

the British North America Act. The whole principle which is crystallized in section 16 of this measure is one which is as old as British Dominion in America and which has been recognized on every occasion, from the very day the colony of Quebec capitulated down to the present. Why then in 1905 should the rights of the Catholic minority, which has grown from 60,000 to two million and over, not receive the respect and sanction of the parliament of Canada? If it was just and proper, as the right hon. the leader of the House pointed out the other day, in 1867, that the rights of the minority in the provinces of Quebec and Ontario should be preserved, is it not equally just and proper that in 1905 the Catholic or Protestant minority in these new provinces should also have its rights recognized and perpetuated? Where is the difference? What was right and proper in 1867 is surely just and right in 1905.

Mr. Speaker, in opening my remarks, I said I would endeavour to show that according to the letter, as well as to the spirit, of the constitution, section 16 was absolutely necessary. I also said that, for what I believed to be reasons of high public policy, it was expedient and necessary that we should enact section 16. In the divergence of opinion expressed by my hon. friend the leader of the opposition (Mr. R. L. Borden), by my hon. friend from East Hastings (Mr. Northrup), by Mr. Christopher Robinson, K.C., and to-day by my hon. friend from St. John and Iberville (Mr. L. P. Demers), for all of whose opinions I entertain the greatest respect, I find the strongest possible reason for saying that considerations of high public policy make it expedient and necessary to enact section 16, as we are now doing. Who in this House or in this country is yearning for a renewal of the agitation we had some years ago over the Manitoba Schools Act? Who is willing to have the passions and the prejudices of the people aroused in the manner in which they were aroused at that time, bringing this country almost to the verge of civil war? Who is willing to have the energies and activities of the nation paralyzed in the way they were paralyzed at that time? I would ask the leader of the opposition (Mr. R. L. Borden) if he would be willing to-day to suggest that the Act of 1875, and the ordinances enacted thereunder by the legislature of the Northwest Territories, should be repealed? Would my hon. friend rise in his place in this House and suggest that we should repeal the provisions of the Act of 1875?

Mr. R. L. BORDEN. I never suggested that.

Mr. BELCOURT. I believe not.

Mr. R. L. BORDEN. What I have said is that that is not a matter for me, but a matter for the people of the Northwest Territories. And I have said further that I do

not believe that we shall advance the position by passing a law which we have no power to pass. That is all.

Mr. BELCOURT. I quite believe, Mr. Speaker, that my hon. friend (Mr. R. L. Borden) would not to-day suggest that the Act of 1875, and the ordinances enacted thereunder, should be repealed; for I know he would not be willing to take the risk which that would involve. My hon. friend must realize that that is the position in which the government was placed; and if my hon. friend the leader of the opposition were on the treasury benches, that is the problem that would face him.

Mr. R. L. BORDEN. I do not so understand it.

Mr. BELCOURT. I do, if the hon. gentleman does not. The government had to do one of three things—to continue the legislation of 1875 as it was, to repeal that legislation altogether, or to modify it. The government did not choose to repeal this legislation any more than the hon. gentleman (Mr. R. L. Borden) would have dared to advise the repeal of it had he been in power.

Mr. R. L. BORDEN. Might I suggest to my hon. friend (Mr. Belcourt) that section 15 of the Bill expressly continues the laws in force in the Northwest Territories? The hon. gentleman apparently has not read the Bill.

Mr. BELCOURT. Yes, I have read it, I still hold the opinion that section 16 constitutes a modification of the law of 1875. As I have said, I do not intend to discuss the extent of that modification; but, as was demonstrated by the ex-Minister of the Interior (Mr. Sifton), it does constitute a modification. I have no doubt on the subject, and I do not think there can be any doubt. Obligated to do one of the three things to which I have referred, the government did not dare, any more than the leader of the opposition would have dared, to repeal the Act of 1875. It chose to continue that Act in a modified form, thus doing one of the three things I have mentioned. But, in speaking as he has spoken in this House, the hon. gentleman (Mr. R. L. Borden) has virtually taken the position that the law of 1875 should be repealed. He has told us that this matter should be left entirely to the new provinces and that we should not interfere, and that there is absolutely no danger to the rights of the minority being in any way taken away or impaired, but that we must trust to the spirit of justice and fair-play of those who live in these new provinces. For myself, I have confidence in the spirit of justice and fair-play among the inhabitants of the Northwest Territories. But how long would that feeling exist and the spirit of justice remain if the agitation that hon. gentlemen opposite and their friends and their press have carried on in this province