

from his part and I could almost imagine I heard him thump the gavel upon the desk and tell that hon. gentleman to come to heel as he had meekly done. Such is the situation that is presented to this country today. I do not think that those who feel as I do upon this question have much to hope for when they rely upon the leaders of the respective political parties. I say this sincerely, and I do not say it offensively; it seems to have been the policy of both parties; it is therefore necessary for us in these days when there is so much inflammatory matter about to fully realize and appreciate these things. It is not fair, not right, to consider them without looking from every point of view. I have no hesitation in bringing these views before the attention of the House. I have done it because the leader of the opposition insinuated that Mr. Dalton McCarthy was 'established,' I think he put it, by the Prime Minister in Ontario. I have shown that Mr. Dalton McCarthy held these views long before 1896. I did not require to show you, at all events, I will not endeavour to do so, for I think that this country is now well satisfied, that the convictions of Mr. Dalton McCarthy then were honest convictions, and that the insinuations of the hon. member for Beauharnois (Mr. Bergeron) that he acted out of pique or disappointment because he was not made Minister of Justice, does not require refuting in Ontario, nor do I believe, in the whole broad Dominion of Canada. From what I have said, it seems clear that we must approach this question with a knowledge of what has gone before. I announced myself at the outset when I spoke on the first possible occasion as unalterably opposed to the educational clauses in the Bill, and I will go further and say that I am unalterably opposed to this parliament legislating in any restrictive way in regard to the matter of education as against these provinces which are about to be formed. I am prepared to go further than that, and I think I can demonstrate that it is necessary to put a clause in this Bill stating that fact; otherwise you will find that separate schools will be there whether you will or not. This is why I argue that there must be a definite announcement of policy. Now, Sir, many views have been propounded in reference to this. The Prime Minister has made it perfectly plain that as a matter of policy and as a matter of law, he thinks that this legislation is justified. The leader of the opposition (Mr. R. L. Borden), I repeat again, has not said anything about the question of policy; he does not argue for or against separate schools. He says: Let the constitution take its course.

Mr. LENNOX. The hon. gentleman has said that a great many times. I do not know if it is significant or not—

Mr. L. G. McCARTHY. I understand the hon. member is going to reply. I can obviate that—

Mr. LENNOX. It has been repeated a good many times that the leader of the opposition said 'Let the constitution take its course.' I do not recall any such expression being used by the leader of the opposition.

Mr. L. G. McCARTHY. I may have misconceived the leader of the opposition, but I understood that to be his whole argument. He stood upon the rock of the constitution also. The Prime Minister also stood upon that rock, and my difficulty is that I cannot find room on the Prime Minister's rock or the leader of the opposition's rock, or the rock on which the hon. member for Jacques Cartier (Mr. Monk) stood. Three different constitutional views were expressed by these three gentlemen. In my opinion, we have plenary power to deal with this matter as we see fit, and according to the expediency and the justice of the case. In this regard, I agree with the ex-Minister of the Interior (Mr. Sifton), and I also invoke the declaration of Sir John Thompson in support of that view. Attorney General and great lawyer as he was, he pronounced his opinion to be that at this time we would be free to do as we thought expedient, and best. This, Sir, is my opinion, and I am prepared to stand by it. The power under which we are proceeding is the British North America Act of 1871, which is commonly known as the doubt-removing Act. That Act enacted 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.

There are no restricting words there. We are told we may give them practically a free charter in such terms and on such conditions as we think fit. I cite also the opinion of Mr. Dalton McCarthy, expressed, it is true, in an off-hand way in the debate in 1891. I wish hon. gentlemen to understand in this connection that in drawing an Act of parliament it is generally expedient to follow some precedent and form. As Mr. Dalton McCarthy said, the natural precedent and form to be followed is in so far as practicable the terms of the British North America Act. But he went further and said that in fairness and in justice to these new provinces you should do for them what you did for the others. Not only do I invoke those whom I have cited but I invoke the Prime Minister of the Northwest Territories.