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THE SENATE DEBATES

FIRST SESSION—TENTH PARLIAMENT

SPEECH

OF THE

HONOURABLE MR. BERNIER

ON

PROVINCE OF ALBERTA AUTONOMY BILL

OTTAWA, FRIDAY, JULY 14, 1905.

Hon. Mr. BERNIER—For five months parliament has been engaged in framing a constitution for two new provinces wishing to become full partners in the confederation. These new provinces are to be carved out of the Territories lying west of Manitoba. Surely this is one of the most important functions of this parliament, and no wonder that the measure now before us has caused here and outside, all through the land, considerable attention and discussion.

Numerous and far-reaching are the problems involved in this proposed action. These new provinces, before very long, will have much to say in the public affairs of the Dominion. Everybody is alive to the rapid settlement of those countries. They will be in the near future, potent factors in politics as well as in the building up of the national wealth. With such a project before our minds our aim must be to give them such a standing in this aggregation of provinces that they be impressed with our wisdom and with our consideration for their present and future wants, so that they may also be desirous of maintaining their partnership with us and their loyalty

to the flag which overshadows our destinies. The prime aspect which confronts us in connection with this measure is the opportunity of creating these new provinces at the present moment. For my part I have no hesitation in saying that their welfare would not have been endangered by postponing this measure for some years. Proper arrangements could have been made by which their present condition could have been improved so as to tide them over without this machinery of provincial life. As a matter of fact, they have at present a political organization which is equivalent to provincial unity. But, at the same time, it cannot be denied that public opinion in the Territories is in favour of this movement. The Territories feel that it is time for them to take their place around the federal board, and have, not only the institutions of a self-governing body, but also the name of provinces in this large Dominion. And under a popular regime such as we have, governments are bound to take notice of public opinion. No fault then, according to my idea, is to be found with the cabinet for bringing in such a measure. This feel-

ing seems to be pretty general. Where differences of opinions come in is when the various provisions of the Bill are under consideration.

I am not concerned with the financial allowances made to each of the new provinces, except in this particular, that it appears to me to be the acknowledgment of the principle that the public lands, although their administration is to remain in the federal authority, still are an asset of the provinces.

Indeed, the financial allowances made to these provinces exceed the allowances made to the other provinces, and the ground upon which these provisions are justified is the fact that while the old provinces are in possession of the public lands, and enjoy thereby a large revenue, the new provinces are deprived of such possession and revenue. It is according to my humble views, a sound policy. In the Confederation Act the principle is laid down of the ownership of the public lands by the provinces. If, in certain cases, circumstances were such that this principle could not be carried on to its full extent, we must, however, adhere to the principle and dispose of those lands for the benefit of the provinces where they are situated. It is simply a trust that we must administer, in all good faith and in the spirit of the constitution.

This brings me to the question whether the Dominion should in the present case turn over or not the public lands to the new provinces created by these Bills. In my opinion, the government has taken the proper course in retaining the administration of these lands.

The title of the Dominion in those lands is a combination of two elements. First, of ownership, and second, of a trust. For, if the government of Canada can claim that they have bought these lands, and, consequently are the owners of the same, still they cannot assimilate such an ownership to that of the rancher on his cattle. The government owns for the benefit of the nation or for a section of the people. In this instance, the government owns the lands for the benefit of the provinces where such lands are situated. That is the way that these lands form, as I have stated a moment ago, a trust in the hands of the federal government. On the other hand, it is said

with truthfulness that the whole Dominion has contributed to the indemnity that was paid for the acquisition of those Territories, and consequently that trust is so held by the government not only for the provinces, but for the whole Dominion. Then, the primary object which the federal government must have in view in the disposition of those lands must be, no doubt, the advantage of the province, but it is easy to conceive that in many instances the welfare of the whole Dominion may be involved in the administration of that trust. Then again it follows that the central power has a pre-eminent interest in keeping the trust in its original form. Apart from that, it is in the nature of a trust that it be maintained in the form it was originally created until it is determined. True it might be said that the power that creates the trust could have it determined or could alter its conditions. But then it becomes a matter of policy. It seems to me that the policy adopted by Sir John A. Macdonald still holds good. Sir John A. Macdonald justified his policy by the following statement. It will be found in an Order in Council of the 30th May, 1884:

The success of the undertakings by the Dominion government in and for the Northwest depends largely upon the settlement of the lands. Combined with a great expenditure in organizing and maintaining an immigration service aboard and at home, parliament pledged its faith to the world that a large portion of those lands should be set apart for free homesteads to all coming settlers, and another portion to be held in trust for the education of their children. No transfer could, therefore, be made, without exacting from the province the most ample securities that this pledged policy shall be maintained: hence in so far as the free lands extend there would be no monetary advantage to the province, whilst a transfer would most assuredly seriously embarrass all the costly immigration operations which the Dominion government is making mainly in behalf of Manitoba and the Territories.

The great attraction which the Canadian government now offers, the impressive fact to the mind of the men contemplating immigration is that a well-known and recognized government holds unfettered in its own hand the lands which it offers free, and that that government has its agencies and organizations for directing, receiving, transporting and placing the immigrant upon the homestead which he may select. And if the immigration operations of the Dominion, which involve so large a cost, are to have continued success and to be of advantage to Manitoba and the Northwest Territories, your sub-committee deem it to be of the utmost importance that the Dominion government shall retain and control the lands which it has proclaimed free to all comers. Were there other considerations of sufficient force to induce them

to recommend their transfer to Manitoba, and as a consequence and by precedent the surrender to the provinces to be created from the Northwest Territory, all the lands within their boundaries, then they would advise that the provinces holding the lands should conduct their own immigration operations at their own expense.

There is a question which I cannot let pass without referring to it; it is the question of how the territories should have been divided and the new provinces mapped out. As to the division and number of provinces, I do not think the present proposition is the best that could be put before us. I think it would have been much better to have removed the present western boundary of Manitoba to a point somewhere near Moosejaw, and then organize the rest, from this point to the Rockies, in one province, thus forming only two provinces, the northern limit of which might have corresponded with the 63rd or 64th degree of latitude north. Manitoba was entitled to that extension of its area. A mere look at the map shows the absurdity, at the present time, of leaving it with its present boundaries, when they are compared with the size of the other provinces. Besides, Manitoba has been the pioneer province of the west; it has opened the way for the creation of other provinces in that far distance; its people have been instrumental in bringing prosperity not only within its limited area, but to the whole western prairies. All this should have inclined the government to satisfy our claims in that respect. And then, as I said, it would have been possible to form only one province with the balance of those territories west of Manitoba as far as the Rockies. The advantage of such an arrangement would have been to reduce considerably the expenses and to simplify the machinery of government. We are too much governed in this country. No doubt, a federal government is the only one possible in Canada, if we want to maintain the unity of British North America. There are in Canada differences of origin, of opinions and of feelings which would not be satisfied otherwise. There must be different provinces. But at the same time we should try, when circumstances and conditions permit it, to lessen that provincialism, so as to leave the people somewhat free from excessive expenses and complicated government machin-

ery. Again, I say, we are too much governed. We have a federal government, we have provincial governments, county councils, local municipal councils, school trustees, and what others; so much so that the people of Canada are continually thrown into spasms on account of elections taking place somewhere. That is not good for the peace and harmony that should prevail amongst us nor for the quietness of mind, necessary to the proper working-up of the prosperity and the building up of the nation. And although the subject is not one to be discussed along with the measure that is now before us, I would like to be permitted to respectfully submit to our friends of the maritime provinces whether it should not be better for them and for Canada, to unite and organize their respective territory into one larger province, so as to save a portion of the turmoil of elections, and of expense to themselves and to the central government. Be that as it may, it seems to me the claims of Manitoba should have been satisfied, and those claims having been so satisfied, it would have been to the interest both of the people west of Manitoba and the people of Canada at large to have but one other province east of the Rocky mountains.

Before leaving that subject let me express the hope that if this Bill passes as it is, the government of Canada will at a near date recognize our claims to the territory east and north of Manitoba, up to Hudson bay, and annex that portion of Canada to our province. The other provinces which have been mentioned, Quebec and Ontario, can have no claims upon that domain, which almost as a matter of right belongs to Manitoba. It would also be in the interest of all parties concerned if an amicable arrangement could be entered into by the province of Ontario and Manitoba, by which the former would abandon to our province the districts of Lake of the Woods and of Rainy Lake, to be compensated by the addition to the Ontario territory of all that part of Keewatin extending northward to Hudson bay and lying east of the Severn river, this last river to form a natural boundary line between the two provinces from its mouth up to a point where it intersects the 92° of longitude, and then the boundary to be a line projected duly south

to the American boundary. If hon. gentlemen will be kind enough to consider the matter a little, they will see that these territories belong to the western system rather than to the eastern system. They are only 130 miles from Winnipeg, whilst the distance from Toronto to reach them is 1,200 miles. It seems that they should more naturally fall under the jurisdiction of Manitoba than under the jurisdiction of Ontario. While dealing with that subject of frontier, I suggest to our government the idea of approaching the government of the United States in an amicable and dignified way, for the acquisition, for consideration, of a few acres of land belonging at present to that government, and lying west of the Lake of the Woods. If hon. gentlemen will look at the map, they will see a mere spot, on the west shore of the Lake of the Woods, bearing the colours of the United States. This piece of land does not seem to be of much importance to our friends in the south, while it should naturally form part of Canada. Such anomaly in the possession of the territory around Lake of the Woods has already been the cause of some friction and is liable to create at any time uneasiness between the two governments. Hence perhaps the desirability of restoring this piece of land to the country to which it seems more properly to belong, by prudent and proper negotiations with our neighbours. I throw out this suggestion for what it is worth, not wishing to unduly insist upon it.

Now I come to the question which has caused so much agitation to arise in certain parts of the country. It is a very delicate question to deal with. One is never sure in speaking on such topics that he may not hurt the feelings of others. I will try to keep within the bounds of propriety and moderation, while affirming the principles of justice and equal rights. My intention is to give to my remarks on this subject the character of an explanation rather than of a discussion. Much of the feeling exhibited in connection with these matters is generally the result of some misapprehension. It is with the view of clearing up such misunderstandings, in so far as my ability may go, that I venture to address this House on the measure now before us.

In the first place, is the clause 17, formerly 16, within the jurisdiction of parliament? I have no hesitation in saying that it is. The constitution gives this parliament the full power to make laws for the good government of the country when creating new provinces out of the Northwest Territories. Let me here refer to the British North America Act, 1867, as foreshadowing the union of the territories to Canada. For, as it has been said elsewhere during the last five months, we must, every class and every one of us, rest upon the constitution for every safeguard to our liberties. It is not only the solid rock upon which stands our political fabric, but it is moreover the bridge which permits us to meet, whatever may be the distance which separates us in certain matters. Let us adhere firmly to our constitution, and confederation will be maintained and will work smoothly. Clause 146 of the British North America Act, 1867, expresses itself as follows:

It shall be lawful for the Queen, by and with the advice of Her Majesty's most honourable Privy Council on addresses from the Houses of the Parliament of Canada, to admit Rupert's Land and the Northwest Territory, or either of them, into the union; on such terms and conditions in each case as are in the addresses expressed and as the Queen thinks fit to approve, subject to the provisions of this Act.

Some years afterwards, in 1871, the imperial parliament passed what is known as the British North America Act, 1871. By this Act it was provided, section 2, that:

The parliament of Canada may, from time to time, establish new provinces in any territories forming for the time being part of the Dominion of Canada, but not included in any province thereof, and may, at the time of such establishment, make provision for the constitution and administration of any such province, and for the passing of laws for the peace, order and good government of such province, and for its representation in the said parliament.

Please remark that in this legislation full jurisdiction is given to Canada to create provinces and make provision for the constitution of the province and for passing of laws for the peace, order and good government of such province. The words which are to be found in the British North America Act, 1867, viz.: 'Subject to the provisions of this Act' are omitted in the Act, 1871. So that the parliament of Canada is under no restraint or limitation as to its legislative power, with regard to the matters now under our consideration.

If we refer to the correspondence which then passed between the Canadian government and the imperial government we will better understand the whole bearing of and the unlimited power conferred on us by the British North America Act, 1871.

Sir John Macdonald, then Prime Minister of Canada, wrote to Lord Kimberley, then the Secretary of State for the Colonies, that he wanted an imperial Act confirming the Act of the Canadian parliament, 33 Victoria, chapter 3. In that letter he said :

To empower the Dominion parliament from time to time to establish other provinces in the Northwest Territories with such local government, legislature and constitution, as it may think proper, provided that no such local government or legislature should have greater power conferred upon it than the power conferred upon the local government and legislatures by the British North America Act, 1867, and also empowering it to grant such provinces representation in the parliament of the Dominion.

These words, read in connection with the Act of 1871, show clearly the true meaning of this Act of 1871 and makes clear to everybody the extent of the power of this parliament.

It has been argued that the Act of 1886 did limit the legislative power of Canada in connection with the creation of the new provinces. The clause quoted in support of this contention is the last one, which reads as follows :

This Act and the British North America Act, 1867, and the British North America Act, 1871, shall be construed together.

I contend that this clause and the whole Act of 1886, has no bearing at all on the point we are considering at present. In the first place there is not in this clause nor in any other clause of this Act any provision restricting the power given to parliament by the British North America Act, 1871, which is the governing enactment. In the second place, this clause of the Act of 1886, applies only to the subjects dealt with in that Act. Now, the subject dealt with in this latter Act is merely the representation of the Territories in parliament. So the restrictive provision, if there is any, would only apply to the subject of such representation. The consequence is to leave unimpaired the legislative authority of this parliament, in so far as education is concerned, as in all other matters. But, admitting for the sake of argument, that there

would still be some kind of a doubt, it would be easy to clear that doubt by having the Act creating the new provinces ratified by the imperial parliament, as has been done very often, since 1867.

Hon. Mr. MACDONALD (B.C.)—Has the Act of 1886 qualified that Act of 1871?

Hon. Mr. BERNIER—No, it has not, it qualifies the British North America Act of 1867. If it has any bearing on any Act it would bring the British North America Act of 1867 to the reading of the Act of 1871.

Hon. Mr. MACDONALD (B.C.)—I understood it qualified the Act of 1871 and brought it under the British North America Act.

Hon. Mr. BERNIER—Not to my mind, it is impossible that it should be so. It is the very reverse. By considering the two I think the hon. gentleman will agree with me that the Act qualified in this clause is rather the Act of 1867 which it brings into the construction of 1871.

There has been before an interpretation put upon this British North America Act, 1871, by the highest tribunal of the empire. In the famous case of Riel, the Lords of the Privy Council declared as follows :

That the words of the statute (1871) were apt to authorize the utmost discretion of enactment for the attainment of the object pointed to.

After reading this pronouncement, it seems to me that we should not have any more doubt as to the soundness of the proposition which I have placed before the House.

Having said so much, and having, to my mind, demonstrated beyond a doubt that the parliament of Canada has full jurisdiction in this matter, and can provide in this Bill for the establishment of denominational schools in the future provinces, I would like to add that if it (the Act of 1871) stood alone, I would say that it does not make an obligation to parliament to give such a school system to these new provinces. But there are grounds other than the strictly legal aspect of the matter, grounds upon which one can and must stand if he wishes to come to a right conclusion. Some of these grounds are the vested rights legitimately secured to these people by virtue of

various promises and previous legislation. The pledges have been numerous. We have only to recall to our memory different circumstances which are now somewhat forgotten.

In the first place, let us recall that under the Hudson Bay Company regime there were nothing but denominational schools, conducted by the various churches doing missionary work in the far west. On the 1st of May, 1851, the Rev. Cochrane, of the English church, moved, seconded by the Rev. Laféche, that:

To weaken the mischievous and destructive energy of these violent and untamed qualities of human nature which so frequently manifest themselves in society, in a half civilized state, and to strengthen the feelings of honourable independence, to encourage habits of industry, sobriety and economy, it is moved—that £100 be granted from the public fund to be divided equally between the bishop of Rupert's Land and the bishop of the Northwest (Catholic) to be applied by them, at their discretion, for the purposes of education. Carried unanimously.

A few months after, in the fall of 1851, the Presbyterian church presented to the council of Assinibolia the following petition:

To the Governor and Council of Assinibolia:

The petition of the trustees of the Presbyterian church of Frog Plain humbly sheweth:

That, as the improvement of education seems to be more requisite, at least among the Protestants of the settlement, than its mere extension, your petitioners pray that their minister may receive from the public fund a sum proportioned of the fifty pounds, as aforesaid granted to the Church of England, without prejudice, however, to the recognized equality in the premises, between the Protestants as a whole and the Roman Catholics.

And your petitioners shall ever pray.

(Sgd.) A. ROSS,

JOHN FRASER,

and the other trustees of the Presbyterian community, Red River Settlement, 26th November, 1851.

Later on Dr. Bunn moved and Mr. Laféche seconded this resolution: That fifteen pounds be granted to the Rev. John Black, of Frog Plain, for the purposes of education in accordance with the petition of the committee of his congregation.

Mr. Laféche gave notice that, at the next meeting, he will move for an additional grant to the bishop of St. Boniface of fifteen pounds for education in consideration of the additional fifteen pounds now granted for education of the English population.

This last notice of motion was carried into effect on the 9th of December, 1852.

The motion was introduced by Rev. Mr. Laféche and seconded by Dr. Bunn, and it reads as follows:

That fifteen pounds be granted to the bishop of St. Boniface for the purposes of education.

We have in these money grants to the different churches the recognition of the denominational school system, in so far as any system could then be established and recognized in those territories, and that system has since been looked at by the people as a right vested in them.

The people of the west lived under that rule up to 1870, when the territories became a part of the Dominion of Canada.

I beg the hon. gentlemen in the Senate to bear in mind this condition of things, when I recall what has taken place between all parties connected with the transmission of the authority from the Hudson Bay Company to Canada. It is important not to lose sight of the fact that this recognition by the ruling power of the time, viz.: the Hudson Bay Company, created for every section of the people vested rights about education, in order to understand fully the bearing of subsequent events.

On the transfer of the territories to Canada, trouble arose as everybody knows, on account of the injudicious way in which certain officials of the government had acted. The government of Canada had to take some steps to restore peace and confidence. Negotiations took place, and these negotiations were the occasion of distinct promises on the part of the imperial government itself. Let us recall some of those promises. In the first place I will recall the answer of Lord Granville to whom the government had asked for military assistance. In a despatch sent to the Governor General, 5th of March, 1870, Lord Granville, speaking on behalf of the imperial government said:

The proposed military assistance will be given if reasonable terms are given to the Roman Catholic settlers, and if Canadian government enable Her Majesty's government to proclaim transfer simultaneous with movement of troops.

It is well to refer here to the list of rights, which the delegates of the west had submitted to the Canadian government. Section 7 of the Bill of Rights claimed the granting of denominational schools.

That Bill of Rights was then of public notoriety, the imperial government was aware of it, and this injunction of Lord Granville about reasonable terms to be given to the Roman Catholic settlers indicates clearly he had in view the claims

of the Catholics with respect to education. It does so, more especially when we recall the action of the Hudson Bay Company in granting money to denominational schools. What next? Then came the assurances given to His Grace the Archbishop of St. Boniface by the Governor General of Canada, Sir John Young. By his position, His Grace was in fact representing all the interested parties. He had the confidence of the government and of the resisting element. So any direction or promise given to him may be considered as partaking of the nature of a compact. It was in this spirit that the then Governor General, Sir John Young, afterwards Lord Lisgar, wrote to Monseigneur Taché on the 16th February, 1870 :

The imperial government has no intention of acting otherwise than in perfect good faith towards the inhabitants of the Northwest. The people may rely that respect and attention will be extended to the different religious persuasions.

Previous to writing this letter the Governor General had issued a proclamation in which there were the following words :

By Her Majesty's authority, I do therefore assure you that on the union with Canada all your civil and religious rights and privileges will be respected.

By these proclamations and directions, the Canadian government became a party to the imperial promises.

Then here again, we have a clear undertaking by the highest authorities in the land and in the empire to respect the rights of the Catholic population, in whatever number, of whatever colour they might be. And those rights are clearly those referred to in the Bill of Rights and recognized as far back as 1851, by the Hudson Bay Company.

The Crown itself is a party to the compact, and for this parliament to repudiate to-day the pledges of the Crown is almost equivalent to a crime of insubordination against the authority and pledges of the Sovereign.

Apart from that, let me say just here that too often we hear and we see in the general press that even if there was ever a compact in connection with the Territories it was with a few half-breeds and that the white population coming into the country is not to be bound for ever by that compact. That is a doctrine which does not sound

well to the ear of a law-abiding people. Any agreement entered into with any class of the population should be adhered to as strictly as any covenants gone into by any two respectable individuals. Any nation, any public body, any government is bound to live up to the agreements entered into by them. And if they do not, public opinion and parliament should force them to retrace their steps and do what is right. In this case the very weakness of those concerned should induce us to treat them honestly and with generosity. Let us not be misled by such attempts at getting over our signature without delivering the goods. The agreement entered into is not only with those first settlers. It was made with the prospective settlers, too. The immigration literature of the governments of Canada, past and present, has represented to the intending settlers that if they were to come to this country they would enjoy freedom of speech, freedom of conscience and also the privileges of denominational schools. In a recent book issued by the government, with the view of making the foreigners aware of the conditions that they will find when coming within our borders, it is said that

At the union, in 1867, care was taken to safeguard the rights and privileges of denominational and separate schools. (La Puissance du Canada, page 52.)

This sentence is only one which has been repeated year after year since 1867. If the system did not suit them they were aware of it; they could stay at home; they came here with their eyes opened; they became party to the agreement and they are bound to-day by the same. If on the other hand it suited them, it is a breach of promise to-day to deprive them of it. And who are the other parties to that agreement? It is the Canadian government, it is the Canadian nation. It is the Crown itself, as shown by the proclamation and letters of Lord Lisgar, just quoted. Is it not an act unworthy of the honour of Canada that we should by repudiating these pledges, bring now such a disregard upon the nation, upon the government of Canada and upon the Crown. Let us Canadians of this 20th century, let us take a position not inferior to that of our predecessors; let not the pages of the history of our own country at the present time, be defaced by the application of a less dignified and less honourable rule than that

which was laid down by the fathers of confederation and their immediate successors. Truly I say by their immediate successors, because Mr. Alexander Mackenzie himself, who became premier of Canada in 1873, himself recognized that the policy now advocated by me was a good one. He recognized it both by his legislation and by his words in parliament, as I will show in a moment; but, as my line of argument purports to show that this policy of justice and protection to the minority has been affirmed not, only on principle by expressed words of our public men, but also by legislation, let me go back to 1870—I will come after to Mr. Mackenzie's acts and utterances.

In 1870, the parliament of Canada had to frame a constitution for a part of the western territories. It created the province of Manitoba. It provided that the minority would be entitled to denominational schools. The Act creating Manitoba may have been defective in some respect; but there was not, at any time, and there is not to-day one soul who doubts for a moment that the deliberate intention of the framers of that Act was to assure to the minority, on whatever side it might eventually be, the enjoyment of denominational schools. And that enactment was then an affirmation of the policy contemplated by the fathers of confederation, a construction of the British North America Act, 1867, in its proper spirit, and the sanction of legitimate principles that were to guide the nation with regard to such matters. Then the Act received the imperial stamp, thus again and more deeply, if possible, giving the true and the inward interpretation of the compact entered into as well as the very best indication that freedom of conscience was to be the rule in Canada.

The same lesson is to be drawn from the Act of 1875, passed under the Mackenzie regime. Then there was, as there is to-day, some divergence of opinions on the floor of this House and in the country, although it seems that none existed in the House of Commons. But the sober judgment of our leading men in both parties carried the day. The spirit of our political fabric prevailed. The policy of protection for the views of the minority was upheld, and the result was that clause 11 was introduced in the Act constituting the government of the

Northwest Territories (1875). And as to that clause being the result of such a policy, let me quote a few sentences uttered then by the leaders of both parties.

In the first place, I wish to recall the speech of Mr. Blake, who introduced the subject in the House. That quotation will show light on the subsequent action and words of Mr. Mackenzie. Mr. Blake said:

To found primary institutions under which we hope to see hundreds of thousands, and the more sanguine of us think, millions of men and families settled and flourishing, was one of the noblest undertakings that could be entered upon by any legislative body, and it was no small indication of the power and true position of this Dominion that parliament should be engaged to-day in that important task.

These are solemn words, deeply considered sentences, in which nobody could fail to discover that Mr. Blake then meant that the measure of liberty and protection they were about to give to the people of the Northwest Territories was to be of a permanent character and would apply not only to the then actual population, but to all comers, and to the very largest population that could be dreamed of. And Mr. Blake, in speaking in that way wanted to warn that future population. Because he says again:

He believed that it was essential to our obtaining a large immigration to the Northwest that we should tell the people beforehand what those rights were to be in the country in which we invited them to settle.

He regarded as essential under the circumstances of the country, and in view of the deliberation during the last few days that a general principle should be laid down in the Bill with respect to public instruction. He did believe that we ought not to introduce into that territory the heartburnings and difficulties with which certain other portions of the Dominion and other countries had been afflicted. It seemed to him, having regard to the fact that, as far as we could expect at present, the general character of that population would be somewhat analogous to the population of Ontario, that there should be some provision in the constitution by which they should have conferred upon them the same rights and privileges in regard to religious instruction as those possessed by the people of the province of Ontario. The principles of local self-government and the settling (mark, the settling) of the question of public instruction seemed to him ought to be the cardinal principles of the measure.

In the light of these suggestions of Mr. Blake to the government, let us see now what Mr. Mackenzie, the then Prime Minister of Canada, said. Mr. Mackenzie said that he would provide a clause by which,

The Lieutenant Governor, by and with the consent of his council or assembly, as the case might be, should pass all necessary ordinances

in respect of education, but it would be specially provided that the majority of the rate-payers might establish such schools and impose such necessary assessment as they might think fit; and that the minority of the rate-payers, whether Protestant or Roman Catholic, might establish separate schools; and such rate-payers would be liable only to such educational assessments as they might impose upon themselves. This, he hoped, would meet the objection offered by the hon. member for South Bruce (Mr. Blake).

This again was a declaration of policy and a compact. This conclusion is all the more strongly forced upon us by some of the utterances of other leading members of the House then.

Mr. Smith, now Lord Strathcona, and then member for Selkirk, said that he

was glad to find that the First Minister intended to introduce a provision in committee dealing with the subject.

Hon. Mr. Mills, a respected member of the Liberal party, said at the time:

There was another matter, it seemed to him, ought not to be disregarded; and that was the terms and conditions under which these people would ultimately be formed into a province. It would be better that the people who settle that territory should know beforehand the terms and conditions under which they would be an organized part of the Dominion.

The policy suggested by those utterances was adopted and the Bill passed in the Commons. Then it came to the Senate. Here again that policy was regarded as most appropriate. Many honourable gentlemen addressed the House. Amongst others there were Hon. Mr. Miller, Hon. Mr. Scott and Hon. Sir Alexander Campbell, then the leader of the opposition. On an amendment proposed by Hon. Mr. Aikins to the effect of rejecting the clause introduced by Mr. Mackenzie in the Commons, Sir Alexander Campbell said:

It would be much to be regretted if the amendment passed. The object of the Bill was to establish and perpetuate in the Northwest Territories the same system as prevailed in Ontario and Quebec, and which had worked so well in the interest of peace and harmony with the different populations of those provinces. He thought the fairer course, and the better one, for all races and creeds, was to adopt the suggestion of the government, and enable the people to establish separate schools in that territory and thus prevent the introduction of evils from which Ontario and Quebec had suffered, but had judiciously rid themselves.

Mr. Brown himself, who had been all his life an opponent of separate schools on prin-

ciple, agreed to the remarks made by his colleagues on that occasion. He said:

He concurred with what had fallen from his hon. friends on the treasury benches, and from hon. gentlemen who had spoken on the amendment with respect to the propriety of allowing separate schools.

The Hon. Mr. Scott, who was then, I believe, as he is to-day, Secretary of State, gave, in the following words, the true doctrine on this matter. He said:

He was one of those who maintained that parents had a right to educate their children as they pleased, and that they ought not to be taxed to maintain schools to which they could not conscientiously send their children. Our whole system of government was based upon that sound principle, and how long could we have happiness and peace in this country if we were to abolish that safeguard, which was now recognized in both the large provinces.

Hon. Mr. Miller has said to-night that he has changed his views on this matter in so far as the constitutional power of this parliament goes, but nevertheless, let me quote his words as repeated by him to-night. It will go a long way to show that at the time the law of 1875 was passed, it was the general consensus of opinion that such law was settling the question for all time to come.

Parliament, (said the hon. gentleman) had an undoubted right, under the circumstances, to make such provisions regarding the question of education, or any other question, for this new territory, as in its wisdom it thought best for the future peace and well-being of the country. He thought they should take a lesson from their past experience, and deal with the subject in a fair and liberal spirit. All the Bill asked was that all parties in that new country should have such schools as they chose to establish at their own expense, and that minorities would at all times be safe against the tyranny or intolerance of majorities. That would not be interfering with the just rights of any body or clan but, on the contrary, it would be guaranteeing the rights of all classes. It would simply be providing, while they had the power to do so, for freedom of conscience with regard to the vexed question of education.

And again in 1876, the hon. gentleman said, with regard to the law of 1875:

He (Mr. Miller) thanked the government again for their determination to adhere to the law of last session, which secured freedom of education for ever to the Territories of the Northwest. When the Act will have been proclaimed, which he supposed would shortly be done, it can never be repealed, and the privileges it guarantees will then become the birthright of the generations that are to people that great and promising country, so long at least as British institutions and British justice shall prevail there.

Before making further remarks let me point out to you some of the sentiments which seem to prevail in the above quotations. The right of this parliament to legislate upon this matter as they please, the rights of the parents to educate their children according to their views, freedom of conscience in this country, are affirmed; necessity of peace and harmony between ourselves, and as the best means to reach that noble goal, the guarantee to the minorities against possible intolerance in matter of education are advocated; the right for the minorities to establish denominational schools is pointed out as the best legislation that can secure to our country quietness all over the land and one which is in complete accord with the recognized principles upon which confederation rests; the propriety of framing laws which will be a warning for the intended immigrants as to the conditions under which they will have to settle and with which they have to conform their own views and their life is also insisted upon. More than that, it was affirmed that the action of this parliament in passing clause 11 of the Act of 1875 had the effect of creating permanent rights for the minorities. This was affirmed by the Hon. George Brown, who said at the time:

The moment this Act is passed, and the Northwest became part of the union, they came under the Union Act and under the provisions with regard to Separate Schools.

Hon. Sir Alexander Campbell said:

The object of the Bill was to establish and perpetuate (mark, perpetuate) in the Northwest Territories the same system as prevailed in Ontario and Quebec.

And when Mr. Blake and Mr. Mills said that 'We should tell the people beforehand what those rights were to be, the situation in which we invited them to settle,' or that 'it would be better that the people who settle that territory should know beforehand the terms and conditions under which they would become an organized part of the Dominion,' they evidently contemplated the actual creation of permanent rights, of permanent terms and conditions for the Northwest; and parliament having sanctioned the law under these circumstances, it has endorsed those views and have de facto created such a condition of things as we should not disturb now. I have referred to all these facts and expres-

sions of opinions because they constitute in my view a long and strong chain of national traditions which should impress every one who is called to participate in the political affairs of our country. Every nation that has evolved within its national traditions has been successful, but any nation that was imprudent enough to disregard those same traditions and to disturb the foundation stone of its political regime, has seen its national life marred by hurtful explosions. Let us profit by the lessons of other nations. We are on the path of progress and consolidation. Let us not throw across the road any stumbling blocks such as would be division amongst ourselves, oppression of the minorities by the majority, suppression of freedom of conscience in questions where conscience obtains. Now, I wish this House would listen to another argument arising out of past legislation, I mean the legislation adopted by the Territories themselves. We are told we should have full confidence in the people of the Northwest. But, when we recall the way in which the Catholic minority in Manitoba has been treated, when we recall the fact that in the Territories themselves the Catholic minority has been deprived by the ordinances of 1891 and 1892 of the advantages secured to them by clause 11 of the Act of 1875, is it a wonder that we should exhibit some hesitation?

After the Territories had been given a political organization by Act of this parliament, they passed ordinances, or laws, establishing a system of denominational schools, by which the two great sections of our country—the Catholics and the Protestants—could establish schools of their own. They provided by those ordinances the machinery by which each section could control their respective schools. Now, I say that such local legislation, both in Manitoba and the Territories placed the Territories within the rule of subsections 1 and 3 of clause 93, of the British North America Act which decreed that:—

Subsection 1. Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the union.

Subsection 3. Where in any province a system of separate or dissentient schools exists by law at the union, or is thereafter established by the legislature of the province, an appeal shall lie

to the Governor General in Council from any act or decision of any provincial authority.

This language is tantamount to saying that the provisions made in matters of education, when once passed by the province, shall not be altered nor repealed. They are to be the permanent law of the province.

Now, I contend that the fact of the Dominion parliament having given to the Territories a political organization of their own in 1875, has placed those territories in the position of a province. For all the purposes of the Bill now before us, the words territories and province are synonymous. The rights belonging to the one political organization belong to the other as a matter of course. There is no substantial difference between the annexation to confederation of a province and the annexation of these territories. The word province in subsections 1 and 3 of clause 93 aforesaid of the Confederation Act, stands to mean any portion of the territory duly organized and having a distinct entity from any other part of confederation. As a matter of fact those territories have had for many years past their political autonomy. They have had their own legislative authority, they have had their provincial political assembly, they have had the management of their affairs, their government, their judiciary, their lieutenant-governor, their representatives, both in the Senate and in the House of Commons. What we are doing now is simply to determine their boundaries in a different way and to give them some extended powers and the name of provinces after having given them long ago provincial powers.

This action of ours now is not a question of substance, but simply a question of degree and of delimitation. We merely say to them: 'Instead of being one political entity you will henceforth constitute two political entities, and instead of having the right to legislate on such and such a matter, you will have the right to legislate on such and such other matters.' We are supplementing their legislative jurisdiction. They are already sovereign on certain matters within their boundaries, (subject only to the veto of the Governor General in Council, as in the case of any other province) we extend those powers to some other subjects.

True it may be objected that the fact that

the federal power is still able to interfere with their political status, is an evidence of their subordinate condition. It is true that their condition is a subordinate one. But subordinate as it may be, they are just the same a political entity. It is indifferent whether they hold that political entity under the name of province or territories. The moment they enjoy the privilege of administering their affairs to any extent then they come under the operation of subsections 1 and 3 of the clause 93 of the British North America Act. Because there is, as it were, a contract entered into between the different powers that be and the people, to abide by certain enactments and by certain ideals, without which a certain part of the people would not have gone into those Territories, without which that part of the people would not have abandoned their native land for their new land, nor their comparatively easy life for the trials and the hardships of the settler's life.

In the year 1891, an Act was passed amending the Supreme Court Act, so as to give to the Governor in Council power to submit certain questions of law or facts to that court. In that Act, subsection 3 of section 4, assimilates the territories to the provinces in providing that in any such case the government shall notify the Attorney General of the province interested, or, says, the statute: 'in the case of the Northwest Territories, the Lieutenant Governor shall be notified of the hearing,' in order that he may be heard if he thinks fit.

This statute manifestly here makes the Northwest Territories rank as a province and recognizes to such territories the same rights as to the provinces generally. As a matter of fact they are considered as a province.

This assimilation of the territories to a province made by me as above, is warranted by the parliament of Canada itself. Indeed, if I turn to the Interpretation Act, as found in the Revised Statutes, 1886, there I read (subsection 13 of sec. 7):—The expression 'province' includes the Northwest Territories and the District of Keewatin.

Thus by common sense, in equity and in accord with the enactments of our parliament, we have to admit that the territories stand now, although bearing a differ-

ent appellation, on the same footing as the provinces in our political fabric. And being so, we must treat them under the present circumstances as we would be bound to treat any other province having distinctly that status. In the latter case parliament would be bound to recognize and to maintain the rights conferred by clause 11 of the Act of 1875. Now let us do the right thing and maintain in the Act now before us those rights for these new provinces. It is due to them, and it is due to us, inasmuch as it was, when the Act of 1875 was passed, the clear meaning of the parliament of Canada as shown by the above quotations, which I will now repeat and supplement.

Mr. Brown, on the 8th of April, 1875, said in the Senate:

The moment this Act passed and the Northwest became part of the Union, they came under the Union Act, and under the provisions with regard to separate schools.

By these words, Hon. Mr. Brown expressed the opinion that the provision of the Act of 1875 was placing the Territories in the position of a province and, to use the very words of the Right Hon. Prime Minister: 'If the principle of separate schools was introduced, then according to the terms of the constitution, it was introduced for all time to come.' And so must also be construed the words of Mr. Blake, when he said, discussing the same Act of 1875:

They should have conferred upon them the same rights and privileges in regard to religious instruction as those possessed by the people of the province of Ontario. The principles of local self-government and the settling of the question of public instruction it seemed to him ought to be the cardinal principles of the measure.

In the Senate Sir Alexander Campbell put the same meaning on that clause, when he said:

The object of the Bill was to establish and perpetuate the same system as prevailed in Ontario and Quebec.

Let me add the words of the Hon. Mr. Penny, who though not an admirer of the separate schools, expressly declared that we—

Might as well settle the matter at once by allowing the creation of separate schools.

Now, let us see what public opinion understood and said. The 'Mail,' on the 19th April, 1875, said:

By their Northwest Territories Bill the present government provide that separate schools may be established in those territories. The proposal we regard as eminently wise.

Every one may see how fortunate a thing it would have been if the school question had been put on a stable basis in New Brunswick, and if by the Northwest Act, the government should have prevented future burnings on educational matters in the great new country which belongs to us in the far west, they will have done a good work indeed. We cordially endorse their action in this matter.

Montreal 'Gazette,' 17th March, 1875:

The Bill seeks to fix the constitution which is to govern these vast territories in the future.

And whilst approving of this principle, the 'Gazette' suggests that ample time should be given to that Bill in view of its importance. It says, however:

Looking to the encouragement of immigration into the Northwest there can be little doubt of the importance of having the character of the institutions under which, in the future, these immigrants will have to live, settled in advance.

With the form of government settled in advance, and with the machinery provided for its coming into practical operation without further legislation, and by the force simply of advancing settlement any immigrant settling in the country will do so with the full knowledge of the institutions under which he is to live and will assume therefore, a voluntary allegiance to those institutions.

From these remarks it will appear that the 'Gazette' is taking the view that the enactment of 1875 fixes the future condition of existence of the territories. And these remarks are applying to the school system as well as to the other portions of the Bill. This is made evident by the following lines:

In the Bill, as prepared, the government had omitted all reference to the important subject of education and all provision for the avoidance of those difficulties which at this moment are doing so much harm in New Brunswick. True, after it was printed Mr. Mackenzie discovered the omission and submitted a manuscript clause to cover it.

So, according to what has been said, there were certain rights, certain conditions of things established then, in 1875, and those things and conditions were to be for ever, they were to be perpetuated, according to Sir Alexander Campbell. They knew then what those conditions were. It was the system of denominational schools as understood in Quebec and Ontario. That seems to have been forgotten, and also to have become more complicated than it was then, on account of certain legislation of the territories themselves.

Let us ascertain the constitutional condition of things existing there at the present time in matters of education. If the Catholic population have vested rights no amount of reasoning should be able to deprive them of those rights. The parliament of Canada ought to be the first to respect such a compact and apply in their proper spirit the principles laid down in subsections 1 and 3 of clause 93 of the British North America Act, 1867.

That condition of things is the one which was duly established by the Act of 1875, and by the legitimate ordinances passed under that Act by the legislative assembly of the Northwest. It cannot be denied that by clause 11 of the Act of 1875, the intention was to give to the denominations coming under the designation of Protestants and Catholics—the privilege of establishing such schools as are regarded by them as affording full protection to their respective views, viz: denominational schools. As a matter of fact, that intention was carried out by subsequent ordinances, notably by the ordinances from 1884 to 1888. Those ordinances were *intra vires* of the legislative assembly and created a denominational school system which is still, legally and constitutionally the very condition of things in the Northwest. I say it is still the legal actual condition of things, because all ordinances passed since are *ultra vires*, consequently they are null, void and as such, non-existent. These latest ordinances are void because they were passed against the letter and spirit of clause 11 of the Act of 1875. By the ordinances of 1891 and 1892, they abolish the denominational schools previously established. The legislative assembly of the Northwest could not do that. Subsections 1 and 3 of the 93rd clause of the British North America Act, 1867, prohibited such action.

Mr. Haultain himself was very far from being sure of the correctness of his legislation, because according to the present Lieutenant Governor of the Northwest, he was reported by the Regina 'Leader' as having said that:

There were some points in the Bill he could not agree to and which he would mention. He could not agree to the clause making uniform text books compulsory. It was contrary to the constitution.

Judge Rouleau wrote at the time to His Grace Archbishop Taché that the ordinance

was unconstitutional and that separate schools were no more in existence although they were still designated under that name. According, again, to the present Lieutenant Governor of the Northwest, the Hon. Mr. Forget, the ordinance had for its object the 'abolishing of every feature which characterizes the Catholic schools.' 'Nothing essential no more distinguishes the Catholic schools from the Protestant schools, except the now ironical designation of 'separate schools.' Now, chapters 29 and 30 of the ordinances of 1901 are but a revised edition of the ordinances of 1891 and 1892 which took away the characteristics of the Catholic schools, and now it is proposed to make that legislation the limit of the guarantee which the minority is to rely on in the future, and also the limit of the control that the same minority will ever have on the education of their children. I do not believe, hon. gentlemen, it is the way we should deal with the people of the Northwest.

The actual rights of the minority now are those guaranteed by the Act of 1875, and by the ordinances passed by the legislative assembly of the Northwest from 1884 to 1888 in the exercise of its legal and legitimate jurisdiction. The subsequent ordinances limiting those rights were not within the jurisdiction of legislative assembly, and consequently must not govern the situation. The *de facto* situation is not the legal situation nor is it satisfactory to the section of the people whose cause we are now advocating. The legal situation would be satisfactory and this parliament ought not to hesitate to ratify the same by the new charters. Does the present Bill give the minorities the school system which they are entitled to? It may give it in name, it does not give it in fact. It is the greatest political bantering that ever was perpetrated. We hear some supporters of the Bill stating in emphatic terms the necessity of granting to the minorities satisfactory conditions, and they lead the people to believe that this Bill has this effect, while, as a matter of fact, it does nothing of the kind.

It is claimed, as an objection to the establishment of a true system of denominational schools, that if we were to enact here a charter imposing that system we would put the new provinces in a subordinate posi-

tion. Who would dare to rise on the floor of this House and say that Ontario and Quebec are subordinate provinces? Yet, they have the system of denominational schools? Both are satisfied, both are keeping the pledges they made to the minorities when they went into confederation. Surely the west could be satisfied if placed in the same situation as those great provinces, which may be called the parent states in our federal aggregation.

Now, if parliament has full jurisdiction, the question presents itself to our consideration: Is it a good policy to confer upon minorities certain guarantees which should satisfy them in matters of education, and further than that, are we not bound to confer such guarantees? It was considered a good policy to legislate in that way when confederation was framed. And it was considered to be a good policy not only for the time being, not only for certain provinces, but for the future and for all the provinces for which the parliament of Canada would then be in a position to frame a constitution. The intention of that policy is to be found in many of the speeches made by our statesmen at the time of the introduction in the old Canadian parliament of the Quebec resolutions.

Sir Etienne Pascal Taché, then Premier of United Canada, said on the 3rd of February, 1865, when explaining the reasons for which confederation had been brought in before parliament:

The reasons were two-fold. They related first to the intrinsic merits of the scheme itself, divested of all other considerations, and next, to the settlement of domestic difficulties which, for some years, had distracted the country, and the means we might and ought to employ to restore good feeling, harmony and concord therein.

That is the language of a French-speaking Canadian. Let us have now the views of an English-speaking Canadian, and one whose position was such that nobody can suspect for one moment his earnestness. I refer to the Hon. Geo. Brown, who expressed the same idea almost in the same terms. Speaking of the value of the confederation scheme he said:

The existing evils it will remedy.

What were those domestic difficulties spoken of by Sir E. P. Taché, and what were those evils referred to by Mr. Geo. Brown?

Exactly the same difficulties and evils we are now endeavouring to conjure, and these men, and all others who were favourable to the scheme, were of opinion that it was worth sacrificing long standing and strong personal views in order to secure the passage of the Bill providing for federal union. So Mr. Geo. Brown said expressly:

Now, I need hardly remind the House, said Mr. Brown, that I have always opposed the system of sectarian education. . . . But assuredly, I, for one, have not the slightest hesitation in accepting it as a necessary condition of the scheme of union.

These are samples of the sacrifices some of our Canadian public men had to and did make of their opinions for the high purpose of putting an end to the unhappy condition of things then existing. Is it to be believed that in the minds of those public men the remedy was only to be temporary? Is it to be believed that in their inner heart there was a secret wish for the revival, at any future time and in any other place in confederation of such difficulties? I would not like to do such an injury to their memory. As a matter of fact, Mr. George Brown foresaw the time when the Northwest Territories would be a part of confederation, and spoke of the maintenance in these lands of 'liberty and justice and Christianity.'

These facts and these utterances show in what spirit the confederation was conceived. It shows also what was in the minds of the fathers of our present constitution, the only policy that should be pursued with regard to the questions which are again agitating public opinion. Let me add to the above the following words of Sir A. T. Galt, he who took such a hand in securing to his co-religionists in Québec the guarantee which they have ever since confederation enjoyed untrammelled. Here is what Sir A. T. Galt said:

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.

These words of Sir A. T. Galt had reference to the minority in Québec and in Ontario. - But he adds almost immediately those significant words: 'The same privileges belong to the one of right here as belonged to the other of right elsewhere,' thus covering all provinces.

These words and the occasion on which they were uttered leave no doubt in the mind that Sir A. T. Galt meant that the situation which was to be created for the minority in Quebec should be the rule all over Canada. And he gives his reason for advocating such views :

'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.

Such is the spirit which animated the fathers of confederation, and such is also the spirit underlying our constitution—a spirit of generosity and of liberty, which is but the expression of the freedom that every class within the empire is entitled to.

We have fortunately amongst us one of the delegates at Charlottetown and Quebec, in the person of the Hon. Mr. Macdonald, from Prince Edward Island. I hope he will add his testimony to those which I have quoted above.

Let us now take the Bill itself. The original clause 16, though not perfect and not placing beyond all doubts the rights of the minorities, yet was acceptable. I would have voted in favour of the Bill if that original clause had not been removed. The present clause 17 has been substituted for the other. It is very unfortunate. That clause 17 in the Bill as now presented to us does not give to the minorities any thing like what they are entitled to. The contention that it gives separate or denominational schools is not accurate. It gives separate schools in name, but not in fact. It gives a separate school-house which is only a material feature, but it does not give the genuine article, the teaching institution which has been known all over the land and for a long time as constituting a distinctive school controlled by the parents whose children attend the same. The half hour of religious instruction or exercises at the fag end of the school hours, or rather after the school hours, do not constitute the Catholic school. According to our views the atmosphere of the school during the whole day must be Catholic. The teaching must be permeated, as it were, with Catholic views and sentiments. The text-books must not be only inoffensive, but Catholic in form and in spirit. These are the views held everywhere by the Catholics and at all times. In doing that they are right not only in their own esti-

mation, but in the estimation of others. The Duke of Argyle, the father of the present Duke, while speaking on Australian schools expressed himself in the following way in the House of Lords:

The Catholics had the high honour of standing alone and refusing to pull down in their schools the everlasting standard of conscience. This resistance on the part of the Roman Catholics, I believe, may be the germ of a strong reaction against the pure secularism; against what I venture to call the pure paganism of the education of the colony.

As to its possibility or advisability in this country let us see what Mr. Alexander Mackenzie once said :

For many years after I held a seat in the parliament of Canada, I waged war against the principle of separate schools. I hoped to be able—young and inexperienced in politics as I then was—to establish a system to which all would ultimately yield their assent. Sir, it was found to be impracticable in operation and impossible in political contingencies.

There is nothing in the school system allowed by this Bill which may commend it to our views and place it within the description of such schools as were contemplated by the fathers of confederation and by the Act of 1875. We have only to refer to various expressions of opinions stated elsewhere to be convinced that my proposition cannot be controverted. We have amongst others the right hon. Prime Minister himself, who said in a letter addressed to one of his friends :

The impression prevails that separate schools such as they are intended by the Bill will be ecclesiastical schools. This is quite an error. What you call separate schools in this instance is practically national schools. Here is the law of the Northwest Territories at the present moment: All the teachers have to pass an examination and be certified by the Board of Public Instruction; all the schools have to be examined by inspectors appointed by the Board of Public Instruction; all books in use at the schools have to be approved by the Board of Public Instruction; all secular matters are under the control of the Board of Public Instruction, all tuition has to be given in the English language; at 3.30 children can be given religious instruction according to rules made by the trustees of the schools, but attendance at this is not even compulsory.

Do you find fault with this last clause? Do you not believe that what you call 'separate schools' in this instance is really 'national schools'?

The great objection to separate schools is that it would divide our people, but if the same education is given in what is called 'separate schools,' as in all other schools, I fail to see what objection there is to such a system.

Then, Mr. Sifton said, speaking in the House of Commons on the same subject :

In the year 1892, what was known as the dual system was entirely swept away and that system which we have in the Northwest Territories, substantially as we have it at present, was established. Where there is a public school, the minority, Protestant or Roman Catholic, may organize a separate school; but every separate school is subject absolutely to all the foregoing provisions, and is in every sense of the term a public school.

Hon. Mr. Paterson, the Minister of Inland Revenue, is reported as having spoken in the same strain. He said:

It must be borne in mind that those separate schools are formed precisely as every school district is formed. Although the name separate school appears to convey to the minds of some people the impression that they are separate in the sense in which they are established in some other province, there is no distinction between these schools and the other public schools as regards organization.

Let us see what the Hon. Mr. Fielding, the Minister of Finance has said. I will quote his words:

It would be utterly mistaken to say that we are giving to the Northwest provinces separate schools in that sense of the word. I submit to this House that the system of schools which we have to-day in the Northwest Territories is a national school system, and if it has all the elements of a national school system then I say there is no principle involved in this discussion which would justify us in having a quarrel over it. What is this system? From the hour at which these schools open in the morning up to half-past three in the afternoon they are absolutely alike; there is no difference; the teachers have the same duties, the same qualifications, the same examinations, the same course of study, the same books are prescribed by the government, the regulations are made by the government. I repeat that from the hour of opening in the morning up to half-past three in the afternoon there is no shade of difference in all these schools in the Northwest Territories.

Shall I quote now a member of parliament, Mr. Crawford, representing Portage la Prairie. Mr. Crawford is an Orangeman, so he says at least, and he spoke in the following way:

The original clauses of the Bill were very indefinite. Under those clauses it was open to the people to have such school laws as they had in Manitoba, or they could have the old school laws that were in existence in the Territories previous to 1890. Now these school laws as they are in the Northwest Territories, and as they are intended to be continued by this legislation are not at all the kind of school laws that the people, particularly of Ontario, have in their minds.

If this Bill goes through it will establish not what I claim are separate schools. In fact, the name 'separate' should hardly have been used in connection with them.

Coming now to what has been said in this House, we find the hon. Minister of Trade

and Commerce, Sir Richard Cartwright, expressing himself as follows:

What is it that Quebec proposes? It proposes purely and simply this: That we guarantee to these people in the Northwest the simple privilege that I have adverted to, that during one-half hour in each day on paying the proper cost and charges they may confer religious instruction upon a certain portion of the population. That is a good deal less than Catholic Quebec has guaranteed to the Protestant minority within its borders. It is less and a good deal less than Protestant Ontario has guaranteed to the Catholic minority within its borders.

Hon. Mr. LANDRY—Hear, hear.

Hon. Sir RICHARD CARTWRIGHT—I am free to admit that as far as I can judge, it is considerably less than the actual legal obligation incurred by us in the Act that we passed in 1875.

Hon. Mr. Scott, Secretary of State, was as clear as the others in his appreciation of the present clauses. He said:

I shall say no more on that subject other than this: The proposal in the present Bill is vastly different from the concessions as I may term them, that were made by this parliament in 1875, and which were fully discussed in this chamber. Those are a mere skeleton of what parliament then conferred upon the community, but for the sake of peace the minority are willing to accept. They will make the best of the situation. Practically there are to be no separate schools beyond the fact that there may be half an hour's instruction from 3.30 until 4 o'clock, if the trustees so desire.

The clear and formal admission made in this chamber by the hon. gentlemen occupying treasury benches, proves beyond all doubt that we are not given what the original clause gave and what was due to us.

It is very regrettable that the government should have thus receded from their former position. This Bill, as originally drafted, could have carried, and thereby justice and right would have been done. As the effect of this Bill will be quite the reverse and as this feature of the Bill is the most important one, I am bound to vote for the six months' hoist.

I had many more observations to make. My intention was to refer to many objections that are generally made against the working of the school system now in existence in Ontario and Quebec. I will only refer to one or two.

It has been claimed that our schools were inferior and inefficient. In that regard the Manitoba Catholic schools have been especially referred to. This alleged inefficiency of our schools is simply an afterthought.

When the Greenway government declared its new policy with regard to education, they had never blamed our schools, they had never even called our attention to any improvement that could, in their mind, have been made.

A few months before the opening of the provincial legislative session of 1890, many public men spoke on the proposed changes. Amongst them were Mr. McCarthy, then a member of the House of Commons; Mr. Martin, attorney general for Manitoba; Mr. Smart, Minister of Public Works in our province. None of them is reported as having referred to this alleged inefficiency. The reasons given for a change were only that the time had come when the province should dispense with the dual language and the double-barrelled school system, as they called it, so that unity could be brought about in the land by the children sitting side by side in the public schools.

Then when Mr. Martin introduced this measure in the local House, he expressly said :

The government's action had not been determined because they were dissatisfied with the manner in which the affairs of the department are conducted under this system, but because they are dissatisfied with the system itself.

This declaration makes it clear that it was not a question of efficiency or inefficiency. They wanted a change under any circumstances; they wanted what is called a system of national schools, but which should be called merely governmental schools.

Instead of being looked at as inefficient, our schools were at all times given the highest praise. People visiting our settlements and our institutions expressed their surprise at the excellency of the school work. Many of the gentlemen now sitting in this House were not here in 1895. But those who were may remember that then I placed on the table specimens of our school work generally, and they were such that they could not be excelled.

At the time the law of 1890 was passed in Manitoba and at the time Mr. Sifton made his famous Haldimand speech there were in our Catholic institutions in Winnipeg over 30 per cent of pupils belonging to English-speaking and Protestant families. Surely these families would not have sent their children to those schools if they

had not been efficient. Some of the parents of those children have since testified in favour of those schools. Amongst them I find the late Captain Clarke, a gallant soldier who took part in the fight against the rebellion in the Northwest in 1885. Here are his words :

I can speak with experience with reference to the excellence of your section, two of my daughters having been for a long time with the good sisters of St. Boniface, where their progress was as satisfactory to me as it was pleasant to them.

We were called to take part in the school exhibition at the Indian and Colonial Exhibition in 1886, at London, England. On this occasion the 'Canadian Gazette,' 4th November, 1886, of London, spoke in the following way of our schools :

The collection contains samples of books, exercises, scholastic materials, &c., coming from the Catholic schools as well as from the Protestant schools of the province (Manitoba).

The excellence of the work, and especially of the geographical charts, is incontestable. This is the more pleasing if we consider the fact that many of the exhibits are dated from the year 1884 and the beginning of the year 1895. It is evident the exhibit is composed of the ordinary duties of the schools in all parts of the province, and not of work specially prepared for the occasion.

No pretension has been made to eclipse the school exhibits of the other provinces, but the collection under our eyes denotes that in one of the most recently organized provinces of the confederation, there exists a school system which, although respecting the faith and religious convictions of the population, offers to every one an education capable of fitting for the highest rank in society the child who is placed under its care.

That sort of evidence could be multiplied. Governors, lieutenant governors, men of rank in every class of the people, visited our schools and could not but pay them the highest praises.

Mr. Sifton has said elsewhere, this year again, that our schools were absurdly deficient. After what I have just said, it must be evident to all gentlemen that Mr. Sifton was, in saying so, absurdly wrong, absurdly unfair, absurdly ignorant of what he was speaking about. Mr. Sifton has never been in a position to judge or misjudge of our schools. He never set his foot in them, although he was by the law a visitor of the same. His utterances are slanderous. Indeed that gentleman must be placed amongst that class of men who not satisfied with ruining the institutions of a people, not satisfied with taking away from

them their own property, are disposed to ruin also their reputation, to insult their feelings, so as to cover his own deficiency and his own wrong-doing. I will not say any more on that point except that the assertion that the Catholic schools are deficient is merely a catch word and ought not to have any influence on the mind of the legislators of this country.

However, I desire to add to the above testimonies that of our late Senator Boulton, from Manitoba, an opponent of separate schools, who said on the floor of this House on the 23rd April, 1895 :

In my immediate neighbourhood there is a separate school, named after the clergyman, Father Decorby, who founded it. He conducted a separate school there for years to which the Protestant population in its neighbourhood went. They were all satisfied with the school; they had no complaint to make of it.

If I understand well the plea that is made with regard to one system of schools being preferred to the other is that the denominational schools are inferior. This is quite inaccurate. They are equal to the others, at least. In our case, they are even superior in so far as they teach generally two languages. What is more practical than language in life? Surely this creates a kind of superiority over the schools where one language only is taught.

Leaving that aside, however, there is one thing which may be apparent to everybody. It is the fact that if we are not allowed to control our schools, we will have eventually to start private schools or parochial schools, so as to procure to our children the kind of education, the moral training that we believe they ought to have. But these parochial schools will have to starve, being deprived of the municipal taxes and of the legislative grant. Being so deprived of financial resources, they will of necessity be unable to give such instruction as we would like them to give. Then you will have just the kind of schools which you want to guard against. Whilst, if we are allowed to fare as we think we should be allowed, then we will have well equipped schools, both mentally and financially, and the result will be that our children will receive such an education as will prepare them, to use the expression of the 'Canadian Gazette,' for the highest rank in society. Those schools would be, to a legitimate extent, under

the supervision of the government officials, who will ascertain whether the assistance given to such schools is well earned, and if not, will suggest any desirable improvement. So, even at that point of view, it would be better to let us have the school system we are asking for.

The doctrine which is propounded somewhere that by granting subsidies to the denominational schools the state is endowing the church is very far from being accurate. The state has no fund by itself. It is the money from every individual in the land that constitutes the funds of which the state may dispose. The Catholics are contributors to those funds like any other subjects of the Crown. And as it is a principle under British institutions that every one who pays must share in the benefit of the fund where his money goes, it follows that in receiving any grant from the government or from the municipal chest, we are only recovering our proportionate share of our own money. Other considerations of the same nature could be gone into. But let us come to figures, which is the most practical thing to do. In putting at \$500 in round figures the cost of the maintenance of a rural school, I think I do not exaggerate in any way. Now, what amount do such schools receive from the government? I will take the figures in the province of Manitoba, as more familiar to me. These figures are taken from the official reports of the Department of Education :

	Maximum grant.	Average teacher's salary.
1891.....	\$150 00	\$426 60
1895.....	130 00	368 17
1900.....	130 00	406 78
1903.....	130 00	451 39

The conclusion of this is, that the state is receiving its secular education at half price; we pay the other half, and the state gets religious instruction and moral training for nothing, although it goes a long way to the maintenance of good order in the community.

Although not a pleasant subject to refer to, allow me to say a few words about public schools. Merely from a social point of

view it is well, surely, that we should give the warning, if anything transpires to justify it. It is a service to them and a service to the country that we render in doing so. It is not a pleasant duty, but a duty just the same. We hear very often some say that they have been educated in the public schools and that they are not worse than ourselves for all that. It may be, it may not. I do not want to penetrate into the inner life of our Christian brethren to that extent. Comparisons, it is said, are always odious; very often they are not safe. The question can afford to be considered from higher grounds.

The Catholics do not claim to be a better lot than others. We have our miseries and too great a number of human weaknesses. But I say this, hon. gentlemen, if you and we have still a superior morality, it is because we have all in our hearts some principle of Christianity. And so long as we retain some vestiges of that Christian training, we will continue, I hope, to shine amongst the nations so far as the social and moral dispositions of our people are concerned. But history must have some lessons for us. It is admitted amongst all students of history that paganism does not offer a sure moral principle, does not even lead to it, but on the contrary is apt to instil in the very heart of the individual and of the people generally, moral disorder and villainous passions. Whoever has gone somewhat deeply into the Roman life before the advent of our Saviour, knows how lamentable it was in that respect. May it please God that we never come down to that. But if we eradicate all religious teaching, all religious training from those institutions, where the younger generation pass most of their lives, I mean the schools, do you not believe that the Christian principles which maintain the older generation in the right path will gradually disappear, and what then?

Let me quote a few words of public men and moralists on the American public schools. I hope these quotations will not be offensive to anybody. It is not my intention; I merely desire to place before you the warnings given by some who are in a position to do it.

The New York 'Methodist' said some years ago that public schools of the United States were 'hot-beds of infidelity.' A writer

of good standing in the United States, Mr. Richard Grant White, wrote (December, 1880) in the 'North American Review':

Vice has increased almost pari passu with the development of the public school system, which, instead of lifting the masses, has given us in their place a nondescript and hybrid class.

If fifty or sixty years of public schools have given such results in the United States, would it not be a good thing for us to pause now while it is still time. Let us come nearer home. Some weeks ago Toronto was horror-stricken by a crime which had happened within its territory. A young girl carried away and cruelly murdered without any motive a child that she found on the street. I refer to the Carr girl. After the first explosion of grief and of surprise people began to think. The 'Globe' of the 23rd of May wrote the following lines:

That a girl scarcely entered her teens could be capable of treating a living thing in a way that she would not treat her doll is veritably amazing. . . . The child's surroundings have probably not been good, but this alone would not account for the callousness, hardness and lack of sensibility which she displayed.

The 'Mall and Empire' was more courageous and spoke clearly in its number of May 26:

Even for the most forsaken child, it is true, there is always the school. In this city it is free to all—in fact, all children are obliged to attend it a minimum number of days every year during what is known as the school period of their lives. But the school cannot, as now constituted, be the moral asylum for these little ones that it ought to be. One thing it does—it teaches them to read. How much better would many of them be without that knowledge? Illiteracy would place them out of the reach of the depravers who write and purvey the five-cent novels which are the mental pabulum of children of the Josie Carr type.

Is not this a timely warning, gentlemen? Should we not pause before such appalling statements?

The extreme and ultimate results from human institutions do not crop up at once. Any seed put in the soil does not at once come out of the ground. Sometimes it takes days; sometimes it takes months before one sees the stem coming out, but one day or other it is sure to come out and grow and give seeds for another and more powerful crop. So it is with education. It is a seed that we put in the inner part of the soul. It may take years or centuries to bear its fruits, but it will some day or other bring forth good or evil according to the kind of education communicated to the peo-

ple. Leibnitz said that by the education of the youth you can change the surface of the world.

If once a nation begins to relax in its views on anything pertinent to education, it is sure that gradually the relaxation will go on affirming itself more and more. Let us take an example amongst ourselves. In the province of Manitoba, by the law of 1890, it was provided that some religious exercises could be had after school hours. Now, what has been the outcome of that regulation? Let us see the official reports of educational authorities in that province:

IN MANITOBA.

	Number of schools in operation.	Schools with religious exercises.	Closed with prayer.	Bible used.
1895.....	786	433	396	295
1903.....	1,163	256	290	199

As you see, as the years have rolled on, and as the number of schools in operation has been increasing, the number of schools where religious exercises have taken place have immensely decreased.

I heard the other day a gentleman say that he would like to see religious training given in all the schools, but that for Protestants it was impossible on account of the diversity of creed amongst them. I confess I was somewhat surprised at such a remark. My conviction had always been that there was not such an insuperability of doctrine as between themselves. Sir A. T. Galt, when claiming protection and separate schools for his people in Quebec, did not make any distinction as between the various Protestant churches. He merely claimed separate schools for all the Protestants as a group, showing thereby that all the Protestants of Quebec, no matter what was their particular church, would be safeguarded and satisfied. Moreover, I have lately noticed in the newspapers of the country that there was a proposition for the union of churches. If those churches can religiously unite, is it not an evidence that there is no such insuperable obstacles as could prevent the attendance of the Protestant children at a union school? Surely the Protestants do not regard the public schools as offering to them any conscientious objec-

tion. Because, if they did, I am sure our fellow-countrymen of the Protestant faith would act upon it.

Mr. McKenzie, a member of the House of Commons, said the other day, elsewhere:

Why shall we hold out for a thing that Roman Catholics cannot and will not accept? Is it not a proper thing for us as protestants who have children to educate them in our own way? There is nothing in so far as the different Protestant bodies are concerned that will prevent them from having their children educated together in the same classes, taught by the same teachers or from receiving religious instructions upon grounds common to all Protestant bodies.

But, after all, if, by the circumstances surrounding themselves, some of our fellow-citizens could not take advantage of a good thing, is it a reason why others should also abstain? Because you cannot afford, by circumstances or otherwise, to relish certain delicacies placed on the table for you as well as for other people, is it a reason why I should not myself touch it?

A good deal has been said about the hierarchy. It is to be regretted that too many people do not better study the history of our country. I am sure that if they did they would take a better view of our clergy. From the earliest days of the British occupation up to the present time there is ample evidence of the loyalty of the Catholic church. On every occasion of the invasion of Canada by our present southern friends, the church dignitaries have preached to their flocks their duty towards the Crown. It has been very often said with truthfulness that had it not been for the gallant conduct of the French Canadians, England would not have been able to preserve this part of Canada to her allegiance. On many occasions, when the people were of a troublesome disposition, the voice of our prelates was heard advising peace, harmony and submission to the laws of the land. They did it in 1837-38, they did it when confederation was inaugurated, they did it in the east, they did it in the west. For that purpose our missionaries were called to the distant prairies by Lord Selkirk, a Presbyterian. Bishop Plessis, of Quebec listened to the request of Lord Selkirk, and he sent there Father Provencher, who was made a bishop afterwards. This first bishop was succeeded by His Grace the lamented Monseigneur Taché. He also in his turn was a worker of peace. The Canadian government called him back one day

rom Rome and at the request of both the imperial and Canadian authorities, he undertook the difficult task of quieting the people of the Red river and of reasoning them about the intentions of the Canadian government. This he did faithfully and successfully.

Later on, on the still farther distant prairies, Father Lacombe exerted his influence for the peace of the country and by his influence amongst the Indians he assured the peaceful construction of a great national work and prevented bloodshed when it was most dangerous to interfere. Let me put before you what the *Winnipeg News*, a daily paper said at the time about it.

These lines are a retranslation in English from a French translation of an article in the '*Evening News*,' of *Winnipeg* :

When the whole of Canada feared and trembled to see the blackfeet side with the rebels, who firmly stood before them? Who prevented them from rushing upon us? Was it the Canadian government or the forces of the empire? No, the poor, humble and devoted Father Lacombe was the man who did so. To him the Canadian mothers owe their thanks for not having to-day to mourn their sons, to him many happy wives to-day owe their gratitude for not having to sob over the tombs of their husbands. Lacombe and his companions the Fathers André, Fourmond, Cochin, and other brave soldiers of the Cross did not hesitate, they went and faced deadly weapons; they threw themselves between the Indians and the Canadian people at a time when danger was extreme, and they prevented the shedding of blood and saved millions of dollars to the public treasury.

These are only few instances of their good will, and of their influence for the welfare of our country. I may sum up their action in this regard by saying that their constant teaching and their whole life is devoted to that peaceful and beneficial work. Is it not too sad indeed to hear now and then some one hurling at them the bitterest and most unjustifiable accusations? Those who do that and believe those accusations are not always devoid of good faith and of natural good dispositions. Unfortunately they read unreliable books where that stuff is to be found; they do not read history in its proper light and hence their difficulties. Many speak about the unity of the nation. No one is better fitted to bring that unity than our clergy; no class better disposed towards that view than that fine body of able, intelligent and zeal-

ous men. For the sake of Canada itself, believe in these words and act generously towards our church and our religious convictions, one of which is the organization of the schools on the lines we have been suggesting all the time.

This testimony which I am glad to be in position to give our hierarchy, is but the echo of higher authorities. During the last century there lived in England a man who has commanded and still commands the admiration not only of his countrymen, but of the whole world. That man was styled in his own life-time the grand old man. Now, what did Mr. Gladstone say on one occasion :

Since the first three hundred years of persecution the Roman Catholic church has marched for fifteen hundred years at the head of human civilization, and has driven harnessed to its chariot as the horses of a triumphal car, the chief intellectual and material forces of the world; its learning has been the learning of the world; its art the art of the world; its genius the genius of the world; its greatness, grandeur and majesty have been almost, though not absolutely, all that in these respects, the world has had to boast.

My hon. friend, the member for Victoria, has thought proper to run down the Catholic countries in a comparison with Protestant countries. I commend these words of Mr. Gladstone to his meditation. I desire also to call his attention to certain facts and to some testimonies, which ought not be suspected of partiality in our favour.

England was a Catholic country once. Modern England owes to Catholic England her Magna Charta, her sound constitution, her parliament, the jury, her universities, her splendid cathedrals. Even if we take only the material side of the matter, let us see what her writers and her public men said. John Ruskin writes :

Though we are deafened with the noise of spinning-wheels and the rattle of the looms, our people have no clothes; though they are black with digging fuel, they die of cold; and though millions of acres are covered with ripe golden grain, our people die from want of bread.

Mr. Chamberlain, M.P., (*Fortnightly Review*, December, 1883).

Never before in our history were the evidences of wealth more abundant, never before was luxurious living so general and wanton in its display, and never before was the misery of the poor so intense, or the conditions of their daily life more hopeless, or more degraded.

And then Mr. Chamberlain goes on speaking about :

A million of paupers and millions more on the verge of it.

I could call to my help other testimonies of the same kind and from sources equally at variance with my own faith, but for Britishers these are sufficient. I leave those words to your meditation. One word more about unity. Surely this is a noble goal. But unity lies more in the soul than in the external forms. National love of the country and of its magnificence in every shape, attachment to the soil, respect for each other, an equal devotion to the same flag, a sincere allegiance to the same Crown, these are the strongest factors of unity. No matter what may be our differences otherwise, we will get at unity by cultivating the above sentiments. And in no other way shall we get at it. Look back in the Canadian history. The moment the people of French origin perceived in the English policy towards us a disposition to have proper respect for our race, that moment we, as a people, reconciled ourselves to the new regime, and so much so that to-day we would not go back to the French flag, were we at liberty to do so. Lord Dufferin found no objection to unity in the diversity of languages and of races.

Lord Dufferin, on one occasion, expressed himself as follows :

I think that Canada should esteem itself happy in owing its prosperity to the mixture of several races. The action and reaction of several national idiosyncrasies, the one upon the other, give to our society a freshness, a colouring, an elasticity, a vigour, which without them, would be wanting to it. The statesman who would seek to obliterate these distinctive characteristics would be truly badly advised.

It has been regarded as an absurdity by certain English statesmen to try to obtain unity by the obliteration of our characteristics. On a measure that was then before the imperial parliament concerning the former two Canadas, Burke, the famous orator and statesman, said:

To attempt to amalgamate two populations composed of races of men, diverse in language, laws and customs, was a complete absurdity.

Now I will quote another opinion which goes further and is diametrically opposed to the opinions which have lately been freely expressed in Canada. That opinion goes to

say that instead of counteracting the views of the people, it is better to adapt the laws to the character of that people so as to produce a better result. After the constitution of 1774 had been given to Canada, a debate arose in the House of Commons in England, on the occasion of a petition from the people of Quebec, asking for the reinstallation of the trial by jury and the writ of habeas corpus. Sir Robert Smith, a member of the House, then spoke and said :

Whoever reflects upon the excellencies of the British laws would wish to see them extended over the whole face of the British empire ; but if there are local and circumstantial reasons, arising from the national character of the people, their language, customs, usages, institutions and I will even add, their prejudices, which in this case, ought to be consulted, and not only consulted, but, in some measure, indulged ; but if there are reasons arising from these various circumstances that make it impossible for the English laws to be adopted in their original purity, I will venture to affirm, that a legislator is not only justified, but that is an essential part of his duty so to alter and modify these laws as may best adapt them to the peculiar genius and temper of the people, so as to become the best rule of civil conduct possible and the best calculated to promote their general happiness. It was ever the maxim of the greatest legislators of antiquity to consult the manner and dispositions of the people and the degrees of improvement they had then received, and to frame such a system of laws as was best suited to their then-immediate situation.

This reminds me of a lesson which comes to us from antiquity. The wise legislator Solon had been called to give laws to his people. Some time afterwards learned men of some other parts of the world came and asked him whether, in his opinion, he had framed for his people the best laws that could be made. He simply answered that he had given to his people the laws that could best be adapted to them. This was considered wisdom, and has been considered wisdom at all times up to this date. Truly the laws ought to be made for the people and not the people for the laws. Taking into consideration the circumstances under which we live, it would be for the best interest of this land of ours to legislate so as to afford contentment to the various sections of the people.

But then I hear some say that the majority must rule. Are you sure that such a rule should obtain in everything ? Then, if I am not mistaken, the Catholics, although not the majority over all other churches, are the largest religious denomination in the

Dominion. If the majority must rule in all cases, then let all the smaller denominations come to us, or vice versa. Many would object to that, I am sure. No, gentlemen, religious convictions cannot be matters to be decided by yeas and nays. In a country of liberty, each one is free to kneel before his own altar. When it comes to education, the Catholics regarding that subject in the light of their conscience, should be granted without discussion the institutions which they regard as touching the very soul of their children.

Is not, in fact, this rule that the majority must rule everywhere, and in everything, too brutal?

We are, in round figures, 40 per cent of the whole population. Is not that figure large enough to inspire towards us better appreciation? Are the conscientious views of such a large section of the country always to be questioned, debated, neglected and ignored? Parliament of Canada does not do that with other bodies. Every session deputations from various concerns come here and appeal to the government for some betterments. These are, however, of a material order, less important than the interest that we have at heart, and still they are heard, and we do not send them back by brutally saying to them that they are a minority.

Unity! Do you think that you will find unity in the repulsion which will necessarily be engendered by a policy which refuses satisfaction to conscientious views? Such policy is not calculated to foster good feeling between races and creeds. That policy is rather calculated to widen the gap which divides us.

Unity! I have already said where we could find it. Let me, however, put before you the words of one of those who assisted in bringing about confederation.

Sir John Rose said on one occasion:

We trusted each other when we entered this union; we felt that our rights would be saved with you; and our honour and good faith and integrity are involved in and pledged to the maintenance of them.

There lies unity; in carrying out respectfully and faithfully the pledges referred to in the above words, that unity will be realized.

I know, circumstances are sometimes difficult to overcome. But the solving of those difficulties depends much of our action. The leaders of the nation are very rarely unable to master public opinion. In times of emergency the parties must do as they did in 1864. Then many of our political men rose superior to their party feelings. They united to find a way out of our troubles. They succeeded and they created confederation. Now, if I am permitted to refer to the events of 1896, I will say that then the opposition, and its leaders especially, should have risen in their places in the House of Commons and pledged their support to the Remedial Bill. If they had done that, the question then would have been settled and settled for all times, and for every part of the Dominion. No war in the Northwest was to be dreaded. We would have no such troubles as we have to-day. And to-day, consistent with myself, I say that this year when the Autonomy Bill was laid before the House of Commons it was to my mind the duty of the present opposition to offer their support to that measure in its original form inasmuch as the Bill as originally drafted was an acceptable one. Again I say that if the opposition had taken that course, much of the agitation which has been going on for the last five months would have been quelled from the beginning. And in the long run such attitude would have received the approval of the people. Unfortunately, another course was followed and the result is that we have neither peace, nor justice, nor a good measure.

The Senate, however, exists to act as moderator. It was created to represent the second sober thought of the country. Such being the case, I submit that this House should inspire itself with the sentiments contained in the words of Sir John Rose, quoted above, and improve this Bill or reject it. My voting for the six months' hoist is only to record my dissatisfaction of the measure in its present shape. I know this will not have the effect of throwing out the Bill. We will have then an opportunity to improve the same when in committee, and I hope the government will consent to such an improvement.