.

Q. Their portfolios are what?—A. Mr. Ilsley is by statute the chairman, Mr. Gardiner, Mr. St. Laurent, Mr. MacKinnon, Dr. McCann and Mr. Ian Mackenzie.

Q. Do you attend the meetings of the treasury board?—A. Yes, sir.

Q. Do you generally have a full meeting of the treasury board when important decisions of this kind are being made?—A. The quorum is three; we must have three. We would average I would say about four or five. Just at the present time the average would be lower. It is now a little difficult to get them to come.

Q. You have a pretty fair cross section of representation there, including the Minister of Justice; so you would be in a position to weigh this in the light of what the statutes provide; and, getting the ruling you did from the Department of Justice you did not feel it was worth while to go back to the former statute providing that the British Columbia Indians should receive the same treatment they would have received when they were a crown colony?—A. I would not suppose that was a responsibility of mine. I would think Mr. Reid made a fair statement of it when he said the statute had been interpreted by the Department of Justice. In so far as the legal interpretation was concerned that finished it so far as we were concerned. We had to be guided by that decision.

Q. In any event I can accept it as far as comment that no decision would be made by Treasury Board except with a quorum present; that is right, is it not?—A. Yes.

Mr. MacNicol: I have one or two questions, Mr. Chairman. First, who brought this matter before the committee?

The Chairman: It was brought before the committee by the witness Leslie, I think—A. G. Leslie.

Mr. MacNicol: What page is that on?

The Chairman: You will find your question, Mr. MacNicol, on page 468.

Mr. MacNicol: Was it my question?

The CHAIRMAN: Yes. These are submissions presented by the witness in answer to your questions. Maybe you did not intend to ask the question.

Mr. MACNICOL: What I should like to know now is if we could get a copy for our record of the minutes of the minister's recommendation of March 6, 1946, that the Indians should have the use of $800 as is outlined in the letter.

The CHAIRMAN: It may be on page 470 by D. J. Allan. And then there is the letter on page 468 by the Minister of Mines and Resources. However, I think we will confine ourselves to this witness and get along much more quickly.

Mr. MACNICOL: What I was going to ask is—not having read all the letters I cannot say much about it—but I notice the letter on page 472, signed by Mr. Ronson addressed to Mr. Jackson, Acting Deputy Minister of the Department, says this:—

> This will refer to your minister's recommendation of March 6, 1946, that authority be granted for an expenditure of $800 from the revenue account of the Squamish Band of Indians for the purchase of musical instruments.

I would endorse the minister's recommendation, if I had anything to say about it, because the instruments themselves and the music would be conducive to the spread of happiness among the Indians; and it should be quite evident that they should learn all the music they can learn. They apparently believe in band music. I cannot understand such a request being turned down, particularly in the light of the minister's recommendation. What I want to know now is why was the recommendation of the minister not carried out, if he is the head of the department of which Indian Affairs is a branch?

The CHAIRMAN: Hasn't that been answered, Mr. MacNicol?

Hon. Mr. MACLENNAN: The Department of Justice said it would be illegal to spend the money for that purpose.

Mr. MACNICOL: Why does the minister bother his head about writing council at all.

Hon. Mr. MACLENNAN: The minister did. This applies to the treasury board.

Mr. MACNICOL: I thought the minister was head of his own department?

Hon. Mr. MACLENNAN: The minister is the head of his department.

The CHAIRMAN: As I understand it—you can correct me Mr. Ronson if I am wrong—that the request came to treasury board and treasury board said we are not sure about this and we will refer it to the justice department—the justice department is the legal advisor to the treasury board—and they said it was not legal; therefore the treasury board says, we take the advice of our solicitor and will not authorize the expenditure.

Mr. MACNICOL: In other words, the minister is not the head of his department at all. If the minister made a recommendation why would it not be carried out?

Hon. Mrs. FALLIS: The second paragraph of page 468 seems to cover that:—

> In 1938 the branch referred to the Justice Department for a ruling on the following question: Can expenditures be made from revenue account for the purchase of sports equipment and musical instruments? The ruling given at that time was, "yes".

The CHAIRMAN: From what page are you reading?

Hon. Mrs. FALLIS: From page 468, the second paragraph.

Mr. MACNICOL: And it says, the answer is "yes"—

Hon. Mrs. FALLIS: Reading on further:—

> yes, subject to the approval of the Deputy Superintendent General and authority of the Governor in Council.

Mr. MACNICOL: The treasury board said that?

Hon. Mrs. FALLIS: No, the justice department.

The CHAIRMAN: Continue that, please, Mrs. Fallis.

Hon. Mrs. FALLIS:

> accordingly, several expenditures for the purchase of musical instruments were made, the required procedure as outlined above, in each case having been fulfilled. Then in March, 1946, treasury board, upon our requesting their authority for an expenditure of $800 from Squamish Band funds for the purchase of band instruments, referred the matter to the justice department for a ruling as to the legality of the expenditure. The rulling was to the effect that the expenditure could not be made. Such conditions, it is obvious, do not facilitate proper administration of the trust fund.

But the first part of the paragraph says that the Department of Justice says: "Yes, it can be made subject to the approval of the Deputy Superintendent General and on the authority of the Governor in Council."

Mr. MACNICOL: Was any expenditure made under the ruling of 1938? At least that was before this $800 that was authorized.

Hon. Mr. MACLENNAN: Or was spent.

Hon. Mrs. FALLIS: Was spent.

The WITNESSS: I am not familiar with that, but the $800 refers to the question now under consideration, doesn't it?

The CHAIRMAN: Yes.

Hon. Mrs. FALLIS: Yes.

The CHAIRMAN: But apparently there have been other expenditures previously made.

Hon. Mrs. FALLIS: There were several expenditures made under that earlier ruling. Then in March of 1946, the treasury board was requested to give authority for an expenditure of $800.

The WITNESS: I am not familiar with that. Presumably these earlier items were not referred to the treasury board. They would not be under that ruling.

Hon. Mrs. FALLIS: No, apparently not.

The WITNESS: The first one that came to us, as far as I know, was referred to the justice department.

Hon. Mrs. FALLIS: But the justice department apparently sanctioned some expenditures.

Hon. Mr. MACLENNAN: Mr. Reid referred a while ago, or the opinion of the justice department referred, to the terms of surrender. I wonder if there was anything in the terms of surrender which would enable Treasury to make this expenditure. Did anybody look it up at all?

The CHAIRMAN: I do not know.

Hon. Mr. MACLENNAN: One would think that the justice department themselves would look it up.

The CHAIRMAN: Would it be a reasonable request Mr. Ronson, to ask either you, or the Department of Indian Affairs to get an opinion on this point from the Department of Justice for consideration by this committee.

The WITNESS: You mean, the terms of surrender?

The CHAIRMAN: On this particular point as to which we have already, of course, got a letter.

The WITNESS: You mean page 468?

The CHAIRMAN: On the question as to why they once gave an opinion that expenditures could be made and subsequently gave an opinion that they could not be made, and your acting upon both of their opinions.

The WITNESS: As far as I am concerned at the moment I had no knowledge that there was this former opinion. It seems to me that the most satisfactory thing for you to do would be to ask officials of the justice department as to whether they gave such an opinion.

The CHAIRMAN: We can have the Indian department ask the justice department for an elucidation of this subject.

The WITNESS: Yes. I would be in some uncertainty as to the correctness of this statement here unless you enquire from the justice department. They are usually very careful about their opinions.

Mr. LICKERS: Apparently the only solution to that would be to amend sections 91 and 92 of the Indian Act.

The WITNESS: Yes, sir, that is the obvious thing to do. Parliament has said that these restrictions should be administered, and we have no alternative but to administer them.

By Mr. Lickers:

Q. You could amend it to include certain things other than those included in those two sections.—A. Yes sir.

Mr. CASTLEDEN: Would it not be to the advantage of this committee and to those who read the minutes to have sections 90 to 95 of the Indian Act included?

The CHAIRMAN: If that is a request, I see no objection.

REVISED STATUTES OF CANADA, 1927, CHAPTER 98

AN ACT RESPECTING INDIANS

90. *Management of Indian Moneys.*—All moneys or securities of any kind applicable to the support or benefit of Indians, or any band of Indians, and all moneys accrued or hereafter to accrue from the sale of any Indian lands or the proceeds of any timber on any Indian lands or a reserve shall, subject to the provisions of this Part, be applicable to the same purposes, and be dealt with in the same manner as they might have been applied to or dealt with but for the passing of this Part.

2. No contract or agreement binding or purporting to bind, or in any way dealing with the moneys or securities referred to in this section, or with any moneys appropriated by parliament for the benefit of Indians, made either by the chiefs or councillors of any band of Indians or by the members of the said band, other than and except as authorized by and for the purposes of this Part shall be valid or of any force or effect unless and until it has been approved in writing by the Superintendent General (Minister). R.S., c.81, s.87; 1910, c.28, s.2.

91. The Governor in Council may reduce the purchase money due or to become due on sales of Indian lands, or reduce or remit the interest on such purchase money, or reduce the rent at which Indian lands have been leased, when he considers the same excessive.

2. A return setting forth all the reductions and remissions made under this section during the fiscal year shall be submitted to both Houses of Parliament within twenty days after expiration of such year, if Parliament is then sitting, and if Parliament is not then sitting, within twenty days after the opening of the next ensuing session of Parliament. R.S., c.81, s.88.

92. With the exception of such sum not exceeding fifty per centum of the proceeds of any land, timber or other property, as is agreed at the time of the surrender to be paid to the members of the band interested therein, the Governor in Council may, subject to the provisions of this Part, direct how and in what manner, and by whom, the moneys arising from the disposal of Indian lands, or of property held or to be held in trust for Indians, or timber on Indian lands or reserves, or from any other source for the benefit of Indians, shall be invested from time to time, and how the payments or assistance to which the Indians are entitled shall be made or given.

2. The Governor in Council may provide for the general management of such moneys, and direct what percentage or proportion thereof shall be set apart, from time to time, to cover the cost of and incidental to the management of reserves, lands, property and moneys under the provisions of this Part, and may authorize and direct the expenditure of such moneys for surveys, for compensation to Indians for improvements or any interest they had in lands taken from them, for the construction or repair of roads, bridges, ditches and watercourses on such reserves or lands, for the construction and repair of school buildings and charitable institutions, and by way of contribution to schools attended by such Indians: Provided that where the capital standing to the credit of a band does not exceed the sum of two thousand dollars the Governor in Council may direct and authorize the expenditure of such capital for any purpose which may be deemed to be for the general welfare of the band. R.S., c.81, s.89; 1919, c.56, s.2; 1927, c.32, s.1.

93. The Governor in Council may, with the consent of a band, authorize and direct the expenditure of any capital moneys standing at the credit of such band, in the purchase of land as a reserve for the band or as an addition to its reserve, or the possessory rights of a member of the band in respect of any particular parcel of land on the reserve, or in the purchase of cattle, implements or machinery for the band, or in the construction of permanent improvements upon the reserve of the band, or such works thereon or in connection therewith as, in his opinion, will be of permanent value to the band, or will, when completed, properly represent capital, or in the making of loans to members of the band to promote progress, no such loan, however, to exceed in amount one-half of the appraised value of the interest of the borrower in the lands held by him. R.S., c.98, s.93; 1936, c.20, s.3.

2. In the event of a 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 subsection one 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.

3. Whenever any land in a reserve whether held in common or by an individual Indian is uncultivated and the band or individual is unable or neglects to cultivate the same, the Superintendent General (Minister), notwithstanding Reserves, employing such person as may be considered necessary, for the purpose such lands for agricultural or grazing purposes for the benefit of the band or individual, or may employ such persons as may be considered necessary to improve or cultivate such lands during the pleasure of the Superintendent General (Minister), and may authorize and direct the expenditure of so much of the capital funds of the band as may be considered necessary for the improvements of such land, or for the purpose of such stock, machinery, material or labour

as may be considered necessary for the cultivation or grazing of the same, and in such case all the proceeds derived from such lands, except a reasonable rent to be paid for any individual holding, shall be placed to the credit of the band.

4. In the event of improvements being made on the lands of an individual the Superintendent General (Minister) may deduct the value of such improvements from the rental payable for such lands. 1918, c. 26, s. 4; 1924, c. 47, s. 5.

94. The proceeds arising from the sale or lease of any Indian lands or from the timber, hay, stone, minerals or other valuables thereon, or on a reserve, shall be paid to the Minister of Finance to the credit of the Indian fund. R.S., c. 81, s. 91.

94A. The Superintendent General (Minister) may operate farms on Indian Reserves, employing such persons as may be considered necessary, for the purpose of instructing the Indians in farming and for the supply of pure seed for Indian farmers and may from time to time apply any profits arising therefrom in the extension of such operations or in making loans to Indians to enable them to engage in farming or other operations or apply such proceeds in any other way for their progress and development. 1930, c. 25, s. 8.

94B 1. For the purpose of granting loans to Indian Bands, group or groups of Indians, or individual Indians and for the expenditure of moneys for co-operative projects on their behalf, the Minister of Finance may, from time to time, authorize the advance to the Superintendent General of Indian Affairs out of the Consolidated Revenue Fund of Canada of such sums of money as the said Superintendent General may require to enable him to make 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, seed grain and materials to be used in native handicrafts and to expend and loan money for the carrying out of co-operative projects on behalf of the Indians. All expenditures made under such advances shall be made under regulations established from time to time by the Governor in Council and shall be accounted for in the like manner as other public moneys. Any moneys received by the Superintendent General of Indian Affairs from the Indian Bands, group or groups of Indians, individual Indians or co-operative projects, for aid furnished under the provisions of this section shall be remitted by him to the Minister of Finance in repayment of such advances. The amount of outstanding advances to the said Superintendent General including all amounts owing by the Indian Bands, group or groups of Indians, individual Indians or outstanding on co-operative projects shall at no time exceed the sum of three hundred and fifty thousand dollars.

2. The Superintendent General shall annually prepare a report with regard to loans made under the provisions of subsection one of this section, during the preceding calendar year, and such report shall be laid before parliament within fifteen days or, if parliament is not then sitting, within fifteen days after the beginning of the next session. 1938, c. 31, s. 2.

95. The Superintendent General (Minister) may

(*a*) stop the payment of the annuity and interest money of, as well as deprive of any participation in the real property of the band, any Indian who is proved, to the satisfaction of the Superintendent General (Minister), guilty of deserting his family, or of conduct justifying his wife or family in separating from him, or who is separated from his family by imprisonment, and apply the same towards the support of the wife or family of such Indian;

(*b*) stop the payment of the annuity and interest money of any Indian parent of an illegitimate child, and apply the same to the support of such child;

(*c*) stop the payment of the annuity and interest money of, as well as deprive of any participation in the real property of the band, any woman who deserts her husband or family and lives immorally with another man, and apply the same to the support of the family so deserted;

(*d*) whenever sick or disabled, or aged or destitute Indians are not provided for by the band of which they are members, furnish sufficient aid from the funds of the band for the relief of such sick, disabled, aged or destitute Indians;

(*e*) make such regulations as he deems necessary for the prevention or mitigation of disease; the frequent and effectual cleansing of streets, yards and premises; the removal of nuisances and unsanitary conditions; the cleansing, purifying, ventilating and disinfecting of premises by the owners and occupiers or other persons having the care or ordering thereof; the supplying of such medical aid, medicine and other articles and accommodation as the Superintendent General (Minister) may deem necessary for preventing or mitigating an outbreak of any communicable disease; entering and inspecting any premises used for human habitation in any locality in which conditions exist which in the opinion of the Superintendent General (Minister) are unsanitary, or such as to render the inhabitants specially liable to disease, and for directing the alteration or destruction of any such building which is, in the opinion of the Superintendent General (Minister), unfit for human habitation; preventing the overcrowding of premises used for human habitation by limiting the number of dwellers in such premises; preventing and regulating the departure of persons from, and the access of persons to, infected localities; preventing persons or conveyances from passing from one locality to another; detaining persons or conveyances who or which have been exposed to infection for inspection or disinfection until the danger of infection is past; the removal or keeping under surveillance of persons living in infected localities; and any other matter which, in the opinion of the Superintendent General (Minister), the general health of the Indians of any locality may require;

(*f*) make by-laws for the taxation, control and destruction of dogs and for the protection of sheep, and such by-laws may be applied to such reserves or parts thereof from time to time as the Superintendent General (Minister) may direct;

(*g*) make regulations governing the operation of pool rooms, dance halls and other places of amusement on Indian reserves.

2. In the event of any conflict between any regulation made by the Superintendent General (Minister) and any rule or regulation made by any band, the regulations made by the Superintendent General (Minister) shall prevail.

3. In any regulations or by-laws made under the provisions of this section, the Superintendent General (Minister) may provide for the imposition of a fine not exceeding thirty dollars or imprisonment not exceeding thirty days, for the violation of any of the provisions thereof. R.S., c. 81, s. 92; 1914, c. 35, s. 6; 1918, c. 26, s. 5; 1927, c. 32, s. 2.

By Mr. Castleden:

Q. I understand that no payments are made from Indian funds without permission of the Treasury Board.—A. The Governor in Council usually gives

the authority and the Governor in Council refers the matter to the Treasury Board for their report under section 92-2 and 93-1.

Q. Does it not take up a lot of time of the Treasury Board?—A. Yes, it does; sometimes the amounts involved are very small, as little as $25.

Q. I can understand how moneys come in from a reserve; say an Indian is employed somewhere and he asks for a refund; that expends a lot of red tape. Have you any recommendation you would like to make to the committee with regard to altering this Act in order to make it more efficient and make this particular phase of the whole situation better from the point of view of the Indian, the department, and the Treasury Board?—A. I think the permission might be broadened and the restrictions lessened. I would agree fully with Mr. MacNicol's view that the purchase of band instruments is probably a very good thing for the Indians; nevertheless, this is what the Act says.

Q. Have you any recommendations you would like to make with regard to procedure?—A. Unless you remove the requirement that the Governor in Council shall be consulted, you would have to proceed as at present. If you are willing to leave the matter to the decision of the deputy head of the department, plus that of the minister, there is no reason at all why it should go to the Governor in Council.

By Mr. MacNicol:

Q. I agree, and I think that the minister made a recommendation which should have been carried out.—A. It could not be, as long as the Act is as it stands; the reason, I think, gentlemen, is this: I am not quite old enough to remember when this Act was put into effect, but these are trust funds which we, in the Finance Department, have always regarded as something close to sacred, that we should be extremely careful of; and that is the reason why these very specific items are in here, and I think parliament intended it so to be for that trust purpose.

By Mr. Castleden:

Q. You will notice, under section 91:—

> The Governor in Council may reduce the purchase money due or to become due on sales of Indian lands, or reduce or remit the interest on such purchase money, or reduce the rent at which Indian lands have been leased, when he considers the same excessive.

He has practically dictatorial powers; he may do practically anything he likes.—A. It is still the Governor in Council.

Q. Yes, that is right.

By Mr. MacNicol:

Q. In the first place, the Indian Council passed a resolution that the band should have band instruments and that the instruments should be purchased from band funds. Eventually the recommendation goes to Indian Affairs to release to them $800 of their own funds to buy instruments for their own bands. And then the minister made a recommendation which was turned down. I would imagine that the Indian Council would feel rather hurt at their recommendation not being accepted; and I would imagine that the minister would feel rather displeased. I imagine he would be hurt too, when he found out the Treasury Board had turned it down.—A. The ministers are used to that, Mr. MacNicol.

Hon. Mr. JOHNSTON: These are trust funds and I am not so sure that we should not leave the safeguards there. Parliament has to take a good many steps before it is free to disperse trust moneys. In this case there is that safeguard, and I think it was placed there in the first instance on account of these being trust funds. I am not so sure that every minister would just handle them as they are intended to be handled.

The CHAIRMAN: While Mr. Reid was out of the room for a moment, I suggested that the Department of Indian Affairs refer this matter again to the Department of Justice for further ruling, further opinion, as to why there was a permit given on one occasion and why it was refused on another occasion. Does that satisfy your request, Mr. Reid?

Mr. REID: I wonder if I could read into the record—because I have quoted it many times—a statement about British Columbia. I went upstairs and found it, the terms of the union of the colony of British Columbia, where it specifies the terms. I feel sure that if Mr. Ronson had been acquainted with them, he would not have turned down the request for musical instruments because they come under—at page 164 of the British North America Act and Selected Statutes—the whole terms of the union between the colony and Upper Canada at that time, clause 13:—

> 13. The charge of the Indians, and the trusteeship and management of the lands reserved for their use and benefit, shall be assumed by the Dominion Government, and a policy as liberal as that hitherto pursued by the British Columbia government, shall be continued by the Dominion government after the union.

We might say that that just applies to lands, but in its broad sense it is charged that the Indians shall be treated in every way as well after the union as before. I maintain we were fairly liberal in the province of British Columbia and I would like to see that clause adopted by every province.

The CHAIRMAN: Would you be satisfied with the proposal I made?

Mr. REID: Yes.

By Mr. Castleden:

Q. I notice in section 93, it says:—

> The Governor in Council may, with the consent of a band, authorize and direct the expenditure of any capital moneys.

Could Mr. Ronson tell us whether or not capital expenditures are made from any band funds without the consent of the band, or is the letter of section 93 always lived up to?—A. Probably an officer of the Indian Affairs Department is better qualified than I am to answer that question. I have no recollection of our passing capital expenditures without a resolution from the band; but I might not always know or be certain on that point. I would rather you asked an officer of the Indian Affairs Department.

By Mr. Charlton:

Q. With respect to subsection 2 of the same section:—

> In the event of a band refusing to consent to the expenditure of such capital moneys as the Superintendent General may consider advisable for any of the purposes mentioned in subsection one of this section, and it appearing to the Superintendent General 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.

A. They can, without the consent of the band.

By Mr. Castleden:

Q. Yes, the minister has power to over-ride but that does not give the right to the Governor in Council. The minister has the right to over-ride.

Mr. REID: It is this kind of action that has led the Indians to believe that the money is being heaped up in Ottawa rather than to be used and enjoyed for the benefit of the Indians.

By Hon. Mr. Stirling:

Q. Now, in the absence of a minister, such as the Minister of Finance, does the acting minister sit on the Treasury Board in his stead?—A. Normally, yes. At the present moment Mr. Abbott is acting Minister of Finance and is also alternate member of the Treasury Board.

Q. And then with respect to an expenditure such as we have been discussing, does the minister involved, Mr. Glen, appear before the Treasury Board to put up his view with regard to a matter of this description?—A. Not unless he asks for it. If he wished to register an appeal or if in the first instance he wished to appear he would be accommodated. There is no question of that.

Q. Then in the third place Senator Fallis read from page 468 an instance where the matter was referred to the Department of Justice.

Hon. Mrs. FALLIS: In 1938.

Hon. Mr. STIRLING: And they said "yes". Mr. Ronson told us that where the money to be dealt with was trust funds it required an order in council and the order in council would not be put forward except after reference to the Treasury Board. In this case I presume such an order in council was given and the Treasury Board in consequence of the Department of Justice saying "yes" granted it; is that so?

The WITNESS: From reading the extract, which I saw only this moment, I would say that in those instances there was no reference to the Governor in Council because the opinion is to the effect that the Department of Indian Affairs may do this thing.

By Hon. Mr. Stirling:

Q. That would be in contradiction to the section?—A. So it appears here. I think we should have an explanation on that point.

By Mr. Reid:

Q. I was wnodering if I could ask Mr. Ronson another question. You put this matter up; I presume you took this matter up with the Treasury Board?—A. Pardon?

Q. I presume you would put the matter up to the Treasury Board?—A. Yes.

Q. In the first instance?—A. Yes.

Q. In putting the matter up to the Treasury Board would you give it as your opinion to the Treasury Board under sections 92 and 93 that "we have no right to pay it?" The Treasury Board are such busy men they would not know. Naturally you would handle it and come before them. I would take it you are the guide and adviser to Council, and I am just wondering in your presentation to the Treasury Board if you did not damn the thing right off?—A. I could not answer specifically. Sometimes the question might be raised by myself. Frequently it is raised by a member of the Treasury Board. I cannot answer the question in this particular instance. I am not aware of whether I brought the question up or whether some member of the Board did.

By Mr. Case:

Q. I wonder if we could have the record a little more complete. I understood Mr. Ronson to say that the Treasury Board is made up of six ministers whom he named. In addition to them who else is on the Treasury Board?—A. Each one has an alternate.

Q. The representative ministers and their alternates are the Treasury Board·—A. Yes.

Q. How about departmental officials? Do they act in an advisory capacity?—A. They prepare the material for convenient consideration by the

Treasury Board and register the board's decision, but they have nothing to do with arriving at those decisions.

Q. They make no decisions?—A. No.

Q. Are these officials of a permanent character? Are they advisers of the Treasury Board in the sense they represent various departments or are they just advisers of the Treasury Board?—A. They are permanent members of the Department of Finance.

Q. Then they will have a permanent secretary on the Treasury Board?—A. By statute the deputy minister of finance is the secretary of the Treasury Board.

Mr. BRYCE: I am going to bring up a new angle.

The CHAIRMAN: If you are, I have some other questions here I want to ask.

Mr. BRYCE: It was a question I wanted to ask Mr. Ronson but it does not pertain to musical instruments.

The CHAIRMAN: Is it in connection with this question I have asked him? I have several questions which are already in the minutes. Would you mind if I asked them first. It is not pertaining to this question?

Mr. BRYCE: I do not know what your questions are.

The CHAIRMAN: The question is about these musical instruments.

Mr. BRYCE: I am not going to talk about that.

The CHAIRMAN: Would you mind if I asked these questions before we proceed?

Mr. REID: I have another question.

The CHAIRMAN: All right.

By Mr. Reid:

Q. The question I should like to ask Mr. Ronson in regard to this very matter is was the Minister of Mines and Resources present on that occasion when a decision to refer this to the Department of Justice was arrived at?—A. I think the answer is no. It was the 15th of April, 1946. The last time we had the Minister of Mines and Resources as a member of the Treasury Board was in the time of Mr. Crerar, and he would be out long before that, was he not?

By the Chairman:

Q. How are the Treasury Board members decided upon? Are they on it because of their office or because of the individual?—A. The Minister of Finance is chairman, by statute. The others are selected by the Governor in Council.

The CHAIRMAN: Are there any further questions on this particular point? If not we will proceed to page 656 where Mr. Hoey says:—

> Could I interject a comment. I think that the present arrangement is profoundly unsatisfactory. Mr. Lickers speaks of the Six Nations; but take the case of the Queen Charlotte Islands. If a man rents a piece of land there—out in Mr. Reid's constituency—the rent is paid to the Indian agent and that rent is forwarded to Ottawa. We have been short of staff during the war years. In fact, we have been short of staff since I entered the department ten years ago. There are delays which are necessary and delays which are unnecessary and the Indian becomes profoundly dissatisfied. He does not know whether the rent has been paid or not.

Mr. MACNICOL: He would not know, would he?

Mr. HOEY: No. I have suggested to the Treasury officials and Mr. McCrimmon suggested to me this morning, that this is one problem with which the committee would have to wrestle. I have suggested to the Treasury officials that the rent be paid to the Indian agent, that it be deposited in a trust account at the local bank, and that the Indian agent be bonded to issue cheques against it. I cannot see why that cannot be done. But the treasury officials say there are insurmountable difficulties in the way. But whether that be so or not, this is one of the really important matters with which this committee must deal and which it must settle because the present practice is profoundly unsatisfactory. More criticism reaches us with respect to it than about any other single administrative problem facing us at the moment. Just think of the delay in forwarding money from northern British Columbia to Ottawa.

Would you like to comment on that?

The WITNESS: Just to explain that this is a procedure worked out originally by the Department of Indian Affairs and the Comptroller of the Treasury, and before we had a Comptroller of the Treasury, with the accounting officer of the Indian Affairs Department. Also I am not very familiar with it and it is a matter on which I would suggest you should consult the Comptroller of the Treasury.

By the Chairman:

Q. Who is the Comptroller of the Treasury?—A. Mr. B. G. McIntyre. He is an officer of the Department of Finance. This is a bookkeeping procedure, and when I made some inquiry about it I was told that this was done as a matter of safety, also as a matter of making certain collections in the event the Indian owed money. I think that is all, but that is the kind of thing that I assume is not provided by the statute, and could be changed by order in council or by arrangement between the Comptroller of the Treasury and the officers of the department, but if you wish to have more complete and more precise information you might ask Mr. McIntyre to appear, tell him what it is you want, and he would be able to answer your questions very satisfactorily, I am sure.

The CHAIRMAN: Would Mr. Hoey or Mr. McCrimmon be able to shed any further light on that subject?

Mr. HOEY: Of course, I never did feel it was a matter that came either directly or indirectly under the Treasury Board. It is an old established practice. I do not know why that practice was established originally. It is, as I said, profoundly unsatisfactory. If the Indian agent is bonded why cannot he accept $25 a month rent, deposit it in a trust account and issue cheques against it? It is something I just do not understand.

By the Chairman:

Q. Is the Indian agent bonded?—A. Yes; I have not the mentality to understand that kind of unnecessary work. Other people may be in a position to understand it. I do not, and it is causing profound dissatisfaction and voluminous correspondence. The average Indian agent and the average Indian cannot see any necessity for it.

Mr. MACNICOL: It irritates the Indians.

Mr. HOEY: I beg your pardon?

Mr. MACNICOL: I say it irritates the Indians.

Mr. HOEY: It irritates them profoundly. Here is what happens. An old Indian and his wife are no longer able to operate his 50 acres of land or

10 acres of land and he rents that land to a white man. He is wholly dependent on that $25 a month for his living. When this cheque is sent to Ottawa, it involves unnecessary delay, and he does not get that $25 back for months. The result is he has to appeal to our welfare division for relief. You place him in that humiliating position. It is not fair. It is not sensible.

Mr. CASE: Are Indian agents bonded now?

Mr. HOEY: Yes.

Mr. CASE: They are all bonded?

Mr. HOEY: Yes.

Mr. HARKNESS: Have you ever attempted to make any arrangement with the Treasury officials along the line Mr. Ronson just suggested; and if so, with what success?

Mr. HOEY: We have never, since I became director a year and a half or two years ago, taken it up with the Comptroller of the Treasury. We have discussed it with his own treasury officers. There are difficulties in the way; there are bookkeeping and other difficulties. But they are difficulties which in my judgment should be overcome and I do not think my request is an unreasonable one. I cannot see anything but annoyance and irritation ahead unless that is changed, and I attach tremendous importance to it. A cheque coming in from the Queen Charlotte Islands to Ottawa, entered in the books, with cumbersome requisitions to get the money out again, and then have it sent back again to the Indian agent, makes for weeks of delay.

Mr. REID: You say weeks? Six months, you mean.

Mr. HOEY: Yes, months.

The CHAIRMAN: It is a matter, I presume, that could be corrected without an amendment to the Act?

Mr. HOEY: I think so.

The CHAIRMAN: To be specific, what would you suggest?

Mr. HOEY: As Mr. Ronson says, it is a matter that could be corrected by regulation. I do not know that, but I feel it could be. Is it your opinion it could be changed by regulation, Mr. Ronson?

The WITNESS: Unless it is contrary to the Consolidated Revenue and Audit Act which says that all public funds shall be deposited to the credit of the Receiver General. But my own opinion is that those are not public funds and that therefore this could be corrected by regulation. I should think the way to do it is for Mr. Hoey to get in touch with Mr. McIntyre and perhaps they can iron it out themselves.

Mr. MACNICOL: In reality not only are the funds not public funds but they are private funds belonging to private Indians.

The WITNESS: Yes.

Mr. MACNICOL: I agree with Mr. Hoey, that there should be the shortest, speediest transfer of the money from the tenant to the Indian.

By Mr. Richard:

QJ. If there was something in the Act what do you call it?—A. The Consolidated Revenue and Audit Act.

Q. Even if there was something in the Consolidated Revenue and Audit Act, you could very well put in a recommendation amending the Indian Act saying something like this, "Notwithstanding anything in the Consolidated Revenue and Audit Act it shall be done in such a way."—A. I should think it could be. I should think Mr. Hoey might consult Mr. McIntyre immediately and see if something cannot be done.

The CHAIRMAN: Would you, Mr. Hoey, on behalf of this committee, consult with the proper official and report back to this committee?

Mr. HOEY: Yes.

The CHAIRMAN: Is that satisfactory, gentlemen?

Some Hon. MEMBERS: Yes.

The CHAIRMAN: If so, we will proceed to the next question.

By Mr. Castleden:

Q. I do not know whether or not this is on the same line. Suppose a sale was made of land on a reserve, say for $40,000 as an example, and $10,000 was paid in cash. The Treasury Officer would receive that money. Does the Comptroller of the Treasury or any official of the Treasury Board act as a check on the Indian Affairs branch with regard to future payments on that agreement of sale or is anything done to check or to take care of the Indians?—A. Probably Mr. Hoey would be better qualified to answer that question than I am. My inclination is to say yes.

Q. Does the Treasury Board do it?—A. Not the Treasury Board; the Comptroller of the Treasury.

Q. Probably Mr. Hoey can tell us.

Mr. HOEY: Yes. The treasury officers are constantly checking up on payments and they themselves send out payment notices. They keep a very close check on that, a very close check.

Mr. CASTLEDEN: It is a departmental official who does that work?

Mr. HOEY: He is not an official of the Indian Affairs branch. He works in the branch but he is really an official of the Department of Finance.

The WITNESS: That is right.

Mr. CASTLEDEN: What is he?

Mr. HOEY: He is a treasury officer with the branch.

Hon. Mr. STIRLING: Yes, a treasury officer attached to the branch.

Mr. HOEY: Yes, that is it.

Hon. Mr. HORNER: In connection with the sale of lands with part cash payment and subsequent reduction in the price under an altered agreement, are the Indians consulted as to that reduction when their land is being sold, or are they not?

Mr. HOEY: I do not remember a case where that reduction took place. If it were a sale of a section of reserve land, I should think the matter would be discussed with them; probably discussed with them by the agent who had reported a loss on it. But I think the Governor in Council has a right to make adjustments without consulting the Indians. Mr. McCrimmon is the officer in charge of that particular branch and he is here. Perhaps you would like him to explain just what is done in the case of adjustments.

Mr. MCCRIMMON: Any Indian lands before being sold must be surrendered by the Indians. A majority of the Indians over the age of 21 must vote in favour of the surrender of those lands.

Mr. CASTLEDEN: In every case?

Mr. MCCRIMMON: Yes. When the surrender comes to Ottawa it is checked and approved by order in council and when that order in council is passed the Indians cease to have any control over that land. It is known as Indian land from then on. That is where the distinction between "Indian" and "réserve" land comes in. From that point on all transactions are at the discretion of the department and are not referred to the Indians for consideration.

Hon. Mr. HORNER: The Indian has no voice in the price?

Mr. McCRIMMON: Quite right.

Mr. CASTLEDEN: What accounting does he have of the funds?

Mr. McCRIMMON: For every parcel of land sold there is a sale account set up in the treasury branch and the purchaser is billed annually for any money he may have to pay. The funds are credited to the trust fund of the band concerned and each year the agent gets a copy of the band's fund statement for each band in his agency and the amounts collected are in those statements.

Mr. BRYCE: What percentage, Mr. McCrimmon, do you need on a reserve to sell the land?

Mr. McCRIMMON: That is a hard question for me to answer, Mr. Bryce, for the reason that to-day we consider there is very little, if any, land that should be sold. That was not true in the past. We had cases, particularly in western Canada, where the Indians had a lot of land which they did not require. But we feel that to-day practically no Indian land should be sold. The only exception that I know of is in British Columbia, at Fort St. John. We have a reserve there of 18,000 acres. The Indians have never lived on it and very strong pressure is being brought to bear on us to make this land available for Veterans' Land Act settlement. The Indians surrendered the reserve on the condition that we purchase for them from the province of British Columbia three small parcels of land about 40 miles north of the present reserve. The negotiations are practically completed with the province. As a matter of fact, a surveyor is in there right now. Mr. Crann from Fort St. John is on the ground right now surveying those parcels. We are going to be in a position to deal with the Veterans' Land Act. But outside of that we maintain that no land should be sold.

The CHAIRMAN: We are getting away from Mr. Ronson.

Mr. BRYCE: I want an answer. What percentage do you mean? You skated around the question. What percentage of the band do you mean?

Mr. McCRIMMON: Of the band? We require 51 per cent.

Mr. GIBSON: Of the total membership?

Mr. McCRIMMON: Of the total male membership.

Mr. GIBSON: Do you make sure everyone votes?

Mr. McCRIMMON: No, if there are some Indians absent and we fail to get a majority of the vote of the members the surrender could not be approved.

Mr. CASTLEDEN: May I ask if that was done in the case of the surrender of land and power development sites in the Stony Indian reserve when the national park was sold by an Act of Parliament last year?

Mr. McCRIMMON: I could not answer that.

Mr. MacNICOL: This is an important question and we should have that properly answered. Are you referring to the several power sites on the Bow River?

Mr. CASTLEDEN: On the Stony Indian reserve.

Mr. MacNICOL: On the Bow River?

Mr. CASTLEDEN: Yes.

Mr. MacNICOL: It is quite a long time since it was sold. In the meantime they asked for a little more remuneration for the renewal. I remember they are to come up for a complete renewal five or ten years hence.

Mr. CASTLEDEN: There was an Act passed.

The CHAIRMAN: Would you put your question again?

Mr. CASTLEDEN: My question was; was this procedure in regard to the consent of the band followed in the case of the surrender of the power sites on the Stony Indian reserve when they sold those rights to the Calgary Power Company?

The CHAIRMAN: Can you answer that, Mr. Ronson?

The WITNESS: No, sir.

The CHAIRMAN: Let us get an answer to this. I would like to have somebody answer that question, but if we are going to start running all over the field talking to people who might be in attendance when we have Mr. Ronson here we are going to be here for several meetings. If there is somebody here who can answer that question briefly let us have the answer.

Mr. HARKNESS: I can answer it briefly. The rights actually were alienated quite a number of years ago, and what was made last year was a new agreement which increased the annual rental which the Indians would get for the use of the land on those power sites.

The CHAIRMAN: There is no departmental official here who can give us an answer at the moment, so we will proceed with the questioning of Mr. Ronson. Are there any further questions on that point? I still have some questions here. When Mr. Bland, chairman of the Civil Service Commission, was before the committee there were several questions raised with respect to the Treasury Board. I will refer you to page 707 where a question was asked by Mr. Richard and the answer was as follows:—

> I am only pointing out that it is necessary first for the department to ask for an appointment; then the Commission advertises locally and holds a board to examine the candidates and the appointment is made. One of the difficulties in making a prompt appointment of an Indian agent or an inspector is the fact that the person formerly occupying the post is given six months' retirement leave. While he is on this leave he is still on the payroll and no other man can get the same money for the same job. That is the way it is all through the Civil Service.
>
> Q. Who is doing the work during this period?—A. The department usually appoints someone to act in his stead. I agree with the committee that that is not good business and we have recommended to the Treasury Board that in such cases in order to speed up the procedure, the man that is retiring should be given a lump sum rather than be kept on the payroll for six months.

Would you care to comment on that, Mr. Ronson?

The WITNESS: Well, just to explain first of all, this has been the practice since Confederation, I suppose, that when a civil servant retires under the Superannuation Act as a matter of fact he gets leave with pay up to a total of six months and while he is away on this leave some other official of the department performs his duties; usually the man selected as likely to be appointed to the position. He performs the duties without any additional pay until the other man's leave has expired and then he gets the position.

By Mr. MacNicol:

Q. Would that apply to Indian agents also?—A. Yes, that applies through the whole civil service.

Q. Our information has not been along that line in connection with the appointment of Indian agents.—A. I would think so, Mr. MacNicol. I see no reason to suppose it is not the case. I am not familiar with the appointment of Indian agents, but that is the general situation throughout the public service. The alternative is to pay both men for that job, meaning a duplication and very considerable increase in cost. Also you lose the opportunity to see how the man works out on the job. Those are the reasons why the Treasury Board has not been willing to make any change.

Q. That method might be quite satisfactory with nine appointments out of ten in the service, but in this case we have found in connection with the appointment of Indian agents that that has not been the method—that Indian agencies are vacant for some considerable length of time. It has been suggested here by Mr. Hoey that amongst others perhaps the farming instructor might be appointed to take the agent's place. So far as the committee believe—and I am only speaking of those I have talked with—they seem to have made up their minds that there should be a regular procedure to fill vacancies at Indian agencies by someone who has had some knowledge of Indian agencies.—A. I have heard of considerable delays—in some cases for periods of several years. Now, that sort of delay, of course, has nothing to do with the Treasury Board. The only delay that might be attributed to the Treasury Board is due to the fact that a man might have to wait for a total of six months until his predecessor has had his leave with pay. Even that is not applied to all cases, because whenever there is a key position—a position in which a department represents that an *immediate* appointment should be made—the Treasury Board concurs. If the committee is interested in this matter I have a list here which will illustrate the point: W. W. Cory, Deputy Minister of Interior; F. A. Ackland, King's Printer; Thomas Quaile, Chief Clerk to the Secretary of State.

The CHAIRMAN: What does this prove?

The WITNESS: It proves that the Treasury Board does authorize immediate appointments and does authorize immediate retirements with the gratuity and the immediate appointment of a successor.

By Mr. Bryce:

Q. Is the man taking another man's place on temporary wages until the six months are up?—A. As a general rule he is a permanent civil servant who continues at his regular wages.

Q. But he does not get the new wages that his new situation entitles him to for six months?—A. No.

Q. Do you think that is right?—A. Yes, I see no objection to it.

Q. You don't? I do.

By Mr. Matthews:

Q. Who does the extra work? Are they not a man short during the six months?—A. Usually it is possible to make some departmental arrangement under which the work can be carried on. Departments are not so short staffed as a rule that they cannot make an adjustment.

Mr. BRYCE: The general complaint as to the Indian Affairs Branch is that they are and have been understaffed for ten years.

By Mr. Reid:

Q. How does it come that you take certain positions—the ones you have just quoted—and fill them while the bulk of the positions are not so filled? What is the guiding point in connection with some as against waiting the six months' period for others?—A. They are key positions, and it is thought that the public interest will suffer if immediate appointments are not made.

The CHAIRMAN: How about Indian agents? They are very important—key positions.

The WITNESS: I have one case in front of me: an order in council of June 9, 1939, concerning Robert John Lewis, Indian agent, grade IV, Manitowaning, to be retired on superannuation and given a gratuity in order that an immediate appointment might be made.

By Mr. MacNicol:

Q. What was that again?—A. "The board, under the provisions of the Civil Service Superannuation Act, report that Robert John Lewis, Indian agent, grade IV, Manitowaning Indian agency, Ontario, is eligible on account of abolition of position for retirement and allowances thereunder.

The board further recommend that in lieu of six months' retiring leave with pay Mr. Lewis be granted a gratuity equal to the difference between six months' salary and annuity for that period, namely, $560.50, chargeable to the vote for administration of Indian agencies."

Q. And someone else was immediately appointed?—A. Yes, someone was immediately appointed.

Q. Do you know the man who was appointed?—A. I am not informed on that point.

By Mr. Reid:

Q. The question I want to put to Mr. Ronson is this: you stated that this regulation has been in effect—I think you said almost since Confederation. Now, is it not a fact that when it was put into effect it was put in by way of a thank-you gratuity and not as a means of keeping a man on the staff, because in those days there was very little civil service. Am I correct in the assumption or statement that when it was put into effect the 6 months' leave of absence with pay due under most retirements was really a thank-you gratuity in lieu of a gift for his services?—A. I think that is a fair statement as to the origin. I think it is true still. It is just as true to-day as it was then, I should think. It is a recognition of long and outstanding service.

Q. Then it has no relation at all to this safety of the service itself; because usually the man—and I think in all cases—the one who is appointed and promoted up to that post is competent to carry on. In all cases I think it is fairly understood that once a man is retired he never again goes near the office; as a matter of fact, the new incumbent would look askance if the other fellow came back.—A. Just keep in mind that that fellow that is taking over the job and then has to wait six months is going to get the same thank-you gratuity when he retires, so there is no great harm done.

Q. Oh yes, but he loses 6 months there.

Mr. BRYCE: He is not getting it. He is only waiting 25 or 30 years before he gets it.

By Mr. Farquhar:

Q. When a man is not in the civil service, how is his salary arrived at? What is done, say, when an outsider is appointed?—A. When an outsider is appointed the job is assessed before the appointment is made and in general practice that rate is arrived at after consultation between the department and officials of the Civil Service Commission, and finally confirmed by the Treasury Board. It is only then when the position has been created and rate of pay set that the man is appointed.

Hon. Mr. STIRLING: Mr. Chairman, the method that Mr. Ronson has outlined is, I think, quite reasonable in a case where the position is going to be filled by promotion.

Mr. MACNICOL: Yes.

Hon. Mr. STIRLING: But when that is not the case, and evidence has been brought before us that there have been delays in advertising the civil service position, then that method certainly does not sound reasonable.

The WITNESS: If for any reason an immediate appointment is needed in the public interest, Treasury Board would always agree that a gratuity might be

paid instead of leave of absence with pay, so that an immediate appointment could be made. That was my reason for reading this list of names where that sort of thing had occurred.

By Hon. Mr. Stirling:

Q. But would it be possible as far as the Treasury Board is concerned, for the Department, Indian Affairs, realizing that on the 1st of November next an Indian agent will be retired, to proceed in September through the civil service to obtain his successor?—A. Yes. It might.

Q. Why has that not been done? It sounds very simple.

Mr. REID: If the Minister of Mines was not there, there would be little chance of it going through.

The CHAIRMAN: What is that?

Mr. REID: If the Minister of Mines was not on the Treasury Board, it would have little chance of going through.

Mr. MACNICOL: It is very important to pursue that. Mr. Stirling has asked a very pertinent question which was never answered.

Mr. REID: Mr. Ronson knows that it is perfectly true; that if the Minister of Mines was not there, it has little chance of going through.

The WITNESS: That is quite incorrect.

The CHAIRMAN: Gentlemen, just a minute. We are getting a little out of order. Would you answer that, Mr. Ronson?

The WITNESS: I beg your pardon?

By the Chairman:

Q. Would you answer Mr. Reid, was it, or was it Mr. Stirling?—A. Mr. Reid made a statement—I do not think it was a question—that if the Minister of Mines was not there, there was not a chance of his recommendation going through and I presumed to say that that statement was quite incorrect.

Q. Would you answer the other question?

Mr. REID: Well, I have been 16 years down here, you know.

The WITNESS: Well, I have been 26 years there.

The CHAIRMAN: Now, Mr. Stirling, is your question answered?

Hon. Mr. STIRLING: My question was directed to Mr. Hoey. That seems such a simple arrangement, why has it not been done?

Mr. HOEY: I never heard of this appointment. It took place before I became director and I venture to assert here that it is one of the few ever made that way in the Department of Indian Affairs since confederation.

Mr. MACNICOL: Perhaps the only one.

Mr. HOEY: Perhaps the only one. I do not know what the local circumstances were, but I would not be frank with the committee if I did not make that statement. Here is the position out in an Indian agency. It is in the hinterland. A man has 4,000 or 5,000 human beings under his care. He is their senior officer. He looks after their education; their medical care; their welfare; to save them from destitution; the sale of their commodities; to save them from exploitation. He has no clerk at all, or he has a grade 2 clerk—a little girl, in his office. The time comes for his retirement. The only possible man under any circumstances who could take his job in many cases is the farming instructor.

Mr. MACNICOL: If there is a farming instructor.

Mr. HOEY: Yes, if there is a farming instructor. But that farming instructor, under present regulations, cannot take part in a promotional competition. The result is that for 5 or 6 months you leave these human beings with nobody

in charge of them. When they say to me, as director of Indian Affairs, "You can go out and get a local selection," what chance have I to-day to go out and get a local selection? What can I offer a man? A temporary job and then have him take part in open competition with all kinds of preferences! That is the problem confronting the committee, that groups of Indians throughout this country are left without direction for 6 months until the retirement period is up and frequently much longer than 6 months; and I say this, that an Indian agency will go back more in that 6 months' period than an Indian agent can pull it up in 10 years. It is an economic waste, a waste of public funds and is profoundly unsatisfactory.

By Mr. Harkness:

Q. Could this lag of 6 months in the appointment of an Indian agent be overcome by an amendment to the Indian Act without it being necessary to amend the Civil Service Act?—A. It could be overcome simply by applying to Treasury Board to get a gratuity in lieu of leave, for the outgoing man.

Q. Apparently, though, there are some difficulties in connection with that and apparently there is also a little difference of opinion as expressed by Mr. Reid as to how readily that might go through. My question essentially was this. Would a simple amendment to the Indian Act be authority for the Treasury Board immediately to start paying another Indian agent in spite of the fact that the other fellow was on 6 months' leave?—A. It is not needed, sir. It could be done as we stand to-day. There is plenty of authority. I have no recollection of Treasury Board refusing a case of that kind in any department, where the department could show that the public interest was liable to suffer if that course was not followed.

Q. Apart from not being needed, would an amendment to the Indian Act provide authority? In other words, is it unnecessary to amend the Civil Service Act?—A. It is unnecessary to amend any Act.

Q. You still really have not given me a direct answer, Mr. Ronson. —A. Then what is the question?

Q. The question is this: Could this 6 months' lag be overcome by an amendment to the Civil Service Act providing that an Indian agent may be appointed immediately the former agent starts on his 6 month's leave and go on pay?—A. The answer, of course, is yes.

Mr. RICHARD: If you say, "May be appointed" you leave it again in the hands of the Treasury Board, do you not?

Mr. HARKNESS: I do not think so. I think if we had legislative authority in the Indian Act itself, we could get away from the difficulty immediately.

Mr. FARQUHAR: I think that would clear the matter up.

Mr. REID: I wonder if Mr. Ronson would tell the committee who the members of the Treasury Board are?

The CHAIRMAN: We just had that, Mr. Reid.

Mr. REID: I must have been out at the time.

The CHAIRMAN: Yes. Order, gentlemen, please. Are you through with the questioning on that point?

Mr. MACNICOL: No, I am not, Mr. Chairman.

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

Mr. MACNICOL: Because we have heard from both Mr. Ronson and Mr. Hoey again—Mr. Hoey has given it to us before—that is to me the whole crux of the lack of efficient administration on the reservations, without blaming anyone. I am not blaming Mr. Hoey. But Mr. Hoey himself is very emphatic in pointing out what he is up against; and he is surely up against a big problem when, as he

said a moment ago, you consider a large reservation or a reservation at Chipewyan or far away out where an Indian agent is going to retire and does retire. Then that reservation with 4,000 or 5,000 souls on it has no head to look after all the matters which appertain to the human life on that reservation. That to me is a very serious point out there and perhaps more so on reservations like the Six Nations reservation, a large one.

Mr. FARQUHAR: We have agreed on how to overcome it, I think.

Mr. MACNICOL: That is what I am trying to bring out.

Mr. FARQUHAR: We have agreed on that.

Mr. MACNICOL: That is the important point this committee has to consider, as to how it can be overcome.

Mr. FARQUHAR: I think the suggestion made by Mr. Harkness would overcome that, namely an amendment to the Indian Act so that the Indian agent can be appointed before the outgoing agent leaves.

Mr. MACNICOL: Mr. Hoey may have no one to put in his place under present circumstances.

The CHAIRMAN: That could be overcome, I think, Mr. MacNicol.

Mr. MACNICOL: He advises that the farming instructor can not apply for promotion. He is not qualified.

The CHAIRMAN: Probably if we had a system of rotating Indian agents, it would help.

Mr. MACNICOL: How could you overcome that?

The CHAIRMAN: By rotating them. That is to say there would be a number of them all through the Dominion of Canada; one would go in for a certain number of years and another one follow him. That of course could be considered when we revise the Act.

Mr. MACNICOL: It is an important point, whether you want to shut me off or not.

The CHAIRMAN: I am not trying to shut you off, Mr. MacNicol. Do not misunderstand me.

Mr. MACNICOL: My point is the point that has been brought out, the question of the *immediate* filling of Indian agencies.

The CHAIRMAN: That is right.

Mr. MACNICOL: That is the important point, the filling of the agency with a competent official. Mr. Hoey has asked where he is going to get an official, and how is he going to get him; and in his distress he has suggested the farming instructor might be appointed. Then he has pointed out that the farming instructor cannot be appointed because there is no promotion in that department in the civil service.

Mr. FARQUHAR: I think we all realize the importance of that. When that change at Manitowaning was made, I had something to do with it; that is, at the time the appointment was made and at the time Lewis went out and Johnston was appointed. That probably was the only time, although I do not know. But I had something to do with it at the time it happened.

The WITNESS: There are a number of reasons for delay which Mr. Hoey will know as well as I do. One is the necessity to have competitions under the Civil Service Act. That always takes a long time. They have to advertise and so forth. There are other reasons. Sometimes the department is not in a position to make an immediate nomination. Indian Affairs is not alone in that position. I am pointing out that if the position is a key one, if the position of Indian agent is a key one, this business of giving 6 months' leave has nothing to do with filling the vacancy.

Hon. Mr. STIRLING: Is there anything to prevent your proceeding through the Civil Service Commission to advertise for and obtain an Indian agent two or three months before the due date?

Hon. Mr. HORNER: Six months would be better.

By Hon. Mr. Stirling:

Q. Six months or whatever number of months is necessary; is there anything to prevent your asking the Civil Service Commission to find an Indian agent?—A. I am not sure of Mr. Hoey's position. In our own department we do it. We retired a chief dominion bookkeeper about a year ago. We gave him 6 months' leave; as soon as it was possible and he went on leave down to Florida, we started the wheels moving to provide a successor to him.

By the Chairman:

Q. But you did not do that until after he had been retired?—A. After he had actually left his office, but he was not retired. He was on 6 months' leave.

Q. Yes, but you see with the Indian agent it is not the same matter. The Indian agent is in charge of probably 5,000 Indian individuals.—A. Yes.

Q. When the Indian agent is retired, he goes off the job and then for a 6 months' period there is nobody there to take his place.

Mr. FARQUHAR: He goes off and stays off.

The WITNESS: I am assuming there is somebody in the Indian department —I may be wrong—so that can be done.

The CHAIRMAN: We tell you that there is nobody in the Indian department.

Mr. MACNICOL: You have struck upon the point, Mr. Chairman.

By the Chairman:

Q. There is nobody in the Indian department to take over.—A. Eventually somebody will be selected.

Q. "Eventually". That is what we are trying to avoid—this matter of eventuality.—A. All right.

Q. It is not a matter of "eventually"; it is one of getting action *immediately*.

Mr. MATTHEWS: Mr. Chairman, I find it hard to get anything said having regard to all the commotion, but I want to suggest this. If an Indian agent is due to take superannuation on the 1st of October, a successor should be ready to take his place on the 1st of October.

The CHAIRMAN: That is exactly it.

Mr. MATTHEWS: Then I also want to ask a question of Mr. Hoey for the reason that I did not quite get his answer at the time. Why is it that a farming instructor cannot step in and take over these duties? I am asking for information purely; I am not arguing.

Mr. HOEY: Because a farming instructor is a ministerial appointment.

Mr. MATTHEWS: He is which?

Mr. HOEY: He is a ministerial appointment.

The CHAIRMAN: Appointed by the department.

Mr. HOEY: And while he qualifies for superannuation he cannot, under existing regulations, take part in a promotional competition.

The CHAIRMAN: In other words, Mr. Matthews, he is not civil service.

Mr. MATTHEWS: What I am getting at is this. Why cannot he act temporarily until the other fellow is appointed?

Mr. HOEY: Of course, there are important documents to sign and he just cannot work out adjustments.

Mr. RICHARD: If he resigns his position, would he be eligible to become an Indian agent?

Mr. HOEY: If the farming instructor resigned his position, which might be rather unwise, and he was a returned soldier and the position was filled by open competition, he may apply for it, yes.

Mr. RICHARD: Yes.

Hon. Mr. HORNER: Is there anything now to prevent you from proceeding 6 months before you know an agent is due for retirement? Is there anything to prevent you now from starting 6 months prior to the retirement date to secure an agent to take his place? Is there anything to prevent that now?

Mr. HOEY: We have followed established practice. I never heard until I came here to-day of these exceptions. I just have not the time at my disposal to go into these matters. But this practice has been long established, as Mr. Ronson has pointed out, and the officials in the department follow the exact procedure and know that nothing can be done for 6 months. The man goes out and then in due course a submission is sent forward to the Civil Service Commission; then it is advertised and a competition is held, first at Ottawa and then rating boards are appointed through the dominion and ultimately the appointment is made.

Mr. MACNICOL: Perhaps a year after.

Mr. HOEY: Yes, perhaps a year or so afterwards. I think it is only fair to make this statement, that in the early '30s, during the period of economic depression, the civil service granted us the right of local selection, and it was comparatively easy to go out then and get a man to come in, although we could not give him any assurance that he was going to get this position. He was an unemployed man and would be glad to take over for six months. But you cannot do that to-day, with the labour market what it is. You simply leave your agency vacant; and that is disastrous from every standpoint, to leave a group of Indians without an Indian agent. There are family allowances where $3,750,000 a year will be being disbursed to Indians. Many of them are paid through the Indian agents. Many of them are paid in kind. Things have got to be purchased. There are shipments of supplies—medicine and so forth—going in. There is nobody there to receive them. It is not an easy thing to ship a man up from Ottawa to Aklavik, or Fort Smith, Fort Chipewyan or Babine.

Mr. MACNICOL: And besides that, there was a suggestion made, as I gather from what you said, that the salary allowed for a farming instructor or assistant is so small that you cannot get the type of man to come in and fill that position that you would like to have; in other words, you would have to lift the whole salary scale of farming instructors and assistant Indian agents and of the Indian agents themselves to put the department in a proper situation.

Mr. MATTHEWS: In view of the statement of Mr. Hoey of the possibility of having thousands of Indians with no one at their head, I think this is a matter that calls for a very definite recommendation from this committee in its first interim report.

Hon. Mr. STIRLING: May I ask Mr. Hoey whether it has been his understanding hitherto that the Treasury Board stood in the way of advertising a vacancy in sufficient time to obtain a new man to step into the shoes of the man who was given his six months' leave?

Mr. HOEY: No, Mr. Stirling, I cannot think at the moment—if I could I would—I cannot think at the moment of a single case where we would attribute the delay to the Treasury Board. I do not know what the Treasury Board has to do with the appointment of an agent after a retirement. I do not think they have anyhing to do with it. It is the six months that has handicapped me—not the Treasury Board.

The CHAIRMAN: The question was brought up by Mr. Bland: ". . . we have recommended to the Treasury Board that in such cases in order to speed up the procedure, the man that is retiring should be given a lump sum rather than be kept on the payroll for six months." That is where the whole matter was brought up. It is to be found on page 708 of our evidence.

Mr. MACNICOL: You put your finger on the main point of the whole administration, and now you want to pass on.

The CHAIRMAN: I think we have the recommendation, have we not? If I am not correct please stop me. Is there any further comment on this?

Mr. MACNICOL: We were interrupted in the middle of something.

Hon. Mr. STIRLING: I think we have got to the bottom of this; we understand the situation.

Mr. MATTHEWS: I thought we were bringing the matter to a head.

Mr. MACNICOL: We want action. Now, the point is what can be recommended by this committee to relieve you (Mr. Hoey) of this dreadful responsibility, because it is a dreadful responsibility to have a vacancy in a large Indian reserve for six months. I would not want to have a responsibility like that. What do you suggest to the committee to speed that procedure up? You should have on hand a qualified man to go to that reserve.

Mr. HOEY: There are certain things that could be done. One recommendation we made to the Civil Service Commission was rejected. I think it was that we should have an Indian agent at large; that we should bring in a couple of well education, fully qualified young men and give them a certain amount of training in each office, in the training, reserve, trust, and other divisions, to let them become thoroughly familiar with head office practice. Then when an agent retires at, say, Manitowaning or the Six Nations or any other point, that young man could go out and serve until a new agent is appointed, and he would gain a lot of valuable experience, and he himself would ultimately take over the control of an agency.

Hon. Mr. HORNER: He would be a relieveing officer, would he?

Mr. MACNICOL: I am surprised that you asked only for one.

Mr. HOEY: We were told you could not have an Indian agent where there was not an agency.

The CHAIRMAN: Who told you that?

Mr. HOEY: I do not care to say—

Mr. MATTHEWS: How many Indian agents have you?

Mr. HOEY: One hundred. As far as the central office is concerned, there is no real hardship in the retirement of a man because his immediate associates take over his duties and work a little bit harder, and I do not think the service suffers. But in the case of an Indian agency, I think a man should be appointed forthwith, or perhaps a week or two before the other man goes out. I think it is poor economy—I make this statement in the presence of a number of my senior officials this afternoon. This is what happens. An Indian agent goes out. Relief costs are high in the agency. A grade II clerk or a grade III clerk takes over. Immediately expenditures show a substantial increase. We would have no objection to that if we found that the officer in charge was capable of disbursing those moneys fairly equitably, but we have no such assurance that a grade II or grade III clerk understands an Indian agency. It is a big job to look after their trust funds—sometimes a million dollar trust fund. The Indian agent is banker, educationalist, agriculturalist, accountant and bookkeeper. The Indians come to his office. At a place like St. Regis on a holiday you find the office surrounded by a dozen or more Indians possibly seeking advice from the Indian agent, and you cannot abandon those people for

a period of six months. If you were saving money in that abandonment I might understand it, but I want to say to you this afternoon that you are wasting money; you are causing annoyance to the Indian and creating dissatisfaction such as Brigadier Martin referred to when he was here.

By Mr. Lickers:

Q. You say that this immediate appointment of an Indian agent would be in the public interest?—A. Yes.

Q. Will we get over the trouble with the Treasury Board if the only time they make possible an immediate appointment is when it is in the public interest?

The CHAIRMAN: What was that last remark?

Mr. LICKERS: I say the only time the Treasury Board does make an immediate appointment is when it is in the public interest.

The WITNESS: That is part of the answer. The Treasury Board is prepared to facilitate immediate appointment in the case of key positions where the public interest demands that there shall be immediate appointment, and we have never, as far as I know, in fifteen years refused a case like that.

Hon. Mr. STIRLING: Mr. Ronson has asserted that in his own opinion an Indian agent is a key position.

The WITNESS: Undoubtedly.

Hon. Mr. STIRLING: I think it is quite clear that the difficulty has nothing to do with the Treasury Board, but the difficulty lies in the Civil Service Commission, if difficulty there be.

Mr. HOEY: No. I would not blame the Civil Service Commission.

The CHAIRMAN: Is there anything in connection with the Treasury Board that you want to discuss on this matter? If not, there are many questions to be asked and there are only about twenty minutes left.

Senator Horner will move for concurrence in the minutes of the meetings of July 9, 11, 16 and 18, on which occasions there was not a quorum of senators present. He moves that the minutes and proceedings of those meetings be concurred in. Is that motion carried?

Carried.

Now, let us proceed with the next question. I have been holding off Mr. Bryce—

Mr. BRYCE: No. I do not think I want to ask any questions now. You have taken the place of a member sitting around the table and you are also acting as chairman, and you have a deputy chairman or a senior chairman. Why not come and sit down here and ask your questions? Why should you occupy time by asking seven questions. I do not think it is fair.

The CHAIRMAN: These were previously in the minutes.

Mr. BRYCE: I hope we will change that.

The CHAIRMAN: I am sorry if I have transgressed the rights of any member.

Mr. RICHARD: I do not think I will take Mr. Bryce's statement.

The CHAIRMAN: If you will permit me, Mr. Bryce, I will apologize now.

Mr. BRYCE: I hope so.

The CHAIRMAN: I think the procedure in the past has been—I know it was at the last meeting when I was not present—that the chairman asked a number of questions which had been collected by the clerk from the minutes of the preceding meetings. Now, following that procedure these questions were put by the chairman at that time and there was no objection taken. I merely followed that procedure, and if I am wrong I stand corrected. As far as I am concerned, this committee is going to be governed by its own procedure, and personally I have no voice. If you want to change any procedure you can change it, not I.

Mr. HARKNESS: I do not think there is any reasonable objection to this procedure. I believe it is a reasonable way to get out the information which has been indicated in past evidence we should get from a particular witness. I do not think there should be any objection in the world to this procedure. After you have asked those questions, if anyone else has questions to ask there is still time to ask them.

Mr. BRYCE: I do not often disagree with the committee, and what Mr. Harkness is saying may be all right, but we all know the chairman's job is to rule this meeting; it is not his place to be asking questions. It is his place to come in at the tag end of a meeting and ask some questions that have been overlooked.

Hon. Mr. STIRLING: That is what the chairman has been doing.

Mr. BRYCE: He asked a few questions and then he said, "I have seven questions I want to ask." The chairman knew at a quarter past two that I wanted to ask a question.

The CHAIRMAN: I quite agree.

Mr. BRYCE: It is a quarter to four and you have not recognized me yet.

Mr. RICHARD: Is not the chairman entitled to ask questions just as well as anyone else?

The CHAIRMAN: Order, order. These are not my questions; they are questions which have been propounded in previous meetings. If you do not want them answered—

Mr. BRYCE: The members should ask the questions, not the chairman.

The CHAIRMAN: I was following the procedure followed at the last meeting. Why was not this matter brought up at the last meeting and the matter would have been settled then?

Mr. BRYCE: I thought you would rectify the mistake as you went along when you saw how the thing was going.

The CHAIRMAN: Now, gentlemen, if I have wasted two hours by asking ridiculous questions all I can say is that I am sorry.

Mr. MATTHEWS: The chairman has taken the trouble to prepare these questions and he should be thanked for doing so.

The CHAIRMAN: Do not thank me. These questions have been collected by the clerk, and I have merely followed the procedure of the past. If there was any question as to the procedure to be followed it should have been brought up at the opening of the meeting. There are still other questions in the minutes to be dealt with; but if you do not want to proceed that way it is all right with me.

Mr. HARKNESS: I move that we proceed.

The CHAIRMAN: Have you any questions to ask now, Mr. Bryce?

Mr. BRYCE: I said a moment ago that I am going to ask no more questions to-day. I tried for an hour and a half to ask a question.

Hon. Mr. STIRLING: Let us proceed, Mr. Chairman, on page 717.

The CHAIRMAN: Maybe it is just a little bit of heat.

Mr. BRYCE: I would like a square deal.

The CHAIRMAN: I do not think he intends that.

Mr. BRYCE: A man sits here an hour and a half and you recognize everybody else around the table; is that giving a square deal Certainly not.

The CHAIRMAN: All I can say is that I am sorry, and I apologize.

Mr. BRYCE: Thanks.

Mr. REID: I think that if the chairman has questions to ask it should be pointed out in the committee that he is asking those questions on behalf of the committee, and not personally. There seems to be a little fault on both sides. Chairmen, as a rule, do not ask personal questions. I took it that when the chairman asked questions he asked questions that had been chosen from the proceedings and he asked them on behalf of the whole committee. They were not personal questions.

The CHAIRMAN: They are questions which already were on the minutes. I have asked no questions of my own.

Mr. MACNICOL: What are the remaining questions?

The CHAIRMAN: On page 718 there are some questions which I shall read:—

> Q. Is there any appeal from a ruling of that Treasury Board official? —A. Well, gentlemen, I have never found a very effective one. I wish you would tell me of one.

By the Chairman:

Q. Mr. Ronson, would you care to make a comment?—A. Only this. The Treasury Board officials do not make rulings; the rulings are those of the Treasury Board.

Q. Is there any appeal from the ruling of the Treasury Board?—A. Of course. It is the most common thing in the world to have departments appeal decisions of the Treasury Board, and frequently they are reversed.

Hon. Mr. STIRLING: Appeal to whom?

The WITNESS: To the Treasury Board.

By Mr. Harkness:

Q. Is there any appeal from the Treasury Board?—A. A minister will take his problem to council.

Q. That is the only appeal actually—to council?—A. I think so.

By Mr. MacNicol:

Q. Did the minister or anyone on behalf of the minister appeal the refusal of the grant of $800 to the Squamish Indian band?—A. Not to my knowledge.

Q. I think that was a great mistake.—A. I think we had no further communication about that decision.

The CHAIRMAN: Is there any further comment?

By Mr. Lickers:

Q. On page 168 it is given in evidence that the Department of Finance apparently fixes the per capita payments to the residential schools. Does that come under your jurisdiction?—A. As a general rule these per capita payments are decided on by the government when the estimates are under consideration, and the estimates are under consideration usually by the Treasury Board; but the decision is made as to a matter of that kind by the government itself in council—as a rule.

Q. And also it says that the per capita cost is decided by the auditor. Is the auditor under your jurisdiction?—A. I cannot understand that question.

Q. It is on page 168.—A. Does he mean the Auditor General?

Q. I do not know:—

> We have approximately 76 residential schools in Canada. They are operated by the department in co-operation with the Anglican church, Catholic church, Presbyterian church and the United church. Our per capita grants range from about $160 to $250. These school payments

are audited by government auditors of the Department of Finance, and in order to answer that question intelligently you would have to have the last audit statement from the Kamloops school. We had a certain grant there. I cannot tell you the exact grant at the moment. The difference between what we pay and what the per capita cost is, as decided by the auditor, represents the church's contribution.

—A. Who was the witness?

Q. Mr. Hoey.

Mr. HOEY: Our residential schools, Mr. Ronson, are audited.

The WITNESS: By a representative of the Auditor General?

Mr. HOEY: Yes.

The WITNESS: That is the answer to the question. The Auditor General is an officer of parliament.

By Mr. Lickers:

Q. The question of the fixing of payment also does not come under your department?—A. The amount of the per capita grant is fixed through our department by the Governor in Council. I take it that is not the point in question here. It is the amount over the per capita grant—

Q. Your department would fix the per capita grants to residential schools? —A. Very often the question arises as to how much these grants should be—and of course it is a large sum; I do not think I can quote it at the moment—but from time to time changes have been made in the amounts, usually on the recommendation of the Department of Indian Affairs. It seems to me that the last time the per capita grant was changed was about two years ago. That is what we would call government policy, and it is decided by council.

Q. The recommendation would come from the Department of Indian Affairs? —A. Yes, from the minister.

Q. I was wondering about that because from my personal knowledge I know that the per capita grants to Indian residential schools are small.—A. Yes.

Q. I have known of instances where the principal of a school has had to go to the bank and borrow money personally to finance the operation of the school until the next grant came through. I wonder if that comes under your department or not? I think it is something that should be recognized.—A. Any expenditure over the per capita grant would be the responsibility of the church school, would it not. Is not that the arrangement?

Mr. HOEY: Yes.

Mr. MACNICOL: I have a question I would like to ask but it might be out of order. Could we have any information as to the Treasury Board operations?

The CHAIRMAN: Have you another question, Mr. Lickers?

By Mr. Lickers:

Q. I just want to know whether the family allowances are under your jurisdiction?—A. There again, that is a question of what we might call high policy and would usually be decided by the Governor in Council, frequently but not necessarily on the recommendation of Treasury Board.

Q. Not on the recommendation of Treasury Board?—A. I say it might be on the recommendation of Treasury Board, but not necessarily.

Q. Would it be Treasury Board that made the decision that family allowances be not paid to children attending residential schools?—A. I think that decision was made by council, but I am not quite sure.

Mr. HOEY: No; that is statutory.

The WITNESS: Is it?

Mr. HOEY: Yes, that is statutory.

The WITNESS: I see. Mr. Hoey should answer that question.

The CHAIRMAN: Is there any further comment?

Mr. MACNICOL: I should like to know by what authority the school teacher, Mr. Lickers refers to was able to go to the bank to get the money to operate the school?

The CHAIRMAN: On personal security.

Mr. HARKNESS: His wages.

Mr. MACNICOL: Was it his cheque on his own personal account?

Mr. LICKERS: He had to give his own personal note for it.

Mr. MACNICOL: All I can say is that by and by when we have the administrator of education before us, we will have a lot of questions to ask about that kind of thing.

The CHAIRMAN: Are there any further questions?

Mr. MACNICOL: A good thing for us to do, Mr. Chairman, would be to invite whoever had to do with the education in residential schools, to come before us. We have a lot of questions to ask him.

The CHAIRMAN: If there are no further questions, we can dismiss the witness. Then Mr. Ronson, I want to express the appreciation of the committee for your coming here and answering questions that were in the minds of the members of the committee. I want to express to you our appreciation. Thank you very much.

The WITNESS: Thank you, Mr. Chairman.

The CHAIRMAN: Our next meeting will be on Tuesday at 2 o'clock, gentlemen. It will be a meeting in camera to discuss the report of the committee to the House, or to both Houses; and to report also on the decisions of the subcommittee with respect to intersession activities.

Mr. MACNICOL: May I suggest that the subcommittee bring before the next meeting of the committee which will be in camera a typewritten program or typewritten minutes of each of the matters to be referred to, so that we will have it in front of us—principally your proposed report to the Commons.

The CHAIRMAN: Yes. There will be an interim report. I think it was generally hoped that the session of the Commons would end before the end of the month.

Mr. MACNICOL: Oh, it may end a week from Saturday.

The CHAIRMAN: I say it was hoped.

Mr. CASTLEDEN: That is very optimistic.

The CHAIRMAN: It is only hoped.

Mr. CASTLEDEN: Will my motion, of which I gave notice, be brought up then?

The CHAIRMAN: There will be a report on that. What was that, Mr. Castleden?

Mr. CASTLEDEN: My notice of motion regarding the subcommittee on treaty rights and obligations.

The CHAIRMAN: Yes.

Mr. CASTLEDEN: Is that at the next meeting?

The CHAIRMAN: Yes. All business before the subcommittee will be considered at the next meeting. It was tentatively, I was going to say expected—I would not say expected but rather hoped—that the next meeting will be the last meeting for the present session.

Mr. MACNICOL: I hope so.

The CHAIRMAN: If there is no further matter to be brought before the committee now, we stand adjourned until next Tuesday.

The committee adjourned at 3.55 p.m. to meet again on Tuesday, August 13, at 2 p.m.

SESSION 1946

SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO EXAMINE AND CONSIDER THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 21

Tuesday, August 13, 1946

REPORT TO THE SENATE AND THE HOUSE OF COMMONS

APPENDICES

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
CONTROLLER OF STATIONERY
1946

MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

Tuesday, 13th August, 1946.

The Special 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 in camera this day at 2 o'clock p.m., the Joint Chairman (The Honourable Senator J. F. Johnston and Mr. D. F. Brown, M.P.,), presided.

Present:

The Senate: The Honourable Senators Blais, Fallis, Horner, Johnston, Nicol and Taylor.—6.

The House of Commons: The Honourable Messrs. Glen and Stirling and Messrs. Brown, Bryce, Case, Castleden, Charlton, Farquhar, Harkness MacNicol, Matthews (*Brandon*), Raymond (*Wright*), Reid, and Richard (*Gloucester*).—14.

In attendance: (By leave of the Committee): Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Mr. Harkness, of the subcommittee on agenda and procedure presented the ninth (and final) report of that subcommittee.

After some discussion, in the course of which Mr. Castleden withdrew his notice of motion with regard to a subcommittee on Treaty Rights and Obligations.

On motion of Mr. Harkness, it was

Resolved: That the Ninth Report of the subcommitte on agenda and procedure be adopted and that the draft report of the Joint Committee (as amended by this meeting), which forms part of the said ninth report of the subcommittee, be adopted and presented to both Houses of Parliament as a Third Report of this Special Joint Committee.

At 3.45 o'clock p.m., the Committee adjourned *sine die*.

T. L. McEVOY,
Clerk of the Joint Committee.

70505—1½

NINTH (AND FINAL) REPORT OF SUBCOMMITTEE ON AGENDA AND PROCEDURE

TUESDAY, 13th August, 1946.

1. *Notices of Motion*

Your subcommittee has considered two notices of motion:

(1) By Mr. Gariepy, that Mr. Raymond replace Senator Ferland on the subcommittee on agenda and procedure.

In view of the time remaining, it is suggested that Mr. Gariepy withdraw his motion but that, if necessary, he bring it forward next Session.

(2) By Mr. Castleden, that a subcommittee be set up to examine and consider "Treaty Rights and Obligations".

Your subcommittee suggests, in view of the proposed Recommendation 4 to Parliament, that Mr. Castleden withdraw his motion but that, if necessary, he present a similar motion to the 1947 Committee.

2. *Report to Parliament*

Appended is a draft Report to Parliament.

After very careful consideration your subcommittee recommends this Report for your consideration and adoption. In the opinion of your subcommittee the recommendations include all those which at this time should be presented to Parliament, in the light of the evidence which has so far been given before your Committee.

3. *Questionnaire re Intersessional Activities*

The Clerk has convassed members of the Committee with regard to intersessional activities.

Unanimously, the Committee is in favour of visiting such Indian Reserves as are in or near their Division or Constituency. (*See* Recommendation 1, Report to Parliament).

Unanimously, the Committee is in favour of meeting in Ottawa at least two weeks immediately prior to the 1947 session. (*See* Recommendation 2, Report to Parliament).

Only with regard to a subcommittee visiting the Maritimes is there a divergence of opinion. Eleven "No"; 10 "Yes"; 5 doubtful; 8 blank. Accordingly, no recommendation covering this matter is included in the draft report. It was thought best to leave a decision to the Joint Committee. Should the Joint Committee agree that such a visit is necessary, a recommendation to that effect should be included in your recommendations to Parliament.

4. *Appreciation*

Your subcommittee takes this opportunity to express appreciation and thanks to all who have assisted and co-operated in our work.

All of which is respectfully submitted.

J. FRED JOHNSTON,
DON. F. BROWN,
Joint Chairmen.

REPORT TO THE SENATE AND TO THE HOUSE OF COMMONS

THURSDAY, 15th August, 1946.

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, begs leave to present the following as a

THIRD REPORT

Pursuant to Orders of Reference dated (♯), your Committee immediately commenced its sittings. From the outset it was apparent that our task could not possibly be completed during the present Session; that it would be impossible to devote any time to the consideration of individual claims, grievances or submissions advancing individual views or opinions.

The Committee, therefore, adopted a plan of agenda and procedure covering three Sessions of Parliament:

1946 Session, hearing of departmental officials;
1947 Session, hearing of Indian, church and other organizations;
1948 Session, revision of the Indian Act.

The Committee has held 25 meetings and has heard 16 witnesses including, as exceptions to the settled procedure, the President and the Treasurer, North American Indian Brotherhood; the Chairman of the Legislative Committee of the Native Brotherhood of British Columbia; and Brigadier O. M. Martin, a Canadian of Indian ancestry, who is a Magistrate of the County of York (Ontario) Court.

The hearing of departmental officials has disclosed the necessity for certain immediate 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.

In order not to break the continuity of the work envisaged by the Orders of Reference, your Committee hereunder makes certain recommendations to cover the period of the coming recess of Parliament.

Your Committee, therefore, recommends:

1. That the members of the Committee should voluntarily visit, during the coming Recess, such Indian Reserves as are in or near their Division or constituency;

2*a*. That at least ten members of your Special Joint Committee be empowered by Order in Council as a Commission to sit at such times as the said Commission 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 your Orders of Reference dated (♯), which pertain to the Indian population within the said areas; to visit such Indian Reserves within the said areas as the Commission may decide to be 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; and that the said Commissioners be authorized to engage the services of counsel, secretary and shorthand writers to aid and assist the Commissioners in their inquiry.

2*b*. That the members of your Committee be empowered by Order in Council to sit in Ottawa as a Commission during the two weeks immediately prior to the opening of the next Session of Parliament, for the purpose of continuing the inquiry into and reporting upon all those matters mentioned in the Orders of Reference dated (♯), and to hear evidence of any person or organization who may be affected by the matters heretofore considered by your Special Joint Committee and who may desire to be heard by the said Commissioners; and that the said Commissioners be authorized to engage the services of counsel, secretary and shorthand writers to aid and assist the said Commissioners in their inquiry;

3. That immediately Parliament next reassembles, a Special Joint Committee on Indian Affairs be constituted with powers similar to those granted your Committee on (♯);

4. That, as the amount of work still necessary to be done by a Parliamentary Committee is of great magnitude, particularly with regard to Treaty Rights and Obligations, a small inter-departmental committee be set up to survey and report to your next Committee with regard to that particular subject-matter of our Orders of Reference;

5. That the Director of Indian Affairs Branch, Department of Mines and Resources, in conjunction with the Civil Service Commission and the Treasury Board, take immediate steps to fill such vacant key posts as Indian Agents and such other vacancies in Indian Affairs Branch which, in the public interest, must be filled forthwith;

6. That the establishment for Indian Affairs Branch, Department of Mines and Resources, be increased to provide for the appointment of at least two Indian Agents at Large;

7. That consideration be given by the Civil Service Commission to the desirability of placing additional classifications of the Indian Affairs Field Staff under the provisions of the Civil Service Act;

8. That more direct methods be employed for the return of rentals collected on behalf of Indian lessors;

9. That the Indian Affairs Branch immediately undertake the drafting of plans: (1) for the construction of such additional accommodation as is necessary to relieve the present over-crowding in certain Indian day schools; (2) to provide for the construction of such other Indian day schools as, in the opinion of the said Branch, are needed;

10. That as benefits have accrued to many Indians as a result of Fur Conservation and Development work undertaken by the Indian Affairs Branch, steps be taken to extend the fur conservation and development programme into those provinces into which it has not yet been introduced.

A copy of the minutes of proceedings and evidence taken before the Committee is appended.

All of which is respectfully submitted.

J. FRED JOHNSTON,
DON. F. BROWN,
Joint Chairmen.

(♯) Orders of Reference:
Senate: 16th May, 1946;
Commons: 13th May, 1946.

Adoption: Senate, 19th August, 1946.

Concurrence: Commons, 17th August, 1946.

APPENDICES

		Page
Appendix	AC (1) (2) (3)—Supplementary briefs of The Indian Association of Alberta...	799
"	AD—"Contravention of Certain Rights"—a factum Grand Council, North American Indian Brotherhood.....	829
"	AE—The Canadian Legion, B.E.S.L. (Dominion Command).....	845
"	AF—Supporting statements *in re* Appendix X.....	846
"	AG—The United Native Farmers Organization Stahlo Tribe, Sardis, B.C.....	848
"	AH—Indian Womens Tillicum Club, Nanaimo Reserve, B.C.....	853
"	AI—Submission in behalf of Indian Band, Millbrook, Colchester County, Nova Scotia.....	854
"	AJ—Submission by Chief and Councillors, Seven Islands, North Shore, P.Q..	856
"	AK—Submission by Wabigoon Lake Band, No. 27, Kenora (Ontario) Agency.	857
"	AL—Recommendations by Songhees Indians of Victoria, B.C.....	858
"	AM—Submission by Waywayseecappo Band, No. 62, Birtle (Manitoba) Agency	860
"	AN—Brief by Islington Band, Kenora (Ontario) Agency.....	861
"	AO—Contentions of Chief, Lake Constance Reserve, Chapleau (Ontario) Agency.....	862
"	AP—Decisions of Lower Kootenay Reserve, Creston, B.C.....	864
"	AQ—Suggestions by Mississauga Indian Reserve, Sault Ste. Marie (Ontario) Agency.....	866
"	AR—Decisions of Kettle Point Reserve, Forest, Ont.....	867
"	AS—Submission from Shubenacadie (N.S.), Reserve.....	868
"	AT—Requests by Cowichan Indian Reserve, Duncan, B.C.....	870
"	AU—Brief from Chiefs of bands at Burns Lake, Maxime Lake, Fort George, Fraser Lake, Stony Creek, Stellaquo and Stuart Lake, Stuart Lake Agency, B.C.....	874
"	AV—Brief from Chief and Councillors, Blood Indian Band, Cardston, Alberta	876
"	AW—Conclusions of Abenaki Band, Pierreville, Que.....	878
"	AX—Brief from Hereditary Chiefs, St. Regis Reservation, Six Nations Confederacy.....	879
"	AY—Letter from Brigadier O. M. Martin to Mr. D. F. Brown, M.P., Joint Chairman, Special Joint Committee on the Indian Act.....	881
"	AZ—Brief from Chief and Councillors, Red Bank (N.B.), Indian Reserve.....	882
"	BA—Representations from Timiskaming (Quebec) Band.....	884
"	BB—Brief from Katsey Tribes 1, 2 and 3, Hammond, B.C.....	885
"	BC—Brief from Spanish River, Serpent River, Garden River, Batchawana and Michipicoten, all under Sault Ste. Marie (Ontario) Agency.....	886

APPENDIX AC(1)

The Indian Association of Alberta thanks those members of Parliament who have taken an interest in the matters brought to the attention of the House and expresses its appreciation to the Director and staff of the Indian Affairs Branch for their co-operation during the past year.

The Executive Council is requested by the membership to forward this SECOND Memorial to the Government of Canada, to the Minister of Mines and Resources, and to the officials of the Indian Affairs Branch.

The war in Europe is over. The task of Rehabilitation has begun. The Indian Association notes with satisfaction that the Government is taking an active—and costly—share in the work of assisting the peoples of Europe, now freed from Nazi domination, to resume their normal lives; the tremendous task of feeding and resettling these peoples is being met with the best resources of the nation.

But, The Indian Association of Alberta respectfully points out that much work is to be done at home. Perhaps the work of Rehabilitation, like Charity, may begin at home where there is also great need of educational, social, and economic readjustment necessary on the various member reserves of the Association and among ALL Indians of Canada.

The Association recalls to the members of the Government the many representations made by letter and through the Press from such organizations as the United Church of Canada; Women's University Clubs; the Committee of the Friends of the Indians; the Provincial Federation of Home and School Associations of Alberta; and others; it recalls to the members that the needs of the Indian people of Canada should surely rank equally in the minds of the members and of the people of Canada with the needs of the Poles, Czechs, Jugo-Slavs, French, or any other peoples of Europe.

The Association now represents the combined and unified opinion of the Treaty Indians of this Province and 140 delegates representing twenty-seven major bands in this Province of Alberta met June 29th and 30th, 1945, to co-ordinate their requests.

The Indian Association of Alberta requests a Royal Commission of Inquiry consisting of competent and informed persons, with a knowledge of, and experience with the Indian people, to investigate the needs of the Indians of Canada, to be appointed without delay.

This Royal Commission should have among its members, Indians; should be adequately financed; and should be empowered to visit All Indian reserves, and all bands of non-Treaty Indians. All organizations representing the Indians themselves, and all organizations and individuals interesting themselves in Indian Welfare should be called upon to testify before this Commission. Particularly, Indians themselves should be encouraged to testify freely and without fear of reprisal.

The Indian Association of Alberta requests a complete revision of the present obsolete Indian Act with consideration given to the Indians' suggestions as presented by their accredited representatives. The new Act should be based upon the Four Freedoms.

In addition to the representations made above, the Indian Association of Alberta respectfully requests that careful consideration be given to these petitions here submitted.

1. *The Indian Act.*

(*a*) Whereas Section 18 of the Indian Act names the Superintendent-General as the final authority regarding the membership of any Indian Band, and,

Whereas such arbitrary power has no place in the legislation of any democratic country and,

Whereas many Canadians have given their lives in the recent conflict in Europe, and others will do so in the war against Japan, to defeat such dictatorial practices as that mentioned above, and,

Whereas Privy Council Orders No. 1172 and No. 1182, the case of the Queen *v.* Howson, 1 Terr. L. R. Page 492, and the report of the recent inquiry under Mr. Justice W. A. MacDonald in the Lesser Slave Lake area have been, and are being ignored.

Be it resolved that Section 18 of the Indian Act be amended to require the assent of a majority of the Band concerned before any expulsion from Treaty, or compulsory enfranchisement can take place.

Be it further resolved that all persons and their families expelled from Treaty under Section 18 be restored to Band Rolls and complete Treaty privileges at once.

Of recent years it would appear that a policy of searching for any persons who might conceivably, in the strictest legal sense, be ineligible for membership in any Indian Band has been carried on regardless of the hardship that might be imposed upon individuals and their families. Individuals who have been brought up as Indians and accustomed to the Indian's mode of life have been expelled from Treaty. It may well be that their grandparents or other remote ancestors were induced to accept scrip. The Indian Association submits that reasonable doubt as to the exact meaning of such acceptance existed in the minds of the original receivers; inexperience in the ways of the white man's world and complete ignorance of the white man's law still exists in the Indian and Metis mind. How much more so did they exist sixty years and more ago?

Policies similar to this have of recent years been universally disapproved by the civilized world. A war of extraordinary bitterness and destruction has been waged in Europe and the Rights of Man have received attention in the Press and in the minds of civilized peoples. Surely, with this in mind, the legislators will perceive the justice of our plea for the amendment of Section 18 of the Indian Act.

(*b*) Whereas the duties of Chiefs and Councillors are numerous and require a great deal of time, and,

Whereas carrying out these duties often causes unpleasantness for Chiefs and Councillors, and

Whereas for these reasons above, Chiefs and Councillors sometimes do not take interest in their duties,

Be it resolved that, in addition to the payments made to Chiefs and Councillors under the various Treaty agreements, Chiefs receive One Hundred and Fifty Dollars ($150) per year, and Councillors receive One Hundred Dollars ($100) per year.

Be it further resolved that such payments mentioned above be made from the Trust or Band Funds of the Band concerned, where such Trust or Band Funds exist, and from the General Appropriations of the Indian Affairs Branch when no Band or Trust Funds exist for the Band concerned. The present remuneration of Chiefs and Councillors, Headmen or Minor Chiefs is inadequate. Persons occupying similar positions of responsibility in other spheres are ordinarily paid a salary and mileage. On many Reserves, the duties of a conscientious Chief or Councillor interfere seriously with his work on his farm, trap line or with his nets. Yet his duties as outlined by the Indian Act are responsible. Performance of his duties naturally bring criticism from members of the Band, and often considerable resentment is expressed against him. The

result is that these duties are often performed in a half-hearted and inefficient manner; decisions which should involve consultations with the members of the Indian Council must be reached without proper understanding and often attendance since the remuneration is so slight. Situations inevitably arise which require that Chief or Councillor must neglect gainful employment to attend meetings. It is therefore, suggested that the above scale of remuneration be put in force to ensure efficient and interested performance of duty.

(*c*) Whereas Section 96 of the Indian Act provides for an electoral system of Chiefs and Councillors or Headmen, and,

Whereas the Superintendent-General is the final authority to sanction such elections,

Be it resolved that, at the request of any Band, an elective system for a term of THREE YEARS be put into force.

Be it further resolved that the Chiefs, Councillors or Headmen elected by the Indians of the Band concerned under such a system be the final choice.

Several delegates pointed out that a free electoral system did not exist and that the choice of the members of the Band had not always been accepted by the authorities. Chiefs who must face re-election at the end of a three year term will provide more efficient service to their people and will be likely to defend their people's rights and needs more actively. Undoubtedly, it is the intention of all Indian legislation to extend the principle of democracy. In all free elections, it sometimes happens that the choice of the majority is not always the choice of the authorities; an active opposition is generally conceded by constitutional authorities to be beneficial and a potent incentive to efficient government.

(*d*) Be it resolved that Indians resident upon any Reserve and members of that Band be entitled to receive full royalty rights to any precious minerals discovered on those reserves.

At the session of the Special Committee on Reconstruction and Rehabilitation, Wednesday, May 24, 1944, Page 280, we read:

> Mr. MacNicol: Are the minerals on the reserves the property of the Government?
>
> The Witness: Only the precious metals; all other minerals belong to the Indians who own the land, or they belong to Canada in trust for the Indians.

See Indian Act, Sect. 2(*j*); Sect. 50: 2 and 2(*a*).

Inasmuch as the Indians have accepted or have been allotted these reserve lands in exchange for the tremendous acreage now settled and exploited by the whites, it would seem only just to assign to the Indians ALL natural resources of the reserves. It may be that the reply of the witness needs further elucidation; it may be that such precious minerals, when exploited, do carry royalty rights for the benefit of the Band. But, certainly, the matter requires complete explanation and a definite ruling. We are aware that oil, for example, brings both lease and royalty fees to the band concerned but what about gold, platinum, silver or any other "precious" metal?

(*e*) Whereas treaty Indians under Treaties 3, 6, 8, 11, are specially exempted from conscription for overseas service by virtue of certain conversations prior to the actual signing of the Treaties and

Whereas such practice constitutes undemocratic discrimination against members of the same race, occupying the same relative relation to the same government,

Be it Resolved that ALL Treaty Indians of Canada be exempted by an amendment to the Indian Act from conscription for overseas service.

The loyalty of the Indian people cannot be questioned. More than 2,500 young men and women from the reserves have served with efficiency and distinc-

tion in the war against Germany. Most of these have been infantrymen since educational training has been such that they are automatically excluded from the R.C.A.F. or the Navy. It is the confirmed belief of the members of the Indian Association that when they promised to lay down arms at the signing of the Treaties that they were not expected to be forced to take up arms again. The fact that such matters were not specifically included in other conversations obviously suggests that the idea of the Crown to which they were pledging loyalty would certainly not use legal means, without consulting them in any way, to enforce conscription. They are not so stupid that they do not know of the preferential treatment accorded such immigrants from central and eastern Europe as are the Hutterites and Mennonites.

Voluntary enlistment is another matter. It is in complete accord with the ancient and traditional freedom of the individual. The figures quoted above will show that the Indian people, as a whole, have responded magnificently. As "wards" of the government, surely they are entitled to treatment accorded to groups who have not, on the whole, through their opposition to education and taxes, shown any particular desire to make returns for the privileges of exploiting the agricultural wealth of the country—which was in no way theirs.

There is moreover, the precedent of 1917 which provided exemption for Indians from compulsory service. In view of the fact that the war in Europe is over, surely people's minds are sufficiently clear to recognize the justice of this petition for exemption from conscription for overseas service.

(*f*) Whereas Indians are entitled by Treaty to certain rights and,

Whereas changing times may endanger these rights,

Be it Resolved that all rights and privileges guaranteed by Treaty be reaffirmed.

Indians were guaranteed among other matters, rights to their reserves, to medical service, to hunting and trapping rights, to education, to freedom from taxation. The Indian Affairs Branch has at various times seen fit to encourage sale and lease of Indian lands. This policy has not taken into consideration the fact that since the turn of the century the Indian population has increased; neither has it considered the many restrictions placed upon Indian hunting and trapping by Federal and Provincial regulations.

The policy of decreasing all alienations of Indian lands undertaken recently by the Indian Affairs Branch is very commendable. The members of the Association express their appreciation of this interest in their welfare.

But the many plans for post-war immigration, for land settlement, etc., have given rise to fear that this policy of retaining all present lands may be circumvented. Educational and medical service have, for some time, lagged behind a desirable standard. The burden of indirect taxation has been heavy; the burden of direct taxation bearing upon moneys earned outside the confines of the reserves has been heavy. Moreover, such statements as those on Page 280, Minutes and Evidence of the Special Committee on Reconstruction and Rehabilitation, May 24, 1944, "The Indian reserves were not designed to support the Indian community;" and other statements regarding reserve policy have created a feeling of uncertainty.

Again, the regard for international treaties among the various nations of the world has not tended to inspire any degree of confidence in the value of a treaty. Therefore it is our petition that the Treaty rights made under the various Treaties be reaffirmed.

11. *Education.*

(*a*) Whereas educational service has been guaranteed by Treaty, and

Whereas educational systems, however efficient at the time they were inaugurated, become inadequate for the needs of people in a changing world, and,

Whereas no province in Canada has retained without revision an educational system nearly 75 years old,

Be it Resolved that properly equipped, modern day schools, under properly certified and trained teachers, be established and maintained entirely at the expense of the Federal Government upon the following reserves, and in sufficient numbers to meet the needs of the reserves concerned:

a. Samson, #137
b. Saddle Lake, #125
c. Goodfish Lake, #128
d. Michael, #132
e. Enochs, #135
f. Pigeon Lake, #138A
g. Bulls, #138B
h. Pauls Band, #133A
i. Alexander, #134
j. Alexis, #133

It is apparent that day schools can best serve the educational needs of many reserves to-day. In some cases the only available schools (residential) maintained by the Indian Affairs Branch are at long distances from the homes of the children. In earlier days the residential school served a useful purpose and, indeed, was by far the best type of school for the needs of the people.

The Association understands that it is the policy of the Indian Affairs Branch to establish a more extensive system of day schools as soon as war conditions admit obtaining materials necessary. The war in Europe is over and consideration can now be given to the needs of the reserves which have long required day schools. The Indian Association of Alberta petitions, therefore, that day schools as outlined above be established for the reserves indicated.

It is a general principle that education is a threefold responsibility—school, home, and church. Day schools can best serve this threefold principle. Conditions are now such that a flexible curriculum, adaptable to the needs of the students, can be established. Teachers might well be civil servants and trained in welfare work. As civil servants they would have the encouragement of better salaries, promotion and pensions after a period of years; as welfare workers, they would be able to combat many evils which arise when the child, at sixteen, is released from institutional life and goes home to the reserve or out to work. The churches have repeatedly brought these dangers referred to, to the attention of the Indian Affairs Branch.

Insufficient time and funds are available under the present system to educate the Indian child as he deserves and has a right to be educated.

Indian parents can now educate children in the household and farm duties, so long a feature of the residential school. Parents moreover have a right to the company of their children, and a right as parents to supervise their home life. The present system has been compared very aptly to the life of a calf of a dairy cow. The calf is separated from its mother soon after birth; it is fed by a stranger and in a short time is completely out of touch with its mother who neither recognizes it nor is recognized by it.

The day school can concentrate upon its proper function, academic or trades training. Instead, at present, approximately three years of the school period bring no academic results. This conclusion can be established by consultation with the figures released in the Annual Report which shows that the "drop-off" in school attendance comes at Grade Six.

Inasmuch as an increasing number of progressive Indian parents are seeking the right to withdraw their children from the residential schools in the areas referred to above and to enter their children in municipally operated schools, shows that there is an appreciation of the merits of day school education. The progress of these children who are attending municipally operated schools compares favourably with that of their white schoolmates. Any idea that the average Indian is less naturally equipped with native intel-

ligence than the average white is psychologically unsound. This has been demonstrated in the United States. Progress made among the Maoris in New Zealand or among the tribes of Soviet Russia lends incontrovertible evidence to the conclusion.

It is respectfully submitted that Indian students in day schools make faster progress than those in residential schools and acquire facility in the use of English much more readily.

The Indian Association admits that life on certain reserves makes day schools impracticable. There the residential school can continue to operate. On other reserves, a semi-residential school could permit children to spend the weekend with their parents.

The Indian Association therefore submits that, in any revision of Indian education, a threefold plan may be followed:

A. On the reserves above, day schools should be put into operation

B. On other reserves, such as the Stoney Indian Reserve at Morley, where the reserve is so completely inadequate that it is impossible for the Indians to remain on the reserve and stay alive, the residential school is the only present practicable solution.

Certain other reserves expressing a preference for the residential school should be allowed to retain such service with properly increased per capita grants to allow the management of the school to render the educational service it would like to do.

Some residential schools will have to be maintained to accommodate orphans or the children of widows or widowers who are unable to provide proper home surroundings.

C. A semi-residential school, properly financed and equipped, should be maintained during the transition stage or where parents are at home part of the time. The children in such a school may be permitted to spend the week-ends and short holidays with their parents.

These various schools are functioning with signal success in the United States now, often all types on the same reserve. Canada surely is no less capable of inaugurating and maintaining a reformed system of Indian education.

It is also submitted that under the present system, Indian children are being deprived of their legal rights. The family allowances are payable to Indians as well as to Chinese or to white children. But, because he is forced to attend a residential school, the Indian child is deprived of his share of the family allowance from the age of seven years to age sixteen.

If he does not attend school, and there are many schools too small to accommodate the children of school age on the reserve, he is likewise ineligible—because he is not at school.

Thus, the Indian child is caught on the prongs of a double fork, no matter what he does.

It is submitted that such a state of affairs can be simply and easily remedied, so that the Indian child may receive all the benefits intended by the Family Allowances Act.

(*b*) Be it resolved that Indian children attending any Indian day school be required to attend classes for the full school time.

(*c*) Resolved, that all Indian children of school age be freely admitted to any educational institution regardless of their religious denomination.

At present there are in Canada many "white" schools, of the day school type, which offer religious education at certain periods of the week and excuse from these periods of religious instruction children of other denominations. Inasmuch as each reserve has at present, either resident or visiting clergy, there is no reason to suppose that when day schools are set up these clergy may not provide religious instruction to the children of their respective faiths at certain

periods provided for the same. Religious education is essental as a part of any general education, and may be provided as it is now provided in many "white" schools under the various school acts of the provinces.

(*d*) Resolved that the school grants (per capita) be increased in the residential schools to $300 per child per annum, the same to be used for better educational facilities and services.

The value of the residential school is fully recognized and certain reserves have expressed a preference for this type of school. But the present per capita grant of $170 per annum and $15 extra as cost of living bonus is totally inadequate. No school can function on approximately sixty cents per day per child. It is doubtful whether any private home can provide the services the residential schools have to provide for a similar sum. Government audit figures will show the cost far above the per capita grant provided. The government has failed in its duty by thus throwing a large portion of its responsibility upon the churches concerned with Indian education and upon charitably minded persons.

It is degrading in the extreme that principals of Indian schools should be compelled to beg from charity in order to maintain services, buildings, and staffs.

In the United States, grants of $335 per capita are paid for the maintenance and education of the resident pupils. The argument that funds are not available is no longer tenable in view of the expenditures necessitated by the war. Surely education for life is as important as education for destruction, however needful wars may be.

With such an increased grant, the schools could furnish more practical training in home making for girls, and trades education for boys; training in practical and useful skills; blacksmithing, woodwork, leather work—as now exist in syllabuses could be made realities. Training in craft work, now so competently handled in a limited way by Miss Moodie of the Indian Affairs Branch, could be developed and would go far to restore racial pride and self-respect to the Indian.

(*e*) Whereas the present practice of making school boys work on the school farm without wages is equivalent to child labour, and whereas such practice seriously interferes with their education, be it resolved that all students at all Indian schools spend full time in the classroom.

The time for such a practice is past on many reserves. There is a greater need of academic education unless Indians are to be intentionally maintained as an inferior race, capable of only manual and casual labour. Indian children can acquire these skills at home, in a more practical fashion. This halftime work is educationally unsound and psychologically wrong, for it defeats the very purpose of class room instruction. If the performance of such labour is essential to the maintenance of the school, then other means should be found of achieving the same end. Except in war time, labour has been available at reasonable wages to perform such tasks. Such labour could be readily found on the reserve itself at reasonable wages. No white parents would tolerate for an instant such a form of education. Why should Indians be forced to submit? One answer is that school grants are inadequate to maintain the school.

The time has come when Indian schools should educate. Only by the assumption by the government of its acknowledged duty and responsibility can this be achieved.

(*f*) 1. Whereas a number of children from various reserves are attending day schools located in school districts outside of the reserves, and

Whereas costs of tuition for the above children are being now paid by the parents of the children concerned, and

Whereas free education is promised by Treaty,

Be it Resolved that, pending the establishment of the day schools on reserves as requested in resolution (*a*) (Education), the Indian Affairs Branch

assume these costs now borne by the parents of children attending schools (public) outside the reserves.

As we have mentioned, there are many instances of children attending "white" schools because of the acknowledged superiority of such schools. Moreover, as this can be regarded as a temporary measure pending the establishment of reserve day schools, assumption of these tuition costs would result in saving money for the Indian Affairs Branch. These costs are less than the present per capita grant. In this province, children from one school district attending school in another district have tuition costs paid by their home district. These costs rarely exceed for the elementary and intermediate schools, thirty dollars per year. Rather than deprive the Indian child of educational advantages obtainable in these schools, rather than deprive the child of its parents' society, rather, if one must put it this way, than spend the larger sum, surely the Indian Affairs Branch can assume this cost if only as evidence of governmental responsibility for Indian education.

(*f*) 2. Be it further resolved that any or all Indian children be allowed to attend outside day schools, when possible, until the reserve day schools are established. (Reasons explained above.)

(*g*) Resolved that all Indian children who have the talent and ability for class room studies be given greater encouragement to attend High Schools and Colleges with adequate maintenance supplied at the expense of the Federal Government (Indian Affairs Branch).

Too few talented Indian children receive enough encouragement and opportunity to prepare themselves for higher education. The small per capita grant, the system of half time work in the present Indian schools, the defeatism of the "sixteen-eayr-old" limit at present generally imposed, all work against further education of Indian children. The Indian Affairs Branch provides grants for such higher education and has gone on record as not opposing such grants for talented children. But, these grants are rather difficult to obtain, and often, when they are obtained, are inadequate. A modern city high school charges usually a rising scale of fees, from $70 per annum to $100 per annum to children coming from outside districts. In addition, board and lodging, laundry, books, clothes, are all essential costs. Few Indian parents are so happily situated economically in this province as to be able to bear all these extra costs.

Indians who have been able to obtain higher education have been as successful as the average white, often more successful since the motivation was stronger than in the white child who has come to take higher education as a matter of course.

Such educated Indians could be brought into the Indian service by inducements similar to those prevailing in the United States. Surely an educated Canadian Indian is as capable of being an Indian Agent as his American brother, or, for that matter, as are many of the officials now in the Indian service. Certainly his efforts would have a better chance of success since he would be an Indian and thereby inspire greater confidence than any white man, however eager and conscientious.

That grants are available should be given greater publicity among worthy Indian students so that they might be prepared adequately for entering white high schools or similar institutions. At Browning, Montana, high school, this year, half of the graduating class and most of the prize winners were from the reservation.

(*h*) Whereas the Alexis Reserve No. 133 (Lac Ste. Anne) has no Band or Trust fund from which to assist members of the Band,

Be it Resolved that the school graduates, both boys and girls, from this reserve, be given special assistance by the Indian Affairs Branch when they reach school leaving age, in order to assist them in starting out in life.

It would appear that certain bands are accustomed to make some provision for the young men and women starting out in life. This seems to have been in the way of horses, etc. for the boys and household goods for the girls. Where adequate Band funds are available, this is a simple matter. But where no funds or inadequate funds exist, equable provision should be made by the Indian Affairs Branch from its general appropriations.

(*i*) Be it Resolved that adequate provision be made to the schools concerned so that winter clothing of better quality, including underwear, shoes and caps, be supplied the pupils at the St. Albert and Ermineskin schools.

In view of these representations and in view of the representations made by various interested organizations, the entire system of Indian education is in need of revision. Most provincial systems of education have been revised within the last ten years; in fact, most of them are completely revised at regular intervals.

A commission of competent, and practical educationists could be appointed to study the needs of the Indian education system. Now that the war in Europe is over, and the war in the East may be ended at any time, preparations should be made for such an inquiry; moreover, since the Education and Welfare Branch of the Indian Affairs Branch has expressed a desire to furnish better and more educational facilities in the way of Day Schools and Welfare and Guidance Officers, the Indian Association of Alberta urges the implementation of these facilities at the earliest possible moment. In the meantime, human intelligence is being wasted which might contribute much of value to the life of Canada as a whole.

III. *Social Services.*

(*a*) Whereas Indians have been declared British subjects for the purpose of Military Service, and

Whereas Indians are subject to all indirect taxes, and

Whereas members of any other races in Canada are eligible for the benefits of Old Age Pensions, Widows and Mothers' Allowances, Indigent Relief and other Social Benefits, such as Aid to the Blind,

Whereas Indians receive only rations under a system which is unsatisfactory and issues of clothing, etc. on an unsatisfactory basis,

Be it Resolved that the Federal Government extend to Indians the benefits of Old Age Pensions, Aid to the Blind, Indigent Relief, and any and all other Social Benefits as may be provided from time to time by legislation for British subjects.

The Indian seems to occupy a strange position in that for certain purposes he may suddenly become a British subject and be eligible for say military service, or income tax when working off his reserve, or Unemployment Insurance charges. However, when social benefits are necessary, he becomes something else, and is declared a "ward of the government" and therefore ineligible.

Family Allowance Benefits have been extended to the Indians only partially For nine years of his life, the Indian child receives no benefits because he is, presumably, in an educational institution. Yet many children cannot be placed in school because schools have no room for them. But he is still ineligible. Surely such discrimination was not the intention of the House of Commons which framed this Bill.

Certain social benefits, we are aware, are conferred by Provincial Governments. Here again the Indian is discriminated against because he is a charge of the Federal Government. But the fact remains that he is living in the Province concerned, and that there is discrimination.

We are aware that special cases brought to the attention of the Indian Affairs Branch receive consideration, but why should it so often be necessary

to bring these cases to the attention of the authorities whose responsibility they are?

It would appear also that much of the cost of relief is charged against Band or Trust Funds where such Funds exist. In the case of white recipients of the Old Age Pension, the costs are charged against the individual property of the recipient if he has any property. But in the case of the Indian, any special payments are charged against COMMUNITY PROPERTY.

The Association has been informed that, when Old Age Pensions were first introduced, it was decided NOT to award them to Indians because of "difficulties of administration". Yet in the United States ALL Social Benefits are shared by Indians. Is Canada so deficient in administrative ability that no scheme has been devised? Is Canada unable to discover how these benefits are administered in the United States?

This matter was urged in the Memorial presented last year by this Association, but as yet, little action, beyond individual cases has been taken. A scheme, national in scope, and flexible enough to meet local needs, is surely not beyond achievement.

(*b*) Whereas Treaty Indians are at this time not eligible for Old Age Pensions, and

Whereas Treaty Indians are in some instances owners of property OUTSIDE Indian Reserves and pay taxes upon this land like any other tax payer, and

Whereas many Treaty Indians while retaining their interest, equity and membership under Treaty within certain Bands on reserves, must of necessity of livelihood live elsewhere than upon reserves,

Be it Resolved that all such Treaty Indians, described above, be eligible for and receive Old Age Pensions immediately they have reached the age of eligibility.

Here again, is the anomalous situation of Indians being forced to seek their livelihood off the reserves provided, being forced to pay direct and indirect taxes, and yet, when they become too old to work, they are ineligible to receive anything but the rations and issues of discarded military clothing and blankets.

(*c*) Be it Resolved that all destitute, infirm, blind, or otherwise needy Treaty Indians and their dependents be maintained at the rate of thirty dollars ($30.00) a month each at the expense of the Federal Government.

It is well known that many persons who all their period of service with the Government have received large salaries for their services have also been awarded good pensions at the expense of the Canadian taxpayer. These pensions have enabled them to pass their declining years in comfort, as they should be entitled to do. Yet the original possessors of the country who have surrendered their claims for certain rights in the various Treaties are expected to subsist upon beans, rice, meat compound, and second grade flour, etc. as rations.

This Association maintains that all old and infirm and needy persons should be maintained comfortably, including Treaty Indians.

Moreover, within our knowledge, certain aged Treaty Indians have for many years been forced to live off the reserves because of the inadequacies of these reserves. Because they do not live on the reserves, they do not receive regular rations. In other words, the practical application works out this way, "Live here, or else!" If the Indian Affairs Branch were adequately financed by the Federal Treasury, it would not be forced to permit such cases to exist.

Surely the enormous responsibility of the Indian Affairs Branch, and its tremendous administrative requirements merit the restoration of a separate department of Indian Affairs. There seems little reason why a perhaps temporary economy should become a permanent one.

IV. *Reserves.*

(*a*) Whereas there is at present a heavy demand for lumber, and

Whereas Paul's Band No. 133A have a good stand of merchantable timber,

Be it Resolved that this Band be permitted to bring into the Reserve, a sawmill and realize upon this timber at present prices.

Be it further resolved that each individual be permitted to sell one-half of his lumber so obtained.

Here is an opportunity to establish one of those co-operative enterprises so successful among Indians in certain parts of the United States. Particularly successful are those enterprises at Red Lake, Minnesota, and on the Menominee Reservation in Wisconsin. Similar selective logging enterprises could be successfully adopted in Canada to the benefit of the Indians concerned, rather than permitting exploitation by private individuals which would bring only exhaustion of the resource concerned.

There is no doubt that with the success of various fur operations already assured, many others could be established; Morley Reserve, in the North Saskatchewan Valley, and elsewhere.

(*b*) Resolved that all Indian reserve land in Alberta should be in the possession of the Indians themselves and for their use.

In the past certain Indian lands have been leased on long term leases to white individual ranchers and farmers. From these fees, substantial sums have been added to the various band funds. However, with changing times, much of this land could be put to use by the Indians themselves, who are desirous of increasing their own herds of cattle beyond the limit now set by these alienated lands. Recovery of these lands would mean a chance to bring more land under cultivation, or, if the land was grazing land, would permit the Indians to increase their herds.

The Indian Affairs Branch has been steadily decreasing the number of leases of Indian land. Such a measure cannot be too strongly commended.

This Association wishes to go on record as opposed to any further alienation of Indian land for any purpose whatsoever—whether a post-war immigration scheme, land settlement scheme, or any other purpose.

As an alternative, recovery of the lands now held under lease by whites is highly desirable. The Indian population is gradually increasing and time may show that some of the reserves will be overcrowded. Therefore, it may be necessary to increase the acreage now in some reserves.

There is considerable fear that, under the pretext that the Indians are not putting the land to use, outside groups may attempt to acquire further leases or to purchase Indian lands. The Association trusts that the Indian Affairs Branch will continue its policy of decreasing sales and leases of Indian land.

As leases now expire, the lands should be returned to the Band for its own use. Given more practical supervision and encouragement than they have been to this time, the Indians themselves could put these lands to good use and develop themselves to a higher state as agriculturists.

(*c*) Be it resolved that the locals of the Samsons Band go on record as definitely opposed to any surveying of any land within the Reserve of their Band.

Indian lands in the United States were often too much subdivided with the result that great difficulty arose in an attempt to recover some of the allotments for community use. Again, it is feared that municipalities adjacent to reserves may force the survey and construction of roads across the reserves thus subdividing the Reserves. Unanimous opposition to any such surveys was expressed.

(*d*) Be it resolved that all leasing of farm lands on the Bulls and Pigeon Lake reserves, No. 138A and No. 138B, be discontinued. (See argument above.)

(*e*) Be it resolved that, at the expense of the Indian Affairs Branch, a study of lands on all reserves in Alberta be made by a board of competent and practical Indian and white farmers to find out how vacant lands on the reserves might best be developed by the Indians and for the Indians under intelligent and co-operative supervision.

In any rehabilitation project, efforts should be made to have accurate and complete information. Many Indians have now proven their ability as farmers and stockmen, and in view of the increasing Indian population more land should be brought under cultivation. Practical farmers who have farmed land themselves understand conditions and possibilities thoroughly and are competent to make the study suggested. In the past the policy of leasing land to individuals or groups formed the transition phase from the Indians who were buffalo hunters to the Indians of to-day. It is recognized that all men, whatever their race, are not agriculturists any more than they are professional men, but many younger Indians to-day are capable of becoming expert farmers under a land development scheme. More practical encouragement and assistance is required than has always been available in the past. To determine the resources of each reserve, how these resources may be best developed to benefit the Indians on that Reserve should be the object of this board. Much of the effectiveness of the result will depend upon the skill and character of the farm instructors; the Association believes that there are available a number of competent Indians who have successfully operated farms and herds of their own who would be available under such a development as is here urged. They, too, would enjoy the confidence of their fellow Indians to a greater degree than could any white man.

(*f*) Whereas a survey of the Goodfish Lake Reserve No. 128 was made in the year 1886, and

Whereas a second survey made in 1916 shows that sections 5 and 6 Twp. 61, R. 12, West of the 4th Meridian, were no longer part of the reserves,

Be it resolved that a resurvey be undertaken at the expense of the Indian Affairs Branch following the lines of the original survey of 1886.

(*g*) Resolved that the Saddle Lake Local of the Indian Association be supplied with a copy of the original agreement covering the surrender of certain portions of the Saddle Lake Reserve No. 125 in 1925.

A copy of this original agreement is urgently desired by the members of this reserve as efforts to obtain one in place of one lost or accidentally destroyed have failed, and some confusion appears to exist with regard to this matter. On several occasions, there has been need to refer to the terms and contents of this document, and it has been unobtainable. It is felt that a copy should be in the hands of the people most concerned.

(*h*) Whereas when the Alexis Reserve No. 133 was set aside, the Indians were given to understand that a full township or an area of 36 square miles would be set aside for their reserve, and

Whereas the surveyed reserve does cover such an area,

Be it resolved that this reserve be resurveyed at the expense of the Federal Government in accordance with the originally suggested plan.

(*i*) Whereas the people on Alexanders Reserve No. 134 have too few horses and no proper machinery for road-building, and

Whereas the roads on this reserve are often impassable, delaying doctors and other essential travellers,

Be it resolved that a proper system of roads and ferry approaches be established and maintained by the Indian Affairs Branch.

Every reserve should be at least accessible to ambulance service or motor traffic so that a doctor summoned to an emergency will not be delayed. It is true that roads cannot always be passable everwhere in the country, but is is vitally essential that trunk roads at least should be maintained. When it is necessary to summon a doctor from many miles away, and when a hospital is not situated on the reserve, roads should be made available so that patients can be reached before it is too late. Doctors serving the needs of Indian reserves, like any other physicians, may be summoned very long distances (Edmonton Agency) and should be able to reach their patients. Where Band Funds are available, roads can be opened, or trails can be kept up, at the expense of the Fund. However, when neither the money nor the machinery is available on the reserve, that assistance must come from elsewhere. Roads in the municipalities nearby, and ferries, are maintained either by the municipalities or the Provincial Government; it should be possible to open up reserve roads:

(*j*) Whereas the present Stoney Indian reserve cannot, and has not since 1890, supported the Indians of this tribe, and

Whereas this fact is known and admitted by the Indian Affairs Branch, and

Whereas we have been assured that this matter has been, and is being given careful consideration by the Indian Affairs Branch,

Be it Resolved that a speedy settlement of this state of affairs be made at the expense of the Federal Government.

This reserve has never been satisfactory. As early as 1890, families were forced to leave the reserve and seek the very food they ate, elsewhere than upon the reserve. It may be argued that this location was a bad choice in the first instance. It is even less creditable, then, to the original Commissioners, who certainly should have been able, with all their background of experience, to forsee what such a choice would lead to. At the time of the signing of Treaty No. 7 at Blackfoot Crossing, certainly no Indian Chief present could be expected to envision what the next fifty years would bring forth. Game was still plentiful; the buffalo still were on the plains; fur was reasonably obtainable. Forest Reserves, National Parks, and settlement to the very borders of the reserve, game laws—all were beyond the Indians' imaginations. Therefore the onus should lie upon the Commissioners who negotiated the Treaty, to protect these people.

The land is hopelessly infertile, a very thin layer of soil over bed rock, the gravel bottom of a long since vanished river, steep foothills up which a motor vehicle cannot climb, and deep narrow coulees between the hills. Of the entire reserve, only a few hundred acres can raise hay or coarse grains for winter feed. Gardens have about a 10 per cent chance of surviving either frost or drought. Yet this reserve is set aside for more than 700 people.

Grazing possibilities are poor and almost 50 acres of land per head of stock is required. This is hopelessly uneconomic.

Agents and others have done their best and are to be commended for attempting the impossible. Yet this reserve remains one of the national disgraces of Canada. Forest reserves and National Parks have made it impossible to hunt game for food and to trap for fur. White competition in trapping, and white sportsmen in hunting are taking the food out of the mouths of Indian children. The very sources of livelihood of the Stoney people have disappeared.

Little or no schooling was available on this reserve from the closing of the MacDougall Orphanage (so called) in 1908 until the opening of the present school in 1926. Therefore, many Indians have been deprived of any opportunity either to learn English or to adapt themselves to white man's ways. Is it any wonder that relief expenditures are very high per capita on this reserve?

Enforced idleness or hard manual labour at fencing, land clearing or haying among white farmers when such manual tasks are available, is the lot of these once clever hunters and trappers. The very fact that this tribe was able once

to survive between the powerful Blackfeet on the one hand and the powerful Crees on the other, bespeaks a high grade of intelligence and diplomacy in pre-white-man days.

Rehabilitation at once is essential before the Stoneys are worn out by poverty. Inasmuch as the government is quick to assist the now liberated peoples of Europe, or the harassed people of Britain proves that sympathy for human misery is strong in the hearts of Canadians. Surely funds can be found to adjust the misery of the Stoney people so that they may have at least the chance to rehabilitate themselves through grazing and agriculture.

(*k*) Whereas certain Stoney Indians have for 50 years lived in the North Saskatchewan Valley west of Nordegg, Alberta, and

Whereas the lands here are the earliest and original settlement and hunting grounds of the Stoney Indians, and

Whereas these people have established homes and a means of living in this area, and

Whereas they are the descendants of families who were really starved off the Stoney Indian Reserve at Morley from 1890-95,

Be it Resolved that the Federal Government arrange with the Provincial government of Alberta to set aside a suitable area where they are now living for a reserve for these people.

Be it further resolved that this reserve include the land here described: "from the village of Nordegg due North to the Brazeau River, from thence westward to the summits of the Rockies, thence southward along the summits to the point where the Clearwater River comes out of the mountains, thence along the Clearwater River to a point due south of the village of Nordegg, and north to the village of Nordegg."

Be it further resolved that a sub-agency be set up, with medical and school services for the needs of the Indians on this proposed reserve.

These Stoney Indians have maintained themselves here since about 1890, trapping and hunting, and working in the settlements to the east of their present location. Such an area as this described would be ideal for a game reserve and fur project. Authorities agree that Indians can be excellent conservationists for they are such by nature. Indians, unlike white men, have never destroyed any species of animal. The buffalo supported a large population until the white hunters destroyed them. Of late years it has been necessary to enact very strict game laws for the preservation of wild life and set aside forest reserves to save the forests from destruction. The Indian Affairs Branch already operates several flourishing fur projects. In this area, natural hunters and trappers, accustomed to forest life could very well under supervision, set up similarly successful projects.

It is true that Forest Reserves are now under Provincial administration and game laws are enforced by Provincially appointed game wardens. It is also true that provision was made when the natural resources were turned over to Provincial administration that arrangements were made to provide for the future needs of Indians. These Indians live in constant fear of eviction from their homes. One of the Four Freedoms was Freedom from Fear. Will this principle be applied at home in Canada?

Like their tribesmen at Pekisko they cannot be sent back to Morley Reserve to starve, or to live on rations between available jobs at the heaviest manual labour. The situation has been too long neglected and daily grows more difficult of settlement.

(l) Whereas certain other Stoney Indians have been living in and about Pekisko, south-west of High River, Alberta, for many years, and

Whereas they have been satisfactorily employed by ranchers in that area, and

Whereas very suitable land can be purchased for a reserve in this district,

Be it Resolved that a suitable reserve, with sub-agency, school and medical services be established without delay in this district for the Stoney Indians living there.

This branch of the tribe has adapted itself very competently to life as stockmen. Several are the trusted employees of ranchers thereabouts. These ranchers are anxious to retain the Indians in that place but believe that they should be provided with a reserve where they may build homes and develop small herds of their own. Numerous representations have been made to Ottawa regarding a reserve for these people so far without success. It is recognized that setting up another reserve may increase administration staffs, but it has been recently necessary to set up services for the Sunchild Band of Crees and Chippewas who recently took treaty at Rocky Mountain House.

Another matter affecting both the Stoneys in the Nordegg area and in the Pekisko area is the matter of education for their children. The residential school at Morley, in both cases a long way from where these two groups are living, is not large enough to accomodate the children of school age who are registered as members of the tribe. Of sheer necessity, between 50 and 60 children of school age are being denied even the rudiments of education. Only through education and decent economic circumstances can any group of people be expected to make progress. If it is the wish and intention of the government to assist the Indians towards better social and economic circumstances, funds should be made available to the Indian Affairs Branch to settle this problem. Bricks still require the chemical equivalent of straw.

(*m*) Whereas many agencies are located at points distant from certain portions of the reserves, and

Whereas an Indian having business at the Agency must sometimes spend the equivalent of two days in travelling to and from the Agency,

Be it Resolved that the Agencies be sufficiently staffed to permit continuous office hours between 9 a.m. and 5 p.m. throughout the ordinary business week.

Indians are still compelled to travel mainly by wagon or saddle horse. When an Agency is as far as 30 miles from the homes of numbers of Indian (Hobbema Agency; Edmonton Agency) and office hours are of necessity in the mornings only, two days are required to reach the office, transact one's business with the Agent and return home. This often seriously interferes with whatever work the Indian is doing. Agents and their present staffs are naturally very busy; in view of the constant references to the necessity of full employment in the post war period, agencies could be staffed to permit ordinary business hours.

V. *Health and Medical Services.*

(*a*) Be it Resolved that there be established and maintained at the expense of the Indian Affairs Branch, a properly equipped and modern hospital on the Hobbema Agency.

This Agency has a population of from 1200 to 1300 persons. Wetaskiwin, the nearest point at which there is a hospital, is twelve or more miles from the nearest Indian home. This too is a municipal hospital which is not completely at the service of the Indians. The Agency has a resident nurse but no form of transportation seems to be provided for the use of sick Indians. It is quite safe to say that more than one case has been seriously complicated by the delay entailed under present conditions.

The Indian Affairs Branch has expressed its intention of extending the medical service to Indians and has already taken over several former military hospitals in remote areas. This excellent program, coupled with the study of health needs in the North West Territories, should be extended to the Hobbema Agency.

Undoubtedly military needs have lessened the number of doctors and nurses available for the past six years. With the prospect of the end of the Japanese War, an opportunity will arise to make available the services of many experienced doctors and nurses. The needs of the Hobbema Agency are urgent.

(*b*) Be it Resolved that the Hobbema Agency be at once supplied with the services of a resident doctor.

The population of this Agency, as pointed out above, is large enough to warrant the services of a full time doctor and hospital. At present there is unavoidable delay in getting either medical or hospital treatment, but the war time emergency is rapidly becoming less urgent. Doctors are at present unable to come on call but illness does not always appear in the doctor's free moment and on occasion, Indians have had to engage private means of transportation to reach medical service.

The importance of a vigorous health policy is being recognized and much of the dread of hospitalization is passing away. The value of a hospital and physician in maternity cases is being recognized. Still, tuberculosis is too common among the Indians. An adequate and vigorous health service can do much to wipe out the plague at its source.

In this connection the needs of the Edmonton agency and of the Stoney Agency were brought to light. Several of the reserves of the Edmonton Agency are situated so far from the doctor's residence—sometimes 40 miles—that emergency cases cannot possibly receive proper attention. At the Alexander reserve of the Edmonton Agency the lack of roads further complicates the matter. The services of more than one physician are needed to give proper health attention and health education.

At the Stoney Agency, there is a good hospital but no resident doctor. *During the war double service had to be done by the doctor at Sarcee Agency 50 miles distant.*

The Association urges that, with the release from military service of many doctors and nurses, the Indian Affairs Branch undertake a vigorous campaign to obtain adequate medical and hospital service not only for curative but for preventive medicine as well. With an active health campaign, and with the success of health services on other reserves, disease could be checked to a large extent.

The Association urges that these matters of health and medical service receive careful consideration because of their urgency to the reserves concerned.

VI. *Trapping and Fishing.*

(*a*) Whereas in many lakes in Alberta, commercial fishing is carried on, and

Whereas many of these lakes are adjacent to Indian reserves,

Be it Resolved that the Indian Affairs Branch obtain a separate fishing quota for Treaty Indians on those reserves adjacent to these lakes.

This problem is particularly acute with regard to Pigeon Lake, but pertains also at Lake Wabamun, Lac Ste. Anne, Goodfish Lake, Cold Lake, and other lakes where there is good commercial fishing. Figures were tabled showing the relative and gross catches of Indian and white fishermen. These indicated that the Indian fisherman was at a distinct disadvantage. There is no reason to dismiss this fact by belittling the Indian fisherman; such an excuse proves nothing. Since so many Indians engage in fishing for a livelihood rather than for a temporary vocation and are dependent upon fishing for much of their income a separate quota for Treaty Indians would be of material assistance to their welfare and prosperity.

While actual regulation of fishing is a matter of Provincial regulation the welfare of Indian fishermen is a Federal matter and the influence of the Indian Affairs Branch could be exercised to benefit the Indians. Little spervision

seems to be exercised over the number of fishing permits issued to white fishermen—possibly a matter of securing fees—while some supervision is exercised over the gross poundage of the catch. Consequently the lakes may be open for fishing for only two days in either the winter or spring seasons.

Comparison between the average catches of the white and the Indian will show an almost incredible advantage for the former.

(*b*) Whereas in the past Treaty Indians living adjacent to and bordering on the Northwest Territories, prior to the establishment of the present Northwest Territories as a separate area were accustomed to trap in the area known now as the Northwest Territories.

Be it Resolved that all Treaty Indians living adjacent to and bordering on the present Northwest Territories be eligible to receive trap lines in the Northwest Territories.

Indians will for many years yet be dependent upon trapping for a livelihood. This is especially true in the northern parts of this province and in the Territories. Since the welfare of Indians is the responsibility of the Federal Government definite steps should now be taken to protect the Indian against unfair white competition. The use of airplanes by white trappers may become common after the war so that trap lines of tremendous length may be efficiently covered. The Indian trapper who is unfitted to make his living otherwise will suffer in consequence. A policy should be laid down now and strictly adhered to—that Indian trappers should have preference over white trappers everywhere since a white man is capable of making his living otherwise. If necessary trapping areas should be set aside for Indians alone or trap lines purchased for their exclusive use. Such expenditure would be wise in the long run, for relief charges will become increasingly large if no protection be given.

(*c*) Resolved that from March 1 to May 1 each year the Treaty Indians of Alberta be permitted to kill muskrats for food and fur.

Be it further resolved that the Treaty Indians of Alberta be allowed to sell the pelts obtained as above to any fur buyer in the Province of Alberta.

While several reserves are strongly hoping that very soon the Indian Affairs Branch will establish fur projects upon their reserves, they wish to make clear that they do not waste either fur or meat in the case of muskrats. Until such time as their economic condition is so improved that they do not have to rely upon such sources of food, they wish to point out that they are in a situation different from the white trapper who traps for profit only. They have never been known to destroy game or fur-bearing animals as has the white trapper but have always been strong conservationists.

(*d*) Whereas the Indian Agent at Saddle Lake Reserve issues the fishing nets usually during the month of November, and

Whereas this late delivery of fishing nets by the Agent entails the backing and seaming of these nets when the weather is turning cold thus creating a hardship especially for the older people,

Be it Resolved that fish nets be issued on or about October the first.

VII. *Warrants.*

(*a*) Whereas in certain Agencies, the Agent lives at a considerable distance from certain reserves in the Agency, and

Whereas it is therefore very difficult and inconvenient to obtain travelling warrants in cases of emergency particularly,

Be it Resolved that all Treaty Indians in Alberta, upon application be issued transportation identification cards which, upon presentation to the Station Agents or Ticket Offices, will entitle the holder to the reduced fares granted Treaty Indians in this province.

Such a method would simplify the present cumbersome system of personal application to Agencies or Inspectoral Offices. There is also some variation in procedure for some ticket agents will grant these reduced rates upon presentation of the Treaty card of the Indian; others will accept the registration cards as evidence; still others will accept only the warrant issued by the Indian officials.

Moreover, *conductors on trains are not authorized to sell tickets to passengers who present only the warrant. Many stations in Alberta do not have ticket agents especially in remote areas.* Thus Indians are sometimes compelled to pay the full rate instead of the reduced rate.

It is therefore argued that for the convenience of both the Agencies and the Indians themselves that transportation identification would be advantageous. It might even be possible to restrict the use of such cards, to use only once a month, but in other places this would work an inconvenience if not hardship upon the Indians who are accustomed to make use of the better shopping facilities of the larger centres.

Similar arrangements could be made with the bus companies since travel by bus now extends to all parts of the province.

VIII. *Finance.*

(*a*) Resolved that the residents of the Peigan Reserve may obtain from the Indian Affairs Branch a loan of no specified amount, the proceeds to be used for farming, cattle raising or purposes related to the same vocations; the loan should be extended over a period of five years.

IX. *Permits.*

(*a*) Whereas certain individual Indians have reached a high state of competency as farmers and ranchers, and

Whereas all Treaty Indians may transact business only by official "permit",

Be it Resolved that, with the approval of the Band concerned, these Indians referred to above, be granted permission to transact their business without permits.

Generally speaking, permits should be retained for the protection of Indians. There are however, certain members of various reserves who by their industry and capacity, have become very competent business men. Such men are discouraged by being held to the level of the least capable Indian on the reserve.

It may be argued that granting special privileges will arouse envy and cause internal strife upon the reserve. On the other hand, it is an equally sound argument that the less competent Indian will be encouraged to do better. The progressive Indian will be encouraged to use his own judgment and initiative and will not be subject to the whims of an official who may possibly be less astute in business affairs than the Indian.

The Association wishes to make it clear that such restrictions should be removed only in special instances and with the approval of the majority of the Band to which the applicant belongs.

X. *General.*

(*a*) Be it Resolved that each Local of the Indian Association of Alberta be supplied by the Indian Affairs Branch with a copy of the Annual Report of the Branch, with a copy of the Auditor-General's Report on the Indian Affairs Branch and with a statement of the expenditures of the Band Funds of the Local concerned.

It is a recognized business procedure to provide such reports to persons interested. All companies and corporations supply their shareholders with similar reports. There seems no logical reason why Indians should not be provided with the reports of the Department which is concerned with their welfare.

(*b*) Whereas Canada is the only member of the British Commonwealth of Nations that is without a distinctive flag of its own, and

Whereas the members of this Association are loyal, native Canadians who are as proud of their Homeland as the loyal citizens of New Zealand or Australia are of theirs, and

Whereas the Prime Minister of Canada, the Right Hon. W. L. Mackenzie King has from time to time publicly acknowledged this deficiency in Canada's autonomy, and has promised that it shall be rectified,

Be it Resolved that we urge upon the Prime Minister of Canada and upon the Federal Government, that they implement the promise of a distinctive and authentic Canadian Flag at the earliest possible time.

(*c*) Whereas the present system of appointing Farming Instructors is generally unsatisfactory, and

Whereas the present farming instructor at Saddle Lake Reserve is unsatisfactory,

Be it Resolved that competent qualified men who can meet the demands of the positions be appointed to fill this post.

Farming instructors should be Civil Servants and appointed in the usual channels by the Civil Service Commission. In this way, more competent men would fill this responsible position, for it is a job that demands a high degree of knowledge and skill, along with strong and well-defined traits of good character. The most successful Farming Instructors have been those men who disregarded their personal comfort and were busy early and late, supervising, encouraging, and assisting the Indians. Such men should be field men with practical experience in agriculture and stock-raising, with some knowledge of the particular needs and requirements of the Reserve upon which they are working.

The Indian Association of Alberta wishes to express its appreciation for the courtesies and co-operation shown by the Officials of the Indian Affairs Branch during the past year. As a democratic organization, representing the majority of Treaty Indians in this province, the Indian Association knows that it is speaking with the unified voice of those Indians. Certain well-defined objectives in economics, education, health, and general policy has been satisfactorily established to the accomplishment of which the Association, through its Executive Council, will continue to direct its efforts.

In presenting this Second Memorial on Indian Affairs, we express the hope that, through the co-operation of the members of the House of Commons, these objectives will become realities. In any period of transition and rehabilitation, many acute problems will arise, many of them seemingly difficult of settlement. However, with the continued confidence of its members, with the continued co-operation of all interested persons and departments, we feel that all problems will be resolved in the near future. We thank you for your consideration.

THE INDIAN ASSOCIATION OF ALBERTA,

JOHN LAURIE,
Secretary.

539-18th Ave., N.W.,
Calgary, Alberta.

APPENDIX AC(2)

1. Report on building available on Louis Bull Reserve No. 138B.

The building is 18 x 22 x 9 with gable ends extra. There is no foundation. There are 4 windows, 2 doors, one in the main building and one in the porch. The building needs dropsiding on the outside on all four sides. The doors should be replaced. There is no barn, and no facilities for preparing a hot lunch. The building is sufficiently close to the white settlement that a teacher could board among the whites. The Indians will furnish transportation daily for the teacher and will supply transportation for the students. There are several good carpenters on the reserve who could repair the building.

Children not attending school as at January, 1946

Violet Bull, 8 years
Andrew Shortneck, 12 years
Jerry Shortneck, 4 years
Doris Rabbitt, 9 years
Clara Rabbitt, 4 years
Jennie Brown, 8 years
Solomon Bull, 5 years
Reda Bull, 3 years
Simon Twins, 6 years
Robert Roasting, 13 years
Herman Roasting, 4 years
Ernest Monias, 8 years
Ida Monias, 3 years
Robert Threefingers, 8 years
Sarah Bull, 9 years
Louis Shortneck, 9 years
Leonard Rabbitt, 11 years
Dorene Rabbitt, 5 years
Ruby Brown, 4 years
Mary Brown, 12 years
Joe Brown, 8 years
Lena Bull, 4 years
Joseph Crane, 7 years
Violet Roasting, 6 years
Alex White, 9 years
Lucy Monias, 5 years
Isabelle Deschamps, 3 years
Bella Threefingers, 6 years

Attending School

Mary Jane Brown, 15 years
Rosie Brown, 11 years
Enias Brown, 13 years
Irene Brown, 8 years

School Children at Ma-Me-O Beach—No. 138A

Ernest Firestone, 7 years
Albert Yellowbird, 3 years
Robert Roasting, 9 years
Jackson Rhone, 6 years
Ida Rhone, 9 years
Jensen Rhone, 3 years
Jimmie Yellowbird, 6 years
Shirley Roasting, 5 years
Carl Roasting, 13 years
Violet Rhone, 7 years
Gladys Rhone, 5 years
Percy Williams, 8 years

Attending School

Reda Roasting, 11 years
Dorothy Roasting, 11 years
Celilie Roasting, 15 years

Ma-Me-O Beach is also a resort where there are white residents who are permanent residents apart from the summer visitors. Many of these have families and at present these children must also travel long distances to school.

The white residents are petitioning the Provincial Government for a school and have expressed their readiness to admit any and all Indian Children resident thereabouts. In fact, they appear eager to have them. The Provincial authorities have expressed their willingness to admit Indian children, if such a school is established, if the proportionate expense is borne by the Federal Government.

It would therefore appear that with co-operation between the Indian Affairs Branch and the Provincial Department of Education that a combined school could be established to the mutual advantage of the Indian and white residents.

The Indian Association respectfully urges that the matter be at once taken up with the Provincial Department of Education so that this school may be established without delay.

3. *Pauls Band No. 133A.*

(*a*) Children of School Age who were not attending as at January 1946. Edmonton (Protestant School) and at St. Albert R.C. School.

Charlie Bearhead	Joseph Samuel Paul
Lawrence Rabbitt	Mary Louisa Paul
Wallace Simon	Mary Adams
Harry Simon	Julia Rain

(b) Children attending the Edmonton (Protestant) School.

Rooderick Burnstick	Dorothy Adams
Herbert Rabbitt	Sophie James
John Bearhead	Alice Adams
George Rain	Effie Bull
Peter Rain	Clara Rain
Ben Adams	Sarah Rabbitt
Peter Bird	Louisa Adams
Eddie Adams	Jane Bearhead
William Bird	Helen Bull
Josie Potts	Lottie Rain
Joseph Rabbitt	Nancy Bearhead
Gordon Rain	Nancy Rain
Jerry Burnstick	Jack Bearhead
Gerald Bird	Lawrence Bird

Most of these children would attend a day school. This Band is very anxious to have a school established as soon as possible since they are most dissatisfied with the Edmonton School and the distance that these children are from home.

(*c*) Children attending the school at St. Albert (Roman Catholic):

Ernest John	Robert Rain
Bellican John	Sophie Rain
Stanley Alex	Bella Rain

At the village of Duffield which is situated on this reserve there is a white school. This school, however, is unable to accommodate more pupils. The I.A.A. suggests that with co-operation between the Indian Affairs Branch and the Provincial Department of Education an addition could be erected to accommodate the children from the reserve. Or, failing that, an Indian day school should be erected on this reserve. A school would have a settling effect on the reserve and would lead to a development of this reserve—a matter long overdue.

Goodfish Lake No. 128

Children from this reserve at present attend three schools, the Edmonton Residential School, the Blue Quills Residential School, and the Wayetanow School, the latter a "white" school, located near the reserve.

The chief sources of complaint from the members of this Local of the Indian Association of Alberta are:

1. The distance to either Edmonton or St. Paul des Metis.
2. The children are disrespectful to their parents and disobedient.

3. The children are poorly clothed at the residential school, particularly Edmonton.

4. The half time work system retards progress and finally completely discourages the children themselves from further studies without substituting an interest in place of the interest in learning.

5. Children who are removed from the residential schools and sent to day schools are put back a grade or two, indicating that standards are not maintained in the residential schools according to the grade indicated.

6. Segregation of the children in Indian residential schools is not in the best interests of Indian welfare. Indian children should be educated along with white children for the best interests of both.

7. School nurses, employed by many school divisions, could check the health of Indian children.

8. Parents are not informed of their children's illnesses.

9. Children attending day school near the reserve can speak much better English than those who attend the residential schools.

10. Overcrowding in the classrooms and mass instruction retard the brighter child and render valueless whatever English he may have learned at home before going to school.

11. Institutional discipline is over severe.

12. Bullying and, in some cases, other difficulties of a moral nature, are prevalent in residential schools.

Children from 4 to 8 years of age:

John Cardinal
Charlie Cardinal
Kathleen Cardinal
Solomon Cardinal
Maggie Jackson
Lora Hunter
Edgar Sparkling Eyes
Henry Sparkling Eyes
Sylvia Jackson
Cola Jackson
Harvey Wood
Elsie Wood
Myrtle Jackson
James Jackson
Betsy Jackson
Marie Cardinal
George Cardinal
Annie Ballhead
Dorothy Hunter
Zaccheus Cardinal
Francis N. Bernard
Jimmie Favel 14
Erastus Favel, 11.
Richard Favel
Silas Favel
Ernest Favel
Harriet Halfe
Florence Favel
Edwin Favel
Amelia Doghead
Moses Jackson
Lloyd Jackson
Harry Sparkling Eyes
Marcus Sparkling Eyes
Allen Hunter 14
Betsy Houle
Thomas Houle
Francis Houle
Jean Hunter, 14
Wilfred Houle
William J. Houle
Carl Seenum
Maria Halfe

Children attending Wayetanow School outside reserve.

Jack Cardinal, (V. Good) Gr. 5
Emma Favel, (V. Good) Gr. 4
Raymond Sparkling Eyes, (V. Good) Gr. 4
John Wm. Whitford, (V. Good) Gr. 4
Edward Jackson, (Good) Gr. 2
Peter Jackson, (Good) Gr. 2

(Gradings by Mr. H. Ostapew, teacher in Wayetanow School.)

Children from Residential Schools whose parents prefer Day School.

Alfred Jackson	William Whitford
Elizabeth Jackson	Ralph Whitford
Mabel Jackson	Katie Houle
Annie Jackson	Dora Houle
Violet Wood	Allen Houle
Connie Jackson	Frances Seenum
Adeline Jackson	Violet Seenum
Rena Jackson	Verona Seenum
Billie Jackson	Pearl Seenum
George Breast	Harrison Bull

Blue Quills School.

Ruby D. Bull	Evangeline Cardinal
Angus Halfe	Mary Cardinal
Elizabeth Houle	Beatrice Cardinal
Maria Houle	Delia Cardinal
Nathaniel Houle	Sarah Cardinal
Josephine Sparkling Eyes	Caroline Cardinal
Margaret Sparkling Eyes	Leonia Cardinal

With a school population of this number, this reserve requires either a centrally located school of several rooms with additional rooms for vocational training and home economics or a number of day schools. A dispensary might well be attached as facilities for transportation of the children from their homes to the school as one the Blackfoot Reserve at Browning, Montana. There must also be a small emergency ward and facilities for a hot noon day meal, the latter of course a matter which would give point to training in home economics.

5. *Beaver Lake Reserve No. 131.*

Children from 4 to 14 years of age.

Flora Gladue	Lena Gladue
Phillip Gladue	Mary Mountain
Lena Gladue	Rema Mountain
Reda Gladue	George Mountain
Eva Lewis	Lena Cardinal
Sarah Lewis	Raymond Cardinal
Percy Lewis	Sarah Bearskin
Alphonse Layman	Julia Bearskin
Gilbert Louis Bearskin	Alfred Frenchman
Norma Bearskin	Louise Frenchman
Wilma Bearskin	Leon Frenchman
Rema Frenchman	Jimmy Cardinal
Emma Bearskin	Emery Cardinal
Willie Gladue	Renie Cardinal
Charlie Bearskin	Ernest Cardinal
Delia Smallface	

These children are not at present at school at all. To send them away many miles from their reserve to a school which is at best difficult to reach is so far from the wishes of the parents that the children are receiving no education at all.

Here, a one-roomed school would probably be sufficient with a teacherage and dispensary and facilities for a hot meal at noon. The people on this reserve

are prepared to construct even a log school house in order to have a day school for the children. They would no doubt also arrange some form of transportation for children to ensure punctuality and regularity of attendance.

6. *Saddle Lake No. 125.*

While many of the families here resident go away trapping a large number of children are permanently resident on the reserve. As this is a large and progressive reserve, one of the most advanced in the province, day schools could be put into operation with greater chances of success than on most others. In each case, the reality of a day school would have a settling effect on the inhabitants which should be an advantage to all concerned with the welfare of the Indians. In the case of this reserve, several day schools would be required to accommodate all the children but the area is sufficiently large anyway that, several schools would be in no way different from the procedure followed all over Canada in the case of the white schools. These Indians, under Treaty Six, had a suggestion that, as soon as they were settled upon their reserves, teachers would be sent among them.

Augar—
Lloyd,
Eva Jean,
Moses,
Willie.

G. Cardinal—
Mina.

L. Cardinal—
Raymond,
Clark,
Reta.

M. Cardinal—
Victoria,
Lena,
Jean.

R. Gladue—
Joseph
Irene
Gabriel
David
Mary Louisa.

R. Houle—
Josephine
Agnes.

J. Large—
Helen,
Simon Pat,
Ernestine,
Jas. Lawrence,

P. Mamnock—
Esther,
Emily.

M. Quinn—
Eva,
Bertha,
William.

H. Quinny—
Baptiste,
Charlotte,
Sylvia,
Charles,
William.

J. Samson—
Mary Jane,
Irene.

F. Shirt—
Mary Ida,
Jenny Maria,
Ursula G.
Lillian Margaret,
William L.

N. Cardinal—
Raymond,
Albert Jas.,
Clara Rose,
Veronica.

E. Cardinal—
Howard,
Jane Louise,
Eva,
Annette,
Lydia.

N. Crane—
Mervin,
Wilfred,
Leonard,
Richard,
Percy.

Wm. Steinhauer—
Harrison Pierre,
Mildred,
Henry Ronald,
Rosy Nacy.

M. Steinhauer—
Robert,
Ida,
Dorothy,
Roderick.

J. Whiskey Jack—
Christina,
Donald,
Josephine,
Albert,
Alec.

T. Wasatinwa—
Jean,
Francis Jas.,
Ralph,
Mary.

Jas. Whiskey Jack—
Ann Dorothy,
Bella,
Ben.

M. White—
Diom,
Mary Rose,
Julian.

H. Steinhauer—
Eva,
Arnold,
Lloyd,
Henry H.,
Rena V.,
Melvin,
Marvin.

The children above listed are those of parents who were not away trapping at the time. Probably as many more were absent.

7. Winterburn No. 135.

8. Alexis No. 139.

9. Alexander No. 134.

All these reserves of the Edmonton Agency also wish to have day schools established. They are of the opinion, especially Winterburn, that they are able to remain at home and to have their children brought up at home.

Children attending residential schools are deprived of the benefits of the Family Allowance under the terms of the Act. If they were attending day schools at home, they could receive these Family Allowance Benefits, and, as these benefits are withheld in the case of irregular attendance, the desire to receive them would be a strong incentive to regular attendance.

For all these above, residential school accommodation is not on the reserve; the fact that children must be sent away, works a distinct hardship upon both parents and child. All possible benefits of adult education through a close link between home and school are lost.

In all it would appear that the strong demand for day schools throughout the Edmonton and Saddle Lake Agencies would indicate that the residential school system has outlived its usefulness as an educational benefit.

10. *Sarcee Day School.*

(1) This school is poorly housed in a dilapidated residential school, which later became a hospital. So much repair would be necessary that it would be an advantage in the long run to erect a new building. The present building is too expensive to operate.

(2) The present site is a long way from any centre of population. The School Acts in various provinces regulate the distances children may be expected to travel—usually 3 miles by surveyed road allowance. Many children at Sarcee must travel as much as five miles. This in itself is dangerous in winter in this province.

It is recommended that a day school be erected, at a more central point with relation to the residences of the people and that a suitable teacherage be placed close to the new day school.

It is further recommended that arrangements be made so that the children attending may have a hot meal at noon. This is an almost universal practice in the "white" schools of this province and there is no reason

why Indian children should be subject to discrimination. Brothers and parents of these children fought overseas for the white as well as the Indian people, and their children are entitled to the best that any receives.

The school is capably conducted at present by a properly trained certificated and experienced teacher whose services should be retained. Miss Timms should also be entitled to the pension benefits accruing to teachers in Alberta under the Provincial Scheme.

11. *Michels No. 132*

1. Only a few orphans are now attending the Indian School at St. Albert. The others are attending, at their parents expense, white day schools in the Sturgeon and Stony Plain School Divisions. They are making good progress, equal to that of the white children attending the same schools.

2. In spite of several recommendations made by the Association, the Indian Affairs Branch has steadfastly ignored the situation and has consistentily neglected to act, even on its own initiative in rectifying this state of affairs. There is no excuse for further delay with regard to the educational services required by this reserve.

3. It is recommended by experienced educationalists that the matter be no longer neglected but that construction of a suitable, well equipped day school begin at once. This is not a matter of experimentation; it is an accomplished fact and an educational necessity. The matter should be no longer ignored by those in charge of education for the Indian people.

4. It is further recommended the Agent of the Edmonton Agency be requested to ascertain the fees paid by these parents to the Sturgeon and the Stony Plain School Divisions and to have these fees paid by the Indian Affairs Branch to these School Divisions, from the opening of school in September, 1946.

APPENDIX AC (3)

1. *St. Cyprians School—Brocket Peigan Agency.*

It is recommended that repairs be undertaken at once as follows:

1. The water seepage from the well into the school basement should be stopped.

2. The plaster throughout the school should be renewed.

3. The pillars in the boys play room should be renewed.

4. The leaking roof of the girls' dormitory should be replaced by a new one.

5. Two exits from the dormitories should be installed as the danger of a disastrous fire is very great. All public buildings except Indian schools, are apparently required by law to provide a proper number of safety exits. This matter in view of the fact that this is a frame building and certainly a menace, should receive immediate attention and not be allowed to go on throughout another school year. Responsibility for the lives of the children rests directly upon the Indian Affairs Branch. Further neglect may have serious results.

6. The girls' play room is badly lighted and receives no direct sunlight. The importance of sunlight for health is widely recognized. Why should it be denied Indian children who need it more than others?

7. This school might well be turned into a semi-residential school permitting the children, dependent upon good behaviour, and co-operation in returning children to school at the proper times, to spend all regular vacations, national holidays and weekends at home.

8. It is further recommended that two teachers be employed at this school as the burden is too great for one.

2. *Sacred Heart School—Brocket Peigan Agency.*

1. This is a fifty pupil school but in 1945-46 there were as many as 70 pupils leading to serious overcrowding in class rooms and dormitories.

2. The floors in the boys' dormitory should be resurfaced at once.

3. The hot water system is inadequate for the needs of the school.

4. The laundry has never been properly equipped with machinery.

5. The school has not been painted for ten years.

A copy of a letter to Mr. MacMillan, Agent and to the Principals of the schools is appended. It also brings to light further serious conditions requiring immediate attention. Here again, the lives of the children are needlessly endangered, the responsibility for which lies directly upon the Indian Affairs Branch.

Brocket, Alberta,
February 7, 1946.

To: Mr. A. McMillan, Ind. Agent,
Rev. Father Crepeau, O.M. of Prin.
Mr. Middleton, Acting Principal.

GENTLEMEN:

We, the Members of the Brocket Local of the Indian Association of Alberta, would like to take this opportunity to discuss all matters concerning the two Residential Schools on the Peigan Reserve, and with your co-operation, would like to have all matters arranged and settled.

We have made a thorough investigation of these schools with the approval of Mr. McMillan and the Principals of the said schools, and have seen and learned the needs and the dangerous conditions our children are subjected to.

In the case of the R.C. School—it simply cannot stand up to the winds we have on this reserve.

Some years back this school was supported by two iron rods on the second floor running crosswise. One rod is on the west end of the building, and the other on the east end.

Under the present conditions it is worse off than it was before.

In the boys' dormitory, for instance, on windy nights, they have to hold their beds to prevent them from banging together.

In the girls' dormitory which is on the west end of the building the smaller girls are awakened from their sleep and start crying for fear the building will blow over.

Another proof that the building is unfit for occupation, is that the roof leaks when it rains and when the snow is melting.

Another instance, in case fires should break out on the west end of the school which is occupied by the girls, how are they going to escape the fire? The stairways are on the same west end, and without another means of escaping as there's no door connecting both dormitories, and then, suppose fire breaks out on the east end which is the boys' side. Now how are they going to get out to the west side?

The girls' play room which is 15 x 40 has no sunshine and poor ventilation, and is absolutely unfit for them. The rest rooms, toilets are endangering the health of these girls, as they are not properly isolated from the rest of the room.

These complaints brought up are made also concerning the St. Cyprian School, but we do not know whether the beds in the dormitories bang together, and also the nails may not have sprung out of place in the siding.

So for all these dangerous conditions we ask with a confident heart that you would help us with our urgent plea. We are sacrificing our most beloved children for whom we would be only too thankful for any assistance for their safety.

You may never understand our worries which we parents undertake when these high winds start blowing especially at nights. We also ask that immediate action be given, the sooner the better, or give us new schools."

Because the schools are both located on the reserve, the people are quite well satisfied with the residential schools. However, the work system should, in the opinion of the members of this Association be abolished and full school hours with periods of organized play at proper times be substituted.

3. *Stoney Reserve—Morley.*

1. Accommodation in the present school is completely inadequate for the children of school age on the reserve. Consequently, the Agent is unable to enforce the regulations re attendance. Attendance must therefore be a haphazard matter as long as the attendance is to the required capacity of the school.
It is recommended that one of two things be done:

(*a*) A suitable addition be built to both the residence and the school house to accommodate the children on the reserve.

OR (*b*) A suitable addition be made to the school house so that children may be accommodated as day pupils and that the staff be increased accordingly.

About 30 children on this reserve are denied any kind of education at all by reason of lack of space. This does not include those children living with their parents at Pekisko and at Nordegg, approximately 35 more who are also denied any education.

It is ridiculous to urge that these extra children be separated from their parents and sent to the Edmonton School. The parents would be perfectly justified in rejecting any such proposal.

No child should be brought up away from its parents in an environment entirely unsuited to that to which it must return. This has been one of the failures in Indian educational policy for the child is unsuited to the life conditions it must meet, when it is brought up institutionally.

4. *Nordegg.*

1. The Stonies at Nordegg request a school with a dispensary and teacherage. Their children are at present without educational facilities. Even the additional land being procured at Morley will not extend the reserve enough to permit these people to return. They must still live away from the reserve.

Moreover, there seems no good reason why they should return to the Reserve at Morley. They are making a better living where they are than they could at Morley. The forcible removal of populations by the Nazi regime in Europe was universally condemned by the civilized world. To perpetuate in Canada against Native Canadians, this policy would be the grossest malpractice and transgressions of human rights and privileges. Canada would justly be the perpetrator of policies which thousands of Canadians have lost their lives in opposing. Nazi practices should have no place in Canada.

It is recommended that with the co-operation of the Government of the Province of Alberta that school facilities be provided for these people until such time as the two Governments may be able to reach an agreement by which these people will be provided with a reserve in the area they now inhabit.

5. *Pekisko*

1. A school with teacherage and dispensary should be and must be provided for these people as soon as they are settled in this area, a settlement to which the Indian Affairs Branch is, in principle now committed.

In the meantime, plans should be underway to provide the necessary facilities, not afterwards. This entire problem of rehabilitation, the Stoney people should be completed in the one operation without further unnecessary delay.

6. *Kehewin*

1. Although this reserve is administered under an Agency in Saskatchewan, it must be considered along with the rest of Alberta. On this reserve, there is a day school in operation now but a semi-residential school for senior pupils should be put into operation without delay. A semi-residential school is considered needful here because of the isolated position of the reserve. The people recognize the need of learning English but the lack of English-speaking people in the vicinity of the reserve makes it difficult for the children to acquire the readiness in that language which their parents deem necessary. It is felt that a semi-residential school for senior pupils will remedy this.

2. Senior pupils who now must go away from home as so often stated here is a deterrent to proper education. The system of sending children long distances away may be considered correct for very rich whites but it is repugnant to most whites and even more repugnant to the Indian people whose love of children surpasses that of the whites. (Indians have never needed to establish orphanages and children's shelters).

7. *Samsons Hobbema Agency*

The difficulty here is that the Protestant children must be sent away from home to the Edmonton school while the Roman Catholic children have the Ermineskin School on the reserve. This is felt to be discriminatory and the

charge appears quite true. A day school for the Protestant children should be opened in connection with the Protestant mission in order that they and their parents may have the same privileges as the children and parents of the Roman Catholic faith.

2. The Ermineskin School is too small for the number of children of Roman Catholic parentage although opening a day school on the Louis Bull Reserve and a mixed Indian and white school at Ma-Me-O Beach (Pigeon Lake) will probably rectify the problem of overcrowding at present facing the Ermineskin School.

3. It might be possible with the co-operation of the Ponoka School division to accommodate Protestant children at Hobbema Village School.

APPENDIX AD

GRAND COUNCIL NORTH AMERICAN INDIAN BORTHERHOOD

The Indians of Canada

Contravention of Certain Rights by Andrew Paull, President.

To the Honourable Members
Special Joint Committe of the Senate
and the House of Commons
Appointed to examine and consider the Indian Act,
House of Commons,
Ottawa, Ont., Canada.

Honourable Gentlemen:—

Indians of Canada Contravention of Certain Rights

This Factum is not intended to cover the whole field of Indian history, their rights and the abuse of such rights. Rather is it an attempt to show that certain rights of the Indians of Canada have gradually been whittled down to a point where they have ceased to exist, and that this has been accomplished by illegal application to the Indians of Provincial and Federal legislation as well as by erroneous judicial decision.

The average layman has a very vague notion of the position and status of the Indian in Canada. To him an Indian is very much as any other Canadian subject, except that he suffers certain restrictions. That he enjoys and should enjoy certain privileges and immunities is ofter forgotten.

This attitude would not matter very much if it were confined to the ordinary layman. Unfortunately it extends frequently to persons of prominence, persons who have some say in the promulgation of our laws, even to Provincial and federal officials whoe attitude and actions may and do have serious effect on the rights, privileges and immunities of the Indians, and who are responsible for legislation which infringes on these. They often insist that such legislation should apply to the Indians and completely disregard the ancient treaties entered into with the Indians, the British North America Act and the Indian Act. They do not feel that the Indian should be exempt from certain obligations to which the ordinary Canadian citizen is subject. Indeed, at times they find it irksome that any ethnic group or race should live within the confines of Canada and not be subject to all the laws and obligations of all regular citizens. They object to a specially privileged class or group, or at least one that must be singled out for special treatment and consideration.

We regret to note this tendency and are perturbed to note that at times it would appear to extend to members of the judiciary, who render honest but erroneous judgments as regards Indians and Indian rights. There appears to be a disturbing trend in more recent Canadian jurisprudence to deprive the Indian of his rights by a specious splitting of his personality. It has been held, in several occasions, that certain general laws cannot apply to an Indian quâ Indian but they can and do apply to him as a citizen, generally. Thus, where a Provincial Law does not specifically mention the Indian it is not ultra vires of the Province and the enactment, so long as it does not specifically run foul of the Indian Act, can and does apply to the Indian quâ ordinary citizen. This splitting of the Indian's personality is specious because an Indian is always an Indian and nothing else, and if the law cannot be applied to him as such,

there is no other way that it can. Otherwise, the exclusive jurisdiction of the Dominion Parliament over Indians could be escaped every time, for any laws could then be made to apply to the Indian by the simple expedient of omitting reference to him.

This attitude fails to take into account the whole history of Canada, the treaties made with the Indians and the solemn obligations created thereunder; it fails to take into account that most of this country was ceded to the Crown by the Indians in virtue of such treaties and the solemn obligations to protect the Indians in their rights and in the comparatively small areas reserved for them, and them alone. It ignores the protective laws created for the Indians by the Imperial Government and the spirit and notives which actuated them, perpetuated in the British North America Act and the Indian Act. It loses sight of the fact that this whole beautiful country belonged to the Indians and that it was ceded, not as a result of conquest, but as a result of honourable treaties between honourable and independent nations.

This should never be lost sight of if one is to have a real understanding of the position and status of the Indian in Canada, of his privileges, rights, immunities, and yes, his restrictions.

We shall refer to such treaties and such protective laws in the order and insofar as they relate to those recent infringements, by legislation and judicial decision, that best express the attitude above referred to, and which have, for effect, the gradual whittling down and abrogation of certain Indian rights.

We propose to deal with two phases only, first, economic, with particular reference to taxation and licensing, also personal liberty. We shall attempt to be as brief and concise, as the subjects permit.

I. Taxation and Licensing

It is our purpose here to deal with a few of the outstanding cases, where by executive action, enactment or judicial decision, we feel the Indian's rights and immunities have been invaded and abused.

Only recently it has been held that the Indian merchants of the Caughnawaga Reserve must take out a Provincial Sales Tax Licence if they would continue to sell certain items which are subject to sales-tax elsewhere in the Province of Quebec. Sixteen Indians of the Caughnawaga Reserve were arrested, on two charges each, convicted and fined for failure to do so, with the alternative of a jail sentence in default of paying the fine and costs. (Attorney General of Quebec vs. Williams et al.)

The general gist of the judgment was:—Whereas pursuant to section 102 of the Indian Act, the Indian is not subject to tax on his real or personal property situated on the Reserve, he must nevertheless take out the aforementioned sales-tax licence; for such a licence, albeit a fee is attached to it, is not a tax, properly speaking; moreover he must have this licence in order to be able to charge the tax to persons who purchase at his store on the Reserve, but who are themselves from outside of the Reserve. For when the Indian sells to such non-Indian, he is going outside of the Reserve, and once outside the Reserve, he is subject to the Provincial Laws governing all residents of the Province. (Ibid:—Attorney General of Quebec vs. Groslouis-Court of Sessions of the Peace No. 24213, 1943).

The considerants of these judgments recognize that the Indians and lands reserved for the Indians are under the exclusive legislative authority of the Parliament of Canada, and that, consequently, the Provincial authorities have no right to legislate as regards them. (S.S. 24, Sect. 91, B.N.A. Act). They clearly recognize that, in virtue of section 102 of the Indian Act, the property of an Indian can be taxed only if such property is outside of the Reserve. But the conclusions are, nevertheless, that the Indian merchant, who, having his store on the Reserve, sells to any visitor to the Reserve, must take out a sales-tax licence for his store on the Reserve, charge the tax, and pay it to the Provincial

authorities. In the Williams case, the conclusions go even further. His Lordship suggested that the Indian is subject to Provincial laws generally, so long as they do not mention the word "Indian" and do not specifically contravene any provision of the Indian Act. Hence, the Indian must take out a sales-tax licence (which is not a tax and therefore no contravention of section 102) and collect the tax and pay it.

However in the Groslouis case, Mr. Justice Pettigrew corrects at least that mistaken view, although he errs otherwise. He says:—

> It seems to follow from the jurisprudence, taken as a whole, that the Indian, insofar as an Indian inhabiting a Reserve, under the control of the Dominion Government, is not amenable to the laws of the Province, but as soon as he goes out of the Reserve, he becomes, like any ordinary citizen, subject to the application of the provincial laws to which he owes obedience, failing which he is liable to the penalties provided in those cases.

In support of this thesis, His Lordship refers to the cases of Rex vs. Hill 15 O.L.R., 406 (C.A.); Rex vs. Bebonning (1938) 17 O.L.R. 23 and Rex vs. Martin (1917) 39 D.L.R. 635. We have, for the moment, no particular quarrel with the judgments referred to, but we fail to see that they applied to the Groslouis case, the whole with humble respect for the opinion of Mr. Justice Pettigrew.

Following these cases, we would have to concede that if an Indian were to open a place of business, a store, outside of the Reserve, and do business outside of the Reserve, he would become amenable to the various provincial laws affecting businesses in the locality in which he had opened his store. But we contend that the Indian merchant, doing business in his store on the reserve, is not going outside of the Reserve, even if certain occasional customers happen to be strangers to the Reserve. The sales-tax licence attaches to the place of business and not to the customers of the place. (Indeed a merchant, outside of the Reserve, who changes his address, must get a new sales-tax licence with his new address on it). That place, that address and business on the Reserve is not subject to Provincial laws, so long as the Indian merchant sells the merchandise at his store on the Reserve. Going outside of the Reserve means a physical removal of himself and his business from the Reserve and not the physical intrusion of a stranger into the Reserve.

To order an Indian, on the Reserve, to take out a sales-tax licence for his business located in the Reserve constitutes a restriction of the Indian's right to do business on the Reserve, and the Indian requires no Provincial permit to do business in the Reserve. His lands and holdings on the Reserve are entirely withdrawn from Provincial jurisdiction.

Indeed the Reserve is by law absolutely free from Provincial interference, more so than a business in a foreign province. It was suggested by their Lordships in the Groslouis case and in the Williams case, that if the Indian merchant, on the Reserve, were not forced to take out a sales-tax licence and charge tax to strangers visiting the Reserve, it would open the way to fraud. Strangers, everywhere, they suggest, would come to the Reserve to make their purchases, thereby defrauding Provincial Revenues.

Even, if in fact, this were actually to happen, that fact would not give to the provincial legislature the right to legislate concerning places and persons over which and whom their authority does not extend. Let us illustrate:—

The Province of Ontario imposes no sales-tax on certain items that are taxable in the Province of Quebec, *e.g.*, cigarettes. Now the City of Hull, P.Q., is a stone's throw from the City of Ottawa, Province of Ontario. A great number of residents of Hull, P.Q. cross over regularly to Ottawa to purchase their cigarettes, where they pay no tax. This certainly accomplishes the "fraud" contemplated by their Lordships. But does that give the Quebec legislature the

power and authority to impose a sales-tax licence on the Ottawa merchants? Could such a Quebec Provincial statute have any force and effect on the Ottawa merchant or on his store?

Let the authorities prevent such "fraud" by legislating concerning persons and places over whom and which their authority extends. Let them order all such purchasers, on pain of fine and imprisonment, to account to the Province for all such purchases and to pay the tax on them. But the Province of Quebec has no greater right to impose a licence on the Indian Reserve, than have they on the person or business of the Ottawa merchant.

Did the Ottawa merchant go "outside of Ottawa" to sell to the Hull resident who came into his shop to purchase cigarettes? Certainly not. Had he physically transported himself and his goods to Hull and there sold to Hull residents, he would have gone outside of Ottawa and would become subject for such sales to Quebec legislation. Could the Province of Quebec impose a duty on the Ottawa merchant to enquire into the residence of the customers who come into his store? Certainly not. The Province of Quebec has no legislative authority over this Ottawa merchant, who sold from his store. Nor has it any greater authority over the Indian who sells from his store on the Reserve, nor can it force him to impose proof on his customers of their racial origin or real residence. His business and person on the Reserve are subject solely and exclusively to the jurisdiction and authority of the Dominion Government..

It is respectfully submitted that the two judgments above-mentioned are badly founded for other reasons.

It is contended that even if the sales-tax licence is not a tax on the Indian, since the sales tax is a direct one on the consumer, it is an imposition of a duty and obligation which the Provincial legislature has no right to impose on the Indian and which the latter in law, is incompetent to assume. Subsection 24, sec. 91 of the B.N.A. Act states that *Indians*, and lands reserved for the Indians, are under the exclusive jurisdiction of the Dominion Parliament. It follows therefore that the person of the Indian is not subject to provincial authority. How then can the Province force him to become its unwilling employee in the matter of tax collection? Particularly is that true when one appreciates that in the eyes of the law the Indian is a minor, an incompetent, a "ward" of the Crown. (See Indian Act, sections 4, 5. 6, 110, etc.) Such a "ward" surely cannot be forced by the Province to act as its servant and agent?

We likewise respectfully take issue with the statement that the imposition of the sales-tax licence is not a tax. A fee is exacted for this licence which cannot be passed on to the customer. It is therefore a direct tax on the merchant himself, tantamount to a business tax, which forms part of the consolidated revenue of the Province.

We shall close this phase of the abuse of the Indian's right with one last observation.

When one reads the recent judgments which have tended to encompass such abuse, one notes that certain of the Judges seem to have arrived at the erroneous impression that once the Dominion Parliament had promulgated and passed the Indian Act it had exhausted its exclusive legislative authority over Indians and Indian lands. In a number of these cases we find their Lordships, when referring to this exclusive jurisdiction, express themselves much as follows:—

> and in fact the Parliament of Canada has exercised this authority by having passed the Indian Act, chapter 98, R.S.C. 1927.

and from that point on they have found certain provincial legislation, affecting Indians, though not specifically referring to them, intra vires of the Province and applicable to Indians, because the Indian Act does not happen to deal with the matter.

It strikes us at the outset, that this is an absolute misinterpretation of the words "exclusive authority" or "exclusive jurisdiction" and is out of harmony with the whole spirit and intention of s.s. 24, sec. 91 of the B.N.A. Act.

"Exclusive authority" or "Exclusive Jurisdiction" means the sole right to legislate, then, now, and in the future, and not the sole right to have legislated. These words mean that no one else can or may legislate about the matter, and no one else may fill the Dominion's failure to exercise this exclusive authority. This exclusive authority of the Dominion Parliament continues for all time, to the exclusion of any other authority—(unless, perhaps, the B.N.A. Act be amended on that point). There is no question here of overlapping jurisdiction of the Province and the Dominion so that when the latter is silent on any question, the former may speak. Only the Dominion Parliament may legislate as regards Indians and Indian lands. Consequently, where the Indian Act fails to deal with any matter, this does not make a provincial enactment on the matter binding on the Indian. And we cannot see how the failure specifically to refer to the Indian would make such an enactment the more applicable to them. If to mention him specifically were to render the enactment ultra vires, it is because it cannot apply to him. It is because only the Dominion Government may legislate as regards him, and this exclusive legislative authority over the Indians' person is nowhere limited in the B.N.A. Act by conditions whereby the Province could impinge on it by merely abstaining from mentioning the Indian in its legislation. The meaning of the term "exclusive authority" was very ably expressed in the case of Madden *vs.* Nelson and Fort Sheppard Ry. Co. (1898) A.C. at page 626.

> In other words, the provincial legislatures have pointed out in their preamble that in their view, the Dominion Parliament had neglected proper precautions; that they are going to supplement the provisions, which, in the view of the provincial legislature, the Dominion Parliament ought to have made; and they thereupon proceed to do that which the Dominion Parliament has omitted to do. It would have been impossible, as it appears to their Lordships, to maintain the authority of the Dominion Parliament if the provincial parliament were to be permitted to enter such a field of legislation which is wholly withdrawn from them, and is, therefore, manifestly ultra vires.

There have been other taxes levied recently by the Province of Quebec, and even by the Dominion Parliament, upon the Indians of Reserves within its boundaries, and upon their real and personal property, in contravention of section 102 of the Indian Act. What is by law prohibited has been accomplished indirectly.

Thus the Indians of the Caughnawaga Reserve and others are obliged to pay a sales-tax on their consumption of gas and electricity in the Reserve. This is the 8 per cent sales-tax, Federal, on "goods manufactured and produced in Canada".

The legal basis for this levey is found in the decision rendered by the Hon. Mr. Justice Philippe Demers in the case of Delisle vs. Shawinigan Water & Power Co. S.C., Montreal, No. 191425.

This judgment held, in effect, that the said tax was not a tax upon the Indian, but a tax on the Power Company which they paid and collected by increasing their price. Moreover electricity did not constitute "real or personal property on the Reserve" and therefore the Indian Act did not apply. Further, since the essential feature of a tax is that it is an enforced contribution, not a voluntary payment or contribution, the levy on electricity sold to the Indian was not a tax at all, since the Indian was not bound to use electricity. He could illumine his home by other means.

With all due respect to the Hon. Mr. Justice Demers, we cannot agree with these findings, for they are unfounded in law and based upon a misconception of the meaning of a tax, "direct" or "indirect".

The Power Company, in the bills it sends to the Indians, clearly marked at the foot, "plus 8 per cent sales-tax". That is clear and there is no doubt about it. To consider such a tax as a mere increase in price is untenable in law. There have been numerous decisions in questions of sales-tax that where the tax is earmarked by the Producer the levy is a tax and nothing else. As a matter of fact there is a provincial statute prohibiting an increase in price by the Power Company and the Order in Council allowing exemption from the maximum electricity rates fixed by Provincial Statutes, clearly states:—

> —and the amount so added shall not be deemed to be an increase in the rate charged for electricity or gas—

The 8 per cent increase, is, therefore, not an increase in price, but a tax. However, the judgment states that in any event, this is not a tax on the Plaintiff, Delisle, nor on his real or personal property on the Reserve. It is contended by the Indians, and rightly, that it is either a tax on their money on the Reserve or on "goods" on the Reserve.

Electricity is personal property and may be the subject of ownership and sale. In spite of its invisibility or intangible form it is, in law, personal property. (Curtis—Law of Electricity—p. 7). Moreover, the statute and schedule and Order in Council all define electricty as goods subject to sales-tax. If we apply article 1474 of the Civil Code of the Province of Quebec, the sale of electricity is perfected as and when measured on the meter installed in the premises of Delisle. Since the sale is only perfected after measurement from the meter, the situs must be held to be the domicile of the Purchaser. Hence, the Purchaser, being an Indian on the Reserve, the situs is the Reserve. And no tax may be levied on property on the Reserve. If, however, the tax is to be regarded as being imposed, not on the goods, but on the sale price, it is then a tax on moneys and again the situs must be considered to be the domicile of the Purchaser. In any event, by a fiction of law, the situs of these moneys is the domicile of the Plaintiff as "mobilia sequntur personam." So we see that the 8 per cent sales tax is a tax and it is levied upon personal property of the Indian in his Reserve. As such, it cannot be levied against the Indian.

We contend that money earned by an Indian which is brought into an Indian Reserve is personal property, and that the electricity they use on an Indian Reserve is also personal property and not subject to taxation, and in support of that submission on "personal property" we quote the following official letter from the Commissioner of Income Tax.

DEPARTMENT OF NATIONAL REVENUE, INCOME TAX DIVISION, OTTAWA,

REFERENCE R.D.M.

25th MARCH, 1936.

Refer to W.S.F.
INSPECTOR OF INCOME TAX,
739 Hastings St., W.,
Vancouver, B.C.

Re: INDIANS LIABLE TO TAXATION

DEAR SIR.—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,

(Sgd.) C. F. ELLIOTT,
Commissioner of Income Tax.

There remains only to dispose of the contention that this levy is not a tax because the Indian is not bound to use electricity because he can illumine his house in some other way, and that if he chooses to use it, the moneys he pays, earmarked as a tax, are not a tax but a voluntary contribution. That is mistaking the cart for the horse. The Indian uses the electricity voluntarily, but he does not pay the levy voluntarily! That is enforced. The best proof of that was Delisle's payment under protest and his subsequent action in recovery. One might just as readily say that anything an Indian purchases or sells should be subject to the usual tax, because it is then a voluntary contribution, for he is not bound to purchase or sell anything. The fact remains that even if an Indian were to buy, on the Reserve, a luxury-article, it would still be personal property on the Reserve, and by section 102 of the Indian Act, exempt from taxation. This section does not distinguish between property the Indian is bound to have, and that which he merely would like to have. To accept that considerent of the judgment would be to render section 102 absolutely useless. For the Indian is not bound to have a home—he can sleep on the floor. In fact, he is not bound even to have a floor—he can wrap himself up in his glory and sleep on the ground. These observations are no more untenable than is that particular considerant. In any event, gas and electricity are hardly considered as articles of luxury. They are definite essentials.

The same arguments would avail against the radio licence and tax imposed on the Indian of the Reserve, and the judgment declaring the Indian liable for this tax encompasses a contravention of section 102 of the Indian Act. The same would be true for the income tax, since the situs of the Indian's money is his domicile.

We quote the opinion of the then acting Deputy Minister of Justice to the effect that Indians living on Reserves were not liable to the payment of Income Tax under any Dominion or Provincial legislation. There has been no legislation specifically requiring the Indians to pay Income Tax.

DEPARTMENT OF JUSTICE, OTTAWA

APRIL 26, 1939.

The SECRETARY, Indian Affairs Branch,
Dept. of Mines and Resources, Ottawa.

Re: LIABILITY OF INDIANS TO PAYMENT OF DOMINION INCOME TAX

SIR,—I have the honour to acknowledge receipt of your letter of April 7th 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,

(Sgd.) C. P. PLAXTON,
Acting Deputy Minister of Justice.

(**Italics by Andrew Paull.)

When the Dominion Government took over the collection of Income Taxes from the provinces another opinion of the then Deputy Minister of Justice was given during the year 1942 which stated that according to the provisions of Section 102 of the Indian Act Indians were liable to the payment of Income Tax on the moneys they earned outside the Indian Reserves.

From that opinion, the payment of income tax was imposed upon the Indians, as is indicated by the following official communication.

CIRCULAR TO ALL INDIAN AGENTS

Ottawa, Feb. 24, 1943.

In view of the many enquiries that have been received respecting the question of payment of income tax by Indians, I have to advise you that under the Indian Act, Indians are exempt from taxation on real or personal property held on an Indian Reserve, but may be taxed on real or personal property held off a Reserve.

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.

(Sgd.) HAROLD W. McGILL,
Director.

Hon. T. A. Crerar, speaking in the House of Commons in reply to a question by G. H. Castleden stated that the Minister of Justice had ruled that Indians were British subjects, therefore liable to Compulsory Military Service. On the other hand, the Courts, on many occasions, have ruled that Indians are wards of the Crown.

We have contended that the electric light tax, and the imposition of the income tax upon the Indians is ultra vires of the Constitution of Canada, and because of that, we have asked the government to refund all moneys that have been collected from the Indians, and to this we will ever pray for the necessary action to bring this about as soon as possible.

It strikes us, therefore, that the Indian's position on the Reserve should be clarified. The maxim that there should be no taxation without representation, no obligations where there are no privileges, embodied in the Indian Act, should be established so clearly, that no government official or member of the Bench, will again be led into error. The Indian has no representation in Parliament and he has no vote. The law should therefore be further clarified, by legislation, exempting him from all manners and forms of taxation. In this way, the Bench will not again by judgment accomplish indirectly what is prohibited directly. Too that end, too, legislation must reaffirm the exclusive jurisdiction of the Dominion Government over Indians and Indian lands, to the complete and absolute preclusion of provincial interference. And in so doing, it should be borne in mind that the British Parliament, had entrusted to the Federal Government of Canada a sacred duty to respect the treaties it had made with the Indian Nations, to protect the Indians in their rights, and in their lands, and that laws governing Indians were intended for the protection of the Indians against exploitation and encroachments of the white man. The Indians are "wards" not "victims," for their "protection" not "spoilation."

Older judgments consecrated this principle and attitude towards the Government's "wards." But the tendency we have referred to before has been becoming more prevalent. (See Bourinot, Constitution of Canada, p. 121.)

For obvious political reasons and motives of humanity and benevolence, it has no doubt been the general policy of the Crown, as it had been at the time of the French authorities, to respect the claims of the Indians.

II. Compulsory Military Service

We have dealt briefly with enactments and judicial decision which have seriously trenched on Indian rights in the realm of "property," with particular reference to "licensing" and "taxation," and we have attempted to indicate how these have had for effect to accomplish indirectly what, by law, is prohibited of direct accomplishment. For that purpose we have skimmed but lightly over the Indian's position in Canada, the meaning of the "Reserve" or "Reservation" and the history which has led to the Indian's present status and capacity. Where, however, enactments and judicial decision affect his person and liberty, these factors loom much larger in importance. We have in mind, particularly, the National War Services Regulations, 1940, (Recruits), Consolidation 1941, and the application of its provisions to the Indians of Canada. The authorities took the stand that this Act does apply to Indians, and there have been Court decisions supporting that stand. These decisions have been based on the view that since the Act reads that it applies to all "male British subjects" between the ages of 24-45, it therefore applied to Indians between those ages. It appears to us that such decisions would seem to ignore Canadian history completely, and to overlook the many treaties and proclamations, affecting Indians, reposing in our archives. It is urged that if these are given their full effect, the Act did not and should not have applied to the Indians. It is contended:—

1. That the Indians are not the "male British subjects" contemplated by the Act.
2. That the Act did not apply to Indians because it did not specifically mention them as subject thereto.
3. That the Indians are exempt from compulsory military service in virtue of treaties entered into between them, as free and independent nations. and the Imperial and Dominion Government of the time.
4. That the Act (Regulations) did not apply to Indians on constitutional grounds, being ultra vires *quoad* Indians.
5. That the Indians were exempted from military service in the first Great War, although the order in council, effecting it, was really unnecessary.
6. That in view of the Indian's special status and position, he should, in any event, be exempted from compulsory military service. The Indians do not object to or avoid voluntary service in the armed forces, as their record of service proves. They object to *compulsion.*

Let us examine the first contention, that Indians are not the "British subjects" contemplated by the Act and certainly not British subjects in the ordinary accepted sense of the term:—

(a) *Indians Haven't the Rights and Powers of Subjects*

British subjects, in the ordinary accepted sense, are those born on British soil, or naturalized, who, at the age of 21 are fully competent persons, competent to vote at Federal and Provincial elections, competent to vote on Referenda or Plebiscites; have a voice in Parliament and representation therein; may run for office in Federal and Provincial elections; are competent to manage their own affairs so that they may buy or sell their real holdings from whom and to whomever they choose without permission of any Governmental body; are fully competent to sue and be sued before any of the Courts of this country, have absolute freedom of testation, etc., etc.

But the Indian is in an entirely different category. He has none of the powers mentioned above. The Indian has no right of vote either at Provincial or Federal elections, Referenda or Plebiscites. As a matter of fact the Indian was denied the right to vote "yes" or "no" at the Dominion Plebiscite which

sought from all British subjects in Canada to be relieved from previous commitments and promises on the question of conscription. The Indian has no voice or representation in the Government and cannot run for office therein. The Indian cannot buy or sell his land on the Reserve from and to whomever he chooses. He is not competent to sue and be sued before all the Courts of the Province and the Dominion. In most cases, it is the Superintendent General of Indian Affairs who must act for him. Neither has the Indian complete freedom of testation. His testament is subject to the approval of the Superintendent General. In short, the Indian has none of the rights and powers of the ordinary British subject. He likewise, therefore, cannot have all the obligations of the normal British subject.

(*b*) *The Indian Is a Ward of the Crown*

As a matter of fact, the Indian is a ward of the Crown, under the guardianship and protection of the Dominion Government and. as such, is not a British subject in the accepted sense of the term. The Indian Act itself (R.S.C. 1927, Ch. 98) passed under and in virtue of the powers conferred on the Dominion Government by section 91, s.s. 24 of the B.N.A. Act, makes that abundantly clear. The sections dealing with the Indians and their lands, their subjection to the supervision, care and control of the Superintendent General of Indian Affairs, their duties to the Indian Agent and his supervision over them in behalf of the Superintendent General. section 110 which deals with the restrictions on the Indian's legal rights and powers unless enfranchised; all indicate clearly the position of the Indian as a ward of the Crown. particularly sections 4, 5, 6, 34, 36 and 110. Our jurisprudence has recognized clearly this position of the unenfranchised Indian. Thus in the case of Armstrong Growers Ass'n vs Harris, 33 B.C.R. 289, McPhillips, J. A., at the top of page 290. says:—

> The Indians are wards of the National Government 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 greater degree, to provide and protect the Indians from the rapacious hands of those who ever seem ready to advantage themselves and profit by the Indian's want of business experience and knowledge of world affairs—

The same was stated in the case of Caledonia Milling Co. vs Johns, 42 Ont. L.R. 338. Again in the case of Booth vs The King, 51 S.C.R., at page 38, Brodeur, J. said in part:—

> It could also be stated that the Indians are wards of the state and no policy should be adopted that would deprive the Indians of the fruits that their Reserves could procure for them—

The very same relationship between the Indian and the Federal Government exists in the U.S.A. See in this connection paragraph 33 (31 C.J.) at page 492, top, and the many cases referred to therein. It has been also held in the United States, that being mere wards of the Nation, the Indian owes no allegiance to the States. (See cases referred to under Nos. 12 and 13 page 492, of 31 C.J.)

From the foregoing we must reach the conclusion that the Indian on the Reserve, a ward of the Crown, cannot at the same time be a British subject in the ordinary and accepted sense. And by all the rules of interpretation we must take it that the words used in the Act were in that sense.

(c) *The Indian Is More an Ally Than Subject*

The Indians maintain, on historic grounds, that they are more in the nature of Allies of the Dominion Government, rather than subjects, allies to whom assistance and protection are given in return for treaties of peace that were made by the aborigines of this Country with the Government and its auteurs, treaties of peace whereby vast tracts of land, indeed this whole country, save the lands reserved to the Indians, were ceded to the Crown. The Indians, the former possessors of this country, were never conquered, nor were their lands taken from them in virtue of any conquest. On the contrary, they voluntarily ceded land to the Crown by treaties between Independent Nations, reserving for themselves certain areas known as "Reservations". Nor did they ever give up this independent status of a free nation. On the contrary, by the treaties made, first with the representatives of France, then with the English, they received guarantees of armed protection, assistance and financial aid, to help retain their independent status, and their reserved lands, and in the earlier days of our history they were referred to as allies, not subjects. What mutual agreement of both free nations, the red and the white, ever changed that? There never was any.

Article 40 of the Capitulation of Quebec, as passed by General Amherst, representing England, and the Marquis de Vaudreuil, representing France, refers quite clearly to the Indians as Allies. The article reads as follows:—

> The Savages or Indians, Allies of his most Christian Majesty, shall be maintained in the lands they inhabit, if they choose to remain there, shall not be molested on any pretence whatsoever for having carried arms, and service his most Christian Majesty, they shall have, as well as the French, liberty, of religion, and shall keep their missionaries.

The Treaty of Peace 1784 clearly recognizes the Indians as Allies. It will be remembered that in that year, Colonel Joseph Brant, Ambassador of the Indians, met Lord Sydney, then Governor General, and the latter subsequently received from King George III a message for Brant and the Indians. This message was a recognition of the rights and position of the Five Nations, as the Indians then were called, as Allies of the Crown.

Further evidence that the Indians were always considered as allies rather than subjects of the Crown may be found in various United States enactments and judgments. Article III of the Jay Treaty, entered into 1794, refers to three groups of peoples, namely "His Majesty's subjects" (being British subjects), "Citizens of the United States" and "Indians dwelling on either side of the boundary line". Quite obviously the Indian was not regarded as being a citizen and subject of either country.

Article III of the said Treaty between Great Britain and the United States, whereby the boundary line was fixed between Canada and the U.S.A., provides:—

> It is agreed that it shall at all times be free to his Majesty's subjects, and to the citizens of the United States, and also to the Indians dwelling on either side of the said boundary line, freely to pass and repass by land or inland navigation, into the respective territories and countries of the two parties, on the continent of America (the country within the limits of the Hudson's Bay Company only excepted).

Two years later, the provisions of the aforementioned Jay Treaty were broadened by the Treaty of 1796, which provides:—

> That no stipulation in any treaty subsequently concluded by either of the contracting parties with any other state of nations, or with any Indian tribe can be understood to derogate in any manner from the rights of free intercourse and commerce secured by the aforesaid third article of the Treaty of Unity, Commerce and Navigation (referring to

the said Jay Treaty) to the subjects of His Majesty and to the citizens of the United States and to the Indians dwelling on either side of the boundary line aforesaid.

The first ten articles of the Jay Treaty, which includes article III, cited above, were made permanent by article XXVIII (of the said second Treaty) and thereby the Indians are permanently treated as a class and category entirely separate and distinct from that of British subject or United States subject. Again in 1832 the Supreme Court of the United States:—

> The British Crown, previously to the Revolution, considered the Indians as Nations competent to maintain the relations of Peace and War and capable of governing themselves under its protection. Quoted from Wheaton, 4th Ed. p. 64.)

From the foregoing it would appear that the Indians, formerly allies of the Crown, never really lost that status by any mutual agreement, and consequently, they must, in law, still be regarded as allies and not as subjects.

If, therefore, we consider, first, that they are wards, without any of the privileges of British subjects, and, secondly, as allies, surely we must reach the irresistible conclusion that the words "Every Male British Subject" contained in the National Mobilization Act, 1940, and in the amendments of 1941, should be extended to include the Indians.

Second Contention

We now come to the Indian's second contention, namely that even had he lost, by some pact, his status of ally then seeing his peculiar status of ward, with very limited rights, the National War Services Regulations, 1940, (Recruits) should have specifically mentioned him if it were intended that he fall within its ambit. For, certainly, by no stretch of the imagination can he be considered a British subject in the ordinary sense of the word. Now, the Mobilization Act or Regulation is a penal act and it is a maxim of law that:—

(*a*) Where an enactment may entail penal consequence, no violence must be done to its language to bring people within it, but rather care must be taken that no one is brought within it who is not within its express language. Per Wright J., London C.C. vs Aylesbury Co. 1898, 1 Q.B. 106).

(*b*) The principle, remarked Lord Abinger, adopted by Lord Tenderten (Proctor vs Mainwaring, 3 B & Ald. 145) that a penal law ought to be construed strictly, is not only a sound one, but the only one consistent with our free institutions. The interpretation of statutes has always in modern times, been highly favourable to the personal liberty of the subject, and I hope will always remain so. (R. vs. Berdino, C.C. cases, p. 319.)

(*c*) In construing a penal provision in a statute, one of the canons of constructions is that an interpretation that avoids the penalty is to be preferred to an equally clear one under which the penalty would have to be imposed. (Paradis vs Nat'l Breweries, 1 D.L.R. 1892, see also Ass'n of Architects vs Gariepy, Q.J.R. 50 S.C. 134.)

It is futile, in law, to reply to this contention that, in any event the Government in enacting the Mobilization Act had intended to include the Indians, even if the Act did not specifically name them. For no intention may be sought beyond the words of the Act itself.

> "It may have been an oversight on the part of the framers of the Act", says Parke D. in the case of Nixon vs. Phillips, 1852, 21 C.J. ex 88 "but we must construe it according to its plain and obvious meaning."

And Lord Tenderten, in the case of R. vs Berham, C.B. & C. 99, stated:—

> "Our decision may, in this particular case, operate to defeat the object of the Act, in order to give effect to what we may suppose to have been the intention of the Legislature."

(See also Maxwell, Interpretation of Statutes, at p. 3, where he urges that the intention of the Legislature must be gathered from the plain and ordinary meaning of the words in the Statute, and not elsewhere.)

In the United States, where the position of the Indian is the same as it is here, it has been specifically held that general Acts of Congress do not apply to Indians unless clearly so intended. (McCandless vs U.S. in rel. Diabo—25 F (2nd) 71, aff'g 18 F (2nd) 282.)

At the bottom of p. 71, 25 F (2nd) Judge Buffington says:—

> After hearing, he was discharged from custody, whereupon this appeal was taken, and the question involved is whether the immigration laws of the United States apply to members of the tribe of the Six Nations, born in Canada. Enlightened possibly by the status and relations of our own native Indians with reference to our own Nation, we note that the unbroken line of decision has been that they stand separate and apart from the native-born citizen, that they are all wards of the Nation and that general acts of Congress do not apply to them unless so worded as clearly to manifest an intention to include them in their operation.

This case is very much in point and we stress its importance in this issue.

Third Contention

The Indian's third ground of objection to the application to him of N.W.S.R. 1940, is that he is exempt from compulsory military service by treaties entered into between his nation and the Crown, and it is perfectly true that such treaties do exist. We refer particularly to the Northwest Angle Treaty of 1873 (see Report 7, Alexander Morris, P.C. dated at Fort Garry, October 14, 1873, page 50 of "Treaties of Canada with the Indians of Manitoba and the Northwest Territories".)

Fourth Contention

The fourth contention of the Indians with regard to the inapplicability of the Act to them is that it cannot apply to them, on constitutional grounds, and that the imposition of the Income Tax law is ultra vires.

Section 91, 24, they urge, constitutes a delegation of power by the Queen to the Dominion Parliament, exclusively, to legislate with regard to Indians. But such exclusive legislative power has not been exercised by the Dominion Parliament for the purpose of subjecting Indians to compulsory military service and the payment of income tax. In fact, the Dominion Parliament has passed no Act subjecting Indians to compulsory military service and the payment of income tax. Only the Governor-in-Council passed regulations calling upon eligible persons to place themselves, and their services, etc., at the disposal of His Majesty in the right of Canada. (Section 2 of the National War Resources Mobilization Act, 1940. above cited). But this is not an Act of Parliament, and Parliament could not redelegate the delegated power it has under par. 24, section 91, B.N.A. Act. Thus, even if it is admitted, which it is not, that the word "persons" as used in section 2 (referring back to the term "British Subject", used in a prior section) was intended to include "Indians", this enactment insofar as Indians are concerned, would be ultra vires of the Governor-in-Council, for the Dominion Parliament, to which the Queen delegated exclusively her power

to legislate concerning Indians, cannot in turn delegate these powers to the Governor-in-Council. That is a well accepted rule of law.—"Delegatus non potest delegare" (2 Inst. 587)—"Vicarius non habet vicarium"—"A delegate cannot have a delegate".

It has been argued on this matter that in time of war and insurrection, real or apprehended, the Dominion Parliament has a general power to Delegate its powers. It is submitted, however, that Indians, being allies and "Imperium in Imperio" (a nation within a nation) are in a special class and cannot be dealt with in legislation, other than by Acts or Statutes, under the authority of the British North America Act.

For reply to this argument of the Indians, it has been argued that in virtue of the Westminster Statute, passed in 1930, the Dominion Parliament is not obliged to rely on the B.N.A. Act for its powers to pass legislation, but that, in virtue of the said Statute, the Dominion Parliament has unrestricted powers to legislate, directly or by delegation. It is submitted, in answer:—

(*a*) The British North America Act continues to exist and is in force, side by side with the Westminster Statute, and the said two Acts, taken either together or separately, do not give the Dominion Parliament any greater power of legislation, nor any further right to delegate that power, than Parliament had before the passing of the Westminster Statute;

(*b*) As appears by the Westminster Statute, there is a power given to the Dominion Parliament which did not theretofore exist, namely, the power of legislation having extra-territorial operation but such extended right of legislation did not and does not increase or extend Parliament's legislative power concerning Indians.

The relevant provisions are contained in section 7, S.S. 1 and 3 of the Westminster Statute, which read:—

> S.S.1
>
> Nothing in this Act shall be deemed to apply to the repeal, amendment or alteration of the British North America Act, 1887 to 1930, or any order, rule or regulation made thereunder
>
> S.S.3
>
> The powers conferred by this Act upon the Parliament of Canada or upon the legislatures of the Provinces, shall be restricted to the enactment of laws in relation to matters within the competence of the Parliament of Canada, or of any of the legislatures of the Provinces respectively.

Fifth Contention

It was not by mere chance or governmental caprice that Order-in-Council number 111 was passed on Jan. 17, 1917 exempting Indians from military service during the last Great War. The exemption resulted from the following considerations, stated in the preamble to the Order-in-Council:—

1. The fact that the Indian has no vote;
2. The North West Angle Treaty, already mentioned;
3. War Time Election Act. 7-8, Geo. V. C. 39 which exempts disenfranchised people from military service.

It is true that the Military Service Act, under which the afore-mentioned Order-in-Council was passed, is no longer in force. But the same principles and considerations which led to the passing of this Order-in-Council obtain and should be given force and effect by a new one, albeit the Indian maintains that he requires no Order-in-Council exempting him, since he is, by law, already exempt.

Sixth Contention

Whether or not one agrees that for all of the foregoing reasons, the Indian, in law, is not subject to compulsory military service, one cannot help but admit that in all justice and equity he should not be. That is why he was exempted in the last war. That is why he should always be exempted. He who does not enjoy the privileges of citizenship, should not be compelled to suffer its obligations. Not only is the Indian without a vote, a minor without real property rights, a mere ward, subject to control and supervision in all he wishes to do, without a voice or representation in Parliament, but he is not even eligible to the benefits of any of the social legislation that the average citizen enjoys—Old Age Pension Act, Farmers' Creditors Arrangement Act, National Housing Act, Department of Pensions and National Health Act, Needy Widows and Mothers Act, etc., etc. It has been held consistently that these apply to all persons other than Indians. (Why, the Indian hasn't even the right to go out and buy a glass of beer!) He is not considered competent to deal with it. Such an incompetent, deprived of all the major rights of citizenship, should not be considered sufficiently competent and eligible for compulsory military service, and the imposition of income tax.

Moreover, so to compel him, is to contravene the whole spirit and purpose of the treaties with the Indians, the many promises made when they took his land for a pittance. It contravenes the whole purpose and spirit of the trust reposed in the Government by the B.N.A. Act, which gave exclusive control over Indians to the Dominion Government so that they could be protected in their rights and in their lands. And it contravenes the whole spirit of the laws, enacted for Indians, which are protective in principle and purpose and paternal in form and design.

It is not that the Indian is a coward and does not wish to serve. In the first world war, the Indians enlisted voluntarily, in numbers far out of proportion to their comparatively small population, and they served with distinction and honour. It is not that they would not enlist voluntarily for service in any war in equally great numbers, considering their population. The Indian resents compulsion, which he feels is an alienation of his legal and natural rights. He wishes to continue to look upon our Dominion Government as the "Great White Father" who administers kindness and justice. Yes, indeed, he has "a brain like paper and never forgets". The promises of the past, made so long ago, are fresh in his mind. Solemn guarantees given his people over one hundred years ago are not old to him. With child-like tenacity he clings to his Reservation, his rights and privileges thereon, and even the restrictions imposed on him. He does not seek enfranchisement. He prefers the restricted sovereignty of the Reserve, with its privileges.

Certainly we cannot forget an address made at our Convention on June 7, 1944 by the Hon. Mr. Crerar at Carnegie Library, Ottawa, in which this comparatively new Minister of Mines and Resources reviewed the position and status of the Canadian Indian in an understanding and sympathetic light. The Minister's voice was like a voice from the past his words were akin to the honeyed tones of those representatives of England and the Dominion who first negotiated with the Indians for the cession of their lands. How pleased were the Indians to note how well the speaker understood the paternal relationship of the Dominion Parliament to them, how well he understood the Dominion's position of guardian and trustee of the Indians' rights, his recognition of various abuses of those rights that have lately cropped up, both in the field of economics and in matters of personal liberty. In that address the Hon. Mr. Crerar did not hesitate to state that there was a good deal of weight to the Indian's argument that he should be exempt from compulsory laws and he promised to intercede for them in this regard. He likewise sensed that, indirectly, section

102 of the Indian Act was being contravened and the contraventions erroneously being sanctioned by the authorities. He suggested that he would do what he could in the matter.

Although this Factum is not intended as a petition, what fairer conclusion can it have than to suggest to your Honourable Committee that Mr. Crerar's stand be implemented by a proper clarification of the status and position of the Indian so that he will completely enjoy his rights, privileges and immunities, and that a specific exemption from the imposition of Income Tax and the electric light tax be granted him.

Respectfully submitted on behalf of the

NORTH AMERICAN INDIAN BROTHERHOOD,

by

ANDREW PAULL,

President.

APPENDIX AE

THE CANADIAN LEGION OF THE BRITISH EMPIRE SERVICE LEAGUE

DOMINION COMMAND,
Ottawa, Canada,
August 20th, 1946.

Copy of a Resolution passed by the 11th Dominion Convention of the Canadian Legion of the B.E.S.L., held at Quebec City, May 19-23, 1946.

INDIAN FRANCHISE

Resolved: That the Canadian Legion request that the Indian Act be amended to allow Indians full citizenship rights without infringement of their treaty rights.

NOTE.—The Executive Assistant to the General Secretary, in forwarding the above states "While this Resolution applies to all Indians, the Canadian Legion is particularly interested in those Indians who are ex-service men. It would be appreciated if this Resolution be brought to the attention of the Special Joint Committee of the Senate and the House of Commons, appointed to examine and consider the Indian Act."

APPENDIX AF

SOCIETY FOR THE FURTHERANCE OF B.C. INDIAN ARTS AND CRAFTS*

INDIAN WELFARE IN BRITISH COLUMBIA

Supporting Statements:

Miss Alice Ravenhill, Founder of the Society for the Furtherance of B.C. Indian Arts and Crafts;

Former Lecturer on Health and Welfare Subjects at London University.

"The past efforts of Canadians to sweep away the native Indians social economy and spiritual aspirations have resulted in leaving such people rootless, depressed, bewildered and degraded. These facts were instrumental in the formation of our Society which first concerned itself in reviving the artistic abilities of the West Coast Indians, whose traditional handicrafts rank among the highest of the known primitive art of the world. Happily, there is to-day a rising interest in the native Indian's problems. Measures which our Society has consistently advocated, are being supported by an ever-increasing number of Indians and white people, and public opinion, at length, is being aroused to the need of reform."

Mr. Anthony Walsh, internationally known as a teacher of Indian children.

"Judging from the confusion and despondent attitude of many Indians and the squalid conditions on most reserves at the present time, the educational policy of the last two generations has not been a success. This has come about in spite of the sacrifice and devoted work on the part of many teachers. One of the main causes of this failure has been that teachers have failed to take into account the fact that they were working with children of a different background than their own. We can never hope to bring about successful Indian education until teachers are willing to do research work into the background of the people with whom they are working and living."

Miss Laura Holland, C.B.E: Former Adviser to the Minister on Social Welfare Policy of B.C.

"Due to divided authority and a lack of co-ordinated policy, machinery and personnel, the Indian has been deprived of the vast majority of the social services available to other individuals and citizens.

In any modern program the social services are as essential as programs of education and health, and require a scientific approach with provision for research, planned and trained personnel. They must be provided for the minority group of Indians, as well as the rest of Canadians."

J. Murray Anderson, D.P.H. Medical Health Officer, Greater Victoria Area.

"I am particularly interested in the Health Recommendations of your brief. The following figures taken from the last published report on Vital Statistics (1943) for British Columbia are significant:—

Infant mortality in B.C.

(Excluding Indians)	31·8	per 1,000 living births
(Indians)	131·2	" " " "

The death rate from tuberculosis in Indians was 634 per 100,000 population, compared to 41 in the remainder of the population."

* (*See* Appendix X, page 605, Minutes of Evidence.)

APPENDIX AG

A BRIEF ON THE REVISION OF THE "INDIAN ACT"—FOR THE CONSIDERATION OF THE JOINT COMMITTEE OF PARLIAMENT OF CANADA

Name (Indian Act)

1. The name "Indian Act" should have been changed before to the name "Native Canadian Act."

Note: Why should we (Natives) be called Indians. There is no valid reason for calling us (Natives) Indians simply because one white man made a mistake. We (Natives) are not living in India, we (Natives) are living in Canada.

Therefore the name of the New Act should be "Native Canadian Act."

Natives (Indians)

2. We are not Indians but Natives who are living in Canada.

Half-breeds are Natives because of their mother's or father's Native blood.

Quarter-breeds are Natives because of their mother's or father's Native blood.

"Native" or "Natives" should be incorporated into the New Act instead of "Indian" or "Indians".

Territories (Reserves) or Lands

3. Reserve or Reserves are portion or portions of the Tribal Territories of the Tribes of Canada.

Control of Lands

4. Tribes, Community Centres and Groups in the Tribes should gradually control and manage their own Territories or lands.

Fishing for Food

5. In rivers and creeks running through Tribal Territories the Natives should catch fish for food without permits at any time in each year.

Hunting and Trapping

6. Natives should hunt and trap in their own Territories at any time without any licence. They should also have the privilege of hunting and trapping outside of their own Territories.

Fire-Wood

7. Natives should have the privilege of cutting timber for fire-wood on unoccupied lands.

Land Shortage

8. Some Natives are short of land, especially in British Columbia.

Note: For example, a Reserve near Sardis, B.C., has an acreage of 49 acres and a population of 26.

9. Natives who cannot get any more land should be given something in place of land whereby they may obtain a decent living.

A. We request that the Joint Committee recommend to Parliament that an investigation be made on the shortage of land.

B. Natives should operate any business on their Territories without any licence.

Agriculture

10. The Department should supply or lease bulldozers to fill up sloughs or river beds on Native lands and to assist in clearing lands for Native farmers so that they can get a decent living and in time be independent and self-supporting. To this end, the Department should supply any machinery for any work on Native farms in order to hasten their self-reliance.

Farmers' Education

11. The Department should provide scientific methods of farming in order to educate Native farmers along modern scientific farming.

12. All materials for barns and houses should be supplied by the Department.

Health

13. The Department should co-operate with the Health Boards in each Province in order to improve the health and the living conditions of the Natives.

Schools and Education

14. (In Indian Act). Section 10, subsection 2, namely: "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."

15. This law should be buried so deep that it shall never be resurrected any more. It is against the spirit of democracy which includes the right of free choice.

Residential Schools

16. Parliament should give authority to the Government to build Residential schools either on Native Territories or outside Native Territories for orphan children, destitute children and illegitimate children. These schools are to be free for all such children whether Protestants or Catholics. All clothing is to be free.

Community Day Schools

17. Parliament should give authority to the Government to build Community Day Schools, either on Native Territories or outside Native Territories. These schools should be under the Provincial School Acts of each Province, especially with regard to the qualification of teachers, curriculum and discipline. These schools are to be free to all Protestant and Catholic children. Daily transportation to and from these schools shall be free. All text books and other materials are to be free. Warm lunches at noon given by the schools are to be free.

One or two Natives appointed by the Community shall have the right to inspect these schools periodically.

18. Native parents who wish to send their children to Public Schools may do so and all expenses in connection with these schools shall be paid by the Department. All text books and other materials should be paid for also.

High Schools

19. Transportation of Native pupils attending High Schools should be paid by the Department. All text books and other materials and fees should be paid also. Transportation of Native pupils coming from distant places should be paid by the Department, including their board and rooms.

Colleges and Universities

20. Native students attending Colleges and Universities leading up to any degree in the profession which they may choose should have all transportation, all text books, board and rooms and any other expenses connected with the professions, paid by the Department.

Assistance to Start Practice

21. The Department should assist in starting them to practice their professions in order to earn their livelihood.

* * *

Equal Status

22. All Native women shall have equal rights with Native men—they have the right to vote.

Voting

23. Native young men and Native young women over the age of 18 years shall have the right to vote in Native Territories and also in Provincial and Dominion elections.

Freedom of Groups

24. All Groups in the Tribes shall have freedom of religious worship; freedom of speech; freedom of assembly and meetings; and freedom of all social gatherings.

Old Age Pension for Natives

25. Natives (men and women) over the age of 70 years should get $30 per month exactly as white people.

Note: One purpose of the New Act is to help better the living conditions of the Natives, so this should go into the new Act and not be left to Agents and Government officials who might side-step it any time they wish to do so.

Membership

26. Band system should be discarded and Group system take its place in the New Act.

A Native woman does not lose her membership in her group when she marries a Native man in another group. If her husband dies she comes back to her own group without any vote. Groups and Tribes make and control Membership Laws.

Native Wills

27. Wills made out for Natives should go through white man's Court.

Descent of Property

28. Native property or land should descend to the nearest of kin to the deceased.

Counsel

29. Natives who commit crimes of any kind should have counsel to defend them in court whose services should be retained by the Department.

Appeal

30. Natives in Canada should have the right to appeal from the lowest court to the highest court.

INCOME TAX

31. Natives engaged in any occupation and earning money outside of their own Territories should be exempt from all Income Tax.

DOCTORS

32. All fees of doctors engaged by Natives outside the regularly appointed doctors should be paid by the Department.

TRUSTEESHIP

33. The words "minor" and "ward" should not be used in the New Act when referring to Natives. "Trusteeship" should be used instead of "Wardship."

ENFRANCHISEMENT OF NATIVES

34. Any Native (male or female) who wishes to give up all the benefits which he or she receives because of his or her Native blood and who is willing by his or her own free will to assume all the benefits and responsibilities which devolve upon him or her by becoming a citizen, may do so before a Court.

The Court will then so pronounce that he or she is a citizen of Canada in every respect.

A. His or her properties or interest had been satisfactorily settled previously by the Group of which he or she was formerly a member.

(PART THREE IN INDIAN ACT)

The Soldier's Settlement Act, 1919

35. Almost all Natives in Canada do not want this white man's law in the New Act.

A. Natives can formulate better laws than this for their returned boys.

B. Groups in their own local Territories know better how to solve this problem.

NATIVE VETS.

36. Native Vets. should get the same cash benefits as white Vets.

NATIVE BUREAU

37. To be located in Ottawa to co-operate with the Native (Indian) Department.

A. Departments:

1. Education.
2. Agriculture.
3. Fishing (Commercial).
4. Fishing for Food (Hunting and Trapping).
5. Advisory Council.

B. Qualified Native to be appointed should have charge of each of these Departments.

38. One main purpose of this Bureau is to interpret the mind of the Natives so that the Native (Indian) Department will have a better idea of how to help the Natives in all their affairs which concern their future progress and advancement.

(Andrew Paul's scheme is too bulky, overlapping of work, waste of energy and expense).

BILLS OR BILLS

29. Bill or Bills from whatever source to be introduced in the House of Commons should be sanctioned by the Native Bureau in co-operation with the Native (Indian) Department.

NATIVE PROVINCIAL LAWS

40. Tribes, Groups or Organizations in each Province should have the right to formulate or suggest rules or laws dealing with specific matters in each Tribe or Tribes.

AMENDMENTS

41. Tribes in each Province shall have the right to amend, add to or rescind any part of a section or sections in the New Act with the sanction of the Native Bureau and the Native (Indian) Department.

Respectfully submitted by the United Native Farmers' Organization of the Stahlo Tribe, Sardis, B.C.

SAUL WEALICK—*President*
OLIVER USLICK—*1st Vice President*
R. MALLOWAY—*2nd Vice-President*
FRED WEALICK—*Secretary*
G. MATHESON—*General Secretary*

Other Members of Committee:

Robert Joe
Chief J. Hall
Gordon Hall
Mrs. Chief A. Cooper
Chief Stewart
Bill Mussel

APPENDIX AH

275 Needham Street
Nanaimo, B.C.
June 29/46.

The Indian Women's Tillicum Club of Nanaimo Reserve desire your kind co-operation to forward to Mr. Norman Lickers, Liaison Officer of the Joint Committee on Indian Affairs, the following recommendations.

Under Clause 2

We would suggest that Indian women as well as men be eligible for Council and that an educational standard be required, and Chief and Council be elected annually.

Under Clause 5

That Indian women who reach a standard of education be granted voting privileges with the men.

Under Clause 6

That the encroachment of white persons on the Reserves be more vigorously forbidden excepting for purposes allowed by the Council.

Under Clause 7

We suggest that pensions be granted retired teachers in Indian Schools on a basis similar to that prevailing in public and high schools in the various provinces.

Under Clause 8

(a) We recommend that provision be made to make loans to Indian business men on the same basis as that provided for citizens of Canada. Our attention has been called to the fact that the Banks do not make temporary loans to Indian business men because of the stipulation that monies loaned to Indians are not collectible by law.

(b) We would urge that old age pensions be provided for all Indians over 70 years of age.

Signed (Mrs. J. H.) ALICEWRIGHT,
President.

CLARA WILSON

APPENDIX AI

BURCHELL AND MacDOUGALL
BARRISTERS & SOLICITORS

Wilfred S. Burchell, LL.B. R. Lorne MacDougall, LL.B.

TRURO, NOVA SCOTIA

JULY 2, 1946.

Mr. H. E. RICE,
Indian Agent,
Shubenacadie, N.S.

Re: *Indian Band—Millbrook, Colchester County*

DEAR SIR,—We have had referred to us for answer your letter of the 21st ultimo addressed to Chief Joseph Julien of the Millbrook Reserve. We have been asked to reply to your letter on behalf of the Chief and the committee with authority to deal with these matters.

With respect the several matters treated by number in your enclosed letter from the House of Commons we intend to use the same numbers in giving the answers of the Millbrook Band pertaining thereto.

1. Treaty rights have not been respected in this Province with regard to hunting and other matters.

2. Matters pertaining to Band membership do not affect the Millbrook Band.

3. No changes should be made at this time with regard to the existing exemptions given to Indians in all branches of taxation. Further to this our clients do not feel that they should be paying income tax where they do not have the right to vote. It would appear that they feel that there should be taxation with representations.

4. With regard enfranchisement our clients feel that the existing system should remain the same, that is, that enfranchisement should be purely on a voluntary basis. However, in this regard they do feel that when it is desired, the method or procedure to effect such enfranchisement should be much simplier.

5. Our clients do feel that so long as they are not paying taxes they should not have a vote and do not desire same, but as in answer to number 3 herein they feel that those members who are paying taxes should have a vote.

6. This matter does not bother the Millbrook Reserve at all.

7. Our clients feel that Indian day schools should be under the supervision of the District School Inspector as at present there is no inspection of their schools at all. Also they feel that although the laws are in effect compelling children to attend school that the enforcement of these laws is not carried out as it might be and should be improved upon. Further to this they feel that their school should have the same curriculum as the public schools of the Province so that when an Indian advances in education he should not be at a disadvantage and also the condition of the school building itself should be very easily improved upon.

Re the Residential School at Shubenacadie they feel that vocational training should be incorporated in the curriculum there as under the present system the Indians are learning very little. They wish to point out that this school is carried on pretty much as an orphanage and the children leaving the school should be better equipped to take care of themselves than they are under the present system.

With regard to centralization, the Millbrook Band is against same. The wages paid at Shubenacadie on the Government projects at which they would have to work if they were to go there are not in line with the wages which they receive at present. Also in this respect they feel that the Government work would finish soon whereas twenty-seven of their men at present have full time employment in Truro and eight others are jobbers employing themselves. They feel that the money spent on a centralization project would be far better employed if put into maintenace and repair of the present establishment. Old people who are not able to repair their own residences need assistance of this kind and should not be told that they must move to Shubenacadie if they wish to have any repairs effected.

The Town of Truro has not made any known grievances against the Indians in the Millbrook District and though the Counsellors of the Town have been interviewed in this regard they have made no objections to the Indians remaining, we are informed by our clients.

With regard to changes in the Indian Act our clients feel that Section 52 of the Act should be removed from the Act or at all events should be modified so that the Indians have some say in their own destiny with regard to removal from their homes.

We trust that this answers your questionnaire satisfactorily and if there is anything further that we can do to assist you in this matter we shall be pleased to communicate with our clients.

Very truly yours,

BURCHELL & MacDOUGALL,
Per:

RLM/DM

APPENDIX AJ

7th July, 1946

Seven Islands,
North Shore, P.Q.
Mr. NORMAN E. LICKERS,
Liaison Officer,
Committee on Indian Affairs,
Ottawa, Ontario.

1. We want to keep our reserve.

2. We want a school.

3. We want to keep our land and hunting grounds and to have the white man forbidden to hunt on our grounds.

4. We are asking the Indian Affairs Department for uncut timber land to provide fuel for our reserve.

5. We are asking for a hospital for the very sick members of our reserve. Often we ask our doctor to rush sick members to a hospital and often there is much difficulty in finding accommodation in the hospital. We have asked the doctor to push this matter.

6. We ask for permission to take a drink on our reserve and in our homes. We often pay fines for having taken a drink as there are many who are quick to inform on us. In many cases we are reported when the only evidence is the smell of liquor. You know how afraid we are and often we pay fines for nothing. As much of our time is spent at sea, it is unfair to deny us the privilege of having a drink on the few occasions when we are together with our families.

Signatures
Chief MATHIERE ANDRÉ,
Councillor JOHNNY PILOT,
Councillor ADELARD JOUSDAIN,
Councillor WALLACE KEGIS,
Councillor NABESSE GRÉGOIRE.

Seven Islands North Shore, P.Q.

(Translation)

APPENDIX AK

10th July, 1946

Vermillion Bay, Ont.

Mr. NORMAN E. LICKERS,
Ottawa, Ont.

Dear Sir: We, the members of the Wabigoon Lake Band No. 27, Kenora Agency, held a council meeting this 6th day of July, 1946, in accordance to your request and we find that our complaints are pretty much the same as experienced by our people all over Canada where trapping, hunting and fishing is the main source of livelihood. It is plain to see that nearly all of our Treaty agreements have been violated.

We find it increasingly difficult to follow our natural mode of existence due to the encroachments of white trappers and fishermen.

This bountiful country we loaned to the white man is rapidly growing in wealth and importance while, we, the original owners grow poorer each day. It is not because we were disloyal to the Crown, as we have strictly adhered to all of our promises made at the signing of the North West Angle Treaty No. 3, in 1873.

We promised to live peacefully with all men and we have never declared war on any nation yet! For a people that have been recently "civilized" our behaviour, we think, is above reproach. Among us, robbery and wilful murder is very rare, except in fits of drunkenness which we also learned from our white brother.

We want a day school on our Reserve as we are over 60 miles from the nearest Indian Boarding Schools and these are overcrowded most of the time.

We want to know when a chief's or councillor's annual pay was decreased $5 when the original agreement clearly stated that a chief's salary would be $25 per annum and the councillor's $15 per annum.

Why must we buy a licence to trap beaver when the agreement mentioned no licences for Treaty Indians?

We, the undersigned have applied twice for a fishing licence and failed. If we must have one we hereby apply again for our Reserve waters!

Our spokesman informs us we won't need one after the Royal Commission's investigation is over. But how are we to market our fish?

Our Wabigoon Lake is unfit for tourist angling and we cannot understand why we are forbidden to fish commercially therein.

We want better treatment of our aged and disabled so they don't have to resort to city garbage dumps any more for their living.

We heartily agree to the 13 point resolution as read to us by our able spokesman, Thos. Walter Favell, Sr., which was prepared at the recent Convention in Ottawa of the North American Indian Brotherhood.

Yours truly,

Chief WILLIAM GARDINER,
Councillor JEFF CHIEF,
Councillor JAMES CENTREFIRE.

APPENDIX AL

Recommendations submitted by the Songhees Indians of Victoria, British Columbia, July 12, 1946, to the Special Joint Committee of the Senate and House of Commons appointed to examine and consider the Indian Act.

Enfranchisement

The Indians be given the right to vote without taxation on their land. The older people could not pay taxes on land as they are non dependent on others for a livelihood.

Education

All residential schools and those under church jurisdiction should be abolished as it estranges the children from their parents during the school years. All schools to come under the Department of Education of the Province in which they are respectively located. That the children be given advantages of higher education and funds be made available for their support during such time. All school buildings conform with Department of Education regulations in regard to lighting, heating and health. That all teachers in such schools be paid an adequate salary in order to insure first-class teachers. District nurses to visit schools at least once a week during school year.

Health

The health of the Indians should be under the care of the Provincial Health authorities similar to that of the people in the districts in which they reside in order to break down any isolationism or inferiority complex. Health education should be taught the younger people in order to assure good results in the future. A survey of housing should be made to ascertain to what degree the housing affects the health of the Indians. In many reserves housing and sanitation are at a very low ebb. In many cases the forests have been alienated from the Indians to their detriment in obtaining material for new homes.

Old Age Pensions

One of the greatest needs for old aged Indians is an adequate old age pension equal to that of the other citizens of Canada. This should include hospitalization and medical attention of similar quality given the others. As the Indians who are wage earners are eligible and pay income tax thereby contributing to the general revenue and welfare of the Dominion it should necessarily follow that they participate in the benefits derived from such taxation and revenue, i.e., Old Age Insurance and Relief.

Arts and Crafts

Fostering of the arts and crafts of the Indians should be given particular attention and all such work produced by the Indian be protected by copyrights, patents and trade mark. For example, Totem Pole carving should be the exclusive right of West Coast Indians and the now famous "Cowichan Indian Sweaters" should be a copyright trade mark signifying exclusive Indian handicraft which will be of material benefit to the Indians and their customers.

Finance

In the administration of our finances which are held in trust for us by the Government. After we have passed resolutions to have certain repairs made, duly signed and forwarded to the Agent and thence to Ottawa, months and

months pass before anything is done. Many of our houses need shingling, our cemetery is lacking fencing and the roads are in dire need of repair. This is one department that should have greater proficiency and expedience.

Delegates to Joint Committee

We are of the opinion that we should have delegates attend this committee by all means. We are also of the opinion that all expenses should be met by the Department of Indian Affairs. If the Members of Parliament elected to form the Government of the Dominion can have travelling expenses and a lucrative salary tax free why cannot our delegates be taken care of in a similar manner?

Description of Songhees Reserve

Our Reserve is located near the City of Victoria, the capital of British Columbia and was originally located within the boundaries of the city. The City of Victoria was founded by the Hudson Bay Company establishing a Post in order to trade with the Indians. We have been moved to the present site some years ago which is in extent sufficiently large enough to give us two acres per family. This is hardly enough for farming and could be considered a residential district. Most of the members of the tribe are engaged in work nearby as mechanics, truck drivers, sawmill workers, longshoremen and other occupations.

I, for one, Chief of the Songhees Band of Indians, would like very much to attend the Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act.

Wishing you every success in your undertaking and with brotherly greetings, I remain,

Yours very sincerely,

PERCY B. ROSS,

APPENDIX AM

WAYWAYSEECAPPO RESERVE,

13th July, 1946.

Chief and Councillors held a band meeting in answer to a letter June 17, 1946, from Norman E. Lickers, Indian Affairs at Ottawa.

No. 1 Treaty rights. Band want no change.

No. 2 Band Membership. Band want no change.

No. 3 Liability of Indians to pay taxes. No.

No. 4 Enfranchisement of Indians, both voluntary or involuntary. No change.

No. 5 Eligibility of Indians to vote at Dominion elections. No change.

No. 6 Encroachment of white persons on Indian reserves. No change.

No. 7 Operations of Indian day and residential schools. We want a public day school for all religions for better education.

No. 8 We want modern machinery and money for years to come, to keep it operating. Also free medical, hospitalization, and drugs; housing material, better roads, etc. We want to send a delegate, expenses to be paid by the Department. We want to have a law that will prevent people from coming on our reserve and breaking up our married people, also a law so that people on our reserve shall be married before they live together. We want our moneys kept in Ottawa as it has always been kept, and to be able to use our interest money for the relief of Indians who are unable to make their own living due to sickness, at any time of the year without having to wait for word from Ottawa.

Signed. Chief PRINCE ASTAKEESIC,

H. M. ARCHIE SHINGOOSE,

H. M. DONALD ROSS.

APPENDIX AN

BRIEF BY ISLINGTON BAND OF INDIANS (KENORA AGENCY)

July 13, 1946

Minaki.

MR. NORMAN PATERSON,

Dear Agent,—We have a meeting in my reserve with my band members. So I wrote three copies, which is demands in my Band which will be forwarded to Mr. Lickers.

This is all for this.

Yours truly,

(Sgd.) Chief HORACE SPENCER,
Councillors JOHN HUNTER,
FRED CAMERON.

1. It requires a little hospital should be built in my reserve specially those reserves that site far away from the city or from the railroad.

2. It requires the government should give me a medical nurse in my reserve.

3. It requires day schools should be built in my reserve.

4. It requires the government should put up a saw-mill near my reserve.

5. It requires housing is very necessary in my reserve.

6. It requires cattle should be given in my reserve, poultry, pigs, etc., and other equipment.

7. It requires all untreaty Indian Half Breeds should be moved away from the reserves—those that live near the reserves.

8. It requires untreaty Indian Half Breed should not be given any trapping licence near the reserves, not any closer than 30 miles away from the reserve. I want a ground to trap and hunt.

9. It requires the government to allow me to pick rice in the game reserve without paying any licence.

10. It requires the white man that pick rice with machinery should be put off.

11. It requires a road should be built to my reserve.

12. It requires old age pensions should be given to the Indians. Family allowance is a big help for the Indians.

13. It requires to vote at Dominion elections. I want a man to speak for me at the Parliament.

14. It requires not to pay any taxation.

APPENDIX AO

Lake Constance Indian Reserve,
Calstock, via Hearst, Ontario.
July 13, 1946.

NORMAN E. LICKERS,
Liaison Officer,
Joint Committee on Indian Affairs,
House of Commons,
Ottawa, Ontario.

Dear Sir:

Your letter of the 17th of June. Joint committee of the Senate and House of Commons re the Indian act.

We have held several meetings to discuss the subject of your letter and the following are our contentions of the matter.

1. Treaty rights and obligations:— At the time of our original treaty we had the privilege of hunting and trapping in any location but at present we have to pay a $5 trapping licence and have our area restricted. This even applies to unsurveyed districts. We would like to return to the original benefits of the treaty, abolish license fee and restriction of area. Every summer we see thousands of fish destroyed by saw mills, dams and motor boats and yet we are not allowed to set our fish nets where or when we would like. Fish is one of our staple foods, with very little waste, and we feel that we should be able to secure them when and how required.

2. Band membership:— Alright in its present form.

3. Taxes:— Satisfied with present arrangement. Indian pays no taxes while living on reserve but is subject to taxation if living off the reserve.

4 and 5. Enfranchisement and vote:—We would like very much to have voting rights but without changing our present status.

6. Enchroachment on Indian reserves:— We want this handled more strictly. Return to original meaning of Indian treaty.

7. Schools:—Very important, cannot stress this point too much. Should be modern and efficient school on each reserve. More attention and importance should be given to agriculture and its benefits should be given by the instructors, equipment supplied and some live stock such as cows brought in for the benefit of all.

General:— More help and consideration should be given a family when the father is sick. We get very good attention from the Hospital at Hearst, Ontario, but the family at home is left in very poor circumstances. We have one instance here of a family of four having to exist on the amount of $11.00, supplied by the department, a month while the father was ill in the hospital and out for three months.

Chief:—The elected chief should be paid a yearly wage by the department because of the extras and trouble he has helping everyone with their troubles and difficulties. You must be aware that a chief has to spend many days away from his personal interests looking after others.

Reserve:— Three years ago when the question of starting Indian reserve at Lake Constance came up the site was heavily timbered and this was taken into consideration at that time. Now this timber has nearly all been cut by a private company without the Indians receiving any benefit therefrom and we feel that we are entitled to some share of the dues paid by the Company to the Government for the timber cut on what are now our lots.

Meeting at Ottawa:— Please advise date of proposed meeting that we may decide possibility of sending a representative.

Yours truly.

ABRAHAM SUTHERLAND,
Chief.

APPENDIX AP

LOWER KOOTENAY RESERVE

CRESTON, B.C.
July 15, 1946.

NORMAN E. LICKERS,
Liaison Officer,
Joint Committee on Indian Affairs.

Dear Sir,—In answer to your letter of the 17th June re the Indian Act, a meeting was held at the Indian reserve by the band, and the following was decided.

1. Treaty Rights and Obligations:

We want to be more closely and truly recognized by the government; we want the government to look into matters on our reserve; with good homes for us; improve our reserve. We want the government to co-operate with us Red People.

2. Band Membership:

We want the government to give us a chance to kind of rule our own members on the reserve, and to enforce the ruling for us—like some Indians to be taken off the reserve or to be voted in.

3. Liability of Indians to Pay Taxes:

We are paying taxes—all kinds of taxes—when working off the reserve; in sawmills, logging camps, and even on some farms. The white people should be notified that an Indian or Indians (were) not supposed to pay taxes. The white people don't recognize us as their (own) race even when they make us pay taxes. We don't agree to pay taxes, it says on the Indian Act. When the government make us pay taxes, they are breaking this act.

4. Enfranchisement of Indians both Voluntary and Involuntary:

We don't want to or we are against enfranchisement on our reserve. We want to keep our own rights and be known as red people. We don't or we have not enough education to go out off the reservation which the government left us. We want to hold our lands and rights as red people.

5. Eligibility of Indians to Vote at Dominion Elections:

We want to vote on Dominion elections because, we go out and work on government lands, we want to have a choice like the white people, to vote for whom we want.

6. The Encroachment of White Persons on Indian Reserves:

We have had no troubles on white people coming in on the reserve, but we do know that our reserve, our land, is getting smaller. We would like the Department or the government to re-survey our land.

7. The Operation of Indian Day and Residential Schools:

We want more schooling hours in the Residential school at Cranbrook Indian school, change of teachers, and principals, no sisters, less spiritual teaching, more mechanical, and farming or such. Children to come home on Christmas and New Year's holidays if the parents wish them. If the government sees fit they can build a day school on our reserve, give children a chance to go to higher school after going through grade school or send them to training school or trade school.

8. Other Matters Brought Up:

We want our reserve to have a good chief and councilmen and to have them make rulings on the reserve. We want our chief to stand in front, not next to the Indian Agent. The Indian Agent has too much to say; the Indian Agent has too much power over the chief on our reserve. We want the Indian Agent to be set back behind the chief.

We want the Indian Act to be abolished. The government on the Indian Department are not following the Act; the only Act from the Indian Act which is followed at present is the liquor act; Indians being drunk off the reserve or having liquor in their possession off the reserve. They forget to use the rest. Why keep the book when it is forgotten. We should have liquor when we are off the reserve because we are among the white people, we are on the government lands where the liquor is sold by the government. Day by day the government sell liquor, and the red people have temptations when they see the white people drink—give a chance to the red people on liquor. They are just as good as white people.

We have been asking the Indian Department to help us get some water on our mission on the reserve for the last 8 years, but they must be deaf or the Indian Agent maybe never told the Indian Department about it.

We are asking the government to do something about the water. We are asking the government to give the Indians a chance to progress, give them a start.

We want to farm our land instead of the white man leasing our lands. We want to be free in dealing with white people. We think we can manage to rule our lands.

We also ask for an old age pension. We want the government to recognize us red people as their brothers and sisters, not like strangers or slaves.

And again we ask the government to change the Indian Act. An Indian Act that we can understand and follow it.

We think that we ought to get justice and freedom because we are nontreaty Indians. In the Indian Act, the government is dealing with the treaties where an Indian is getting money and help from the government.

So, we the Band in the Lower Kootenay reservation, are asking the government to look and think about all these things and to start helping us on our reserve.

We hope that all we ask for is in favour of the government. We hope that the government stops, looks, and listens to the cry of the Red People.

We will be expecting our new deals in near future.

Yours truly,

(signed) THE LOWER KOOTENAY RESERVE BAND.

APPENDIX AQ

MISSISSAUGA INDIAN RESERVE

July 16/46.

The members of the Mississauga Indian Reserve have held a meeting to consider the contents of the circular letter dated at Ottawa June 17 re amendments to the Indian Act, and would respectfully suggest the following.

1. Treaty rights and obligations.

We desire to keep all the rights we now have under the act and to have changes made that would allow us to enjoy the privilege of killing wild meat and catching fish at any time for our own use. We also believe that we should not be compelled to pay any trapping licence fee.

2. Band membership.

We believe that this should be kept as it now stands.

3. Liability of Indians to pay taxes.

We believe that treaty Indians should pay no taxes.

4. Enfranchisement of Indians.

We believe that a treaty Indian should be allowed to become enfranchised if he so desires, but should not be forced to do so.

5. Eligibility to vote at dominion elections.

We believe that treaty Indians should not vote at dominion elections.

6. Encroachment of white persons.

We believe that there should be a law protecting Indians from all white encroachment, and that this law should be enforced to the limit.

7. Operation of day and residential schools.

We believe that the operation of the schools should be entirely under government control.

8. Social and Economic Status.

We believe that the government should furnish halls for our meetings and social events, a good playground for our children and that furthermore the government should at all times aid those of us who are conscientious and anxious to better ourselves, whether from a social or economic point of view.

We do not recommend sending a delegate from this reserve to Ottawa to interview this commission.

We, the undersigned respectfully submit this report to the Indian Agent at Sault Ste. Marie as requested this sixteenth day of July in the year 1946.

Signed SIMON SAUGAUSE,
Chief of Mississauga Band.

Signed DAN BOYER,
Councillor of Mississauga Band.

APPENDIX AR

Kettle Point Reserve, Forest, Ont.

July 18, 1946.

Norman E. Lickers,
Liaison Officer,
Joint Committee.

DEAR SIR,—

At a general council held here, these are our findings on the subject of Treaty Rights and other proposed amendments of the Indian Act as presented to me and my councillors by our Indian Agent.

Since you have asked me and the Council for our views and opinions on these subjects, it has always been my personal policy to co-operate with those who have authority over us. Although I find it difficult at times to co-operate with the Government's policies in regards to Indian administration, especially in recent years.

1. *Subject—Treaty Rights and Obligations*

On behalf of Treaty Rights and Obligations I am sending a personal letter which is self-explanatory as to the feeling of our Band in general.

2. *Band Membership*

No comment.

3. *Subject—Liability of Indians to pay taxes*

Moved by Caleb Shaw (Greene), seconded by Isaac Shawnoo; that in regards to liability of Indians to pay taxes, this council feels it is contrary to our treaty rights. *Carried.*

4. *Subject—Enfranchisements of Indians both voluntary and involuntary*

Moved by Wm. Smith Jr, seconded by Morris George; that we are not in favour of involuntary enfranchisement. Again, it is against our Treaty rights. *Carried.*

5. *Subject—Eligibility of Indians to vote at dominion elections*

No comment.

6. *Subject—The Encroachment of white persons on Indian Reserves*

Moved by Wm. George, seconded by Ernest Bressette; that encroachments of white persons on an Indian Reserve cannot be tolerated. Reserves are for the Indian's own exclusive use. *Carried.*

Subjects 7 and 8 were laid aside for reconsideration by the Band's Council at their regular monthly meeting. You will hear from us on these last two subjects. They were laid aside for reconsideration at our regular band meeting.

S. GREENBIRD,
Secretary.

Chief F. M. BRESSETTE,
Forest, Ontario
R.R. No. 2.

APPENDIX AS

Shubenacadie, N.S.,
July 18, 1946.

Mr. NORMAN E. LICKERS,
Liaison Officer,
Joint Committee on Indian Affairs.

DEAR SIR,—

This letter will acknowledge the receipt of yours of June 17th, inst., concerning the Joint Committee at the House of Commons on Indian Affairs.

First.—Treaty Rights are far too deep for me to answer right off hand, but I would like to add one thing. We would like to ask for Old Age Pensions for some of the residents, and still not effect their rights as Indians. We would also like to ask for special aid for those unable to work, such as the crippled or infirm, etc.

Second.—The Band Membership is satisfactory here but for a few exceptions, such as those who come to the residential school from other provinces. Some of these marry and since they have no homes to go to they naturally seek a place to live here. In some other cases, circumstances make it real necessary to live here. Such cases have been approved by the Band.

Third and Fourth.—Our Indians here are not far enough advanced in the ways and education of non-Indians to enable them to pay taxes or enfranchisement. Indians should be allowed to remain as Indians and not a poor imitation of other natives. Of course Voluntary Enfranchisement would be up to the individual himself if he or she had the necessary requirements to meet the standards.

Fifth.—Voting has been satisfactory so far. Our ex-servicemen have a vote at the Dominion Elections. Of course if everyone had a vate we would have a wider scope to select our members so that we could be assured of good and sound representation in Parliament.

Sixth.—The encroachment of white persons on the Indian Reserves should not be encouraged, except for matters necessary or professional, or other work that cannot be done by the Indian residents of that particular reserve.

Seventh.—Our schools have been run satisfactorily in our district. We suggest they should further the education so as to enable the students to become self-sufficient after they leave school.

Eighth.—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 basketmakers 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.

Thanking you for the attention your Joint Committee has given us.

I remain,

Yours very truly,

Chief STIPLUS KNOCKWOOD,
Councillor MARTIN SACK,
Councillor WILLIAM PAUL.

APPENDIX AT

COWICHAN INDIAN RESERVE,
DUNCAN, B.C.,
July 19, 1946.

In reply to a questionnaire submitted for the consideration of the Chiefs and Councillors of the Cowichans, we hereby submit the following requests in answer to the eight points dealt with in the questionnaire.

1. *Treaty Rights*

It is requested that Treaty rights entered into between certain Vancouver Island tribes, and the Hudson's Bay Company in 1850 be extended to all British Columbia Indians.

A copy of one of these treaties is attached hereto.

2. *Band Membership*

It is requested that all Cowichan Indians be treated as one Band.

3. *Liability for Taxation*

It is requested that no tax be put on Indian lands or on income earned on the reserves. No objection will be taken to tax on money earned off the Reserve if Indians are given the same rights as white men.

4. *Enfranchisement of Indians*

5. *Eligibility to vote at Dominion Elections*

These two questions are dealt with together. It is requested that Indians be given the full enfranchisement, in such a way as to insure direct Indian representation.

6. *Encroachment of White Men on Indian Reserves*

It is requested that no Reserve land should be sold or leased except after a favourable vote by the Indians concerned. No lease should be for more than 25 years.

That the survey of 1859 setting aside Reserves for Cowichan Indians, and containing 4,635 acres be confirmed. See letter from Provincial Archives enclosed herewith.

7. *Operation of Indian Day or Residential Schools*

It is requested that all Indian children should be educated under the Public Schools system. If in some cases residential schools are necessary, these should be non-sectarian.

8. *Any other matters*

It is requested that better old age pensions for Indians be provided, also a good public health service, social security equal to that of other Canadian citizens; that money be advanced to Indians in approved cases for agriculture, fishing, or other activities, in order that Indians may become self supporting.

It is requested also that fishing station on Cowichan River be granted to Cowichan Indians by Royal Commission be restored.

In this connection a letter from the Provincial Archives, Victoria is attached hereto to make the facts in connection therewith clear.

(Signed) Chief Councillor I. C. Thorne
Cowichan Band

(Signed) Secretary J. T. Elliott,
Cowichan Band

(COPY)

CONVEYANCE OF LAND TO HUDSON'S BAY COMPANY BY INDIAN TRIBES

Teechamitsa Tribe-Country lying between Esquimalt and Point Albert

Know all men, we, the Chiefs and people of the Teechamitsa Tribe, who have signed our names and made our marks to this deed on the twenty-ninth day of April, one thousand eight hundred and fifty, do consent to surrender, entirely and forever, to James Douglas, the agent of the Hudson's Bay Company in Vancouver Island, that is to say, for the Governor, Deputy Governor, and committee of the same, the whole of the lands situate and lying between Esquimalt Harbour and Point Albert, including the latter, on the Straits of Juan de Fuca, and extending backwards from thence to the range of mountains on the Saanich Arm, about ten miles distant.

The condition of or understanding of this sale is this, that our village sites and enclosed fields are to be kept for our own use, and for the use of our children, and for those who may follow after us; and the land shall be properly surveyed hereafter. It is understood, however, that the land itself, with these small exceptions, becomes the entire property of the white people for ever; it is also understood that we are at liberty to hunt over the unoccupied lands, and to carry on our fisheries as formerly.

We have received, as payment, Twenty-seven pounds ten shillings sterling.

In token whereof, we have signed our names and made our marks, at Fort Victoria, 29th April, 1850.

(Signed) See-Sachasis his X mark
and 10 others.

Done in the presence of
(Signed) Roderick Finlanson
Joseph William McKay.

(COPY)

PROVINCIAL ARCHIVES,
VICTORIA, B.C.
July 13, 1946.

MR. SAM GUTHRIE, M.L.A.,
R.R. 1,

Ladysmith, B.C.

Dear Mr. Guthrie,—Miss Marjorie Holmes, the Assistant Provincial Librarian, has passed on to me for reply your enquiry regarding fishing rights of the Cowichan Indians. We have not been very successful in our searches but I send you the material which has come to light.

First of all, no treaty was ever made with the Cowichan Indians extinguishing their title to the land. In the period 1850-1854 fourteen treaties were entered into by the Hudson's Bay Company. Thirteen of them are reproduced in British Columbia Papers connected with the Indian Land Question, 1850-1875, Victoria, 1875, pp. 5-11. These treaties affected only the then settled portion of the Island, i.e. Victoria, Saanich, Sooke, Nanaimo and Fort Rupert and are similar in form. All contain this proviso, ". . . it is understood that we (The Indians) are at liberty to hunt over the unoccupied lands, and to carry on our fisheries as formerly."

Cowichan district was surveyed in 1859, although pre-emption did not commence much before 1862, and from the outset reserves for Indians were set aside, in all containing some 4,635 acres. In 1861 Governor Douglas passed to the Colonial Secretary, a petition from the Legislative Assembly of Vancouver Island regarding the extinguishing of the Indian title to public lands in the colony. For your information I include certain of the comments:—

> 3. Knowing their feelings on the subject, I made it a practice, up to the year 1859, to purchase the native rights in the land in every case, in every case, prior to the settlement of any District, but since that time in consequence of the termination of the Hudson's Bay Company's Charter and the want of funds it has not been in my power to continue it . . .
>
> 4. All the settled districts of the Colony, with the exception of Cowitchen, Chemainus, and Barclay Sound have been already bought from the Indians, at a cost in no case exceeding £2:10s. sterling for each family . . .
>
> (Douglas to Newcastle, 25th March, 1861, No. 28).

At that time he suggested that £3000 would suffice to complete the purchases. Though Imperial Government declined to consider this as a claim upon the Imperial Treasury and passed it back to the local Legislature.

After British Columbia confederated with Canada in 1871 the Indian land question came to the fore and commissions sat on the various reserves. The "Minutes of decision of the Indian Reservation Commission of British Columbia, date June 11 1877, confirmed a decision of February 17, 1877 regarding land for the Cowichan Indians in Ranges IV, VI and VII of Cowichan District and also for "free fishing stations to contain not more than twenty acres each situated on the Cowichan River between Tsartlum and Scutze."

Three such stations were in existence in 1913 when visited by the Royal Commission—Tzartlum, 16 acres; Skutz (*a*) and (*b*), 18 and 40 acres. These along with the other reserves, were confirmed, *see* Interim Report No. 39, 6 July, 1914, Report of the Royal Commission on Indian Affairs for the province of British Columbia, Victoria, 1916, I, pp. 65-66, and p. 293.

Regarding the fishing rights of Indians in British Columbia the above mentioned Royal Commission declared as follows:—

> Whereas former Indian Reserves Commissioners active under joint Governmental Agreements, allotted defined Fishery Rights to certain Tribes or Bands of Indians in British Columbia:
>
> Whereas this Commission has been unable to obtain any advice from the law officers of the Crown in right of the Dominion of Canada as to the authority of the said former Commissioners to allot such fishery rights:
>
> And Whereas this Commission desires that any right or title which Indians may have to such allotted fisheries may not be adversely affected by inaction on its part—

Be It Resolved: That, to the extent to which the allotting Commissioners had authority to allot such Fishery Rights, the Commission, insofar as the power may be in it so to do, confirms the said allotted Fishery Rights are set forth in the Schedule hereto appended.

(Report .. on Indian Affairs .. (1916) 1, p. 272).

When discussing the Cowichan Agency, no such schedule was set forth, consequently it would appear that no special fishing privileges were then in existence.

I trust this information may provide an answer to your enquiry. If we can be of further assistance, please do not hesitate to call upon us.

I remain,

Yours sincerely,

(Signed) WILLARD E. IRELAND,
Provincial Archivist.

APPENDIX AU

VANDERHOOF, B.C.,

July 23rd, 1946.

Norman E. LICKERS, Esq.,
Liaison Officer,
Joint Committee on Indian Affairs,
Box 63,
Ottawa, Ont.

DEAR SIR,—We, the undersigned, Chiefs and Councillors of the Burns Lake, Maxime Lake, Fort George, Fraser Lake, Stony Creek, Stellaquo and Stuart Lake Bands, Stuart Lake Agency, present hereunder, a brief for submission to the Joint Committee on Indian Affairs:

1. *Medical Services*

We request that a Sanatorium for treatment of Tuberculosis and other communicable diseases be established at a central point within the Stuart Lake Agency, and also a full time Doctor, qualified Public Health Nurse, and travelling Dental and Eye Clinics for regular visits to Reserves.

2. *Education*

Establishment of non-denominational Day Schools on Reserves, Retention of Residential Schools only, for the care and education of the underprivileged and children from remote Bands, where Day Schools are impracticable.

Establishment of vocational training centres, so that our boys and girls after leaving school, may learn useful trades and occupations, and High School facilities be made available for those who qualify for higher education.

3. *Trapping, Hunting and Fishing*

Acquisition and return of all former Indian Trapping Grounds lost to the Indians by gradual encroachment of the Whites in the past two decades, primarily owing to the ignorance of the Regulations governing registration of traplines in B.C., and in some instances, failure of Indian Department Officials to notify the Indians of the regulations, and to register accordingly.

That our ancient privilege to hunt and fish for food purposes be restored without any restrictions whatever.

4. *Welfare, Relief and Old Age Pensions*

Whereas, the relief rations issued to the aged and incapacitated are totally inadequate, we ask that old age pensions for every Indian 65 years and over, be paid at the same rate as the Whites. The relief rations for the sick and incapacitated, be increased sufficiently to provide adequate necessities of life.

5. *Agriculture*

Purchase of additional farm lands, particularly natural hay lands, for Stock raising purposes for those who are agriculturally minded, and trying to obtain a living out of the soil.

6. *Indian Act*

That natural children of Indian mothers, regardless of status of father, be granted Indian status. That the policy of involuntary enfranchisement be abolished. That all sections of the Indian Act pertaining to intoxicants be abolished, and that the Indians be granted the privileges and be governed by the same laws and regulations as the Whites in this respect. Elimination of all taxes, Provincial and Federal. That the matter of voting in Federal Elections be left in abeyance. That the Indians be granted representation in the House of Commons, and the right to elect our own Members.

7. *Agency Administration*

Whereas the Stuart Lake Agency is far too extensive to be adequately supervised by one Agent, we recommend that a separate Agency be established at Burns Lake, B.C., to include the Stellaquo, Burns Lake, Maxime Lake, Francois Lake, Cheslatta Lake, Babine Lake and Telkwa Bands.

PADDY ISSAC
Councillor Paddy Issac—Maxime Lake Band

CHIEF DAVID TIBBETTS
Chief David Tibbetts—Burns Lake Band

SIGNED:

MORRIS QUAW
Chief Morris Quaw—Fort George Band

MAXINE GEORGE
Chief Maxine George—Fraser Lake Band

His Mark
DONALD X GEORGE
Councillor Donald George—Fraser Lake Band

ADANAS ALEXIS
Act. Chief Adanas Alexis—Stony Creek Band

His Mark
X FRANK ANTOINE
Councillor Frank Antoine—Stony Creek Band

His Mark
ISAAC X GEORGE
Councillor Isaac George—Stellaquo Band

CHIEF ALEX McKINNON
Chief Alex McKinnon—Necoslie Band

BOB SAGALON
Councillor Bob Sagalon—Necoslie Band

APPENDIX AV

BLOOD INDIAN AGENCY,
Cardston, Alberta,
July 24, 1946.

Mr. NORMAN E. LICKERS,
Liaison Officer,
Joint Committee on Indian Affairs.

Dear Sir:

In regards to your letter of June 17, 1946, we the undersigned, Chief, and Counsellors of the Blood Indian Band in the province of Alberta of the Dominion of Canada, held a meeting called by our Indian Agent, Mr. John E. Pugh, and gave us a full analysis of your letter.

We understand that you have given us eight (8) items to which we are to discuss and decide upon, among our people.

Henceforth, on July 15, 1946 all members of the Blood Indian band were assembled at our annual Sundance, and there we gave our people a full realization and understanding of your letter, concerning 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 encroaching of white persons on Indian Reserves.
7. The operation of Indian Day and Residential Schools.
8. And any other matter pertaining to our social and economic welfare, etc.

And thereby giving each and all, a chance of discussing the matter, (in public).

The results of the meeting as are follows:—

1. Treaty rights and obligations?

A. Treaty rights and obligations to be kept according to Treaty No. 7 established by Her Majesty our late Queen Victoria, in the year 1877 A.D.

2. Band Membership?

A. Not to be changed as written in the Indian Act.—Carried.

3. Liability of Indians to pay taxes?

A. Not acceded to by the tribe, the taking of the whole of the Dominion of Canada by the Government should be sufficient taxes forever.—Carried.

4. Enfranchisement of Indians both voluntary and involuntary?

A. We are not in favour of enfranchisement, either voluntary or involuntary.—Carried.

5. Eligibility of Indians to vote in Dominion Elections?

A. We are not in favour of voting in Dominion Elections until further consideration.

6. The encroachment of white persons on Indian Reserves?

A. We do not want white persons to be encroaching on our Reserve.—Carried.

7. The operation of Indian Day and Residential Schools?

A. We do not want day schools. We are in favour of Residential or Semi-Residential Schools, and these Schools provided with qualified teachers at all times. And that any Student of these Schools who desires or attains the education standing for higher education be permitted to go and the expense of their education be provided by the Government, and more grants provided for each pupil attending these Schools.—Carried.

8. And any other matter pertaining to the social end economic welfare and advancement of our Reserve, etc.

A. Yes, we have other matters, and suggestions to make, which take up a lot of time to put down in writing at the present time, pertaining to our advancement and welfare, such as Education, Health, Housing, Agriculture, Finances, and other needs, etc.

The band fully agreed to have delegates attend before the Committee, will take up other matters such as to amend and revise the Indian Act and other suggestions, through the band's discussions.

In the meantime, we will discuss many other important matters which also must be included in our affairs.

We fully appreciate your kindness and attention to us, Blood Indians and also your noble works.

Long may we remain the children of our great white mother, Her Majesty our late Queen Victoria.

Signed by the head Chief Shot on Both Sides and the following Counsellors.

ALBERT MANY FINGERS
PERCEY CREIGHTON

Chief Shot On Both Sides X (His Mark)

John Cotton

Morris Many Fingers

A. C. E. Wolf

Charlie Davis X (His Mark)

Jim White Bull

Jack Hind Bull

APPENDIX AW

PIERREVILLE, August 8, 1946.

Mr. NORMAN E. LICKERS,
Liaison Officer,
Joint Committee on Indian Affairs.

Dear Sir:

On June 17, 1946 a letter from the Joint Committee of the Senate and the House of Commons was addressed to the Indian agent. A few copies of this letter were received and distributed and passed around amongst the Indians for information.

In connection with this above a meeting of the Abenaki Band of Pierreville was held on the 8th of August 1946 in the Council House.

Every item of the letter was discussed. There were many speeches and almost everybody gave his views on the different subjects and they all concluded to this:

1. The Indians of this reserve are unable to pay taxes.
2. Are opposed to the involuntary enfranchisement of the Indians.
3. Are not interested in voting at the dominion elections.
4. There is no encroachment of the white peoples on the reserve.
5. The local day school is very satisfactory.

In short the Indians of this reserve are in the opinion that the actual statu quo should stay the way it is, except they have expressed the wish they should be treated on the same basis as the white people in regard to the Old Age Pensions.

Signed CHARLES NOLETTE, *Chief*

JULES ROBERT, Fils,

H. P. NOLETT,

ARTHUR SADOQUES, *Councillors.*

(Dr.) MICHEL TETREAULT, *Agent*

APPENDIX AX

ST. REGIS RESERVATION,

August 12, 1946

The Right Honourable Sirs,

To whom it may concern,—

We, the Hereditary Chiefs of the St. Regis Reservation, members of the Six Nations Confederacy, and the Band, assembled to a Great Council Fire held on August 12 in the year 1946. We beg to approach the Dominion Government, the House of Commons, as to the Indians of Canada being enfranchised, and also the revision of the Indian Act.

We, the Hereditary Chiefs of the St. Regis Reservation, and the Band, do not approve to be enfranchised, or the Revision of the Indian Act. We believe it will never promote our welfare as long as are held on double chain of pauperism and mental servitude. We the Chiefs, and the Band, would rather keep our Treaty Rights and privileges.

The following treaties, and agreements are enumerated:

In dealing with these treaties between Great Britain and the United States concerning 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 these treaties as inviolable.

In the Jay (Treaty of Amity). (Malloy p. 590.) in 1794, the rights of the Indians were recognized. Moreover the language used there treated those tribes as being outside the circle of British Subject in relation to citizenship and sovereignty

To cross the international line at any time, labour laws, and currency restrictions notwithstanding, is a privilege dating from the Jay Treaty, 1794, following the American Declaration of Independence back in 1776.

To make this admission still stronger that article was amplified by amendment of 1796—Malloy p. 607—which provides that no treaty made, or to be made by either party with another, or with any other Indian tribes, should be construed to deny those tribal rights.

Jay Treaty, Article 3, in 1794.

The Jay Treaty between the United States and Great Britain raised the question whether the Treaty rights granting the Indians the rights to cross and recross the Canadian border at will (under Article 3—of the Jay Treaty) can be abrogated by the Immigration laws.

See the Life of Sir Frederick Haldimand.

In the Life of Sir Frederick Haldimand, V. 3, p. 356—"The question of the Sovereignty of the Indians was very embarrassing in that it would have been impossible on any theory of the law of Nations for both Great Britain or the United States to establish prerogative in themselves to force the laws of the white men upon the owners of this country."

Article 9 of the Treaty of Ghent:

"The United States of America engage to put end immediately after the ratification of the present treaty to hostilities with all the tribes, or nations of Indians with whom they may be at war at the time of such ratification and forth-

with to (restore) to such tribes, or nations respectively all the possessions, rights, and privileges which they may have enjoyed or been entitled to in 1814—previous to such hostilities provided always that such tribes, or nations shall agree to desist from all hostilities against the United States of America their citizens and subjects upon the ratification of the present treaty being notified to such tribes or nations, and shall so desist accordingly."

"And His Britannic Majesty engages on his part to put an end immediately after the ratification of the present Treaty to hostilities with all the tribes, or nations of Indians with whom he may be at war at the time of such ratification and forthwith to (restore) to such tribes or nations, respectively, all the possessions, rights and privileges which they may have enjoyed, or been entitled to in 1814 previous to such hostilities provided always that such tribes or nation shall agree to desist for all hostilities against His Britannic Majesty and His subjects upon the ratification of the present treaty being notified to such tribes or nations, and shall so desist accordingly." (not complied with)

The Wampum Belt

The eightieth belt of wampum may be only strings of cheap coloured beads but to Indians, however, its long white line parallel to the red one symbolizes (Justice) in peace time just as the red line means (Protection) in war time for our red brothers who have buried their tomahawk, now rusty.

Quote from the (Treaty of 1784)—to the effect that no Red man can be put in a White Man's jail without the Chief's permission? That if this law should be broken the white man shall be liable to a fine of (ten thousand dollars) with other penalties besides.

Jay Treaty Article 3 in 1794

The Jay Treaty of 1794—allows or guaranteed Indians born in Canada the privilege of dwelling in the United States without molestation, or question of their citizenship, and not being excluded as aliens.

Also in the United States of America it has been held that General Acts of Congress do not apply to Indians unless clearly so intended and that Indians are wards of the Nation. See McCandless vs. U.S. in re. Diabo, 25 F. (2nd) 71 affirming 18. F. (2nd), 282.

That in Canada as well as in the United States the Indians are considered as "Wards" of the State. (See Booth and the King. 51. C.S.R., at page 38, per Brodeur, J.

With further reference to the contention of your Petitioners that the Indians are in a separate class, Buffington, a Circuit Court Judge of the United States, said, in part, in the case of McCandless vs United States, 25 F. (2nd), at the bottom of page 71, as follows:—

"After hearing, he was discharged from custody, whereupon this appeal was taken, and the question involved is whether the Immigration laws of the United States apply to members of the tribe of the Six Nations born in Canada. Enlightened possibly by the status and relations of our own native Indians with reference to our own Nation, we note that the unbroken line of decision has been that they stand separate and apart from the native-born citizen, that they are all Wards of the nation and that general acts of Congress do not apply to them unless so worded as clearly to manifest and intention to include them in their operation."

You are at liberty to do your duty but if the authorities decide to prosecute us we wish to advise you that we will plead our case to a finish and defend our rights, and privileges, and titles.

We are sincere and not acting as revolutionaries but on the grounds of national principles, and the rights of Free People.

We therefore beg and pray that those treaties be maintained, and recognized by the Dominion and taken into serious consideration at our request.

APPENDIX AY

OFFICE OF MAGISTRATE

57 Adelaide St. East, Toronto 1,

August 7, 1946.

Mr. D. F. Brown, M.P.,
House of Commons,
Ottawa.

Dear Mr. Brown:

I want to express to you once more my appreciation of the courtesy shown me by you and your Committee when I appeared before you yesterday and to say now that because I did not expect to have to give my opinion or make recommendations to the Committee beyond those which I presented I was not as fully prepared for them as I might otherwise have been. I now have had a day to think over some of the questions I was asked and remembering that the answer I gave to a most important one, although quite definite, should, because of its importance, have been more fully answered. I refer to the one concerning whether I thought the Indian Affairs Branch should be a distinct Department of the Government rather than a Branch as it now is. At one time it was a separate Department. Although I don't know why the change was made I do see now that whatever the reason may have been, the change has not proven to be a wise one and should never have been made because it would appear to me that mines and resources, because of their economic value to Canada, get precedence over Indian Affairs, or that things are treated as of more importance than human beings which, in my opinion, should not be the case.

For the sake of the 125,000 Canadians who have no voice in the government of our country I respectfully make this further appeal to your Committee and strongly recommend that Indian Affairs be again made a separate department. A minister at the head of one distinct department, I feel sure, could not help but do more for that single department than one could, no matter how good his intentions were, who is responsible for several branches of a very large department. This is not meant in the slightest degree to be a reflection on the present minister for whom I have the highest regard.

In addition to the other recommendations I made when I was there I would like to suggest that the appointment of a Standing Committee on Indian Affairs receive consideration from your Committee. I believe that such a Committee would be of great value not only to the Indians but to the Officials of the Indian Department.

I would again like to stress the value of an adequate educational system consisting of good primary Day Schools, High Schools, Vocational Training Schools to include among other things a special department for the training of Guides, and more generous assistance financially for those wishing to attend University by loans to be paid back over a period of years after getting into work or practice.

You asked me about the training of Indian Agents. I don't think I gave you a very satisfactory answer. I should say that before appointment they should get a good training in Indian Service rather than Social Service, and that salaries for Agents—I'd rather call them Advisers, be much better than at present in order that those positions may be attractive to men of superior ability.

With best wishes, I am

Yours very truly,

(Signed) O. M. MARTIN,

APPENDIX AZ

RED BANK, N.B., July 8, 1946.

Norman E. Lickers,
Liaison Officer,
Joint Committee on Indian Affairs,

DEAR SIR,—

The meeting was held at Red Bank Indian Reserve, July 1, 1946. On behalf of the Senate and House of Commons, I, Chief William Ward, held a Council with members under my jurisdiction.

The Indian members at the Council considered all matters outlined, and are presenting views and problems in regards of the Indian Act.

1. *Treaty Rights and Obligations.*

We, the members of Red Bank at the Council, do not want any change in regards of Our Rights, according to the Treaty. We want our hunting and fishing rights on our reserves. We are willing to comply with the laws of the Game and Fisheries. Free hunting and fishing should be given, under no disturbance by white men. There is a number of trespassers on our reserves, of persons, other than Indians of this Band. We want this stopped. We want the full authority of our reserve. All trespassers should respect the Indian Act. We want more support from the Department concerning these matters.

2. *Band Membership.*

In regards of membership, the Council have decided: We have quite a number of children growing up also young men and women. We want to conserve our reserve for their future.

3. *Liability of Indians to pay Taxes.*

The Council have rejected this matter.

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

The Council decided we do not want the same rights as the white man.

5. We the members of Red Bank do not want to vote at Dominion elections.

6. *The encroachment of white persons on Indian Reserves.*

The Indian Council has considered this as an offence. We want that stopped, and any land now occupied by white persons to be returned to the Band.

7. *The operation of Schools.*

Every member at the Council agreed in this matter. We want more to say about the management of Indian Schools with the Board of Trustees appointed or elected by the Indians of this Band.

8. *The things pertaining to the social and economic status of Indians.*

Every member at the Council considered this matter. If the Department would increase our seed allowance, for each Indian, to help us more in farming, such as animals to work with, implements to use in the operating of farms. This help would greatly increase our produce. The old people unable to work or fish should get more allowance from the Department—old age pension.

An honest dealer should only deal with the Indians. The dealer should be recommended by the Band. Our houses need repairs, the government buildings, such as school-house, lock-up, the school toilet for our children also need repairs and to be painted up. If attention was given these matters at once, it would help to keep our children healthy, and would give better conditions here at Red Bank Reserve.

The undersigned are the majority of the members who attended the Council: Signed:—

xLOUIE PETER PAUL,
LOUIS TOM CLOUD,
RAYMOND YOUNG,
LAWRENCE JAMES CLOUD,
MICHAEL TEMASS,
NORMAN WARD,
LEONARD TEMASS,
PATRICK WARD,
GEORGE J. WARD,
FRANK WARD,
LOUIS CAPLIN,
JOE AUGUSTINE,
JOHN AUGUSTINE,
JOHN PETER AUGUSTINE,
LEMEY L. P. PAUL,
WILLIAM WARD, *Chief*,
JOHN W. P. PAUL, *Chairman*.

APPENDIX BA

NOTRE DAME DU NORD,
August 8, 1946.

Mr. Norman E. LICKERS,
Liaison Officer,
Joint Committee on Indians Affairs,
Ottawa.

DEAR SIR,—As indicated to us by our agent, we wish to file the following representation:

We would like to have more latitude as to the admission and expulsion of members of the band because in certain cases we would be in a better position to decide of their case although we would be ready to submit the case to the Government for final decision.

We are definitely against the payment of any taxes to any government and are not interested in voting neither.

The majority of our members are in favour to stay in bands as we are presently and we wish no change in that respect for the moment.

We are not encroached upon or disturbed by the white persons, but we think that lots within the reserve limits owned by white men should be rebought by the Department for the Timiskaming Band as much as possible.

As to the health conditions, we are satisfied with the present mode of administration.

On the educational side, we have a school of over 40 years old and for the last few years has not met the necessary requirements of elementary hygiene and although we were promised a new one, nothing has been done. A new school should be built so that the teacher may reside on the premises.

We consider that the necessary material be supplied to those who want to build themselves houses.

From the agricultural point of view, we think that certain farm implements be supplied to enable us to increase our farm production by which we mean the basic essentials of food.

A residential school should be built between Abitibi and Timiskaming agencies so that our children be nearer to us.

Any person, member of the Band and aged of 70 or more, should be eligible for old age pension up to $15.00 per month, but it is voted that the Department looked after the houses and stovewood.

Since the fire has destroyed all marks in 1922, we would like to have our lots delimited again by a surveyor at the government's expense.

We hope that our demands will be given full consideration without having to send a delegate before the Joint Committee, because we cannot afford to send a delegate at our own expense.

Respectfully yours,
Timiskaming Council,

WILFRID McBRIDE, *Chief.*

RICHARD POLSON, *Councillor.*

APPENDIX BB

KATSEY INDIAN RESERVE, Hammond, B.C.,

July 2, 1946.

To the Joint Committee of the Senate and the House of Commons, Ottawa, Ontario.

Gentlemen,—

Greetings,—

We, the undersigned, being the Chief, Chairman, and Secretary of the Katsey Tribes Nos. 1, 2, and 3, hereby send our views and problems as follows:

On No. 3 of circular letter to Indians.

We are flat footedly opposed for Indians to pay taxes.

On No. 4, Enfranchisement of Indians both voluntary and involuntary.

We are opposed to enfranchisement of Indians. We are not fit for it. But of course those that want to volunteer for enfranchisement if they are fit for it and self-supporting, we can not stop them. But let them get out of the reserves and do not involve any other Indian or Indians who are not willing.

On No. 7—The operation of Indian day and residential Schools.

We are greatly impressed for the education of our children, as education for Indians is for the betterment, and lean generally toward better civilization and better health.

As for the revision of the Indian Act.

A. It took smart learned men of the Fathers of Confederation to form the Indian Act. We Indians are not learned enough to revise it.

B. We want the relief for the old aged person and persons to be improved, and get more than the present relief. It is hardly sufficient enough to get what they need to eat; not what they can not eat, viz. beans and salt. They should be allowed to get meat or bacon or whatever is useful to eat. They should not be denied of what they wish to get to eat.

C. Those that need assistance for the following; housing, Education for young men and young women, agriculture, etc., should be encouraged.

In conclusion we say that we want to be Indians and Indians always. We rely upon the Government of Canada, to the Indian Department who has feelings at heart for their Indians for protection.

Signed—

Mr. Chief JAMES ADAMS,

LOUIS MOODY, *Chairman,*

SIMON PIERRE, *Secretary.*

APPENDIX BC

Garden River Indian Reserve, July 29th, 1946.

A joint meeting was called by Indians of five different reserves, namely: Spanish River Reserve, Serpent River Reserve, Garden River Reserve, Batchawana Reserve and Michipicotan Reserve, all under the Sault Ste. Marie agency. The Chiefs and Councillors of the different reserves mentioned attended at the meeting on the above date at Garden River to discuss the circulars received lately by each from their agent.

(1) Moved by William Miawasega, seconded by J. T. Sayers, that our Treaty Rights and Obligations be recognized and respected by both the Federal and the Provincial Governments. (Carried.)

(2) Motion moved by J. T. Sayers, seconded by Arthur Jones, that the Chief and Council be given the power to adopt or not to adopt any person or persons into their bands. (Carried.)

(3) Motion moved by Douglas Sissenah, seconded by Dick Pine, that by virtue of their Treaty Rights Indians are not liable for payment of taxes either to the Dominion or to the Provincial Governments. (Carried.)

(4) Motion moved by William Miawasega, seconded by Mike La Rose, that the Indians at this time do not wish to vote at Dominion elections. (Carried.)

(5) Motion moved by Dick Pine, seconded by William Miawasega, that the encroachment of white men on Indian reserve lands be prohibited. (Carried.)

(6) Motion moved by M. Boissineau, seconded by Norman Jones, that all denominational schools within reservations be abolished and the education of Indians be committed to regional boards upon which Indians in the regional districts shall be represented by Indians. (Carried.)

(7) Motion moved by Dick Pine, seconded by J. T. Sayers, that the old age pension be granted to the aged Indians, equal amount to which the white people are now granted. (Carried.)

(8) Motion moved by J. T. Sayers, seconded by Mike La Rose, that at any time the Indians should require a doctor to visit the sick that they call any doctor who is available at the time a doctor is urgently required. (Carried.)

(9) Motion moved by Dick Pine, seconded by Norman Jones, that we require a qualified teacher able to teach high school or higher so the Indians can obtain higher education, which will bring advancement in every walk of life. (Carried.)

(10) Motion moved by Dick Pine, seconded by Joe Jones, that we require more assistance in our housing problem. (Carried.)

(11) Motion moved by P. Boissineau, seconded by M. Boissineau, that the agricultural undertakings of the Indians receive more financial assistance by way of grants. (Carried.)

(12) Motion moved by William Miawasega, seconded by Norman Jones, that each Reserve Band be granted an appropriation and the Indian Council have authority to administer to where it is required. (Carried.)

(13) Motion moved by Norman Jones, seconded by J. T. Sayers, that at some future date should a delegation be required to attend before the Joint Committee we are prepared to send same. Two or three delegates all expenses to be paid by the Indians. (Carried.)

(14) Motion moved by Dick Pine, seconded by Sam Jones, that the sections 99 and 178 of the Indian Act be abolished. (Carried.)

SIGNED

Chief ARTHUR JONES,

Chief WILLIAM MIAWASEGA,

Chief AMABLE BOSSINEAU,

Councillor DOUGLAS SISSENAH,

Councillor JOE BENNETT,

Councillor MIKE LA ROSE,

Councillor MIKE PINE,

Councillor NORMAN JONES.

FD