

THE CHAIRMAN: No, That is what I say. The Province of New Brunswick, for instance, was never hampered in dealing with its lands because there were some Indians roaming around who had not yet had their title extinguished by the Dominion.

MR. PLAXTON: I should think so, my Lord.

THE CHAIRMAN: What lands? The Indians have no specific claim to this piece of land or to that; it is a claim to the whole country. They mention a specific piece of land only when they sign a treaty. Then they get a reservation.

MR. BOWMAN: They have no power to sign a caveat.

THE CHAIRMAN: No. They do not admit the Crown's rights.

MR. PLAXTON: As I understand it, in Ontario the Six Nations, for example, had a title or were regarded as having some right which burdened the Crown's title within a certain area of the Province of Ontario. Some other tribe, like the Mohawks, would have a similar interest in some other part of the Province.

THE CHAIRMAN: I know, but did that interest ever prevent the Crown from dealing with the lands?

MR. PLAXTON: It prevented the Crown in the right of the Province from dealing with the land.

THE CHAIRMAN: Did it?

MR. PLAXTON: Oh, yes. The Province could not disturb the Indian title.

THE CHAIRMAN: You mean to say the Dominion could, though?

MR. PLAXTON: But the Dominion could.

THE CHAIRMAN: That is what I say. It did not prevent whoever owned the land from dealing with it.

MR. PLAXTON: It did not prevent the Dominion as having control over the Indians.