

terms of the surrender and as allowed by law.

6. I did not use the words attributed to me by Mr. Bradbury, namely: 'I have \$5,000 here in my satchel; if you vote for this surrender to-night I will distribute the \$5,000 among you; if you do not vote for the surrender I will take my bag and go home and you won't get a cent.'

7. During the discussion of the clause of the surrender referring to the advance of the sum of \$5,000, I was asked by some one if this sum would be distributed among the Indians if they did not surrender. To this I replied that this could not be done, as this sum could only be paid on a surrender being given in accordance with the terms of the document providing for the surrender.

FRANK PEDLEY.

Sworn before me at Ottawa, in the county of Carleton, this 22nd March, A.D. 1911.—Wm. Graham, a commissioner, &c.

There is one point to which I intended to refer, and I will take a minute to do it—the question whether the surrender was legal or not; the question whether you require for a surrender a majority of the Indians living on the reserve and entitled to vote, or a majority of those at the meeting and entitled to vote. I have made some inquiry since six o'clock, and I am informed that the opinion of the department is that all that is necessary is a majority of the men of the band present at the meeting and entitled to vote, and that in every surrender dealt with by the department, that has been the practice. The section referring to the matter is section 49, as follows:

Except as in this part otherwise provided, no release or surrender of a reserve, or a portion of a reserve, held for the use of the Indians of any band, or of any individual Indian, shall be valid or binding unless the release or surrender shall be assented to by a majority of the male members of the band of the full age of twenty-one years, at a meeting or council thereof summoned for that purpose, according to the rules of the band.

Surely that applies to a smaller number than a majority of the voters of a band. However, I am informed that it is the opinion of the Justice Department that it is a perfectly legal way to deal with the acres farther north in Manitoba and that surrender, and in my opinion the section means a majority of those present at the meeting and entitled to vote; if otherwise, the words at the meeting have no force or effect.

Mr. C. J. DOHERTY (St. Anne, Montreal). It is not my purpose to detain the House with any lengthy discussion of the questions that arise upon this motion. I do not know that I would have intervened in the debate at all if it had not been for the magnificent indifference the Minister of the Interior (Mr. Oliver) this afternoon

Mr. MARTIN (Regina).

exhibited as to what the law might be governing the rights of these wards of his. He told us that he did not know whether this surrender was legal or illegal, and it is a perfectly fair inference that he did not care whether it was legal or illegal, since he told us that he had not even taken the trouble to consult the Department of Justice. I have to congratulate the hon. member for Regina (Mr. Martin) upon caring more about the legality of this transaction than the Minister of the Interior, for he tells us that, at all events, since six o'clock this evening, he did take the trouble to ask the Department of Justice its opinion of the legality of this surrender. And he tells us that, after the mature deliberation which the Department of Justice, of course, gave the question—a question of some little importance—between the moment when it was consulted and eight o'clock the department gave him the opinion that this surrender was perfectly legal, and therefore he is perfectly satisfied.

Now, I am not going into the question of the facts; I am not going to discuss the very contradictory evidence that has been put before the House upon the facts, except that on this latter point I have just one thing to say; and what I have to say is so obvious that it seems to me I should almost apologize for saying it. We have most absolutely contradictory evidence as to the circumstances under which this surrender was obtained. We have the evidence of people who, until something is shown to the contrary, ought to be considered as credible—large numbers of people—that false representations were made to induce this surrender; and we have the denial on oath of the persons to whom these false representations are imputed. In that state of affairs, the hon. member for Selkirk (Mr. Bradbury) says: This is a matter that ought to be investigated. And the answer of the government is: Why, the evidence is contradictory; therefore you should not investigate. If there could be a conclusive argument why you should investigate, it is to be found precisely in that. If there were no contradiction there would be no need of investigation; but the fact that this House is in the position of having before it absolutely contradictory statements with regard to the facts concerning this very important matter is precisely the conclusive reason why this House ought to investigate,—unless this House in regard to the facts, indulges in the same happy disposition as shown by the minister (Mr. Oliver) this afternoon, with regard to the law, and does not know and does not care what those facts are. But, as I stated, I would not have intervened in this debate if it had not been for the absolute indifference—I do not think