

than that, if we are to regard the existence of a compact as having been proved, it would seem to me that it was a compact the performance of which we might safely entrust to the people of the new provinces; because, under our system of government, where part of the jurisdiction is vested in parliament and part is vested in the legislature of a province, we must have regard to the expectation that good faith will be observed, and that if a compact has been made it will be carried out by the proper authority having jurisdiction in that regard. For this reason I have not been able to support the amendment; and for a similar reason which I have elaborated at greater length on previous occasions, I was not able to support the proposition of the government with regard to schools.

So far as the use of the French language in this country is concerned, we are absolutely bound to observe the obligations which have been created by treaty and by the constitution. If any remarks which have been made to-day would look in an opposite direction—I do not know whether they were so intended—I would absolutely dissent from them.

I agree with what has been said by my hon. friend from South Grey (Mr. Miller) as to the value which we ought to attach to the French language in this country and the respect which we should pay to it. I have endeavoured, not so much by precept, but a little by example to manifest my belief in the principles which my hon. friend has voiced to-night and I am free to say to-night, as I have said on other occasions, that I think that perhaps it would be much more to the credit of the English speaking people of this country if they would teach their children the French language which is the mother tongue of more than 2,000,000. An hon. gentleman on the other side of the House referred the other evening to the circumstance that every educated Englishman who comes to this country is able to speak to our French Canadian friends in their own language, and that very circumstance which I have noticed over and over again has made me a little ashamed more than once because I have not been able to do this to my own satisfaction, or to the same extent. However, that is to a certain extent beside the question. We are dealing with the question of the enactment of a statute. I again repeat that the attitude which the government has taken in this connection to-night is a very ample justification for those of us who have taken a certain attitude in the past, and that the very strong criticism which has been used in regard to myself in some parts of the country is very much disarmed by what has been said this afternoon by my hon. friends sitting on the treasury benches.

Sir WILFRID LAURIER. I have just a word to say in answer to my hon. friend as

to the position which I have taken all along on this question. Not later than two days ago my hon. friend asked me, across the floor of the House, whether I rested my contention with regard to the schools upon anything else than section 93 of the British North America Act, and I answered my hon. friend at once that I rested my contention upon that and that alone. That has been my contention from the first and it is my contention yet. After four months I do not want to continue the discussion and with this remark I close that part of the debate. I have only one observation to offer to my hon. friend in regard to the courts of the Northwest Territories. I stated that in my judgment the reason why the use of the French language was continued in the courts in 1880 when the matter came before the House was that the courts in the Northwest Territories were not provincial courts but were directly under the jurisdiction of this parliament. I understand my hon. friend to controvert this point. I have no better authority to offer him at this moment than that of Sir John Thompson who was the author of the amendment which was adopted on that occasion and who, in 1890, as reported in 'Hansard' page 879 of that year, used the following words:

When we undertake to say that we shall expunge from the statute book a provision that justice shall be administered or may be administered in either of the two languages used in the Northwest Territories, we are touching a subject far more important than the mere language of debate, and the mere language of the publication of the journals of a legislative body. These, sir are our courts; these are the courts of the Dominion of Canada. In respect to the provinces, power is given to the provincial legislatures, by the British North America Act, to establish the courts, and to regulate their organization, their maintenance, and the extent of their jurisdiction. That power, which rests on them, as regards the provincial courts, rests directly on this parliament as regards the courts of the Northwest Territories. We have imposed upon us the duty, not only of creating those courts, but of breathing into them the breath of life by giving them the jurisdiction they exercise and the procedure by which that jurisdiction is to be carried on.

Mr. R. L. BORDEN. There is not one word with which I do not agree, but the point is whether or not the power under which we created these courts is to be found in section 101 of the British North America Act, 1867, or in the British North America Act, 1871. I do not find anything in the language of Sir John Thompson which is in any way inconsistent with the view I have just now expressed that the courts referred to in section 101 are not temporary courts of the Territories, created for a temporary purpose, but that, they are courts of an entirely different character, such as the Supreme Court and the Exche-