

making a mountain out of a molehill but you are going to have terrible complications if you find that we put on the statute books an Act which makes Indian private holdings on the reserve subject to legal process. By taking it out of the section of the old Act, and by putting it in by itself in the new form, you may possibly be inviting some lawyer to make a case of it. Now is the time to consider it.

Mr. HATFIELD: We have no good lawyers now.

The CHAIRMAN: Order, order.

Hon. Mr. HARRIS: I grant you there is no specific definition of the words "reserve lands" but there is a definition of the word "reserve".

Mr. APPLEWHAITE: Yes, there is.

Hon. Mr. HARRIS: You would add to the definitions. "Reserve" means "a tract of land, the legal title to which is vested in His Majesty, that has been set apart by His Majesty for the use and benefit of a band."

"Reserve land" would be land situate on that reserve.

Mr. APPLEWHAITE: Yes, something along that line. I am not working for any particular wording but at the end of section 29 there should be something to the effect—"whether in the control of the band or the individual Indian."

Hon. Mr. HARRIS: We had better let that section stand.

Mr. NOSEWORTHY: Does section 29 replace section 23 under the old Act or are all of the provisions of 23 and 109 wiped out?

Hon. Mr. HARRIS: They will be; the old Act will be repealed when this Act is passed.

The CHAIRMAN: Shall section 29 carry?

Carried.

Section 30—Trespass on reserves—penalty for trespass.

30. A person who trespasses on a reserve is guilty of an offence and is liable on summary conviction to a fine not exceeding fifty dollars or to imprisonment for a term not exceeding one month or to both fine and imprisonment.

Mr. MURRAY: Do you consider that penalty is adequate? Most of the trouble on reserves comes from persons who do not belong. To my mind you should make that penalty as stiff as possible, and make it clear that they are not wanted. I do not think that a fine of \$50 is anywhere nearly large enough.

Mr. GIBSON: No, it is only the profit on three bottles of whiskey.

Mr. MURRAY: I think a prison term should be included there. I think it would do a good deal.

Mr. HATFIELD: What rights have a provincial government to issue fishing licences and permits for people to fish streams running through these reserves?

Hon. Mr. HARRIS: A provincial government granting rights on streams?

Mr. HATFIELD: Yes, the streams in the reserves are reserved for the Indians.

Hon. Mr. HARRIS: When did that happen?

Mr. HATFIELD: I am told that it has happened in lots of places.

Hon. Mr. HARRIS: We have the same problem in respect to game and fishing licences throughout the dominion.

Mr. GIBSON: That is a very small fine.

Mr. MURRAY: Yes, and most of it is done by people running in and making money, going in and marauding women, selling liquor to the Indians, and interfering where they have no right to interfere. I think we should do all we can to keep outside people away from these reserves.