

ing seems to be pretty general. Where differences of opinions come in is when the various provisions of the Bill are under consideration.

I am not concerned with the financial allowances made to each of the new provinces, except in this particular, that it appears to me to be the acknowledgment of the principle that the public lands, although their administration is to remain in the federal authority, still are an asset of the provinces.

Indeed, the financial allowances made to these provinces exceed the allowances made to the other provinces, and the ground upon which these provisions are justified is the fact that while the old provinces are in possession of the public lands, and enjoy thereby a large revenue, the new provinces are deprived of such possession and revenue. It is according to my humble views, a sound policy. In the Confederation Act the principle is laid down of the ownership of the public lands by the provinces. If, in certain cases, circumstances were such that this principle could not be carried on to its full extent, we must, however, adhere to the principle and dispose of those lands for the benefit of the provinces where they are situated. It is simply a trust that we must administer, in all good faith and in the spirit of the constitution.

This brings me to the question whether the Dominion should in the present case turn over or not the public lands to the new provinces created by these Bills. In my opinion, the government has taken the proper course in retaining the administration of these lands.

The title of the Dominion in those lands is a combination of two elements. First, of ownership, and second, of a trust. For, if the government of Canada can claim that they have bought these lands, and, consequently are the owners of the same, still they cannot assimilate such an ownership to that of the rancher on his cattle. The government owns for the benefit of the nation or for a section of the people. In this instance, the government owns the lands for the benefit of the provinces where such lands are situated. That is the way that these lands form, as I have stated a moment ago, a trust in the hands of the federal government. On the other hand, it is said

with truthfulness that the whole Dominion has contributed to the indemnity that was paid for the acquisition of those Territories, and consequently that trust is so held by the government not only for the provinces, but for the whole Dominion. Then, the primary object which the federal government must have in view in the disposition of those lands must be, no doubt, the advantage of the province, but it is easy to conceive that in many instances the welfare of the whole Dominion may be involved in the administration of that trust. Then again it follows that the central power has a pre-eminent interest in keeping the trust in its original form. Apart from that, it is in the nature of a trust that it be maintained in the form it was originally created until it is determined. True it might be said that the power that creates the trust could have it determined or could alter its conditions. But then it becomes a matter of policy. It seems to me that the policy adopted by Sir John A. Macdonald still holds good. Sir John A. Macdonald justified his policy by the following statement. It will be found in an Order in Council of the 30th May, 1884:

The success of the undertakings by the Dominion government in and for the Northwest depends largely upon the settlement of the lands. Combined with a great expenditure in organizing and maintaining an immigration service aboard and at home, parliament pledged its faith to the world that a large portion of those lands should be set apart for free homesteads to all coming settlers, and another portion to be held in trust for the education of their children. No transfer could, therefore, be made, without exacting from the province the most ample securities that this pledged policy shall be maintained: hence in so far as the free lands extend there would be no monetary advantage to the province, whilst a transfer would most assuredly seriously embarrass all the costly immigration operations which the Dominion government is making mainly in behalf of Manitoba and the Territories.

The great attraction which the Canadian government now offers, the impressive fact to the mind of the men contemplating immigration is that a well-known and recognized government holds unfettered in its own hand the lands which it offers free, and that that government has its agencies and organizations for directing, receiving, transporting and placing the immigrant upon the homestead which he may select. And if the immigration operations of the Dominion, which involve so large a cost, are to have continued success and to be of advantage to Manitoba and the Northwest Territories, your sub-committee deem it to be of the utmost importance that the Dominion government shall retain and control the lands which it has proclaimed free to all comers. Were there other considerations of sufficient force to induce them