

I take this opportunity of expressing the satisfaction with which I have learned from your telegram of the 3rd instant that the Canadian government and the delegates have come to an understanding as to the terms on which the settlers in the Red River should be admitted into the union.

I mention these despatches in order to show to the committee that the imperial government was kept in constant knowledge of the negotiations going on here between the Dominion government and the delegates and ratified and approved of everything that was done by the new government. We have, therefore, the imperial government, the previous ruler of that territory, a party to the covenant arrived at between the Dominion government and the delegates, and this is, I think, a matter of some importance. In the Manitoba Act which was passed here creating the new province the articles of the Bill of Rights were inserted and, as is well known, submitted to the delegates for their approval before they were passed through parliament. My hon. friend from East Grey (Mr. Sproule) has suggested the possibility that this covenant applied only to Manitoba. Now it applied to the entire new territory. It was so understood by all parties treating during the negotiations and, as a matter of fact, effect was given to the covenant and the agreement arrived at as soon as possible after the delegates of the Dominion had agreed and that question has never been raised since. As a matter of fact while the delegates were deliberating with the Dominion ministers there was no certainty as to the creation of the province of Manitoba with its present limits. Correspondence which I need not read here shows, and it is a fact of history that it was supposed when the new territory of Rupert's Land was taken possession of, when delegates came down here, that one government, either a provincial or some kind of government, would be organized for the whole new territory, and it was only after the delegates had stipulated for their rights that the limits of the new province of Manitoba were settled upon. As a matter of fact at that period the Red River settlers as they were called, were the only white civilized people in the whole of Rupert's Land. The country back of that, which had been discovered was hunted over, inhabited by Indians, but there were there simply occasional travellers from the Red River and the whole territory was known as Rupert's Land. I submit that the whole of that territory has to be considered and was understood by the Dominion government as coming under all the protective clauses stipulated for in the Bill of Rights, and it was so understood, as my hon. friend from Beauharnois (Mr. Bergeron) mentions, by the British government. A careful perusal of the negotiations, of the despatches and of the letters, leaves no doubt upon that point.

The Manitoba Bill was carried through the House and when sections 22 and 23 are to be found, the stipulations concerning the educational system and language. I shall read section 23 of the Manitoba Act which remained in force until it was abolished by the provincial legislature in 1890. This is the section:

Either the English or the French language may be used by any person in the debates of the Houses of the legislature and both these languages shall be used in the respective records and journals of both Houses and either of these languages may be used by any person or in any pleading or process in or issuing from any court of Canada established under the British North America Act, 1867, or in or from any or all of the courts of the province. The Acts of the legislature shall be printed and published in both of these languages.

During the first five years of the rule of the Dominion over the Northwest Territories provision was made for the administration of these Territories by temporary Acts which I shall not refer to. In 1875, under the Mackenzie government, it was determined to establish there a stable, regular government with a certain amount of autonomy, although even these organizations with their autonomy were still kept under the control of the provincial legislature. Mr. Mackenzie caused the adoption of the statute 38 Victoria, chapter 49, and in that legislation, under article 2, will be found a stipulation or a provision in regard to separate schools; but in the statute of 1875 there was no provision of the nature referred to in section 23 of the Manitoba Act in regard to the reservation of the French language. It was an oversight which parliament repaired in 1877. I referred to the Act passed in 1877 which provides as follows:

Either the English or the French language may be used by any person in the debates of the said council and in the proceedings before the said courts, and both these languages shall be used in the records and journals of the said council and the ordinances of the said council shall be printed in both these languages.

In 1880, the different Acts concerning the Territories were revised by the statute 43 Victoria, chapter 35. Article 94 of that statute contains the same disposition in regard to the French language which is to be found in the statute of 1877. In 1890, the Manitoba legislature adopted an Act abolishing the French language. That Act was not disallowed. I may say here at once, to anybody who would suggest to me that disallowance should have been made, that I do not deny that. We are dealing with circumstances as they exist to-day and consequently I do not think it is an answer to the argument which I am at present submitting to the committee to say that there was no disallowance, because those who had the power did not choose to prevent that provincial legislation, clearly ul-