

felony. Taking away timber seized is theft. The onus of proof of payment of dues lies on the party having timber in possession. Timber seized as cut without authority, if not claimed in 1 month, may be ordered to be sold after 30 days' notice. Claims may be tried before any Judge of competent jurisdiction. A bond may be given to await decision, and the timber released. Attempts to evade payment of dues is punishable by forfeiture of timber.

The G. or C. may direct the investment and management or application of any moneys arising from the sale or lease of lands or timber licenses, as heretofore; but a sum not over 10 p. c. may be stipulated for at the time of surrender or payable directly to the members of the band.

Councils for election of chiefs and any ordinary consents asked of a band by the Crown are to be held in the presence of the S. G. or an agent,—all males of 21 and upwards voting, and a majority present at a meeting called according to their rules to decide. But if the band have a Council of chiefs or councillors, they, in like manner, may give the consent instead of the whole band. Chiefs are to be elected for 3 years, unless previously deposed by the G. G. for dishonesty, intemperance, immorality or incompetency,—the present life chiefs to continue in office unless deposed for like cause. Any band of 20 may elect a chief; for larger bands the numbers are to be 1 chief and 2 second chiefs or councillors for every 200. They may frame rules for public health, the regulation of their assemblies, repression of intemperance and profligacy, prevention of trespass by cattle, for pounds and pound-keepers, maintenance of roads, &c., construction and repair of school houses and other public buildings, the locating of land in their reserves and registry of such locations. An Indian is not liable to taxation on property held as such, only on that held outside of the reserve. Lands held in trust for them are not taxable. They cannot grant a lien or security on their Indian property; but may, on anything purchased, for the part of its price unpaid. They may sue for debts or torts, or to compel performance of obligations entered into with them. No person may take a pawn from them for any intoxicant sold. It may be recovered as if not pawned. Presents or annuities may not be parted with or seized for payment of any debts—unless, in B. C., Manitoba, the N. W. T. and Keewatin, to other Indians of the same band—without the consent of the S. G. or agent.

An Indian in Manitoba, the N. W. T. or Keewatin may not acquire a homestead or pre-emption right to surveyed lands or share in the half-breed lands, but shall not be disturbed in the occupation of a plot on which he had made improvements prior to a treaty with the Crown, though the Crown may, without a surrender from the band, acquire them. These restrictions are not to apply to Indians who withdrew from any treaty before 1st October, 1876. Indians undergoing imprisonment for any crime or offence do not share in the annuities or other moneys distributed, and costs for their prosecution may be paid out of their share. The share of any Indian deserting his family, or of any Indian woman, without children, deserting her husband and living with another

man, may be stopped. The sick, aged and destitute of a band may be provided for out of the funds of the band, if it does not itself provide for them.

The evidence of a non-Christian Indian, destitute of a knowledge of God or of belief in future punishment, is to be taken without administering the usual form of oath, but after exacting a promise to tell "the truth, the whole truth, and nothing but the truth," or in such other form as may be adjudged binding on his conscience—he being cautioned of the punishment to which he is liable for perjury, which shall be the same as in other cases. The evidence is to be reduced to writing and attested by the judge or other magistrate and the interpreter. Their written examinations may be taken and used in the same manner as those of other people.

Intoxicants of any kind, including spirituous or fermented liquors or drugs, whether solid or liquid, may not be supplied to Indians. A person supplying any, or found in possession thereof, in any Indian abode, is liable to a fine of \$50 to \$300, or imprisonment from 1 month to 6 months. Any person in charge of a vessel from on board which Indians are supplied, is liable to the same fine, or to the imprisonment in default of the fine—half of the fine in either case to go to the informer. Indians making, keeping, or supplying, are liable to imprisonment as above. If supplied in case of illness on advice of a physician or minister of religion, no penalty is incurred. Any vessel from which intoxicants have been illegally supplied, or which has been brought into an Indian reserve or wigwam containing them, may be seized, and its contents destroyed, and the person found in possession fined \$50 to \$100, to be divided as above, or imprisonment for 2 to 6 months in default. Any boat or other vessel conveying it may be seized, forfeited and sold, the proceeds to go to H. M. like preceding fines for the benefit of the Indian band or tribe. Anything received from an Indian in exchange for an intoxicant, may be also seized and forfeited. An Indian found intoxicated may be arrested and confined till sober, and afterwards tried and imprisoned one month therefor, and if he refuses to give the name of the party furnishing the intoxicants, for 14 days more. Convictions before J. P. or Stip. Mag. for above offences may only be appealed to a judge of a Superior Court or chairman or judge of a Court of Session of the Peace, and must be brought within 30 days. Convictions are not to be invalid for defect of form.

When an Indian man or unmarried woman, 21 years of age, obtains the consent of the band to become enfranchised, and has been assigned a suitable allotment of land, the local agent reports to the S. G., and if he approve of the allotment, he causes inquiry to be made if the applicant has attained such a degree of civilization and is qualified by integrity, sobriety and morality to become a proprietor in fee simple. On a receipt of a favorable report he issues a location ticket for the land allotted. After 3 years probation, if the party's conduct be satisfactory—the period may be prolonged, if it is not—letters patent issue to the party by the name by which he or she chooses thereafter to be known—and the Indian