

the object of my hon. friend is to permit exploitation of minerals. In many cases, in order to get at one good mine, it may be necessary to open ten, and all the dangers which I have mentioned may, therefore, arise in the forest. Do I understand that the policy of my hon. friend is that if a man goes into a Dominion reserve and locates a mine he would get title from my hon. friend, who is the administrator of the reserve, or would he go to the Government of British Columbia, and would the hon. minister give the land to the Government of British Columbia? Is that the object of the legislation? I am afraid that it will have to be very carefully guarded if the purpose of the Act of 1911, to preserve the forests, is to be maintained.

Hon. Mr. MEIGHEN: What the right hon. gentleman says is correct that in so far as this operates it does give encouragement to the exploiters of minerals, even in forest reserves. But, on the other hand, it must be remembered that by no Act of Parliament can we take away from a province what is now the property of the province even in forest reserves. By the Act of 1911 we closed the forest reserves in so far as we had control of them.

Sir WILFRID LAURIER: It is the property of the province?

Hon. Mr. MEIGHEN: The provinces still own their own metals in these reserves.

Sir SAM HUGHES: In all the provinces?

Hon. Mr. MEIGHEN: No, in the railway belt. This clause has no application at all except to forest reserves in the railway belt of British Columbia, because in the forest reserves of the other provinces different conditions apply. It would be a serious responsibility for Parliament to take such action, or to refuse to take such action as would result in virtually denying to the province of British Columbia access to its own vested rights in the forest reserves. So some way has to be found. I do not think this a very serious matter, because I do not think there is much exploitation in the railway lands. All that I recommend to Parliament is that we comply with the agreement of 1890—and do not fall away from that agreement in the matter of our forest reserve lands. I know of no other way by which we may maintain our rights intact, and at the same time not deny to the province the strict benefit of all their possessions in these reserves.

Sec. 2 agreed to.

On Sec. 3—To take a piece of land out of forest reserve and park.

Sir WILFRID LAURIER: What is the meaning of that clause?

Hon. Mr. MEIGHEN: Clause 3 defines the area of the Rocky mountain forest reserve.

An hon. MEMBER: That is not included?

Hon. Mr. MEIGHEN: Yes. The Rocky mountain forest reserve is defined in the Forest Reserve Act of 1911, and the description appears in the schedule to the Act. This excepts from that schedule a quarter-section of land. The explanation is that, in 1908, previous to the passing of the Act, there had been lands withheld from entry in contemplation of being finally included in forest reserves. Among the lands surveyed and held for inclusion was this quarter-section, and a map was sent to the agent of Dominion lands for the district concerned, namely, Calgary, on which the limit of the forest reserve was clearly shown, and the following words were included in the memo sent the agent at the time the map was forwarded:

Please note that no homestead entries have been granted for lands lying west of the line indicated.

These words should have been:

Please note that no entries are to be granted for lands lying west of the line indicated.

Had he looked at the map very carefully the agent would have seen that the intention was to exclude from entry the land west of that line. However, the agent gave entry to a Mr. Andrew Nelson on this quarter-section and another quarter-section. Before the mistake was noticed, Mr. Nelson had virtually earned patent for that quarter-section, and Mr. Nelson was not at fault. He had made his home there; he had made improvements; and it was not until, I think, very recently that the controller of the land patent branch discovered, that the land was in the forest reserve. It was felt the only equitable thing to do was to take this land out of the reserve inasmuch as it is just on the border in any event, and give Mr. Nelson title to it.

Sir WILFRID LAURIER: May I ask what Mr. Nelson has done upon that quarter-section? Has he put up a building or cleared the land?

Hon. Mr. MEIGHEN: Yes, he has complied with all the requirements of the Dominion Lands Act.