

given in the meantime—it was my very pronounced opinion that it would have been advisable that this subject of autonomy should be left pending until the tax matter was in a more determined stage. Practically three months have been spent by this House in discussing what is called a limitation on the autonomy granted the new provinces; and with all deference to my hon. friends opposite, the matter they have held this House talking about all this time does not compare in importance with the limitation of autonomy contained in this section 23 of the Bill. If we left the people of the Territories absolutely free with regard to education, they would retain the system they have there at present. Ninety-nine out of every hundred are entirely satisfied with the present system of separate schools. But this tax limitation does make a difference and a very material difference. This is a real and substantial limitation which is placed on their autonomy.

Mr. OLIVER. By the late government.

Mr. SCOTT. By the late government. It must be one of the hon. member for South York's handsprings which the Conservative government turned for this corporation.

Mr. W. F. MACLEAN. When did I say that?

Mr. SCOTT. Not very long ago.

Mr. W. F. MACLEAN. Of what government?

Mr. SCOTT. Of every legislature in this country. The hon. gentleman lectures members from the Northwest Territories about principles and compromises. I would suggest that he should abstain from compromising his common sense so frequently as he does in this House. He gave as a reason why independent legislatures should be created and endowed with resources, that all legislatures were corrupt and turning handsprings at the bidding of corporations. I am inclined to agree with him that section 23 is unnecessary. That section says:

The powers hereby granted to the said provinces shall be exercised subject to the provisions of section 16 of the contract set forth in the schedule to chapter 1 of the statute of 1881, being an Act respecting the Canadian Pacific Railway Company.

If that clause were not in the Bill at all, the relations between the provincial government and the Canadian Pacific Railway would still be fixed by the statute of this parliament embodying the Canadian Pacific Railway contract. I may say that I am very pleased indeed to hear the words of the right hon. Prime Minister (Sir Wilfrid Laurier) indicating that it is the intention of this government, and that it will be the duty of this parliament, as soon as possible, to cancel the rights possessed by the Canadian Pacific Railway Company in this con-

Mr. SCOTT.

nection by means of either the ordinary powers of expropriation or—

Mr. W. F. MACLEAN. Did the leader of the government (Sir Wilfrid Laurier) make that statement this afternoon?

Mr. SCOTT. I understood him to make that statement this afternoon. Certainly he made that statement on the 21st of February in introducing these measures, and I understood him to repeat this afternoon his intimation that it would be the duty of parliament to revoke in some way these rights which the corporation holds under the contract. If there is any necessity for putting section 23 in the Bills, there is an equal reason for putting something additional in the Bills to give some tangible intimation to the people of these provinces and the people of Canada that that is the intention of parliament. I wish to suggest to the government the addition of a few words. I would move that the section be amended by adding the following words:

Provided that the foregoing shall not prejudice the right of the parliament of Canada, by expropriation or otherwise to obtain the relinquishment by said company of the company's rights under section 16 of the contract aforesaid.

I am not a lawyer. I have myself drafted these words and if the government and the House assent to the principle of my suggestion it may be found necessary to recast what I have suggested.

Mr. FITZPATRICK. I have not had an opportunity to consider this amendment, and therefore am not able to advise about it. But, at first sight, I would suggest that it is unnecessary. Just now, we are giving effect to a contract entered into with the Canadian Pacific Railway; and it seems to me that if we did not enact the clause we should be guilty of a violation of every canon of decency and good faith. The right of this company to exemption of taxation in the Northwest and in that part of Manitoba which formed part of the Northwest Territories in 1881 is based on section 16 of the contract between the syndicate, now represented by the company, and the Crown, represented by the government of that day. The contract is dated 21st October, 1880, and forms part of the statute 44 Victoria, Chapter 1. This section 16 to which we are practically giving effect to-day is as follows:

The Canadian Pacific Railway and all stations and station grounds, work shops, buildings, yards and other property, rolling stock and appurtenances required and used for the construction and working thereof, and the capital stock of the company, shall be for ever free from taxation by the Dominion, or by any province hereafter to be established, or by any municipal corporation therein; and lands of the company, in the Northwest Territories, until they are either sold or occupied, shall also