

We must not, however, forget that the general government is composed of representatives from all portions of the country—that they would not be likely to commit an unjust act—and that if they did so, they would be met by such a storm of opposition as would sweep them out of their places in a very short time. (Conf. Deb., pp. 236-7.)

Of course these remarks applied to the Protestant schools then, but it is obvious that they must apply also to a Catholic minority, when in any province it happens that the Catholics are in the minority.

Hon. Mr. BOULTON—Will the hon. gentleman allow me to say that the judgment of the Privy Council said that the British North America Act, section 93, subsection 3, relating to education, did not apply to this case.

Hon. Mr. BERNIER—I am sorry to say that I do not think that the interruption of the hon. gentleman applies in this case either, because I am speaking of the general principle which lies at the root of the Confederation Act—its fundamental principle in fact.

Hon. Mr. ANGERS—Does the hon. gentleman from Shell River refer to the last judgment?

Hon. Mr. BOULTON — The British North America Act, which created the confederation you speak of, does not apply to the Manitoba case.

Hon. Mr. BERNIER—It does apply by induction, because by an Imperial statute all the clauses of the Confederation Act which were not inconsistent with the Manitoba Act, were made to apply to Manitoba. I desire to call attention to one of the remarks made by Sir Etienne Taché. You will observe that he says :—

If the lower branch of the legislature were insensate enough and wicked enough to do some flagrant act of injustice.

He does not speak of any constitutional or unconstitutional act. The ground for appeal in all these matters is not really the fact of the Act being constitutional or unconstitutional. It is injustice that opens the door to appeal. We are continually being told, and it is being represented to the people of the Dominion at large that we are always asking for something new and for additional privileges. Now I wish to demonstrate that the first to require that

protection for the minority should be provided for in the constitution were the Protestant people. By the exertions of English Protestants the protection of the minority by the Federal Parliament has become a fundamental principle of the constitution. Without it confederation would never have existed. Sir John Rose and Sir A. T. Galt were in the front rank of those who exacted that principle and who declared that without it the Protestant people would not accede to the proposed new regime. I quote from the speech of Sir John Rose :

Looking at the scheme from the standpoint of an English Protestant in Lower Canada, let me see whether the interests of those of my own race and religion in that section are safely and properly guarded. There are certain points upon which they feel the greatest interest, and with regard to which it is but proper that they should be assured that there are sufficient safe-guards provided for their preservation. Upon these points I desire to put some questions to the government.

He states his questions on the first point and then he goes on :

The second is, whether such safe-guards will be provided for the educational system of the minority in Lower Canada as will be satisfactory to them. Upon these points some apprehensions seem to exist in the minds of the English minority in Lower Canada.

I also quote an utterance made by Sir A. T. Galt :

It must be clear that a measure would not be favourably entertained by the minority in Lower Canada which would place the education of the children and the provision for their schools wholly in the hands of a majority of a different faith. It was clear that in confiding the general subject of education to the local legislature it was absolutely necessary that it should be accompanied by such restrictions as would prevent injustice in any respect from being done. Now, this applied to Lower Canada but it also applied and with equal force to Upper Canada and the other provinces, for in Lower Canada there was a Protestant minority, and in the other provinces a Roman Catholic minority. The same privileges belong to the one of right here as belonged to the other of right elsewhere. There could be no greater injustice to a population, than to compel them to have their children educated in a manner contrary to their own religious belief.

It is well known that the requirements as to legislation which were sought for by the English Protestants for their protection were acceded to. Now the province of Quebec is in one respect in the same position as Manitoba. Indeed all the provinces are on the same footing, and it is an erroneous statement to say that Manitoba is receiving