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- 3.—340 acres, at Prairie Grove, building and cultivation. Good well. Only \$50 per acre.
- 4.—150 acres, 3 miles from Tynsdall, driving distance from Winnipeg, splendid summerfallow ready for seed. \$10 per acre.
- 5.—170 acres, near Oakville, new mile of frontage on Assiniboine. \$30 per acre.
- 6.—480 acres, near Elm, beautiful prairie, black clay loam. \$25 per acre.
- 7.—480 acres, near Carberry, buildings and cultivation. Bargain, \$12 per acre.
- 8.—640 acres, near Forget, Sask., partly cultivated. \$12.50 per acre.
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WIFT CURRENT
SASK

Alberta and Saskatchewan were erected into provinces, the Dominion Land Titles Act applied to both and the Manitoba statute was almost identical. Why should not the same conditions prevail to-day?

The three Western provinces have agreed upon uniform conditions in fire insurance policies and have, I believe, passed uniform acts. Why should not the same apply to land titles?

In the Maritime provinces they suggest a legislative union of the three provinces. Of course administrative advantages and lessened cost of government are strong arguments urged in support. But the uselessness of three legislatures passing largely the same acts is one of the potent reasons lying behind the movement. I do not suggest legislative and administrative union of the prairie provinces. The areas are too large to make such a change advisable or practicable. But why should we not, without merging the provinces, have the advantages which the maritime provinces seek, by having uniform laws upon common subjects passed by our legislatures.

Western Torrens Acts

Now what are the differences between the Land Titles Acts of the three provinces? There is no essential difference in principle. They all provide a warranty by the State of indefeasible title in the registered owner, the creation of an assurance fund to indemnify persons whose rights may be taken away by the operation of the system; the transfer of the registered estate only upon entry in the register; the substitution of one registered estate instead of two under the old system, an equitable estate and a legal estate; non-registration of trusts; conclusiveness of the register in favor of purchasers relying upon the register; the necessity of entry on the register to preserve rights to land; covenants in respect of otherwise unregistered rights; the employment of official maps in aid of the register; the sufficiency of simple forms of documents, with implied statutory rights and powers, and most of the provisions for carrying out the scheme are the same.

But in Alberta title to land may be acquired by possession for twelve years. Under the new Saskatchewan Act it cannot be so acquired. In Manitoba title may not be acquired by length of possession merely. If a man is purely a trespasser possession will not ripen into ownership. But if he entered originally under an agreement for sale or a lease or otherwise by leave of the registered owner, possibly he may be able to acquire title. In Manitoba the only time-limitation in respect of suits upon mortgages is where payment is sought. In Saskatchewan and Alberta the time limit applies also in cases where possession is sought, or foreclosure or redemption asked.

The statutory provisions in regard to rights and powers of mortgagees and foreclosure of mortgages are different. And in Manitoba foreclosure cannot be opened up. One of the Saskatchewan Judges held in an unreported judgment two years ago, that a Saskatchewan foreclosure can be reopened. In one jurisdiction foreclosure can only be obtained in the Land Titles Office, in another in Court, in another in either.

In Manitoba a mechanic's lien affects the property whether registered or not and may take priority over a mortgage or a vendor's interest, although the money was advanced or the sale was made long before the lien. In Saskatchewan and Alberta the lien has no effect upon prior transactions and only affects subsequent ones when the lien is registered.

In Manitoba private rights of way or other easements affect the land even though no entry appears upon the register. This is not the case in Saskatchewan or Alberta.

In Manitoba (and the new Saskatchewan Act now so provides) a suit may be brought directly to recover from the assurance fund. In Alberta the process is indirect and technical.

A caveat may be registered in Alberta and Manitoba by anyone claiming an interest in land. In Saskatchewan it can only be done where the claimant has a document in writing to support his claim.

This list of differences by no means

exhausts them but will give some conception of how serious they are. In addition there are many provisions where the intention is apparently the same but different language is used to express it.

Practical Step to Uniformity

The Canadian Bar Association has suggested the appointment by each province of commissioners to compose a body charged with the consideration of matters suitable for uniform treatment and to draft the Acts. This is the American plan and it has succeeded remarkably well under similar conditions. The first practical step towards uniformity of laws must therefore be the appointment of such expert representatives by the provinces. The Canadian Bar Association has prepared a Uniform Act for that purpose, which has also the approval of several provincial bar associations. This has been submitted to the provincial governments. Its passage will be a long step in the direction of general uniformity.

The Honorable Mr. Turgeon, Attorney-General of Saskatchewan, recently wrote in reference to a Uniform Land Titles Act: "I have thought all along that uniformity in this branch of our law in the three Western provinces would have great advantages." The advantages are many, the need for the change is great, the time is opportune, the disadvantages are none. Why should we not have a Uniform Land Titles Act and have it now? The Bar Associations are working for it, the legislatures can have no valid objection to it, but whether we get it or not depends upon the public, that is you Mr. Farmer, you Mr. Retailer, you Mr. Wholesaler, you Mr. Manufacturer. If you want it strongly enough to impress it on your member and your government, you will get it. But if you stop at a mere concurrence in its advisability or at the expression of a pious wish, you will not get it. Such is the nature of a democratic country.

UNITED GRAIN GROWERS LIMITED

NOTICE is hereby given that application will be made by United Grain Growers Limited, formerly The Grain Growers' Grain Company Limited to Parliament, at the next session thereof, for an Act amending chapter 80 of the Statutes of 1911, and amending Acts, for the following among other purposes:

To empower the company to guarantee the contracts, debts and obligations, both present and future, of Public Press Limited, and of any company, the shares, bonds, debentures or securities of which are held or may be held by United Grain Growers Limited and to provide that section 125 of "The Companies' Act" shall not apply to company.

Dated at the City of Winnipeg, this 23rd day of January, A.D., 1918.

BONNAR, TRUEMAN, HOLLANDS & ROBINSON,
Solicitors for applicant.

UNITED GRAIN GROWERS LIMITED

AVIS est donne par le present qu'une demande sera faite au parlement, a sa prochaine session, par la compagnie dite "United Grain Growers Limited," autrefois "The Grain Growers' Grain Company Limited," afin d'obtenir un acte modifiant le chapitre 80 des Statuts de 1911 et les lois modificatrices du dit chapitre, pour les fins suivantes, entre autres:

Donner le pouvoir a la compagnie de garantir les contrats, dettes et engagements presents et futurs de la compagnie dite "Public Press Limited," et de toute compagnie dont les actions, obligations, debentures ou valeurs sont detenues ou pourraient etre detenues par la United Grain Growers Limited, et faire provision que le section 125 de l'Acte dite "The Company's Act," n'obtienne pas a la compagnie.

Date a Winnipeg, ce 23e jour de Janvier, A.D., 1918.

BONNAR, TRUEMAN, HOLLANDS & ROBINSON,
Procureurs de la requerante.

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