

these associations. And I have no doubt that, in exercising their own judgment, the provincial authorities will bear these difficulties in mind, for they are very real difficulties. A man, for instance, happens to be living in a certain locality near what will be the border line of the two provinces and has created for himself a practice which extends into the two provinces. Cases of that kind should be taken into account when the provinces underake to form these organizations. But I think that all we can do is to continue these gentlemen in the possession of their rights until the provinces deal with them.

Mr. BARR. Why not go further?

Mr. FITZPATRICK. I am afraid that it would interfere with the rights of the provinces.

Mr. STOCKTON. It is a pretty difficult matter to deal with. I remember that when we passed the Medical Act in New Brunswick, we provided that those who had been practising for a certain number of years should be on the register. The point of my hon. friend from Dufferin (Mr. Barr) is that these men are now on the register for the whole territory, but when this legislation is passed and there are two provinces they may find themselves curtailed of their rights in a part of the country where those rights are now unquestioned. On the other hand, I can see the difficulty raised by the Minister of Justice, that this is a matter that comes within the jurisdiction of the provinces themselves. It is a pretty difficult question to deal with, and it is doubtful whether the minister could deal with it in this Bill in the manner suggested. Another question might arise with respect to the lawyers, who are not very well able to look after themselves, I suppose. When the two provinces come into existence under this Act, would persons be attorneys and barristers of both provinces because they are now attorneys and barristers of the Territories?

Mr. L. G. McCARTHY. Not unless the local legislatures make them so.

Mr. STOCKTON. That being the case, it seems to me it is a matter to be dealt with by the local legislatures.

Mr. FITZPATRICK. I do not see any other way. I think we are going as far as we consistently can when we say that, so far as we are concerned, pending legislation by the provinces, we continue the present state of things.

Mr. STOCKTON. I do not think you can go further.

Mr. HAGGART. The language of this section seems to me to be rather curious:

Except as otherwise provided by this Act all laws (including the provision of the Northwest Territories Act and the amendments thereto,

Mr. FITZPATRICK.

notwithstanding the repeal thereof by this Act)——

And so on. You first repeal an Act and then bring its provisions into force until otherwise provided by the legislature.

Mr. FITZPATRICK. That is the way it first strikes one, and that is the way it occurred to me. But it was pointed out to me by the Deputy Minister of Justice that the intention was to repeal the Northwest Territories Act—to get rid of it absolutely, yet at the same time to continue those provisions of it that were applicable to the Territories and not inconsistent with the provisions of the new Act.

Mr. HAGGART. I understand the object quite well, but it is the language I call attention to.

Mr. FITZPATRICK. I must confess that it would naturally suggest a question. But I have accepted it, because I am acting as a client with his solicitor. I am advised by the officer of the department that the language is apt. And Mr. Newcombe, the deputy minister, as every one knows, is eminently well qualified as a draughtsman in a matter of this sort. It has just been suggested to me by an official of the department that this law will become like the imperial statutes, some of which are in force in Canada at the present time. Or I might give an illustration which appeals more to me. Take the body of our law in Quebec, our code—while that is merely a statute it is considered, so far as we are concerned, as similar to the system of the common law in the English-speaking provinces.

Mr. R. L. BORDEN. Is there a precedent for an expression of this kind?

Mr. FITZPATRICK. I never saw it before.

Mr. R. L. BORDEN. I am inclined to think that I have seen expressions like this in the imperial statutes—in some of the later consolidations.

Mr. FITZPATRICK. I was going to make that observation. The deputy minister is now engaged in the revision of our statutes, and I think that these words have been adopted from the consolidation of the imperial statutes, which he has before him. I am not positive as to that. I questioned him as to the form in which the Act appears. He told me the intention, and I thought I could rely upon him to express that intention in apt words.

Mr. R. L. BORDEN. The thing is necessarily somewhat involved, because we are dealing with a complicated subject; but let us see if I understand the intention. Is it the intention to repeal the Northwest Territories Act and to legislate in this section, by reference, its provisions with respect to any matters that require to be provided for, and also to provide that such of