

through the hands of the agent, it will be the business of the agent to see that the order is paid. But if it should be that the Indian has no money passing through the agent's hands, it would not be possible for the agent to make the payment, and of course in that case the government would refuse to take the responsibility.

Mr. LAKE. Then I understand from the minister that it is the duty of the agent to take it from the annuity of the Indian?

Mr. OLIVER. No, the agent has no right to stop the annuity, but he can take any money earned by the Indian or obtained from the sale of his produce.

Mr. LAKE. Or from the sale of his land?

Mr. OLIVER. No, the Indian cannot sell any land.

Mr. LAKE. I understand that, but portions of the reserve are occasionally sold by the department on it being surrendered by the Indians, and a certain portion of the money received from these sales is, I understand, distributed to the Indians themselves. I have had some accounts put into my hand, two of which have written across them: 'to be paid from land moneys.' Am I to understand from the minister that the agent cannot stop any of these moneys?

Mr. OLIVER. No, he cannot. When the agent gives orders, he is presumed to have knowledge or belief that the Indian will, at the proper time, have money available to pay the debt, by reason of earning wages or selling produce or stock of his own. The agent has the right to stop that money from going to the Indian, and to pay it to the person who presents the order; but he has no authority to stop annuity money or money accruing from the sale of Indian lands from being paid to the Indian and to pay it to the creditor, except on the order of the Indian. The Indian may order the agent to pay his annuity to the creditor or money coming from the sale of the land to the creditor, but the agent has no authority to take their annuity money, or land money, and pay it to creditors, even though the agent gets an authorization from the Indian who incurred the debt.

Mr. LAKE. There must be many cases in which the money the Indian is to receive for the sale of his produce or his work will not pass through the agent's hand at all. No money coming to them ever passes through the agent's hand. Then if an agent has any order in a case of that sort, all he can do is to exert a moral pressure upon the Indian, he cannot force him in any way to pay the money. In cases of that sort, I should consider it inadvisable that the agent should give orders at all.

Mr. OLIVER. I am stating the actual position, not as a matter of policy, but as

Mr. OLIVER.

a matter of legal right. Of course an agent, in giving orders or authorization, should be sure that the Indian would be both able and willing to pay, or he should not give the order. If it should be within my hon. friend's knowledge that many such orders have been given and are not being paid, by any particular agents, it would be an occasion for us to take the agent to task.

Mr. ALEX. HAGGART. On this item of implements, tools, &c., I find that \$68,000 worth of implements and tools were distributed amongst these twenty agencies in Manitoba and the Northwest. Is there any general instructions given to the agents as to where they shall purchase these tools and instruments? Can the agent buy when and where he likes, and give such prices as he likes?

Mr. OLIVER. The garden seeds are bought in bulk by tender by the department here, but the implements are bought by the local agent, and their orders are to buy at the lowest trade prices.

Mr. BARR. Are tenders asked for these implements?

Mr. OLIVER. No, not as a rule. The implements are sold at the standard price. Throughout so large an extent of territory the price may vary according to locality.

Seeds, field and garden, \$2,177.

Mr. ROCHE. While I notice there is a considerable decrease in this item from last year, from \$11,000 down to \$2,000 odd, still, after so many years of voting seed supplies, even garden seeds, is it a fact that none of these reserves are self-sustaining, and that after getting government assistance for so many years, they cannot even produce their own garden and field seeds?

Mr. OLIVER. There is a vast extent of territory and a great variety of conditions. Some of the reservations are able to provide their own seed, and some are not. The reason for the large purchase last year was of course the general crop conditions which affected some of the Indian reservations as well as other localities. This year that condition does not exist, therefore we ask for a much smaller vote. The reserves which require assistance to supply seed during the coming year are what might be called the outside points, which are on the verge of cultivation, Norway House, Fort Francis, Clandeboye. There is wanted at Birtle 200 bushels of oats, at Portage la Prairie, garden seeds to the amount of \$5; at Clandeboye, \$35 for garden seeds and 150 bushels of potatoes.

Mr. ROCHE. The minister says oats are wanted at Birtle. I presume he means the Birtle agency. That I think consists of several reserves; they are in my own con-