

I had thought that such statements as those were things of the past and would not be repeated. I had thought that the action of this country in 1896 had well answered these questions, but apparently they live to be repeated by hon. gentlemen in this House, and just so long as I have the honour of having a seat in the House I shall be prepared on every occasion to refute such charges. So far as my own position is concerned I feel that no remarks which I make to-day will lead any hon. gentleman to place the charge at my door that I am seeking political preferment from the leader of either political party, because, Sir, I am forced to the conclusion—and I speak most diffidently and respectfully, because I recognize the position of these two hon. gentlemen in the country—but I am forced to differ from them both in the conclusion to which I have come. The reason why I differ from them both is that I make bold to say that the policy of the leader of the opposition (Mr. R. L. Borden) if carried to its ultimate conclusion will be found to be practically in accord with the policy of the leader of the government. It is perhaps difficult at present to realize that, but I hope before I conclude to be able to demonstrate it. I do hope, and I say it with all sincerity, that no remarks which I make on this occasion will have the effect of inflaming an already too much inflamed country upon this question which can surely be discussed without a display of passion, and without a raising of sectarian cries. It ought to be, in my humble judgment, a question of policy; policies should be enunciated by the two parties in this House, but apparently it is being dealt with in quite a different way. Charges are thrown across the House of inflaming public opinion and raising cries of race and religion. It is impossible to prevent that so long as hon. gentlemen behave as they are doing and as they have done in the past.

By reason of the remarks to which I have referred, it becomes necessary—at least I deem it necessary and incumbent upon me in the discharge of my duty—to review briefly the past history of the political parties on this and similar questions. In the first place we have the British North America Act passed by the Imperial House in 1867. Although that Act has been quoted many times I am going to again read section 93:—

In and for each province the legislature may exclusively make laws in relation to education, subject and according to the following provision:—

1. Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the union.

The enactment of that provision was preceded by what is alleged to be a compact

Mr. L. G. McCARTHY.

founded upon resolutions passed at conferences which took place at Quebec and elsewhere. It was passed by the assent and with the consent of all parties, of all creeds and of all nationalities in the country at that time. The compact has been referred to very many times in this debate. It also was referred to very many times during the discussion on the Manitoba school question. In order that the hon. gentleman may see how difficult it is to rely upon the construction of such a contract, and in order to show the elasticity of that compact I desire to quote the words of the hon. member for North Toronto (Mr. Foster) when speaking as Minister of Finance in 1896 in regard to that contract and again when speaking in 1905.

In 1896 he spoke as follows:

Arising out of long years of sectarian and religious strife under United Canada, and convictions in reference to this matter became gradually modified, and when the representatives of the four provinces came together at Quebec to take up, discuss and settle articles of confederation these convictions rapidly and definitely revolved themselves into the determination that it should be laid down in the constitution of the country that whatever rights and privileges religious minorities had in the provinces at the time of confederation should maintain their status quo and should not be changed, and so the first paragraph of the educational clauses of the confederation resolutions gave by general consent to the provinces the power to deal with respect to education.

Saving rights and privileges which Catholic or Protestant minorities in both Canadas may possess as to their denominational schools at the time when the union goes into operation.

These are the words I particularly emphasize:

The only change that took place in that clause was this, that instead of its being confined to both Canadas, it was brought into to include the provinces which entered confederation.

In other words at that time the hon. member for North Toronto contended that the compact applied to all the provinces. He spoke nine years later, almost to the day, and, describing the compact, he used these words:

But those wise men sitting there in Quebec city said: Here is Ontario and here is Quebec: we have separate schools for Catholics in Ontario and for Protestants in Quebec, and the suggestion was made by Mr. McGee to this effect: Yes, we will do that but we will simply put this rider on it, save and except as to the interests of the two Canadas. That is all that was done at Quebec. That is all to the very letter, and that was passed by the legislature of Upper and Lower Canada. There were present representatives from the maritime provinces and also the representatives from these two provinces of Upper and Lower Canada. That was their compact, and that was all of it. But that gave no right for anybody to say that because they saved by that compact the rights of the minorities in those