

his will in order that his wife might inherit his property in Alberta, because without a will the law of Alberta did not permit of the wife inheriting from him.

Mr. McCRAANEY: I think my hon. friend is in error. Probably he has in mind the fact that in Saskatchewan and Alberta, until recently, it was within the power of the husband to make a will cutting his wife out of any interest in the estate. This has been changed, I believe, in both provinces.

Mr. DOUGLAS: I am under the impression that under the laws of Alberta if a man dies without a will the wife is entitled to one-third of the estate. I should think the minister would be well advised if in the case of a soldier killed on active service a patent was immediately issued to his wife, because the pension will be probably her only means of support, and that is only a matter of about \$384 a year, if she gets the full amount. If she had not the land she would be left in a very precarious position. I think the country would not suffer in any way if a patent were issued immediately under such circumstances.

Mr. SCHAFFNER: Why should it not be so in every case, whether it refers to the widow of a soldier or not?

Mr. OLIVER: This is a special provision in regard to soldier's homesteads, and it differs from the action to be taken in regard to the ordinary homesteader, because the patent is issued without further duties or further responsibility, the idea being to close up the transaction at once in favour of the widow. I think the idea of the hon. member from Strathcona is a very good one, and I would urge that in the special case provided for by this section the patent should be issued to the widow, and that it should not be a matter of letters of administration at all. If she is the widow of a soldier who was a homestead entrant in good standing, the patent should issue to her immediately without any question except as to proof of identity. There is no legal reason why this should not be done. The granting of the homestead is an act of grace on the part of the Government, which has a perfect right so far as authority is concerned, to give the homestead to the widow. Having this right, I maintain it would be a just and proper thing to do, instead of leaving the widow subject to whatever may be the laws of the different provinces in regard to her heirship of her husband's property. It is but

[Mr. Currie.]

fair and just that she should be given the homestead patent, and I think that would be appreciated by our soldiers and their dependents.

Mr. LEVI THOMSON: The suggestion made by the hon. member for Souris (Mr. Schaffner) is a sensible one. I do not see why we should make a distinction between the widow of a returned soldier and the widow of any other man, and I do not see any reason why the minister should change his plan. I have every consideration for the widow, but I have also some consideration for the orphans, and to my mind there is no reason why the orphans should be cut out entirely. I do not know that a soldier's widow is any better than any other man's widow, and I do not know that you are any more positive she will not abuse her rights, if you give her any special rights, than you are that any other man's widow will not. The only safe way is to leave the property to be dealt with according to the laws of the province in which it is situated. It is true there is some difference in the laws of the provinces. For instance, in the province of Saskatchewan, if a man dies leaving a widow and no children, the widow gets the whole of the property, if there is no will. I understand this is not the case in some of the other provinces.

Mr. SCHAFFNER: It is the same in Manitoba.

Mr. LEVI THOMSON: I think the legislatures of the different provinces are thoroughly cognizant with all the phases of the matter, and will deal with it properly. I am willing to grant all the concessions you possibly can to the soldier, but there is no reason why you should make a difference between a soldier's widow and any other widow.

Mr. ROCHE: The practice has been to issue patent to the administrator when an ordinary homesteader died. The reason we have asked the change is because of the requests which have come in from the estates of some of the deceased soldiers, desiring to expedite the issue of patents. We thought there would be less delay in getting matters wound up if we did not wait for the issue of patents until the letters of administration had been secured from the local courts. The patent is issued in the name of the deceased homesteader, and after the administration papers are gotten out the local courts of the province take the matter up.