

254,007, - 32

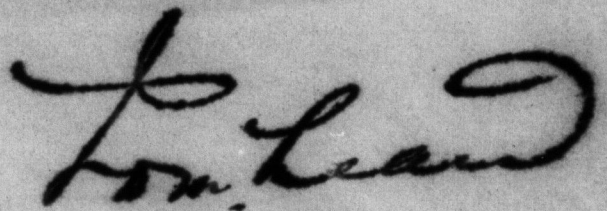
Ottawa, 30th. January, 1908.

Sir:-

I have the honour to acknowledge the receipt of your letter of 24th. instant and in reply to inform you that as stated in Department's letter of even number of 20th. ultimo the only jurisdiction the Department possesses with relation to cases of wife desertion is that vested in it by Section 92 of the Indian Act, and consequently until it be proved to its satisfaction that Isaac Hill deserted his wife or was guilty of conduct justifying his wife or family in separating from him, it has no power to deprive him of his real estate and apply it for the benefit of his wife or family.

If Hill see fit to recognise the authority of the Council and govern himself in accordance with its decision the Department knows of no objection to his doing so, but until it discovers whence the Council derives its jurisdiction it can not see its way to assuming the responsibility of confirming its decisions.

Your obedient servant,


Secretary,

Gordon J. Smith, Esq.,

Indian Superintendent,

Brantford,
Ont.

Dept. of Indian & Northern Affairs, Letterbook,
29 January 1908 - 17 February 1908, (R.G. 10, Volume 5190)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA