

CHAP. 29.

An Act respecting the Caughnawaga Indian Reserve and to amend the Indian Act.

[Assented to 28th June, 1934.]

WHEREAS by Order in Council of the fifth March, 1889 (P.C. 466), the provisions of *The Indian Advancement Act*, being chapter forty-four of the Revised Statutes of Canada, 1886, were applied to the Iroquois Indians of Caughnawaga in the province of Quebec, and, for the purpose of giving effect to the application of the said Act, the reserve at Caughnawaga was designated the Caughnawaga Indian Reserve, and was divided into six sections, as therein set out; and whereas by Order in Council of the 12th July, 1906 (P.C., 1419), in the purported exercise of the powers conferred by section four of *The Indian Advancement Act*, as enacted by section one of chapter thirty of the statutes of 1890, it was provided that the division of the Caughnawaga Indian Reserve into sections be done away with, and that the said reserve be comprised in one section; and whereas it appears that there was no provision of *The Indian Act* or of any other statute authorizing the making of the last mentioned Order in Council, and that the same was and is, therefore, void and of no effect; and whereas it is expedient that anything duly done or suffered pursuant to the provisions of the said last mentioned Order in Council be validated, and that provision be made for again dividing the reserve into six sections: Therefore His Majesty, by and with the advice and consent of the Senate and the House of Commons of Canada, enacts as follows:-

1. All acts committed, proceedings taken or things done or suffered under or pursuant to the provisions of the said Order in Council of the 12th July, 1906 (P.C. 1419), are hereby declared to have been valid and effective to all intents and purposes as if the said Order in Council had been lawfully made.
2. Subsection one of section one hundred and sixty-seven of the *Indian Act*, chapter ninety-eight of the Revised Statutes of Canada, 1927, is repealed, and the following is substituted therefor:-

"167. (1) Every reserve to which this Part is applicable, may, by Order in Council, be divided into section, the number of which shall not exceed six, and each section shall have therein, as nearly as is found convenient, as equal number of male Indians of the full age of twenty-one years, or, should the majority of the Indians of the reserve so desire, the Governor in Council may provide that the whole reserve may form one section, the wishes of the Indians in respect thereto being first ascertained in the manner prescribed in Part I in like matters, and certified to the Superintendent General by the Indian agent. The power to divide any such reserve into sections, or to provide that the whole reserve may form one section may, subject to the provisions of this section, be exercised at any time and from time to time, as the Governor in Council may see fit."