

On section 15,

Mr. FITZPATRICK. This section is a highly technical one, and is intended to deal with a somewhat embarrassing situation which will exist in the Northwest after this Act comes into force. I have consulted the Deputy Minister of Justice, who drew this Bill, and he in turn has consulted those who represented the Northwest Territories. The section as it is now proposed to amend it, meets with the approval, I understand, of the representatives of the Northwest Territories and those who represent the Northwest government. Under these circumstances I would suggest that the clause be allowed to pass with the understanding that at any time it may be reconsidered at the suggestion of any member of the House.

Mr. R. L. BORDEN. That, I think, should be quite satisfactory. My hon. friend the Minister of Justice (Mr. Fitzpatrick) was good enough to give me at six o'clock a memo. prepared by Mr. Newcombe, Deputy Minister of Justice, dealing with some points which had been raised on this side as to the possible construction of section 15 as proposed to be amended. I expected to have had an opportunity of looking over the memo. of the deputy minister between six and eight o'clock but was prevented by other engagements. Under the circumstances, I shall not ask the committee to wait until I have examined it. If I think any difficulty arises under the words of the amendment, I will ask the government to permit us to return to clause 15 for the purpose of moving any amendment which may be thought necessary on this side. The only important question raised on this side was whether or not section 11 of the Act of 1875 might not be continued as part of the constitution of the Territories by the very words of this section. Mr. Newcombe thinks that is not possible. I am not prepared, without considering his opinion, to say I do not concur, and therefore I shall be very glad to accept the suggestion of the Minister of Justice.

Mr. SPROULE. How will the societies at present existing be affected?

Mr. FITZPATRICK. They are continued in their provincial existence. They can only be dissolved by the Governor in Council after the province has made provision for substitutes. These societies, being in operation, will immediately, when this Bill passes, come under the jurisdiction of the Governor in Council, and we must deal with them, in so far as their present corporate existence is concerned; but we will deal with them in such a way as to dissolve them after the province has arranged by legislation for their continued existence within the province. The province must

first arrange for other societies being substituted for the present ones.

Section agreed to.

Mr. FITZPATRICK. There is nothing left but the land clause, the distribution of seats and the school clause, which includes number 2. In view of the fact that we have a number of amendments, I would move that the committee rise so as to give us time to consider the present condition of the Bill and come to some conclusion about dealing with the other clauses.

Mr. W. F. MACLEAN. Will the Bill be reprinted?

Mr. FITZPATRICK. I am afraid that will take too much time.

Mr. W. F. MACLEAN. It is not very long, and I think you could have it set up in two hours.

Mr. FITZPATRICK. I was going to suggest that possibly to-morrow we might take up some other measures, and in that event we might get the Bill reprinted.

Mr. R. L. BORDEN. I think that will be desirable. We have had a pretty steady grind at the Bill for some time, and there will be amendments moved to all the clauses still undisposed of. It will be advisable to put the amendments in such a shape as will, with as little prolixity as possible, express the views we entertain on this side; and a day or two devoted to a little consideration for that purpose will not be time wasted. I would suggest that some other business could in the meantime be taken up. I did intend to have made this afternoon some observations with regard to the difference between the original and the amended clause 16. However, I did not wish to make any suggestion to the government as to the course they should take, but I would think that when we take up the Bill again, we should dispose of the land clause first and then take up clause 16, unless the government specially desires to take up the school matter first and deal with the other afterwards. I am not particular except that I would like to know a little in advance what the course of the government will be in that regard.

Mr. FITZPATRICK. As regards the order in which we will take up the clauses, we are quite willing to leave that to hon. gentlemen opposite to decide. I would like to keep the redistribution of seats to the last, but it is a matter of indifference to us whether we deal with the educational clause or the land clause first.

Mr. W. F. MACLEAN. Is the understanding that the Bill lie over till next Monday.

Mr. FIELDING. We might agree that the Bill may not be taken up to-morrow and that will leave us free to take it up Thursday.