

this amendment were limited to the case of a wife who was deserted by her husband I could understand the propriety of it.

Mr. ROCHE: Prior to September, 1908, the practice followed under the Dominion Lands Act permitted settlers to count residence in any one of the following ways:

(1) From date of entry; (2) from date of commencement of residence either before or after date of entry, or (3) six months' residence in each of three calendar years.

Mr. PUGSLEY: Must they not be succeeding one another?

Mr. ROCHE: I do not think that is compulsory.

(4) Homestead year and calendar year combined, or otherwise shifting the date for the commencement of the term as may be most satisfactory to the settler.

When the Act of 1908 came into force the methods of calculating residence were restricted to the first two.

In some cases a settler, by a technicality is deprived of a portion of his residence, and it is, therefore, desirable that the former method should be re-established, as it is often found that while a settler may not have performed six months' residence, in each of three years, counted from date of entry or from date of commencement of residence, either before or after date of entry, he has performed six months' residence in each of three years, calculated from some other date than is allowed by the Act of 1908.

This is in effect going back to the practice of the department prior to September, 1908, and it is to deal with cases of hardship where a man through some technicality is deprived of his period of residence by reason of not complying with the existing legislation. We thought it was only right to have this amendment to enable us to revert to the old practice.

Mr. OLIVER: I think the amendments go very much farther than my hon. friend has suggested to the committee. Let me compliment the minister on the preparation of the Bill for presentation to the House. It certainly is in very convenient shape for a thorough understanding of its purposes. The explanations and comparisons are very desirable. But, I desire to make a comparison between subsection (b) of the present Act and subsection (b) of the amended Act as they appear in parallel columns. Subsection (b) of the present Act recites that:

To have resided thereon at least six months in each of the three years from the date of entry or date of commencement of residence.

As it is proposed, subsection (b) will read:

To have resided thereon at least six months in each of three years.

The difference between the two is that there is no fixed starting point as to residence in the new section while there is a starting point provided in the present Act. One is the commencement of residence and the other is the date of entry. Whichever occurs first is the date that will be taken as the basis of the term during which residence must be performed. There is no other conceivable right under which a homesteader can earn a patent than that of his residence or under his date of entry. When these two definite starting points are abandoned there is an uncertainty in the requirements of residence to be met by the settlers which does not make for the good administration of the Act, for the good settlement of the country, or for the satisfaction of settlers. My hon. friend has spoken of the desirability of there being a greater elasticity in the fulfilment of residence requirements. I agree that it is desirable that there should be some measure of elasticity, that there should be a considerable amount of discretion left to the administration in that particular. But I maintain that for the satisfaction of the settlers themselves, it is in every way desirable that whatever may occur in regard to the completion of residence duties there should be no uncertainty about the date of commencement. The date of commencement should be a fixed date for definite reasons as provided in the present Act, namely, it must be the date either of the commencement of residence or the date of entry. I would certainly urge very strongly that to omit that fixity of date is a very great blemish on the Act as it is proposed and will do incalculable damage in deterring the settlement of the country because in the administration of the land there will be cases of dissatisfaction on account of the different treatment that one settler will get as compared with the other. The success of homestead settlement depends largely upon the confidence that the homesteaders have in the granting of the rights that they earn and in order that there shall be that satisfaction it must be known beyond question what these rights are and when they begin although there must always be a certain amount of discretion left as to the time in