

We have the Northwest Territories Act, which provided that no matter what authority was governing the country they shall provide a certain system of education. In the Yukon there seems to be no such provision whatever, but the Yukon Council goes on and provides a system of education similar to what they have in the Territories. I asked on one occasion before, by what authority this was done. I would ask again is it under such a clause as this clause 6 that this has been done in the Yukon Territory?

Mr. FITZPATRICK. Under section 6 they would have authority to legislate only on those matters, jurisdiction over which is assigned to them by the Governor in Council.

Mr. SPROULE. I do not find any evidence that jurisdiction has been given by the Governor in Council with reference to the Yukon.

Mr. FITZPATRICK. My hon. friend knows more about the Yukon than I do.

Mr. SPROULE. I tried to look it up, but could not find it.

Mr. FITZPATRICK. I could get at it if the hon. gentleman (Mr. Sproule) wants it.

Mr. SPROULE. I would like to be informed as to the matter during the discussion of these Bills, because it seemed to me that there was no authority for these ordinances to establish an educational system passed in the Yukon.

Mr. FITZPATRICK. If my hon. friend (Mr. Sproule) will refer to section 6 of the Yukon Territory Act, he will find that this is practically a re-enactment of it.

Mr. SPROULE. That is why I asked the question. This section 6 of the Yukon Territory Act says:

The Commissioner in Council shall have the same powers to make ordinances for the government of the territory as are at the date of this Act possessed by the Lieutenant Governor of the Northwest Territories, acting by and with the advice and consent of the legislative assembly thereof, to make ordinances for the government of the Northwest Territories, except as such powers may be limited by order of the Governor in Council.

So far as I can find, no instructions have been issued to them, either to establish this educational system or not to establish it, yet they have established it.

Mr. FITZPATRICK. I will have that looked into.

On section 8—Supreme Court disestablished—stipendiary magistrates.

Mr. FITZPATRICK. That is the law as we had it.

Mr. R. L. BORDEN. This is a reversion of the old system?

Mr. SPROULE.

Mr. FITZPATRICK. Yes.

Mr. LENNOX. This provides for the disestablishment of the Supreme Court in this territory. There has also been, up to this time a territorial assembly of the Northwest, which met at Regina and whose authority extended over these Territories.

Mr. FITZPATRICK. Not to all—only to Mackenzie.

Mr. LENNOX. If it is necessary to disestablish the Supreme Court it is equally necessary to say that the legislative assembly shall no longer continue.

Mr. FITZPATRICK. The Act of 1888, section 2, provides that the jurisdiction of the legislative assembly shall be restricted to the electoral districts and the electoral districts are not to continue.

Mr. LENNOX. Are all the electoral districts comprised within the two provinces?

Mr. FITZPATRICK. And more, Athabaska.

On section 14,

Mr. SPROULE. The wording of that section would seem to imply that the provinces were insolvent.

Mr. FITZPATRICK. There are some assets that have to be distributed, and I thought instead of having an involved scheme such as that employed with respect to the old provinces of Canada, as these Territories are not quite so pretentious in their belongings we would appoint a liquidator to distribute the assets between them.

Mr. R. L. BORDEN. It seems curious to use the word 'liquidator.'

Mr. FITZPATRICK. I may say that I did this myself and I am open to receive any suggestions that may be made.

Mr. R. L. BORDEN. Why not call him a 'provisional treasurer'?

Mr. FITZPATRICK. All right.

Mr. HENDERSON. I would suggest that a time limit should be placed so as not to have it continue for 30 or 40 years.

Mr. FIELDING. I would suggest that no lawyer should be allowed to touch it.

Mr. FITZPATRICK. You might do that in order that it may be badly done.

Mr. BARKER. I would suggest the word 'adjuster.'

Mr. HENDERSON. Would not the provinces have power to appoint arbitrators or commissioners?

Mr. FITZPATRICK. No, this officer will have the power to distribute; we want to avoid what occurred in the case of Ontario and Quebec. I think the word 'liquidator' will serve as well as any. I move: