

(ii) a special meeting of the band called by the Minister for the purpose of considering a proposed surrender, and

(c) it is accepted by the Governor in Council.

(2) Where a majority of the electors of a band did not vote at a meeting called pursuant to subsection one of this section or pursuant to section fifty-one of the *Indian Act*, chapter ninety-eight of the Revised Statutes of Canada, 1927, the Minister may, if the proposed surrender was assented to by a majority of the electors who did vote, call another meeting by giving thirty days' notice thereof.

(3) Where a meeting is called pursuant to subsection two and the proposed surrender is assented to at the meeting by a majority of the members voting, the surrender shall be deemed, for the purpose of this section, to have been assented to by a majority of the electors of the band.

(4) The Minister may, at the request of the council of the band or whenever he considers it advisable, order that a vote at any meeting under this section shall be by secret ballot.

(5) Every meeting under this section shall be held in the presence of the superintendent or some other officer of the Department designated by the Minister.

Section 39(1)?

Mr. GIBSON: Has there been any objection to that clause?

Hon. Mr. HARRIS: There were two or three letters which said no decision should be reached unless a majority of the electors are present, but we have provided that.

The CHAIRMAN: Subclause (1)?

Carried.

Subclause (2)?

Carried.

Subclause (3)?

Carried.

Subclause (4)?

Carried.

Subclause (5)?

Mr. HARKNESS: In connection with all of these sections the situation comes down to this does it not? If you have got a band which refuses, we will say, to come to a meeting to vote on this question, and there are some bands I understand which take that attitude, it means that as long as you get anybody there—even though it may be five people out of 500—if three vote in favour of it you can still sell the land?

Hon. Mr. HARRIS: On a second vote.

Mr. GIBSON: It says "may", does that mean "shall"?

Hon. Mr. HARRIS: Not necessarily, but I should not think any minister would use the power under those conditions.

Mr. HARKNESS: I think some of the Six Nations Indians have at times refused to attend meetings for certain purposes. I believe some other bands have too, and I think there should be some protection for them even if they take that attitude which is contrary to the attitude we think they should take.

Hon. Mr. HARRIS: Are you serious about that?

Mr. HARKNESS: I am.

Hon. Mr. HARRIS: Are you not building up a state of mind for the Indian of which no one at this table approves?