

free from doubt, and I may add that the Government of the North-west Territories entertain a very strong opinion in the opposite direction, I thought it better not to have any conflict in regard to this matter, and the Government of the North-west Territories agreed with me on the subject, and when Mr. Haultain was here some time ago, it was arranged between us that no permit for taking liquor into the Yukon district should be issued except such as would be without any objection whatever, such cases as application made for taking in a few gallons for private use, in respect of which I thought it was perfectly proper to allow him to exercise his own discretion, and therefore in the meantime any such permit has been issued by the Lieutenant-Governor on the advice of the Executive Council. It was part of the understanding that no permit should be issued for liquor that could be made use of in a commercial way. The effect of the understanding is that the matter remains in abeyance until the Act relating to the government of the Yukon district, which the Government are about introducing, receives the royal assent, and the matter will there be dealt with and removed from doubt. I may say that the arrangement between the Government of the North-west Territories and the Government here is perfectly harmonious, and Mr. Haultain and myself both agreed that the arrangement suggested was the best one in order to avoid dispute.

Sir CHARLES HIBBERT TUPPER. I have not looked sufficiently into the question as to warrant me in giving any opinion as to the technical interpretation of the legislation in regard to that question. But my recollection is, that the understanding last session was, when the Act relating to the government of the Territories passed through the House, that the Governor in Council was to have complete control, and that if there was authority, as the hon. gentleman has suggested, over the Governor by this Government, it was 'casus omissus.'

The MINISTER OF THE INTERIOR. I take the same view myself, and if I were compelled to assert a view, I would assert that view. If I were compelled to act in hostility to the other Government, I would take that view and insist that it was correct; but I would prefer not to be forced into that position.

Sir CHARLES HIBBERT TUPPER. This is the observation I have reference to and it confirms the statement made by the hon. gentleman, that it was his intention to give the same powers to the Governor in Council as are exercised in any province. At column 4110 of the Debates of 1897, I find the following:—

On section 2,

2. The paragraph lettered (c) of section 2 of the said Act is hereby repealed, and the following substituted therefor:—

Mr. SIFTON.

"(c) The expression 'Lieutenant-Governor in Council' means the Lieutenant-Governor of the Territories, by and with the consent of the Executive Council of the Territories, or in conjunction with the Executive Council of the Territories, as the case may be."

Mr. FOSTER. What is the difference?

The MINISTER OF THE INTERIOR (Mr. Sifton). We are simply bringing the definition of Lieutenant-Governor in Council in the Territories into line with the definition of Lieutenant-Governor in Council in the provinces.

Sir CHARLES TUPPER. You are taking away the personal action of the Lieutenant-Governor and making him act with his Council.

The MINISTER OF THE INTERIOR. Yes.

So that was the intention. My object is to suggest to the Minister of the Interior that this would be an opportunity, in connection with this Bill, to remove all doubt and to settle that question, and settle it on the line which I understand, according to the arrangement between the Federal Government and the Government of the North-west Territories, on which they are jointly acting. It seems to me opportune to deal with the subject.

The MINISTER OF THE INTERIOR. That is worth considering. I shall ask that the committee have leave to sit again, so that I can think it over.

Sir CHARLES HIBBERT TUPPER. Very well.

Mr. DAVIN. This clause of course emphasizes the fact that in regard to the Yukon, in the opinion of the Minister of the Interior, the Dominion Government had the authority to advise the Lieutenant-Governor, and the Minister will remember that on several occasions when we asked him as to who gave authority to have liquor taken into the Yukon, in regard to thousands of gallons, the Minister replied: that it was the Lieutenant-Governor; but ultimately, in answer to a question put by myself, asking who told the Lieutenant-Governor to give authority, it turned out that the authority came from the Minister of the Interior.

The MINISTER OF THE INTERIOR. I thought the hon. gentleman (Mr. Davin) knew that all the time.

Mr. DAVIN. I probably suspected it.

The MINISTER OF THE INTERIOR. I thought the hon. gentleman (Mr. Davin) knew that as a matter of course, because before I took office an arrangement had been made between the Lieutenant-Governor of the North-west Territories and the former Minister of the Interior, under which arrangement it was settled, that no permits should be issued for the taking of liquor into the Yukon except upon the authority of the Department of the Interior. That fact was quite notorious and I think everybody else in Canada knew it, because I got, I sup-