

not say definitely, but it does not appear that they did. However, as I pointed out to the hon. member, according to the conditions set out in the act passed in 1920 such consent was not required.

Mr. Winch: That is quite true according to the act of 1920, but according to the McKenna-McBride agreement of 1912 the Indians had to give their permission in accordance with the Indian Act for the province to be able to sell this land. The minister has now confirmed my contention that perhaps there should be a judicial inquiry into this entire matter.

Second, in view of the obvious study the minister has been making since I started to make inquiries about this matter—and she obviously knew, of course, that I would raise it under this vote—has the minister given any consideration to the moral right of anything being passed provincially or federally, legislatively or by order in council, which says that the Indians will only get 50 per cent of the value of the land disposed of? Admittedly the federal government pays the 50 per cent to the Indians, but is the minister in a position to comment as to the other half and the fact that the Indians only get 50 per cent and not 100 per cent of the value of the land sold?

Mrs. Fairclough: Obviously I am not in a position to make any comment. All of this happened a long, long time ago. I know that over the years the Indians have suffered under various acts of all governments, but I have no basis on which to form a judgment. I would not accuse anyone of mistreating Indians, nor would I accuse the Indians of demanding more than is their just right.

With respect to the McKenna-McBride report I would say to the hon. member, however, that the 1920 act superseded that, and it must be borne in mind that not only were lands taken away from the Indians but areas were also added to existing Indian reserves at that time. There was some compensation. Whether an individual band received compensation for the land it lost I cannot say, but in any event I will agree with the hon. member to this extent, that over the years undoubtedly things were done that should not have been done. I cannot, however, sit in judgment on anyone who participated in those actions.

Mr. Winch: I know it is now one o'clock, but I have only one short question and I would ask the committee to permit me to put it. Can the minister give me any information on this factor? Although we have the McKenna-McBride agreement of 1912 and the act of 1920, the fact remains that an order in council was passed in 1939 relative to sales. Are there any lands still held by Indians

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in British Columbia that can be sold or disposed of under the McKenna-McBride agreement?

Mrs. Fairclough: We would have to check the schedule to the agreement to which I referred previously.

At one o'clock the committee took recess.

AFTER RECESS

The committee resumed at 2.30 p.m.

Mr. Wratten: Before I bring one or two points to the attention of the minister, I should like to take advantage of the opportunity to thank the minister and the officials of her department for the many courtesies they have shown me since I have been here and since the hon. lady has been minister. I should like to refer, first, to a problem which I have mentioned in the house many times before relating to the council for the administration of justice on the Six Nations reserve in Brantford. I know that the administration of the courts is a provincial matter, but I was interested this morning to hear the minister say that many years ago the federal government accepted responsibility for the reserves in Canada.

As I have stated before, the Six Nations reserve is in the county of Brant, the smallest county in the province of Ontario, and it is one of the largest reserves in Ontario. It does seem unfair that the people of the city of Brantford have to assume the costs in connection with county magistrates and supreme courts as they relate to Indians without any remuneration from the federal government. The federal government should help us out in connection with this matter, especially in these days when every municipality is looking for some way to ease the taxation burden on the people. We feel that this is one place where the federal government should step in and help us. I do not want to belabour this point because the minister is familiar with the figures. We have had them placed on the record before. She knows just how we feel about this matter.

There is another problem that has come up since I last spoke on the problems of Indians. I refer to the problem of policing the Six Nations reserve. I recall that quite a few years ago there was an agreement drawn up under which the Royal Canadian Mounted Police were to look after police matters on the reserve. Unfortunately, since we had the so-called riot on the reserve, the Royal Canadian Mounted Police have been gradually shifting the burden of looking after police matters to the provincial