

No. 90127.

Memo.

Department of Indian Affairs,

Ottawa, 26th September, 1904.

The Deputy Supt. General:-

The question of the road across the South-west corner of the St. Peters Reserve, Man., desired by the settlers in and near Clandeboye is one of long standing.

According to the opinion of our late Law Clerk of the 3rd June, 1902, and of the Department of Justice of the 7th August of the same year, the land for the said road allowance may not be taken unless surrendered by the Indians.

The Indians have refused to surrender without compensation. They ask to be paid \$15. per acre for the land and that the Municipalities interested will engage to construct the road, to keep it in repair and to fence it without any cost to the Indians. The number of acres required is about twenty-seven ( at \$15. per acre = \$405. )

The land has in that part of the reserve been laid out in sections. The Indians very reasonably state that the settlers are at liberty to use the road allowances around the sections; but if they require a special road running diagonally across them the Indians should be paid for the land. You will note that the settlers especially desire the diagonal road, as it saves them, as they state, about three miles of distance in going around the corners of the sections. If the settlers desire the road very badly it may be possible to arrive at some reasonable understanding with the Indians, provided the settlers are willing

Indian Affairs. (RG 10, Volume 7738, File 23125-6)

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