

law we gave them in 1875 they established a system of schools, is not that system of schools as dear to them as if they had been erected into provinces? If they have acquired rights thereby, are not those rights as sacred as if they had been erected into provinces?

Now Sir, it seems to me that this argument cannot bear examination. But if we are to take some of the newspaper articles and some of the speeches I have read, what is the supreme reason and argument that is advanced why this principle of the constitution should not apply to the Territories? It is because parliament is omnipotent, it is because parliament is not bound to respect the acts of a former parliament, it is because the parliament that was elected in November, 1904, is not to be bound by the parliament which sat in this House in 1875. Well, Sir, if that view is to be taken, if we are to say that parliament is supreme, I have nothing more to say. Parliament is supreme indeed, parliament is supreme, and may even go to the length of disobeying the moral laws which bind all governments and all men. It is open to any man to break his word, it is open to any man to violate his engagement, it is open to any man to trample under foot his plighted troth. Now if it is open to any man to do that, it is also open to an assembly of men; and if it be the view that parliament is not bound by the acts of any preceding parliament, that parliament may violate its plighted troth, then we have a double opportunity on this occasion to signalize ourselves, because not only can we remove from the minority the system of separate schools which they have had for many years, but we can correct another invasion of provincial rights which is far more reaching than the violation of provincial rights in the matter of education. If it be true that in 1875, parliament introduced separate schools into the Northwest Territories and gave to the minority the privilege of those schools, it is equally true that in the year 1881 this parliament for ever abbreviated the powers of those new provinces in the matter of taxation; it is equally true that in 1891 this parliament decreed by an Act passed here, passed against the protest of the minority in that parliament, decreeing for all time to come, not for one year only, or ten years, or one generation, but for all time to come, that the Canadian Pacific Railway and all stations, station grounds, workshops, buildings, yards and other property, rolling stock and appurtenances required and used for the construction and working thereof, and the capital stock of the company, should for ever be free from the power of taxation by those provinces. It was decreed also that no municipal body created by the provinces could levy taxation upon the Canadian Pacific Railway, its stock, its buildings, its workshops and its

Sir WILFRID LAURIER.

capital stock. Sir, is not that an invasion of provincial rights far more reaching in its consequences than the invasion of provincial rights which is complained of in the matter of education? But does anybody in this House think of removing from the Canadian Pacific Railway the powers and immunities which have been granted to that company? Does anybody in this House think for a moment of giving to those new provinces the power to levy taxation upon the Canadian Pacific Railway? No, we respect our engagements. Then I ask if we respect our engagements in the one case, why should we not respect our engagements in the other case?

But Sir, that is not all. I find no better testimony in favour of the principle which is embodied in this Bill than the letter which was written to me some days ago by Mr. Haultain, Premier of the Northwest Territories; I want no better testimony of the soundness of the position which we have taken than the ipsissima verba contained in Mr. Haultain's letter, and which I will read to the House.

The territory included within the boundaries of these proposed provinces was 'admitted into the union' on July 15, 1870, and immediately upon the creation of these provinces the provisions of section 93 of the British North America Act, 1867, become, as a matter of indefeasible right, a part of their constitution.

That is to say, as a matter of 'indefeasible right' the provision of section 93 of the British North America Act becomes part of the constitution of the Northwest Territories. Now, let me repeat, what is the disposition of section 93 of the British North America Act:

In and for each province the legislature may exclusively make laws in relation to education, subject and according to the following provision:—

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.

Therefore, if I understand the English language, it means this, according to Mr. Haultain's own admission, that in this matter of education the rights and privileges of the minority are secured against any prejudicial legislation which might be passed. Now, Sir, there is this difference between Mr. Haultain and myself with regard to this point. Mr. Haultain argues that this section 93 applies automatically, that this House has nothing to do but simply to admit the province and immediately it becomes subject to section 93; whereas the position we take is while the provision is embodied in section 93 it has to be introduced legislatively by this parliament into the constitution of the Northwest Territories.