

not sold, that land will be no longer liable for taxation and hardship will be inflicted on the municipality.

Mr. MEIGHEN: It would be if the board kept the land, but the board does not do that. The board will turn it over to the settler.

Mr. HAY: This land cannot be sold at a tax sale as can other land in the western provinces?

Mr. MEIGHEN: No, the interest of the board could not be taken under tax sale. But we realize the necessity of not undermining the municipality. That is going to be the policy of the board and it will be to their interest to see that the settler's taxes are paid.

Mr. HAY: Does this mean that only the interest that the settler has in the land is taxable, or the whole property?

Mr. MEIGHEN: The individual himself is liable for the entire taxes that he is assessed for by the municipality. The land is merely the security. The security which the municipality will have in respect to the settler will just be the settler's interest in the land, the same as its security now is limited to the homesteader's interest in his land. All homestead land that a man enters for is taxed but the municipality cannot sell it. The municipality, however, can say: You do not get the title to that land until you pay your taxes. It is a similar law which we apply here. They cannot sell the land which is owned by the board but they can tax the settler's interest and retain it, and the settler cannot get his title until his taxes are paid.

Section agreed to.

On section 42—when board may establish or declare a block of land a settlement area:

On motion of Mr. Meighen the word "forty" in line ten was stricken out and the word "forty-one" substituted therefor.

Section as amended agreed to.

On section 46—payment of compensation costs:

Mr. MEIGHEN: That is just as in the Expropriation Act. Any claims against land the Board takes becomes a claim against the moneys that the board has taken.

Section agreed to.

On section 48—resistance to peaceful possession:

Mr. McKENZIE: This is a very important procedure. I have not had time to read the Bill through, so I ask: What is the procedure to dispossess a man? I think it would create a great deal of hardship to turn a man and his family out on the road if they had no place to go.

Mr. MEIGHEN: If resistance is offered, of course the hardship would apply because the order of the Exchequer court for possession would empower the sheriff to deliver possession to the board. Naturally hardship could be imposed upon a man in that way, but if he has been paid for his land it would be no great hardship to give it up. Subclauses 1 and 2 are taken verbatim from the Expropriation Act.

Mr. McKENZIE: That is not what I mean. I understand it is proposed that the moment a plan is filed and notice given that title to the land vests in the board, the proceedings described in this section may take place. Yet, the owner may not accept the money, he may want to go to the Exchequer court, and it takes two or three years before the matter is finally settled. In the meantime, there may be an application for a warrant to put the board in possession of the land. That is where the hardship comes in. If a man takes the money for the land he ought to give up the title, but he may be entitled to say that the amount offered is not enough, that the case is in the Exchequer court and that he will not give up possession until it is finally disposed of. Is there any provision for notice to the party in possession of the application being made before the Exchequer court?

Mr. MEIGHEN: The party, under this Act, always has full notice before the expropriation proceedings are taken and when the attempt is made to purchase the land. They try to come to a friendly arrangement as to the price. If that proves impossible notice of expropriation is given and the filing of the plan follows. I have no doubt it will be possible for the board to act harshly in obtaining the title, but the board is not going to do so. At the same time, the board cannot be delayed, out of mere obstinacy, in obtaining possession of the land for the settler. This is not a new law at all; it has been the law for many years and this is the way that possession has been taken in hundreds of thousands of cases of appropriation under such circumstances.