

Mr. APPLEWHAITE: That section to some extent is a repetition of the old section 34 in the original Act. In the old section 34 you included after the word "reside" "or hunt". Why has it been dropped?

Hon. Mr. HARRIS: There was a protest from Indians who felt that the one thing which perhaps most people wanted to do on a reserve was to hunt temporarily. So it was felt that we should meet their wishes.

Mr. APPLEWHAITE: You are satisfied then in not including the word "hunt" in the section. The right to give that authority no longer exists.

Hon. Mr. HARRIS: The band councils, of course, intervened and ask us to grant a permit, because they make a revenue from this activity.

The CHAIRMAN: Shall subsection 1 carry?

Mr. HARKNESS: The purpose of this is essentially, as I understand it, so that you can permit public works to be constructed—or something along that line.

Hon. Mr. HARRIS: That is right.

Mr. HARKNESS: Under the section, as I see it, you would be perfectly in order to give a neighbouring rancher the right to run his cattle on the reserve and use it in that way—and that is a matter that is a fairly hot question particularly on the Sarcee reserve. There are a lot of people who are constantly attempting to run cattle on the reserve.

Hon. Mr. HARRIS: I doubt if leasing land for cattle grazing is within the interpretation of the expression "exercising any right". That is a user of land. The rights here are something less than that—rights of way, occupation by construction gangs for roads, hydro lines, and so on; things that are of a temporary nature.

Mr. HARKNESS: But this use of the words "use a reserve" would enable anyone of whom you approved to run cattle on the reserve?

Hon. Mr. HARRIS: I can assure you I am not likely to do that.

Mr. HARKNESS: I am not saying you are, but I am just wondering if something should perhaps not be put in there—"for the purpose of constructing public works—"

Hon. Mr. HARRIS: We thought of that and we discussed it at the conference. We found it difficult to define public works. In addition to public works there are a number of other things; there is the question of right of way for logging camps through a reserve. The Indians do not object to that particularly but it would be only for the period when they were taking logs out under that direct right. There are a number of easements of that kind and we felt that we could not describe it so accurately that we would be right and not omit anything we should have included. The grazing of cattle comes under agricultural pursuits later on, but I should think that reading the sections together you would conclude that we have provided for the lease of land there and we have not provided for it in this section.

Mr. BLACKMORE: Suppose the minister granted permission for the construction of a reservoir that would affect an Indian reservation? Suppose he granted it for one year, he would not be permitted to grant it for more than one year?

Hon. Mr. HARRIS: The time limit is provided so that the minister will find the band council and get their consent to that activity in the meantime.

Mr. BLACKMORE: In other words he would not feel free at all, or feel entitled to grant the permit for the construction of a reservoir on a reservation because he would still have to get the consent of a band.

Hon. Mr. HARRIS: If it is a long term project of that kind, the chances are the minister would not grant the permit. He would go to quite extreme measures to get in touch with the council first.