

M.L.W.

File 1894159.

Ottawa 28th April, 1917.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL :

Call
The Undersigned has the honour to submit that it is provided by Section 25, and by other Sections of the Dominion Lands Act, Chapter 20, 7-8 Edward VII, that letters-patent for Dominion Lands shall not issue to any person who is not a British subject by birth or by naturalization;

The Undersigned further submits that Henri Phalempin, who was born in France, made homestead entry for the South West $\frac{1}{4}$ of Section 5, Township 37, Range 1, West of the 3rd Meridian on the 31st July, 1912: that the entrant was a French Reservist, and that he rejoined his Regiment immediately upon the commencement of the present European War.

Mr. Phalempin made the usual application for the issue of letters-patent for his homestead, upon the 2nd November, 1916, and it appears from the evidence accompanying that application, that he has fully complied with all the conditions of the homestead entry he made under the provisions in that behalf contained in the Dominion Lands Act, except the condition respecting his naturalization as a British subject, because of which the preparation of the letters-patent for his homestead has been delayed.

If Mr. Phalempin is called upon to comply with the provisions of the Naturalization Act, it will cause delay which the Undersigned considers unnecessary under the circumstances of this case. Indeed it may be impossible for any alien homesteader, or other entrant for Dominion lands, who is on active service, as a member of any naval or military unit of Great Britain, or of any of the allies of Great Britain, to comply with the above mentioned condition of his entry until he has been released from such service.

The Undersigned considers that it is a hardship upon any homesteader, or other entrant for any lands under any of the provisions of the Dominion Lands Act, who is placed as Mr. Phalempin is placed, to be compelled to comply with the provisions before referred to, as it is his opinion that his active service as a member of any naval or military unit of Great Britain, or of any of the allies of Great Britain, is sufficient of

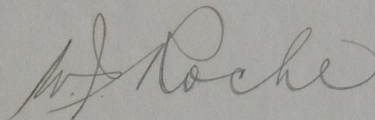
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itself to satisfy the purpose and intention of the provisions of the Dominion Lands Act in that respect.

The Undersigned therefore recommends that the following regulation be enacted and made, under the provisions of The War Measures Act, 1914:-

That when any homesteader or other entrant for any lands under any of the provisions of the Dominion Lands Act is on active service as a member of His Majesty's naval or military forces, or of the naval or military forces of any of His Majesty's allies in the present war, the provisions of the Dominion Lands Act forbidding the issue of letters-patent to any person who is not a British subject by birth or naturalization shall not apply to such homesteader or entrant, and the letters-patent for the lands may issue to him notwithstanding that such homesteader or entrant is not a British subject.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "W. J. Roche". The signature is written in dark ink and is positioned above the typed name of the Minister of the Interior.

Minister of the Interior.