

who has a grudge against him, the hotel-keeper or grocery dealer in intoxicants may become liable, as they were in the cases I have referred to, for a sum that would almost ruin his business. We are not certain always to have such an indulgent prime minister as we have at present, and it might happen that under different circumstances parties would be disposed to pay a very large fine indeed. It seems to me, therefore, that the amendment suggested is one that will commend itself to the House. There are three conditions required to safeguard the party who is acting in good faith. The party to whom he sold must be a half-breed, and I think anybody from the province of Quebec will bear me out, when I say that it is impossible to distinguish half-breeds, or those who are not full-blooded Indians, from white men. In fact, at Lachine we have a number of Italian workmen and others from the eastern parts of Europe, who look infinitely more like Indians than do these half-breeds, who in many cases are fair and not dark. There must be good faith and absence of knowledge on the part of the party who sold, and he must prove to the judge that he has taken absolutely every precaution to prevent an occurrence like the one which gave rise to the difficulties in the cases I have referred to.

Mr. W. JACKSON (West Elgin). Mr. Speaker, having looked over the remarks of the hon. member for Jacques-Cartier in introducing this Bill, I wish to say that we have the same condition of things in Ontario that he refers to as existing in the province of Quebec. The Indians on the reservation alongside the constituency which I represent work outside of the reservation in the same manner as he says the Indians do in the province of Quebec, and they are good citizens while they are sober. I do not know whether they are half-breeds, quarter-breeds or three-quarter breeds, but I will say this, that they want whiskey, whether they have one per cent of Indian blood or ninety-nine per cent, and when they get whiskey in them, they are fiends. Therefore I think this parliament should hesitate before it extends any privileges which will cause the Indians to be worse citizens than they are to-day.

Hon. FRANK OLIVER (Minister of the Interior). Mr. Speaker, charged with the administration of the Indian Act, and with the conduct of Indian affairs in the country, I must say that I cannot agree with the suggested amendment of the hon. member for Jacques-Cartier (Mr. Monk). There is nothing that requires to be more carefully guarded, in the interest not only of the Indian, but of those who live in the vicinity of Indians, than the sale of liquor to Indians. This is a necessity, not only because of the natural racial disposition of the Indian or person of Indian blood, but also because of the different legal status of the

Indian from that of the ordinary citizen of the country. It has always been recognized under all circumstances and all conditions, that the possession of liquor by an Indian was a danger, and that the placing of that liquor in his possession was an offence which should be visited with severe penalties, and that, in dealing with it, the burden of proof should be placed on the giver of the liquor rather than upon the receiver of it. There may be cases of hardship under the law as it is at present. Cases of hardship arise under any possible law and with any possible administration. Very clever arguments may be made and a very plausible case may be set up to show that a change in the law would be proper; but I am satisfied that the experience not only of recent years, but of all the years since white men have had to deal with Indians on this continent, bears out the idea embodied in the law as it is at present, that there should be the greatest stringency in dealing with liquor so far as Indians are concerned. If I read the amendment of my hon. friend correctly, it would be absolutely impossible to enforce the law against the sale of liquors in any degree if that amendment were accepted. The difficulty of proving that one who is recognized as an Indian is not in some degree or to some extent of white blood would make it impossible to effectively enforce the prevention of the sale of liquor to Indians if my hon. friend's proposal were adopted.

We must presume that those who are charged with the administration of the law will administer it with due regard to all the circumstances and conditions, and that although the letter of the law may require the infliction of certain pains and penalties in certain cases, yet if there are extenuating circumstances these will be given due weight by the magistrate. The administration of the law is necessarily the expression of public opinion, and I would ask the House to consider the necessity, in the case of a law which applies not only to the Indians or half-breeds at Lachine but necessarily to the Indians in all Canada from the Atlantic to the Pacific, for exercising the greatest care and strictness in dealing with the sale of liquor to Indians and to trust to common sense and good judgment, and the expression of fair minded public opinion for the protection of all legitimate interest on the part of magistrates and judges.

I beg to move that the said Bill be not now read the second time but be read the second time this day six months.

Mr. SPROULE. It would be only courteous to ask the hon. member to withdraw it after this declaration by the government.

Mr. A. B. INGRAM (Elgin). Since this Bill has been discussed I have taken the pains to go through the report of the department of Indian Affairs, especially that por-