

know, and we profit by their ignorance, and we say we will gather them together, and by a vote of a minority of the tribe get them to surrender the reserve, and then we will take for ourselves their personal private property that belong to them under the Manitoba Act. And, we are proud of the achievement and we boast that the white man has been relieved of the Indian. The hon. gentleman from Regina said, in justification of this: There is not a white community in the country that would not be glad to get rid of the Indians in its neighbourhood, and that is given as an absolutely unanswerable conclusive reason for taking the Indians' property. Well, if we are going to do that let us say so, but let us not pretend that we are doing justice to the Indian, let us not pretend that we are administering his affairs justly as his guardians under the law. In the past Canadian parliaments made the law to protect the Indians, but this government has found a way to despoil him of his property in spite of that law. It is absolutely immaterial to me whether the new reserve is better than the old and whether the position of the Indian is improved or not; the great important question that arises is whether, in regard to the Indian or the white man, we Canadians are going to sit quietly by and recognize that the government of this country for the time being has the arbitrary power to deprive a man of his property because the government thinks it is good for him. I register my most energetic protest against such a principle. If the government are right in their proposition that it would be better for the Indian, better for the white man, better for the progress of the country, that the St. Peter's reserve and the private ownership of the Indians in that reserve should disappear, the government had within reach a means towards that end. Why didn't they come to parliament for legislation to authorize them to expropriate the property of these Indians in a lawful and regular way? Why did they not dare to submit to the representatives of the people the question whether or not there was a sufficient public interest at stake to justify special legislation providing for that expropriation. But, they did not dare to do that; they would rather twist the law and violate the law in the hope that people would not find it out. For my part I look upon this as a matter of very much greater importance than its effect on this particular tribe of Indians. Here we have the government standing forth unblushingly and saying: We have taken the Indians' property because he is better without it, and we have given him something for it, something which we knew that so far as he was an individual he would immediately squander, and we have given his tribe something better in the way

Mr. DOHERTY.

of a reserve, and its all right and everything is lovely. I do not say it is proved that this thing may not have been done in that kind of good faith which people claim for themselves when they say: I deprive my neighbour of his rights, but it is all for his own good. I am not here to question that the Minister of the Interior may have thought he was doing this for the Indians' good. It is perhaps true of the minister, but so far as the department is concerned perhaps it is not true. There is a great deal of testimony to the effect that it is not true; there is a great deal of testimony to the effect that the surrender was not only illegally but fraudulently obtained from the Indians. I am willing to give as much credence to the men who deny as to the men who affirm, but I say it is precisely a situation where honest men investigate before they pronounce judgment. When you add to that the manifest illegality of the thing done, and its justification, not because it was legal—nobody cares in the government whether it was legal or not—its justification on the ground that it was better for these Indians to be deprived of their land, I must say that I have difficulty in understanding how hon. gentlemen are going to vote that there is nothing even to look into. I certainly shall vote in favour of an investigation into this matter which upon its face is manifestly illegal, and with regard to the good faith and honesty of which there is to say the very least, most substantial reason for doubt.

Hon. G. E. FOSTER (North Toronto). It would be rather an unusual thing, if after the address we have heard from my hon. friend (Mr. Doherty) there was no attempt on the part of the government to meet the position which he has placed before the House, and which he I am bound to say put with remarkable force and clearness. Is there any answer to the position my hon. friend (Mr. Doherty) has taken and the conclusion to which he has come? If there is we ought to have it. If there is not, how in the world can we sit here and justify it. Does not that appeal to every one of us present, and I noticed that those who are here for the most part paid most particular attention to the speech of my hon. friend (Mr. Doherty).

They have heard his argument, his citation of law, his conclusion. My hon. friend is a man of fine legal training and of excellent legal repute, and it seems to me that his argument and his conclusions ought to call for an explanation on the part of the government, or an attempt at rebuttal of his propositions. That is the least that we could expect in a parliament; are we not to have that? If the position which my hon. friend has taken is tenable, I have never seen a government in a worse position before its own