

separate department and remained so until Dec. 1, 1936, when it became a branch of the Department of Mines and Resources. Since Jan. 18, 1950, Indian Affairs has been a branch of the Department of Citizenship and Immigration.

Following Confederation, the Parliament of Canada enacted legislation concerning Indians which was first consolidated in the Indian Act of 1876. This Act, under which Indian administration was conducted, contained nearly all the Canadian law dealing expressly with Indians and was further revised and consolidated in 1880. It remained in effect, as amended from time to time, until Sept. 4, 1951, when the new Indian Act was proclaimed. The new Act was drafted following a complete review of the old Act and inquiry into Indian affairs by a Special Joint Committee of the Senate and the House of Commons during 1946, 1947 and 1948. Proposed legislation was widely circulated among the Indians and others interested in their welfare, and many representations were received suggesting improvements to the various provisions. Before the passing of the Act, the Minister of Citizenship and Immigration discussed the proposed legislation with representative Indian groups at Ottawa and in other parts of Canada.

*Administration.*—The primary function of the Indian Affairs Branch, under the Citizenship and Immigration Act and the Indian Act, is to administer the affairs of the Indians of Canada in a manner that will enable them to become increasingly self-supporting and independent. The functions of the Branch include the management of Indian reserves and surrendered lands, trust funds, welfare projects, relief, family allowances, education, descent of property, rehabilitation of Indian veterans on reserves, Indian treaty obligations, enfranchisement of Indians and other matters.

The Indian Act provides a measure of self-government on reserves through Band councils chosen according to tribal custom or under an elective system of secret ballot. The various expenditures of Band funds, with few exceptions, require the consent of the Band council, comprising a chief and councillors. The right to vote in Band elections and other votes is extended to all members of a Band, men and women, who have reached the age of twenty-one years. A number of Indian women have been elected to office since the new Act came into force. Secrecy of voting has been provided under election regulations. The powers of Band councils to make by-laws correspond in a general way with those exercised by councils in a rural municipality.

Indians who are veterans of the First or Second World War and their wives may vote in federal elections. Indians who live off the reserve, under certain circumstances, also have the right to vote, while Indians who live on the reserve may vote if they waive exemption to taxation on personal property such as earnings or other incomes received on the reserve. Indians may sue and be sued, subject to provisions of the Indian Act exempting from seizure real and personal property held on the reserve.

Enfranchisement, the removal of all legal distinction between Indians and other members of the community, is provided for under the Indian Act. An enfranchised Indian is no longer subject to the provisions of the Act. In order to facilitate enfranchisement of Indian Bands, agreements may be entered into with provincial or municipal authorities to provide financial assistance to indigent, infirm, or aged members of the enfranchised Band.