

hands of an innocent endorsee. The bill is sued on, and recovery cannot be prevented. There is no measure to punish a man who holds innocently a bill. If this proposed measure were adopted the obstacles and difficulties would be increased, because if grand and petit juries are disposed not to find these persons guilty—and I cannot see why their sympathies should be with the criminal or offender—you are, by defining the offence, as this Bill does, rendering the difficulties of conviction double what they are at present. I find some of the clauses very difficult to understand. For instance, a man must sell an instrument, and he must sell it at a "fictitious price." What is a "fictitious price?" How are you going to define it? The law does not define it. The hon. gentleman must not imagine I am raising captious objections. I am only looking at the Bill as a lawyer. I personally would like to assist in the passage of any Bill which would punish people engaged in these frauds, but I have been long enough in Parliament to know that hasty legislation does not always attain the desirable end which many hon. gentlemen have in view, and it is very desirable that this Bill should be very closely scrutinized and its language to a certain extent simplified.

Mr. COCHRANE. I desire to offer a remark from the farmer's standpoint. These frauds are being perpetrated throughout the country, and I am sorry to come to the conclusion that all the legal ability in this House appears unable to frame a statute that will cover these cases. It is strange that with all the legal ability here, and the knowledge that these frauds are being constantly perpetrated, this House is not able to cope with the evil. If lawyers cannot cope with it, let a committee of farmers be appointed and they will try to do so. We had the fact brought prominently before the House and country by a committee appointed to consider this question, and of which I happened to be a member, that these frauds were perpetrated to an alarming extent in the western part of Ontario, and my constituents suffered very largely from these frauds. Some people say that farmers are fools. They are not fools, but they allow these rascals to impose on their honesty. It is because the farmers are honest, and not fools, and because they expect that other people are as honest as themselves, that they permit these frauds to be perpetrated on them, and then find they are mistaken. I hope the House will try to frame a Bill to cover the case. It goes without saying that at present these rascals cannot be reached, but I trust the law will be so amended that they will be dealt with by its stern hand.

Sir JOHN THOMPSON. The hon. gentleman has too little faith, both in the power of lawyers to frame a suitable Bill, and, more than all, in the common law of the country, which is more to be relied on than is the ingenuity of any draughtsman. I agree with a great deal that has been said by hon. members. Any man who commits the offences enumerated is guilty of a felony or a misdemeanour, and can be indicted and punished; nevertheless, I do not oppose the passage of the Bill on that ground. I am convinced that sometimes offences of a peculiar nature crop up all over the country, and people do not realize that the law is strong enough to punish the offenders. It is supposed that some of these offences are not pun-

ishable by law, and sometimes advantage is gained by declaring what the law is. I hope the Bill will be read a second time, and to-morrow we can go into committee on it, after giving attention to the points mentioned by hon. gentlemen to-night.

Motion agreed to, and Bill read the second time.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and House adjourned at 10.50 p.m.

HOUSE OF COMMONS.

THURSDAY, 18th June, 1891.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

DOMINION LANDS ACT.

Mr. DAVIN moved for leave to introduce Bill (No. 108) to amend the Dominion Lands Act. He said: The object of this Bill is to enable coulees, where water can be stored, to be guarded from contamination. The first clause provides that wherever, under this Act, lands entered either for homestead or pre-emption are sold or otherwise disposed of, and there is water on a coulée or ravine in said lands, or which may be utilized for the purpose of forming a reservoir for storing water, such entry or disposal may be made subject to the condition that no building shall be erected within a specified distance from the border of such coulée or ravine, the object being to provide water for the cattle and to keep it from being contaminated by outhouses or other buildings. The other clause provides for the repeal of section 43 of the Dominion Lands Act, and proposes to substitute one in its place, the only difference between the clause to be substituted by this Bill, and the clause in the Act of 1887, being that instead of 1887, 1889 is inserted. Should this clause be adopted, you will hear no more of second homesteads in this House. The next clause provides that where land has been homesteaded and five years have elapsed without the homesteader taking out his patent, his interest may be sold by the municipality, or the school board, for the taxes levied by the municipality or school section in which they are situated. At present, by not taking out a patent in time, the homesteader escapes the school tax, and, if in a municipality, the municipal tax, whereas those who have been energetic and have taken out patents have to bear the whole burden. There is a difficulty about this, but I faintly would hope, if the Government approve of the clause, they will be able to overcome it. The difficulty is that we are trying to collect taxes in regard to land, the patent of which has not passed to the homesteader. The Government is still seized of the land, but these people if they have, say, forty or fifty acres and a house worth \$500 or \$600 on the one hundred and sixty acres, have clearly an interest there; and if we could so manage that the municipality or school board should be able to tax the interest, then the chances are that, instead of the homesteader holding back to avoid taxation he would, at the end of three years, take out his patent, or, at all events, as soon as he had fulfilled the conditions.