

The right hon. leader of the government (Sir Wilfrid Laurier) in introducing this measure declared, I think, that he was presenting to the Northwest the crown of complete and absolute autonomy. The hon. member from Prince Edward (Mr. Alcorn) who addressed the House yesterday very aptly described the crown, when he stated it was a crown from which the generous donor had plucked its most valuable jewels.

Now, Mr. Speaker, in the province of New Brunswick, and I venture to say that this remark can be applied to most of the other provinces of the Dominion if not to all, there are no two more important departments of government than the Department of Crown Lands and the Department of Education; there are no two subjects of more vital local provincial concern than education and the administration of public lands. Any yet we find that under this Bill the ownership and control of the public lands is absolutely withheld from the new provinces, while with respect to education the legislative power of the new provinces is so restricted as to make the educational systems which are to be imposed upon these new provinces, not the will and creation of the people of the new provinces, but the will and creation of this parliament; an external body which has no interest—no direct interest at any rate in the subject—and no responsibility whatever to the people of the provinces upon which these systems are to be imposed. In the first place, speaking on the subject of the public lands, I wish to refer to section 109 of the British North America Act, which says:

All lands, mines, minerals and royalties belonging to the several provinces of Canada, Nova Scotia and New Brunswick at the union, and all sums then due or payable for such lands, mines, minerals or royalties, shall belong to the several provinces of Ontario, Quebec, Nova Scotia and New Brunswick in which the same are situate or arise, subject to any trusts existing in respect thereof, and to any interest other than that of the province in the same.

It will be seen from this section, that the original provinces of the confederation were given the ownership and control of their public lands. The hon. member from Jacques Cartier (Mr. Monk) in his speech the other night cited a series of judgments of the Judicial Committee of the Privy Council which show that the title to the public lands in Canada vested in the King in right of the provinces. The hon. member (Mr. Monk) referred particularly to the case of the Attorney General of British Columbia vs. the Attorney General of Canada, in which it was decided that the title to the public lands in that province vested in the King in right of the province, notwithstanding that British Columbia was not specifically named in the section which I have read and was admitted subsequent to the formation of confederation. These cases

prove conclusively that under the terms of the British North America Act the title of the lands in this country is vested in the King in right of the province. But hon. members on the other side of the House suggest that the lands in the Northwest Territories having being purchased by the Dominion of Canada from the Hudson Bay Company that alters the case. I submit, Mr. Speaker, that this makes no difference whatever, and that the lands vest in the King regardless of whether they are acquired by purchase or by conquest. The title in the lands of this country does not vest in this government as a government or in this parliament as a parliament, but they vest in the King in the right of the provinces as has been decided by the Privy Council in the cases to which I have alluded. We have had quite a recent judgment of the Judicial Committee of the Privy Council in the Attorney General of New Brunswick vs. the liquidators of the Maritime Bank, in which it was laid down that the lieutenant governor in the province represented the Crown just as fully and effectually as the Governor General does in the federal sphere. We have in these cases the authority that the title to these lands properly vests in the Lieutenant Governor representing the King in right of the provinces; but it is not necessary to refer to these authorities to establish the proposition that the title is in the province and not in the Dominion. We have in section 19 of this very Bill the admission that the provinces are entitled to the lands. Section 19 says:

In as much as the public lands in the said province are to remain the property of Canada, there shall be paid by Canada to the said province annually, by way of compensation therefor, a sum based on the estimated value of said lands, &c.

The Bill itself therefore contains the admission that the provinces are properly entitled to these lands. But aside altogether from the legal question as to the title of these lands, I submit that every consideration of public policy, public interest and public convenience supports the claim that these lands should be in the hands of the provincial authorities. In the first place, the administration of these lands is directly a matter of local and provincial concern; it is the people of the provinces who are chiefly interested in the administration of these lands; it is their interests that are chiefly affected. If the lands are wisely and efficiently administered it is they who profit and benefit; if the lands are unwisely and inefficiently administered it is they who suffer. That being the case, I submit that the administration of these lands should be in an authority responsible to the people who are interested. If these lands are retained by this government, as is proposed in the Bill, we may have the federal authority administering the lands in a most inefficient and most unwise manner. It is