

lands without the license of the S. G., may be removed summarily upon warrant of the S. G. or person authorized by him. In places where Courts are not organized and there are no regular offices of justice, such writs may be addressed to any literate person. But any Indian or non-treaty Indian, if 5 years a resident of Canada, may with the consent of the band and approval of the S. G. be granted permission to reside on such reserve. If a person removed or duly notified to remove is found hunting or residing on such reserve thereafter, he may be arrested on warrant to that effect and confined in the nearest gaol for 30 days. The judgment of the S. G. or other officer authorized, ordering such imprisonment drawn up and filed in his office may not be appealed against or removed by *certiorari*. If any unauthorized person trespasses on such reserves, removing therefrom wood, timber, hay, stone, minerals or earth, he is liable to pay \$20 for each tree, and \$4 for anything else of the value of \$1 or under, or \$20 if the value be greater, recoverable by the S. G. or other authorized officer, and to be levied by distress, &c.; or the party may be imprisoned. An Indian of the band trespassing and removing timber, &c., from lands on which any other Indian is located or from the reserve of his tribe unless for the special use of his own family is liable to like penalties. The name of any person so trespassing need not be exactly set forth in warrants or summonses, but such part of the name and description as will identify the person is sufficient. Sheriffs and other peace officers must assist in the execution of such warrant, &c.

When any property of a band is taken for or damaged by a public improvement, an arbitrator to settle the damages is to be named on their behalf by the S. G., and the amount awarded is to be paid in to the S. G. for the use of the band. Actions respecting special reserves may be taken in Her Majesty's name though the land does not vest in Her Majesty. Whenever the title to such special reserve in a trustee lapses it becomes vested in the Crown. The Indians engaged in agriculture may be called upon to perform statute labour on their reserves to the same extent as other persons in their vicinity are bound to perform under the laws of the Province, &c. And the band must maintain the roads, ditches, &c., to the satisfaction of the S. G., or he may have it done at their expense. No reserve or portion of one may be sold unless first surrendered to the Crown; and such surrender must be assented to by a majority of male members of 2 years and upwards, resident on or near the reserve, at a meeting or council summoned according to their rules and held in presence of the S. G. or his agent. And the vote must be certified under oath by the S. G. or such agent and a chief. It is then submitted to the S. G. for acceptance or refusal. The S. G. may issue a license to cut timber, quarry and remove stone, &c., from a reserve, first obtaining the consent of the band. No intoxicant may be brought to or used at such meetings or council. Any person introducing it and any officer of the Department countenancing its use by his presence is liable to a penalty of \$200.

No return or surrender of any reserve

to any party but the Crown is valid. All lands so surrendered are to be managed and sold as the G. in C. may direct; but no Agent can buy unless authorized by special O. in G. If he do the patent is void and he forfeits his office and \$500. A receipt or certificate duly granted and registered vests all possessory rights, &c., in the purchaser to whom it is granted, except as against a person having a license to cut timber. The S. G. is to keep a register of assignments—and assignments there registered are valid against previous ones unregistered. But no registration is allowed till all conditions of the sale or grant are fulfilled. The usual provisions are made for proof of signature of a deceased witness to an assignment and of the rights of a representative of a grantee to apply for the patent. The S. G. may with the assent of the G. in C. cancel a sale or lease for fraud or violation of conditions, and may procure a writ in the nature of one *habere factas possessiones* from any Superior or County Court Judge or Stipendiary Magistrate to recover possession, if it be not given up. In the collection of rents, proceedings may be taken as upon a distress warrant, taken by a landlord or tenant, or by another for non-payment of a penalty or by an action of debt. Notices by or from the S. G. are notices from the Crown; imperfect patents, or those issued by mistake with wrong names or descriptions, &c., may be cancelled and new ones issued in their place. In case of patents issued to two parties for the same lot or sales or appropriations, the purchase money and interest may be returned to the last purchaser, or scrip for a similar quantity of Indian lands may issue. In case of error in measurement the same course may be pursued, but the claim must be made within 5 years. Patents issued through inadvertence, fraud or error, may be voided by the Exchequer Court or any Superior Court of the Province. If an agent give false information so as to prevent the purchase of any land by a person applying for it, he forfeits \$5 per acre to the person so defrauded. Persons hindering purchasers at a public sale are liable to a fine of \$400 or 2 years imprisonment or both.

Licenses to cut timber on reserves and ungranted Indian lands, for terms not exceeding 1 year, may be granted, under regulations approved by Order in Council. They vest in the holder all trees, timber and lumber cut within the limits by the licensee. If cut by others, also, he may seize them and institute actions against the wrongful possessors. He must make a return at the end of the year of all timber cut, &c., and all timber and under-license is liable to seizure for dues unpaid; nor is this liability removed by the acceptance of notes or bonds for the amount. If dues are not paid within 1 year after seizure, the timber may be sold. Any timber cut without authority is forfeited to the Crown, and may be seized wherever found; if mixed with other timber so as not to be distinguishable, all may be seized and held till a separation is satisfactorily made; or, if seizure is impracticable, the party shall forfeit \$3 for each tree cut. Any person authorized by the S. G. may seize and call in any necessary assistance; resistance is punishable as