

the house. Let me say how the principles of magna carta were there betrayed. Notwithstanding magna carta of 1215, notwithstanding the Bill of Rights of 1689, the Highlanders of Scotland, after the rebellion of '45 and the battle of Drummoissie Moor in April, 1746, were prohibited from wearing their native dress or playing their native music or speaking their native tongue.

An hon. MEMBER: The government has done that too, as far as the kilts are concerned.

Mr. MACKENZIE: Will you listen to the Culloden oath? Probably you have never heard it before but I ask you to listen to it:

I do swear and as I shall answer to God at the great day of judgment, I have not nor shall have in my possession any gun, pistol or arm whatsoever and never use tartan, plaid, nor any part of the Highland garb, and if I do so may I be cursed in my undertakings, family and property. May I never see my wife and children, father, mother or relation. May I be killed in battle as a coward and lie without Christian burial in a strange land far from the graves of my forefathers and kindred—may all this come across me if I break my oath.

Mr. BRYCE: Craigellach.

Mr. MACKENZIE: This is no idle gesture. Here behind me—

An hon. MEMBER: Is a piper.

Mr. MACKENZIE: —is the hon. member for New Westminster (Mr. Reid). There is on record a ruling of the Court of Session in Scotland—in Edinburgh—in the year 1746, which sentenced a Jacobite named Reid to be hanged for carrying a weapon of war in the form of a set of bagpipes.

Mr. REID: Some would like that today.

Mr. MACKENZIE: Of course, times have changed. Under the taxation laws of Great Britain, during the recent war, a purchase tax of 100 per cent was put on bagpipes because the government of the day ruled that it was a musical instrument and not a weapon of war.

And now I wish to leave with the house something which, I may say, is not my own, since I am only expressing opinions I have derived from history. I am being very impartial this afternoon, taking both sides of the argument. But there is something here that my friends of the name of Ross must appreciate. This is the most famous declaration of freedom, in my opinion, and I think I have read most of them in the world. Six years after the battle of Bannockburn it was passed by the Scottish parliament, in 1320, and addressed to His Holiness the Pope. There was a demand made that Robert the Bruce, who was then king, should be removed from

[Mr. Mackenzie.]

the kingship of Scotland. I want to quote the last four lines, and those alone, because I think the hon. member for Lake Centre will greatly enjoy them. The pride and the arrogance which this declaration contained, with the great love of liberty, make a wonderful statement:

If this prince should leave the principles he has so nobly pursued, and consent that we, or our kingdom, be subjected to the king or people of England, we shall immediately endeavour to expel him as our enemy, and as the subverter both of his own and our rights, and will make us a king—

Note that, "will make us a king".

—who will defend our liberties; but long as there shall be but one hundred of us remain alive, we will never subject us to the dominion of the English.

These are the last four lines which are worth remembering:

It is not for glory, riches, or honour, that we fight, but for that liberty which no good man will consent to lose but with his life.

That is the Scottish parliament of 1320.

I come across the seas to the dominions. Professor A. Berriedale Keith, in his "Constitutional Law of the British Dominions", at page 91, says:

True to the British tradition—

Let us remember this.

—the dominion constitutions ignore entirely the question of defining the rights to be enjoyed by subjects.

That is by one of the greatest constitutional writers the world has known. If we look back, sir, we shall recall that the greatest right and privilege which the fathers of confederation sought to protect and preserve was that of remaining British subjects. If we hark back to the debates of 1865 we shall find that the great fear which drew the provinces together was that of being swallowed up in the American republic, notwithstanding its famous bill of rights. John A. Macdonald, whose father was born in my own native county of Sutherland in Scotland, and who was one of the greatest Canadians of all time—

Mr. ROSS (St. Paul's): The hon. member did not make much use of that relationship.

Mr. MACKENZIE: Well, I am a great admirer of him; I could not be more so if I had met him myself. John A. Macdonald said:

If we are not blind to our present position, we must see the hazardous situation in which all the great interests of Canada stand in respect to the United States.

These were the early days.

I am no alarmist. I do not believe in the prospect of immediate war. . . . Still, we can-