

I had the highest possible admiration, both as a man and as a statesman, as a man who had the good of his country at heart, it was the late member for Centre Toronto. I am sure that no one regrets more than I do that he is not present at this time and on this occasion to lend the power of his great personality and of his great eloquence in dealing with these important matters, than which no one in this country was more qualified to do.

Mr. H. GUTHRIE (South Wellington). Mr. Speaker, in rising at this late stage of the debate, at a time when the chief point of controversy has been most thoroughly discussed from almost every point of view, namely, the educational clauses of this measure, one would almost require some excuse for trespassing further on the time of the House. I merely rise on this occasion to state, in as few words as possible, my own feeling and my own position in regard to this Bill, without entering into details or repeating arguments except in the most general way, in order to justify the faith which is in me with regard to this measure. When this Bill was before the House upon a former occasion, I stated that I was unalterably in favour of the measure as it was then before the House. So I say now, I was in favour of it, as I then understood it, so I am, as I understand it at the present time, to be a measure to continue in the Northwest provinces that school system which they now enjoy and which for many years past they have enjoyed. If the amendments which have been introduced to the Bill since I spoke on a former occasion, give more precision to the present state of affairs in regard to education in the Northwest Territories, than did the original draft, then I think they have been wisely introduced. I believe further that the measure as now before the House is acceptable to the vast majority of the people of the Northwest Territories; and if so, then, apart from my own convictions altogether on this subject—I may say that my convictions are entirely favourable to the measure—but apart from them altogether, I would feel it my duty to support the measure, always with this provision, that this House has the power, that this parliament has the constitutional authority, to pass this measure, and that in so doing we in no way hamper, or infringe upon, or deny any of those rights which we know under the general term of provincial rights. Now, Mr. Speaker, I affirm the constitutional right of this parliament to pass this measure, and I deny that in so doing we in any way infringe upon provincial rights properly so-called. I am well aware that in taking that stand and in discussing this measure from that point of view—which is the only point of view from which I intend to discuss it—I

find myself in direct conflict with the views and opinions of many hon. members opposite who have opposed this measure, hon. members who have obtained in the legal profession a far greater eminence than I can ever hope to attain; but, having the very highest respect and deference to the opinions of hon. members who differ from me, I still have to affirm my conviction upon this point, after a critical and careful examination of the whole case, that I believe the opinions offered upon the constitutional aspect of the question by the leader of the opposition and by those who have followed him, are erroneous, and it is only after very careful study that I have made up my mind to confront them and oppose them.

In the first place I confess to some feeling of disappointment in respect to the constitutional objections urged against the measure by some hon. members opposite. They have been somewhat inclined to conjure up for themselves imaginary difficulties in connection with this measure. Possibly they may be able at some future time to shield themselves behind what one might call the somewhat involved and somewhat refined doctrine of ultra vires, rather than that they should come out in the open and fight upon the merits of this measure. I am disappointed also to find, as I think I have found, a good many of those who have opposed this measure who have done so on the principle that it must be illegal and unconstitutional simply because it has been met with the disapproval of the hon. leader of the opposition (Mr. R. L. Borden). That may be a very loyal course but it is not a very enlightened course to pursue; it may be very complimentary to the hon. leader but it is hardly complimentary to those who blindly follow his lead.

Another matter which has caused me some trouble and not a little difficulty is that after many careful perusals of the speech of the hon. leader of the opposition and of those who have argued upon the same lines as he has done, I am unable definitely to ascertain whether if this measure be in fact constitutional and within the powers and jurisdiction of this parliament, if the constitutional question be conceded in favour of this measure, the leader of the opposition would support the Bill or withhold his support from it. I have failed in many careful perusals of his speech to find what his real attitude would be. I believe that the people of Canada, this House and the electors of the county of Carleton, would in their hearts like to know what the attitude of the leader of the opposition is upon the merits of the Bill, apart from the constitutional question. Of course that is merely a hypothetical proposition, and the hon. member need not give answer to it unless he sees fit. There is one thing further which I would point out, and I point that out per-