

ment and say that the time had fully come for the granting of autonomy to the new provinces in the Northwest? Thus, for the last five years this question has again and again been brought to the attention of this government and this government has known that at some very early date it would be necessary to legislate for the purpose of giving to these two new provinces the charter under which they would subsequently be governed. Has the government made the preparation that was necessary for such an important step? Has the government made any attempt to ascertain what we in this parliament may legally do? Now we are face to face with a constitutional difficulty and the government have apparently said: We shall pass the Bill and test its constitutionality afterwards. Is that a dignified position for parliament to take? I should judge not. I think that the government is certainly blamable for the raising of this constitutional difficulty. Seeing that constitutional authorities of the highest character differ as to the powers of parliament in respect to this legislation, this government should have submitted a series of questions to the highest judicial tribunal and should have obtained from them a finding so that we would be relieved from the necessary anxiety of passing legislation, the legality of which is at present greatly in doubt. If I may offer a suggestion to the members of the government, a suggestion which has been made before, it would be that it is not too late for them to draw up a series of questions as to just what this parliament may or may not legally under imperial statutes put in the Bill now before this House. It is not too late for the government now to submit such a series of questions to the highest judicial tribunal. Having obtained a finding they could come before this House and say: This we can do and this we cannot do. Let this be done and we will then make good law. And so, Mr. Speaker, I feel that the first words that come from my mouth must be these, that I do believe that the government at the present time, owing to lack of foresight in settling the judicial aspect of this question, has placed this House in a very delicate and a very difficult position.

Assuming for the moment that this parliament, in granting to the new Territories their autonomy, has the power of laying certain limitations on these new provinces, more especially in respect to the laws which they may subsequently pass with respect to education, admitting for the moment that the government has this right—which I do not admit except for the sake of argument—the manner in which this Bill has been introduced into this House has, I think, been most unfortunate and most *mal-à-droit*. It has, in fact, been largely responsible for the storm which has arisen throughout the entire country over this matter. If I may be permitted I would like to

MR. AMES.

refer to the opening remarks of the Prime Minister delivered on the 21st of February, when he made his first speech in connection with this legislation. I find that he uttered these words which, I know, commend themselves to every member of this House:

We have known by the experience of the past, within the short life of this confederation, that public opinion is always inflammable whenever questions arise which ever so remotely touch upon the religious convictions of the people. It behooves us therefore all the more at this solemn moment to approach this subject with care, with calmness and deliberation and with the firm purpose of dealing with it not only in accordance with the inherent principles of abstract justice, but in accordance with the spirit—the Canadian spirit of tolerance and charity, this Canadian spirit of tolerance and charity of which confederation is the essence and of which in practice it ought to be the expression and embodiment.

I endorse these sentiments. And I would like to say, in reply to the Minister of Agriculture (Mr. Fisher) who spoke this afternoon, that the Liberal party has not had, nor has it to-day, a monopoly of tolerance and Christian charity in this country. But the words of the Prime Minister to which I wish to call particular attention are these: 'This subject should be approached with care, with calmness and with deliberation.' And I would like to ask this House if, in the opinion of hon. gentlemen, this educational question has been approached by the government with care, with calmness and with deliberation. I would like to ask them whether the original clause 16 of the Bill shows internal or external evidence of having been prepared with care. And, I should like to ask them if the fact that the clause was prepared just three hours before the Bill was presented to this House shows that in dealing with this matter care and deliberation were exercised. This original clause 16, poor new-born infant laid on the table of this House and seen for the first time on the 21st of February last, whose parentage we have never yet been able to ascertain—for no one will own it—this short lived clause, threw the country into a furore of excitement for three weeks and then it died, and was put away unwept, unhonoured and unsung,—and peace be to its ashes. We had the spectacle of ministers of the Crown giving different interpretations to the legislation which they were endeavouring to force through this House. The Minister of Justice (Mr. Fitzpatrick) declared that this original clause was intended—and the Minister of Justice ought to know what was intended—to guarantee to the minority of the Northwest nothing more than the privileges which they presently enjoy under the existing statutes. A few days afterwards, we had the spectacle of the ex-Minister of the Interior (Mr. Sifton) arising and explaining that, from his point of view, the clause contained far more than we had been told, that it contained the seeds of a complete separate