

Indians holus-bolus and leave them with the rights they possess under the Indian Act, because under that act they are wards of the government of Canada and possess a great many rights. Enfranchisement would give the Indian every right of a Canadian citizen, but then he could be no longer a ward of the government.

Mr. MURPHY: And at the same time every responsibility.

Mr. STEWART (Edmonton): Oh, absolutely. He becomes a Canadian citizen in the fullest sense of the word. But as a ward of the government he can call upon the government for a great many privileges. For example the education of the Indians is pretty much the responsibility of the government. The Indian does not pay taxes, except such as he imposes on himself for the purposes of the reserve or the band. All these things have to be taken into consideration. Up to date enfranchisement has only taken place at the express desire of the Indian and with the consent of the band. All my hon. friend is attempting to do is to say he does not require that the Indian shall make application, but if he finds, after representation has been made, that any certain Indian would be better enfranchised for various reasons, which he has enumerated, then he does not have to go through the process provided under section 110. All he has to do is to appoint a board consisting of two officers of the department and a member of the band. I am not just clear if the minister stated that this member of the band would be the appointee of the council. If that is true then the council would have some say, but his amendment does not so state. That selection is made by himself, and those three decide whether or not a particular Indian is to be enfranchised. If they recommend his enfranchisement, undoubtedly it will take place. Where I see difficulty is in the adjustment that will have to take place between the individual Indian who is enfranchised and the band and band council, with respect to his property held in common with the rest of the band. Under section 110 as it existed that was all taken care of.

Mr. MURPHY: It is yet.

Mr. STEWART (Edmonton): Then I do not see it. I would be glad to have that explained.

Mr. MURPHY: We are not altering that in the slightest. The same conditions will apply if he becomes enfranchised under this amendment.

Mr. STEWART (Edmonton): Suppose the band refuse to act, what is going to happen? Suppose the band or the council of the band have not been consulted: a recommendation is made by the board that a particular Indian be enfranchised. If my hon. friend is correct and this third member of the board, the Indian member, is the nominee of the council, then it would be assumed that the council were consenting parties?

Mr. MURPHY: Yes.

Mr. STEWART (Edmonton): But I do not see that that is provided for in the section as drafted.

Mr. MURPHY: Yes, under subsection 2 of section 110, which reads as follows:

The Indian member of the board shall be nominated by the council of the band, within thirty days after the date of notice having been given to the council, and in default of such nomination, the appointment shall be made by the Superintendent General.

Mr. VALLANCE: Are we then to come to this conclusion, that if a band of Indians do not want to avail themselves of subsection 7 of section 110 they are now going to be or may be forced by the department, to nominate this representative on the board, and if they do not nominate, then the department itself nominates an Indian whether he wants to sit or not?

Mr. MURPHY: That is the act as at present in force, and as it has been for some ten years.

Mr. VALLANCE: Yes, but the minister forgets that he is now giving power to this board to nominate someone who must come before themselves. That is what we object to. Coming as I do from the ancient seat of Battleford where there are many Indians, naturally I am interested in them, and I cannot conceive of an Indian suggesting to the minister, and I cannot see where the minister in his travels ever got the suggestion, that the Indians wanted to be forced into the position that he is trying to put them in. I have learned to-day that the Indian, when he becomes enfranchised, as a treaty Indian loses his treaty rights. What is to hinder the department from enfranchising all Indians and taking away their treaty and all the privileges they have, whether they like it or not?

Mr. MURPHY: I think any responsible minister charged with the administration of the Indian Act, if he is a fit and proper person to administer the affairs of that department would never have such an idea in his mind as to force enfranchisement upon a body of Indians who were not fit for enfranchisement.