

he attended this House one hour to my ten. When the hon. gentleman throws out an insinuation that I do not attend to my parliamentary duties by remaining in this House, he is making a statement that is absolutely unwarranted. He has no right to make that statement, and the hon. gentleman ought to rise to his feet and say that he only did it as a joke.

Mr. FITZPATRICK. If my hon. friend takes the matter very seriously, I will tell him that I do not think he is more frequently absent than many other members of the House.

Mr. HENDERSON. No, that will not satisfy me. The hon. gentleman had no right to make that statement. I think I am more frequently in my place than a great many other members on either side of the House. I confess that I am very seldom absent indeed.

Mr. FITZPATRICK. If the hon. gentleman makes the statement, I accept it of course.

Mr. HENDERSON. Certainly. The hon. gentleman does not know whether I was here or not. Well, Sir, I think the ex-Minister of the Interior told us that he did not hold the Minister of Justice responsible for drafting the original clause 16. However, the hon. gentleman comes down now at this late date and tells us that he did draft it. The ex-Minister of the Interior told us that it was a mistake of the draughtsman. Now we remember well the brilliant speech with which the right hon. the First Minister introduced this Bill to the House about six weeks ago. We remember that brilliant oration, the rounded periods, the high sounding phrases, how he denounced the national school system of the United States, and how he praised the system that was in vogue in this country—although I think the right hon. gentleman made some mistake, because in only two provinces of this Dominion can it be said that separate schools prevail. But we remember the brilliant oration with which this child of the government was ushered into existence, and how hon. gentlemen on that side of the House, including ministers of the Crown, thumped their desks, blistering their hands, and shouting themselves hoarse at the high sounding words of the hon. the First Minister. Little did they know—because they did not know it until to-day—that they were simply applauding the draughtsman, because the man who drew that clause must have drafted the speech of the right hon. gentleman. The two are inseparable. No two men could have drafted these two documents and produced the same harmony. Therefore if the Minister of Justice drafted every word of that clause, in the opinion of this House he drafted every word of the right hon. gentleman's speech in introducing it. I think there is no getting over that. But it only shows how the gov-

ernment is divided. The ex-Minister of the Interior says it was the draughtsman that did it, the Minister of Justice says now that he did it.

Mr. FITZPATRICK. I am the draughtsman.

Mr. HENDERSON. The Minister of Justice is the draughtsman. Well, we are glad to know that the hon. gentleman assumes the fathership of this unfortunate child, which would not be fathered by any member of the government, was thrown overboard and destroyed. The ex-Minister of the Interior declared that he would not approve of it, other members of the government one after another declared that they did not approve of it, and at last the Minister of Justice himself was compelled to abandon his own child.

Mr. FITZPATRICK. I do not like to give it to anybody else, as a rule.

Mr. HENDERSON. Well, I think I have made that matter plain enough. I shall now proceed to deal with one other phase of the question. I may be wrong, I think I am right, I do not pretend to have the ability to draft a simple clause of an Act of parliament that would receive the commendation of the colleagues of the hon. gentleman, but I think I know something about some of the clauses of the British North America Act when I read them. It seems to me that the British North America Act in some of its provisions at least, is so plain that he who runs may read, and I am now going to give my understanding of it, not as a man versed in the law, but as a layman of, I hope, ordinary intelligence. What does the British North America Act say with regard to education? I turn to section 93 and I read:

In and for each province the legislature may exclusively make laws in relation to education.

Subject, &c., to certain restrictions and the reservation is where the question of remedial legislation comes in. Where is the authority for the Dominion parliament to make laws relating to education apart from remedial legislation? The British North America Act relegates the question of education entirely to the provincial legislatures. What right has this parliament to interfere and usurp the powers of the legislatures of the provinces we are about to create? What right have we to restrict them in their exclusive power when the British North America Act plainly says that the legislature of each province may exclusively make laws with regard to education? No other authority has power to make laws in regard to education; the county council has no power to make such laws; the Dominion parliament has no power to make such laws, apart from the reserved clause relating to remedial legislation. The provincial legislature, and the provincial legislature alone has the power