

6. Confederation 1871

Indians Art. 13 "The charge of the Indians and the trusteeship and management of the lands reserved for their use and benefit" → Dominion

Dominion was to pursue a policy "as liberal as that hitherto pursued by the BC Govt"

Province was to convey to Dominion tracts of land as reserves.

Lands - Sec 109 BNA Act "Lands... shall belong to the Provinces, ... subject to... any interest other than that of the Province in the same."

← Indian title? If so, responsibility passed to Federal Govt

Clash of Policy - the long debate → over ext. of native title
→ - size of reserves

1874 BC Crown Lands Act - disallowed by Fed Govt because Indian title hadn't been extinguished
- discussions re reserves - backed down

1876 - Gov. Gen. - speech in Victoria
NRC p. 126 - he felt a special respons. to Indians
- situation bad - title should be ext. by treaty

1877 - Indian War? David Mills - LETTER

T 910 Laurier NRC p 128

Effect of all these was to assure the Indians they did have a case, and that it would be heard by Privy Council.