

Athabaska. The finest land and most important part of the North-West is on a line drawn say from Regina through Edmonton and the Peace and Athabaska River districts, which will probably be the Railway route of the future, going through Yellow Head Pass. What I wish to impress upon the Government now is that it is exceedingly desirable that they should take into consideration the peculiar interests to be developed in this district, and the claims of North Alberta when appointing Senators for the North-West.

HON. MR. KAULBACH—My hon. friend has rather diverted us from the discussion of the subject before the House. I agree with the hon. gentleman from Halifax and the hon. gentleman from Amherst, that the bill as it stands is not sufficient to bring the senators to be appointed for the North West under the operation of the British North America Act. It is contended very forcibly by the hon. gentleman from Amherst that in order to prevent any doubt as regards the other provisions—the age, qualification and disqualification of members that may hereafter arise, it would be better to put it beyond all question by adopting the suggestion that has been made.

HON. MR. POWER—I wish to call the attention of the leader of the House to two or three facts in connection with this bill, to which, perhaps, he has not directed his attention particularly. The hon. gentleman will see that the provisions in the British North America Act do not contemplate the appointment of any senators from territories or from the North-West. All the provisions contained in the sections from twenty-one down to thirty-six refer to a Senate composed of seventy-two members which may be increased to a number not exceeding 78, which Senate shall be divided into three divisions, representing Ontario, Quebec and the Maritime Provinces. Then there is a provision that should Newfoundland and Prince Edward Island come into the Confederation they shall be considered as forming part of the Maritime Provinces; but the Act does not contemplate any North-West Senators. Of

course one may be told that the 146th section does contemplate the admission of other colonies and the appointment of Senators to represent those colonies. The 146th section provides that the Queen may, with the advice of Her Majesty's Most Honorable Privy Council, on addresses from the Houses of the Parliament of Canada and from the Houses of the respective Legislatures of the Colonies, the Provinces of Newfoundland, Prince Edward Island and British Columbia, admit those Colonies or Provinces, or any of them, into the Union, "and on address from the Houses of the Parliament of Canada to admit Rupert's Land and the North-West Territories, or either of them, into the Union on such terms and conditions, in each case as are in the addresses expressed and as the Queen thinks fit to approve, subject to the provisions of this Act." I do not think that in the Address under which the North-West Territories and Rupert's Land came into Canada there was any provision as to the Senate. I may be mistaken, but I do not think so, in saying that 'the British North America Act does not seem to make any express provision which refers to any Senators from the North-West, and does not contemplate the appointment of Senators from that part of the country. Then, as I understand it, the only other Imperial enactment which bears directly upon this question is Cap. 28 in the Imperial Act, 34 and 35 Vic., passed on the 29th June, 1871. The second section of that Act says :

"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."

I think a reasonable interpretation of that section would be that the Parliament of Canada, if it were admitting those territories as Provinces, would have the right to provide as the Parliament of Canada pleases for the representation of the new provinces both in the House of Commons and in the Senate. That is