

of so-called constitutional law which we have had laid down in this House by the hon. the leader of the opposition (Mr. R. L. Borden), and the hon. member for the city and county of St. John (Mr. Stockton). I need not follow their enumeration of the benefits which they say this government has bestowed with so lavish a hand on the Grand Trunk Pacific. If it were necessary to discuss at this time or in this place the terms of the arrangement made by this government with that company for the building of the new transcontinental line, there would be but little difficulty, on this side at all events, in discussing that question with pleasure and no doubt with profit as well. But the people of this country, more than two years ago, gave judgment on that matter; and I am glad to say it is one regarding which no one on this side stood in any degree upon the defensive but in which we were able to go to the country and say to the people that if there were no other act of this government on which we could appeal to public opinion, that alone was sufficient to entitle us to a renewal of the peoples' confidence at the polls. I am not concerned either with any discussion of the merits or demerits of the land transaction which has been entered into by the provincial government of British Columbia, now on trial before its people. I am here desiring simply to say a few words regarding the order in council which has been made the peg upon which to hang this political attack. Let me in the first place ask what possible foundation there is to be found in it for the efforts made by the leader of the opposition to describe it as a grave breach of constitutional usage and procedure and as an offer of advice to the Lieutenant Governor of that province by others than his own constitutional advisers. What suggestion of advice was there in it from beginning to end? Let me ask you to refer for a moment to the position in which this government stands with regard to Indian lands. Indian lands are held by the Crown in right of the Dominion as the guardians of the Indians for whose benefit those lands are held. The province is interested in those lands only in this sense, if at all, that if, at any far distant future time, the whole band of Indians—every individual soul—for whose benefit those lands were held, should become extinct, then the lands, having no owner, in respect of whom a trust would exist, might be said to revert to the Crown in right of the province.

Let one consider what interest, and to what extent, such a situation gives to the provincial authorities any interest in such lands. We know well enough the interest that the landlord has in real estate which he may lease for a given term of years. Even though that term of years be a comparatively long one—even a term of ninety-nine years—there remains at the expiration

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of that term a certain interest on the part of the landlord or owner when the term ends and the lands revert to him. And, indeed, we have seen in recent years in the old country one of the most notable instances of the stability of British institutions, in the extraordinary circumstance that a lease for 999 years, a lease given in the reign of King Alfred, had fallen in, and actually the land had at last, after a thousand years of holding by the tenants, reverted to the heirs of the original owner. We can understand, then, how, even though there may be carved out of an estate in full ownership a tenancy of even so long a period as 999 years, there would be the possible future interest remaining in reversion to those who might inherit it. But, in this case, it is not ownership of a reversionary character dependent upon anything terminable in a thousand years, or two thousand years, or, for that matter, it might be ten thousand years; it is only the remote possibility, the unexpected and almost incredible contingency that at some future time in the world's history a day might arrive when it would be possible to demonstrate that there was not a single surviving Indian who could inherit any interest in these lands. If that distant and unlikely event ever should happen, if it could be demonstrated to have occurred, then, and then only, would there be a provincial interest in reversion in the lands in question. And it is actually that position of things which has been described by the honourable and honoured representative of the city and county of St. John (Mr. Stockton)—who, unfortunately, is not in his seat at present—as giving to the province the 'ownership of' these lands. Some may be able to imagine a better and more startling instance of gross exaggeration. I confess it is something that I am not able to do. This land, the hon. gentleman said, 'belonged' to the province. And the Dominion, according to the hon. member for North Toronto (Mr. Foster), by this order in council, practically, 'commands' the government of British Columbia to dispose of its own property to this pet of the Dominion government, the Grand Trunk Pacific Railway Company. So far from that being the situation, the position in regard to these lands was such as I have described. It was as if a landlord and tenant owning a parcel of land—the tenant for a certain time and the landlord in reversion all that was left—the proposition was made to the tenant that he should sell, and he should say to the landlord: I can get a better price, under these circumstances, for the benefit of the people who ought to be considered the common objects for charity and for the concern of both the partial owners, if you will join me in conveying. If it were a matter of individuals each owning an interest of the kind I have described, the most ordinary business proposition would be on the part of