

discussing, it was an impediment to the development of the city; it was an eyesore, as everybody in that part of British Columbia knows, and had to be removed. The Indians took no advantage of the immense benefits they could have derived from that reserve, but it took years to persuade them to surrender it. As I understand the matter, one of the conditions of surrender was that the money should be paid to themselves instead of to the Superintendent General of Indian Affairs. My hon. friend (Mr. Oliver) and the Government of British Columbia agreed to that condition, although he says: I did not know whether we should have consented to that; we had our doubts at the time as to the advisability of this step. But the city was so anxious to have the matter settled that the two governments agree to the payment direct to the Indians, with the result that the money was practically squandered, with no benefit to the Indians. My hon. friend endeavoured to impress upon the Government the necessity of taking very great precautions in dealing with the Indians, who unfortunately are and must remain wards of the nation. So far as I can see, there is only one proper way of dealing with such payments: the money should be paid to the Superintendent General of Indian Affairs for the benefit of the Indians. Of course, when the Indians are enfranchised they have a right to share in the money, but so long as they are not enfranchised the money should be paid in trust to the Superintendent General of Indian Affairs for the benefit of the tribe. We do not condemn the Government, for, as I understand it, the transaction is not yet completed; but the Government should be put on its guard and impressed with the necessity of seeing that the whole case is thoroughly looked into before the transfer is finally consummated by the consent of the Superintendent General of Indian Affairs.

Hon. ROBERT ROGERS (Minister of Public Works): I do not rise for the purpose of offering any opinion, so far at least as the legal aspect of the matter is concerned, as against the argument made by my right hon. friend in respect to the position taken by the province of British Columbia and the position occupied by the Government of the Dominion of Canada and the Department of Indian Affairs. My hon. friend undertakes to say that the commission to which my right hon. friend the leader of the Government referred will have nothing whatever to do with this particular case. I would like to read to my right hon. friend the opinion of the Deputy Minister of Justice on this very point, dated April 22, 1913:

Sir WILFRID LAURIER.

Sir: I have the honour to acknowledge the receipt of your letter of the 7th instant.—28835/2—in which my advice is asked as to the title to the Kitsilano or False Creek Indian reserve, and as to whether there is any reversionary interest in the province and, if so, whether it applies to the whole reserve, and whether such reserve comes within the scope of the inquiry to be made by the British Columbia Reserve Commission.

I beg to state that the reserve referred to comes within the scope of the commission which has been recently appointed for the purpose of having all differences between the governments of the Dominion and the province respecting Indian lands and Indian affairs settled, and in view of this it may be unnecessary to express any opinion as to whether the province is entitled to the reversion since the question of title, which may be a difficult one, would be set at rest by the action of the commission, pursuant to the agreement.

I have the honour to be, Sir,
Your obedient servant,
E. L. Newcombe.

Sir WILFRID LAURIER: That is not the point; the question is whether the payment is adequate.

Mr. ROGERS: That is a matter which the Department of Indian Affairs, as I understand it, have not yet had an opportunity of considering. I do not know that I have any explanation to offer as to the newspaper clippings read by my hon. friend the member for Edmonton containing the statements attributed to the Attorney General of the province of British Columbia. I would not like to deal with any statements published in the newspapers as being authoritative in regard to any important transaction such as this, and from what I know of the Attorney General of the province of British Columbia, I cannot believe that he would be guilty of making the statements attributed to him in the clippings read by my hon. friend the member for Edmonton. Reference has been made to the Songhee reserve, which was dealt with by hon. gentlemen opposite during their term of office. I gather from an examination of the records that the Attorney General of the province of British Columbia is, in this case, probably following the methods adopted by himself and the late Government in dealing with this particular reserve. My right hon. friend the leader of the Opposition has referred to the fact that an Indian reserve in a town or city like Vancouver or Victoria is undoubtedly a blemish to the city and an obstruction to its progress and development. It was felt a few years ago that the Songhee reserve was undoubtedly a blemish to the city of Victoria, and an effort was made to have the matter set at rest and settled. And what course was followed? What position did hon. gentle-