

MR. MURRAY: That does not mean fencing in all these reserves, does it? Now that you are surveying them and putting a new value on them, will you not have to put fences around them?

HON. MR. HARRIS: The Fort Alexander Catholic Association of Pine Falls, Manitoba, thought this was a good section under which to request all-weather roads to be maintained by the government. The Indians of The Pas agreed to this section. The Band Council of the Abenakis of St. Francis, Pierreville, Quebec, was opposed to it. The Blackfoot Band Council in Alberta opposed the first section without the consent of council; and they objected to subsection (1) on the grounds that the consent of the band council should be required; and as to subsection (2), they rejected it entirely. The Oka Band Council thought that these provisions should be deleted because the roads in Oka are maintained by the municipality and operation of the provision would cause friction.

It does happen to be the case that municipalities do operate roads there, so we would not want to try to insist on the Indians operating them. So the objection does not apply.

MR. HARKNESS: In connection with that, you mentioned the Blackfoot objection to clause (1) particularly. I can well understand that, because there is a road about 15 miles long which cuts right through their reserve. That road is used primarily by white people, and it does not seem reasonable that the reserve should have to maintain that road at their own expense. I do not know whether or not they do, but I would take it that if the Blackfoot Band Council objected to it, that possibly that is the situation.

There is a considerable number of other reserves in Alberta at least through which roads are cut, roads which are really for the convenience of white people. And it certainly is not a reasonable proposition that band funds should be called upon to maintain those roads.

HON. MR. HARRIS: Is this a provincial road?

MR. HARKNESS: I do not know what kind of road it is. I have been over it two or three times, but I do not know who maintains it.

HON. MR. HARRIS: Wherever there is a road which is a municipal road and it is on a reserve, a special arrangement is made with the provincial government. This applies to reserve roads in normal use which are on Indian reserves.

MR. HARKNESS: I do not know that Indians in Alberta have objected to this clause on the ground that they are being forced to maintain out of band funds roads which are primarily for the use of white people, and which make it more convenient for white people to pass through the reserve instead of going around it.

HON. MR. HARRIS: You cannot establish a road through a reserve without a surrender in the first instance by the band. I know that there have been many arguments about this. Every band that sends in a resolution along that line would have you believe that they did not use the road themselves at all and that it was only non-Indians used the road in going around the reserve.

Where a provincial highway goes through an Indian reserve, you first have to obtain a permit from the band. But this applies to a road in common use on the reserve.

It would be a strange situation, I should think, if the people in a community would not be responsible for the maintenance of their roads.

MR. HARKNESS: Roads which are primarily for their own use, well and good. But what I am talking about is roads which run through the Blackfoot reserve. It may be that the provincial government maintains that road but I do not know. There is another one at Hobbema where the same situation prevails and I have heard the same sort of complaints about it.