

by his motion, simply asks that the legislature of the new provinces shall be placed in the same position, that is, that it can by resolution one day declare its proceedings shall be published in both languages, and that it may the next day or any other day declare that they shall be published only in English, or only in French. I am not arguing upon the motion, I am arguing merely as to the effect. As I understand his motion, he is desirous simply of giving to the legislature of the new province that power which the legislature of the Territories possesses at the present time. That has been exercised once by the legislature of the Territories, and it might be exercised again from time to time, as the occasion would require. So the power which he proposes to confer upon the legislature of the new province might be exercised to-morrow, might be exercised the next session in a different way, and so on from time to time. It is the vesting of a power, not the manner in which that power shall be exercised, with which the motion of my hon. friend from Jacques Cartier is concerned.

Mr. BELCOURT. Would not the legislature have that power, whether the motion is carried or not?

Mr. R. L. BORDEN. That is only a proviso in what, after all, is the important part of the amendment of my hon. friend.

Mr. BELCOURT. The amendment, if it were passed by this House, would not give to the legislature of the new province any power which it does not now have.

Mr. R. L. BORDEN. I do not think the hon. gentleman understands the motion as I understand it. A certain limitation was imposed upon the power of the legislative assembly in that regard, by the statute of 1877; a proviso was added to that in 1892 which defines the power of the legislative assembly of the Northwest Territories at present.

Mr. BELCOURT. The power given in 1892 was general, unlimited.

Mr. R. L. BORDEN. If my hon. friend will permit me to finish the sentence—it defines the power which the legislature may exercise, defines the limit of their power with respect to the two languages. The statute of 1877, together with the statute of 1892 defining the power which the legislature of the Northwest Territories should have in that regard did not give the power to do away with the French language in the courts or in the printing of the ordinances; it was therefore a limited power. My hon. friend from Jacques Cartier, as I understand his motion, desires to circumscribe the powers of the provincial legislature in exactly the same way. The exercise of that power is

an absolutely different thing. It may be exercised in one way or another. It has been exercised in a certain way already, but when we are dealing with the limits of the power let us not confuse them with the exercise of that power.

Mr. FITZPATRICK. But to do this would be a departure from the British North America Act. What would become of section 92?

Mr. R. L. BORDEN. Why, the Minister of Justice has told us over and over again, let us not forget, that we are absolutely free to depart from section 92.

Mr. FITZPATRICK. So I say, and I want the hon. gentleman to say so likewise by voting for this amendment.

Mr. R. L. BORDEN. I am not dealing with the wisdom of this amendment, or its constitutionality, I am dealing with the meaning of it. Did my hon. friend think I was doing anything else?

Mr. BRODEUR. The result of the motion of my hon. friend would be simply to put the legislature of the province in the same position as the assembly is to-day by the law of 1890, which gave them power to abolish the use of French. That was the object parliament had in 1890.

Mr. MONK. The hon. gentleman is mistaken, they have not abolished the French language, they have decided that the proceedings for the time being shall be in the English language. Does not the hon. gentleman think that they can revoke that to-morrow?

Mr. BRODEUR. Certainly, the local legislature have power to restore any language they like. In the province of Ontario the legislature can declare to-morrow that the proceedings shall be published in French.

Mr. MONK. What does the hon. gentleman mean when he says they have abolished the French language?

Mr. BRODEUR. I mean that they do not use it any more. There was a resolution passed, which I quoted a few moments ago, declaring that the only official language in the legislative assembly should be English. Does that mean that the French language can be used any longer in their proceedings? I do not think so. Well, then, let us take the situation as we find it. I say the assembly has given its decision on that point, has exercised the authority which was vested in it by this parliament. It has always been the policy of this government to accept the situation as we find it, we have done so on the school question, and we will do so with regard to the French language.