

speak from mere surmise? I venture to think that he spoke only from surmise this afternoon, and that if he had looked at this question in the light of experience, in the light of what is happening to-day in Quebec and Ontario, he might very well have modified the provisions of this Bill, and might very well have entrusted to the people of the Northwest Territories exactly the same control over their lands as is enjoyed by the people of the other provinces. I venture to say further that if he was not willing to trust the people, as I would be willing to trust the people, in this regard—if he regarded them as possibly improvident, as was suggested by the Minister of the Interior last session or the session before—if he feared the result, he might at least have given them the control of the public lands within their respective provinces, subject to some such restriction as that which he has proposed in regard to education. If the principle is good in the one case, I do not see why it should not work out fairly well in the other case.

There are other features of the Bill which will undoubtedly invite discussion. The subject which the right hon. gentleman mentioned last, on which he spoke with great eloquence, and in a spirit of forbearance and moderation, will undoubtedly invite discussion. I do not propose to discuss it this afternoon. There is just one thing, however, that I would like to say about it, and that is that I understand that up to the present time there has been really no school question, to use the common expression, in the Northwest Territories of Canada; and I sincerely trust that on both sides of the House we will not seek to make this a political question in any sense.

Some hon. MEMBERS. Hear, hear.

Mr. R. L. BORDEN. But at the same time let us beware lest any action of ours may create in the Northwest of Canada for all time to come that question which happily has been entirely absent there in the past. I am speaking in all sincerity in regard to this to my right hon. friend. He has quoted the debates which took place in parliament on this subject. He has laid special stress upon the opinion of Mr. Brown. I will not go over his remarks except to say that of course when Mr. Brown regarded this matter as having been settled for all time to come, he did not speak in an absolutely legal sense. I do not understand my right hon. friend to contend that he did. Does he take the position that that is correct in the legal sense?

Sir WILFRID LAURIER. I take the position that the constitution certainly makes it imperative for us to respect separate schools wherever they exist.

Mr. R. L. BORDEN. I do not know that I yet quite seize exactly the meaning of my

Mr. R. L. BORDEN.

right hon. friend, but there will be opportunities later and better than the present to learn exactly his views on that point. Of course the constitutional view of the question—without touching for the moment the wisdom or propriety of what the right hon. gentleman suggests—the constitutional view of the question is perfectly plain. The parliament of Canada, so far as the Northwest Territories are concerned, can absolutely repeal or deal with in any way any provisions it makes.

Sir WILFRID LAURIER. The parliament of Canada can repeal the Act regarding the Canadian Pacific Railway with respect to taxation.

Mr. R. L. BORDEN. Of course it would be dealing there with vested rights, and my right hon. friend is very conservative in that respect. I am not discussing anything except the constitutional aspect, and vested rights are not touched in the matter I am presenting to the House at this moment. The right hon. gentleman knows that while the parliament of Canada can amend in any way it sees fit an Act with regard to the Territories, yet the position will be somewhat different after an Act such as the one now proposed has been passed. By the British North America Act of 1871 the parliament of Canada may from time to time establish new provinces. Section 2 of that Act provides:

The parliament of Canada may from time to time establish new provinces in any territories forming for the time being part of the Dominion of Canada, but not included in any province thereof, and may, at the time of such establishment, make provision for the constitution and administration of any such province and for the passing of laws for the peace, order and good government of such province, and for its representation in the said parliament.

My right hon. friend has taken the ground, both in the letter to which I have referred, and in his speech in parliament, that the parliamentary representation of the new provinces under the Act I have mentioned, would be absolutely the results of the last census. I take issue with him on that point. I think he was mistaken absolutely when he placed that view before the premier of the Territories and advocated it in this House. The parliament of Canada may do what I have just referred to and what is set out in section 2 of the British North America Act of 1871. Then by section 3 of the same statute:

The parliament of Canada may from time to time, with the consent of the legislature of any province of the said Dominion, increase, diminish or otherwise alter the limits of such province, upon such terms and conditions as may be agreed to by the said legislature.

Then by section 6 of the same Act it is provided:

Except as provided by the third section of this Act, it shall not be competent for the par-