

belief, as I state it now; I knew it was not politically to my advantage, I knew it was not politically to the advantage of the Liberal-Conservative party; but, Sir, without thinking of ulterior things, I said to myself:

There is the constitution, there is the pronouncement of the highest judicial tribunal in this empire, there is the minority coming with a grievance and having the right to appeal to the Dominion government and the Dominion parliament, the only power that has jurisdiction to right their wrongs; I said to myself: I believe it is right, I believe in the policy of attempting to carry out the constitution.

Well, Sir, why does not the hon. member for North Toronto still believe in the constitution? I have always understood that a man who had principles and who believed in his principles stuck to them and tried to convince the people that they were wrong and not be convinced by the people that he was wrong. I think the hon. member for North Toronto has been long enough in politics and has been long enough in this parliament not to allow himself, when he believed that he had the right view of the question, and when he believed in the right of the minority, to be convinced that he was wrong even by a thrice expressed opinion on the part of the people, especially so, when during the elections of 1900 and 1904, that question was not in the least talked of. My hon. friend from Ottawa (Mr. Belcourt) was quite right the other day when he said that the hon. member for North Toronto changed his mind because he found that his former view was not to his political advantage and it did not pay. These are the principles of hon. gentlemen on the other side of the House. They have principles but they cannot stick to them. They do not believe in anything that does not pay and is not to their political advantage. It is not the statesmen who try to enlighten the mob, but it is the mob that tries to enlighten the political statesmen of the Conservative party. We have an expression of opinion by the highest tribunal in the British empire; we have on this question the opinion of the judicial committee of the Privy Council which was given in the Manitoba case. We have the opinion of Lord Herschell, and I hope that the hon. member for North Toronto who has been much longer in politics than I have and who ought to know better than I do will pay some attention to that opinion and that he will be convinced that the correct view of this case is not to be found in the expression of public opinion on such a question as this. Lord Herschell, speaking in regard to the question of the jurisdiction of the provinces in the matter of education, said:

Before leaving this part of the case it may be well to notice the arguments urged by the respondent, that the construction which their lordships have put upon the 2nd and 3rd subsections of section 22 of the Manitoba Act is inconsistent with the power conferred upon the legislature of the province to exclusively

make laws in relation to education. The argument is fallacious. The power conferred is not absolute, but limited. It is exercisable only 'subject and according to the following provisions.' The subsections which follow, therefore, whatever be their true construction, define the conditions under which alone provincial legislatures may legislate in relation to education, and indicate the limitations imposed on, and the exceptions from, their power of exclusive legislation. Their right to legislate is not indeed, properly speaking, exclusive, for in the case specified in subsection 3, the parliament of Canada is authorized to legislate on the same subject. There is, therefore, no such inconsistency as was suggested.

Mr. Speaker, when the Northwest Territories entered the union they came under the principle of the British North America Act which is the basis of confederation and which is the principle upon which all the sovereign states have met to form this confederation. This was the principle and it was so well understood that when a law was passed relating to separate schools in the Northwest Territories it met, in the House of Commons, with little if any opposition. The men of that time, the Blakes, the Mackenzies, and Sir John Macdonald understood perhaps better than our hon. friends to-day what was the spirit of the constitution because they were closer to it. Were there any doubt left in the minds of hon. gentlemen about the right of the Catholics of the Northwest Territories to their separate schools the law of 1875 should remove it immediately. That law, which I need not read to the House, as has been said by my hon. friend from Beauharnois (Mr. Bergeron), is the law of to-day. That law was passed under the provisions of section 93 of the British North America Act, it is the law of to-day and the meaning of the British North America Act is that when separate schools have been established they have been established for good. Why was it that the law of 1875 was passed? Was it not passed at the request of the Protestant minority in Manitoba, under section 93 of the British North America Act, to make clearer and to relieve any doubt there may have been relating to the rights of the Protestant minority of the west? When that law was passed by parliament, the Protestant minority as it then existed believed that the Northwest Territories would be a second province of Quebec and that the French Catholics would have a majority there. That is so clear that you cannot find any speech against it, not even a speech by George Brown himself, and I defy hon. gentlemen opposite to show me one single article in the Protestant papers of that time against the law of 1875. What was the attitude of the 'Globe' then? Can we find a single word in the 'Globe' of 1875 against the law which gave separate schools to the minority of the Northwest Territories? Nor, can we find a single word of protest in the 'Mail' which, I believe, is the organ of the Conservative party to-day. Well Sir,