

in the first words that I uttered about this Bill that the action of Canada in dealing with what may be called her own colonies in the matter of self-government, would be watched with interest not only in the mother land but throughout the empire. Comparisons will be drawn between the treatment accorded to the north American colonies when they become self-governing colonies by Great Britain on the one hand and the treatment accorded to her new provinces by Canada on the other hand. Those comparisons will not be flattering to the Dominion parliament if the Bill goes through in its present form.

No satisfactory reason has been offered to this House for disregarding the clear and definite provisions of the British North America Act in regard to provincial ownership of the public domain. The arguments adduced by the Prime Minister and others in respect to this matter will not be regarded either by the country at large or by the new provinces as adequate or indeed even as quite worthy of the great principle involved. In the argument he used this afternoon surely the Minister of Justice did not intend to suggest, although his words sounded like it, that Canada had purchased from the Hudson Bay Company, through the medium of Great Britain, the absolute title to one-third of the North American continent for £300,000. That sum, as I understand it, was paid for the surrender to the Crown of certain claims and privileges which the Hudson Bay Company had over this vast area. The claims and privileges of the company being thus removed, the property itself was vested in the Dominion, the title being in the Crown. The very fact that Great Britain having thus procured a surrender of the Hudson Bay Company's rights over this area then handed it over to the administration of the Dominion of Canada with the evident view of its ultimate formation into provinces is the very strongest argument that could possibly be used that the Dominion should hand over the area comprised in the new provinces to the administration of those provinces. I hope that even at this stage it is not too late, and that the House will be induced to reverse the policy it has up to this time sanctioned. I beg to move, seconded by Dr. Schaffner :

That all the words after 'now' to the end of the question be left out and that the following words be inserted instead thereof :

Recommitted to a Committee of the Whole House with an instruction that they have power to strike out subsection 1 of section 20 of the Bill and to substitute the following therefor :

All lands, mines and minerals and royalties incident thereto situate or arising within the limits of the province and now vested in the Crown and all sums due or payable in respect of the same shall belong to the province subject to any trusts existing in respect thereof and to any interest other than that of the province in the same except those portions

Mr. LAKE.

thereof now used or occupied for the public works, the public buildings or otherwise for the public service of Canada which are more fully set forth and enumerated in schedule 'C' to this Act and which shall continue to be the property of Canada.

Amendment (Mr. Lake) negatived on the same division, last recorded.

Mr. S. BARKER (Hamilton). I have an amendment to move. It is in the exact words of the amendment I moved last night in committee on the Saskatchewan Bill and I therefore do not intend to occupy the time of the House in reading it. I might say that its purport is to recite as the foundation for the action we are taking in constituting these provinces, not merely the Act of 1871 as the Bill does, but the British North America Act of 1867, the Act of 1871, the final Act of 1886, and also the Rupert's Land Act. Every one who has listened to this long debate must be aware that the very foundation of the constitution both of the Dominion and the various provinces is contained in the British North America Act, and although that is the case there is not a word in the preamble referring to that Act as the ground work of our action on this occasion. Without further remark I move, seconded by Mr. Henderson :

That the preamble be struck out, and that the following preamble be substituted therefor :

Whereas, in and by the British North America Act, 1867, being chapter 3 of the Acts of the parliament of the United Kingdom passed in the session thereof held in the thirtieth year of the reign of Her late Majesty Queen Victoria, it was, among other things, enacted that it should be lawful for the Queen, by and with the advice of Her Majesty's most honourable Privy Council on an address from the Houses of parliament of Canada, to admit Rupert's Land and the Northwestern Territory into the union on such terms and conditions in each case as are in the addresses expressed and as the Queen should think fit to approve, subject to the provisions of the said Act ; and that the provisions of any Order in Council in that behalf should have effect as if they had been enacted by the parliament of the United Kingdom of Great Britain and Ireland.

And whereas in and by the Rupert's Land Act, 1868, of the parliament of the United Kingdom, it was, among other things, enacted that it should be competent to Her Majesty, by Order or Orders in Council, by and with the advice of Her Majesty's most honourable Privy Council, on address from the Houses of the parliament of Canada, to declare that Rupert's Land should from a date to be therein mentioned be admitted into and become part of the Dominion of Canada.

And whereas, pursuant to such powers and authority, and to such addresses, by and with the advice aforesaid, the Queen by Order in Council on the 23rd day of June, 1870, did order and declare that from and after the 15th day of July, 1870, the said territory should be admitted into and become part of the Dominion of Canada upon the terms and conditions set forth in schedule 'A' to the said Order in Council, and that the parliament of Canada should from the said date of admission have full power and au-