

of the sale were carried out in each individual case.

Mr. FOSTER. Who was the law clerk?

Mr. OLIVER. Mr. Williams, and the papers and particulars of all these cases have been laid on the table of the House.

Mr. BRADBURY. Where did Mr. Williams get his information? Was it not from the books of the men who got these lands and not from the men who sold them? He says himself that he saw the books of so and so, and so and so.

Mr. OLIVER. Why would he not see the book of so and so, and he saw the Indians as well.

Mr. BRADBURY. The Indians do not verify that.

Mr. OLIVER. If my hon. friend knows differently, why under Heaven has he not informed the House? Why has he not given us the benefit of the knowledge he has if he has such knowledge? He certainly has occupied enough time, and although time has been occupied the alleged facts have not been brought forward. I notice that my hon. friend questions the legality of the form of taking the surrender. I am not learned in the law any more than he is, and I do not know whether we were right in the form in which we took that surrender or not. I do not know whether we ought to have a majority of the whole of the members of the band or only a majority of those who were present and voted; but I do know that all the surrenders that the Indian Department are taking now or have ever taken have all been taken on the same principle, and I assume, therefore, that it has legal sanction, and, in all this succession of Ministers of Justice of Canada since we have been handling Indian affairs it was not left for my hon. friend—with his, may I suggest, perhaps somewhat limited knowledge of law—to find that they were all wrong and that he is the only man possibly right.

Mr. BRADBURY. Was the Department of Justice ever consulted as to the legality of this?

Mr. OLIVER. I assume so. I cannot imagine that such an important question as the validity of title to millions of dollars worth of land which would depend upon the validity of surrender would have been in doubt for all these years until my hon. friend made his marvellous discovery. I think we are safe in believing that the title of the land is secure so far as that feature of the case is concerned.

Mr. FOSTER. But the minister does not know really whether the Justice Department was consulted or not?

Mr. OLIVER.

Mr. OLIVER. I do not. I do not know in regard to this particular transaction. Then, my hon. friend (Mr. Bradbury) was worried a great deal about the fact that the purchasers of these lands were not able to get Torrens titles, and part of the blame was laid upon the Indian Department for having furnished an incorrect plan. There is a difficulty about the plan and the difficulty is this: that the original survey did not accord absolutely with the original plan that was filed. When our surveyor made his survey he made a plan that did accord with the survey upon the ground. There was a conflict between the two plans and there was some difficulty about the registration on that account, but I understand that the difficulty—it was a mechanical difficulty so to speak—has been gotten over.

Mr. BRADBURY. If the hon. gentleman says that the plan was made for the new survey and filed with the Registrar General of Manitoba, he is incorrect.

Mr. OLIVER. Well, possibly he is incorrect, but I do know that the survey was made, and I do know that a plan was made which was in accordance with that survey, and I do know that that plan did not accord with the old original plan already filed, and I am credibly informed that the old original plan was not in accord with the actual survey on the ground. That was the mechanical difficulty that occurred and for which certainly this government was not responsible.

Mr. FOSTER. Does the minister remember when the last survey was made?

Mr. OLIVER. It was made in connection with this transaction, I think, in 1907; the old survey was made in 1873. As to the attitude of the registrar of titles in Manitoba I have nothing to say. It is none of the business of the Department of Indian Affairs what the registrar of titles for Manitoba may see to be his duty in the matter of either granting or refusing these titles. That is a matter for the purchasers who are citizens of Manitoba to settle with the government of Manitoba. We have made a survey, and we have granted a title which enables the purchaser to transfer his rights. It is for those purchasers who desire to have their property placed under the Torrens title, to settle it with the Manitoba government; we have no responsibility for or interest in it. I do not think it is to the point that I should detain the House by going at any great length into this matter. My hon. friend (Mr. Bradbury) has repeated, and repeated, and repeated, and I do not think he has given us any new material to-day that I recall beyond the statement of the Manitoba registrar; and his peroration. But I notice that he shifts his ground a little. Last year he was very strong on the point that these Indians should not have