

this are doing it not in the interests of Protestantism but in the interests of party politics. If there is a wrong, let them take proper means to remedy that wrong. It is open to them, this is the responsible body whereby it can be remedied. These provinces are not yet created, these territories are still under the absolute control of this parliament of Canada. If a wrong has been done let us right that wrong and right it now, and there will be no question about separate schools in these provinces in the future.

Mr. SPROULE. Are the thousands of reformers who signed this petition and have spoken on this question along the same lines doing it in the interests of a political party?

Mr. ALEX. JOHNSTON. It is the man who asked them.

Mr. SPROULE. They were asked by no person except the instinct of nature.

Mr. CONMEE. Petitions with a printed head were sent out broadcast.

Mr. OLIVER. I think it must be evident from the discussion in this House that many people have been misled as to the facts of this case.

Sir WILFRID LAURIER. Hear, hear.

Mr. OLIVER—or they would not have taken the position they have.

Sir WILFRID LAURIER. Hear, hear.

Mr. ALEX. JOHNSTON. He did it.

Mr. OLIVER. Now the government, coming to this question, having to provide provincial organization for these territories, considering that there are separate schools there, that there have been separate schools there, that there has never been objection made to these schools until this Bill was introduced, what are they to do? What should the government do but make provision to carry on the existing conditions. What did the Northwest Territories government do when they proposed provincial autonomy two or three years ago? If the time of the organization of a province is the time to do away with these separate schools; is the time to start the province out without any such incubus upon their organization; then the time to do that was when the Northwest government was applying for provincial powers and preparing their own draft Bill on the subject. But I find that section 2 of this draft Bill which was prepared by the Northwest government in 1901—and these provisions were repeated in 1903—is almost word for word section 2 of the Autonomy Bill which is before the House and as a matter of fact is a reproduction of a similar section in the Act admitting each individual province into the Dominion. It reads:

Mr. OLIVER.

On, from and after the said first day of January, 1903, the provisions of the British North America Act, 1867, except those parts thereof which are in terms made or by reasonable intendment may be held to be specially applicable to or to affect only one or more, but not the whole of the provinces under that Act composing the Dominion, and except so far as the same may be varied by this Act, shall be applicable to the province of \_\_\_\_\_ in the same way and to the same extent as they apply to the several provinces of Canada, and as if the province of \_\_\_\_\_ had been one of the provinces originally united by the said Act.

The view of the government of the Northwest Territories was that existing conditions should be continued. And again I find, in section 13 a parallel to the one in the Autonomy Bill and a reproduction of a similar section in the Acts admitting the other provinces:

Except as otherwise provided for by this Act all laws in force in the Northwest Territories on the first day of January, 1903, . . . shall continue as if this Act had not been passed, subject nevertheless (except with respect to such as are enacted by or exist under Acts of parliament of Great Britain or of the parliament of the United Kingdom of Great Britain and Ireland, to be repealed, abolished or altered by the parliament of Canada or by the legislature of the province, according to the authority of the parliament or the legislature under this Act.

That is to say, in the Bill proposed by the Northwest government for the admission of these Territories into confederation, are these very provisions which are contained in the Autonomy Bill. If I understood the argument of the leader of the opposition (Mr. R. L. Borden) and the hon. member for East Grey (Mr. Sproule) it was that if the date of the union was the date of the annexation of the territories to Canada, then the British North America Act did not apply.

Mr. SPROULE. Did apply.

Mr. OLIVER. The subsections of section 93 would not apply?

Mr. SPROULE. No.

Mr. OLIVER. I understand the leader of the opposition to say that if, the date of union meant the date when these provinces are added to the union, then the restrictive sections do apply. Now, Mr. Haultain and his government in their Bill, make these sections apply. As a matter of fact, I think, it is absurd—I beg pardon for using that word if it is unparliamentary—to argue that the time of union means the time of the annexation of the country to Canada and not the time of the erection of the province.

Mr. SPROULE. So says Mr. Christopher Robinson.

Mr. OLIVER. I am sorry to differ from that eminent and learned gentleman. Let me read the first subsection of section 93 of the British North America Act, in which these words occur: