

privilege of dealing with the language in everything except in the courts.

Mr. R. L. BORDEN. And the printing of the ordinances.

Sir WILFRID LAURIER. The printing of the ordinances was treated differently, more as a matter of convenience than anything else. But these things are in the past. Thirteen years have elapsed since then; and when a few days ago I saw the motion of my hon. friend from Jacques Cartier, and I remembered that in 1890 we had given to the legislature of the Northwest Territories the privilege of dealing with the French language in the debates of the legislature and had not given that same privilege in the courts, I asked myself what was the reason for that.

Mr. MONK. There is a reason given in the debates.

Sir WILFRID LAURIER. What is the reason given?

Mr. MONK. It is proper that the legislative assembly of the Northwest Territories should have the right to regulate its proceedings for its own convenience.

Sir WILFRID LAURIER. What is the reason parliament did not give the legislature the power to deal with the language in the courts?

Mr. MONK. There may be some new reason.

Sir WILFRID LAURIER. No, there is a very old and simple one. I have not had time to look at the debates, but I think my memory serves me. It was because the courts of law were then, as they are to-day, under the jurisdiction of this parliament, and not under the jurisdiction of the territorial legislature; and therefore, according to the terms of section 133 of the British North America Act, in all courts organized by the parliament of Canada the two languages are official. That was the reason we could not leave to the legislature the power to deal with the language in the courts. Let me quote the section again:

Either the English or the French language may be used by any person in the debates of the Houses of the parliament of Canada and of the Houses of the legislature of Quebec; and both those languages shall be used in the respective records and journals of those Houses; and either of those languages may be used by any person or in any pleading or process in or issuing from any court of Canada established under this Act.

The courts of the Northwest Territories were established under this Act, and therefore the parliament of Canada had not the power to abolish the use of the French language in those courts. When those courts shall have become provincial, we shall no longer have jurisdiction over them, and therefore the legislature will have the right

Sir WILFRID LAURIER.

to deal with the language in the courts as well as in the legislature. That is the way I understand the question. The hon. member for Jacques Cartier quoted from the remarks I made on that occasion; and, if I understand his motive in doing so, I do not think it was served by that quotation. If he reads that speech again he will not find in it an argument in favour of his motion. My hon. friend thought he would find me at fault, but I do not think he has done so. I beg pardon of the House if I take the liberty of quoting once more my own language on that occasion:

It is impossible to admit, for instance, that the institutions of the Northwest are permanent. On the contrary, they are exceptionally temporary; they deal with a state of things which is exceptional in itself; they were devised at a time when there was no population, and they must be modified from time to time as the necessities of the case require. But at this moment to say they are permanent, is a thing in which I cannot agree, except so far as they must be permanent in every particular, so long as we are not ready to give these people a more extended form of local authority. My hon. friend also says in this amendment, that since we passed this law and gave this incipient constitution to the Northwest Territories, nothing has occurred to change our views. I cannot agree with that. Everything has occurred since that time, not to change our views, but to set us thinking about what we should do at a future time, not very far off, in regard to these Territories. What has occurred is this: a population has gone into these Territories; they have been given a legislature; and that legislature has demanded certain measures—not only on the question of language, but on that of the schools, and on the system of government. Bearing these facts in mind, it seems to me that the proper time to deal with this question will be when we are prepared to give the Territories, perhaps not absolute, but a more extended form of local self-government; and when that time comes, we must be prepared to deal with this question upon the broad principle of this constitution, which has been devised for the safety of the majority and the protection of the minority, and in the light of the condition of things which may exist at that time in the Territories.

I suppose my hon. friend, when he read these words of mine, laid particular emphasis on the last sentence. Well, Sir, I take the same ground to-day. I am prepared to deal with this question on the broad principle of the constitution, which has devised rules and regulations for the protection of minorities. Has anything been done in this constitution for the language of any minority in any province? Nothing at all. The fathers of confederation did not pretend to authorize the French language in any part of the Dominion except in this parliament and in the province of Quebec. Everywhere else the people were left free to deal with the matter as they thought fit. Not so with regard to the schools. As to them the minority were given special protection by the Acts I have quoted. The legislature of