

before it goes through all the courts, where they will make confusion worse confounded—more particularly if it goes through the Privy Council—and when it comes back we will consider what ought to be done.” Yet that is the case to-day. Do you consider it at all consistent with what is proper, or the construction which ought to be put on the Manitoba Act? There are living witnesses—one or two in this chamber now, at all events—who are cognizant with all the circumstances that attended the passage of that legislation in 1871. They knew that they were voting to decide whether separate schools should be given to Manitoba or not. Some were of opinion that they should be given, others that they should not, and finally, after discussing the question in plain, simple language, and conceding that if the clause were not struck out the effect would be that the provincial government never afterwards could interfere with or disturb the act, the legislation passed through Parliament. One of the most distinguished legislators of the day, the Hon. Wm. Macdougall, then a member of the House, and who had been one of those who attended the conference at Quebec and at London drafting the British North America Act in which a similar clause occurs, said to the House of Commons on that occasion: “If you pass the Act in that shape and do not accept the amendment to strike out that clause, the effect will be that for all time to come the provincial legislature of Manitoba will be powerless to disturb by one iota the rights that the minority now enjoy.” We have not to go back to history for these facts. The men are alive to-day who not only listened to the debate but drew up the clauses, and to their honour be it spoken, the majority of the Protestant members of Canada—wholly excluding the province of Quebec—a majority of the Protestants of this country said: “It is only fair, and it is part of the conditions under which the province of Assiniboia is coming into the confederation, that this concession should be made.” They did not hesitate to say so, and by a large majority, exclusive of the Roman Catholics, voted in Parliament that it would tend to greater harmony and friendship and happiness in that country if the same rights that were conceded to the minority in Quebec and the minority in Ontario were granted to the Roman Catholics in Manitoba. In view of these facts, does it not seem extraordinary that at the end of five years—yes,

more than five—we are still debating most tenderly and delicately, fearful that we may trespass on somebody’s prejudices, whether we shall carry out what we solemnly agreed to do among ourselves in 1871. That educational Act which was repealed by the legislation of 1890, was passed in Manitoba at either the first or second session after the province entered the union, and was on the lines of the Act as we understood it in 1871, and not as they claimed to understand it twenty years later. Who were the men who were right? The men who interpreted the Act when it was passed originally, or the men who are discussing it to-day? Did we undertake to deceive the people of Manitoba when we gave them a writing saying that we undertook to carry out this, but in our own minds and hearts declared that when we should be powerful and strong enough in Manitoba, and the Roman Catholics should be a weak minority, we would take from them those privileges which we conceded by the Act of 1871? No man who values the honour and dignity of his country ought to hesitate for a moment in appreciating the true position of the question. It is this unfortunate attempt to trench upon the rights of the minority that has caused all the trouble. I say there are no provincial rights when the rights of the minority are at stake. It would be absurd to propose in the province of Quebec to take away from the dissentients the rights that they enjoy, and to say “let the minority go to the courts, and five or ten years hereafter they will probably be able to convince the majority that they are right and the legislature is wrong.” Is that what honourable people should propose, or tolerate, or permit? I think this subject ought not to be viewed from a political standpoint. I make no adverse criticisms on the line which those gentlemen took who advised the course that was taken in 1890. I believe myself it was not thought that any tribunal would be formed that would take any other view than the one that the people of Canada then understood, and that was the reason that it was allowed to go. Of course, had it been for a moment assumed that the question would go before a tribunal that did not understand our constitution or did not seem to take the trouble to become familiar with the subject, it never would have been permitted to remain in doubt. It has been very unfortunate because it is