

DOCUMENTS

RELATING TO PAYMENTS

IN CONNECTION WITH

MANITOBA SCHOOL LANDS

SESSION OF 1902

PRINTED BY ORDER OF PARLIAMENT



OTTAWA

PRINTED BY S. E. DAWSON, PRINTER TO THE KING'S MOST
EXCELLENT MAJESTY

1902

RETURN

[83]

TO AN ADDRESS of the SENATE, dated the 20th February, 1902, for copies of all Orders in Council, documents, memorandums, or other papers, relating to the transfer from the Federal to the Provincial control of public lands allotted for education in Manitoba, or relating to the payment by this Government to the Manitoba Government of any money, whether it be on the capital or on the interest, derived from the sales of such lands; also, copies of all correspondence between the Government or any member thereof, and the Government of Manitoba or any member thereof, or any other persons, up to this date, in connection with the above matters.

R. W. SCOTT,

Secretary of State.

CERTIFIED Copy of a Report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor General in Council, on the 7th July, 1883.

The Committee of the Privy Council have had under consideration a despatch dated 9th April, 1883, from the Lieutenant Governor of Manitoba, advising that the sum of eighty thousand dollars be placed at the disposal of the province for the purposes of education, and that this sum with that already advanced to be charged against the first sale of School Lands in the Province.

The Ministers of Finance and of the Interior, to whom the despatch in question was referred, report that by the Statute 41 Vic., cap. 1, the Governor in Council was authorized to make an advance of a sum or sums not exceeding in the whole ten thousand dollars in each of the three fiscal years, 1878-79, 1879-80, 1880-81, to the Province of Manitoba in aid of the Public Schools in that Province, and of this sum it appears that twenty thousand dollars have been paid and that the balance of ten thousand dollars is now available for the purposes of the Act.

The Ministers further observe that without an Act of Parliament the Government have no power to exceed the express words of the Statute, which limits the advance in the whole to thirty thousand dollars.

The Committee concur in the above report, and they advise that a despatch founded upon this minute when approved, be transmitted to the Lieutenant Governor of Manitoba for the information of his Government.

JOHN J. MCGEE.

2 EDWARD VII. A. 1902

OTTAWA, October 23, 1883.

MY DEAR MR. POWELL,—On July 7 last an Order in Council was passed respecting the advance asked for by the Manitoba Government on account of school lands. I know, of course, that the purport of this order would, in the natural course of things, be communicated to Lieutenant Governor Aikins by you. As the administration of the school lands is in this department, pardon me if I ask you to be good enough to write me privately and let me know positively whether His Honour was notified or not. Of course I have no doubt he was.

A. M. BURGESS,
Deputy Minister of Interior.

CERTIFIED Copy of a Report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor General in Council on December 13, 1883.

On a report dated November 30, 1883, from the Minister of Finance stating that he has had referred to him the report of the Sub-Committee of Council to whom was referred the memorandum (with papers attached) from the Minister of Agriculture for the province of Manitoba, praying that a further advance may be made to that province for the purposes of education.

The Minister of Finance concurs in the report and recommendation of the sub-committee that the sum of fifteen thousand dollars per annum for each of the two years next succeeding the last year of payment under 41st Victoria, chap. 13, be advanced to the province of Manitoba for the purposes of primary education, the moneys so advanced to be charged against the sales of school lands, to be repaid with five per cent interest out of the first sales thereof.

The Minister observes that under the Act above cited the sum of twenty thousand dollars (\$20,000) has been advanced, being the sum of ten thousand dollars in each of the fiscal years 1878-9 and 1879-80, and that no advance was made in the year 1880-81, and he recommends that the sum of ten thousand dollars so authorized for 1880-81 be advanced in addition to the amount recommended by the sub-committee upon legislative authority being obtained for the above purposes at the approaching session of Parliament.

The committee concur in the foregoing recommendation and advise that the Secretary of State be directed to communicate the substance of this report, when approved, to the Lieutenant Governor of Manitoba, and they respectfully submit the same for Your Excellency's approval.

JOHN J. MCGEE,
Clerk, Privy Council.

The sub-committee to whom was referred the accompanying memorandum of the Minister of Agriculture for the Province of Manitoba (with the papers hereto attached), praying that a further advance may be made to that province out of the sale of school lands reserved for the purposes of education under 'The Dominion Lands Act' (45 Vic., cap. 23) have the honour to report that they have considered the subject-matter referred to them and have had the advantage of hearing thereon Mr. LaRivière, the Minister from Manitoba, who has presented the matter for consideration, and they humbly advise that the sum of fifteen thousand dollars per annum for each of the two years next succeeding the last year of payment under 41st Vic., cap. 13, be advanced to the Province of Manitoba to aid in the purposes of primary education—the moneys so advanced to be charged against the sales of school lands, to be repaid with five per cent interest out of the first sales thereof, and that parliamentary authority for this step be sought for at the approaching session of parliament.

A. CAMPBELL,
D. L. MACPHERSON,
J. A. CHAPLEAU.

Ottawa, November 27, 1883.

SESSIONAL PAPER No. 83

OTTAWA, February 9, 1884.

The Right Honourable
Sir JOHN A. MACDONALD,
Ottawa.

I have the honour to inclose you herewith a telegram from the Honourable the Provincial Secretary of Manitoba, containing a copy of a resolution adopted by the Board of Education in reference to the lands set apart for education in that province and would suggest, if the Privy Council positively refuse to give the province the control of those lands, that provision be made by which an advance of twenty-five thousand dollars (\$25,000) be made available for each year to supplement the sum voted from the consolidated revenue of that province yearly for the support of education and that the same extend over a period of three years.

J. NORQUAY.

(Telegram.)

OTTAWA, February 7, 1884.

To Honourable
JNO. NORQUAY,
R. House, Winnipeg, Manitoba.

The Board of Education passed following resolution yesterday: 'That this board, sensible of the peculiar difficulties surrounding the provision of educational advantages for their children by the people of this province, particularly in the new and sparsely settled districts, would urge upon the Government of the province the desirability of obtaining from the Dominion Government a sufficiently large advance of money upon the credit of the provincial school lands to enable the educational wants of the province to be adequately supplied at this stage of its history, when those wants are most pressing and the ordinary sources of revenue are least available.'

A. M. SUTHERLAND.

CERTIFIED Copy of a Report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor General in Council, on the 1st April, 1884.

The Committee of the Privy Council have given their best attention to the consideration of the several questions affecting the welfare and progress of Manitoba, recently brought before Your Excellency in Council by the Government of that Province, and they humbly submit their conclusions thereon as follows:—

1. The question of the enlargement of the Boundaries of Manitoba to the West and North.

The boundaries of Manitoba were originally fixed at the instance of the delegates from that Province who came to Ottawa in the year 1870 to adjust with the Government of Canada the terms upon which Manitoba was to enter the Confederation of Her Majesty's North American Provinces. The limits then agreed to embrace an area of about 9,560,000 acres. In the year 1881 these limits were enlarged and territory added to the West and North, making the total area of the Province 96,000,000 acres or 150,000 square miles.

In the same year the true Western boundary of Ontario was fixed as the Eastern limit of Manitoba, which may add largely to the area of the Province.

The total areas of the other Provinces of the Dominion were, in 1882, as follows:—

Province.	Square Miles.	Acres.
Ontario.....	109,480	70,667,200
Quebec.....	153,355	123,747,200
New Brunswick.....	27,322	17,486,080
Nova Scotia.....	21,731	13,967,840
Prince Edward Island.....	2,133	1,365,120
Manitoba.....	150,000	96,000,000
British Columbia, including Vancouver and other Islands.....	390,344	249,820,160
North-west Territory.....	1,868,000	1,195,520,000
Keewatin District.....	309,077	197,809,280
Islands in the Arctic Ocean.....	311,700	199,488,000
Islands in Hudson's Bay.....	23,460	14,976,000
	3,401,542	2,180,186,880

The further enlargement now asked for by Manitoba would add about 180,000 square miles to the already large area of the Province, and would be viewed with disfavour as well by the old Provinces as by the new districts of Assiniboia, Saskatchewan, Alberta and Athabasca, which have been created in the North-west Territories, and which will ultimately become Provinces of the Dominion. It would largely add to the expenses of the Government without increasing the resources of Manitoba, already pronounced by the Government of the Province to be insufficient to meet its normal and necessary expenditure.

The Committee, under these circumstances, humbly submit to Your Excellency that it is inexpedient to alter the boundaries of the Province as prayed for. It having, however, been represented to them that the enlargement to the north is sought for by Manitoba chiefly in connection with the desire of that Province to extend railway communication to the waters of Hudson's Bay, the Committee recommend that the Government of Manitoba be informed that Your Excellency's advisers will notify the two existing companies who hold charters from the Canadian Parliament to construct railways between Manitoba and Hudson's Bay, that the public interests demand the amalgamation of their companies, and that, if they will unite and make provisions satisfactory to Manitoba for the early construction of the railway, and against pooling or amalgamating with other railways, and against excessive freight charges, application will be made to Parliament to convert the sale which it was intended to have made to those companies of six thousand four hundred (6,400) acres per mile of railway within the Province, at a dollar per acre, and twelve thousand eight hundred (12,800) acres per mile outside the Province, at half a dollar per acre, into a free gift. Failing which, Parliament will be asked to authorize the land to be given in the like way to either one of the said incorporated companies giving satisfactory assurances of its ability to construct the railway: and, failing this last, then to any other company satisfactory to Manitoba; and that every facility will be given to incorporate such last mentioned company.

The Committee of the Privy Council further advise that the Government of Manitoba be informed that the Dominion will undertake and carry out with due promptitude an efficient examination into the question of the navigation of Hudson's Bay and Straits.

2.—FINANCIAL.

The Legislature of Manitoba has, during its present session, passed the following resolution, with the recitals which precede it:—

"That whereas, under the provisions of the British North America and subsequent Acts of the Parliament of Canada, the Provinces of Ontario and Quebec were relieved

SESSIONAL PAPER No. 83

of debt amounting to \$73,000,088.84, the Province of Nova Scotia \$10,531,536, the Province of New Brunswick \$8,176,680 ;

" And whereas, these debts were incurred by the several Provinces in improvements of a local character necessary to them respectively :

" And whereas, they severally enjoy the advantages of these improvements, the cost of which was thereby made a free gift to them respectively by the Dominion :

" And whereas, the allowance to each was made on their respective population—that of Ontario on a population of 1,396,091, that of Quebec on a population of 1,111,566, that of Nova Scotia on a population of 387,800, that of New Brunswick on a population of 285,594 :

" And whereas, Manitoba, on entering this Union, received from Canada, as an offset to what was allowed the four mentioned Provinces, \$550,446, her population being only reckoned at 17,000 :

" And whereas, it is only fair and just that she should receive consideration as her population increases, inasmuch as the responsibility of making local improvements and building up her institutions, such as jails, court-houses, reformatories, asylums, roads, &c., devolve upon her Legislature :

" And whereas, settlement has proceeded with unusual rapidity, thereby creating necessities beyond the reach of her resources :

" And whereas, the fact of the inadequacy of her revenue has been admitted by the Dominion to the extent that increases have been made from time to time :

" And whereas, no settled basis has been provided under which the Province can reckon on a self-adjusting increase, in proportion to her population, other than that of 80 cents a head, which is entirely inadequate to meet her growing requirements :

" And whereas, it is in the interest of the Province that she should not be subjected to the humiliation of depending upon the intermittent increase from time to time made to her, but she should be placed in a position by which her future would be assured :

" And whereas, in the opinion of this House, the credit allowed the Province corresponding to the relief afforded the other Provinces should be adjusted from time to time, and that she should be paid at the rate of 5 per cent per annum on the amount of credit that she would be entitled to on her population as ascertained by each decennial census, or by such computation as may be agreed upon :

" Be it therefore resolved, that an humble address be passed by this House, praying His Excellency the Governor General to cause such inquiries to be made into the financial relations of this Province with the Dominion, and to cause such action to be taken as will ensure to the Province such revenue as will correspond to her growing necessities."

The Committee of the Privy Council humbly advise that the request contained in this resolution be complied with, and that the inquiry be conducted by such members of the Privy Council as Your Excellency may select for that purpose. In the meantime, the Committee agree that the rapid increase in the population of Manitoba has rendered the stated decennial revision of the sum granted under 33 Victoria, chapter 3, to that Province for the support of its Government and Legislature, insufficient. A more frequent revision would, in the opinion of the Committee, be expedient, and they advise that a quinquennial census of the Province of Manitoba be taken hereafter, reckoning the first five years from September, 1881, and that between the future takings of the census approximate estimate should be made at evenly divided periods, so that the sum granted to the Province for the purposes above mentioned may be revised four times in each decade, and in each instance readjusted according to population, until the number of the inhabitants shall have reached four hundred thousand : and they further advise that the first of such approximate estimates be made on the first of September next, when, if the population should be found to exceed one hundred and twenty thousand (120,000), at which the grant in aid is now made, the first readjustment should take place.

3. SCHOOL LANDS.

These lands form the subject of a special trust, for which they were set apart immediately after the acquisition of the country.

The trust is one which, in the opinion of the Committee, considering its object and character, the Dominion Government cannot, in good faith towards the settlers in Manitoba and in the other Provinces which may be constituted out of the North-west Territories, part with or be relieved from. And the Committee are unable to advise a compliance with the request of the Government of Manitoba that these lands should be conveyed to the Province.

The Committee desire to point out that in each of the fiscal years 1878-79 and 1879-80 an advance of ten thousand dollars was made to the Province in aid of its public schools, and that by a Bill now before Parliament provision is made for the payment of "a further sum or sums of money not exceeding in the whole the sum of thirty thousand dollars, being the sum of fifteen thousand dollars for each of the fiscal years 1881-2 and 1882-3.

School lands will be offered for sale at auction annually, after consultation with the Provincial Government as to the time of sale, quantity and price. Under the provisions of the law proceeds of these sales will be invested in Government securities, and the interest received on account thereof paid annually to the Government of the Province for school purposes. It must be remembered, also, that in the year 1881 school lands, to a considerable extent, were advertised to be sold by auction, but at the earnest solicitation of the Government of Manitoba the sale was postponed, and the best opportunity which had occurred of obtaining large prices therefor lost for some years.

4.—CROWN LANDS.

The following resolutions have recently been passed by the Legislature of Manitoba in respect to the lands of the Dominion situated in that Province:—

"Whereas, by the terms by which the Provinces of Canada, Nova Scotia, and New Brunswick became confederated, it was enacted that the several Provinces of Ontario, Quebec, Nova Scotia and New Brunswick should have the management and sale of the public lands belonging to them respectively, and of the wood and timber thereon:

"And whereas, by the provisions of the Manitoba Act it was enacted that all the ungranted or waste lands in the Province of Manitoba should be vested in the Crown and administered by its Parliament of Canada for the purposes of the Dominion:

"And whereas, among the rights claimed by the people of Manitoba, before they consented to become confederated, was a demand that the public lands of the Province should be vested in the Legislature and administered for the use of the Province.

"And whereas, it is claimed that the Province has a just and equitable claim thereto:

"And whereas, repeated representations have since been made to the Government of Canada, praying that the management and sale of public lands be vested in the Legislature for the use of the Province:

"And whereas, it is deemed by the House to be in the best interests of the Province that the public lands lying within its limits should be administered by its Legislature:

"And whereas, it is further deemed in the interest of the Dominion that all the Provinces of Canada should possess equal jurisdiction in all the matters of a local nature:

"And whereas, a continuance of the discriminating policy pursued towards Manitoba is calculated to undermine the feeling of common interest that this Province should have in building up the Dominion:

SESSIONAL PAPER No. 83

"And whereas, no answer satisfactory to the Legislature of the Province has been received in reply to the demands as above mentioned, and in the opinion of this House the rights of the people of the Province to obtain redress in all matters of a local nature, which are extended to the people of the other Provinces of Canada, are denied to the people of Manitoba, and the resources derivable from the sale of land in Manitoba are appropriated by the Dominion, which, in other Provinces of the Union are administered by their several Legislatures, and the revenue arising therefrom inure to the several Provinces respectively :

"And whereas, this Legislature views with alarm the alienation from the Crown of the public domain without provision being made for the future necessities of Government in this Province, which will in the near future be obliged to resort to direct taxation to support its institutions, and to prosecute improvements necessary to the building up thereof, which state of affairs in other Provinces was obviated largely by the revenues arising from Crown lands, and by liberal provisions made for them on entering the Union.

"Be it therefore resolved, that an humble address be passed by this House, praying His Excellency the Governor General to cause such enquiry to be made into the relations of this Province with the Dominion, and such action to be taken in reference thereto, as will place this Province in as favourable a position as regards her future necessities as are the four Provinces confederated under the British North America Act.

"And be it further resolved, that a memorandum of the case be prepared and transmitted to the Secretary of State for the Colonies, with an humble request that the Manitoba Act may be so amended as to place this Province of Manitoba on the same status in the Dominion as the older Provinces in the Union."

Following, in this respect, the example of the United States, where all public lands in new Territories remain the property of the nation, the Crown lands in Manitoba are vested in Her Majesty as represented by the Government of the Dominion. They have been freely granted in aid of the Canadian Pacific and other Railways, of Colonization Companies, actual settlers, and other objects calculated to develop and augment its population. In the older Provinces the lands which they owned at the time of Confederation remained their property ; and, as regards the Province of Prince Edward Island, which had no public lands, a grant of \$800,000 was made to it in lieu of the advantage which it would have had if it had owned any public lands. The step thus taken in the case of Prince Edward Island was repeated in dealing, in 1882, with Manitoba, and a sum of \$900,000 or \$45,000 a year, granted the Province in lieu of public lands. The free homestead and pre-emption policy of the Dominion Government has been proclaimed throughout Europe, and carried out with advantage to Manitoba, and the Committee are of opinion that the faith of the Dominion, as well as the best interests of Manitoba, are pledged to its being permanently adhered to. Beyond this, and how far it may be expedient to change the arrangement existing between Manitoba and the Dominion, in respect to the lands of the Dominion situated within the Province, is one of those questions involving financial considerations which could be advantageously inquired into in the manner contemplated by the Legislature of Manitoba in the first of the resolutions above referred to, in regard to the financial relations of the Province with the Dominion.

The Committee advise that a despatch based on this report, if approved of by Your Excellency, be transmitted to the Lieutenant-Governor of Manitoba, for the information of his Government.

All of which is respectfully submitted.

JOHN J. MCGEE,

Clerk Privy Council.

CERTIFIED Copy of a Report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor General in Council, on the 20th May, 1884.

The Committee of the Privy Council have named a Sub-Committee to confer with Hon. Messrs. Murray, Norquay, and Miller, duly accredited delegates from the Legislature of Manitoba, upon the subjects embraced in the memorandum of instructions given by the said Legislature of Manitoba to the delegates, as well as many other matters affecting the Province.

The Sub-committee, after having very fully discussed with the delegates all the points embraced in the said memorandum and the other matters referred to, report as follows:

That following the order of the memorandum of instructions the delegates urged with great earnestness:—

1. "The right of the Province to the control, management and sale of the public lands within its limits, for the public uses thereof, and the mines, minerals, wood and timber thereon, or an equivalent therefor, and to receive from the Dominion Government payment for the lands already disposed of by them within the Province, less cost of surveys and management," and they, the Sub-committee, having given to all the views advanced by the delegates in support of this claim the fullest consideration, and with every desire to meet their wishes as far as possible in the general interests of the Dominion, cannot advise the Council to recommend to Parliament to grant this request.

The lands of Manitoba hold a very different position in relation to the Dominion Government from the lands of the other provinces. Shortly after the union of the old provinces, the Government formed from that union purchased at a large price in cash, all the rights, title and interest of the Hudson's Bay Company, in and to the territory out of which the province of Manitoba has been formed, it incurred further a very large expenditure to obtain and hold this territory in peaceable possession, and at a still further cost which is continuous and perpetual is extinguishing Indian titles and maintaining the Indians so that the Dominion Government has a very large pecuniary interest in the soil, which does not exist in respect to any other of the confederated provinces.

The purpose expressed in the memorandum of instructions for which the lands are sought, 'is that they may be applied to the public uses of Manitoba.'

This purpose seems to be most fully met by the Federal Government already, viz.: in providing railway communication to and through Manitoba, in aiding the settlement of vacant lands, and in public works of utility to the province.

It was urged by the delegates that the Canadian Pacific Railway is being constructed in fulfilment of the terms of union with British Columbia, and not in the interests of Manitoba and the North-west. The Sub-committee, however, maintain that desirable as it may be to have railway connection with that province, Parliament would not have gone beyond the original proposition of a wagon road, had not the Dominion Government been the owner by purchase of a large territory which would be made accessible and valuable by railway, and largely contributory to the cost of so great an undertaking. Accompanying the proposition to construct a railway was the declaration that the lands of the North-west would bear a considerable proportion of the cost, and from time to time large subsidies of land were offered to any company that would undertake the work. In 1880 Parliament solemnly set aside one hundred million acres of those lands towards meeting the cost of the work and, in 1881, contracted with the Canadian Pacific Railway Company to hand over certain portions of constructed road together with twenty-five millions of dollars in cash, and grant twenty-five million acres of land for the completion of the line. It was not to be expected that the lands could be made available to meet a cash expenditure, until some time after railway connection was had with and through them, and, therefore, the expenditure in construction and in cash subsidy may be regarded as an advance to be repaid from the lands. This cash expenditure or advance, when existing contracts are completed, may be stated as follows:

SESSIONAL PAPER No. 83

Cash expenditure from Callendar to Port Arthur, say subsidy.....	\$10,000,000
Port Arthur to Red River construction.....	15,000,000
Pembina Branch, construction.....	1,500,000
Winnipeg and Western Boundary of Province, subsidy.....	2,150,000

Total cash expenditure..... \$28,650,000

by the Dominion Government to make connection with and through the province of Manitoba.

The Dominion Government has also set apart, at greatly reduced prices, lands to aid the construction of other roads in Manitoba and the Territories, and given free of cost large acreage in aid of a line to Hudson's Bay, so that the Dominion Government is, as stated, using the 'public lands of Manitoba for the benefit thereof.' Moreover, it should not be forgotten that it has provided in the Act of 1881 for an annual cash payment of \$45,000, which was then accepted in lieu of public lands. Other considerations of vital import to the province of Manitoba have much weight with your sub-committee. The success of all the undertakings by the Dominion Government in and for the North-west, depends largely upon the settlement of the lands. Combined with a great expenditure in organizing and maintaining an immigration service abroad and at home, Parliament pledged its faith to the world that a large portion of those lands should be set apart for free homesteads to all coming settlers and another portion to be held in trust for the education of their children. No transfer could therefore be made, without exacting from the province the most ample securities that this pledged policy shall be maintained; hence in so far as the free lands extend there would be no monetary advantage to the province, whilst a transfer would most assuredly seriously embarrass all the costly immigration operations which the Dominion Government is making mainly in behalf of Manitoba and the Territories.

The great attraction which the Canadian Government now offers, the impressive fact to the mind of the man contemplating emigration is that a well known and recognized Government holds unfettered in its own hand the lands which it offers free, and that that Government has its agencies and organizations for directing, receiving, transporting and placing the immigrant upon the homestead which he may select. And if the immigration operations of the Dominion, which involve so large a cost, are to have continued success and to be of advantage to Manitoba and the North-West Territories, your sub-committee deem it to be of the utmost importance that the Dominion Government shall retain and control the lands which it has proclaimed free to all comers. Were there other considerations of sufficient force to induce them to recommend their transfer to Manitoba, and as a consequence and by precedent the surrender to the Provinces to be created from the North-west Territory, all the lands within their boundaries, then they would advise that the Provinces holding the lands should conduct their own immigration operations at their own expense.

The attention of the sub-committee has been directed to the procedure of the Federal Government of the United States, in the organization of new States, and they find that it rigidly retains the public lands of the State, except those it may appropriate for specific purposes, allotting to the State only swamp lands, which, when drained, become a source of profit.

In the Province of Manitoba there is a considerable area of similar lands, which, when drained, are fit for settlement and very valuable.

It having been decided that the necessary works for drainage could be best supervised by the local authorities, an agreement was made with them to undertake certain portions of it for a moiety of the lands reclaimed.

The sub-committee submit that it is expedient to recommend to Parliament a modification of this arrangement, and that all lands in Manitoba, which can be shown to the satisfaction of the Dominion Government to be swamp lands, shall be transferred to the Provincial Government and inure wholly to its benefit.

This would place Manitoba, in respect to public lands, in as favourable a position as the States of the Union, irrespective of the annual allowance of \$45,000, whilst in

public expenditure by the General Government directly and indirectly for her advantage, Manitoba has been dealt with far more liberally than has any other Province, or than any State of the Union by the Federal Government of the United States.

2. The delegates urged the transfer, to the Local Government, of the lands set apart for education with a view to capitalize the sums realized from sales and apply the interest accruing therefrom to supplement the annual grant of the Legislature in aid of education.

Had your sub-committee decided to recommend the first proposition they might have regarded this somewhat differently, but inasmuch as the retention of the general lands involves the maintenance of a staff organization for their management, the Committee deem that the school lands can by that organization be best cared for.

The Dominion Government has taken no action in relation to those lands without full consultation with the local authorities, and pending sales has sanctioned advances of \$60,000 on account for educational purposes.

Of past action Manitoba cannot complain, and with but one object common to both Governments, and with the established practice of consultation, no just cause of complaint is likely to occur. Under the provisions of the law the proceeds of all sales will be invested in Government securities, and the interest received on account thereof paid annually to the Government of the Province for school purposes. It is almost impossible to conceive a mode of management more likely to be satisfactory to the people and affording greater security for a trust deliberately and voluntarily set apart by the Dominion Government as sacred to the education of the children of settlers. Whilst the Dominion Government has thus wisely made a generous provision in aid of general education in the Province, the sub-committee submit that in view of the rapid increase of its population the time has come when provisions may be made to secure the maintenance of a University capable of giving a proper training in the higher branches of education, and to attain this end an allotment of land, not exceeding one hundred and fifty thousand acres of fair average quality, should be selected by the Dominion Government and granted as an endowment to the University of Manitoba, to be held in trust for the purpose referred to upon some basis or scheme to be framed by the University and approved by the Government of the Dominion.

3. The adjustment of the capital account of the Province decennially according to population, the same to be computed now at 150,000 souls, and to be altered until it corresponds to the amount allowed the Province of Ontario on that account.

At the Confederation of the Provinces it was found advisable and necessary to allow to each a capital account, because large expenditures involving debts had been made by all the Provinces on works of a public character, such as Canals, Railways, Harbours, Piers, Lights and Public Buildings, most of which were transferred to the Dominion Government.

It would have been manifestly unfair to have transferred the assets without providing for the debts which they created, and for which each Province was liable.

To meet this a rate per head of the population was adopted and found to meet the case, as the debts of the Province were nearly in proportion to the population.

Subsequently upon the admission of other Provinces it was found that their debts did not reach the same per capita allowance given to those first confederated; but it was held, that although the Province had not made the expenditure, it was desirable to give it the same allowance, the surplus, after covering indebtedness, to form a capital, the interest of which would enable its Government to make such internal improvements as were of provincial and general benefit. Upon the organization of Manitoba a similar course was pursued and the population estimated at 17,000. This was a small number for a Province, and it may be fair to assume that in ordinary circumstances the expenses and responsibilities of government would not have been placed upon a population so small. A per capita allowance, based on that population, did not give a sum sufficient to meet any considerable expenditure, and, in consequence, the Provincial Government has drawn upon the capital sum, and the Dominion has, also, made expenditures within the Province, which are held to be strictly local and which, in the other Provinces, were borne out of provincial funds. The population of the Province having now largely in-

SESSIONAL PAPER No. 83

creased it is desirable that the Province shall be placed, so far as practicable, in a position to maintain the necessary local expenditure, and the sub-committee recommend that the same per capita allowance as was made on a population of 17,000 be now made on 150,000, and that the capital sum therefrom be charged with such advances as have already been made from the former capital account, and such expenditures as the Dominion Government has made within the Province of a strictly local character. To meet the expenditure of the present fiscal year, it is estimated that, in consequence of the construction of a lunatic asylum and other exceptional services, another advance from the old capital account, to the extent of \$150,000 will be necessary, and the Committee advise that, under the provision of the Act creating the Province, it be made and held chargeable against the capital account or any readjustment thereof sanctioned by Parliament.

4. 'The right of the province to charter lines of railway from any one point to another within the province, except so far as the same has been limited by its Legislature in the Extension Act of 1881.'

This question has no doubt arisen in consequence of the disallowance of certain Acts of incorporation granted by the Legislature of Manitoba, which were held to conflict with the spirit of Canadian policy as embodied in the Canadian Pacific Railway Act, which contains a clause preventing the Dominion Parliament authorizing the construction of any railway south of the Pacific line, and running from any point at or near the Canadian Pacific Railway, except such lines as shall run south-west, nor to within fifteen miles of latitude 49. 'Throughout the whole discussion upon the Pacific Railway, both in and out of Parliament, up to the ratification of the contract of 1880, there was no proposition received with so great unanimity and approval, as that the railway should not, at least for a time, whether constructed by the government or a company, be tapped by lines running into the United States, and its legitimate traffic drawn to that country instead of passing down to the seaboard over Canadian soil. Not only was this held to be in the interest of the whole people, but it is safe to assert that a company could not have been found to undertake the work without this guarantee.'

Whatever the provisions of the Canadian Pacific Railway Act are, the province of Manitoba had in advance assented to, in accepting an extension of her boundaries and an increase of area about tenfold, under an Act which provided 'that the said increased limit and territory thereby added to the province of Manitoba shall be subject to all such provisions as may have been or shall hereafter be enacted respecting the Canadian Pacific Railway and the lands to be granted in aid thereof.' Having accepted the increased area upon the above conditions, and knowing the long avowed policy of Parliament to prevent the legitimate trade of the country and traffic of the Canadian Pacific Railway being diverted to the United States, the sub-committee consider that no injustice will be done to the people of Manitoba by the exercise of such supervision by the Dominion Government over the railway charters sought from the Dominion Parliament or passed by the Legislature of Manitoba, as will maintain this policy, and the condition of the Canadian Pacific Railway Act, until the expiry of the time named therein, or until the road is opened and trade established, when, it is believed it may be repealed or modified, without injustice and with the consent of the contracting parties.

5. 'That the grant of 80 cents a head be not limited to a population of four hundred thousand souls, but that the same be allowed the province until the maximum on which the said grant is allowed the Province of Ontario be reached.'

The Act of Confederation places the per capita allowance upon the population given to each province by the census of 1861, but in the case of Nova Scotia and New Brunswick allows a decennial increase until a population of 400,000 be reached.

In the admission of Manitoba with a small population, it was provided that she should have the same advantages and be placed upon terms of equality with those two named older Provinces, one of which has now passed the maximum number. In view of the fact that some considerable time must elapse before the maximum allowed to Manitoba is reached, and that the question affects all the provinces of the confederation, the sub-committee deem it more advisable to give attention to the means by which aid can be given to the province within the maximum number named in the Act.

The increase of population in the province of Manitoba has been exceptionally rapid, and would warrant a more frequent census than that named, and the sub-committee has to repeat that portion of the Order in Council of April 1, 1884, bearing upon this question and 'advise that a quinquennial census of the province of Manitoba be taken hereafter reckoning from September, 1881, and between the future takings of the census approximate estimates should be made at evenly divided periods, so that the sum granted to the province for the purpose above mentioned may be revised four times in each decade, and in each instance adjusted according to population until the number of the inhabitants shall have reached 400,000, and they further advise that the first of such approximate estimates be made on the first of September next, when if the population should be found to exceed 150,000, at which the grant in aid is now made, the first readjustment should take place.'

6. 'The granting to the province extended railway facilities, notably the energetic prosecution of the Manitoba and South-western, the Souris and Rocky Mountain and the Manitoba and North-western Railways.'

The sub-committee has assured the delegates of the earnest desire of the Dominion Government to extend railway facilities in Manitoba and the North-west in any direction that will not conflict with the general interest and the engagements of the Government, and has cited in proof thereof the extraordinary expenditure made upon the main Pacific line, and the grants of land hereinbefore referred to, together with a grant already made of \$100,000 to commence explorations in Hudson's Bay, to test the practicability of a commercial outlet in that direction for the products of the North-west.

7. 'To call the attention of the Government to the prejudicial effects of the tariff on the Province of Manitoba.'

In the discussion on this point the sub-committee is of opinion that it was not shown that the effect of the tariff is prejudicial to the province, or that it operates exceptionally unless perhaps in some few cases, which it is believed will be remedied, as means of transport from the other provinces improve or which if not so remedied may be adjusted on the recommendation of the Ministers of Finance and Customs.

8. 'Extension of boundaries.'

The sub-committee having given to this proposal and the arguments advanced by the delegates the most careful consideration, cannot recommend any change or modification of the views entertained by Council, as set forth in the Order in Council of date of April 1 last, and which for convenience of reference may be here repeated.

'The boundaries of Manitoba were originally fixed at the instance of the delegates from that province who came to Ottawa in 1870 to adjust, with the Government of Canada, the terms upon which Manitoba was to enter the Confederation of Her Majesty's North American Provinces.

The limits then agreed to embraced an area of about 9,500,000 acres. In the year 1881 these limits were enlarged and territory added to the west and north, making the total area of the province 96,000,000 acres, or 150,000 square miles.

In the same year the true western boundary of Ontario was fixed as the eastern limit of Manitoba, which may add largely to the area of the province.

The total areas of the other Provinces of the Dominion were, in 1882, as follows:-

Province	Square Miles.	Acres.
Ontario	109,480	70,067,200
Quebec	193,355	123,747,200
New Brunswick	27,322	17,486,080
Nova Scotia	21,731	13,907,840
Prince Edward Island	2,133	1,365,120
Manitoba	150,000	96,000,000
British Columbia (including Vancouver and other Islands)	390,344	249,820,160
North-west Territory	1,868,000	1,195,520,000
Keewatin District	309,077	197,809,280
Islands in Arctic Ocean	311,700	199,488,000
" Hudson's Bay	23,400	14,976,000
Total	3,406,542	2,180,186,880

SESSIONAL PAPER No. 83

The further enlargement now asked for by Manitoba would add about 180,000 square miles to the already large area of the Province, and would be viewed with disfavour as well by the old Provinces as by the new districts of Assiniboia, Saskatchewan, Alberta and Athabasca, which have been created in the North-west Territories, and which will ultimately become Provinces of the Dominion. It would largely add to the expense of the Government, without increasing the resources of Manitoba, already pronounced by the Government of the Province to be insufficient to meet its normal and necessary expenditure.

The Committee, under these circumstances, humbly submit to Your Excellency, that it is inexpedient to alter the boundaries of the Provinces as prayed for.

It having, however, been represented to them that the enlargement to the North is sought for by Manitoba chiefly in connection with the desire of that Province to extend railway communication to the waters of Hudson's Bay, the Committee recommend that the Government of Manitoba be informed that Your Excellency's advisers will notify the two existing companies who hold charters from the Canadian Parliament to construct railways between Manitoba and Hudson's Bay, that the public interests demand the amalgamation of their companies, and that if they will unite and make provisions satisfactory to Manitoba, for the early construction of the railway, and against pooling or amalgamating with other railways, and against excessive freight charges, application will be made to Parliament to convert the sale which it was intended to have made to those companies of six thousand four hundred (6,400) acres per mile of railway within the Province at a dollar per acre, and twelve thousand eight hundred (12,800) acres per mile outside the Province at half a dollar per acre into a free gift.

Failing which, Parliament will be asked to authorize the land to be given in the like way to either one of the said incorporated companies, giving satisfactory assurances of its ability to construct the railway; and failing this last, then to any other company satisfactory to Manitoba, and that every facility will be given to incorporate such last mentioned company. Parliament having given the necessary authority to the Dominion Government to carry into effect the foregoing cited offer of free lands in aid of the Hudson's Bay Railway, your sub-committee is of opinion that the said Order in Council of April 1 should, in respect to the extension of boundaries, be satisfactory to the Legislature of Manitoba.

In the consideration of the various proposals submitted and claims advanced by the delegates on behalf of the Province of Manitoba, your sub-committee have, consistent with federal obligations and the interest of the Dominion, felt the deepest anxiety to further the welfare and progress of that Province, and in recommending to His Excellency the Governor General in Council, for submission to Parliament, the very liberal propositions embodied in this report, only do so in the full anticipation that they will be satisfactory to the people of Manitoba, and upon the condition that they will be accepted by the Legislature of that Province as a settlement of the claims so earnestly urged by the delegation charged with their submission at Ottawa.

The Committee of the Privy Council adopt the foregoing report of the sub-committee and the several recommendations made therein, and they submit the same for Your Excellency's approval.

JOHN J. MCGEE,
Clerk Privy Council.

OTTAWA, November 28, 1883.

To Her Majesty's Most Honourable Privy Council:

The Honourable the Minister of Agriculture has the honour to submit on behalf of the Government of the Province of Manitoba that, after the organization of the Province a system of separate schools was adopted by which Protestant and Roman Catholic citizens alike were afforded equal facilities for the cultivation of their minds and the advancement of their moral and economical conditions

That an organization known as the Board of Education was established comprised of twenty-one members, twelve of whom are selected from amongst the most prominent Protestant citizens and nine from those embracing the Catholic faith.

That His Lordship the Bishop of Rupert's Land is the President of the said Board, and His Grace the Most Reverend Archbishop of Saint Boniface is the Vice-President.

That there are two Superintendents—one a Protestant, J. B. Somersett, Esq., of Winnipeg, and the other a Roman Catholic, Thomas Alfred Birmer, Esq., of Saint Boniface.

That the Board is divided into two sections, one called the Protestant and the other the Catholic section, each exercising full control in the selection of school books and the management of schools submitted to their jurisdiction.

That the Government grant, after deducting the joint expenses of the Board, is divided between each section on a pro rata basis of the school population in the several districts between the ages of five and seventeen years, an allowance of \$100 being granted to each school for a scholastic year comprising two hundred days, and the balance of the appropriation distributed on a pro rata basis of attendance.

That the system now in operation for the last twelve years has borne forth excellent fruits in moulding the minds of the youth of the Province, and has been operated on the strictest possible principles of economy, the members of the Board giving their services gratuitously and the superintendents alone receiving compensation for their labours.

That in accordance with the conditions of the Dominion Statutes two sections of two hundred and forty acres each have been reserved in each township for educational purposes.

That without interfering with the disputed territory our Province covers an area of something over two thousand townships, from which should be deducted about three hundred lying under water, leaving about seventeen hundred townships of terra firma, each embracing an area of twelve hundred and eighty acres, or a total of two millions five hundred and seventy-six thousand acres of school lands.

That deducting one hundred and seventy-six thousand acres as unfit for settlement, there still remains two million acres of arable land which might be divided into five classes as to quality and value as follows:—

1.	—500,000 acres at \$1.00 per acre.....	\$	500,000
4.	—500,000 " 2.00 " 		1,000,000
4.	—500,000 " 3.00 " 		1,500,000
1.	—250,000 " 4.00 " 		1,000,000
1.	—250,000 " 5.00 " 		1,250,000

Or a grand total of..... \$ 5,250,000

the interest on which alone at the rate of five per centum would give an annual revenue of \$262,500.

That the estimate above given is certainly very low, as it represents an average value of only \$2.62½ per acre, while contiguous lands in the several school districts have realized as high as \$10 to \$20 per acre.

That the Government of the Province of Manitoba has voted for maintenance of public schools in the various districts from 1871 to 1883, both years inclusive, the following amounts:

1871.....	\$ 6,000	1878.....	\$ 10,000
1872.....	7,000	1879.....	18,000
1873.....	7,000	1880.....	18,000
1874.....	7,000	1881.....	21,000
1875-6.....	10,000	1882.....	40,000
1877.....	8,000	1883.....	45,000

Total..... \$197,000

SESSIONAL PAPER No. 83

That we have in actual operation three hundred schools, and before the end of the year 1884 that number will be increased to 500 or 600 owing to the demands coming in from every direction consequent upon the rapid growth of the population through the natural advantages possessed by the province and the wisdom of the Government's immigration policy.

That on account of the peculiar system of surveys adopted by the Government, which is very advantageous in other particulars, the houses of settlers are so distant from one another that several schools have to be established in each locality in order to make the distance convenient for children attending them, and that in new districts the schools are almost entirely supported by Government aid owing to the inability of new settlers to bear at the outset school taxation.

That the provincial Government has not so far been able to aid higher education, and the time must soon come when claims for assistance in this direction will, in order to keep abreast of the march of progress, have to be recognized.

That this is rendered all the more necessary inasmuch as the distance that divides our province and our people from the centres of learning is so great that only citizens of affluence can now afford to send their children abroad.

That the legislature has already established a university, with which three colleges have been affiliated, viz., Le College de Saint Boniface (Roman Catholic), St. John's College (Church of England), and Manitoba College (Presbyterian), each institution being represented in the Council by a delegation of seven—three on behalf of the graduates and one delegate being elected from each section of the Board of Education.

That the patron of the Board is the Honourable the Lieutenant Governor of the province for the time being, the chancellor (now the Right Reverend Bishop of Rupert's Land) being selected by the honourable the patron, and the vice-chancellor by the graduates.

That the Government have received a grant of \$20,000 from the Dominion Government, viz., \$10,000 in 1879 and \$10,000 in 1880, and that in order to meet the liabilities incurred in the proper maintenance of our public school system we will require next year a vote of \$60,000.

The Honourable the Minister of Agriculture therefore pray on behalf of his Government that the most Honourable the Privy Council will see their way clear towards not only placing the sum of \$10,000 to the credit of the province still due by statute, but also advancing a further sum of \$80,000 on the same terms as was authorized by 41st Vic., chap. 13, to be charged against the sales of school lands, so that the present settlers who have undergone many difficulties and privations in establishing themselves in the province shall not be aided in an unequal degree from the resources of lands set apart for the purposes of education, as will be those in future years when these lands are made available for revenue purposes.

A. A. C. LARIVIERE,

Minister of Agriculture, Statistics and Health

for the Province of Manitoba.

OTTAWA, March 28, 1888.

The Honourable

The Minister of the Interior.

I have the honour to submit for the consideration of the Executive Council of Canada, that owing to the sparse settlement of certain portions of the Province of Manitoba it is necessary that a larger sum should be devoted annually to educational interests than is at present possible owing to the small provincial income. My Government is not desirous of trenching farther upon the capital account of the province, but consider that an advance or loan might be arranged upon the security of the schools lands at present administered by your department. The necessary sum to be thus advanced or loaned we estimate at \$100,000, which will meet our requirements for a time; to be drawn as required, and repayment to be made as funds accrue from the sale of school

2 EDWARD VII., A. 1902

lands. The grave interests involved in the immediate extension of our educational facilities must be considered as a justification for this request.

THOS. GREENWAY,

Premier of Manitoba,

OTTAWA, January 7, 1889.

Hon. EDGAR DEWDNEY,
Minister of the Interior.

In pursuance of our conversation to-day, I write you with regard to an advance on the security of Manitoba school lands which the Government of Manitoba are desirous of obtaining. For the year ending June 30, 1889, the sum of \$15,000 would be sufficient. We have increased our grant to public schools relying on this advance being made, the matter having been discussed between the late Hon. Thos. White and the Hon. Mr. Greenway, last February. We feel that a portion of the moneys to be derived from school lands in the future might well be spent now, thus giving aid at a time when it is more needed than it will be later on. Kindly let us know soon whether we may expect this advance.

JOSEPH MARTIN,

Public Lands Commissioner of Manitoba.

THE PROVINCIAL LANDS DEPARTMENT OF MANITOBA,

WINNIPEG, January 24, 1889.

The Hon. EDGAR DEWDNEY,
Minister of Interior,
Ottawa.

I notice that recently several auction sales of school lands in this province have been held. I have always understood that it was arranged between this Government and your Government some years ago that no school lands should be sold at any time except upon the request of this Government. I am aware that not long ago a considerable quantity of school lands was put up for sale at different points within the province at the request of this Government. It may be that the parcels you have sold were included in that request, but it appears to me that where lands are put up for sale and not sold, they should not be again put up without the request of the Government of Manitoba, as circumstances may materially change with regard to the advisability of selling any particular lands.

JOSEPH MARTIN,

Provincial Lands Commissioner.

DEPARTMENT OF THE INTERIOR,

OTTAWA, February 15, 1889.

Hon. JOSEPH MARTIN,
Provincial Lands Commissioner.

I have the honour to acknowledge the receipt of your letter of the 24th ult., with regard to the sales of school lands in the province of Manitoba.

It has recently been the custom, I understand, to consult the Government of Manitoba as to school lands which might be put up at auction from time to time; and as to the lands which were recently sold, I am informed that they were included in the list furnished by the Government of Manitoba somewhat over a year ago. I should wish it to be distinctly understood, however, that so long as the law charges the Minister of the Interior with the administration of school lands, I am prepared to act upon my responsibility as minister in relation to these sales, and to cause them to be held when I regard it in the public interest to do so. I shall at all times be glad, however, to receive any suggestions from the Manitoba Government in reference to school lands.

E. DEWDNEY,

Minister of the Interior.

SESSIONAL PAPER No. 83

WINNIPEG, MAN., March 6, 1889.

The Hon. EDGAR DEWDNEY,
Minister of the Interior,
Ottawa.

Referring to your letter of the 15th ultimo, No. 198600, I would say that there has been a clear understanding between the Dominion Government and this Government that no school lands should be sold unless at the request of this Government. I would refer you to the report of a committee of the Privy Council dated May 20, 1884, in which the following expression occurs speaking of the matter of school lands: 'The Dominion Government has taken no action in relation to these lands without full consultation with the local authorities, and pending sales has sanctioned advances of \$60,000 on account for educational purposes. Of passed action Manitoba cannot complain, and with but one object common to both Governments and with the *established practice of consultation* no just cause of complaint is likely to occur.'

This Order in Council was passed in answer to demand on the part of the then Government for the transfer to the local Government of the school lands. I must again submit that the sale of the lands nearly two years after the sale has been recommended by this Government is not carrying out the spirit of this understanding.

While I was at Ottawa I had the pleasure of an interview with you with regard to the advancement to this Government of \$15,000 for purposes of education, to be deducted from the proceeds of school lands hereafter. At your request I wrote you a letter making a formal request for the same, but have not yet had any reply. I would urge upon you strongly to let us have this money, as we need it more now than we will in after years, and it is necessary for the Government to know whether they are likely to get this in order that they may make their financial arrangements for the year.

JOSEPH MARTIN,
Provincial Lands Commissioner.

OTTAWA, April 29, 1889.

The Hon. JOSEPH MARTIN,
Provincial Lands Commissioner,
Winnipeg, Man.

I have the honour to acknowledge the receipt of your letter of the 6th ultimo, No. 198, having reference to the sale of school lands in Manitoba. I thank you for calling my attention to the Order in Council of May 20, 1884, with the contents of which, however, I had already made myself familiar. Upon referring again to my letter of February 15 you will find that its terms are quite consistent with the terms of the Order in Council in question. What I stated in that letter I repeat now—that I shall at all times be glad to receive any suggestions from the Manitoba Government in reference to school lands; but I should be glad to know on what you base your statement that there has been a clear understanding between the Dominion Government and the Government of the province that no school lands should be sold unless at the request of the provincial Government. You will observe that this is going very much farther than is done in the Order in Council.

E. DEWDNEY,
Minister of the Interior.

WINNIPEG, MAN., June 13, 1889.

The Hon. EDGAR DEWDNEY,
Minister of the Interior,
Ottawa, Ont.

Yours of April 29, No. 200895, duly received. I am very much surprised indeed at the contents of your letter. It certainly has been the clear understanding between this Government and the Dominion Government authorities that no sales of school lands

were to take place without first advising this Government and consulting with them as to the matter. I think the extract from the Order in Council of May 20, 1884, clearly shows that it is as follows:—‘The Dominion Government has taken no action in relation to these lands without full consultation with the local authorities.’ Again, ‘of past action Manitoba cannot complain and with but one object common to both Governments and with the *established* practice of consultation, no just cause of complaint is likely to occur.’

I would also refer you to show clearly what the meaning of this was, to a despatch from the Hon. J. A. Chapleau, Secretary of State, to His Honour the Lieutenant Governor of Manitoba, dated April 2, 1884, in which the following expression occurs:—‘I am also to inform you that school lands will be offered for sale at auction annually *after consultation* with the Government of Manitoba *as to the time of sale, quantity and price.*’

I cannot imagine how the construction I place upon this matter can be expressed more clearly than in the words of the Hon. J. A. Chapleau, which I have just quoted for you. Your contention that it was only the intention of the Dominion Government to consider representations made by the Manitoba Government simply amounts to nothing. We would never for one moment suppose that any representations of ours upon any subject whatever would not be considered by the Dominion authorities. Our contention has always been that these lands should be administered by the Provincial authorities. We have been and are satisfied that they could be much better administered, more money made out of them and in every respect more satisfactorily dealt with by this Government than by yours. This desire on our part, however, has always been refused by your Government, and we were partially satisfied by the assurance received by us in 1884 that nothing should be done with the lands till we had first been consulted. It is therefore with much regret that we hear from you that your Department intends to pay no attention to the promises made to us in this respect, and we must protest most vigorously against such dealing with these lands.

JOSEPH MARTIN,

Provincial Lands Commissioner.

THE PROVINCIAL LANDS DEPARTMENT OF MANITOBA,

WINNIPEG, October 29, 1889.

The Right Honourable

Sir JOHN A. MACDONALD,

President of the Council,
Ottawa, Ont.

I have had some correspondence with the Honourable Edgar Dewdney with regard to school lands in this province. I inclose you copies of my letters to him. You can get his replies of course from his department. You will see that this Government takes the strongest ground as to the question of the school lands, and I think my letters clearly show that an express agreement was made between the Dominion Government and the Local Government under which it was agreed that the Dominion Government would take no action with regard to these lands without full consultation with the local authorities. It is proposed, I understand, to sell school lands this winter. We must strongly protest against any such action. It is a most inopportune time to sell any lands in this province for reasons which it is probably not necessary to go into in detail but which will be furnished to you or Mr. Dewdney if desired. There are a few localities in which it might be advisable to sell this year.

JOSEPH MARTIN,

Provincial Lands Commissioner.

SESSIONAL PAPER No. 83

THE PROVINCIAL LANDS DEPARTMENT OF MANITOBA,

WINNIPEG, October 29, 1889.

The Honourable EDGAR DEWDNEY,
Minister of the Interior,
Ottawa, Ont.

I wrote you very fully on June 13, in answer to yours of April 29, No. 200895, with regard to the position that you take as to school lands. I have never had any reply to this letter. I hear, however, that your officers are making valuations and preparing to hold a sale of school lands this coming winter. I must protest most vigorously against any such action. I again draw your attention to the reference made by me in my letter of June 13, from which it clearly appears that the Better Terms Settlement of 1884 included an express agreement on the part of the Dominion Government, that no sales of school lands would be made and no action taken without full consultation with this Government. If I am correctly informed as to your contemplated action in selling school lands this winter without any consultation with us, you are clearly violating this agreement. The proceeds of the school lands are for the benefit of this province. The Dominion Government occupies the position of trustee for this province with regard to these lands. It is not usual, even in the absence of express agreements, for trustees to act straight against the wishes of the cestuique trust unless indeed there are very strong reasons for overruling the wishes of the cestuique trust. I cannot understand why in this matter you should not even answer my letters. I have written a letter to Sir John A. Macdonald, calling his attention to what I consider a grave violation of our rights in the matter.

JOSEPH MARTIN,

Provincial Lands Commissioner.

P.S. There are a few localities in which it is advisable to make a sale this year.

OTTAWA, November 16, 1889.

The Honourable JOSEPH MARTIN,
Provincial Lands Commissioner,
Winnipeg, Man.

I am duly in receipt of your letter of the 29th ultimo, having reference to school lands. If you will again refer to my letter of February 15, you will observe that there is nothing therein contained which is at all inconsistent with the Order in Council of May 20, 1884. So far there has been no departure from the practice of consulting the Government of Manitoba as to school lands which may be put up at auction from time to time. Will you be good enough to inform me upon what authority you state that it was contemplated to sell school lands this winter without consulting with the Provincial Government?

EDGAR DEWDNEY,

Minister of the Interior.

THE PROVINCIAL LANDS DEPARTMENT OF MANITOBA,

WINNIPEG, December 4, 1889.

The Honourable EDGAR DEWDNEY,
Minister of the Interior,
Ottawa, Ont.

I have the honour to acknowledge the receipt of your letter of the 16th ulto., with reference to school lands. I have referred to your letter of February 15, as suggested and I find there a statement which in my opinion is very inconsistent with the Order in Council of May 20, 1884. You say 'I should wish it to be distinctly understood however that so long as the law charges the Minister of the Interior with

2 EDWARD VII., A. 1902

the administration of school lands, I am prepared to act upon my responsibility of a Minister in relation to these sales and to cause them to be so held when I regard it in the public interest to do so.'

I referred you in a letter dated June 13, to a portion of a despatch from the Hon. J. A. Chapleau, Secretary of State to His Honour the Lieutenant Governor of Manitoba, dated April 2, 1884, in which the following expression occurs: 'I am also to inform you that school lands will be offered for sale at auction annually after consultation with the Government of Manitoba as to time of sale, quantity and price.' Now I understand from that and from the Order in Council that no sales of school lands will be made in opposition to the advice of this Government, and I contend that if we advise the sales of land on one year, that will not be a justification to your department to sell these lands in a subsequent year as you did with regard to the sales of lands complained of in my letter of January 24, 1889. Mere consultation with us without paying any attention to what we say would be a construction of said Order in Council which could only be characterized as a quibble to control and manage these lands, but only as trustees following the wishes and desires of the province as to time and manner of sale. You also ask in your letter of the 16th ultimo, to inform you upon what authority I stated that it was contemplated to sell school lands this winter without consultation with the Provincial Government. In answer to that I would say that I have been credibly informed that your homestead inspectors have stated to various persons that it was the intention to have a sale of school lands this winter. It has now reached December 4, and no consultation has taken place between your department and this Government with regard to the matter, and, as I have before informed you, I do not think it advisable to hold a sale of school lands this winter, at least to any considerable extent, and I protest most vigorously against your department deliberately sacrificing and wasting these lands which are intended to be a heritage to the people of this province for school purposes. Our Government here have always strongly contended that these lands should be administered by ourselves. I think no stronger argument for that contention can be found than the fact that your department propose to sell these lands at this time: at a time when they are sure to be sacrificed and at a time which no one administering the lands with a proper knowledge of the circumstances would think for one moment of adopting as propitious for sale.

I should be very glad indeed if you would reconsider your decision in this matter, and I should also like to have it distinctly understood for the future whether the solemn arrangement entered into on May 20, 1884, meant what I contend it does mean, or was simply a mere nothing as I understand you to contend it was.

JOSEPH MARTIN,

Provincial Lands Commissioner.

DEPARTMENT OF THE INTERIOR,

OTTAWA, Dec. 11, 1889.

The Honourable JOSEPH MARTIN,
Provincial Lands Commissioner,
Winnipeg, Man.

I am directed to acknowledge the receipt of your letter of the 4th instant, with reference to school lands, and to call your attention to the fact that communication between the Government of Canada and the government of a province are not usually made through homestead inspectors. In this instance, if any homestead inspector made any such communication as is stated in your letter, to the Government of Manitoba or to anyone else, he did so without authority.

JOHN R. HALL,

Secretary.

SESSIONAL PAPER No. 83

THE PROVINCIAL LANDS DEPARTMENT, MANITOBA,
WINNIPEG, MAN., December 30, 1889.

JOHN R. HALL, Esq.,
Secretary Department of the Interior,
Ottawa, Ont.

Yours of the 11th instant, No. 198600, duly received. I have never stated to you or to your department that I had received a communication from the Government of Canada through the medium of homestead inspectors as to the sale of school lands. What I have complained of is that your department has decided to sell school lands this winter and was making arrangements for said sale without consulting this Government. I have a letter from the Hon. Mr. Dewdney dated February 15, 1889, in which he states practically that while he will always be glad to receive suggestions from the Government of Manitoba, still he proposes to sell these lands whenever he regards it in the public interest to do so. I have objected most strenuously to the stand that Mr. Dewdney takes in that letter, on the ground that there is a definite agreement between the Dominion Government and this Government under which the Dominion Government continues to administer the school lands as trustees for us with the distinct understanding that no school lands are to be sold without the consent of this government first having been obtained. Your letter of the 11th instant, if it means anything except to be offensive, I take it to be a statement that your department has not decided to hold a sale of school lands this year and has not made any preparations to do so. If this is the case there must be a very serious misunderstanding between the department at Ottawa and the Dominion Lands Commission here. I inclose you copy of a letter from the Secretary of Dominion Lands Commission to Mr. J. M. Graham, General Manager of the Northern Pacific and Manitoba Railway Company here, in which it is very plainly intimated that there is to be a sale of school lands in February next. I may say that this letter was sent to me by Mr. Graham to induce me to apply to your department to have the quarter section of land mentioned put up for sale.

JOSEPH MARTIN,
Provincial Lands Commissioner.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE COMMISSIONER OF DOMINION LANDS,
WINNIPEG, MAN., December 10, 1889.

J. M. GRAHAM, Esq.,
General Manager, N. P. & M. Railway, Winnipeg.

In reply to your letter of the 7th instant, I am directed by the Commissioner to inform you that if it will answer your purpose to wait until the sale of school lands to be held in February next, the N.E. $\frac{1}{4}$ of section 11-5-14 west will be included in the list of lands which the Commissioner is asking authority to offer for sale by public auction at that time, and your company will have an opportunity of bidding for it, but if it would suit you better and you so advise him, the Commissioner will ask for authority of the Privy Council to put this quarter section up for sale by itself immediately. If you wish this done, it is desirable that the Provincial Government should join in your request. The Commissioner will recommend that the minimum upset price of \$5 per acre fixed by the regulations be the upset price in either case for this land.

R. A. RUTTAN,
Assistant Secretary.

DEPARTMENT OF THE INTERIOR,
OTTAWA, February 13, 1890.

Honourable JOSEPH MARTIN,
Provincial Lands Commissioner,

I have the honour by direction, to acknowledge the receipt of your letter of the 30th of December last, with further reference to the question of the disposal of

2 EDWARD VII., A. 1902

school lands in Manitoba, and inclosing a copy of a letter from Mr. R. A. Ruttan, Assistant Secretary of the Dominion Lands Board, addressed to J. M. Graham, Esq., General Manager of the Northern Pacific and Manitoba Railway, with respect to the application of the company to purchase the N.E. $\frac{1}{4}$ of 11—5—14 W., 1st meridian.

LYNDWODE PEREIRA,

Assistant Secretary.

DEPARTMENT OF THE INTERIOR,

OTTAWA, February 13, 1890.

DEAR MR. SMITH,—I send you herewith a copy of a letter from the Honourable Joseph Martin, with respect to the sale of school lands in Manitoba, and also a copy of one inclosed by him from Mr. Ruttan to Mr. J. M. Graham, General Manager of the Northern Pacific and Manitoba Railway, in which he states that the N.E. $\frac{1}{4}$ 11—5—14 W., 1st M., will be included in 'the list of lands which the Commissioner is asking authority to offer for sale by public auction at that time,' that is, during this month, and I shall be obliged if you will inform me on what authority Mr. Ruttan made this statement, as there was no intention nor any proposition to do so as far as I am aware, of holding a general sale of school lands at the present time.

I shall be glad of an early reply.

A. M. BURGESS,

Deputy Minister of the Interior.

DEPARTMENT OF THE INTERIOR,

OFFICE OF THE COMMISSIONER OF DOMINION LANDS.

WINNIPEG, MAN., February 17, 1890.

A. M. BURGESS, Esq.,

Deputy of the Minister of the Interior,
Ottawa.

I have your letter of the 13th instant, No. 224348 on 198600 inquiring by what authority the Assistant Secretary stated in his letter to the General Manager of the Northern Pacific Railway Company, dated December 10 last, that it was proposed to hold a sale by public auction during this month of certain school sections. I find that at the time this letter was written to Mr. Graham we were actually preparing a list of school lands, which list was subsequently forwarded to you with my letter of December 19 last, No. 156781. That list was prepared in consequence of a suggestion contained in your private communication to myself dated December 3, in which you informed me that 'Father Cloutier writes inquiring whether a sale of school lands will be held this winter. He states that two families located on section 29, tp. 8, rge. 2 east, are desirous of purchasing their holdings. I have told him, in reply, that it is not intended to have a general sale of school lands in Manitoba this winter, but that if any considerable number of persons were desirous of buying we might manage to hold a small sale. I think that if you were to send us a list of the applications for school lands we might in the end conclude to consult with the Manitoba Government as to the advisability of selling a few sections, &c.'

I do not think that there is anything in Ruttan's letter that would justify Mr. Martin in assuming we had definitely decided to hold a sale of school sections this month, and all that he can fairly take from it is that I was asking for authority to hold such sale.

A copy of the letter to Mr. Graham above mentioned was sent to the Secretary on December 11, as also a copy of Mr. Graham's letter to which it was a reply.

H. H. SMITH.

SESSIONAL PAPER No. 83

DEPARTMENT OF THE INTERIOR,
OTTAWA, February 26, 1890.The Honourable JOSEPH MARTIN,
Provincial Lands Commissioner,
Winnipeg, Man.

Referring further to the Assistant Secretary's letter to you of the 13th instant, I beg to say that my letter of December 11, to which you refer in your communication of the 30th of that month, was not meant to be offensive, and if you will look at it again I am quite sure that you will agree that no such construction could properly be placed upon it. It is quite clear that the letter written by Mr. Ruttan to Mr. Graham, dated December 10, could not have been the authority on which you stated, on the 4th of that month, that you had been credibly informed that homestead inspectors have stated to various persons that it was the intention to have a sale of school lands this winter. If, however, any homestead inspector did make a statement of the kind, it is scarcely necessary to say that it could not have any such official authority as to justify you in asserting, as you have frequently done in the course of this correspondence, that the Government intended to sell school lands in Manitoba without consulting the Provincial Government.

As to Mr. Ruttan's letter of December 10 to Mr. Graham, I am to say that upon receipt of a copy of it the Minister caused communication to be had with the Commissioner of Dominion Lands, with a view of ascertaining how Mr. Ruttan came to make the statement he did. In answer the Commissioner refers to a letter addressed to him by the Deputy Minister, in which he mentions that inquiry has been made as to whether a sale of school lands would be held this winter, and that the correspondent was told in reply, 'that it is not intended to have a general sale of school lands in Manitoba, but that if any considerable number of persons are desirous of buying we might manage to hold a small sale.' Mr. Burgess added:

'I think if you (the Commissioner) were to send us a list of the applications for school lands we might in the end conclude to consult with the Manitoba Government as to the advisability of selling a few sections.'

JOHN R. HALL
Secretary.PROVINCIAL LANDS DEPARTMENT, MANITOBA,
WINNIPEG, August 30, 1890.Honourable EDGAR DEWDNEY,
Minister of the Interior,
Ottawa, Ont.

Referring to the conversation between yourself and members of this Government at Winnipeg, while you were here on your visit west, I would suggest that it would be well to make immediate arrangements in connection with the leasing of school lands in this province.

A great many persons lease the land they intend to work the season before. In the case of those lands now occupied by squatters fall ploughing will no doubt be done by most of them, and it would be only fair that they should at once be notified of the intention of your Government to lease the lands.

JOSEPH MARTIN,
Provincial Lands Commissioner.

OTTAWA, Sept. 12, 1890.

The Honourable JOSEPH MARTIN,
Provincial Lands Commissioner,
Winnipeg, Man.

I have the honour to acknowledge the receipt of your letter of the 30th ultimo, with reference to the leasing of school lands. The Minister of the Interior is now on

2 EDWARD VII., A. 1902

his way to England, but the matter will be submitted to the Acting Minister without delay.

JOHN R. HALL,
Secretary.

OTTAWA, October 25, 1890.

Honourable JOSEPH MARTIN,
Provincial Lands Commissioner,
Winnipeg, Man.

I write to you, in the absence of Mr. Greenway, in further reference to the interview which the Minister and myself had with the members of your Government in Winnipeg last summer, to ask whether, in view of the very fine crop obtained in the province this year and the exceptionally prosperous condition of the people, it might not be advisable in the public interest and in the interest of the school fund in particular to offer for sale during the coming winter some of the more conveniently situated sections of school lands which have been applied for. I address you this note merely that the subject may not be overlooked, and so that I may be in a position to inform the Minister on his return from England in the course of a few weeks what the views of your Government are.

A. M. BURGESS,
Deputy Minister of the Interior.

PROVINCIAL LANDS DEPARTMENT, MANITOBA.

WINNIPEG, October 29, 1890.

A. M. BURGESS, Esq.,
Deputy Minister of the Interior,
Ottawa, Ont.

Yours of the 25th inst. at hand. Our Government are of the opinion that it would not be advisable to sell the school lands at present, and we desire that your department should lease the land, as suggested in the interview to which you refer and also in my letter to the Minister of the Interior of August 30, 1890.

I regret very much indeed that I am afraid facts will not bear out what you say with regard to the very fine crop of this year and the exceptionally prosperous condition of the people. We hope to have a fairly large crop to export, but the season has been very much against harvesting operations and the reports from different parts of the province are not nearly so favourable as it was at first hoped they would be.

JOSEPH MARTIN,
Provincial Lands Commissioner.

PROVINCIAL LANDS DEPARTMENT, MANITOBA,

WINNIPEG, November 14, 1890.

Honourable EDGAR DEWDNEY,
Minister of the Interior,
Ottawa, Ont.

I would respectfully ask for an answer to my letter of August 30 last, with regard to the leasing of school lands, which I was informed by letter from your department, dated September 12, would be submitted to the Acting Minister without delay.

JOSEPH MARTIN,
Provincial Lands Commissioner.

SESSIONAL PAPER No. 83

OTTAWA, November 24, 1890.

The Honourable JOSEPH MARTIN,
Provincial Lands Commissioner,
Winnipeg, Man.

I have the honour to acknowledge the receipt of your letter of the 14th instant with regard to the leasing of school lands. Sir John Thompson did not care to deal with a matter of this kind, involving a question of change of policy, during the very brief absence of the Minister in England. The Minister has now returned and I will immediately lay the papers before him.

A. M. BURGESS,

Deputy Minister of the Interior.

PROVINCIAL LANDS DEPARTMENT, MANITOBA,
WINNIPEG, December 11, 1890.

A. M. BURGESS, Esq.,
Deputy Minister of the Interior,
Ottawa, Ont.

Yours of the 24th ultimo, promising that the papers in regard to leasing of school lands would be at once laid before the Honourable the Minister of the Interior, was duly received. I hope by this time that the Minister has been able to deal with the matter, as I understood from him at our interview here that he was quite prepared to carry out this policy if this Government would take the responsibility of suggesting it. There is no matter in the province causing a greater amount of petty annoyance and local ill-feeling than these school lands being thrown open to squatters. These squatters pay no taxes of any kind; in many cases, have the use of the choicest land in the township; get the benefit of roads, schools, municipal improvements of all kinds, and it certainly is great neglect on the part of those responsible for the administration of these lands that the present state of affairs should be allowed to exist. If the Government at Ottawa is afraid of the political effect of ejecting from these lands the squatters who are not willing to comply with reasonable regulations as to leasing, they may throw the entire responsibility upon this Government.

JOSEPH MARTIN,

Provincial Lands Commissioner.

OTTAWA, December 23, 1890.

The Honourable JOSEPH MARTIN,
Provincial Lands Commissioner,
Winnipeg, Man.

I have the honour to acknowledge the receipt of your letter of the 11th instant, No. 807, with reference to squatting on school lands, and beg to say that the question has not been lost sight of. The Minister has given a great deal of consideration and attention to the matter and will be ready to deal with it definitely in a very short time. He directs me to add that it is unnecessary to say that the Government is not afraid of the political or any other effect which may arise out of the performance of a public duty.

A. M. BURGESS,

Deputy Minister of the Interior.

*CERTIFIED copy of a Report of a Committee of the Honourable the Privy Council,
approved by His Excellency the Governor General in Council on March 29,
1891.*

On a report dated March 18, 1891, from the Minister of the Interior submitting the following point in regard to the administration of school lands in the Province of Manitoba.

The contention is made by the Honourable Joseph Martin, relying on the reference contained in the Orders in Council of the 1st of April and the 20th May, 1884, copies of which are hereto annexed, to the practice of consultation with the Government of Manitoba in regard to the disposal of school lands in the province, that it is incumbent upon the Dominion Government to hold no sales of school lands in Manitoba without the consent of the Local Government.

The Minister observes that it has been the practice, as a matter of courtesy, before holding auction sales of school lands in Manitoba, to ascertain the views of the Provincial Government in regard thereto, and the auction sales that have taken place in the province were held with their concurrence.

The Minister states that in view of the number of applications which have been made to the Department of the Interior to purchase school lands, an auction sale was contemplated for last autumn, but on consulting with the members of the Local Government on the subject it was found that they were opposed to any sale being held that season, and in deference to their wishes the sale was indefinitely postponed, although in the opinion of the Minister of the Interior the time was favourable for disposing of these lands at good prices, in view of the excellent harvest of last season and the demand existing for these lands.

The Minister in consideration of these facts desires to call attention to this matter and wishes for a definition of the position of the Dominion Government in the premises, as trustees of these lands, for, if the contention of Mr. Martin is correct, that the Dominion Government is bound to hold no sales of school lands in the Province of Manitoba without the consent of the Local Government, it involves a very vital qualification of the discretion reposed by Parliament in Your Excellency in Council and the Minister of the Interior, and such an abridgement of the trust created by the school lands provisions of the Dominion Lands Act as, in his opinion, would require to be authorized by Parliament.

The Minister observes that it has been declared by Parliament that the school lands in Manitoba and the North-west Territories shall be administered by the Minister of the Interior under the direction of the Governor in Council, and he submits that the position of the Dominion Government as trustees of these lands would be practically untenable, if, while charged with the responsibility for the proper administration of the same, Your Excellency were unable to take such action as might seem to be in the interest of the School Endowment, the more especially since, should any action or want of action prove injurious to the School Endowment, the fact of the Dominion Government having been guided in the premises by the wishes of the Government of the province would not relieve it of its responsibility for the result.

The Minister therefore recommends that the Government of Manitoba be informed that, while the Dominion Government has expressed its desire, as a matter of courtesy, to consult the local administration as to the sale of the school lands, it is also bound by Act of Parliament to administer these lands solely through the Minister of the Interior, under the direction of Your Excellency in Council, and therefore to hold sales of such lands when Your Excellency deems it advisable in the public interest.

The Committee concurring in the above, advise that the Secretary of State be authorized to transmit a copy of this Minute, if approved, to the Lieutenant Governor of Manitoba for the information of his Government.

All which is respectfully submitted.

JOHN J. MCGEE,

Clerk of the Privy Council.

DEPARTMENT OF THE INTERIOR,

OTTAWA, March 26, 1891.

The Honourable THOMAS GREENWAY,
Winnipeg, Man.

With further reference to my letter of the 11th November last, addressed to the Honourable Mr. Martin. I have the honour to inform you that the Minister of the

SESSIONAL PAPER No. 83

Interior has very carefully considered from all points of view your proposition to lease some portion of the school lands of Manitoba, and has come to the conclusion that to adopt such a policy would not be in the interests of the School Endowment.

The experience of the department in the management of the public lands of Canada goes to prove that the leasehold system involves relatively much greater expense than the system of selling. Not only is the ordinary cost of management relatively very high, but when tenants fall in arrear, as they naturally and inevitably do, their ejection and the collection of the arrears involves an expensive suit at law. Moreover, the interest of a lessee, unless the leasehold were confined to purely pastoral purposes would be to obtain as much as possible from the land during the time he was in occupation; and before the expiry of the lease the soil would be greatly exhausted and the marketable value of the property reduced to a minimum. It would of course, as suggested by you in the course of the discussion which you had with the Minister, be possible to insert such conditions in the lease as would tend to prevent the exhaustion of the soil, but the Minister has concluded that the cost of the machinery necessary to enforce such conditions would be out of all reasonable proportion to the revenue.

A statement of the school lands account of Manitoba has been prepared by this department in conjunction with the Department of Finance, and is now under consideration by His Excellency the Governor General in Council. The result of it, when rendered, will be to show that a considerable annual revenue will henceforward be derived by the province from the sales of the school lands already made; and it is hoped, if the prosperity which the province has latterly experienced in agricultural affairs should be maintained, that this revenue will be very largely increased in the course of the next few years.

I have further to inform you that the Government is taking active measures to eject trespassers from the school lands in the province.

A. M. BURGESS,
Deputy Minister of the Interior.

DEPARTMENT OF THE SECRETARY OF STATE,

OTTAWA, April 1, 1891.

The Deputy Minister of the Interior,
Ottawa.

I have the honour to inform you that I have this day transmitted to the Lieutenant Governor of Manitoba, for the information of his Government, copy of a Minute of Council, dated the 20th March last, making known the course to be pursued by this Government as regards the sale of school lands in the Province of Manitoba.

L. A. CATELLIER,
Under-Secretary of State.

DEPARTMENT OF THE INTERIOR,

OTTAWA, May 29, 1891.

L. A. CATELLIER, Esq.,
Under-Secretary of State,
Ottawa.

I have the honour, by direction of the Minister of the Interior, to request that the Government of Manitoba may be informed that in consequence of the number of applications which have been made, and are still being made, to this department to purchase school lands in Manitoba, it is proposed to offer a number of these lands for sale by public auction, in accordance with the provisions of the Dominion Lands Act in that behalf, about January next, or so soon after this season's harvest is gathered as may be convenient, should the harvest be a satisfactory one. In conformity with the practice heretofore, the Minister desires that this information be conveyed to the Provincial Government, with the expression of the hope that the proposed time of the sale commands their approval.

A. M. BURGESS,
Deputy Minister of the Interior.

2 EDWARD VII, A. 1902

DEPARTMENT OF THE SECRETARY OF STATE,

OTTAWA, June 2, 1891.

A. M. BURGESS, Esq.,

Deputy Minister of the Interior.

I have the honour to acknowledge the receipt of your letter, 198600, of the 29th ultimo, respecting the proposed sale of school lands in Manitoba, and to inform you that in accordance with the desire of the Minister of the Interior, a notification of such proposed sale and the time thereof has been communicated to the Government of the province of Manitoba with an expression that the time named may command their approval.

L. A. CATELLIER,

Under-Secretary of State.

Lieutenant Governor.

DEPARTMENT OF THE SECRETARY OF STATE,

OTTAWA, June 12, 1891.

The Deputy of the Minister of the Interior,

Ottawa.

Adverting to your letter of the 29th ultimo, I have the honour to transmit to you herewith for the information of the Honourable the Minister of the Interior, copy of the reply made by the Lieutenant Governor of Manitoba on receipt of the notification made to him by this department respecting the purposed sale of school lands in the said province.

L. A. CATELLIER,

Under-Secretary of State.

GOVERNMENT HOUSE,

WINNIPEG, June 5, 1891.

The Under Secretary of State,

Ottawa.

I have the honour to acknowledge the receipt of dispatch No. 1695, file No. 1862, dated 2nd instant, informing me that in consequence of the number of applications made to the Dominion Government to purchase school lands in this province, it is proposed to offer a number of sections of these lands for sale by public auction about January next, or as soon after this season's harvest is gathered as may be convenient.

In reply, I have to state that I have directed the attention of my Government to the consideration of your despatch; but that, owing to the temporary absence of the Premier, that consideration will have to be deferred till his return.

JOHN SCULTZ,

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on April 30, 1892.

On a report dated April 16, 1892, from the Minister of the Interior, stating that by an Order in Council dated April 4, 1891, certain lands in the Prince Albert district embraced within a belt twelve miles wide on either side of the line, were set apart for the purposes of the land grant to the Manitoba and North-western Railway Company, and that by a previous Order in Council dated February 4, 1891, an area of 1,269,031 acres of land was set apart for the purposes of the land grant to the Qu'Appelle, Long Lake and Saskatchewan Railway Company.

The Minister further states that an examination of the lands set apart for the purposes of the last mentioned company's grant proved that a considerable proportion

SESSIONAL PAPER No. 83

of the odd-numbered sections within the tract could not be classified as 'fairly fit for settlement'; and with a view to make up the area of the grant due to the company it has become necessary to make a further reservation.

The Minister further states that it has also been intimated to him by the Manitoba and North-western Railway Company that the portion of their line between Yorkton and Prince Albert will be located further north than was anticipated at the time of the passage of the Order in Council of April 4, 1891, hereinbefore referred to, and consequently some of the lands reserved would not fall within a belt twelve miles wide on either side of the line. Mr. F. Brydges, the vice-president of the railway, has by letter designated certain lands within the company's existing reserves which they are waiting to surrender and accept other lands in the Birch Hills and Carrot River districts in lieu thereof.

The Minister, as the lands proposed to be surrendered are contiguous to the reservation of the Qu'Appelle, Long Lake and Saskatchewan Railway and would become available on being withdrawn from the existing reservation for the purposes of the land grant to that company, submits herewith a map on which, coloured in red, are shewn the lands which the Manitoba and North-western Railway Company offer to surrender, and in blue the lands the odd-numbered sections in which they propose shall be reserved in lieu thereof, and he recommends that the proposition of Mr. Brydges receive the approval of Your Excellency in Council.

The Committee submit the above recommendation for Your Excellency's approval.

JOHN J. MCGEE,

Clerk of the Privy Council.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on May 27, 1892.

On a report dated May 17, 1892, from the Minister of the Interior, stating that the auction sale of school lands held at Calgary, on July 16, 1889, sales were made to Messrs. R. H. Moody and to W. F. Ramsay, Messrs. W. F. Orr and James Walker and Mr. T. S. Lee for portions of section 2, township 24, range 1, west of the 5th Meridian.

The Minister further states that patents were subsequently issued to Messrs. Moody and Ramsay for their respective portions of the section, and that there having been received from Mr. Ramsay a protest against the reservation of the right to the minerals in the land in question under the authority of the Order in Council of October 31, 1887, he was authorized by Order in Council of December 8, 1891, to issue supplementary letters patent to Mr. Ramsay and Associate, covering the minerals reserved in the certificate of title to their lands.

The Minister, in view of the fact that the sales to Messrs. Orr, Walker and Lee, were made under circumstances exactly similar to those under which Messrs. Moody and Ramsay purchased from the Government, recommends that he be authorized to issue patents to Messrs. Orr, Walker and Lee, without any mineral reservation.

The Committee advise that the requisite authority be granted.

JOHN J. MCGEE,

Clerk of the Privy Council.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency, May 30, 1892.

On a report dated May 13, 1892, from the Minister of the Interior, submitting that it was provided by the Order in Council of January 13, 1890, that the Manitoba and South-western Railway Company should be permitted to acquire the area applied for by them in school sections, for the purposes of the railway, and which were set forth in the schedule which accompanied the said Order in Council, at the prices set opposite to each parcel described therein.

The Minister observes that it was, however, subsequently represented by the company that the prices fixed by the Order in Council were in some instances excessive, being, they contended, higher than the actual market value of the land, and as there appeared on further consideration of the matter, reason to believe that there was, with respect to some of the parcels, ground for the company's complaint, the Commissioner of Dominion Lands was requested to reconsider his valuation with a view of reducing the prices where there seemed to be a probability that they were in excess of the market value of the land, with the provision, however, that the aggregate sum placed by the revaluation upon the total area required by the company, should represent an average price of not less than \$5 per acre, nearly all the lands required by the company being within the province of Manitoba, and this being the price agreed upon with the Government of Manitoba, as the minimum price at which school lands in that province should be disposed of.

The Minister states that a report has now been received from the Commissioner of Dominion Lands submitting a revaluation of the lands in question as set forth in the schedule hereto annexed, and the average price according to this valuation is over the minimum price of \$5 per acre, before referred to, being in fact \$6.45 per acre.

The Minister recommends that the prices placed upon the parcels in the annexed schedule be approved, and that the Manitoba and South-western Railway Company be permitted to acquire the parcels therein mentioned, for right of way and station ground purposes at such prices, in lieu of those fixed by Order in Council of January 13, 1890, before referred to, which he (the Minister) recommends be rescinded so far as it relates to the prices to be charged the company for the lands in question.

The Committee submit the above for Your Excellency's approval.

JOHN J. MCGEE,

Clerk of the Privy Council.

List of parcels of school lands applied for by the Manitoba and North-western Railway Company for right of way and other purposes of the railway, as set forth in the descriptions and tracings filed by the company in the Department of the Interior, together with the prices at which it is recommended the company be allowed to acquire the same, in lieu of the prices named in the schedule attached to the Order in Council of January 13, 1890.

Section.	No.	Township.	Range.	Meridian.	Area in Acres.	Price per Acre.	Remarks.
						8 cts.	
Part of E. $\frac{1}{4}$	33	13	9 W.	1	4.07	6 50	
" N.E. $\frac{1}{4}$	32	13	9 W.	1	3.11	6 50	
" S.W. $\frac{1}{4}$	11	15	18 W.	1	9.69	5 00	
L. S. 3	11	15	18 W.	1	40.00	20 00	Gravel Pit
Part of N. $\frac{1}{4}$ and of S.E. $\frac{1}{4}$	29	15	19 W.	1	13.06	5 00	
" S. $\frac{1}{4}$	29	16	21 W.	1	7.32	5 00	
" S.W. $\frac{1}{4}$	11	17	23 W.	1	3.05	4 00	
" N. $\frac{1}{4}$	29	17	25 W.	1	12.27	4 00	
" S.W. $\frac{1}{4}$	11	19	28 W.	1	22.09	3 00	
" S.W. $\frac{1}{4}$	29	19	28 W.	1	12.05	3 00	
" S. $\frac{1}{4}$	11	21	30 W.	1	12.59	3 00	
" S.W. $\frac{1}{4}$	11	22	30 W.	1	12.87	3 00	
" W. $\frac{1}{4}$ and of S.E. $\frac{1}{4}$	11	24	2 W.	2	10.26	2 50	
" E. $\frac{1}{4}$ and of N.W. $\frac{1}{4}$	11	28	7 W.	2	16.84	2 00	
" W. $\frac{1}{4}$ and of S.E. $\frac{1}{4}$	20	28	7 W.	2	14.47	2 50	
" W. $\frac{1}{4}$ and of S.E. $\frac{1}{4}$	11	29	8 W.	2	14.72	2 00	
" S.W. $\frac{1}{4}$	11	15	18 W.	1	1.80	20 00	
" W. $\frac{1}{4}$	11	14	19 W.	1	8.58	5 00	
" S. $\frac{1}{4}$	29	13	19 W.	1	20.31	5 00	For rt. of way Sask'n & Western Branch.

Department of the Interior, Ottawa, May 13, 1892.

SESSIONAL PAPER No. 83

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on January 6, 1893.

On a report dated December 31, 1892, from the Minister of the Interior, submitting the following with respect to the proposed sales of school lands.

After a careful consideration of the long standing question of the illegal occupation and cultivation of school lands in Manitoba, it was decided that, except in certain special cases which the Minister of the Interior proposes to submit for special consideration by Your Excellency in Council, the only way of protecting the interests of the School Endowment, and of preventing at the same time any apparent hardship to those squatters who in good faith and in ignorance of the law had settled upon these lands, would be to offer at public auction at an early date all those quarter sections of school lands which to the knowledge of the Department of the Interior were illegally occupied, thus affording the squatters an opportunity of acquiring the land, and after the sale to take legal proceedings against all those who failed to avail themselves of the chance of acquiring the land, and yet persisted in their illegal occupation or cultivation of the same.

It was also proposed to take advantage of this sale to offer at the same time those school lands for which applications had been made and which had been inspected, provided that no lands should be offered at less than \$5 per acre.

The Minister observes that before taking any further steps in the matter the Commissioner of Dominion Lands, in accordance with instructions from him (the Minister) consulted Mr. Greenway, the Premier of the province, as to the views of his Government with respect to the proposed sale, and is informed that Mr. Greenway concurred as to the desirability of offering for sale the lands squatted on, but expressed himself as being doubtful as to the expediency of including this season any other school lands in such sale, unless there be a demand for them. It is, therefore, only proposed to offer, in addition to the lands illegally occupied or cultivated, those lands for which special applications have been received. There is no danger of any of those lands being sold at a sacrifice, as care has been taken to place an upset price upon each parcel equal to the full value of the land, as determined and made after inspection of each parcel by a specially qualified officer of the Department of the Interior, and a subsequent independent valuation made by a competent appraiser.

The Minister, therefore, recommends that he be authorized to offer for sale by public auction the school lands comprised in lists prepared by his authority, in accordance with the facts hereinbefore recited, and at an upset price opposite each parcel in the said lists, being in no case less than \$5 per acre, the sales to be held at the places and on the dates mentioned in such lists, that is to say:

At Morden, January 25, 1893. At Pilot Mound, January 27, 1893.

At Deloraine, January 30, 1893. At Glenboro, February 2, 1893.

At Minnedosa, February 8, 1893. At Portage la Prairie, February 11, 1893.

At Brandon, February 14, 1893. At Winnipeg, February 16, 1893.

The Minister further recommends that the provisions contained in the Order in Council of December 12, 1891, with respect to the reservation of the minerals in the school lands offered for sale in January and February, 1892, be also made applicable to the lands which it is now proposed to offer for sale—that is to say, that notwithstanding the provisions of clause 8 of the regulations for the disposal of Dominion lands authorized by Order in Council of September 17, 1889, the school lands to be offered at the proposed sales in January and February next be not subject to a reservation to the Crown of the mines and minerals therein, except in cases where the Director of the Geological Survey has reported the lands as likely to contain minerals of economic value, due note of which has been made in the lists.

The Committee submit the same for Your Excellency's approval.

JOHN J. McGEE.

Clerk of the Privy Council.

2 EDWARD VII., A. 1902

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on February 23, 1894.

On a report dated February 1, 1894, from the Minister of the Interior, stating that by the Act 56 Victoria, chapter 18, a copy of which is hereto annexed, authority was given to the Minister of the Interior to grant, under direction of the Governor in Council, homestead entry to the persons mentioned in the said Act for the parcels of school lands therein described, upon proof to the satisfaction of the Minister of the Interior that such persons were in bona fide occupation of the said lands prior to January 1, 1880, and that they have continued to occupy and cultivate them in accordance with the homestead provisions of the Dominion Lands Act.

The Minister further states that the persons named in the following list, being among those provided for by the Act before mentioned, having furnished satisfactory proof that they have occupied and cultivated the school lands hereinafter described in accordance with the requirements of the said Act, that is to say: Alexander McMillan for the N. E. $\frac{1}{4}$ of section 11, township 13, range 1, east of the 1st Meridian; Henry Welsh for the S. E. $\frac{1}{4}$ of section 11, township 13, east of the 1st Meridian; Andrew Hunter for the N. E. $\frac{1}{4}$ of section 29, township 14, range 2, east of the 1st Meridian; James Simpson for the N. W. $\frac{1}{4}$ of section 29, township 5, range 5, west of the 1st Meridian; Thomas Guthrie for the N. E. $\frac{1}{4}$ of section 11, township 14, range 1, west of the 1st Meridian; J. W. Walker for the N. W. $\frac{1}{4}$ of section 29, township 13, range 2, east of the 1st Meridian; and George Williams for the N. E. $\frac{1}{4}$ of section 29, township 13, range 2, east of the 1st Meridian.

The Minister recommends that he be authorized to grant the above mentioned persons homestead entries for the lands referred to.

The Committee advise that the requisite authority be granted.

JOHN J. MCGEE,

Clerk of the Privy Council.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on March 16, 1894.

On a report dated March 2, 1894, from the Minister of the Interior, stating that applications are from time to time made to the Department of the Interior for leases of school lands in the North-west Territories for grazing purposes, and that while authority is given to the Minister by Order in Council of November 22, 1887, to issue leases of school lands in the Territories for hay purposes, no provision exists for issuing leases of these lands for grazing purposes.

The Minister is of opinion that, as it is not probable that the value of school lands in the Territories will for some time be such that it would be in the interests of the school endowment to offer any large area of them for sale by public auction, and as it is desirable that some revenue should be derived from them in the meantime, it would be in the public interest as well as in that of the school endowment to issue leases of them for grazing purposes, in cases where they are suitable for that purpose and where their market value is not sufficient to warrant their being offered for sale at auction, and he (the Minister) recommends that he be authorized to issue leases of school lands in the North-west Territories for grazing purposes subject to the following terms and conditions:—

1. The lease shall be for a term not exceeding five years, and shall be revocable at any time during the currency thereof when it may be deemed advisable by the Minister of the Interior to offer the land so leased for sale by public auction in the interests of the school endowment, or for any other reason. The lessee in such case shall receive one year's notice of the intention of the Minister to terminate the lease, but shall not be entitled to compensation for any improvements made by him on the land so leased.

2. The rental shall be at the rate of 4 cents per acre per annum, except where

SESSIONAL PAPER No. 83

there is more than one applicant for any one lease, in which case the lease shall be put up for tender at the upset rental of 4 cents per acre per annum.

3. The lessee shall not break up or cultivate the land included in the lease, and shall not place upon it any structures other than such fences or corrals as may be required for the keeping of his cattle, or temporary stables necessary for their shelter.

The Committee submit the same for Your Excellency's approval.

JOHN J. McGEE,

Clerk of the Privy Council.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on April 10, 1894.

On a report dated April 3, 1894, from the Minister of the Interior, stating that he has been advised by the Department of Justice that where, on account of its railway being constructed upon, along, or across a road allowance between sections of Dominion lands it becomes necessary for the railway company to provide a substitutional highway (section 187, Railway Act, 1888), the company may acquire the land that may be necessary for this purpose in school sections, in the same manner as the areas of school lands required for right of way and station grounds purposes, that is to say under the provisions of section 99 of the Railway Act, 1888, on terms prescribed by the Governor in Council.

The Minister states that the practice with respect to the disposal of areas of school lands required for purposes of right of way and station grounds has been to sell them to railway companies at a price approved by Council; and the Canadian Pacific Railway Company having now applied for permission to acquire the school lands described in the schedule hereto annexed for the purpose of providing substitutional highways, he (the Minister) recommends that he be authorized to sell the said lands to that company at the price per acre set opposite each parcel in the said schedule, the prices being the same as those placed upon the areas required in the same school sections for right of way purposes which have been approved by Your Excellency in Council.

The Committee submit the same for Your Excellency's approval.

JOHN J. McGEE,

Clerk of the Privy Council.

SCHEDULE of areas of School Lands applied for by the Canadian Pacific Railway Company for the purpose of providing substitutional highways.

Railway line.	Section Part.	No.	Tp.	Range.	M.	Area.	Price per acre.
							\$
Main line of Canadian Pacific Railway.	Pt. N.W.	29	10	13 W.	1	3.58	5 00
	Pt. S.W.	29	10	18 W.	1	3.87	3 00
Manitoba South Western Colonization Railway.	Pt. S.W.	29	9	24 W.	1	2.38	2 50
	Pt. N.E.	11	10	26 W.	1	3.67	2 50
	Pt. N.E.	29	10	26 W.	1	2.84	4 00
	Pt. N.E.	29	2	16 W.	1	2.27	5 00

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on April 28, 1894.

Present—His Excellency in Council.

Whereas application has been made by the Trustees of Clifton Public School District, No. 278, North-west Territories for a grant of one acre of the North-east quarter—3

2 EDWARD VII., A. 1902

ter of section 22, township 16, range 4, west of the 2nd Meridian, adjoining the North-east corner of the said section, for the purposes of a school site.

His Excellency, in view of the facts that the land in question is at the disposal of the Government and is required for school purposes, is pleased, under the power vested in him by clause 31 of 'The Dominion Lands Act' and by and with the advice of the Queen's Privy Council for Canada, to order that one acre of the North-east quarter of section 22, township 16, range 4, west of the 2nd Meridian, adjoining the North-east corner of the said section, shall be, and the same is hereby granted to the Trustees of the Clifton Public School District, No. 278, North-west Territories, for the purposes of a school site, subject to the payment of a patent fee of \$10 (ten dollars).

JOHN J. MCGEE,

Clerk of the Privy Council.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on April 28, 1894.

Present—His Excellency in Council.

Whereas an application has been made for the reservation for Indian School purposes in connection with the Church of England of legal subdivisions 4, 5 and 6 of section 6, township 13, range 5, west of the 4th Meridian.

His Excellency is pleased, under the provisions of chapter 54 of the Revised Statutes of Canada, to order that the land mentioned shall be, and the same is hereby reserved and placed under the control of the Superintendent General of Indian Affairs for Indian school purposes in connection with the said church.

JOHN J. MCGEE,

Clerk of the Privy Council.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on June 19, 1894.

Present—His Excellency in Council.

His Excellency, in pursuance of the provisions of section 31 of the Dominion Lands Act, and by and with the advice of the Queen's Privy Council for Canada, is pleased to sanction and does hereby sanction, the issue on June 20, 1894, of a patent to the Board of Trustees of the Protestant school district at Battleford, for the following lots, for which those trustees had applied, namely, numbers 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32, on the north side of Twenty-fourth Street; and numbers 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32, on the south side of Twenty-fifth street, all west of Central avenue, in the town of Battleford.

JOHN J. MCGEE,

Clerk of the Privy Council.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on June 19, 1894.

Present—His Excellency in Council.

His Excellency, in virtue of the authority conferred upon him by section 31 of the 'Dominion Lands Act,' and by and with the advice of the Queen's Privy Council for Canada, is pleased to order and it is hereby ordered, that the following lots, situated in the town of North Battleford, in the district of Saskatchewan, namely: Lots numbers 1, 2, 3, 4 and 5, on the north side of Nineteenth street; and lots numbers 1, 2, 3, 4 and 5, on the south side of Twentieth street, all east of Central avenue, also lots num-

SESSIONAL PAPER No. 83

bers 1, 2, 3, 4 and 5, on the north side of Nineteenth street, and lots numbers 1, 2, 3, 4 and 5, on the south side of Twentieth street, all west of Central avenue, be conveyed for school purposes to the Roman Catholic trustees of the school district of St. Vital at Battleford, being Catholic School District No. 11 of the North-west Territories.

JOHN J. McGEE,

Clerk of the Privy Council.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on January 14, 1895.

On a memorandum dated December 24, 1894, from the Minister of the Interior, recommending that the south-west quarter of section 4 and the south-east quarter of section 14, both in township 44, range 20, west of the second principal Meridian, in the district of Saskatchewan, be transferred to the Department of Indian Affairs for the purpose of effecting an exchange of these lands with 'La Corporation des Oblats du Nord-ouest' and 'La Corporation Episcopale Catholique Romaine de la Saskatchewan,' respectively for lands which have been given by these corporations for the purpose of an Indian Industrial School at Duck Lake.

The Committee submit the above recommendation for Your Excellency's approval.

JOHN J. McGEE,

Clerk of the Privy Council.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on June 19, 1895.

The Committee, on the recommendation of the Minister of the Interior, advise that the Order in Council of September 22, 1893, reserving the north-east quarter of section 16, township 14, range 2, west of the 3rd Meridian, for Indian school purposes, be cancelled, as this land is not now required by the Department of Indian Affairs for that purpose.

JOHN J. McGEE,

Clerk of the Privy Council.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on July 13, 1895.

On a report dated June 4, 1895, from the Minister of the Interior, stating that by an Order in Council of March 16, 1894, the Minister of the Interior was authorized to issue leases of school lands in the North-west Territories for grazing purposes under the terms and conditions therein specified, and numerous applications have been made to the Department of the Interior for leases of school lands in Manitoba for similar purposes, the question has arisen as to whether it would not be advisable in the interest of the school endowment to issue such leases of school lands in Manitoba also.

The Minister further states that it was deemed advisable to obtain the views of the Government of Manitoba on this point, and the question was therefore submitted to the Provincial Lands Commissioner, the Honourable Clifford Sifton, who expresses the opinion that it would be advisable that school lands in Manitoba which are suitable for grazing purposes should be so leased, and he sees no objection to the terms fixed by the Order in Council of March 16, 1894, for leases of school lands for the same purpose in the North-west Territories, except that he considers the rental fixed by that Order in Council, namely, four cents per acre, lower than that which could be obtained in Manitoba. Mr. Sifton was asked what he considered would be a fair rental, and in reply he stated that in his opinion the rental obtained for swamp lands in Manitoba by the

2 EDWARD VII., A. 1902

Provincial Government, which from the statement furnished by him, would appear to average about \$30 per quarter section per annum, would be fairly applicable to the proposed grazing leases.

The Minister observes, however, that swamp lands are in their very nature exceptionally valuable as hay lands, and the rental obtained for them would therefore be higher than would be paid for lands to be used for pasturage only, which is all the proposed leases would allow.

While, therefore, he (the Minister) is of opinion that it is highly desirable in the interests of the school endowment that some revenue should be derived from such school lands in Manitoba as are suitable for grazing purposes, and which it would not be advisable for the present to offer for sale, he thinks that the average rental obtained for swamp lands would be practically prohibitive if charged for pasture lands, the rental for which, he considers, should not be more than \$25 per quarter-section per annum, or six cents per acre per annum.

The Minister, therefore, recommends that he be authorized to issue leases for grazing purposes of school lands in Manitoba upon the following terms and conditions:—

1. The lease shall be for a term not exceeding five years and shall be revocable at any time during the currency thereof whenever it may be deemed advisable by the Minister of the Interior to offer the land so leased for sale by public auction, or for any other reason. The lessee in such case shall receive one year's notice of the intention of the Minister to terminate the lease, but shall not be entitled to compensation for any improvements made by him on the lands so leased.

2. The rental shall be at the rate of six cents per acre per annum, except where there is more than one applicant for any one lease, in which case the lease shall be put up for tender at the upset rental of six cents per acre per annum.

3. The lessee shall not break up or cultivate the land included in the lease, and shall not place upon it any structure other than such fences or corrals as may be required for keeping his cattle, or temporary stables for their shelter.

The Committee submit the same for Your Excellency's approval.

JOHN J. McGEE,

Clerk of the Privy Council.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on September 21, 1895.

On a report dated September 5, 1895, from the Minister of the Interior, stating that the secretary of the Beaver Public School District, No. 374, of the North-west Territories has applied for one square acre adjoining the north-east corner of the north-east quarter of section 35, township 26, range 7, west of the 2nd Meridian, to be used as a school site.

The Minister further states that the land applied for is a portion of the reservation for the subsidy to the Manitoba and North-western Railway Company, but the general manager of that company states that he sees no objection to the making of the proposed grant.

The Minister, therefore, recommends that the above described piece of land be granted to the said school district under the terms and conditions set forth in clause 31 of the Dominion Lands Act, and that letters patent therefor issue, the trusts and uses to which the grant is to be subject being expressed therein.

The Committee submit the foregoing recommendation for Your Excellency's approval.

JOHN J. McGEE,

Clerk of the Privy Council.

SESSIONAL PAPER No. 83

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on October 10, 1895.

On a memorandum dated October 1, 1895, from the Minister of the Interior, recommending that under the provisions of section 31 of the Dominion Lands Act he be authorized to convey to the trustees of the Holy Cross Roman Catholic Separate School District No. 8 of the North-west Territories, for school purposes, the following lots situated in the town of Macleod, in the district of Alberta, namely: lots Nos. 6, 7, 8 and 9 south of Twenty-first street, west of Fifth avenue.

The Committee advise that the requisite authority be granted.

JOHN J. MCGEE,

Clerk of the Privy Council.

TREASURY DEPARTMENT, MANITOBA,

WINNIPEG, June 12, 1896.

The Honourable

The Minister of Finance,
Ottawa, Ont.

As the number of schools in the province is steadily increasing and the claims for provincial assistance to these schools is correspondingly on the increase, and as the net revenues of the province are, from their nature, practically stationary, so that, taking into consideration the other increasing needs of the province, the school grants cannot be maintained out of the ordinary revenue of the province, I have to ask that a payment of \$50,000 be made to the province out of the School Lands Fund in the hands of the Dominion belonging to the province.

In support of this request I might point out for your information that in the year 1887 there was only 506 schools and teaching standards or departments of schools in the province, and the total amount paid as government grants to such schools was \$54,478.75. During the year 1895 there were 982 schools or teaching departments which received \$142,984.39.

You will remember that in 1879 the sum of \$20,000 and in 1883 a further sum of \$10,000 was paid to the province out of this fund, but since the latter date nothing has been withdrawn. This year, owing to the facts before stated, it was deemed by the Government to be but right that the province should withdraw the said sum of \$50,000, and this amount was consequently placed in the estimates revenue at the last session of the local legislature.

D. H. McMILLAN,

Provincial Treasurer.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on July 6, 1896.

On a report dated June 30, 1896, from the Minister of the Interior, submitting that by the Order in Council of July 13, 1895, the Minister of the Interior is authorized to issue leases of school lands in the Province of Manitoba, for grazing purposes, subject to certain terms and conditions mentioned therein.

Clause 1 of the terms and conditions under which the leases are issued is as follows:—

1. 'The lease shall be for a term not exceeding five years and shall be revocable at any time during the currency thereof whenever it may be deemed advisable by the Minister of the Interior to offer the land so leased for sale by public auction, or for any other reason. The lessee in such case shall receive one year's notice of the intention of the Minister to terminate the lease, but shall not be entitled to compensation for any improvements made by him on the lands so leased.'

The Minister states, however, that it is represented that the length of notice required by the foregoing clause to be given to the lessee, in order to terminate the lease during its currency, will have the effect of preventing the sale of school lands included in such leases at any time prior to the expiration of the leases, which lands might otherwise be disposed of to the advantage of the School Endowment Fund.

The Minister desires to point out in this connection that as the success of the auction sales of school lands is largely dependent on the result of the preceding harvest in Manitoba, the question as to the advisability of holding an auction sale of these lands cannot well be decided until the result of the harvest is known, that is to say, until October or November, and as it is the practice to hold the sales in the months of January and February following, this being found to be the most suitable time, it would be impossible to include in such sales any school lands which might be under lease, and at the same time to give the one year's notice to the lessee as required by the Order in Council of July 13, 1895.

The Minister is of opinion that it is most desirable the Minister of the Interior should be in a position to withdraw from the operations of the lease any school lands which he may deem it advisable in the interests of the school endowment to offer for sale by public auction, and he considers that a notice of three months would amply protect the lessee, especially as the lease would not terminate until after the end of the grazing season in any year.

The Minister, therefore, recommends that the Order in Council of July 13, 1895, be amended by providing that the notice required to be given to the lessee under clause 1 of the terms and conditions of the said Order in Council be three months instead of one year.

The Committee submit the above recommendation for Your Excellency's approval.*

JOHN J. MCGEE,

Clerk of the Privy Council.

FINANCE DEPARTMENT,

OTTAWA, August 24, 1896.

The Honourable D. H. McMILLAN,

Provincial Treasurer of Manitoba, Winnipeg, Man.

Your letter of July 12 arrived here on the eve of the election and owing to the upset of the late Government was placed aside, without being acknowledged as it should have been.

The matter has been brought to the attention of Mr. Fielding, who has seen Mr. Sifton on the subject, and I regret to say that it is impossible to make an advance out of the School Lands Fund without special legislation, as you will see by reference to 46 Vic., cap. 17, section 20 (1883) that the interest only can be paid to the province.

The special advances which you mention in the last paragraph of your letter were made under special Acts, vide 41 Vic. cap. 13 (1878) and 47 Vic. cap. 7 (1884).

J. M. COURTNEY,

Deputy Minister of Finance.

TREASURY DEPARTMENT, MANITOBA,

WINNIPEG, December 17, 1896.

The Honourable

The Minister of Finance,
Ottawa.

Under the provisions of the Statute of the Dominion of Canada, 41 Vic., chap. 13, the Province of Manitoba received from the Dominion as an advance on account of the School Lands Fund the sum of \$20,000 in July and August, 1879.

SESSIONAL PAPER No. 83

The remaining \$10,000 authorized to be paid, also, by the above statute, was not paid over until 1884, when the statute 47 Vic. chap. 7, after reciting the above facts, again authorized the remaining \$10,000 to be paid, and also authorizes a further advance of \$30,000 on account of the said fund. The \$10,000 amount was paid over in 1884, but the \$30,000 amount has never been received by the province.

I have therefore to ask that the said sum of \$30,000 be at once paid over, and charged to the School Lands Fund Account.

D. H. McMILLAN,
Provincial Treasurer.

FINANCE DEPARTMENT.

OTTAWA, January 6, 1897.

HON. D. H. McMILLAN,
Provincial Treasurer,
Winnipeg, Man.

Having further reference to your letter of the 17th ultimo, with reference to an advance to the Province of Manitoba of the sum of \$30,000 authorized by Act 47 Vict. chap. 7, I have the honour to state that I am advised by the Deputy Minister of Justice that the Act in question was repealed by Act 49 Vic. chap. 4—'respecting the Revised Statutes of Canada' (See section 5, subsection 2 of that Act and schedule A of the Revised Statutes at page 49) and it cannot, therefore, be invoked as authority for the advance applied for.

J. M. COURTNEY,
Deputy Minister of Finance.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on February 22, 1897.

On a memorandum dated January 29, 1897, from the Minister of the Interior, stating that on January 14, 1895, an Order in Council was passed recommending that the south-west quarter of section 4, and the south-east quarter of section 14, both in township 44, range 20, west of the 2nd Meridian, be transferred to the Department of Indian Affairs for the purpose of effecting an exchange of these lands with 'La Corporation des Oblats du Nord-Ouest' and 'La Corporation Episcopale Catholique Romaine de la Saskatchewan' respectively, for lands which had been given by these Corporations for the purpose of an Indian industrial school at Duck Lake. A communication has been received from the Department of Indian Affairs asking that the north-east quarter of section 4, township 44, range 25, west of the 2nd Meridian, be substituted for the south-east quarter of Section 14, above mentioned, and that the title thereto be vested in 'La Corporation Episcopale Catholique Romaine de la Saskatchewan.'

The Minister recommends, as the quarter section asked to be substituted for the south-east quarter of section 14 is available, that the request of the Department of Indian Affairs be granted.

The Committee submit the foregoing for Your Excellency's approval.

JOHN J. MCGEE,
Clerk of the Privy Council.

TREASURY DEPARTMENT, MANITOBA,
WINNIPEG, March 20, 1897.

The Honourable,
The Minister of Finance,
Ottawa.

I beg to ask that the sum of \$100,000 be paid to the Province of Manitoba, as early as possible in this year, out of the Manitoba School Lands Fund in the hands of the Dominion Government.

2 EDWARD VII., A. 1902

As a reason for such request I might state that the schools of the province are greatly increasing in number, and the sparseness of the population makes it exceedingly difficult to maintain schools in all the school districts that have been opened up; while the limited resources of the province make it next to impossible to maintain the grants out of the ordinary funds of the province.

The increasing demands of the public schools have been constant, and the Government grant has been increased from \$68,380 in 1886-7 to \$185,000 in 1897, notwithstanding the fact that in 1892 the grant per school was reduced from \$150 to \$130. It is considered impossible to at present further decrease these grants as the result would be to close up a number of schools.

The lands set aside by the Dominion Government in 1883 as an endowment to public schools in Manitoba amounted to 2,000,000 acres, of which during the past 14 years only about 70,000 acres, or one-thirtieth of the whole has been sold. It is impossible to accurately estimate the value of the unsold lands, but a safe valuation based on present prices would be between \$2.50 and \$7 per acre, making this endowment for the lands yet to be sold worth from \$5,000,000 to \$14,000,000. Taking into account the circumstances of the country and the heavy burdens necessarily imposed on the early settlers in municipal and school taxation, it is astonishing to note that the benefits of this educational endowment have largely been withheld from the people at a time in the history of the province when they are most needed. We are of opinion that the province is as much, if not more, in need of assistance from this fund now than it will be in the future years, when the development of the province and the growth of the population will have rendered the burdens on the individual school districts much lighter than they are at present.

The request for \$100,000 in this year is, therefore, we believe, justifiable and necessary for the following reasons:—

1. Because it is not the intention of Parliament that the trust should enure to the benefit of future generations only. That is shown by the provisions for sale which were almost immediately acted upon.

2. The scattered settlements render the burden of school taxation at the present time most onerous. If it is intended to settle the Province the schools cannot be decreased in number, as the province must offer the best possible educational inducements.

I think, in view of the needs of this province as hereinbefore indicated, it is desirable that the Dominion Government should take authority from Parliament to pay over to this province from time to time, as may be deemed necessary, the proceeds of school lands already sold.

D. H. McMILLAN,

Provincial Treasurer.

FINANCE DEPARTMENT,

OTTAWA, March 24, 1897.

HON. D. H. McMILLAN,
Provincial Treasurer.
Winnipeg, Manitoba.

I have the honour to acknowledge the receipt of your letter of the 20th instant, with reference to advancing to the Province of Manitoba the sum of \$100,000 out of the Manitoba School Lands Fund, and to say that the matter therein referred to will receive careful consideration.

J. M. COURTNEY,

Deputy Minister of Finance.

SESSIONAL PAPER No. 83

RUSSELL HOUSE,
OTTAWA, May 17, 1897.

The Honourable
The Minister of Finance,
Ottawa,

I have the honour to submit herewith for your information and consideration a memorandum in support of the request made in my letter to you dated March 20 last, asking that the Province of Manitoba may receive out of the Manitoba School Lands Fund, during the present year, the sum of \$100,000.

At the same time I think some provision should be made so that the province may receive, from time to time, further sums from this fund, so as to supplement the very limited resources of the province in maintaining anything like a reasonable public school system.

D. H. McMILLAN,

Prov. Treas. of Manitoba.

MANITOBA SCHOOL LANDS FUND.

The total amount at credit to the fund at December 31, 1896, was \$438,484.45.

The Government of the Province of Manitoba ask that power be given the province to, from time to time, withdraw from this fund as may be required, and that for this year the province be allowed to withdraw \$100,000 for the reasons set forth in the accompanying copy of a letter sent to the Honourable Minister of Finance on March 20, 1897, to which might be added the following :—

The number of schools and teaching departments in the province have been rapidly increasing. In 1888 there were only 547 of these schools, and in 1896 there were 1,026.

In some parts of the province there are large quantities of lands held by the Dominion Government, by railroad corporations, &c., from which no taxes can be collected, and the sparseness of population incident, in part, to the lands being so held makes the burden of maintaining schools a very heavy one upon the poor settlers, who, in so many cases, have very insufficient means to meet the numerous difficulties of pioneer life; and the school districts cannot, for many reasons, be made very large. With the increase of settlement this burden will not fall so heavily upon the early settlers, and the necessity for government aid will not be so keenly felt.

The necessity and advisability of paying over to the province portions of this fund was admitted by the late Government, and the statute of 41 Vic., chap. 13, authorized an advance of \$30,000 from the fund, in sums of \$10,000 in each of the years 1878-9, 1879-80 and 1880-1; of this, \$20,000 was paid over, but in 1884 the other \$10,000 not having been paid, the statute 47 Vic., chap. 7, again authorizes the payment of the same, and also of the further sum of \$30,000 for the years 1881-2, 1882-3 and 1883-4. The \$10,000 item was then paid to the province, but nothing more has since been received out of the fund.

TREASURY DEPARTMENT,

WINNIPEG, February 14, 1898.

The Honourable
The Minister of Finance,
Ottawa, Ont.

I beg to remind you that the province made application at the same time (in May, 1897) for \$100,000 in aid of the public schools of the province for the year 1897, with power to draw further amounts, from time to time, in succeeding years, and that a Bill to give effect to this was introduced into the Dominion House by you last year, but owing to the session being too far advanced, the matter did not then receive attention.

2 EDWARD VII., A. 1902

I now respectfully urge that the \$100,000 asked last year, as well as an additional \$100,000 to assist the schools in the year 1898, be paid to the province as soon as possible.

D. H. McMILLAN,
Provincial Treasurer.

FINANCE DEPARTMENT,
OTTAWA, February 18, 1898.

The Honourable
The Provincial Treasurer of Manitoba,
Winnipeg, Manitoba.

I have the honour to acknowledge the receipt of your letter of the 14th instant, with inclosure, drawing attention to the claims of the Province of Manitoba, and also to the application of the province for aid in connection with the public schools of the province, and to say that the matter referred to in your letter will receive very careful consideration.

J. M. COURTNEY,
Deputy Minister of Finance.

OTTAWA, March 21, 1898.

HON. D. H. McMILLAN,
Provincial Treasurer,
Winnipeg, Man.

With reference to our several interviews on the subject of certain claims of the Government of the Province of Manitoba, that is to say :—

* * * * *

3. The application for an advance from the Manitoba School Fund :

I have the honour to inform you as follows :—

* * * * *

I have given notice of the resolution respecting the advance from the Manitoba School Fund which was placed on the notice paper last year, but not proceeded with.

W. S. FIELDING,
Minister of Finance.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on June 27, 1898.

On a report dated June 18, 1898, from the Minister of the Interior, stating that by Order in Council dated January 22, 1872, a block of land at Winnipeg, containing about 50 acres, was reserved for public purposes out of the lands formerly constituting the reservation made by the Hudson's Bay Company at Upper Fort Garry. Subsequently, by Order in Council of April 10, 1874, the easterly half of this block of land, on which the Provincial Government buildings are situated, was transferred to the Province of Manitoba.

The Minister further states it is now represented that a portion of the balance of the Dominion reserve is required by the University of Manitoba, and he is of the opinion that this application should be complied with.

The Minister recommends that the portion of the said reserve shewn in coloured pink on the annexed plan, and containing about 6.60 acres, be granted to the Government of the Province of Manitoba for educational purposes.

The Committee submit the same for Your Excellency's approval.

JOHN J. MCGEE,
Clerk of the Privy Council.

SESSIONAL PAPER No. 83

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on July 7, 1898.

On a report dated June 28, 1898, from the Minister of the Interior, submitting that he has received from the Honourable the Provincial Secretary for Manitoba a copy of an Order in Council passed by the Government of Manitoba and dated June 9, 1898, which reads as follows:—

‘That the Dominion Government be requested to offer for sale by public auction at convenient points in the Province of Manitoba as early during the summer of 1898 as practicable, all the school lands in the said province lying within eight miles of any constructed line of railway, and such other parcels as they may deem advisable to sell at such upset price as to each parcel as may be fixed by the Dominion Government previous to such sale, but so that in no case shall the minimum price of any parcel be less than \$5 per acre; and so far as practicable said lands to be sold in quarter section parcels.’

The Minister states that no sales of school lands have been held since 1893, and as there appears now to be a greater demand for these lands than for a few years past, and as the price of grain is high, with the prospect of an abundant harvest, he is of opinion that the present season would be a most favourable time for placing some of the Manitoba school lands on the market.

The Minister further states that the lands which it is proposed should be offered for sale are the vacant quarter sections of school lands lying within a radius of from six to eight miles of certain lines of railway in the Province of Manitoba, as well as a certain number outside that radius, applications to purchase which have been received, or which are being cultivated under permits issued by the Department of the Interior.

That these lands are now being inspected and valued, but until the reports of the inspectors are received it is impossible to submit a complete list of the lands it is proposed to offer, with the upset prices to be placed thereon, or to determine the dates of sale.

The Minister recommends, as it is most desirable, both in the public interest and in that of the school lands endowment fund, that ample notice should be given before the sale takes place, that he, the Minister, be now authorized to offer for sale at public auction during the present season the quarter sections of school lands above referred to at such points in the province and on such dates as he may hereafter determine, and that the upset price per acre at which each parcel shall be offered shall be the value placed thereon by the inspector, provided however, that in no case shall any land be offered at a lower upset price than \$5 per acre.

The Committee submit the above recommendations for Your Excellency's approval.

JOHN J. McGEE,
Clerk of the Privy Council.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on October 6, 1898.

Present—His Excellency in Council.

His Excellency, in virtue of the provisions of clause 31 of the Dominion Lands Act, and by and with the advice of the Queen's Privy Council for Canada, is pleased to order that section 35, township 11, range 29, west of the 1st Dominion lands meridian, shall be, and the same is hereby set apart and appropriated for the purposes of the Indian Industrial School at Elkhorn.

JOHN J. McGEE,
Clerk of the Privy Council.

WINNIPEG, December 13, 1898.

The Honourable
The Minister of Finance,
Ottawa, Ont.

I wish on behalf of the Government of the Province of Manitoba once more to press our claim to have the sum of three hundred thousand dollars (\$300,000) placed to the credit of the province out of the Manitoba School Lands Fund.

I need scarcely repeat the arguments in favour of our contention which have been already several times urged upon you and your Government. They were set out in detail in a communication from the Treasurer of this province, dated March 20, 1897, addressed to you. Some of the arguments which were of importance then are, under present circumstances, of even greater force. It was urged that the request then made was justifiable and necessary because:—

1. Parliament had never intended that the endowment should enure to the benefit of future generations only, as shown by the provisions for sale which were almost immediately acted upon.

2. The scattered settlements render the burden of school taxation most onerous at the present time. The schools cannot be decreased in number, as the province must offer the best possible educational inducement.

It was also pointed out as a remarkable thing that the benefits of the endowment should be withheld from the province at the very time when they were most needed. As I have stated, these last mentioned statements to-day apply with even greater force than in March, 1897. Since that date the population of the province has greatly increased. Many of the new settlers are foreigners with little or no acquaintance with the English language or with British institutions, yet it is well known they are eager to learn the language and to adopt the customs of the country, and provision for the education of their children must be made as soon as possible. I may mention also that many schools that withdrew from the operation of the public school system after the passage of the Act of 1890 have been reorganized and are applying for the legislative grant. There were twice as many of these schools in the first half of 1898 as there were in 1897.

I may further add that the value of the Manitoba school lands has unquestionably materially advanced since March, 1897. The amount asked for is extremely small compared with the aggregate value of the land. Parliament when it made the grant never surely imagined that thirty years afterwards it would still be useless for the purpose for which it was given.

The question has already been discussed in the House of Commons, and in the Senate, with unfortunate results in the latter chamber. I am, however, convinced that a representation of the case, especially in consideration of the circumstances that have arisen since then, would lead to the adoption of a different view. It is unfortunate that the settlers should be hampered more than is absolutely necessary at this stage of the history of the province. The children of the present day are certainly in justice as much entitled to the benefits of the trust as those of a generation hence.

I enclose herewith figures which will show the position of the province with regard to its educational expenditure, it being noted that the revenue of the province has been practically stationary for the last ten years.

J. H. CAMERON,
Attorney General.

June 30.	Educational Grants.	Total Ordinary Revenue.
	\$	\$
1885-6.....	61,000 00	474,503 50
1886-7.....	66,000 00	493,833 96
1887-8.....	85,000 00	512,401 54
1888 (last half)	122,000 00	250,248 84
1889.....	126,000 00	486,990 43
1890.....	123,500 00	484,199 36
1891.....	123,500 00	490,916 82
1892.....	124,272 96	513,539 15
1893.....	133,685 38	514,648 40
1894.....	124,272 96	490,934 83
1895.....	123,600 00	579,957 96
1896.....	158,000 00	535,014 61
1897.....	183,000 00	529,104 17
1898.....	206,100 00	522,180 69
1899 (estimated).....	250,000 00	530,000 00

SESSIONAL PAPER No. 83

Year.	No. School Districts organized.
1888	557
1889	609
1890	719
1891	774
1892	821
1893	876
1894	916
1895	956
1896	985
1897	1,018
1898	1,116 (2nd half 1,136, estimated).
1899 (estimated)	1,216

FINANCE DEPARTMENT,
OTTAWA, December 20, 1898.

The Honourable
The Attorney General
Winnipeg, Manitoba.

I have the honour to acknowledge the receipt of your letter of the 13th instant, with inclosure, respecting your claim to have the sum of \$300,000 placed to the credit of the province out of the Manitoba School Lands Fund, and to say that the same will receive due consideration.

J. M. COURTNEY,
Deputy Minister of Finance.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on May 16, 1899.

Present—His Excellency in Council.

Whereas, by the Order in Council of December 18, 1897, the Minister of the Interior is authorized to dispose of school lands required for irrigation works at such rates of compensation as he may deem warranted by the circumstances, having due regard to the interests of the School Endowment Fund;

And whereas, in the case of lands required in school sections for the right of way of irrigation ditches, as the area necessary for this purpose would be very small, and as in order to sell or rent the land it would first be necessary to have the area defined by actual survey, the cost of which would be out of all proportion to the value of the land, the question arose whether it would not be in the public interest, as well as in that of the school endowment to allow a free right of way for such ditches through school sections, especially as the establishment of a system of irrigation would enhance the value of school lands in the vicinity.

And whereas, the Department of Justice, to whom the question was referred, has given the opinion that it would be competent for the Governor in Council to issue licenses of occupation for the right of way of irrigation ditches through school sections free of charge, if, as represented, the value of school lands would be enhanced by the establishment of irrigation works;

Therefore His Excellency, by and with the advice of the Queen's Privy Council for Canada, is pleased, in view of the foregoing facts, and of the further fact that it would be in the public interest and in that of the School Endowment Fund to encourage a system of irrigation in the North-west Territories, to authorize, and does hereby authorize the Minister of the Interior to issue licenses of occupation of the lands required for the right of way of irrigation ditches through school sections free of charge.

2 EDWARD VII., A. 1902

His Excellency is further pleased to order, that the lands required for reservoir purposes in school sections shall be disposed of in accordance with the provisions of the Order in Council of December 18, 1897, before referred to.

JOHN J. MCGEE,

Clerk of the Privy Council.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on January 30, 1900.

Present—His Excellency in Council.

Whereas, by an Order of the Governor in Council, dated March 16, 1894, the Minister of the Interior was authorized to issue leases of school lands in the North-west Territories for grazing purposes, subject to certain terms and conditions mentioned therein, clause 1 of such terms and conditions being as follows :

'1. The lease shall be for a term not exceeding 5 years, and shall be revocable at any time during the currency thereof when it may be deemed advisable by the Minister of the Interior to offer the land so leased for sale by public auction in the interests of the school endowment, or for any other reason. The lessee in such case shall receive one year's notice of the intention of the Minister to terminate the lease, but shall not be entitled to compensation for any improvements made by him on the land so leased.'

And whereas it is represented that the length of the notice required by the foregoing clause to be given to the lessee in order to terminate the lease during its currency will have the effect of preventing the sale of school lands included in such leases at any time prior to the expiration of the same, which land might otherwise be disposed of to the advantage of the school endowment fund :

And whereas it is deemed desirable that the Minister of the Interior should be in a position to withdraw from the operation of the lease any school lands which he may deem it advisable in the interests of the school endowment to offer for sale by public auction : and it is considered that a notice of three months would amply protect the lessee, especially as any sale of school lands which may be held is likely to take place at the end of the year, in which case the lease would not be terminated until after the close of the grazing season.

Therefore His Excellency, by and with the advice of the Queen's Privy Council for Canada, is pleased to order and direct that the Order in Council of March 16, 1894, shall be and the same is hereby amended by providing that the notice required to be given to the lessee under clause 1 of the terms and conditions of the said Order in Council shall be three months instead of one year.

JOHN J. MCGEE,

Clerk of the Privy Council.

WINNIPEG, February 1, 1900.

The Honourable

The Secretary of State,

Ottawa, Ontario.

I have the honour to ask when it will be convenient for the Government of Canada to meet a representative of that of Manitoba to discuss the question of the advisability of transferring to this Government the money representing the proceeds of the sales of school lands in this province now in the hands of the Government of Canada, and also the balance of school lands remaining unsold.

I know that the House being now in session the time of the Ministers of the Crown will be very much taken up, and consequently I deem it better to write you in advance before asking one of my colleagues to proceed to the capital.

HUGH J. MACDONALD,

Attorney General.

SESSIONAL PAPER No. 83

OTTAWA, February 6, 1900.

The Honourable HUGH JOHN MACDONALD,
Attorney General, Winnipeg, Man.

I have the honour to acknowledge the receipt of your letter of the 1st instant, asking when it would be convenient for the Canadian Government to receive a representative of that of Manitoba to discuss certain questions connected with the subject of school lands in the Province of Manitoba. The Secretary of State will take an early opportunity of laying your communication before his colleagues for their consideration.

JOSEPH POPE,
Under-Secretary of State.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on March 27, 1900.

On a report dated March 16, 1900, from the Acting Minister of the Interior, stating that an application has been made by the Canadian Pacific Railway Company for permission to acquire the land necessary for the right of way of the McGregor and Varcoe and Snowflake branches of their railway, through certain school sections, the land applied for being described in the schedule hereto attached.

The Minister observes that by clause 99 of the Railway Act it is provided that a railway company may acquire out of lands vested in Her Majesty as much of such land as is necessary for the right of way and other purposes of the railway on such terms as the Governor in Council may prescribe, and the Department of Justice has advised that this clause supersedes clause 23 of the Dominion Lands Act, which directs that all sales of school lands shall be at public auction.

The Minister further states that it has been the practice in regard to applications of this kind to submit for the approval of Your Excellency in Council a valuation of the lands applied for, and upon such valuation being approved, to sell the land to the applicants at such valuation. In the present instance the lands required for the McGregor and Varcoe branch have been examined by inspectors appointed for that purpose, and said land have been valued at prices ranging from \$2 to \$4 an acre. The two parcels required for the Snowflake branch of the railway have also been inspected, and valued at \$6 and \$7 an acre respectively.

The Minister recommends, as it is not the practice of the Department of the Interior to sell any school lands at a lower price than \$5 an acre, that that be the minimum price at which any of the lands now applied for be sold, and that he be authorized to dispose of the parcels required for the McGregor and Varcoe and Snowflake branches of the railway at the price set opposite each parcel in the schedule hereto attached.

The Committee submit the foregoing for Your Excellency's approval.

JOHN J. MCGEE,
Clerk of the Privy Council.

SCHEDULE of school lands applied for by the Canadian Pacific Railway Company for the right of way of the McGregor and Varcoe and Snowflake branches of the railway, showing, set opposite thereto, the price at which it is recommended each parcel be sold.

McGREGOR AND VARCOE BRANCH, CANADIAN PACIFIC RAILWAY.

Section.	Township.	Range.	Meridian.	Acreage.	Valuation.
S.E. $\frac{1}{4}$ 11.	12	11 W	1st	1.64	85 per acre.
N.W. $\frac{1}{4}$ 29.	12	12 W	1st	6.22	85 "
N.E. $\frac{1}{4}$ 29.	12	12 W	1st	6.22	85 "
S.W. $\frac{1}{4}$ 11.	12	11 W	1st	6.85	85 "
S.W. $\frac{1}{4}$ 29.	12	13 W	1st	6.25	85 "
S.E. $\frac{1}{4}$ 29.	12	13 W	1st	6.13	85 "

SNOWFLAKE BRANCH, CANADIAN PACIFIC RAILWAY.

N.E. $\frac{1}{4}$ 29.	2	10 W	1st	5.65	87 per acre.
S.W. $\frac{1}{4}$ 11.	2	10 W	1st	4.57	86 "

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on May 1, 1900.

On a report dated April 18, 1900, from the Acting Minister of the Interior, stating that during the summer of 1898, a number of school sections in the province of Manitoba were inspected and valued for the purposes of determining the upset price to be placed on them for the auction sales which it was then proposed to hold in the autumn of that year.

The Minister further states that in consequence, however, of the lateness of the harvest operations in 1898, owing to the wet season, it was found necessary to postpone these sales, and none have since been held.

The Minister further states it is now represented to him that the demand for school lands has greatly increased and that it would be in the interest of the School Endowment Fund, as well as in that of settlement in Manitoba, that a number of these lands should be placed in the market this summer and that the best time for this purpose would be in the month of June, that being the time of year for breaking new land.

The lands which it is proposed to offer for sale are those which were inspected for the purpose in 1898, that is to say, undisposed of school lands within a radius of eight miles of any line of railway in the province, as well as a certain number outside that radius, for which application had been made.

The Minister, therefore, recommends that he be authorized to offer for sale by public auction during the month of June, 1900, at such places in the province of Manitoba and on such dates as he may determine, the school lands which have been inspected for this purpose, provided, however, that in no case shall any school lands be offered at a lower upset price than 85 per acre.

The Minister observes that the regulations with respect to government advertising prohibit more than three insertions of an advertisement in any weekly newspaper, and, as in his opinion this would not be sufficient for the purposes of the auction sales of school lands, as it is most important that they should be well advertised, he recommends that the provision of the regulations above referred to, prohibiting more than three insertions of an advertisement in a weekly newspaper, be suspended in so far as auction sales of school lands are concerned.

The Committee submit the same for Your Excellency's approval.

JOHN J. McGEE,
Clerk of the Privy Council.

SESSIONAL PAPER No. 83

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on July 9, 1900.

On a report dated June 21, 1900, from the Acting Minister of the Interior, submitting as follows in regard to an application made by Mr. Robert Fisher for homestead entry for the south-west quarter of section 25, township 11, range 5 east of the first meridian, which is school land, under the provisions of the Act 56 Victoria, chapter 18.

By the said Act, 56 Victoria, chapter 18, it is provided that the Minister of the Interior, under the direction of the Governor in Council, may grant to the persons mentioned in the said Act, of whom the present applicant, Mr. Robert Fisher, is one, homestead entry for the quarter-sections of school land set opposite their respective names, upon proof to the satisfaction of the Minister that such persons were in bona fide occupation of the said land prior to the 1st of January, 1880, and that they have continued to occupy and cultivate it from that date, in accordance with the requirements of the Dominion Lands Act relating to homestead entry. One of the conditions of the Dominion Lands Act relating to homestead entry is to the effect that the homesteader must actually reside on his homestead for a certain period, and as it was shown by the evidence filed by Mr. Fisher that he did not reside on the school land for which he desired homestead entry, it was impossible at that time to grant him entry for the school land applied for.

It is however provided by clause 2 of an Act passed during the present session of Parliament to amend the Dominion Lands Act, and which has been assented to, but not yet chaptered, that 'If the settler has his permanent residence upon farming land owned by him in the vicinity of his homestead, the requirements of this Act as to residence may be satisfied by residence upon the said land.'

The Minister in view of the foregoing provision, is of the opinion that the obstacle to the grant of homestead entry to Mr. Robert Fisher for the south-west quarter of section 25, township 11, range 5 east of the first meridian is removed, as Mr. Fisher owns the quarter-section adjoining the one now applied for and has lived on it for a number of years.

The Minister observes that Mr. Robert Fisher purchased this quarter-section of school land for which he now asks homestead entry, at public auction in 1892, and that the condition of actual residence on the land applied for is done away with by the amendment to the Dominion Lands Act, passed during the present session of Parliament and before referred to.

The Minister recommends that he be authorized to grant homestead entry to Robert Fisher for the south-west quarter of section 25, township 11, range 5 east of the first meridian, under the provisions of the Act 56 Victoria, chapter 18, and sub-clause 2 of the Act to amend the Dominion Lands Act, passed during the present session of Parliament.

The Minister further recommends that he be authorized to refund to Mr. Robert Fisher the money he has paid on account of the purchase of this land, amounting to the sum of one hundred and ninety-two (\$192) dollars.

The Committee submit the same for Your Excellency's approval.

JOHN J. MCGEE,
Clerk of the Privy Council.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on September 3, 1900.

On a report dated August 24, 1900, from the Minister of the Interior, stating that during the present year sales of school lands in the Province of Manitoba were held by public auction, in accordance with the provisions in that behalf contained in the Dominion Lands Act, at twenty-two points in that province, and that it has been reported to him that fraudulent practices or irregularities took place at certain of such

sales, on account of which a number of parcels of lands which were so sold were not disposed of to the bona fide highest bidder, or otherwise in accordance with the terms of sale, resulting in disappointment and in some instances loss to honest intending purchasers, and in loss to the Crown.

The Minister is of opinion that the matter above referred to is of such a nature that it should be investigated by a commissioner to be appointed under, and to have conferred upon him all powers provided by Chapter 114, R.S.C., 'An Act respecting inquiries concerning public matters'; and he, therefore, recommends that James Emile Pierre Prendergast, Esquire, a Judge of the County Courts comprised within the eastern Judicial District of the Province of Manitoba, be appointed a Commissioner under the provisions of the said Act, to hold an investigation and inquiry under oath or solemn affirmation, as therein provided, with regard to any fraudulent practice or irregularity which has been, or may be reported to him in writing over the signature of the person making the charge or by affidavit or solemn declaration, made by him, to have, in his belief, taken place at any of such public auction sales of school lands in connection with the sale of any lands sold thereat, and with regard to any and all matters which are in any way connected therewith, and which it may appear to him, as such Commissioner, should be investigated and inquired into, in order that a full and complete knowledge may be had concerning any sale of any such lands which may be so brought before him, the said James Emile Pierre Prendergast, as such Commissioner; the Commission to be so issued to him to confer upon him all powers which Your Excellency in Council is authorized to confer upon a Commissioner under and by virtue of the provisions of the said Act, and to contain instructions to the said James Emile Pierre Prendergast to report to Your Excellency the result of such investigation and inquiry, and to send with his report a correct copy or transcript of the evidence taken by him, as such Commissioner.

The Minister further recommends that the remuneration of the said James Emile Pierre Prendergast for the services to be performed by him while engaged upon such investigation and inquiry or upon his report thereon, or upon any other matter properly connected therewith, be fixed at the rate of twenty dollars (\$20) a day, it being understood that no payment is to be made for Sundays; and also that all his travelling and living expenses during the whole period he shall be so employed, and all other expenses necessarily and properly incurred by him in and about such investigation and inquiry and report, including the payment of a stenographer or stenographers whom he may appoint at such remuneration as he may think proper, and whose duty it shall be to record the evidence taken under such Commission and to perform such other work connected therewith as the said James Emile Pierre Prendergast may direct him or them to perform, shall be paid after being approved by the Minister of the Interior.

The Committee submit the foregoing for Your Excellency's approval.

JOHN J. McGEE,

Clerk of the Privy Council.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on December 22, 1900.

On a report dated December 14, 1900, from the Minister of the Interior, stating that an application has been made by the Great North-west Central Railway Company to acquire the lands necessary for the right of way of the railway in certain school sections.

The Minister observes that Section 99 of the Railway Act provides that railway companies may acquire of lands vested in Her Majesty, as much of such lands as may be required for the purposes of the railway, on such terms as the Governor in Council may prescribe, and the practice in regard to the applications of this kind for right of way through school sections has been to have the lands valued and sell the same to the company at such valuation, the authority of the Governor in Council having first been obtained.

SESSIONAL PAPER No. 83

The Minister further states that in the present application the company represents that the price to be paid for the school lands in question should be based upon the value of the land in that vicinity in the year 1887, when the line was located and plan filed, and, as the contention is a reasonable one, the agent of Dominion Lands was asked to ascertain and report as to the value of the land in that vicinity in the year 1887. In reporting on the matter the agent submits a list of the lands sold in that vicinity in the year 1888, the average price of which is \$6.50 per acre, which price he states fairly represents the value of the lands now applied for in the year 1887.

The Minister, considering this price \$6.50 an acre a fair one under the circumstances, recommends that he be authorized to sell the following parcels of school lands to the Great North-west Central Railway Company for the purposes of the railway at such price, namely —

N E $\frac{1}{4}$ 29 10 18 W. 1 M., 6.21 acres.

NW $\frac{1}{4}$ 29—10—18 W. 1 M., 6.22 "

S E $\frac{1}{4}$ 29 13—19 W. 1 M., 6.07 "

N E $\frac{1}{4}$ 11—13—19 W. 1 M., 6.07 "

N E $\frac{1}{4}$ 29 13 22 W. 1 M., 7.9 "

The Committee submit the same for Your Excellency's approval.

JOHN J. McGEE,

Clerk of the Privy Council.

WINNIPEG, December, 1900.

To the Right Honourable Sir WILFRED LAURIER, K.C.M.G.,

Premier of Canada,

Ottawa.

We understand that you have been advised by the Premier of Manitoba that the Lieutenant Governor in Council has, at the request of the Legislative Assembly of Manitoba, nominated us to bring before you the question of the school lands and moneys of this province.

We thank you for the interview which you have kindly consented to give us on January 3, 1901, and meanwhile we transmit for your consideration a memorial embodying the substance of our claim and request.

COLIN H. CAMPBELL,

JOHN A. DAVIDSON.

SCHOOL LANDS AND SCHOOL MONEYS OF THE PROVINCE OF MANITOBA.

Memorial to the Federal Government by Messrs. Campbell and Davidson, delegates from the Provincial Government and Legislative Assembly of Manitoba.

The question of these lands and moneys has been the subject of negotiation and discussion between the Federal and Provincial Governments almost since the organization of the province.

Immediately after the settlement of the province it was arranged that two sections of land in each township should be set aside as an endowment for school purposes, and this arrangement was confirmed by an Act of the Parliament of Canada in 1872, according to which sections 11 and 29 in every surveyed township in the Province of Manitoba were reserved from settlement and dedicated to the support of education, it being expressly provided that the lands so dedicated should be thereafter dealt with in such manner as should be prescribed by law. It was not thought wise to hand over these lands to be administered by the province, as it was at this period in the initiatory stage of responsible government, and unprovided with a land department.

In 1878 the Government of Manitoba applied to the Parliament of Canada to have the school lands transferred to the province and sold for the purpose of creating an educational endowment. The Parliament, however, held that it was not then expedient to grant this request on the ground that the lands should acquire additional value by reason of the increase of the population, but it authorized an advance of \$30,000 to be charged against the proceeds of lands to be thereafter sold. In 1884 by statute 47 Vic., cap. 7, a further payment of \$30,000 was authorized by the Parliament of Canada. No objection was made on any ground to these payments, and in the debate upon the last Act Senator Girard from Manitoba favoured the transfer of all the school lands to the province, and the same view was taken by Senator Power. No sales of the said lands had been made when the payments were authorized and none took place until 1885.

In 1879 the Parliament of Canada made provision for the sale of the said lands by the Federal Government, for the investment of the proceeds and for the payment to the Government of the province of the yearly income for the support of public schools, and these provisions have been in force ever since.

In 1884 the Legislative Assembly of the Province of Manitoba passed a unanimous resolution asserting the right of the province to its public lands, and asking for the transference of its school lands. The federal authorities did not see their way to grant this request, asserting, to use their own language, 'that the retention of the general lands involved the maintenance of a staff organization for their management, and that the school lands could be best cared for by that organization.' Had the request applied to the school lands only it would probably have been granted, for they stated, that they had recommended the first proposition, namely, that relating to the general lands, they might have regarded the second, that relating to the school lands, somewhat differently. The question of the general lands was subsequently settled by an annual allowance of \$100,000 to the province, and by the gift to it of the swamp lands. In connection with these swamp lands, together with other lands possessed and acquired by the province, a lands department was organized in 1887, and has been in existence since. It is therefore apparent that the federal authorities themselves abandoned their plea as to the retention of all the general lands, and it certainly will not be argued that the Dominion Land Department is more capable of managing the school lands than the Provincial Land Department. Moreover, it should not be forgotten, that in 1884 the University of Manitoba received from the Dominion Government a grant of 150,000 acres, and it will not be denied that the Provincial Land Department is as capable of administering the school lands as the University is of administering the lands bestowed upon it.

The number of acres bestowed upon the province approximately amounted to 2,277,900 acres. Of these there have been sold about 243,721 acres, leaving 2,034,179 acres. The proceeds of these sales have amounted to about \$2,400,000, of which about \$600,000 has been paid into the hands of the Dominion. The estimated balance of deferred payments amounts to \$1,800,000.

Contrary to the spirit and meaning of the Act creating the original endowment and amendment thereto, the interest derived from such sales, instead of being paid over to the province to be applied for the purposes of education, has been added to the original endowment, and only 3 per cent paid to the province on the principal and interest so received. In addition thereto the interest on the sales made has not been promptly collected, and there remains overdue for interest about \$.....

From the sales already made and from the cash on hand there should, without impairment of the capital or endowment, accrue to the province an annual income or interest of about \$100,000, and in addition a considerable sum should arise from the sale of hay and other permits and rentals, yet the Province has only received up to December 31, 1899, \$106,748.39.

There has been a very great increase in the population of the province since 1887, and the number of school districts has correspondingly multiplied. In 1887 the number of districts was 522 and in 1900, 1,145, while the school population has increased from 17,600 in 1887 to 59,811 in 1899. Many of the new settlers are foreigners with little or no acquaintance with the English language, and it is of the first consequence

SESSIONAL PAPER No. 83

that they should be made familiar with it, and so become acquainted with our institutions and usages.

The increase in the population has materially added to the expenditure of the province on education. The amount contributed by the province is now fourfold what it was in 1887, notwithstanding that the grant was reduced in 1893 from \$150, to \$130. The pressure of this increase has been the more felt because the provincial revenue has been practically stationary since 1887.

The following table shows the amount of the legislative grant and of the municipal taxation for the years therein mentioned:

	Legislative Grant.	Municipal Taxation.
1886-7.....	\$ 68,330 00	
1888.....	97,051 96	\$ 226,813 00
1889.....	118,809 05	282,204 00
1890.....	118,292 97	225,089 00
1891.....	113,837 16	312,396 00
1892.....	127,036 93	262,297 00
1893.....	136,968 49	329,562 00
1894.....	140,562 68	351,963 00
1895.....	152,386 54	481,828 00
1896.....	171,546 81	472,039 00
1897.....	180,088 88	525,482 00
1898.....	201,557 00	525,000 00
1899.....	250,000 00	567,246 00
1900.....	250,000 00	(Estimated.)

For many years the Parliament of Manitoba has asked the Dominion Government to transfer the school lands to the province, and in 1898 the Government of the province urged the Dominion Government to take such action, and, as a result a bill was introduced providing for the payment to the Government of Manitoba of the sum of \$300,000 out of the school lands funds, but while the bill was accepted by the Commons it was rejected by the Senate. Among the reasons specified for this rejection was, that there had been no expression of opinion on the subject, either by the people of the province or the Legislative Assembly of Manitoba. This objection has since been removed. Immediately after the action of the Senate the Parliament of Manitoba, by practically a unanimous vote, there being only two votes against it, resolved that the time had arrived when the school lands should be transferred from the Federal to the Provincial Government. Shortly thereafter a general election took place, and during the campaign both political parties pledged themselves to advocate the transference of the school lands and moneys from the federal to the local authorities. As soon as the new Parliament met in 1900 it unanimously re-affirmed the resolution already mentioned and directed the Government to take steps to bring this resolution before the federal authorities. In discharge of this duty the present memorial has been prepared.

The Government and the Legislature of Manitoba hold that Parliament never intended that the endowments should enure to the benefit of future generations only, and that the scattered settlements of to-day render the burden of maintaining the schools peculiarly onerous, more particularly when, as already shown, they are increasing more rapidly to-day than ever.

They further submit that by no reasonable construction of the Act of 1872, or of any subsequent Act, can it be inferred that it was the intention of Parliament to retain the control of these lands for all time to come. On the contrary, the resolution on which the Act of 1878 was based shows clearly that Parliament was prepared to transfer the lands to the province had they been then sufficiently valuable to be sold, and the province able to undertake their administration.

They further submit that the Parliament of Canada are merely trustees of these lands and funds, and that Manitoba being the *cestui que trust*, the province has long since arrived at a stage at which it can and ought to be entrusted with the administration of these lands and funds. It has a department fully competent to take charge of

the lands, and as these are situated within the province its fuller local knowledge will enable it to administer them still more wisely and economically.

Finally, they submit by the true construction of the Acts creating the endowment all such moneys as are now on hand, derived from interest on sales paid into the Department of the Interior, and all permits, fees, licenses, rentals, &c, should be paid at once to the Province of Manitoba, to be applied for the purposes intended.

Accordingly the Government and Legislative Assembly of the province request the Government of the Dominion and the Parliament of Canada to provide by legislation during the ensuing session :

1. That the Government of Canada shall pay over to the Government of Manitoba the amount of money in the hands of the Government of Canada already realized as principal from the sale of school lands, and transfer to the Government of the province the full control and management of the lands not yet disposed of.

2. That the moneys now in hand, exclusive of the payments to account of the principal of the purchase money, be paid over to the Province of Manitoba.

In name and by authority of the Government of the Province of Manitoba,

COLIN H. CAMPBELL,

JOHN A. DAVIDSON.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on January 3, 1901.

On a report dated December 14, 1900, from the Minister of the Interior, submitting that an application has been made by the Great North-west Central Railway Company for permission to acquire the land necessary for the right of way of the railway in certain school sections.

The Minister states that section 99 of the Railway Act provides that railway companies may acquire of lands vested in Her Majesty as much of such lands as may be required for the purposes of the railway on such terms as the Governor in Council may prescribe, and the practice in regard to applications of this kind for right of way through school sections has been to have the land valued and to sell the same to the company at such valuation, the authority of the Governor in Council having first been obtained.

The Minister observes that in the present instance the quarter-sections of School lands through which the right of way is required were sold by public auction at the recent auction sales held in Manitoba, subject to the reservations of the land required for the said right of way.

The Minister, therefore, recommends that the land required in these quarter-sections by the Great North-west Central Railway Company for right of way purposes be sold to the said company at the price for which the quarter-sections in question were disposed of at public auction, that is to say :

2.27 acres of S.E. $\frac{1}{4}$ of 11—14—24 W. at \$6.50 per acre . . .	\$14 75
6.16 acres of S.W. $\frac{1}{4}$ of 11—14—24 W. at \$8.50 per acre . . .	52 36
3.89 acres of N.E. $\frac{1}{4}$ of 11—14—24 W. at \$11.60 per acre . . .	42 79
Total	\$109 90

The Committee submit the same for Your Excellency's approval.

JOHN J. MCGEE,

Clerk of the Privy Council.

SESSIONAL PAPER No. 83

RUSSELL HOUSE,

OTTAWA, January 7, 1901.

To the Right Honourable

Sir WILFRID LAURIER, K.C.M.G.,

Premier of Canada,

Ottawa, Ont.

In reply to your suggestion this afternoon that the memorial presented to the school lands of the Province of Manitoba did not state on what trusts and conditions the Manitoba Government would, if the requests were granted, receive them, we would repeat what we personally stated to you, that we assumed the trusts of the original endowment were in full force and effect and binding, no matter which Government held and controlled the lands and moneys. However, to make the matter perfectly clear, we would agree that the original endowment should be kept unimpaired, and the earnings therefrom devoted solely to the purpose of education, and we wish to assure you that the province desires the trusts sacred and inviolate, and to use only the income arising from the lands and capital.

These terms may be embodied in the legislation transferring the lands and moneys, and if required, confirmed by legislation of the Province of Manitoba.

We would again urge an early answer on both branches of the memorial.

COLIN H. CAMPBELL,

JOHN A. DAVIDSON.

OTTAWA, January 18, 1901.

Messrs. COLIN H. CAMPBELL and JOHN A. DAVIDSON,

Russell House, Ottawa.

I have the honour, by direction of the Right Honourable Sir Wilfrid Laurier, Premier, to acknowledge the receipt of your letter of the 7th instant, with reference to the memorial presented concerning the school lands and moneys of the Province of Manitoba.

JOHN J. MCGEE,

Clerk of the Privy Council.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on January 21, 1901.

On a memorandum dated December 31, 1900, from the Minister of the Interior, submitting that the north-west quarter of section 29, township 12, range 17, west of the first meridian, was among the school lands offered for sale by public auction at Brandon, Manitoba, in the month of June, 1900, under the authority of the Order in Council of May 1, 1900, but was not disposed of.

The Minister states that application is now made to the Department of the Interior to have the said quarter-section again offered for sale, so as to afford the applicants, who were unable to purchase at the last sale, another opportunity of doing so, and he recommends that he be authorized to offer the said quarter-section, the north-west quarter of section 29, township 12, range 17, west of the first meridian, for sale by public auction during the months of January or February at Douglas, Manitoba, this place being convenient for the purpose.

The Minister further recommends that the quarter-section in question be offered at the upset price of \$5 per acre, this being the value placed upon the land when inspected in the summer of 1898.

The Committee submit the same for Your Excellency's approval.

JOHN J. MCGEE,

Clerk of the Privy Council.

EXTRACT FROM *Report of the Committee of the Honourable the Privy Council, approved by His Excellency on March 13, 1901.*

On a report dated March 4, 1901, from the Minister of the Interior, stating that Judge Prendergast, the Commissioner appointed to investigate the irregularities alleged to have occurred at the auction sales of school lands held in Manitoba last year, has forwarded to the Department of the Interior for payment the accounts of the various newspapers in the Province of Manitoba for the publication of the advertisements for the sittings of the School Lands Commission.

The Minister states that these advertisements were not given to newspapers in the usual way through the King's Printer, but were sent to the newspapers by the Commissioner himself.

The Minister observes that as sittings of the Commission were held at the twenty-two points in the province at which the auction sales had taken place, it was most desirable that the widest publicity as to the date and place of each sitting should be given by the notice to that effect in the newspapers, and to accomplish this the Commissioner found it necessary to continue the advertisement in the newspapers for a longer period than that allowed by the regulations with respect to Government advertising, which provides that an advertisement shall not be inserted more than six times in a daily or three times in a weekly newspaper.

The Minister recommends that the provisions of the regulations with respect to Government advertising, which provide that not more than six insertions shall be given to a daily or three insertions to a weekly, be waived with respect to the advertisement of the sittings of the School Lands Commission before referred to and that the King's Printer be authorized to pass the accounts for such advertisements for the number of insertions shown therein, subject however, to his decision as to the amount charged being a proper one.

The Minister further states that among the newspapers to which the advertisements were given were the *Shoal Lake Star* and the *Selkirk Expositor*, neither of which is on the list of newspapers authorized to receive Government advertising.

The Minister, under the circumstances before mentioned, recommends that the insertions of the advertisements of the sittings of the School Lands Commission in these newspapers, the *Shoal Lake Star* and the *Selkirk Expositor*, be approved.

The Committee submit the same for Your Excellency's approval.

JOHN J. MCGEE,

Clerk of the Privy Council.

EXTRACT FROM *a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on April 9, 1901.*

On a memorandum dated February 11, 1901, from the Minister of the Interior, stating that the north-west quarter of section 11, township 1, range 10, west of the first meridian, was among the school lands offered for sale by public auction at Crystal City, Manitoba, on the 12th June, 1900, but was not disposed of.

The Minister further states that application is now made by the Department of the Interior to have the said quarter-section again offered for sale, as the applicants were unable to acquire it at the sale held in June, 1900.

The Minister therefore recommends that he be authorized to offer the said quarter-section, the north-west quarter of section 11, township 1, range 10, west of the first meridian, at Crystal City, Manitoba, during the coming spring, on a date to be determined hereafter, the sale to be subject to an upset price of \$5 per acre.

The Committee submit the same for Your Excellency's approval.

JOHN J. MCGEE,

Clerk of the Privy Council.

SESSIONAL PAPER No. 83

EXTRACT from a Report of the Committee of the Honourable the Privy Council approved by His Excellency on May 31, 1901.

On a report dated May 17, 1901, from the Minister of the Interior, stating that an application has been made by the St. Mary's River Railway Company for the land required by the railway in school sections 6 and 9, in township 6, range 21, west of the fourth meridian.

The Minister states that under clause 99 of the Railway Act, a railway company may acquire of lands vested in His Majesty as much of such land as is required for the purposes of the railway on such terms as the Governor in Council may prescribe, and the practice has been, in regard to applications of this kind, to sell to the company, subject to the approval of the Governor in Council the lands required for such right of way at a valuation made by an officer of the Department of the Interior who has valued the land, in regard to the present application, at three dollars per acre.

The Minister recommends that he be authorized to sell to the St. Mary's River Railway Company at the rate mentioned the land required for the right of way of the railway in the following quarter sections, that is to say :—

Part of Section.	Section.	Township.	Range.	Meridian.	Area in Acres.
N.E. $\frac{1}{4}$	6	6	21	Wt. of 4th	0 65
N.W. $\frac{1}{4}$	6	6	21	"	0 11
S.W. $\frac{1}{4}$	6	6	21	"	0 21
N.E. $\frac{1}{4}$	9	6	21	"	4 09
N.W. $\frac{1}{4}$	9	6	21	"	4 49
S.W. $\frac{1}{4}$	9	6	21	"	1 66

The Committee submit the same for His Excellency's approval.

JOHN J. MCGEE,
Clerk of the Privy Council.

GOVERNMENT HOUSE,
WINNIPEG, August 1, 1901.

The Honourable
The Secretary of State,
Ottawa.

I have the honour to transmit herewith, a memorial of the Executive Council of the Province of Manitoba on the subject of the school lands and school land fund, together with a certified copy of an Order in Council, approved May 23, 1901, recommending that the annexed memorial to His Most Excellent Majesty in Council on the subject of the school lands and school land fund be transmitted to His Excellency the Governor General with the request that the same be forwarded to the Secretary of State for the Colonies.

D. H. McMILLAN,
Lieutenant Governor.

August 6, 1901.

His Honour
The Lieutenant Governor of Manitoba,
Winnipeg, Manitoba.

I have the honour to acknowledge the receipt of your despatch of the 1st instant, covering a memorial to His Majesty the King from the Executive Council of the Pro-

2 EDWARD VII., A. 1902

vince of Manitoba on the subject of school lands and school land funds, together with a certified copy of an Order in Council, approved May 23, 1901, recommending the transmission of such memorial to the Governor General with a request that the same may be forwarded to the Secretary of State for the Colonies.

F. COLSON,

Acting Under-Secretary of State.

(From Mr. Chamberlain to Lord Minto.)

DOWNING STREET, December 18, 1901.

I have the honour to acknowledge the receipt of your despatch No. 253 of August 31, forwarding a memorial addressed by the Executive Council of Manitoba to the King in Council on the subject of the lands reserved by the Parliament of Canada for school purposes in that province.

2. I have given careful consideration to the memorial in consultation with the law officers of the Crown, and I am of opinion that its subject matter is not one which I should be justified in advising His Majesty to refer to the Judicial Committee of the Privy Council under 3 and 4 William IV, cap. 41, section 4.

3. The question, as it appears to me, is one of administration by the Federal Government and for legislation, if necessary, by the Dominion Parliament and not for the interference of the Crown.

J. CHAMBERLAIN.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on October 31, 1901.

On a report dated October 16, 1901, from the Minister of the Interior, submitting that an application has been made by the Canadian Northern Railway Company for permission to acquire the land necessary for a right of way of the railway through certain school sections.

The Minister further submits that under the provisions of the Railway Act, railway companies may acquire of lands vested in His Majesty as much of such lands as is necessary for the purposes of the railway, upon such terms as the Governor in Council may prescribe and the practice has been with respect to school lands to have a valuation made of the lands applied for, and upon such valuation being approved by His Excellency in Council, to sell the lands in question to the company at such valuation.

In the present instance, the school lands applied for by the Canadian Northern Railway Company have been valued as follows:—

Section.	Township.	Range.	Meridian.	Acres.	Price per acre
					\$ cts.
S.E. $\frac{1}{4}$ 11.....	15	12 W	1st Principal Meridian.	8.14	5 00
S.W. $\frac{1}{4}$ 11.....	15	12 W	1st " "	0.34	5 00
S.E. $\frac{1}{4}$ 20.....	15	12 W	1st " "	5.91	5 09
S.W. $\frac{1}{4}$ 29.....	15	12 W	1st " "	1.27	6 00
S.W. $\frac{1}{4}$ 29.....	16	12 W	1st " "	5.70	5 00

The Minister recommends that he be authorized to sell the school lands specified in the foregoing list at the prices set opposite each parcel.

The Committee submit the same for Your Excellency's approval.

JOHN J. MCGEE,

Clerk of the Privy Council.

SESSIONAL PAPER No. 83

OTTAWA, January 11, 1902.

HIS Honour D. H. McMILLAN,
Lieut. Governor of Manitoba,
Winnipeg, Man.

I beg to inclose, herewith, copy of a communication from the Right Honourable Mr. Chamberlain, Secretary of State for the Colonies, to His Excellency the Governor General, being in answer to memorial addressed by the Executive Council of the Province of Manitoba to the King in Council, on the subject of the lands reserved by the Parliament of Canada for school purposes in that province.

R. W. SCOTT,
Secretary of State.

GOVERNMENT HOUSE,
WINNIPEG, January 18, 1902.

The Honourable
The Secretary of State,
Ottawa, Ont.

I have the honour to acknowledge the receipt of your despatch, bearing date 11th instant, inclosing a copy of a communication from the Right Honourable Mr. Chamberlain, Secretary of State for the Colonies, to His Excellency the Governor General, being in answer to a memorial addressed by the Executive Council of the Province of Manitoba to the King in Council, on the subject of lands reserved for school purposes. A copy of the communication has this day been forwarded to my provincial secretary for information of my government.

D. H. McMILLAN,
Lieutenant Governor.

