

SESSIONAL PAPER No. 27

AMENDMENTS TO THE INDIAN ACT

Important amendments to the Indian Act with regard to the subject of enfranchisement and education were passed at the 1920 session of Parliament.

The amendments repealed sections 107 and 122. These clauses had been upon the statutes since 1857 and under them it was found possible to enfranchise only 65 Indian families of 102 persons since Confederation or during a period of 53 years. As the ultimate object of our Indian policy is to merge the natives in the citizenship of the country, it will be seen that these clauses were inadequate. Under these clauses, it took six years for an Indian to become enfranchised, and the applicant was wearied by this additional six years of tutelage before he was deemed fit to handle his own property and take his place among the citizens of the country.

At the session of 1918, Parliament passed an amendment to the Indian Act, which enables the Governor General in Council to enfranchise, on application, all Indians who have no land on reserves and who are willing to accept their share of the funds of the band and to give up any title to the lands on the reserve. This amendment has served to show that numbers of Indians desire to take the final step towards citizenship, as to date the department enfranchised 97 families of 258 individuals under its provisions. There is further evidence bearing in the same direction, consisting of individual applications for enfranchisement from Indians who are holders of property on reserves.

The new sections passed at the session of 1920 give the Superintendent General power to make inquiry and report from time to time as to the fitness of any Indian or Indians for enfranchisement, and they give the Governor General in Council authority, acting on such reports, to enfranchise an Indian and his wife and minor unmarried children forthwith. The clauses provide adequately for the protection of the individual interests in the lands and moneys of the band.

The amendment provides for the repeal of sections 9, 10 and 11 of the Act, and the substitution of the sections drafted. The department is thus enabled to establish a system of compulsory education at both day and residential schools. Prior to the passing of these amendments the Act did not give the Governor in Council power to make regulations enforcing the residence and attendance of Indian children at residential schools, as the department could only commit to a residential school when a day school is provided, and the child does not attend.

The recent amendments give the department control and remove from the Indian parent the responsibility for the care and education of his child, and the best interests of the Indians are promoted and fully protected. The clauses apply to every Indian child over the age of seven and under the age of fifteen.

If a day school is in effective operation, as is the case on many of the reserves in the eastern provinces, there will be no interruption of such parental sway as exists. Where a day school cannot be properly operated, the child may be assigned to the nearest available industrial or boarding school. All such schools are open to inspection and must be conducted according to a standard already in existence. A regular summer vacation is provided for, and the transportation expenses of the children are paid by the department.

EDUCATION

A total of 321 Indian schools of all classes were in operation during the year, namely, 247 day, 58 boarding, and 16 industrial. In the tabular statements in part II of this report will be found a list of these schools, giving the reserve, agency and province and the enrolment in each case.

As compared with the previous year there is a decrease of one school, which is in the day school class.