

judice to the public interest. We had, for instance, the first five mile belt in which homesteads were not allowed and the lands in that belt were fixed at \$6 per acre; the next belt at \$5; the next at \$4; the next at \$3; and the next at \$1 per acre. Now these were regulations of the utmost importance in their character; it was dealing practically with an empire. No legislation, no regulation pertaining to the interest of the public of Canada could be of greater importance than these regulations which emanated from the Department of the Interior and were put in force by the will of one man. It was an exercise, in this country with free institutions, of despotic power, and that power has been exercised by the Minister of Interior very naturally in such a way as to forward the interests of his party. If you take the colonisation regulations of 23rd December, 1881, by which parties could make application for colonisation lands, in one year and eight days 251 applications were made, covering nearly 2,300 townships, and by means of that scheme the Department of the Interior and the Government were able to use a leverage of vast importance and power in the elections. Now, whatever may be the rules and regulations adopted with regard to our public lands, it is a matter of the greatest moment and public interest that these matters should receive the careful and full consideration of this Parliament, and that before the Minister of Interior or the Department is permitted to act in this matter they should be obliged to consult Parliament and receive the sanction of Parliament to any rules and regulations they may propose to establish. For this reason I believe that our policy with regard to the public lands should be entirely changed. Now, in the United States the idea of a head of a Department making regulations with regard to the price of the public lands—

The CHAIRMAN. I do not think the hon. gentleman is in order in entering into the general discussion.

Mr. CHARLTON. I am about to propose a substitute for this section.

The CHAIRMAN. Still the hon. gentleman should not open up a discussion on the whole policy.

Mr. CHARLTON. I think it is high time it was discussed.

Mr. BLAKE. As I understand, the question we have before us is the policy of Parliament putting in the hands of the Ministry power to alter the stipulations and the rules which Parliament has made.

The CHAIRMAN. As regards this clause:

Mr. BLAKE. But this clause involves the whole thing, as you will see if you look at it.

Mr. CHARLTON. As I observed, the exercise by one man of such a power in the United States, would not be permitted for one moment. Everything in that country relating to the management of public lands is carefully considered and sanctioned by Congress before any action can be taken by the heads of departments or by the officers of the Government. Such ought to be the case here. I would rather trust to the collective wisdom of this body than to any one man as Minister of the Interior, however wise or just he may be. We are more likely to have the public interest looked after by the representatives of the people than by the Department, which is liable to make use of its powers for political purposes, as it has done in the past. I move that the following be substituted for this section:

All regulations as to the price of the public lands of Canada, conditions of settlement, reserves for homesteads and pre-emption, and grants under leasehold, shall first receive the sanction of Parliament before being acted upon by the Minister of the Interior, and all provisions of the existing law, conflicting with the reservation by Parliament of full control in all matters pertaining to the management of the public domain as aforesaid, are hereby repealed.

Sir JOHN A. MACDONALD. I object to that as altogether out of order. It has no relation to this clause.

Mr. CHARLTON.

The CHAIRMAN. I do not think this is a proper amendment to this clause.

Mr. BLAKE. Since we opened this discussion I have sent for the Act, and I find that the practical effect of the hon. gentleman's proposal is to place at the disposition of the Minister of the Interior all the conditions upon which homesteads are to be secured. This clause proposes that whenever it is necessary the Minister may vary any of the forms from A to M, or cause to be adopted such other forms to the like effect as he considers applicable to any special case or class of cases. Now, Sir, the forms are the regulations and the requirements. They are not merely the proofs of certain statutory requirements, but it is in the forms alone that you find the requirements of the law. For instance, the 27th section of the Act which is proposed to be amended, says this:

"Any person, male or female, who is the sole head of a family, or any male who has attained the age of eighteen years, shall, on making application in form A in the schedule to this Act, be entitled to obtain homestead entry."

Now, form A is a simple application; that, of course, is of no consequence. Then, clause 29 says:

"To obtain homestead entry it shall be necessary for the person applying therefor to appear and make affidavit before the local agent, according to form B, C, D, or E, in the schedule to this Act, as the circumstances of the case require."

Form D is an oath or affirmation that the party is over 18 years of age; that to the best of his knowledge and belief the land in respect of which his application is made is open for homestead; that there is no person residing on the land applied for; that the application is made for his exclusive use and benefit, with the intention of residing upon and cultivating the said land; and that he has not heretofore made an entry for a homestead on Dominion lands.

Mr. WHITE (Cardwell). They are all in the Statute.

Mr. BLAKE. I do not find them in the Statute; but if everything here is statutory, the hon. gentleman is proposing to take power to vary the Statute, because if this form requires to be varied, it must be because the requirements of the Statute cannot be complied with. So with reference to forms B, C, D, and E, and so with reference to forms H, J, K, and L—they are all requirements or proofs of statutory requirements. M is the local agent's certificate that the party who is the holder of a homestead entry has complied with the provisions of the law in order to entitle him to receive a patent for such land, and recommending the issue of such patent. The hon. gentleman is to be authorised to alter that, so that the agent may give a certificate which will not prove that the law has been complied with, and upon that the patent may issue. Now, it does seem to me that it is monstrous that the power should be placed in the hands of the Minister to alter these provisions, and that secretly. There is no provision for publicity; the rule the hon. gentleman adopts in the case of John Jones, the relaxation he makes in his case, may not be known to others, and other parties have no means of knowing what measure of justice and favor may have been granted to him and omitted to them. You thus expose the Minister and the Department to constant applications to waive the provisions of the law in all sorts of cases; you invite the homesteader to be careless about fulfilling the conditions, in the hope that by pressure he may remove them; and you authorise the Minister privately and with reference to a particular case to alter the conditions, and so to establish rules for different individuals in cases analogous or nearly so. It does seem to me that no reason has been given for such a serious change in the law.

Sir JOHN A. MACDONALD. The argument of the hon. gentleman is quite relevant to the resolution, and it is a question of course whether the words "with the approval