

I invoke the Manitoba Act; I invoke the Prince Edward Island resolution; I invoke the British Columbia resolution. The hon. Prime Minister of the Northwest Territories prepared a draft Act in 1903, clause 27 of which reads as follows. In the clause the name of the province is left blank, but I will fill it up with the name 'Alberta':

On and after the said first day of January, 1903, the provisions of the British North America Act, 1867, except those parts thereof which are in terms made or by reasonable intendment may be held to be, specially applicable to or to affect only one or more but not the whole of the provinces under that Act composing the Dominion, and except so far as the same may be varied by this Act, shall be applicable to the province of Alberta in the same way and to the same extent as they apply to the several provinces of Canada and as if the province of Alberta had been one of the provinces originally united by the said Act.

Then he adds this note:

This is the provision adopted at confederation and on which all the provinces have since joined the union.

I submit to you, Mr. Speaker, and to the hon. members of this House that the last three lines of that clause do away with all argument as to the question of 'territory' or 'province,' and all question as to the date of the admission to the union. If the province of Alberta had been a province which had been originally united with confederation in 1867, is there any hon. gentleman in this House who will say that the provision of section 93 of the British North America Act would not apply? I cannot conceive of any answer to the argument, that if you apply this draft clause to these provinces, you apply to them section 93 of the British North America Act, unless, in some other part of the enactment, you specifically take it away. That is my argument. I say that if you give them that clause which, in all fairness and justice, you must, following the precedent of Manitoba, Prince Edward Island and British Columbia, you do away with any argument as to whether it was a province or a territory, and also with any argument about the date of admission to the union. Is there anybody who will say that they have not now by law these rights and privileges? Admit these two points, and you admit the whole of my argument—the conclusion seems to me to be absolutely inevitable. But what I say further is that you have a little phrase in that clause that does protect you, if you admit the first part of my argument, which is that we have plenary power, as we have, I think, under the British North America Act of 1871, that phrase says 'as varied by this Act'; and you must vary this Act if you want to get away from section 93 of the British North America Act of 1867. I say, and say it without fear, without antagonism to any hon. gentleman in this House, without any desire to raise a sectarian cry or to foment

Mr. L. G. McCARTHY.

religious struggles, I honestly believe that if you have one national school system it is in the best interest of the country. I would be disposed to recognize all conscientious beliefs. But coming to this question as I do, I cannot reach any conclusion but that it is best that there should be one school system. Therefore, I hold that parliament should vary by this Act the application to these provinces of the British North America Act. And I am prepared to support a clause to that effect. I regret that the leader of the opposition (Mr. R. L. Borden) is not present that I might ask if he is prepared to support, or whether he intends to propose, or will propose, as a matter of policy, the inclusion in this Bill a little clause to this effect:

The province of Alberta shall, unconditionally, have the exclusive right to legislate in regard to matters of education.

There is a straight issue of policy. The Prime Minister has announced his policy that he believes in separate schools and that the minority has rights which should be protected. The leader of the opposition has yet to make an announcement on that point. He declares that he does not argue for separate schools or against them. But I think we are entitled to an announcement by him on the question of policy. Now, I cannot see why there should be any inflammatory disposition on the part of any hon. gentleman in discussing the question whether we should have a national school system or a divided school system. I do not want to be a bigot; I try not to be a bigot. I am sure that even if you do give the power to the province, in all probability you will have some kind of a separate school system. But what harm would there be in leaving it to them? If you adopt the clause I suggest you are not legislating to take away separate schools; you leave it beyond the shadow of a doubt to them to do as they please about separate schools. You make your legislation clear and you avoid litigation.

If that argument is not logical, I am far astray. The only answer to it that I can see is the argument of policy, the argument of toleration and moderation that was made in 1896. I am prepared to admit that my hon. friends who argue in favour of this clause as it is now amended are honest in their conviction that it is in the best interest of the country to try to quiet matters. But, on the other hand, I do not think that quiet would result from the legislation they suggest. I am one of those who think that if you follow the course here proposed you are more likely to stir up strife than if you do what I suggest. I had a Scotch grandmother, though I have an Irish name, and I can well believe that this is a case in which, if you are to grasp the thistle, it is best to grasp it firmly. If, in dealing with this matter as the Prime Minister proposes, we do not promote moderation and tolera-