

structions that had been sent down. Accordingly I gave instructions to the chief preventive officer, and the following messages were sent.

Angus Young,
Customs Officer, North Sydney, N.S.

You are hereby notified that you are suspended from office.

(Sgd.) W. F. Wilson,
Chief Preventive Officer of Customs.

The other telegram sent to Mr. W. N. McDonald read:

The Alert is hereby ordered out of commission from to-day.

(Sgd.) W. F. Wilson,
Chief Preventive Officer of Customs.

I think, therefore, that so far as the Customs Department is concerned, we have done everything we could, as I said before we had no knowledge of the affair from the start.

Mr. MACDONALD: The minister ascertained the fact that there was no object in sending the Alert north for the purpose of preventing smuggling. It was not alleged there were any smugglers.

Mr. REID: I mentioned the other day that I supposed that was the reason, but after getting the papers from the chief officer I see the reason was that a vessel had been fishing within the three-mile limit.

Mr. MACDONALD: Not on account of smuggling on the 20th of December last.

ST. PETER'S INDIAN RESERVE.

On the Orders of the Day being called:

Hon. FRANK OLIVER: I would like to direct the attention of the Minister of the Interior to a paragraph appearing in the morning papers, stating that instructions had been sent to Winnipeg to enter an action in the courts to annul the sale of St. Peter's Indian Reserve. I would be glad if the minister would give the House a short statement for the reason of the action taken, and the purpose intended to be served.

Hon. W. J. ROCHE (Superintendent General of Indian Affairs): I may say in answer, that this has been a very much vexed question. As the hon. member knows, it engaged the attention of Parliament when he was minister, and the validity of the surrender was challenged in the House at that time. The Manitoba Government appointed a Royal Commission to investigate the conditions of the surrender and other matters pertaining to the dis-

posal of St. Peter's Indian reserve. The majority report stated that the surrender was not a legal one on several grounds. There was also a minority report by one member, Judge Myers, who did not agree with his colleagues on the commission. As a result of the majority report, the registrar of the province of Manitoba would not register any titles to the lands disposed of. A deputation waited on me prior to the Christmas holidays, urging me to expedite the settlement of this matter, and after consultation with my colleagues, and especially with the Minister of Justice, it was deemed wise to enter action in the courts of Manitoba to test the validity of the surrender. That action is now in the hands of the Minister of Justice. The article the hon. member refers to is substantially correct.

Mr. OLIVER: What is the case of the Government? Against whom does it enter action?

Mr. ROCHE: That is more a question for my colleague the Minister of Justice, but I may say that it is to find out whether the surrender that was taken on that occasion was a legal surrender. As the Royal Commission had pronounced it an illegal surrender, we thought we would test it in the courts of Manitoba and have a final decision.

Mr. OLIVER: Is the department attacking or defending the surrender?

Sir WILFRID LAURIER: May I ask what is the nature of the action?

Mr. SPEAKER: Perhaps it would be more regular if the questions were put on the Order Paper. The minister would then have time to formulate his answer.

Hon. C. J. DOHERTY (Minister of Justice): I have no objection whatever to answering the question. The action seeks to have the surrender declared null for a variety of reasons; partly because it did not comply with the conditions required by law, and partly by reason of the manner in which it was brought about. But the purpose is to have it declared null.

Sir WILFRID LAURIER: Is it an action by the Attorney General of Canada?

Mr. DOHERTY: Yes.

Mr. A. K. MACLEAN: In the Supreme Court of Canada?

Mr. DOHERTY: The intention is to bring this action before the courts of Manitoba for adjudication upon the ques-