

the provincial government. There is a danger, I think, in view of the provisions that when cattle stray on to Indian reserves the owner is liable to be penalized. I am putting forward here a request that was made to me that perhaps the Indian lands should be brought under the same provision as other lands and that some obligation to fence Indian lands should be made and then if cattle trespass on the reserve the liability of the owner would be incontestable. Now, I must say, though, that it has been pointed out to me that this matter has been treated, has been looked at fairly and so far as my correspondents are aware, no unfair liability has been imposed on the owners of cattle as a result, because the departmental officials have administered that section in a sane and sensible manner; but there is grave concern on the part of the Cattle-men's Association that at some future time that practice might not continue and they think they might find themselves in a bad position. I would like to hear from the minister—that is why I raise the question—as to whether cattle trespassing would come under a special section of the Act or whether it would be under the general section with regard to trespassing.

Mr. WOOD: Did you say the provincial government charges rent for pasture?

Mr. FULTON: Yes, so much a head for having the right to graze their cattle.

Mr. WOOD: Our experience in grazing land in Manitoba operates in this way; they fence their grazing land and they have no troubles there at all. Our experience with regard to grazing land in Manitoba is that they have their land all fenced and they charge so much for grazing.

Mr. FULTON: There is a good deal to be said on both sides but I would like the minister to make a reply, to say what the department's decision in that respect has been, because I know that has been brought to the attention of the department.

Hon. Mr. HARRIS: Yes, it has been drawn to our attention since I became minister. It should be borne in mind that the Indian pays the licence fee to the provincial government as well as the non-Indian, and that it is not possible to contemplate fencing Indian reserves. We can, in some cases, induce them to aid in the expenditure for building fences where there is a real need, having in mind the possibilities of trespass, but generally speaking it just is not possible to look forward to fencing these many reserves, particularly, in British Columbia. We have also pointed out, of course, that there have been no prosecutions of any non-Indian for his cattle straying on Indian land.

Mr. FULTON: On fenced Indian lands.

Hon. Mr. HARRIS: Yes; this is not to suggest that there have not been trespasses, but they have been adjusted by agreement between the parties. Nevertheless, we think it would be unfair to the Indian bands to expect them to go to that very great expense, because the non-Indian ranchman is aware of the limits of the reserves and should be on his guard to see that his cattle do not trespass on Indian lands. Now, I only conclude by saying that negotiations are often conducted in the best of spirits and these things have not given rise to anything like the difficulty they might.

Mr. FULTON: It appears to me there is more concern for the future rather than as the result of past experience. Your answer, then, would be you still feel that would be taken care of by the administration by good sense rather than by a change of the Act and a stipulation with regard to fencing?

Hon. Mr. HARRIS: Yes.

The CHAIRMAN: Shall the preamble carry?

Carried.

Shall the title carry?

Carried.