

MR. MACKENZIE said he offered every facility to the Press to get every document, as soon as possible, which came before the House.

MR. LAURIER said he had not known the document had been in the possession of any hon. member. He had asked it from the Clerk as a matter of courtesy, and he had communicated it to the gentlemen of the Press as a matter of courtesy. He had handed it for a few moments only to the gentlemen of the Press, and thought to have had it back after a few minutes. As the time elapsed he was reminded of it by the Clerk, and immediately set to work to get it back. He could not have done more.

MANITOBA CLAIMS BILL—[BILL No. 46]

(*Mr. Mills.*)

SECOND READING.

Order for second reading read.

MR. MILLS said this Bill was very short and the object very simple. In Statute 38 Vic., chap. 53, 7th section, there was the following provision in relation to the functions of the Commissioner for the purpose of settling disputed land claims in Manitoba:—

“The Commissioners shall not receive or proceed upon any claim until each of the adverse or conflicting claimants has made before the Commissioners, an affidavit or affirmation in writing, signed by him, that such claim is just and well founded, to the best of his knowledge and belief, &c., and that he has, at least one month before the making of the affidavit or affirmation, caused to be served on the party having, or supposed to have, such adverse claim, notice in writing of his claim, and of his intention to bring the same before the said Commissioners, and of the time when it is intended to be so brought, and a copy of such notice shall be annexed to the affidavit or affirmation.”

The House would see, by this particular section, that if any party desired to prevent the Commissioners from proceeding to decide conflicting claims of the respective parties to any lands in the Province of Manitoba, all that was necessary to do was to refuse to give the requisite notice. The result was that no action could be taken, except in the case of those who volunteered to comply with the provisions of the law, and appear before the Commissioners, for the purpose of having

their respective claims determined. This Bill provided for the removal of this defect in clause 17, which stated:

“The Commissioners shall not receive or proceed upon any claim until the party by whom or on whose behalf the same is made, or if such party consists of more than one person then until some one of such persons has made and produced before the Commissioners an affidavit or affirmation in writing, signed by him, that to the best of his knowledge and belief his claims are well founded, that he is not aware of any adverse claims (if there be none), or if he is aware of any adverse claim, that he has, at least one month before the making of such affidavit, caused to be served on the party making, having or supposed to have such adverse claim, a notice in writing of his claim and of his intention to bring the same before the Commissioners at the time appointed by them for hearing the claims of the respective parties, and a copy of such notice shall be affixed to the affidavit or affirmation.”

This would put the parties in the same position as they would be in an ordinary suit. The Bill also provided that the Commissioners shall have power to enforce the attendance of witnesses, and to compel them to give evidence and so forth. There might be parties who could give evidence which would enable the Commissioners to determine in whom the title was properly vested, and it was necessary that power should be given to the Commissioners to compel such parties to give testimony. This Bill enabled the Commissioners to proceed without delay in the settlement of disputed claims.

MR. RYAN said he quite agreed with the hon. the Minister of the Interior, as to the necessity of this amendment. Last year, it had been found that several cases were not tried merely because one of the parties in each case, and the one who, probably, had no just claim to the land, was unwilling to give notice, and the trials could not be proceeded with on that account, and had to be postponed. Would the hon. the Minister inform him whether there were any Commissioners appointed to decide those claims, or whether Hon. Mr. Morris was still a Commissioner?

MR. MILLS said there were commissioners appointed, and Mr. Morris had resigned.

Bill read the second time.