

curred, can give information on the subject, I shall take pleasure in asking my colleagues to allow me to put a sum in the Estimates in order to recompense that man. I will see that this is not the last of it, and I will bring the papers down at once and make the further enquiry I have mentioned.

Motion agreed to.

SETTLERS ON VANCOUVER ISLAND RAILWAY RESERVE.

Mr. LAURIER moved for:

Copies of all reports by any officer of the Department of the Interior, on the complaints of settlers in the Districts of Cranberry, Cedar, Wellington, Nanoose and Nanaimo, British Columbia, in reference to their claims on lands comprised in the Island Railway Reserve.

He said: The Minister of the Interior will probably remember that last year I brought to the notice of the House the complaints of certain settlers in the section of country referred to in this motion, who complained of a very serious grievance. That grievance was that they had settled in good faith upon lands which afterwards were reserved for the railway from Esquimalt to Nanaimo, and that, therefore, they were entitled to all the benefits accruing to settlers, and that their patents should convey to them, not only the surface, but the minerals as well—perhaps not the precious metals, which are ordinarily reserved to the Crown, but the ordinary minerals. But the patents conveyed to them only the surface. When I brought the matter to the attention of the Minister of the Interior last year, he promised that at an early day in the recess he would cause an officer of his department to go to the island and investigate the claims of the settlers. This is what he said:

"An officer of the department will be sent at an early day to investigate the alleged grievances, with the view of ascertaining the rights of the squatters under the said Act, and the patent of the company."

My present object is to ascertain, first, whether the promise then made by the Minister of the Interior has been redeemed, whether an officer has been sent over there, and, if so, to have a copy of his report laid on the Table of the House.

Mr. DEWDNEY. I recollect very well the hon. the leader of the Opposition bringing this matter to the notice of the House last session, and also the promise which I made that some means would be taken during recess to enquire into the grievances complained of. The hon. member states that the settlers on what was known as the Railway Belt on the Nanaimo and Esquimalt Railway, or a number of them, appeared to have had grievances, and there are two or three classes of those grievances depending upon the different times when they settled within that reservation. Immediately after the close of the session I brought the matter before my colleagues, and it was proposed to send out Mr. Burgess, who is acquainted with all the circumstances of the case, and to join with him Mr. Aikman, who, up to a late period, had been one of our Dominion Land Commissioners, but who had left and was then practising as a barrister with his partner in the city of Victoria. Mr. Burgess left on that mission, but before he reached Winnipeg we received information that Mr. Aikman was not available for the purpose. I was then about leaving myself on an official visit to British Columbia, and I determined, when there, to make enquiries into the circumstances myself, so far as I

Mr. DEWDNEY.

was able. On my arrival in Victoria, I found that one of these cases which were mentioned by the hon. gentleman, was before the court in Victoria, and I thought it unadvisable at that time either to make an investigation myself or to have one made through another party.

Mr. LAURIER. Is that the case of Heoggan?

Mr. DEWDNEY. Yes. It was subsequently, I think, taken to the Court of Appeal, and the judgment, whatever it was, of the first court was sustained, and, I think, to-day it has been argued before the Supreme Court here. Those are the circumstances with regard to the investigation which I have mentioned, and the case remains practically as it was before the hon. member moved in the House last year in reference to it. The case, I think, involves questions of an intricate character, and, when we get a decision from the Supreme Court, we shall be far better able to come to a decision as to what action we shall take in the matter.

Mr. LAURIER. It seems to me that the answers given by the Minister of the Interior are not at all satisfactory. A solemn promise had been made to the House that these cases would be investigated. They were not investigated, and what is the reason? The reason given is that litigation is going on between two parties. I know something of the case to which the hon. gentleman refers, though I do not pretend to be quite familiar with it. If my information is correct, and I believe it to be correct, this case of Heoggan does not turn at all upon the grievances of the settlers. It is a case between settler and settler, not a case arising out of complaints made by other settlers: that is to say, it is not an endeavour to obtain from the Crown the minerals to which they believe they are entitled by their patents, but it is a case between one settler and another settler as to the ownership of a piece of land which is in dispute between the two. So that, if my information is correct, the hon. gentleman is altogether misinformed as to the nature of the case, and his information would certainly lead to what will be a denial of justice to these men. It matters little, however, whether the case of Heoggan turned upon the question at issue now or not. A promise has been made to the settlers who have been, as I am told, year after year seeking to obtain from the Government a decision as to what their rights were under their patents. Certainly, whatever their position may be, the answer we have from the Government is simply that they do not know whether, in the opinion of the Department of Justice, these men are entitled to the minerals or not. This question should have been investigated. Now, what is the consequence of delay? Another year must elapse before these men will know where they stand. I am not conversant myself with the matter, but, judging from the answer of the Minister, it seems to me, under the circumstances, that it will amount to an absolute denial of justice on the part of the Government.

Mr. DEWDNEY. All that I can say is that I acted in accordance with my own judgment at that time, and I thought I was acting in the interest of the settlers when I refused to make an investigation which might prejudice their case before the courts.

Motion agreed to.