

Mr. LENNOX. I wish to say that inasmuch as my hon. friend the leader of the opposition (Mr. R. L. Borden) is to be away from the House this evening and as he is desirous of speaking upon this question I desire the motion to stand. In so far as I am concerned myself I am quite prepared to go on with the debate. That is my only reason for asking that it should stand.

Motion allowed to stand.

#### RAILWAY ACT AMENDMENT.

On the order for resuming adjourned debate on the proposed motion of Mr. W. F. Maclean for the second reading of Bill (No. 9) to further amend the Railway Act, 1903.

Sir WILFRID LAURIER. Stands.

Mr. W. F. MACLEAN. I would like to ask the government whether they are prepared to announce their policy in respect to express companies yet or not?

Sir WILFRID LAURIER. Not yet.

#### INDIAN ACT—AMENDMENT.

Mr. F. D. MONK (Jacques Cartier) moved the second reading of Bill (No. 66) to amend the Indian Act. He said: The object of this Bill is to amend section 94 of the Indian Act as section 94 itself was amended in 1888 by chap. 22 of 51 Vic. The section which this Bill proposes to amend is as follows:

94. Every one, who by himself, his clerk, servant or agent, and every one who in the employment or on the premises of another directly or indirectly on any pretense or by any device sells, barter, supplies or gives to any Indian or non-treaty Indian any intoxicant, or causes or procures the same to be done or attempts the same or connives thereat, or opens or keeps or causes to be opened or kept on any reserve or special reserve, a tavern, house or building in which any intoxicant is sold, bartered, supplied or given, or who is found in possession of any intoxicant in the house, tent, wigwam or place of abode of any Indian or non-treaty Indian or of any person, or upon any other part of the reserve or special reserve, or who sells, barter, supplies or gives to any person on any reserve or special reserve any intoxicant, shall, on summary conviction before any judge, police magistrate, stipendiary magistrate or two justices of the peace or Indian agent, upon the evidence of one credible witness other than the informer or prosecutor—or in the province of Manitoba, the province of British Columbia, the Northwest Territories or the district of Keewatin, upon the evidence of the informer alone, if he is a credible person—be liable to imprisonment for a term not exceeding six months and not less than one month, with or without hard labour, or to a penalty not exceeding three hundred dollars and not less than fifty dollars with costs of prosecution.

The amendment which it is proposed to make in that section is in the following words:

Provided, however, that if it be established at any trial had under this section, that the Indian or non-treaty Indian is a half-breed, and that the party incriminated or accused has taken every precaution to prevent a violation of the law as contained in this section, and that the accused has acted in good faith, without any knowledge that the party to whom he supplied an intoxicant was an Indian within the terms of section 2 of this Act, the judge, magistrate or justices of the peace or Indian agent, shall not find the accused guilty of a violation of this section.

Where, in the first place, the party to whom the liquor is sold is not an Indian but a half breed, where, in the second place, it is established that the accused had no knowledge whatever that the party was an Indian under the interpretation section of the Act, to which I will refer in a moment, and lastly, where it is established that the accused has acted in good faith, there shall be no conviction. The occasion of this attempt to amend the section is this: We have about nine miles out from Montreal, an Indian reserve called the Caughnawaga reserve where there is a considerable number of so-called Indians who are Indians according to the definition of the Indian Act, but who, in every other sense of the word, have ceased to belong to an Indian tribe. There is not upon the Caughnawaga reserve a single pure blooded Indian. They are all half breeds, and a great many of these half breeds have nothing whatever in their outward appearance to indicate that they have Indian blood. They live the same lives as white men. In the particular instance to which I now refer they come over to Lachine which is a large manufacturing town and work there in the manufactories with probably 1,500 or 2,000 white men. After the day's work they go home. They are dressed just as white men are and particularly in Lachine I should mention that when they come out from the Dominion Bridge Works or the other large iron works at Lachine they are covered with grime just in the same way as their companions, and there is nothing whatever to indicate or to lead any one to suspect that they are, technically speaking just as much Indians as their forefathers were 400 years ago.

The consequence of this state of things is that these Indians, to the number of probably 100 or so, who come over to Lachine and work during the day, when the factories are closed down at night occasionally buy liquor. They buy it at a grocery store and sometimes they will go into the saloons of Lachine and purchase liquor there in company with the other workmen. There have been in the last three or four years a number of prosecutions of grocers and liquor dealers in Lachine, and when prosecutions were brought against the people of Lachine, under section 94 of the Indian Act which I have just read, they have set up a defence. I do not wish to refer at