

pelle, it is to my mind the best suggestion that has been made here to-night, and I think due weight ought to be given to it. I think it is preferable to the suggestion made last year by Mr. Casgrain, who had not the mapping out of the province before him at the time. If the circumstances had been then the same as they are now, he might not have introduced his Bill on the lines he did.

Section 6 allowed to stand.

On section 7—executive council.

Mr. FITZPATRICK. This is from the Territorial Act, and re-enacts practically clause 7 of the Manitoba Act.

Section agreed to.

On section 8—seat of government,

Mr. M. S. McCARTHY. I would like to have that section stand. I may say that some information has been asked for in connection with it.

Mr. FITZPATRICK. That is right. It is agreed that it is to stand.

Mr. M. S. McCARTHY. Would it not be well to let it stand until schedule 'B' is taken up?

Mr. FITZPATRICK. The Prime Minister told me that section 8 was to stand until it suited the hon. gentleman's convenience to bring it up.

Section allowed to stand.

On section 9—powers of Lieutenant Governor and Council,

Mr. FITZPATRICK. This section follows section 65 of the British North America Act, and is also practically a re-enactment of clause 6 of the Territorial Bill.

Mr. LANCASTER. The only thing that strikes me at this moment about it is that the powers of a lieutenant governor governing the Northwest Territories are not the same as the powers of a lieutenant governor governing the province of Alberta, and in this section it seems to me we are unduly limiting the powers of the lieutenant governor of the new province.

Mr. FITZPATRICK. It provides that all the powers he has now will be continued, but that does not mean that he shall not have other powers.

Mr. LANCASTER. The section of the British North America Act which this is supposed to follow gives larger powers to the lieutenant governor of the province, and if this section is intended to put that section of the British North America Act into operation, it does not do so.

Mr. FITZPATRICK. This is simply intended to carry on the powers he has now.

Mr. SAM. HUGHES. Has the lieutenant governor of the Territories to-day greater

powers than the lieutenant governor of a province?

Mr. FITZPATRICK. The lieutenant governor of the Territory now has powers which he exercises individually, but the only case that I know of in which he does that is with reference to commissions in lunacy. But whatever powers he has now we are continuing, in addition to the ordinary powers which he will have as lieutenant governor of a province.

Mr. LANCASTER. Would it not be better to say that he shall have all the powers of a lieutenant governor under the British North America Act? I think you are making confusion by this section. The language here is not good draftsmanship, because it does not say that he shall have all the powers which a lieutenant governor of a province has under the British North America Act. I think it would be better to say so.

Mr. FITZPATRICK. I would be glad to consider any amendments that may be suggested, but I do not think I am as capable of dealing with the clause as the man who drafted it.

Mr. BARKER. I would like to ask the minister if there are any powers given to the lieutenant governor of the Territories in excess of the powers ordinarily given to the lieutenant governor of a province?

Mr. FITZPATRICK. I think there are.

Mr. BARKER. Perhaps the hon. gentleman will explain what these are, so that we may consider whether we should give those extra powers to the lieutenant governor of the proposed province.

Mr. FITZPATRICK. When this clause came before me for consideration, I put the very question to the gentleman who drew it which the hon. gentleman puts to me now. He used the word 'individually,' and the only powers which the lieutenant governor exercised individually that I could discover were with respect to commissions in lunacy, and I am not sure that that is strictly accurate. At one time the lieutenant governor practically carried on in his person the whole executive authority. His power became reduced from time to time until finally we come down to the representative institutions which they have to-day; but in order to meet any possible difficulty that might arrive, this clause was drafted.

Mr. SAM. HUGHES. Under the old Territorial law, he had purely representative government and not responsible government. Surely these powers are not continued.

Mr. FITZPATRICK. The laws enforced at present are all continued until they are changed. If in connection with any of these laws, he individually has powers to