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Ottawa, March 2, 1908.

Sir,-

In reply to your letter of the 28th ultimo, reporting the result of proceedings instituted against Wm. Duncan and Levi White for unlawful cutting of timber on the Reserve, I have to inform you that the plea submitted by Levi White, namely:- that he had the right under written agreement to remove logs from the farm he has rented from another Indian for repairs on the farm, does not appear to be sufficient authority to warrant either his action or the decision made, inasmuch as an Indian does not possess the right to lease his location to others without the sanction of the Department, and although an Indian has the right to cut on his own location, he cannot subrogate another Indian to act for him without the consent of the Band and approval of the Superintendent General, which section 128 of the Indian Act specifically enacts.

I have, therefore, to ask you to have the matter reconsidered and to furnish a full report of the agreement, giving the names, dates, terms, etc., as specified therein.

In the matter of Wm. J. Hill's permit, I have to state that all permits expire on the 30th of April next after issue, but if you are satisfied that he has spoken the truth and that he had not previously cut the quantity

Gordon J. Smith, Esq.,
Indian Superintendent,
Brantford, Ont.

Dept. of Indian & Northern Affairs, Letterbook,
17 February 1908 - 9 March 1908, (R.G. 10, Volume 5192)

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