

17 GEORGE V.

CHAP. 32.

An Act to amend the Indian Act.

[Assented to 31st March, 1927.]

R.S., c. 81;  
1910, c. 28;  
1911, c. 14;  
1914, c. 35;  
1918, c. 26;  
1919, c. 56;  
1920, c. 64;  
1922, c. 26;  
1924, c. 47.

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

1. Subsection two of section eighty-nine of the *Indian Act*, chapter eighty-one of *The Revised Statutes of Canada, 1906*, is amended by adding thereto the following proviso:—

“Provided, however, that where the capital standing to the credit of a band does not exceed the sum of two thousand dollars the Governor in Council may direct and authorize the expenditure of such capital for any purpose which may be deemed to be for the general welfare of the band.”

If capital does not exceed \$2,000.

2. Subsection one of section ninety-two of the said Act, as amended by section six of chapter thirty-five of the statutes of 1914, and by section five of chapter twenty-six of the statutes of 1918, is further amended by adding thereto the following paragraph:—

“(g) Make regulations governing the operation of pool rooms, dance halls and other places of amusement on Indian Reserves.”

Regulations.

Operation of pool rooms, etc.

3. Paragraph (c) of subsection one of section ninety-eight of the said Act is repealed and the following is substituted therefor:—

“(c) The prevention of disorderly conduct and nuisances.”

Disorderly conduct.

4. The said Act is amended by inserting the following section immediately after section one hundred and six thereof:—

“106A. No title to any Indian grave-house, carved grave-pole, totem-pole, carved house-post or large rock embellished with paintings or carvings on an Indian reserve,

Acquisition of totem poles, etc., forbidden.

157

shall

2

Chap. 32.

Indian.

17 GEO. V.

shall be acquired by any means whatsoever by any person without the written consent of the Superintendent General of Indian Affairs, and no Indian grave-house, carved grave-pole, totem-pole, carved house-post or large rock embellished with paintings or carvings, on an Indian reserve shall be removed, taken away, mutilated, disfigured, defaced or destroyed without such written consent.

Penalty.

Any person violating any of the provisions of this section shall be liable on summary conviction to a penalty not exceeding two hundred dollars, with costs of prosecution, and in default of payment to imprisonment for a term not exceeding three months, and any article removed or taken away contrary to the provisions of this section may be seized on the instructions of the Superintendent General and dealt with as he may direct.”

5. The said Act is amended by inserting the following section immediately after section one hundred and forty-six thereof:—

Certificate of analyst to be accepted as *prima facie* evidence.

“146A. In any prosecution under this Act the certificate of analysis of a provincial or dominion analyst shall be accepted as *prima facie* evidence of the fact stated therein as to the alcoholic or narcotic content of the sample analyzed.”

6. The said Act is amended by inserting the following section immediately after section one hundred and forty-nine thereof:—

Receiving money for the prosecution of a claim.

“149A. Every person who, without the consent of the Superintendent General expressed in writing, receives, obtains, solicits or requests from any Indian any payment or contribution or promise of any payment or contribution for the purpose of raising a fund or providing money for the prosecution of any claim which the tribe or band of Indians to which such Indian belongs, or of which he is a member, has or is represented to have for the recovery of any claim or money for the benefit of the said tribe or band, shall be guilty of an offence and liable upon summary conviction for each such offence to a penalty not exceeding two hundred dollars and not less than fifty dollars or to imprisonment for any term not exceeding two months.”

7. Paragraph (c) of subsection two of section one hundred and ninety-four of the said Act is hereby repealed and the following is substituted therefor:—

Disorderly conduct.

“(c) The prevention of disorderly conduct and nuisances.”