

was sufficiently well known, as it had been made public in the *Official Gazette*. And so a large number of settlers on odd sections received no satisfactory answer; so far as they were concerned, the Order in Council reserving the odd sections upon which they resided from being homesteaded, still remained in full force. The Minister said he had sufficiently answered their fourth resolution in his answers to the three that preceded it. But this was not so. The answers to the three preceding resolutions did not touch the case of the grievances set out in the fourth resolution of the Prince Albert meeting. The fourth resolution pointed out that many had resided upon their lands, and made improvements, such as are required for homesteading, but they did this before the land was surveyed, and before entry could be made, and they want the time of occupation before as well as after entry to count, and the Minister persistently refused to understand both their complaint and his own ruling. He haughtily tells the settlers that he "will cause enquiry to be made through his own officers, and take such action as may be in accordance with law." On the 25th January, 1882, Mr. Clarke writes the Minister that a meeting had been held on the 19th, and that he read to a large assembly of his constituents the Minister's letter. They were pleased with the concessions, but they expressed strong feelings of regret that the law debarred the pioneer settlers, who had performed all settlement duties prior to the opening of the local land office, from obtaining immediate patents for their lots, and are confident, on further consideration, the Minister would have the law amended, so as to allow of this grievance being redressed. On the 14th of April they are informed from the Department, that an amendment of the land law is before Parliament, indicating that their wishes were to be met, and the defect complained of repaired, but the subsequent conduct of the Government is strangely at variance with such an intention. In January, 1882, new instructions were issued from the Department, authorising entries to be made of odd-numbered sections, but they do not appear to have been sent to the agent at Prince Albert for several months. These instructions applied only to those who did settlement duties prior to 9th October, 1879. On the 12th September, 1882, the Deputy Minister writes Mr. Duck, "if the settler makes application to the land office for entry within three months after notice has been received at the head office, of land having been surveyed, and the survey having been confirmed and the settler has made proof to the local agent of the settlement and improvements at the time of filing such application, and has been allowed to enter his homestead, he will be entitled to his patent under clause 11, section 34, Dominion Lands Act, upon proof of residence and cultivation for three years next preceding the application;" but this notice did not at all meet the case of the people of Prince Albert, for although they had resided upon and cultivated their land for more than three years preceding their application they had not applied for entry for three months after the office had been opened, and they had not applied, because the Government had passed an Order in Council increasing the price of pre-emptions and withdrawing odd-numbered sections from settlement, and they feared they would, in some way, be assenting parties to these regulations, if they applied for leave to make entry after they became aware of the facts. On the 25th of October Mr. Duck acknowledged the letter of the 12th of September, and pointed out that no notice was made within three months, in consequence of the notice posted up by order of the Surveyor General, that the settlement duty began to run only from the day of entry, and asking for further instructions. To this letter Mr. Burgess replied on the 23rd November, informing the agent that as to receiving applications for patents that his circular superseded the letter of the Surveyor General, and requires to be construed together with the law and regula-

tions; but this statement left the agent as much in the dark as ever, for the Deputy Minister's circular only applied to those who ask to make entry within three months, and these people at Prince Albert had, for the reasons which I have stated, not applied to make entry until long after the three months had expired. To make the manner of dealing with the people of Prince Albert more clear, I will refer to Miller's case. Miller settled upon certain lots in June, 1876, and he applied and obtained entry in 1882. He was a settler in good faith, but the office was opened on the 21st September, 1881, and Miller did not obtain entry until seven months after the office had been opened. He applied for patent. Neither instructions nor regulations met his case. The agent reported it to the Department, and Mr. Andrew Russell, for the Surveyor-General, informed the agent that he was to deal with the case under departmental instructions: that if three years had passed since Miller obtained entry, the agent was directed to refer the land for patent, upon Miller paying \$1 per acre for his pre-emption. Mr. Burgess also wrote Mr. Duck, on the same day, informing him that on the 19th instant an Order in Council had been made to authorise the antedating of the entry to the time of the application, so as to cover the time, during enquiry, where the settler was found to be entitled, but was not allowed to make his entry at the time he applied; but this did not meet Miller's case, as it did not meet the case of scores of others. There had been no question with regard to Miller's right to obtain entry. There had been no delay at the office. The people in the settlement had resolved not to make entries until certain Orders on Council were modified. Miller had been on his lands more than six years. About that there could be no doubt. The difficulty was, that he had not been entered within three months of the opening of the office. Mr. Duck acknowledged Mr. Burgess' letter on the 25th November, informing him that his circular had no reference to Miller's case; that the land office had only been open fifteen months, and that he required further instructions. On the 1st February, 1883, Mr. Russell wrote Mr. Duck, in order to further instructions being given in Miller's case, asking him to send all available information. Mr. Duck complies on the 27th of February, and adds:

"I believe the said Miller's declaration to be true, and that he and many other settlers were prevented from applying for their patents for their homesteads within the time specified in sub-section 5, section 34, Dominion Lands Act, by the fact of the notice posted in this office, to the effect that residents prior to the date of entry could not be counted as settlement duty, and that notice of this ruling of the chief law officer of the Crown, with reference to sub-sections 5 and 11 of section 34, was not received at this office until after three months had elapsed, in which such application for homestead patents could be received."

On the 20th March, 1883, Mr. Andrew Russell writes Mr. Duck as follows:—

"As your appointment as Dominion land agent was in March, 1878, although lands in your agency were not opened for sale or homestead entry until 2nd August, 1881, if Miller or any other actual settler applied for entry between these dates, he should have the benefit of the Order in Council of the 19th of October, 1882, which authorises the circular of the 19th of that month."

So you see that Miller was as far off as ever from getting his patent. Now, in the beginning of 1883 the people of Prince Albert petitioned the House of Commons, complaining that no patents had yet been issued for their lands, that their claims had become valuable, that the owners and occupiers were unable to sell. Villages and towns were springing up, but building was impeded and business interfered with. On the 23rd April Mr. Lindsay Russell, the Deputy Minister, reported to the Minister that the progress of settlement, arising from projected railways, had led to urgent applications by settlers for an opportunity of getting their titles. On the 7th July the Minister transmitted Mr. Russell's report to the Council, and there was an Order in Council adopting the same. On the 11th September, 1883, Mr. Pearce writes to Mr. Walsh, and directs the Minister's