

AUTONOMY, PROVINCIAL, IN THE NORTH-WEST—*Con.*

*Fitzpatrick, Hon. Charles* (Minister of Justice)  
—*Con.*

in violation of that bargain, hand the lands over to these provinces?—5950. No—5952. That principle was applied which we are now acting upon—5953. I contend that it is *intra vires*—5954. It should be 'or properties.' I have corrected it—5955. The only part that has any effect is in respect to the exceptional tax—5956. According to the terms of the surrender they would appear to be lords and proprietors—5958. That was not provided for in the section originally introduced—5959. This is merely intended to hand over to the province all the jurisdiction we have in reference to those lands—5960. There is not a single province in this Dominion to-day which can exclusively make laws in relation to education—5983. The meaning of this section was expressed in the earlier school ordinances—5984. And a separate school district can be established only in an existing public school district—5985. We might take that up to-morrow, and in the meantime go on with clause 20—5986. As we have decided to retain the control of the lands, it seemed unnecessary to consider the matter—5987. We might perhaps discuss the general principle—5988. If Sproule will look at Sessional Paper 97, on page 3, he will find there the information he requires—6005. Outside of the original States—6013. Moved that the following be substituted in lieu of section 22—6049. No, it is not there—6050. If we did not enact the clause we should be guilty of a violation of every canon of decency—6060. That contract, in my opinion, created a solemn obligation on the part of the Crown—6061. This is the opinion of a distinguished judge of the Supreme Court on this very point—6062. Constitutionally we bound ourselves to observe this provision in the contract with the C. P. R.—6066. Make provision for becoming provinces; you will have to have something new then—6068. I drew the clause myself, and I consulted the C. P. R. with reference to it—6071. All we are doing now is to give effect to what parliament had in contemplation at that time—6072. Maclean appears to be in entire ignorance of the things that have been going on during recent sessions—6081. I think you might weep a little for those who have to listen to this—6082. I have concluded to substitute a new provision—6083. They must have a registered office in the province so that where the registered or head office is, will determine the jurisdiction—6084. These societies will immediately come under the jurisdiction of the Governor in Council—6101. Possibly to-morrow we might take up some other measures—6102. The population according to the census of 1861—6087. 250,000 and the maximum was 1,396,091—6088.

Not in my statement, but in my speech; I argued in my speech that section 2 made section 93 applicable—7113. The result is to bring them under the restriction of section 93—7114. I look upon it as the

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statement of a public officer—7119. Had hoped that after consideration all the lawyers in the House would have been at one—7121. Quotes Haultain's statement from the 'Mail and Empire'—7122. The effect would be to apply section 93 of the B. N. A. Act to the new provinces—7123. At the time a territory came in as a province, that is what the words would mean—7124. Quotes Sir John Thompson on the ordinance of 1888—7125-6. The original clause was intended to secure to the minority all the rights they had by law—7127. After the district is erected the board of trustees shall possess and exercise all rights, &c.—7128. The ordinances of 1887 and 1888 abridge the rights of Catholics so as to give the minority rights to a separate school, and not provide for the majority—7129. That is what I argued for about ten minutes—7130. Where the Roman Catholic minority in the Territories happens to be a majority, they have no rights—7132. I think that is the meaning put upon it by the ordinance of 1884—7133. In what respect did the omission of the first words abridge the right of the minority?—7134. The first section would give to the minority all the rights they now have—7135-6. The right of a minority to have a separate school in a district is contingent—7137. Quotes Blake in introducing the clause in 1875—7139. They had all these rights in 1875—7140.

Took as a basis of the whole Northwest Territories the census of 1901—7739. And adding homestead and other entries—7740.

School information is already included in the return—8090. I know absolutely nothing of what has occurred—8091. Of course not—8092. Special figures for Edmonton and Calgary—8095. That does not include Indian schools—8096.

That is it—8150. It recasts the boundary line, taking from each and adding to each—8151. Ingram will find all the information in 'Hansard'—8153. Gleichen, Rosebud, Innisfail and Red Deer will have to stand—8154-5. Population of Lacombe and Ponoka—8156. Should be 'Stoney,' not 'Stony' Plain—8157. Has to confess absolute ignorance with regard to this redistribution—8158. Tempted to make an announcement to Hughes—8160. Will pass by Olivette to-night and take Beaver Hills—8161. The population quotation includes the Indians—8162. A question not solved satisfactorily to all—8163. Four constituencies not disposed of—8166. Moves the adoption of the schedule as a whole—8167. Might take up Saskatchewan by consent—8168. Moves that words objected to by the Hudson Bay Company be struck out—8169. Gives notice of an amendment—8170. Cannot dispose of section 2 until we dispose of section 16—8171. My intention is to keep the mines, minerals and royalties vested in the Dominion—8172. Better set the details at rest on one side or another—8173. Take