

Mr. BENNETT: He even disfranchised civil servants.

Mr. CAHAN: Amendments to the constitution are not matters that can be dealt with so frivolously as amendments to or changes in municipal regulations with regard to the imposition of a dog tax or something of the sort. One of the younger members of this house stated, as reported the other day, that the British North America Act was hurried in its preparation of two or three weeks. I suggest to him that he study more carefully the history of the French and British communities that settled north of the forty-ninth parallel. The germs of the confederation idea came from the sixty thousand men of the French race and of the Catholic religion who were left practically deserted when the naval and military and civil authorities of France evacuated Quebec and Montreal, and left those people under the guidance of their clergy to work out their own destiny on the banks of the St. Lawrence river. The germs of the confederation idea were in the minds of the tens of thousands of men who left the New England states, and especially the state of New York, and came down and settled in western Nova Scotia, which then comprised the shores of New Brunswick to the Maine border, and there attempted to work out their own destiny as British subjects, enjoying, as they hoped to do, the liberties and privileges which appertain to British citizenship. I know something about that. I cannot give this as a fact but I know that in my early days it was stated in western Nova Scotia, where I was born, that so many people came to Nova Scotia and settled there as a result of the war of revolution in the United States that at the close of that revolutionary war there were more graduates of Harvard university settled in Nova Scotia than in all other parts of the world—men of education and men of culture who assisted with the other immigrants from the United Kingdom—and from Germany even; because the German settlers of Lunenburg were among the best—in working out the constitutional reforms which give full liberty and parliamentary privileges to colonials of British citizenship.

I do not know so very much about Ontario, but I do know this, that after the battle of Culloden the followers of Bonnie Prince Charlie under Flora Macdonald left by thousands and settled in northern Carolina, forming there new Scotch settlements. At the outbreak of the war which we call the revolutionary war they enlisted in hundreds and thousands in the ranks of the British, and when finally New York fell, those men with their families, Scotsmen who had fought in favour

of the Stuarts, Scotsmen who had fought against the British crown in their day, came with their oxen and with their teams, and others by boats up the Hudson river, across the frontier, and established the Scotch settlements at Glengarry, Cornwall, Argenteuil and along the banks of the Ottawa river, and attempted, as they did successfully, to re-establish for themselves homes under British sovereignty. These men brought with them the ideas which germinated and found expression in the British North America Act, that act representing an expression of the profoundest emotions of these people and of others who had been born and bred in this country, all of whom agreed, irrespective of their political affiliations, to unite to carry the confederation program to success. And entertaining those ideas—because I have lived for a certain time of my life among men who would rather fight and die than see any changes made in the British North America Act which they regarded as contrary to their best traditions and their best aspirations—I look upon that act, I look upon the constitution of Canada as something that should not be amended frivolously or without impartial and anxious investigation and study.

The program which we are initiating on this occasion is, I think, to be regretted because the adoption of this address will reaffirm the past procedure by which amendments to the British North America Act of 1867 may be procured from the parliament of the united kingdom, upon an address from the parliament of Canada alone, and without any express acquiescence or consent on the part of the legislatures or governments of the several provinces of Canada. All the prolonged discussions which we have had during the years with regard to new arrangements for amending the constitution of Canada by the acquiescence and consent of minorities and by the acquiescence and consent of the several provinces are now abandoned so far as this amendment is concerned, and we reaffirm the procedure adopted in times past, and always accepted by the parliament of the united kingdom in times past, that amendments to the British North America Act are made and will continue to be made on an address from the parliament of Canada alone. To proceed in this manner is establishing, in view of recent discussions of, a very unfortunate precedent.

The Minister of Justice has said that there has been so much doubt as to the legislative authority of the provinces in respect to taxation that the legislation suggested in the first part of this address should be passed to remove those doubts. I suggest that we have reached