

CHAP. 30.

An Act further to amend "The Indian Act."

[Assented to 28th August, 1891.]

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:-

1. Section twenty-two of "*The Indian Act*," chapter forty-three of the Revised Statutes, is hereby amended by adding the following sub-section thereto:-

"2. Or of any such person or Indian other than an Indian of the band may be required orally or in writing by an Indian agent, a chief of the band occupying the reserve, or a constable-

"(a.) To remove (with his family, if any) from the land, marsh or road, or allowance or road upon which he is or has so settled, or is residing or hunting, or which he is or has so settled, or is residing or hunting, or which he so occupies; or-

"(b.) To remove his cattle from such land or marsh; or-

"(c.) To cease fishing in any such marsh, river, stream or creek as aforesaid; or-

"(d.) To cease using as aforesaid any such land, river, stream, creek, marsh, road or allowance for road:

"And any such person or Indian who fails to comply with such requirement, shall, upon summary conviction, be liable to a penalty of not less than five and not more than ten dollars for every day during which such failure continues, and in default of payment to be imprisoned for a term not exceeding three months."

2. Section thirty-nine of the said Act is hereby amended by inserting in the eighteenth line thereof after the word "magistrate," the words "or, in the case of reserves in Manitoba or the North-West territories, and in the case of reserves in British Columbia or, in either case, before some other person or officer specially thereunto authorized by the Governor in Council."
3. Section forty-seven of the said Act is hereby amended by adding the following sub-section thereto:-

"2. The costs of and incident to any proceedings under this section or any part thereof shall be paid by any party to such proceedings or by the Superintendent General, as the judge or magistrate orders."

4. The said Act is hereby further amended by adding the following section thereto:-

"136. Where shooting privileges over a reserve or part of a reserve, or fishing privileges in any marsh, pond, river, stream or creek, upon or running through a reserve, have, with the consent of the Indians of the band, been leased or granted to any person, it shall not be lawful for any person not under such lease or grant entitled so to do, or for any Indian other than an Indian of the band, to hunt, shoot, kill or destroy any game animals or birds, or to fish for, take, catch or kill any fish to which such exclusive privilege extends, upon the reserve or part of a reserve, or in any marsh, pond, river, stream or creek covered by such lease or grant; and any person or Indian acting in contravention of this section shall, in addition to any other penalty or liability, thereby incurred, be liable, on summary conviction, for every such offence to a penalty not exceeding ten dollars and not less than five dollars, and, in default of payment to imprisonment for any term not exceeding one month."