

any treaty which would be violated by such an act.

The honourable gentleman inquires what would happen to the share of an Indian, enfranchised under this section, in the capital funds of the band.

Hon. Mr. DANDURAND: And in the land belonging to the reserve upon which he has lived.

Right Hon. Mr. MEIGHEN: The honourable gentleman will find all that is taken care of in the Indian Act. It is provided that the interest of an Indian in the common assets is preserved to him upon his enfranchisement; that nothing is sacrificed by the individual who becomes enfranchised. I cannot state the exact terms of the Act, but I can assure the honourable gentleman that as it now stands it provides that when an Indian sets out and becomes one of the rank and file of Canadians he gets all that he is entitled to in the assets of the band to which he belonged.

Hon. Mr. DANDURAND: Is he supposed to leave the reserve on enfranchisement?

Right Hon. Mr. MEIGHEN: Yes, I think so. I fancy that most of the men entitled to enfranchisement are not on reserves now. There are a great many Indians in Canada who do not live on reserves. For instance, there is a colony at File Hills.

Hon. Mr. GRIESBACH: Are they Treaty Indians?

Right Hon. Mr. MEIGHEN: Yes.

Hon. Mr. GRIESBACH: Why are they not on a reserve?

Right Hon. Mr. MEIGHEN: Because they are farming on their own account. Some of them have been farming for twenty or twenty-five years. They are pretty successful farmers too, if there is such a class these days; in any event, they were successful when times were better. I am not speaking with finality when I say that Indians must leave the reserve on enfranchisement, but I think that this step is usually taken first by most of them who become enfranchised.

Hon. Mr. DANDURAND: I should not see any difficulty with respect to this section if it provided for the enfranchisement of only those Indians who have left the reserves or leave in the future. But it seems to me there is trouble ahead if the department investigates the qualifications or attainments of groups of Indians and decides to act upon its right to force a certain number of them to abandon their communal life. There is much to be said in favour of gradually absorbing these people into Canadian citizen-

ship, but I fear the results would be unfortunate if the Superintendent intervened in reserves and forced considerable numbers of Indians to leave the places where they were born and have always lived.

Right Hon. Mr. MEIGHEN: I do not think this section would have the effect of forcing them out of the reserves. My opinion is that most of the Indians who have shown qualifications for enfranchisement are already living outside the reserves or have outside interests.

Hon. Mr. GILLIS: In the neighbourhood of the district where I live there are a considerable number of Indians who appear to have a certain area of land assigned to them. If any of them are enfranchised, can they continue to occupy those lands, or can they get title to them as citizens of Canada?

Right Hon. Mr. MEIGHEN: Oh, yes. I am sorry that I have not the text of the Indian Act before me, but any Indian who is enfranchised gets his share of the land.

Hon. Mr. GILLIS: On the reserve?

Right Hon. Mr. MEIGHEN: Yes, I think he gets it on the reserve, which is the only place where most Indians have any property rights. Or perhaps he would have some property purchased for him elsewhere to compensate him for the share to which he is entitled. I am certain he gets his full share of the common assets.

Hon. Mr. GRIESBACH: Can an enfranchised Indian sue and be sued?

Right Hon. Mr. MEIGHEN: Yes.

Hon. Mr. GRIESBACH: But if he lives on a reserve, how is it possible to enforce a judgment against him?

Right Hon. Mr. MEIGHEN: Of course, any property to which he is given the title is his, whether it was formerly part of a reserve or not. One of the objects of enfranchisement is to enable an Indian to sue and be sued. An unenfranchised Indian may commit fraud—and he is intelligent enough to know how to do it—but he cannot be sued. Nor can he sue anyone against whom he has a grievance or claim.

I do not know why any man who has, through generations of racial improvement, become the equal of the average citizen in point of capacity and ability to fight his way in life, should be coddled and treated as a mere ward, even if he wants to be so treated.