

name of the wife a grave injustice might be done to the children. Such a proceeding would practically confer on the department the functions of a court and might land us in difficulties. We have two alternatives—we may stick to the present practice of issuing the patent in the name of the party who has taken out letters of administration or issue it in the name of a deceased homesteader, sending out the patent, and leaving the letters of administration to be dealt with subject to provincial jurisdiction.

Mr. McCRAANEY: I see there is a difference between the estate of an ordinary homesteader and that of a deceased soldier where the duties not only of residence but of cultivation are remitted. From the departmental standpoint it would result in cleaning up the books of the department if the patents were issued directly in the name of the deceased soldier but when it went into the registry office it would have to be dealt with under letters of administration.

Mr. OLIVER: I want to say one word on behalf of the widows of deceased soldiers, of the women, whose husbands being homesteaders, have gone to the front. There are differences amongst soldiers and amongst their wives as there are amongst other people. Some are less deserving than others, no doubt, but I want to go on record as holding the view that the wife of the soldier in the large majority of cases, and particularly the wife of a homesteading soldier, is making a sacrifice for the welfare of this country that is entitled to consideration at the hands of this House. In the large majority of cases the married homesteader who volunteers does so because of the inspiration of his wife. It is unthinkable that the married homesteader volunteers contrary to the wishes of his wife. If the woman has made the sacrifice that she has made with regard to her husband for the cause of the country, I claim that she is in an entirely different position from the widow of the ordinary homesteader who dies in his bed under ordinary circumstances. In either case it is pitiable, it is deplorable, but in the one case neither the homesteader nor his wife has made any sacrifice for the public good. They have suffered no disabilities because of any sacrifices they have made. They have used every endeavour that lay within their reach to improve their conditions and to earn the patent of their homestead. The soldier is in a different position. He has offered himself as a sacrifice for his country, he has suffered under

[Mr. Roche.]

conditions inconceivably more terrible than those that the homesteader on his land could suffer and his wife has suffered from conditions such as are almost indescribable. There comes to my mind an item which I saw in a newspaper a few days ago relating an incident that occurred amongst the pioneer settlers north of the Saskatchewan, in the constituency of my hon. friend (Mr. White). A homesteading soldier had gone to the front and his wife was carrying on the cultivation of the homestead. She was driving a seed drill, the horses ran and the result was that she was badly cut up—lost an arm and an eye and is disabled for life. That could not have occurred if her husband had not been at the front. The condition of the wife of the homesteader who is at the front is different from that of the homesteader who is remaining at home doing his best to fight the battle of life under the ordinary conditions of homesteading.

Mr. CURRIE: She generally works the land in place of her husband who has gone to the war.

Mr. OLIVER: Many of them have not done so but they have suffered deprivations that entitle them to consideration at the hands of this House. While there may be exceptional cases, I maintain that, on the average, the mother can be even better trusted to care for the children than the father. It is true that sometimes mothers desert their children, as occasionally fathers do, but as a rule, in this country, we trust either the mother or the father, and the one as much as the other, to see that the children are cared for. I cannot see that there would be any detriment to the children if the patent were granted direct to the mother, and I can see a great disadvantage in restricting the mother and children in the full enjoyment of the land, and putting them under expense in merely holding it.

Mr. CURRIE: I might add that I have witnessed several hundred wills made by soldiers, and I think in every case but one the soldier willed all his property and everything of which he was possessed to his wife. I think the law should be such that the department could grant the patent direct to the widow. This would avoid expense and inconvenience to her in having to apply to an official referee every time she wishes to spend money. There is no reason why this should not be the law, unless we believe that the women of Canada have not the instincts of motherhood. I