

Mr. R. L. BORDEN. In view of the changes in the wording of section 20, it will probably save time and controversial discussion as to the wording of our amendment if we let that stand for the present.

Mr. FITZPATRICK. Very well.

Mr. R. L. BORDEN. So far as the particular object is concerned we shall endeavour to use the same language the minister has used in order to reduce it to a mere question of principle.

Mr. FITZPATRICK. It is better to set the details at rest on one side or the other.

Mr. R. L. BORDEN. Very well.

Mr. FITZPATRICK. That disposes of the Bill with the exception of the capital and the school clause; section 2 being considered as part of section 16. The present section 24, being the clause fixing the date on which the Act will come into operation will become section 25, and I propose to move a new clause 24.

Mr. R. L. BORDEN. It is a new clause?

Mr. FITZPATRICK. A new clause altogether. I move that the following clause be inserted as clause 24 in lieu of clause 24 of the present Bill:

The Northwest Territories Act being chapter 50 of the Revised Statutes in all Acts amended thereof are hereby repealed as respect to said clauses, provided that notwithstanding such repeal so much of the said Acts and of any order or regulation made thereunder as was in force immediately before the coming into force of this Act and is not inconsistent with anything contained in this Act or as to which this Act contains no provision intended as a substitute therefor shall continue in force in the said clause in pursuance of and for the purpose of section 15 of this Act.

Mr. R. L. BORDEN. That will appear on 'Hansard' so that we may consider it.

Mr. FITZPATRICK. We should have a short title. I think we should say this Act will be known as the 'Alberta Act.'

Mr. R. L. BORDEN. Very well.

Mr. BARKER. We have an amendment to the preamble. Would the minister like to have it read now so that it may appear on 'Hansard' and he may consider it.

Mr. FITZPATRICK. Yes.

Mr. BARKER. The preamble of the Bill omits any reference to the British North America Act, and in fact it treats that Act as if it has no bearing upon what we are doing here in creating a province. The preamble begins with the Act of 1871, as if we were proceeding under that Act and no other. This amendment begins with the recital of the Act of 1867 and it reads as follows:

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 30th 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 the parliament of Canada, to admit the Northwestern Territory into the union, on such terms and conditions as in the address 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 pursuant to such power and authority, and to such address, 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; and the parliament of Canada should from the said date of admission have full power and authority to legislate for the future welfare and good government of the said Territory.

And whereas, in and by the British North America Act, 1871, being chapter 28 of the Acts of the parliament of the United Kingdom, passed in the session thereof held in the 34th and 35th years of the reign of Her late Majesty Queen Victoria, it is enacted that the parliament of Canada may from time to time establish new provinces in any territories forming for the time being part of the Dominion of Canada, but not included in any province thereof, and may, at the time of such establishment, make provision for the constitution and administration of any such province, and for the passing of laws for the peace, order and good government of such province and for its representation in the said parliament of Canada.

And whereas, in and by the British North America Act, 1886, being chapter 35 of the Acts of the parliament of the United Kingdom, passed in the session thereof held in the 49th and 50th years of the reign of Her said Majesty, the parliament of Canada was empowered to make provision for the representation, in the Senate and House of Commons of Canada, of the said Territory, the same not being included in any provision of the Dominion; and it was thereby also enacted that the said Act, and the British North America Act, 1867, and the British North America Act, 1871, shall be construed together.

And whereas, that part of the said territory hereinafter described has not been included in any province of the Dominion, and has heretofore been provisionally governed by and pursuant to legislation of the parliament of Canada.

And whereas, it is expedient to establish as a province that part of the said territory hereinafter described, and to make provision for the constitution and administration of such province and for the passing of laws for the peace, order and good government thereof and for its representation in the parliament of Canada.

Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

We make the full recitals to show we have authority to act upon the statute of 1871; to recite the latter statute only would not show how we come to have the power to act upon it. We, also put in the