

Mr. McKENZIE: I think it is the common practice to give notice. There is nothing better established in British law than that you cannot make an order against a man in the court without giving him notice. The Supreme Court of Canada have held over and over again that a man cannot be bound by any proceedings which take place in court of which he has had no notice. The court may grant an order but the man should have notice before the order is granted.

Mr. MEIGHEN: This very section provides for notice.

Mr. McKENZIE: I told my hon. friend that I had not had time to read it and I was asking him what the effect would be.

Mr. MEIGHEN: That notice is provided for.

Mr. PEDLOW: What good purpose does the minister hope to serve by taking land from one settler to give to another settler who wants, or fancies, the land that some particular settler has located on when there is so much unsettled land in the country?

Mr. MEIGHEN: I have answered that question several times. There is no intention on the part of the board to do that. In fact, the principle is clearly embodied in this Act that the board is not to take land that is being used, it is to take land which is not being reasonably used. There is some advantage to the country in handing land over to somebody who will use it as against the man who will not use it and who holds it for speculative purposes.

Mr. PEDLOW: I assumed from the discussion that has just taken place between the minister and my hon. friend the leader of the Opposition that you intended to dispossess some man, put him on the roadside and instal some one else in his place.

Section agreed to.

On section 49—inspection and survey of and entry upon lands:

Mr. MORPHY: I draw the minister's attention to the fact that whereas in subsection 2 of section 49 the qualification:

—duly licensed or empowered to act as a surveyor for any province of Canada—

is required, there seems to be no definition of the qualifications of an engineer. The danger I see is that a non-qualified person may be deputed to make a survey as an engineer, and may make it improperly.

[Mr. Meighen.]

Mr. MEIGHEN: Section 49 is taken from the Expropriation Act, and I do not like to burden the ordinary expropriation machinery if I can help it. I think the original Act would have been better drafted if some qualification had been put after "engineer," but there is one very great advantage in following another Act, even though that Act may not be drafted in the very best way, namely, the advantage of following the procedure, and so forth. I do not suppose we would lose any of that by defining the term "engineer." The board is not going to employ a person who is not an engineer.

Section agreed to.

On section 59—power of board to estimate land apart from buildings and to vary amount as to balance due:

Mr. MEIGHEN: I desire to propose two amendments to this clause. The way it reads now the board is empowered to take any amount not exceeding \$1,000 away from the stock loan and add it to improvements. The amendment I propose is to enable the board to take away from the improvements loan and add it to the stock loan. The amendment will therefore empower the board to vary the provisions of section 18 in that regard and:

(ii) To vary the provisions of section sixteen to nineteen inclusively, of this Act, so that live stock and equipment to a value not exceeding three thousand dollars may be sold to a settler, but so that the total amount of balance of price and advances remaining unpaid by the settler as the result of the exercise by the board of any of its powers under this Act shall not exceed seven thousand five hundred dollars.

The Bill will then provide that \$1,000 may be taken off stock and added to the amount available for improvements, or the stock loan may be raised \$1,000 and made \$3,000, so long as the total does not exceed \$7,500. I think that will be clear to the committee. That is to meet the strong representations made by the war veterans that we were not adequately providing for stock farming, especially in the provinces of Alberta and Saskatchewan.

I also desire to amend subsection (1) by adding the following subclause (c):

In all cases of sales of orchard or fruit lands, to apply the provisions of section 18 of this Act, with such other provisions thereof as may depend upon or have relation to those of said section, as if for the words "live stock or equipment" or "live stock and equipment acquired under authority of this Act" or words to the same effect in said section or in any of said sections appearing, there were substituted