

The reason for limiting it was at the request of the Indians—that there should be only a very limited emergency power in the minister, and that the authority would extend under those circumstances only for one year.

As I say, and as Mr. Hatfield has pointed out, there are provisions for the use of land with the consent of the band council. This is to cover the case where the band council is not available at that particular time.

Mr. BLACKMORE: As I read the subsection it looks to me as though the minister, if he so desired or so chose, could grant permission for one year, and then at the end of that year, strictly in accordance with the wording of the subsection, he could grant permission for another year; because there is no statement in subsection (2) to the effect that at the end of the first year he would have to obtain permission before granting a permit for a further year.

Hon. Mr. HARRIS: Well, that may be true if you read it that way, but the power which you would exercise at that time would be no more arbitrary than the decision to grant the permit in the first place.

Mr. BLACKMORE: If you chose to exercise that arbitrary power the first, second, third and fourth year, there is nothing in the Act to prevent the minister from so doing, so far as I can see.

Hon. Mr. HARRIS: If you would consider it desirable and in the interests of the Indian to insert a clause to the effect that any person who has been granted a permit for one year shall not obtain a permit in future—

Mr. BLACKMORE: Without permission of the band. There might be permission by the minister for the first year and then have it definitely stated that in order to obtain the permit another year there would have to be consent of the band.

Hon. Mr. HARRIS: We can consider that and perhaps leave the subsection stand now.

Mr. APPLEWHAITE: Is it not a fact that if permission were granted for a year and then if it were granted at the end of that year for another year, the second granting would be in contravention of the Act, because the Act says: "not exceeding one year".

The CHAIRMAN: This is further permission.

Mr. CHARLTON: Each permit would be just for one year.

Mr. APPLEWHAITE: I do not think so.

Mr. HATFIELD: I think there should be something in there to protect the rights of the band. I know of a reserve in my constituency where years ago, not under this director, but years ago the political friends of both governments went in and cut lumber on that reserve until they cleaned the lumber off it. There should be some protection for the Indian band or the Indian reserve. The government let their political friends go in and cut lumber on the reserve.

Hon. Mr. HARRIS: That has not been done for a good many years.

The CHAIRMAN: We stopped that.

Mr. HATFIELD: It has not been done since I have been in parliament but I have known it to happen. When I first came up here in 1940 there was a man in there lumbering and why he was allowed I do not know. The Indian chief came to me about it and I found out that the man was in there and had been for years before that. Both governments, or both parties had allowed that to be done. They had allowed their friends to go in there and they sold off the reserve until there was practically nothing left on the reserve. There is not enough wood for the Indians on the reserve. It has been all trimmed off by friends of different governments. I do not say that is true of the present government, but it was years ago.