

Mr. BLACKMORE: My reason for mentioning the matter, and my own feeling is that it is very important at this stage that the Indian feel that we are doing everything we can to give him protection.

I think that many of them never realized before just how drastic the Indian Act was, and they are a bit terrified to find out what is in the Indian Act.

Hon. Mr. HARRIS: I think that is true.

Mr. BLACKMORE: And if there is anything we can put in there to allay their anxieties, I think it would be a good thing to do, even though it would mean no change in policy from that which has been followed previously.

Hon. Mr. HARRIS: After the policy has been agreed on, I think we should uphold it, and I think we should point out to the Indian that we have increased interest in the Indian Act by additional publicity. For years he has been living under the Indian Act and he hasn't known that it did look rather hard. So we should remind him of his advantages and the fact that the powers are not exercised in an arbitrary manner.

Mr. BLACKMORE: Yes, Mr. Chairman, and no doubt we should remind them that the Act will be subject to revision after two years.

The CHAIRMAN: Does the section carry?

Carried.

Hon. Mr. HARRIS: Section 29.

29. Reserve lands are not subject to seizure under legal process.

Is Mr. Hatfield here? On section 28, before I leave it, Mr. Hatfield raised the question of the Tobique water system. He asserted there were certain things done there and I wish to reply.

On August 10, 1948, the Chief and councillors of the Tobique band, by resolution, requested the department to use up to \$10,000 of their band funds for the purpose of assisting in the establishment of a suitable domestic water system for their reserve, which would include as well the necessary fire protection. Authority was secured in 1949-50 to proceed with the construction of the system, the total cost of which was \$32,177. Of this amount, \$9,761.04 was paid from band funds and the balance, \$22,415.96 was provided from Parliamentary Appropriation.

Now, on Section 29. Mr. Applewhaite raised the question whether these words would be sufficiently inclusive to cover all kinds of land held by an Indian in possession or in the right of the reserve. This opinion has been given me by Mr. Varcoe.

The CHAIRMAN: Mr. Varcoe is deputy minister of Justice.

Hon. Mr. HARRIS: Yes. His opinion is in the form of a letter which reads as follows:

Dear Sir:

I understand that the committee on the Indian Bill wishes to have an opinion from me as to whether the expression "reserve lands" in clause 29 of the Bill includes lands in the possession of an individual Indian and with respect to which a certificate of possession has been issued.

In my opinion the answer is in the affirmative.

Mr. APPLEWHAITE: Mr. Chairman, I do not think this committee necessarily must always accept the opinion of Justice as to the Act. If it should do so, perhaps there would not be much point to our sitting here. In view of the fact that prevention against seizure under legal process was specifically mentioned in this section dealing with the issue of certificates of possession, and that since we have added section 87 to this Act, which states that an Indian is subject,