

ing to the Indians seems to be unfair to the Indians.

Mr. OLIVER. I am not very familiar with this case myself, but my hon. friend and some of the older members of the House will remember it as a case which has been very celebrated and of long standing. It has been the cause of a great deal of acrimony, and I am sure they will agree with me that it is for the good of the country as well as for the Indians that a settlement shall be procured if possible, and that the price paid for the settlement is not too great if only a settlement can be secured.

Mr. SPROULE. I do not think that makes it right. I have some remembrance of this case. It has been going on for a great many years. The Oka Indians were given land in Algoma in lieu of this land as an inducement to move out, but when they got there they did not like the land. They claimed that they were unfairly dealt with. A portion of the band never left the reserve and refused to give up the land. But those who were negotiating to get possession of the land still held on and insisted on taking the land from them. That trouble has gone on for a long time. The Indians still contend that the land is theirs and that they had no right to give it up. The others went to law. Now then, the trespasser comes in, according to the Indians' claim, and, because it is desirable to settle the dispute between the Indians and the others, the government says it is justifiable to take the poor Indians' money and pay the cost of the litigation for the trespasser as well as for the Indian. I am not contending that the Indian is right or that he is wrong because I do not know, but as a matter of principle it would seem to me that if the expenses of the Indians' side were paid out of the Indian fund that would be proper. I cannot see any justifiable reason why the expenses of the trespasser should be paid out of the Indian fund as well, because the portion that is paid for this litigation is taken out of the Indian fund and the Indian loses to that extent. It seems scarcely fair to the poor Indian.

Mr. OLIVER. Unfortunately the money is not being taken from the Indian but it is being taken, by this vote, out of the treasury of the Dominion of Canada and the taxpayers who are on one side of the dispute possibly claim that their share of the cost should not be taken to provide counsel and pay the costs for the Indians in trying to oust them from active possession.

Mr. SPROULE. The money that we vote for Indian purposes we are supposed to have got out of the property that we originally got from the Indians. The country was recouped for it and now we are voting it because the Indians are the wards of the government. We are voting money for the cost of litigation where the Indians are on

one side and the trespassers on the other. To vote money to pay both sides is not fair.

Mr. GEO. TAYLOR. The hon. member for East Grey (Mr. Sproule) asked the minister a question which he has not answered yet. Who are the counsel for the Indians in the case?

Mr. OLIVER. Messrs. Wainwright & Davidson are representing the Indians for the department.

Mr. SPROULE. Is the suit entered in the Superior Court of Quebec now?

Mr. OLIVER. The court was sitting yesterday and the day before on that case with Judge Hutchinson presiding.

Mr. SPROULE. It will be appealed from that to the Supreme Court and then to the Judicial Committee of the Privy Council?

Mr. OLIVER. Yes.

Annuity and administration, treaty 9, \$21,200.

Mr. GEO. TAYLOR. There is a decrease.

Mr. OLIVER. That is accounted for by the transfer of the salary of the inspector from the outside service vote to civil government.

Indians, N.S.—relief and seed grain, \$3,200.

Mr. DANIEL. What proportion of this was for seed grain and what for relief?

Mr. OLIVER. There is between \$700 and \$800 for seed grain.

Mr. GEORGE TAYLOR. How many Indians in Nova Scotia?

Mr. OLIVER. 2,129.

Mr. GEORGE TAYLOR. You are asking \$3,000 less than you did a year ago; are there fewer Indians?

Mr. OLIVER. In that year there was a larger expenditure for relief and land was purchased for the Indians at Colchester to the value of \$1,300.

Nova Scotia Indians, medical attendance and medicines, \$3,700.

Mr. RHODES. What services are required from these medical officers?

Mr. OLIVER. They are expected to visit the reserve on the call of the agent or to prescribe and furnish medicines to the Indians if they call at their office.

Mr. RHODES. I do not think there is an Indian reserve in my county.

Mr. OLIVER. There are Indians settled in the county of Cumberland, but there is no Indian reserve in that county.

Mr. RHODES. Is this salary to the medical officer intended to cover the full cost of medical attendance to the Indians in a particular county?