

House of Commons Debates

THIRD SESSION—ELEVENTH PARLIAMENT.

SPEECH

OF

MR. G. H. BRADBURY, M.P.

ON

ST. PETER'S INDIAN RESERVE

OTTAWA, WEDNESDAY, MARCH 22, 1911

MR. G. H. BRADBURY (Selkirk). Mr. Speaker, it will be remembered last year I called the attention of the House to the manner in which the surrender of the St. Peter's Indian reserve had been secured. At that time I pointed out that the Indians at St. Peter's alleged that they had been practically cheated out of their reserve. I pointed out that the methods employed by the government agent had been anything but creditable to the government. The hon. Superintendent General of Indian Affairs (Mr. Oliver) replying to my remarks, said, at page 7071 of last year's 'Hansard':

I am sure the House will not expect me at this stage of the session, would not wish me to make a detailed criticism of the four hours' speech made by my hon. friend from Selkirk (Mr. Bradbury) at the close of the last sitting of the House. My hon. friend is entitled to the credit, if credit it be, of having made the longest speech of the session. May I add my humble appreciation by saying that I believe never, since this chamber was erected, has there been delivered in its walls such a persistent and sustained tirade of unfounded assertion, of unwarranted insinuation; a tirade that, in its gratuitous inexactitude, is an offence against the privilege of parliament and an insult to its intelligence.

1092—1

This is the language with which the hon. the Superintendent General opened within a three and one half hour's speech which was intended no doubt to destroy the force and effect of one of the most serious indictments ever delivered against the Indian Department of this country. After such a tirade of carefully prepared criticism of my humble efforts to discharge a duty which I felt imperative on me as a representative of the part of the country where this outrage occurred, I think I had a right to expect, and the House had a right to expect, that the hon. gentleman who started out with such a flourish of trumpets would have at least made good his reckless assertions; it was surely his bounden duty to demonstrate to this House the correctness of his bold and I think reckless statements in justification of the use of language verging on what would be considered unparliamentary, and which was certainly undignified and hardly worthy of a minister of the Crown.

You can read the minister's speech from end to end without finding one fair or intelligent argument to justify his opening criticism of my speech. Neither can you find one fair or one intelligent argument in

rebuttal of the serious charges preferred against his department by the Indians, his wards. It is true the hon. gentleman has denied in a general way the correctness of those statements, but he failed to adduce one tittle of evidence to sustain his denial. He seems to expect this House and the country to accept his bald statement as against the sworn statements of dozens of the wards of this country, men who are living on the ground, who know the circumstances, I am sure I will be pardoned when I say, that I prefer to take the sworn statements of the men who suffered, and the men who knew what they were talking about, when they made these declarations, which formed the serious charge against the administration of the Department of Indian Affairs. The hon. Superintendent General, has demonstrated very clearly to me, that he was entirely ignorant of the real facts with regard to this scandalous transaction, and sooner than admit that ignorance he was advancing arguments to save the face of his department, arguments no doubt furnished to him by officials some of whom at least were very much concerned and interested in his success in convincing parliament and the country that there was nothing wrong in this surrender and nothing to investigate. But after an heroic effort sustained for three and a half hours by the hon. minister, and after his reckless statements he left unanswered entirely this serious indictment. Therefore we see clearly the unfair and uncandid methods employed by the minister to counteract the damaging effect of the serious charges made by his wards, the Indians of St. Peter's. That speech also shows how unfair the minister was in his opening attack on me at the commencement of his long and somewhat laboured speech.

In order that the House may understand the position to which I was referring last year which called forth this criticism from the hon. minister, and that the House and the country may understand that the minister failed entirely to meet these serious charges, and left this indictment standing as strong against the Indian Department as on the night on which I delivered my remarks, I wish to recall to the House a few of the charges to which I referred and which the hon. minister failed entirely to meet or to explain. For instance, I stated that the notices calling a meeting to consider the surrender of the homes of nearly 1,300 souls was posted in four or five places on the reserve and were not seen until Sunday about noon, the meeting being called for Monday at 11 o'clock giving less than twenty-four hours' notice for this all-important meeting at which this band of Indians were supposed to decide whether they would surrender the reserve on which their grandfathers before them had lived. How does the hon. gentle-

man meet and dispose of this serious indictment? This charge was not made on hearsay evidence, it was made on the strength of sworn declarations from dozens of Indians, wards of the people of this country. The hon. gentleman met this indictment in this way at page 7083 of last year's 'Hansard':

Mr. OLIVER. My hon. friend said last night that only one day's notice was given for the gathering of the band. My information in that regard, as I am sorry to say in so many other matters, is quite different. It is that some three or four days' notice was given.

The hon. Superintendent General, in face of the sworn statements from the country's wards which I submitted to this House, and which he had before him when he made his remarks, showing that only one day's notice was given for this meeting, has the temerity to make the statement I have just read from 'Hansard' without advancing one tittle of evidence to substantiate that statement. He contents himself, with saying that he was informed that three or four days' notice was given, then endeavours to lead the House to believe that ample notice was given of this all important meeting. The hon. gentleman's information no doubt came from the officials who were guilty of this contemptible piece of sharp practice. Here is one of the original notices that was posted calling that meeting. It is dated December 20, 1907. The meeting was called on Monday the 23rd, but while the person who issued this document, gave about three days' notice, it was not posted or seen until 24 hours before the meeting was held. I have many sworn declarations showing that this is one of the four notices posted up on the reserve and that not one of them was seen before Sunday about 11 o'clock, or less than 24 hours before this meeting was convened. When you consider that this reserve is about 80 square miles you can easily imagine, how many voters there were who did not hear of this meeting, advertised as it was by four small typewritten notices not more than four inches wide posted 24 hours before the meeting was called. Surely, in the face of this fact, which cannot be disputed fairly, I was justified in characterizing the method of calling this meeting a contemptible piece of sharp practice on the part of those who were guilty. Yet, the minister treats this matter lightly and asks the House to believe his bald statement that ample time was given, instead of the sworn statements made by his wards whom he is supposed, by virtue of his office, to protect, guide, and watch over. These men now allege that they were cheated out of their birth-right by methods of this kind. I am sure I will be pardoned if I say I prefer to take the sworn statements of these men, to my

hon. friend's statement because I am satisfied that he is in total ignorance of the real facts, while these men are living on the ground and are suffering the awful consequences of the methods employed by his officials. I will quote here one or two declarations which I submitted last year to prove to this House that the hon. gentleman had this evidence before him when he rose in his place to speak and made the statement which he did regarding this transaction. I will quote from John Flett, one of the most intelligent Indians on St. Peter's reserve, and this is what he says about it:

Statutory Declaration.

Dominion of Canada, Province of Manitoba.

In the matter of the vote for surrender of the Indian lands in St. Peter's reserve, taken on September 24, 1907.

To Wit:

I, John Flett, of the parish of St. Peter's, in the province of Manitoba, Indian, do solemnly declare that I am a member of the St. Peter's Band of Indians; that the notices calling the meeting at which the vote surrendering the reserve was taken, were not posted up, nor did the Indians know anything about such a meeting until Sunday, the twenty-second day of September, A.D., 1907, just one day prior to the date of such meeting. The meeting was held on Monday, September 23, and duly adjourned until the next day, Tuesday, September 24, but at the time of such adjournment no notice was given that the vote would finally be taken on Tuesday. Many of the Indians did not see or hear about the notice, and in consequence were not present at the meeting, and did not have a chance of expressing their views or voting. I believe that had ample time been given and the matter properly explained to the band, that many who were at their homes would have turned out and voted against the surrender of their reserve; many of the young men of the band were away from home working at various occupations and did not know or hear anything about a vote going to be taken owing to the shortness of the time given. That I have been told and believe that some non-treaty men and some minors were counted amongst those voting for the surrender. That in my opinion the vote was most irregular and improper and was not taken according to the regular custom of our band.

And I make this solemn declaration conscientiously, believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act, 1891.

Declared before me at the parish of St. Peter's, in the province of Manitoba, this 24th day of March, A.D., 1910.

(Sgd.) ROBERT G. McDONALD,
Commissioner in H. R., etc.
(Sgd.) JOHN FLETT.

I also wish to put on record a telegram I received at that time which was placed on 'Hansard' last year, and which was brought to the hon. gentleman's notice when he delivered that speech:

1092-12

Selkirk, Manitoba, January 26, 1910.

G. H. Bradbury,

House of Commons, Ottawa.

Band received one day's notice of meeting September 23. Notices, three or four posted on Sunday, September 22.

WM. ASHAM.

Then I have a letter from the same man inclosing this original notice which I have already presented to the House:

Dear Sir.—The inclosed is the original copy of the notice that was posted one day previous to the time of meeting for the surrender of St. Peter's reservation, effected September 24, 1907.

In face of these very clear and distinct sworn statements, which were before the hon. gentleman when he made his speech, I feel justified in saying that the minister could not expect this House and the country to take him seriously when he was speaking on this matter. Without any intention of being offensive, it was an insult to the intelligence of this House and the country to expect them to accept the hon. gentleman's explanation, and his flippant reply to such a serious charge as that which had been preferred against his department by his wards, the Indians of St. Peter's. This is one of the charges that I preferred in my speech, and which the hon. gentleman characterized as a trade of unfounded assertion and gratuitous inaccuracies. If the rest of the hon. gentleman's speech was as incorrect and unfair as it was in connection with this charge, then I say that the hon. gentleman was unfair during the whole time of his reply to this very serious indictment. I desire to call the attention of the House to another of these charges. These are very serious charges; these are not charges to be dealt with lightly, to be passed over in the flippant manner in which my hon. friend dealt with them last year. When the hon. gentleman was replying to the charge that the Indians had been induced to vote by an offer of money, the statement I made being that just as the Indians were about being divided one of the agents said: You who want \$50 go to that side, and the others go to the other side, my hon. friend from Victoria and Haliburton (Mr. Hughes) made the following interjection:

Mr. HUGHES. If I heard the hon. member for Selkirk right, he pointed out that the call was not to those who were for selling the lands and those who were against it, but the call was for those who wanted the \$50 to take one side, and those who did not want it to take the other side. I know the minister has overlooked that.

The hon. minister replying to that statement said:

Mr. OLIVER. No, I have not overlooked it. I can only say that I did not wish to be discourteous to the hon. gentleman, and ques-

tion the validity of the statement he put forward. I am merely generalizing in order to save his feelings, and I may be pardoned, I presume, for again generalizing, and again saying that after a question such as that had been under discussion for so long a time, when it was a question of such importance, it did not matter what was said in regard to the vote. Those Indians know what the vote was for, and they voted for or against with full knowledge of what they were doing, and why they were doing it. I do not wish to bring in personal matters, but my hon. friend followed by the hon. member for Victoria (Mr. Hughes) has seen fit to mention the name of Mr. Semmens.

Mr. HUGHES. I never heard of him.
 Mr. OLIVER. If he had listened to the speech of the hon. member for Selkirk last night he would have heard of him, because it was Mr. Semmens who was said to have made this announcement. Now, the suggestion is that Mr. Semmens was a party to an impropriety in which the interest of the Indians was not preserved. Now, I may go, perhaps, so far as to say who Mr. Semmens is. I happen to know Mr. Semmens ever since 1873, when he was a Methodist minister in the city of Winnipeg, and at that time he was considered to be a young man of very considerable promise in the ministry, and ever since then he has devoted his life to the advancement and the betterment of the Indians.

It will be noticed how carefully the hon. gentleman evaded the serious charge made by myself and suggested in the question interjected by the hon. member for Victoria and Halliburton. The hon. minister did not deny that charge; he contented himself with pointing out who the agent was—the Rev. Mr. Semmens, who had been guilty of an impropriety if nothing worse. To make this matter perfectly clear, I desire again to place on record one or two paragraphs from the affidavits which I submitted last session. On page 7659 of 'Hansard,' in a declaration by John Flett, he says:

Just as the vote was going to be taken, I heard Mr. John Semmens, Inspector of Indian agencies, state loudly in the Cree language to the Indians present: All of you who want \$90 go to that side, indicating with his arm where the chief and councillors were standing. I am satisfied that these two statements, the one by Mr. Frank Pedley, and the other by Mr. John Semmens, influenced many to go on the side with the chief. The majority of the Indians did not know that they were voting to surrender their homes, as I am sure they did not wish to do. They were not asked the question: You that are in favour of surrendering the reserve, go to that side. Many did not realize that the vote was whether or not they should surrender the reserve. I am satisfied that if the question had been stated fairly the vote would not have been carried.

On page 7963 this declaration is made by Wm. Sinclair, an educated Indian, who was used as an interpreter by Mr. Williams, the minister's agent, who was sent

to Manitoba last year to make an investigation:

I am a member of the St. Peter's band of Indians, and that I was present at the time of the surrender of the St. Peter's reserve, and declare that when the vote was just about to be taken to decide whether the reserve should be surrendered or not, I heard John Semmens, inspector of Indian agencies, make a short speech in the Cree language, and said to all those present, that those wanting the \$90 to go over there, indicating the place where they should stand who favoured the surrender.

In the face of these sworn statements, the hon. minister has endeavoured, more by insinuation or assertion than by argument, to leave the impression on the House that the charge which I made on the strength of these affidavits was unfounded; but he stated that out of consideration for my feelings he was only generalizing. The consideration of the hon. gentleman was wonderful. Perhaps he was only generalizing when he began his remarks with the attack he made on me. I can only say to the hon. gentleman that his methods deserve no one, not even himself, in his rather clumsy effort to cast ridicule upon my attempts to secure justice for the Indians and to discharge a very important duty which I owe, not only to the Indians, but to myself as a man. I believe every word that I stated in this House to be absolutely true. I believe that if I had not brought this case before parliament as the representative of that district, I would have been unworthy of the position I occupy as a member of this House for the county of Selkirk, in which this matter occurred. The hon. minister, in his attempt to minimize the disgraceful deception practiced on the poor Indians, did not dare to deny the serious charge that one of his officials, just as the Indians were to be divided for a vote, made use of the following language in Cree: 'All you that want \$90 go to that side,' indicating where the chief and council were standing. The hon. minister evades this charge by pointing out who the official was, and stating that he was a Methodist minister and had the welfare of the Indians at heart. This, Mr. Speaker, is surely no answer to such a serious charge. The fact that an official is a Methodist minister does not lessen the seriousness of the offence against everything that was fair and decent. To my mind it rather intensifies the meanness of the trick played on the poor unsuspecting Indian to secure his consent to that vote. That the Indians were tricked into the vote by methods of this kind is to my mind beyond any doubt and it is beyond my conception to realize that a man in the position of Mr. Semmens should have lent himself to such a shady transaction.

But, Mr. Speaker, there may be an explanation of the action of this gentleman, and I think there is. The fact that the Deputy Superintendent General of Indian Affairs, Mr. Pedley, was himself present in charge of this meeting, would I submit suggest the probability that when Mr Semmens spoke as he did he was simply carrying out part of a well-laid scheme arranged beforehand to secure the necessary votes to assure the surrender. I cannot think that Mr Semmens ever made that statement as he did, and just at the physiological moment, without some distinct prearrangement and without some instruction from his superior officer. I am satisfied that this whole matter was arranged and that when Mr. Pedley went to Selkirk he went there determined to secure that surrender by fair or foul means, and he secured it to suit himself. But, Mr. Speaker, I intend later on to refer to the fact that while he secured that alleged surrender which seems to satisfy the minister, I contend that today there is no surrender of St. Peters Indian Reserve according to the true meaning of the Indian Act. During the gentleman's long speech, he did not deny, and in fact he did not refer to the more serious charge which was supported by many sworn declarations, namely, that the Deputy Superintendent General himself just on the eve of taking the vote and a few minutes previous to the instructions given to his agents to which I have just referred, endeavoured to bribe the Indians by an offer of money. The meeting was in session and the Deputy Superintendent General stated:

It is time to take the vote. I have \$5,000 here in my valise. If you agree to this surrender this money will be divided among you, but if you don't agree to the surrender, I will take my satchel and go home, and you won't get a cent.

Now, Mr. Speaker, that there may be no misunderstanding I wish to refer to one or two of the declarations that I placed on record last year, and which were before the minister when he made his remarks. These declarations are so long that I will not weary the House by reading them all, but I shall quote from them a few paragraphs. William Asham, says, speaking at the meeting:

Now, soon after this, we were in the heat of a hot discussion in the matter regarding the surrender. Mr. Pedley during his speech at this time said I have \$5,000 here, pointing to a satchel at his side. If you agree to this surrender this money will be distributed among you, but if you don't agree to the surrender, I will take my satchel and go home and you won't get a cent. Then we were told the time had come to take a vote.

You notice Mr. Speaker, how these two offers were arranged. First it was the \$5,000, and then he says:

Up to this time fully half of the band present had not been able to get into the building, and did not hear what had taken place. The building being too small to take the vote in, we were asked to go outside. Then Mr. John Semmens, the inspector of Indian agencies, spoke loudly in Cree, saying, "All you that want \$50 go to this side, indicating where the chief and council were standing, the others go to the opposite side." The crowd separated under great excitement, a great many not knowing what they were doing. After they were separated, some of them moving from one side to the other, not knowing what they were doing. Mr. Semmens and myself started to count the votes that were against, but when we got through counting we turned around to count the other side. I was told then that the other side was counted. I did not know who counted the other side, and they claimed they had a majority of seven. I was astonished to hear this, and sized up the two sides and satisfied myself that there were a larger number standing on my side than there was with the chief and council, but I had no opportunity whatever of counting the number that stood with the chief and council. I protested to Mr. Semmens, saying to him that he should not have said that you who want \$50 go on one side, but you should have said you that want to surrender the reserve go to one side, and you that don't want to surrender the reserve go to the other side, then the people would have understood what they were voting for.

I declare that I consider the vote irregular and improper, as it was not stated fairly to the people, nor was it fairly counted as it was counted by different parties.

I would like the hon. minister to listen to this declaration from this man because it is very serious. He says:

When Mr. Pedley read the surrender that he had with him prepared, he read it in English, and fast, that even I who understood English, found it difficult to understand the terms of the surrender. This was not interpreted to the band in their own language, consequently very few, if any, understood the conditions of the surrender. I am satisfied that Mr. Pedley and the others came determined to secure the surrender. The surrender was all prepared without any consultation with the band, and they brought the \$5,000 with them. Without this money on the ground, I am satisfied they never could have secured the support they did in favour of the surrender.

I wish to place on record another short declaration by William Sinclair, who is an interpreter and whom the government employed as such on several different occasions. William Sinclair says in the middle of his declaration:

I further declare that I heard Mr. Pedley say that he had \$5,000 in his satchel which he would divide among the Indians, providing they would make a surrender of the reserve, if not he would take the money back. And I make this solemn declaration conscientiously believing it to be true and know-

ing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.—Wm. Sinclair.

Declared before me in the town of Selkirk, in the province of Manitoba, this 22nd of January, 1919.—C. R. Smallman, commissioner.

Well, Mr. Speaker, judging from the manner in which the hon. minister dealt with this serious indictment against his department last year, I had good ground for feeling that he did not meet the charges fairly and that he begged the question from beginning to end. Especially in his opening remarks was the minister entirely unfair, and he failed to demonstrate during his whole speech any justification for the language with which he prefaced his remarks. That is a sample of the methods employed by the hon. gentleman in answering this indictment which is laid at his door, not by me, but by his wards, the Indians. It will be remembered that I made a statement last session regarding the stringing of the receipts for the patents, and this is perhaps one of the most serious phases of the whole question because probably more hinges on it than hon. gentlemen in this House can possibly conceive at present; whether the minister does or not. I submitted at that time many declarations from reliable Indians showing that they had never received or even seen their patents and that they had never, knowingly, signed any receipt for the same. This fact did not, however, trouble the Minister of the Interior who is responsible to this House for the management of that important department. He contented himself by saying that he had laid on the table receipts for most of the patents duly signed. These receipts were no doubt sent to him by the agents who had been parties to this scandalous transaction; but it never seemed to dawn on the Superintendent General of Indian Affairs, as the legal guardian of the Indians, that it was his duty to investigate the allegation made by dozens of his wards, and if forgery had been committed, as seems quite probable, it was his duty to punish those guilty, and to rectify the great wrong done these wards of the people.

Here I intend to submit one or two declarations simply to sustain this charge. They have already been placed on 'Hansard,' but I desire that there should be no misunderstanding as to the minister having had the facts before him when he made his speech last year. I refer to the affidavits on page 7408 of last year's 'Hansard.' The affidavits state distinctly that those who made them had never seen their patents and had never given any receipt for their patents. This matter was brought to the minister's attention from time to time before he made his speech last year.

I myself called his attention to what I considered an outrage on our Indian wards, and I confess frankly my surprise that the hon. the superintendent general (Mr. Oliver), who is responsible for the condition of affairs which exists on St. Peter's reserve, has not seen fit to take drastic measures in order to ascertain the truth or falsity of these serious charges. I requested last session that the hon. minister should have a thorough investigation made; and before I take my seat to-day I intend to give him another opportunity of appointing a Royal Commission to investigate this whole matter.

There is another charge I made which I wish to recall to the attention of the hon. minister. I said last year that the chief and four of his councillors had received more than 100 acres of land over and above what they were entitled to. The minister replied to that charge in the following language, as will be seen by referring to page 7094 of last year's 'Hansard':

My hon. friend last night said something about a man named Raynor who had a bill against the government for \$500 which bill was not paid by the government and Mr. Raynor has not pressed for payment. I do not know anything about Mr. Raynor, who he is, or what he is, or on what ground he presented such a demand. All I know is that his bill was not paid, and, therefore, if Mr. Raynor bribed any of the Indians he bribed them at his own expense and at his own cost. My hon. friend explained that Mr. Raynor had got back the extra money that he had paid to the Indians, because the chiefs had got a certain proportion more land than they were entitled to under the terms of the surrender. That is to say that Chief William Prince got 20 acres more, and the several councillors a certain number of acres more in the neighbourhood of 20 apiece over and above what the terms of surrender called for. Chief William Prince was entitled to 212 acres by reason of his extra allowance as chief, and by reason of the number of members in his family, and he received actually 218-53, that is 36 acres more than his allowance. Councillor Harper was entitled to 252 acres, and he got 293-76. Councillor James was entitled to 296 acres, and he got 390-55. Councillor Henry Prince was entitled to 163 acres, and he got 172-50 acres. John Prince was entitled to 195 acres and got 156 acres. The explanation is that in the laying out of the lands when the survey was made, the lots ran into one or two acres more than the allowance called for, and the block was allowed to go as it was surveyed. My hon. friend stated last night that those people received in the neighbourhood of 20 acres at least more than they were entitled to, and that this extra allowance of land was in some way, which he did not explain, used to repay Raynor the money that he said it was ransomed had been paid to the Indians.

Mr. BRADBURY. The minister has given the amount of acreage. I would like him to tell the House how many of a family each man had.

Mr. OLIVER. Chief William Prince had two of a family, Councillor Harper seven, James William five, Henry Prince three, and John Prince one. My hon. friend said last night that these men got about an average of 26 acres apiece more than they were entitled to. The figures I have given the House are the figures given to me by the officers of the department, and I am sure my hon. friend will pardon me if I say I am rather willing to accept their figures than the figures he has given, and that I ask the House to do the same.

Last year, a day or two after the hon. minister had made these statements and had practically contradicted what I said, I came across a number of returns which the hon. gentleman had himself brought down. Among them was the report of the St. Peter's Indian band, among whom Mr. Pedley distributed that \$5,000 that he promised after they had voted for the surrender, and I find that when I said these Indians had received about 166 acres of land more than they were entitled to, I was entirely too modest. The return proves that they received 174 acres more than they were entitled to; and I do not see any other purpose why that land was given these Indians than to make good the money which had been promised to them for betraying the trust reposed in them by the members of their band.

I wish to put on record the facts shown by the sworn return of J. O. Lewis, Indian agent. The minister said that Chief Prince had two of a family and got 215 acres. But the records of the band show that he had only one of a family and was entitled to only 166 acres, so that he got nineteen acres more than he was entitled to. William C. Harper, the hon. minister, stated had seven of a family, and had received 233 and two-thirds acres. William Harper, according to the sworn return of the Indian agent, had only two of a family and was entitled to only 152 acres, so that he received 81 1/3 acres more than he was entitled to under the terms of the treaty. The minister stated that James Williams had five of a family, and had received 296 acres. James Williams, according to the sworn return, had only four of a family and was entitled to only 184 acres, so that he received 22 acres more than he was entitled to. Councillor Henry Prince, according to the minister, had three of a family and received 172 and one-half acres. According to the sworn return of the minister's agent, Henry Prince had only one of a family and was entitled to 136 acres, so that he received 36 1/2 acres more than he was entitled to. John Prince, according to the minister, had one of a family, and received 136 acres. According to the sworn return, John Prince had no family. The fact is, he was a very old man. He received 16

acres more than he was entitled to. So, according to the minister's statement, these men got 902 acres of land amongst them, though they were entitled, under the terms of the treaty, to only 728 acres, so that they received, as I have stated, 174 acres more than they were entitled to. They had already got nearly twelve times as much land as the ordinary Indian for agreeing to this surrender, and in addition to that they are given 174 acres, without authority. I do not know where the minister or his officials got the authority to give this extra 174 acres. Speaking on this question last year, the minister drew my attention to the fact that these men could not receive one acre of land without the vote of the band. I believe he was right. The band never voted to give these men 174 acres. Last session the minister made the emphatic statement that I was in error in this charge, and that he would take, and would ask the House to take, the statement of his officials in preference to the statement I made. In view of this fact, and of the statement I laid before the House, which, I presume, he has verified—I placed it on 'Hansard' on a question of privilege—he owes it to himself, and he certainly owes it to me, to make some explanation of how these Indians got these lands. When he speaks, I hope he will inform the House who gave authority to his agents to give these Indians 174 acres more than they were entitled to under the terms of the treaty.

Now, I have given these as fair specimens of how the minister has justified his virulent remarks regarding my speech last session. I may be pardoned, if I say that after three and a half hours of evading the charges made by me he has left unanswered the most serious indictment ever preferred against the Indian Department of this country, and that his speech—I do not mean to be offensive—was replete with misleading and inaccurate statements that are very difficult to reconcile with a desire on his part to be fair or frank in this matter. 'Inexactitude' would be a mild word for me to use if I were to attempt to characterize the speech the hon. gentleman made in reply to my speech of last session. The minister has not adduced any evidence in rebuttal of the charges of maladministration made against his department by the Indians—the men who have suffered through this transaction—many of which charges I laid before the House last year and supported with sworn declarations. I feel that the minister has begged this question almost in every case; and he still has the temerity to stand in his place and ask the House to believe that there is nothing in the statements that I have made, nothing in the sworn indictment laid at his door by his own wards, the Indians. The state-

ments of the minister are not elevating, and not encouraging to the country, nor do they justify his opening, well-prepared criticism which, I am sure, the hon. gentleman himself could not expect to be taken seriously either by myself or by the country. It was the old trick, a little play to the galleries in the hope of drawing the attention of the House and the country away from the serious indictment he was endeavouring, as best he could, to evade or distract. After plenty of time to investigate and consider my remarks of last session, I wish to emphasize the absolute correctness of these charges made against the Indian Department. Every charge then made regarding the treatment of the St. Peter's Indians was supported by sworn statements which have since been verified by reliable men who were on the ground and knew the facts. But, instead of meeting these serious charges fairly and frankly, the minister contents himself with hurling at my head his opening criticism, and then evades as many of the charges as possible, and denies the correctness of others, but in no case adducing any evidence to substantiate his denial, or in rebuttal of the sworn declarations of his wards which he asks the House to disbelieve. Surely, the House has a right to expect the minister appointed by this government as Superintendent General, the guardian of the Indians, to rather take the side of the Indians in a matter of this kind than to take the side of the men of whom the Indians complain and whom they blame for the transaction I have tried to lay before the House. The Indians state distinctly, in language more forcible than I am permitted to use in this House, that they have been practically bounced out of a reserve worth a million and a half dollars. I do not think it is any exaggeration to state that that reserve is worth every cent of a million and a half of money, and the Indians have not one dollar to-day to show for it. I do not know what is to their credit, but I have not the slightest doubt that it is a very small amount. The Department of Indian Affairs is wholly responsible, and must accept the responsibility, for having allowed these Indians to be practically cheated out of that valuable reserve.

Now, I felt that I could not, in justice to myself, allow the hon. gentleman's speech of last session to go uncorrected. I felt that I owed it to myself, to my friends and to the country, to point out as clearly as I could, that the hon. gentleman had failed entirely to answer the serious indictment laid at his door by the Indians through me in this House last session. Therefore, I have taken up this much of the time of the House for that purpose.

I intend now to refer to another phase of this question which I believe is the most

serious part—the question of the legality of the whole transaction. Last session I stated that I believed the surrender was illegally obtained, that clause 49 of the Indian Act had been violated. That section reads:

Except as in this part otherwise provided, no release or surrender of a reserve, or a portion of a reserve, held for the use of the Indians of any band, or of any individual Indian, shall be valid or binding, unless the release or surrender shall be assented to by a majority of the male members of the band of the full age of 21 years, at a meeting or council thereof, summoned for that purpose.

This clause is very clear and bears out my contention of last year that it means that a majority of the qualified vote of the band must be secured to legalize a surrender, and that vote must be taken at a public meeting properly called for that special purpose, and not at two or three different meetings. The minister said in reference to this:

It is true that the surrender was carried by only a small majority; the vote, I am informed, was 107 to 95. But it was a majority of the voting members of the band who were present there, and the Indian Act recognizes that a surrender agreed to by a majority of the voting members of the band is a legal surrender.

Mr. BRADBURY. The hon. gentleman says that the Indian Act provides that a majority present at the meeting may dispose of the Indian reserve. Now, if that is a proper interpretation of the Act, and if there were only 20 Indians present out of 250, would the hon. gentleman say that the majority of these 20 had a right to vote away the inherited rights of all other Indians?

Mr. OLIVER. As I understand the law, they would have the legal right, but I would not consider they had the equitable right. But I do not think that under the law, when there are 205 out of 250 present, they have not only the legal but the equitable right to decide.

The minister's contention is unwarranted, unbusinesslike, unfair, and far from the spirit or even the letter of the Indian Act. The Act distinctly provides that a majority vote of the male members of the band of the full age of 21 years must be secured to legalize the surrender of a reserve or any part of it, and also provides how that majority shall be obtained. In the case of the St. Peter's Indians there were 250 qualified voters, but according to the minister's statement there were only 205 present at the meeting, and after two days' active canvass on the part of the government and the open bribery already referred to, by the government's agents, they managed to squeeze out nine of a majority or less than 35 per cent of the qualified vote of the band, which was not sufficient to make it a legal surrender under the Indian Act. I am convinced that the sur-

render was not legal and would not stand the test of any properly constituted court in Canada. The minister talks about the equitable right to make the surrender. Let us look for a moment at this side of the question. There were about 84 voters, nearly one-third of the total vote who had not been notified and consequently could not have known anything about the meeting. Fully 90 per cent of the absentees were the younger men, the backbone of the band and its most intelligent members. They were the support of their respective families, men who were away working on Lake Winnipeg in the fisheries, and some in the harvest fields and some in other parts of the province. They knew nothing in regard to this meeting which was called to vote away their birthright, their inheritance. That is one reason why I contend that this was an illegal surrender. Considering these facts and the further disgraceful fact that only one day's notice was given of the calling of this important meeting, and that nearly one-third of the qualified voters were not notified, and knew nothing about the meeting until weeks after it had taken place—and I am informed by many of these young men that had they been at the meeting they would have voted against the surrender as they were not in favour of it—the action of the department was entirely unjustifiable. Although I am not a lawyer I must take issue with the minister when he makes the assertion that he considers that the Indian Act gives his department power to accept a surrender with less than a majority of the qualified vote of the band. If the hon. gentleman is correct in his interpretation of section 49, the Indians would have no protection whatever against a dishonest or crooked Indian agent who could put up just such a scheme as apparently was put up on this occasion to rob the poor Indian of his inheritance by a snap verdict in favour of the surrender which apparently had been done in this case.

After close investigation of this matter I am firmly convinced that the St. Peter's Indians have not surrendered their reserve on the Red river according to the true meaning and intent of the Act, and further that everything that has been done to move the Indians or to alienate the land has been done illegally. The whole transaction was illegally and unjust, worse to my mind, even than the depriving of the Acadians by King George's men. There was perhaps some excuse for that cruel act, but there was no excuse for the cruel act which this government has perpetrated on this band of Indians except it may be that the friends of the government required these lands and they got them.

As is well known the titles of these lands have been withheld. In Manitoba we have

the Torrens system, and when application is made for the title for land, the government on issuing the title guarantees every title they issue. The purchasers of this land made application to the Registrar General of Manitoba for Torrens titles and he refused to issue certificates. I have in my hand the report of the Registrar General to his minister giving the reasons why he refused to issue certificates on those transactions. It is as follows:

Winnipeg, Nov. 5, 1910.

Sir,—I beg to acknowledge your letter of the 26th of October last referring to lands in St. Peter's Indian reserve, and to make the following report as to my reasons for delay in issuing certificates of title therefor to purchasers from the Indians.

One difficulty met with has been in regard to surveys, or more properly speaking, in regard to the plans which have been filed showing these surveys. I have reason to believe that representations have been made that this office has condemned in toto the surveys made by the Dominion government of this reserve as being entirely below standard; but such is by no means the case.

In 1909, when first we were asked to issue titles according to recently filed plans, these plans on being examined did not appear at all satisfactory, and consequently I obtained a report on them after an inspection had been made on the ground by a surveyor employed by this office. Referring to the parish of surveys, this report has the following statement: "In fact, with regard to the parish survey, I see no objection to its being used as a basis for the issue of titles, provided proper plans are prepared and filed."

Referring to the survey of the rest of the reserve, the surveyor making this report draws attention to what appears to have been an incorrect retracement on the ground of the boundaries of the reserve at the southeast corner, but approved of by far the greater portion of the work done on the ground, adding: "Except for the points referred to, the survey of the reserve outside the parish limits appears to be satisfactory throughout, but here again pins are far from satisfactory." Summarizing, he says: "The plans as a whole cannot in any sense be considered as completed plans of survey, but rather as sketch plans, prepared apparently rather to show ownership than to define boundaries." Acting on this report, I have refused to issue titles until such time as proper plans are filed of the surveys made; and in all of the several interviews on the subject which I have had with representatives of the Indian Department, or applicants for titles, I have distinctly stated that with the comparatively small exception referred to, the surveys made are in themselves satisfactory to me, but that I do ask that plans properly representing those surveys should be filed before titles issue.

After such correct plans are filed here, I may find it necessary to ask the Indian Department to call in all patents issued according to the incorrect plans, and to issue new patents according to the corrected plans. As to this, however, I cannot speak definitely until I see the new plans.

Another difficulty is that the double question has been raised before me: Firstly, of the validity of the surrender itself; and secondly, of the validity of each separate purchase from the Indians. As regards the first of these, a caveat has been filed as the foundation of a test case before the courts to try the validity of the surrender; and until that caveat and test case are disposed of, I am prohibited from dealing with any of these titles.

On the second of these questions it is alleged that the dealing with the Indians in most cases has been of such a questionable character that in itself it amounts to fraud. Were such dealings with a white man, I could dispose of the question by serving notice upon the grantor in each case, and if he did not choose to act upon the notice and contest the matter, I would be justified in considering the transaction a bona fide one and proceeding accordingly; but in the case of an Indian, I am satisfied that such service of notice would be held by the courts to be of no effect whatever, and I would be left exactly where I am now with the question of fraud unsettled. If there were only a few isolated cases, even though dealing with an Indian, I would be disposed to make such inquiry as I personally could and act upon the result of my inquiry, taking whatever chances were to be taken; but in the case of this Indian reserve there are hundreds of these cases involving property to the value of a million or more dollars. If I issued certificates of title for this land, all these titles would be guaranteed by the province, and in the event of the titles being successfully attacked on either of the grounds mentioned the province would be liable to pay the whole present value of the lands, amounting to a million or more.

Under the circumstances, I decline to assume any such responsibility.

Yours truly,
(Sgd.) W. E. MACARA,
Registrar General.

It is evident that the government itself is directly responsible for the tangle that exists relating to these titles. Although four years or more have elapsed since the surrender was taken the government has not yet filed proper plans of this survey. This fact makes it absolutely impossible for the Registrar General to issue certificates of title. The government, in its desire to assist its political friends to get hold of these Indian lands, wrote the following letter, which was published broadcast and which had the effect of frightening away the general public:

Ottawa, January 21, 1908.

In connection with Indians disposing of or pledging their holdings, I beg to say that no transfer nor pledge by any Indian will be in any way recognized by the department, and when it has been determined what land each Indian is entitled to receive, a patent for the same will be issued to such Indian, without regard to any claims by white men or others.

It is necessary to make this position of the department clear and as widely known as possible, as any recognition of rights by

transfer would cause endless complications, and in order to prevent same it is incumbent on the department to issue grants only to the Indians found entitled to receive same.

F. PEDLEY.

In face of this letter and nearly a year before the survey was made or patents were issued the government officials were active in assisting the speculators who were buying lands to locate them by the use of the old parish plans. It was the use of the old parish plans that was the cause of the delay on the part of the Registrar General. He dare not take the responsibility of issuing certificates on these plans. The surrender was obtained on the 24th of September, 1907, and the land speculators began buying Indian allotments a very short time after, nearly a year before any survey was made or patents issued. The government through its agents at Selkirk, was apparently so anxious to assist the men who were getting the Indians' lands that they located and described these lands from the old parish plans, which act has really caused all the delay in the issuing of the titles by the Registrar General of Manitoba. After the new survey was made it was found by the Registrar General of Manitoba that the old parish plans did not fit in with the survey. So, he refused, and quite correctly, to issue certificates until a proper plan was filed, which has not been filed up to the present time, and as he pointed out it may make necessary the recalling of all patents that had been issued. Something over 400 patents—I think I speak advisedly and the minister can correct me if I am wrong—have been issued and apparently issued on plans that were improper and consequently he would likely find that the descriptions of these separate lots would be entirely wrong. The Registrar General points out that it will likely be necessary to ask the government to recall all these patents and to make them out under a proper survey. This state of affairs was brought about, as I have said before, by the government's anxiety to get the lands away from the Indians and into the hands of a few friends.

The government through its agents assisted the land speculators at every turn to get the Indian allotments and this fully a year before the patents were issued, although Mr. Pedley the Superintendent General had written the letter I referred to, warning the general public that the Indian had nothing to sell until his patent issued. After that letter was written and after it was published broadcast and after the public were frightened to invest a dollar, being told plainly the Indian had nothing to sell until his patent issued, in face of that, the government's agents with the three or four men in whose favour this

deal was apparently intended, immediately went to work and in the face of that warning began to buy up these allotments through the assistance of the government agent at Selkirk, and some of them have become rich through this deal. I state now that the government has not dealt fairly with the men who were allowed to get these lands. It persuaded these men to take these lands and helped them to get possession of them and now when the government is itself, in a hole, it leaves these men in a hole and refuses to furnish proper plans to enable the Registrar General of Manitoba to give these men the titles to the lands they purchased. No doubt the government realizes the position they are placed in, and realizes too that this whole transaction is illegal. I understand the plan has been made for that survey and has been lying in the department for months completed, and has never been forwarded to the Registrar General that he might be enabled to grant titles to these men who secured these lands. I say that the minister is responsible for this delay in the holding up of these titles to all of these lands. That is another phase of this question which demands a thorough investigation. I see no other way to settle this transaction than the appointment by the government of a royal commission to go into the whole matter. There is another very important phase of this question to be found in the report of Chief Justice Howell, which no doubt the minister knows about. In that report Chief Justice Howell points out clearly to my mind that these Indians were the absolute owners of the old parish of St. Peter's regardless of their rights as Indians. Under the Manitoba Act they were the owners of these lands according to Chief Justice Howell's report. If I understand it aright. To make myself clear, I had better read a few paragraphs from that report, and if the minister has not already read it, I would like him to listen. Chief Justice Howell says:

Pursuant to the commission above mentioned, I commenced investigation of the matters therein referred to by holding a first meeting at Selkirk, on the 24th day of December, 1865, in the presence of Mr. Clark, counsel for the Indian band and Mr. Beap, appearing for various claimants.

I have never said one word about these counsels that were employed, but I would like to ask the minister what Mr. Clark did to protect or save the Indians. He was appointed by the government and paid by the government something like \$1,500 to protect the rights of the Indians and there is not a word of protest from Mr. Clark that I have found in all the correspondence, against this rascally transaction. I do not understand what his duties

were, but if he had any duties in the shape of protecting the Indians, I am satisfied he failed entirely to look after their interests. The Chief Justice says:

Before reporting upon the various claims for patents to portions of this reserve, I think it well to consider the environment at the time of the treaty and also to discuss some points of law.

At the time of the treaty and for a long time previously, the territory along the Red river from Winnipeg northward, was divided into parishes by the church of England, the boundaries of each of which were well defined. Reference to volume 1 of H. Youls Hind's work, published in 1869, being a report of his own observations, will show at page 175, that at that date the parishes of St. Andrews and St. Peter's were adjoining, and there was then no St. Clements.

It further shows that the southerly limit of the parish of St. Peter's was south of Sugar Point, and included all of the present town of Selkirk.

The evidence given before me established that at the time of the treaty the southerly boundary of the church parish of St. Peter's was in the same place.

At that date the survey by the Dominion government of the Red river belt, north of Winnipeg had not yet begun. See Vaughan's evidence. So of course, when in the treaty the following language is used, "beginning at the south line of St. Peter's parish, the church parish, and not the Dominion survey parish of St. Peter's must have been intended." According to the language of the treaty then, the reserve should have its place at the beginning at the south side of Sugar Point, nearly a mile further south than its present boundary and including the fine lands of the town of Selkirk and the lands to the westward and eastward thereof.

Then, Mr. Speaker, further on, the Chief Justice points out in the following language:

It seems to me clear that the south line of St. Peter's parish referred to in a treaty of 1871, does not correspond with the south line of St. Peter's parish according to the Dominion government survey, and in this respect, the terms of the treaty were not carried out.

Another paragraph later on, Chief Justice says:

It does seem to me that the limits of the reserve were settled ex-parte by the government without the concurrence of the Indians, at all events, there was no protest before me of any participation in the selection by the band.

The Indians claimed before me that the southern boundary of the reserve should have been at Baileau's lot, south of Sugar Point, nearly a mile further south than as ultimately fixed.

The report further on says, at the time of the treaty, the Manitoba Act, 23 Vic., chap. 3, was in force. Section 32 gives rights to parties under the sanction of the Hudson Bay Company, which rights were extended by 37 Vic., chap. 26, section 3, and the method of providing or ascertaining these rights was facili-

tated by 38 Vic. chap. 52, section 1, which seems to be retroactive.

It seems to me clear that the Manitoba Act applies to Indians, half-breeds and white-men alike, and that if an Indian proves possession and title sufficient to come within section 32 of the Act and amendments, he is entitled to a patent, notwithstanding the purity of his aboriginal blood. See *Totten v. Watson*, 15 U.C.R. 292.

The treaty provides that if there are any settlers within the bounds of any lands reserved by any band, Her Majesty reserves the right to deal with such settlers as she shall deem just, so as not to diminish the extent of land allotted to the Indians. The question at once arises as to the meaning of the term settler. Does it mean a mere squatter who has come to this country and has settled on the land prior to surveys, but after the 15th of July, 1870, the date of the transfer, or does it refer to those having rights under the Manitoba Act, above referred to?

The mere setting aside of a tract of land for an Indian reserve by the treaty could not deprive any person of a statutory right to any lands which he then had on any portion of the reserve.

The various members of the band who are in possession of their separate parcels, and owners nearly all claiming titles through *Pagans* or *Princes*, were recognized in the locality as separate owners and had their rights marked out as separate lots, fronting on the river by Vaughan in his survey commenced in 1872, completed in 1874. And following the variable practice of the department of the Interior in this country, which is well known to me, if this parish of St. Peter's had not been made a part of the reserve, it seems to me that patents would have issued to the occupiers of this land as in other parishes.

It is argued, however, that because of provisions of the Indian Act, these people lost their rights. However starting it may be, there was no Indian Act in force in this province at, or for some years after the treaty. It is further argued that because the Indians made a treaty, which provides that a reserve be set aside, beginning at the south boundary of the parish, they each individually, agreed to abandon separate and private property to the government so as to establish a reserve. In other words, by the law of estoppel, these wards of the government were prevented from setting up their individual rights against their guardian.

The Indians claim, and there is a good deal of evidence to support it, that at the treaty they were told that each was to retain his private property, and holdings and were to get a reserve in addition thereto.

Another paragraph, the Chief Justice points out the following:

The Indians claim that each is entitled to a patent under the Manitoba Act of the land occupied at the transfer by themselves or their ancestors, and that, therefore, the reserve was not originally large enough to satisfy the terms of the treaty.

It will be seen that this report of Chief Justice Howell points out clearly to the Superintendent General of Indian Affairs

first, that the boundaries of St. Peter's parish should be a mile farther south than they are. This he points out, would include the beautiful town of Selkirk and the magnificent lands lying east and west for two miles on each side of the river. He points out, secondly, that the St. Peter's Indians own every acre of the old parish of St. Peter's and are entitled to patents for the same, as this parish was included in the reserve by the government wrongfully in 1874, as it was the private property of this band under the Manitoba Act. Chief Justice Howell points out to the Superintendent General of Indian Affairs, that after depriving the Indians of their rights as settlers to this magnificent estate, he proceeds to make a bargain, not with the band, but with the chief and his four councillors for the surrender of the reserve, and in doing so placed the following clause in the agreement:

The surrender shall release lands in the present reserve from all claims of the band and from each individual thereof, from all or any claims, under the Manitoba Act, or the Indian Act, and each member of the band shall sign a release to this effect when he receives his patent.

This is a phase of the question which I have tried to emphasize, in the earlier part of my remarks, by pointing out that these Indians declared that they had never signed any receipt for their patents or any release of their rights under the Manitoba Act. The band also claim that the terms of surrender were never explained to them in their own language, and that they did not know what they were doing. We have the affidavits of William Asham and other Indians which I have quoted to this House, and which state distinctly that when Mr. Pedley came to the reserve with the agreement of surrender all prepared, without any consultation with the band whatever, he arranged the matter with the chief and his councillors, who had been bribed to agree to the surrender—that he came there and read that surrender in English, and read it so fast that even those who understood English hardly followed it or grasped its meaning. This is a serious state of affairs, and something that this parliament ought to take cognizance of, and that in the interest of everything that is fair to the Indians, ought to be thoroughly investigated. I do not see how hon. gentlemen can content for one moment that justice has been done or that any atonement has been made to do justice by the minister who is responsible for this outrage.

Now I wish to refer for a moment to a report made by the Rev. Dr. MacDougall. I want to say frankly that I hardly consider the report worthy of mentioning in this House, as I regard it as a fiasco. The hon. minister sent the Rev. Dr. MacDougall to make a report on what he found on the St.

Peter's reserve. The hon. gentleman seems very fortunate in getting hold of these clerical gentlemen to pull his chestnuts out of the fire. I will read the instructions to the Rev. Dr. MacDougall:

Department of Indian Affairs,
Ottawa, 27th September, 1910.

I am directed to request that you will be good enough to proceed to the St. Peter's Indian reserve and also to the new reserve set apart for these Indians at Fisher River, and ascertain the general condition of these Indians and the progress that is being made in the removal to the new reserve. The Department would like to be advised as to the number of Indians that have removed and what steps should be taken to facilitate further movements, and how such removals can best be accomplished and at what time.

I can tell what will facilitate removal—do justice to the Indians.

The Indian agent has been instructed to hold an election of chief and councillors for these Indians but no report has been received in connection therewith. It would be well to ascertain what progress has been made in this matter, and report.

This is another of the outrages that have been perpetrated on this band of Indians. They were practically taken by the throat by the Indian agent at Selkirk, as must have been reported to the Deputy Superintendent General or to the minister. They have refused to allow this band of Indians to have an election ever since that surrender was made—why? Because they realized that as soon as an election took place the chief and council, who had betrayed the band, who had sold themselves to the government to agree to this surrender, would be put out of office, and another class of men would be put in office, who would contest this surrender at every inch of the way. For that reason these Indians have been denied the right which they have enjoyed ever since they were a band of having an election every two or three years. In any case they were entitled to an election the year after this surrender took place, but they have never been able to secure consent to have an election since, so that those men who betrayed the band and who sold themselves to secure this surrender still hold office.

Referring to this report, I would like to ask why was it necessary to choose the Rev. Dr. MacDougall to find out how many Indians had been removed from the old reserve to the new? Why, we have two Indian inspectors in Winnipeg and one in Selkirk, the Rev. John Semmens, drawing \$1,200 to \$1,500 each per year, and one or two others drawing the same salaries. The Indian agent in Selkirk could have got that information, but the minister sent out the Rev. Dr. MacDougall to make an investigation. Dr. MacDougall went out first to the new reserve and held a meeting

there. Every statement which I made last session was repeated to him in St. Peter's Indian Reserve by the Indians themselves. After holding the meeting in the new reserve, he ascertained that only 162 Indians out of 1,300 had been moved from the old reserve to the new, after an expenditure of \$30,000 or \$40,000 for legal expenses and building houses and moving those 162 people. In other words there were over 1,100 people yet in possession of the lands on the old reserve which had been wrongfully taken from them. But when Dr. MacDougall came back to Selkirk to the old reserve, I must give him credit for one thing. He acted fairly in calling a meeting. He did not do as the Deputy Superintendent General had done. He did not spring a trap on the Indians by giving them only 24 hours to come and vote away their birthright. He gave 10 days' notice that he was going to hold a meeting, and he held not one but two meetings. The first lasted over three hours. The Indians asked me to attend but I refused to go simply because I wanted to give Dr. MacDougall a fair chance. I met him and talked the matter over with him; and I said to him that I would not go to the meeting because I had every faith that he would give a fair and honest report of what took place. I did not go near the meeting, but two reporters from Winnipeg attended and made a full report of what took place. That report is in this House at present and will speak for itself. I am not going to read it, but I have a letter here from one of the Indians, Mr. William Asham. I have said before in this House, and my statement was ridiculed, that Mr. Asham is one of the most intelligent and eloquent Indians in Canada, and I do not believe that I exaggerated in making that statement. Mr. Asham knows what he is talking about, and he addressed this letter to myself:

St. Peter's, January 14, 1911.

Geo. H. Bradburn, M.P.

Dear Sir,—In the matter of Rev. John MacDougall visiting St. Peter's reserve last fall, held a public meeting with the Band of St. Peter's Indians, said that he was sent to hear the grievances in general, as well personal grievances, if there were any. Amongst other things, the following were the grievances that were laid before him:

1st. Rev. John Semmens, Inspector of Indian Agencies, was accused of saying in Cree language, just at the time when the vote was to be taken for the surrender of the St. Peter's reserve, "Those of you that want \$90 (ninety dollars) go that side," indicating to where the chief and councillors stood. This matter was proved by the meeting before Mr. John MacDougall that such words were used by Mr. Semmens. Of course, without doubt, those words were misleading.

2nd. That a big percentage of the treaty In-

dians never applied for their patents, nevertheless the patents were issued, but the owners of same never saw them. Rev. John MacDougall, to satisfy himself, put the following question to the meeting, 'If there are any that never saw their patents let them stand up.' Although the attendance was rather small, quite a number stood up. This matter was also proved before Mr. MacDougall that it was really the fact of the case.

3rd. The curtailment of the privilege that the Indians of St. Peter's enjoyed for many years prior to the time of the surrender of the St. Peter's reserve. The Indians were allowed to have an election of chief and councillors every three years, being the term allowed by law (India Act). The present so-called chief and councillors are not recognized by the band of treaty Indians as chief and councillors, knowing that their term of office expired on the 4th day of July, 1906. The Indians of St. Peter's are fully aware if the election of chief and councillors had been granted when it came due, considerable trouble would have been avoided. This matter was also proved to Rev. John MacDougall.

4th. There were also a few personal grievances that were laid before him. There was a foreign woman that laid her complaint. The following was the nature of same. That her husband was blind, and it was only her that could do anything for the family. When the patent came she went to the Indian Office at Selkirk and asked for the patent. One of the so-called councillors defied her by saying, be damned to get your patent. At the time she didn't get the patent. She also went on to explain how she was roughly handled by the Indian agent.

Many more things could be added, but we think this will be quite sufficient and worthy for consideration.

We are indeed surprised to read an account of the report of Rev. John MacDougall, say not a word is said of the grievances that were laid before him. We can now understand, unless a proper commission is appointed, the truth will never be known.

Your Obedt. Svts,

WILLIAM ASHAM,
WM. SINCLAIR,
his
JOHN X FLETT,
mark

I hardly know how to characterize a report of that kind coming from a man like the Rev. John MacDougall. I cannot believe that he could be soiled that report of his own volition, but am inclined to give credence to a statement made in one of the papers that when he came to Ottawa the Indian Department claimed the right to edit his report before it was laid on the table. I have no doubt that Mr. MacDougall gave a full and fair account of what he found in that reserve, but that account we do not find in the document I hold in my hand and which purports to be the report of the Rev. John MacDougall. Mr. MacDougall heard from the men who had sent their allegations and affidavits down here what their grievances were. He told me himself, when taking

the train in the town of Selkirk where I met him, that there could be no doubt that the Indians had been the victims of the white man's cupidity. I appeal to the hon. minister (Mr. Oliver), who is responsible, to remember that at one time this band of Indians was strong and mighty in the land, and they did not mete out the kind of justice to their white brethren that we are meting out to them today in this House.

Now, I would like to say a word or two regarding this band of Indians. They are the descendants of the band who were the first to offer the right hand of fellowship to Lord Selkirk's hardy settlers who landed in the Red River District in 1812, and were allotted land at Kildonan. The property of the settlers and their animals were safeguarded by these Indians. The word of Chief Pecos and of Prince was the law all over that country, and the rights of the settlers were protected by this very band that have been treated in the manner I have shown by this government. During the first Riel rebellion, where do we find these men? Every one of them loyal to the flag. When Riel had Dr. Schultz a prisoner under sentence of death, this band sent word to Riel to release Schultz or they would attack the fort. Schultz was released, but was taken again a few days later, after Riel had been reinforced by French halfbreeds. But Schultz made his escape, and was kept in hiding among these Indians until he could get out of the country, which he did by the assistance of Joseph Monkman, a grand old native of the country. Later, when good men were needed by Great Britain on the Nile for the expedition sent for the relief of Gordon, among the best of the rivermen sent out from Canada were to be found twelve or fifteen of the St. Peter's band. And, later still, during the last Riel rebellion, some of the best scouts the government had were St. Peter's Indians. This band was loyal at all times, although tempted by those who were leading the rebellion against the Canadian government. These are the men who have been practically thrown to the wolves by this government; these are the men who have been deprived of their inheritance, and upon whom this government has allowed its officials to perpetrate what I believe to be one of the most racially transactions ever perpetrated in this country in connection with the Indian Department. This transaction reeks with dishonesty to my mind, and I think that if the minister did not think so too we should have had a fuller investigation long ago. But he seems to be afraid to touch this question—afraid to let in the light. Surely it is the duty of the Superintendent General, as guardian of the Indians, to protect these men, to protect them even from themselves if necessary,

and especially protect them from the public, and to take their side in such questions as this. I should not be required to stand in this House, and contend for the Indians; that is the duty of the hon. gentleman who is the guardian of the Indians. This matter has been brought before him in as forcible a manner as I am capable of doing. I am sure he has had plenty of opportunity to take the right course. I could tell the hon. gentleman of letters he has received from his old political friends, strong men, men occupying prominent positions in the city of Winnipeg who have verified a good deal of what I have told him to-day. So this is not a political matter with me. There is no politics in this; it is a matter of justice to the poor unfortunate Indians, men whom we ought to protect.

An hon. MEMBER. They have no votes.

Mr. BRADBURY. No, they have no votes. I contend that this treatment of the St. Peter's Indians is a blot upon the escutcheon of Canada. Up to the time this government came into power, it was the proud boast of Canadians every where that we had treated our Indians well, and that our Indians were satisfied. But now the cry goes up from this band for British justice. These men tell me in private conversation, 'This is not what we expected from Great Britain.' Many of these men do not realize the difference between Great

Britain and this government. But there is a difference, thank Heaven! They appeal tonight for British fairplay, and that is all I am asking. I ask that this royal commission shall be granted. I have tried to be fair, I have tried to discharge my duty as the representative of the part of the country in which this transaction has taken place; and I now urge the government to grant this royal commission.

I move, in amendment:

It is the duty of the government forthwith to appoint a Royal Commission for the purpose of making a prompt, thorough and complete investigation in the negotiations which resulted in the surrender of the St. Peter's Indian Reserve, and into the said surrender and all circumstances connected therewith, and into the price or other consideration received by the Indians for lands allotted to them under the terms of the said surrender, and into the price or consideration received by the government for lands included in such surrender and afterwards disposed of by public auction, and into the locating of the said Indians on other lands and generally speaking into all matters and transactions in any way connected therewith or relating to the said surrender and everything leading up thereto and resulting therefrom.

And that counsel selected by the said Indians should be permitted to appear for and represent them before the said Royal Commission throughout the said investigation, and that the fees, charges, and any expenses of the said counsel should be paid by the government.