

-2-

which would give them \$197.91, each.

Now if the terms of the order were carried out, and on the valuation of real estate and live stock as hereinbefore estimated, if Albert were to take the real estate at a valuation of \$200.00 he would be overpaid to the extent of \$2.19, and would apparently be left without live or other stock wherewith to work the land and without means to purchase any.

Whatever may be thought of the justice of the distribution ordered in 1891 particularly in view of the apparent failure to have consulted Albert, as to taking the real estate as his share, it is clear that the terms of the order have been departed from in essential particulars.

The live stock has been reduced by sales for the maintenance of the widow and all the children and the land and dwelling etc, instead of having been rented for the exclusive benefit of Albert, have been used to contribute towards the benefit of the whole family, while on the other hand the interest on the insurance money has been allowed to accumulate without charge on it for the maintenance of the children.

Under the circumstances the Department does not see its way clear to give effect to the terms of the order without knowing whether Albert is willing to take over the real estate as his share on the terms indicated, and if he is not willing to do so, it will be glad to learn your view and that of the heirs as to what would now constitute the most equitable division of the estate amongst those entitled to it.

When reporting you will be good enough to give a more detailed valuation of the improvements to the real estate, and of the live stock.

As to the widow the Department sincerely trusts
that

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