

provision in the act is not unfair and does not seriously impair the argument that we should have representation by population.

What are the minority rights guaranteed in the act? Is one of these rights that the basis of representation shall be along the present lines? I think not. The minority rights written into the British North America Act are surely the religious, educational and certain other rights of a minority. We are in no way interfering with those rights. Let us bear in mind that there were three provinces which entered confederation: Canada—United Upper and Lower, subsequently called Quebec and Ontario—Nova Scotia, and New Brunswick. In the long agitation, from 1840 up to 1858 and beyond, while confederation was being discussed, the argument was that there should be adopted a basis of representation by population. That was the incentive in the minds of many of the fathers of confederation, especially George Brown. We are now endeavouring to carry out the principle of representation by population. Why was sixty-five adopted by the province of Quebec as the basis of representation? Surely merely as a convenient yardstick. That was all.

Mr. REID: It has worked out fairly well, though.

Mr. COLDWELL: It has worked out fairly well, but we find in these days, owing to the evolution of our constitution, it is not working out as well as it might have worked out. Consequently it is now suggested to do what the fathers of confederation intended we should do, have a parliament based more nearly on representation by population. The maritime provinces—and I am not complaining about this—are safeguarding their representation. But the present redistribution, if carried out on the old basis, would be, as I have said, unfair to the western provinces, and as we see from the resolution and its preamble, it is now designed to rectify that wrong.

There is something else I should like to say. There were three conferences which led up to confederation: Charlottetown, Quebec and London. When the fathers of confederation or a delegation of them went to London, did they go there bound by all that was laid down at Charlottetown and Quebec? They did not. In London a number of changes and adjustments were made to the resolutions which had been adopted with the approval of the various provinces, indicating clearly that, having come to a basis of agreement, that agreement in detail might be varied outside Canada and apart from consultation with

[Mr. Coldwell.]

the home provinces. That was the situation in London, and adjustments were made there. So I say that the contention that the provinces should be consulted in matters which lie within the competence of Parliament is a new contention. As I indicated earlier, the House of Commons committee which was set up in 1915 received representations from only one province; no other province thought it worth while even to appeal against what was a fundamental change in the basis of representation in the senate.

My hon. friend quoted to-day from Sir Robert Borden. As a matter of fact I happened to run across the same speech, but if I read it aright it confirms the position I am taking and does not confirm the position which my hon. friend takes. I may quote a little more extensively from it. This is what Sir Robert Borden had to say in introducing the resolution, the preamble of which I read in part: *Hansard*, 1914, page 5278:

So far as the provinces of Alberta and Saskatchewan are concerned, we are agreed on both sides of the house that the parliament of Canada has the constitutional power to increase the representation of the senate of each of those provinces from four to six as is proposed.

"We are agreed on both sides of the house"—and no one demurred—that the parliament of Canada had the right to vary the representation in the senate; in other words, that this parliament had a right to change the constitution in the very particulars which we are discussing to-day. That is what Sir Robert Borden said.

Mr. BROOKS: But not as far as the British North America Act is concerned.

Mr. COLDWELL: No. It is true that as far as Manitoba and British Columbia were concerned they were on a different footing. As far as Alberta and Saskatchewan were concerned this parliament had the right to vary that representation. They did more than that. If you will read the amendment of 1915, as I imagine most hon. members have done, you will find that parliament not only settled the representation in the senate of the provinces which then existed in Canada, but went farther and actually provided for representation in the senate of a new province which might come into Canada, specifically mentioning Newfoundland, and laying it down that in the event of admission to the union Newfoundland would have an additional six members of the upper house. I do not think those who argue as my hon. friend argues have, in the light of what has been done, a leg to stand on. The whole history of this country since confederation surely points to the fact