

point, yet who are in agreement with them on this point, that we have no right to disallow this Act? Then, I say, is there not sufficient ground to establish the only proposition I care to establish, that there is some doubt about it? Then, I say, if it is a doubtful right, we should not face the certain consequences, the disastrous consequences of disallowance. Now, Mr. Speaker, we have in the records in this Parliament a closely parallel case to this, and in many respects a stronger case than this, in which Parliament has recorded its deliberate opinion; I refer to the New Brunswick school question, which was precipitated upon Parliament within the memory of those of us who were members of the first Parliament of Canada, precipitated upon us at a very inconvenient period, just on the eve of the general elections of 1872, a question which raised discussions of a most alarming character, and which created a degree of anxiety in the minds of every member of the House, which has never been equalled in the 21 years of my experience in Parliament. At that time a Catholic minority of one of the Provinces of this Dominion came before Parliament, not with any abstract proposition, but with a clear and positive grievance. They made out a case which aroused the sympathies of Parliament to an extent that I have never seen them aroused before. There was not in Parliament, as the records will show, an individual member of this House, on either side, Protestant or Catholic, or of any nationality, or from any Province, who did not record his vote of censure against the authorities of New Brunswick by an expression of regret and a hope that the causes of discontent would be removed—I say not a single member of the House who did not record his vote in that sense except those who wanted to go further and give a positive remedy. The Catholic minority of New Brunswick came to us and said: "Before Confederation we had the right of enjoying our own separate schools; we were receiving Government assistance in support of our own schools; we were not compelled to send our children to the schools or to assist in maintaining the schools, which we thought dangerous to the morality and the religion of our pupils; we enjoyed that right long before Confederation; Government assisted those schools; we built the schoolhouses at our own expense, the Government made appropriations for the support of those schools; we had, in fact enjoyed a system of separate schools for many years before Confederation, and from Confederation up the year 1871, when, contrary to the determined opposition of the Catholic minority, composing two-fifths of the population of New Brunswick, contrary to their protestations, the Legislature of New Brunswick, by a vote which was carried in the Upper Chamber by a majority of one, reversed that system, and compelled us to support schools to which we could not send our children, they withdrew all support from the schools which we must sustain as conscientious men;" and they came to this Parliament and asked a remedy. They said to us: "We think this is a case clearly within the 93rd section of the Constitutional Act, and we ask for remedial legislation under the 4th sub-section or for disallowance; but if you are unwilling to apply either of these remedies, then we ask that you will memorialise the Imperial Parliament to revise the Constitution and place us where we ought to have been, place us where we supposed we were at the time of Confederation, place us as the minorities in Ontario and Quebec are placed in respect to separate schools, we care not what remedy you apply, but relieve us from the situation. Those different propositions were brought before the House, and every one of them was refused. We refused to disallow the Act. Why? Not because we did not believe that if fairness and equity alone were to prevail it ought to be disallowed; but because we had a doubt as to the right to exercise that veto. The Minister of Justice of the day expressed the opinion that we had no right to disallow it; and an hon. learned gentleman of highest authority in this House at that time, and of highest authority in this House

and in this country on those matters at the present time—I allude to the hon. member for West Durham (Mr. Blake)—expressed himself as having doubts on that question. On the other hand Hon. Mr. Dorion, now Chief Justice of Quebec, Hon. Mr. Fournier, now a judge of the Supreme Court, Hon. Mr. Holton, a high authority on constitutional law, and Hon. Mr. Joly, with thirty-four, voted to censure the Government for not having disallowed the Act. Parliament deliberately recorded its doubts by adopting the Mackenzie amendment, which asked the advice of the Judicial Committee of the Privy Council on that question. We felt it was a case where a remedy should be applied to remove an existing grievance, but we doubted our right to apply that remedy, and we expressed our doubt by adopting the Mackenzie amendment, and proposing a reference to the Judicial Committee of the Privy Council. We acknowledged the justice of their cause, they were coming to us for relief, the whole of the Catholic portion of the Province was aroused on that question, their clergy and leading men came to us, bringing every influence they could to bear, and yet we refused that remedy to the Catholic minority of the Province of New Brunswick. To-day we are asked, in a case of doubtful authority, to do for the Protestant minority of the Province of Quebec that which we refused to do in a similarly doubtful case for the Catholic minority of New Brunswick. So this House is asked in regard to the Protestant minority in Quebec, which made no strenuous resistance to the passing of the obnoxious Act by the Legislature of that Province, to intervene upon doubtful grounds, while we refused to intervene in behalf of a Catholic minority whose claims we acknowledged to be just claims, who used every influence and power they possessed, who fought the question in the Local Legislature inch by inch and then came here resting on their rights and claiming them and urging them in the most emphatic manner upon us. Now, I think we can hardly be expected to do that. If the former course was the right course, the course now proposed would be a glaringly wrong course. If we will not relieve actual grievances of the most serious character to persons aggrieved and who claimed they were aggrieved, and who begged our intervention, shall we intervene in behalf of those who do not claim, who do not state they have any grievances; shall we step out of our way to do this, to voluntarily do it when our right to do so is doubtful? I do not think, Mr. Speaker, that this House can deliberately come to any conclusion of that kind. When we remember the keen resentment which was expressed by all the organs of Protestant sentiment in New Brunswick because this Parliament had presumed to express regret that discontent existed there, and a hope that the School Act might be so amended as to give reasonable satisfaction to the Catholics of New Brunswick, which was the substance of the amendment which I had the honor to propose at that time, and which Parliament then adopted in order to alleviate the situation; when I say we call to mind the keen resentment with which this mild interference was received by the Protestants of New Brunswick, we may well imagine what an outbreak would occur in Quebec were the Protestant majority in this Parliament to cause the disallowance of an Act which was passed by the unanimous vote of the Legislature of Quebec; that Legislature having acted, as is believed by a majority of the people, within the line of their strict rights. I believe, Sir, that the paramount duty of whatever Government controls the destiny of Canada is to preserve the integrity of the Union within the lines of the Constitution. I believe it is their duty to avoid, so far as they can do it, keeping within the lines of their constitutional duty, every cause of offence to the various Provinces, because any conflict between provincial authority and the central power is pregnant with danger. The Constitution has already stood several severe strains. We have seen, I will not say by whose