

uproar of the great falls. That kind of music apparently suits his taste much better than the sweet pastoral melodies.

The hon. member having taunted the hon. Postmaster General for his violent reply to the hon. member from North Toronto (Mr. Foster), unfortunately proceeded to follow in his steps, and even went much farther. During the whole evening he assailed in an unwarrantable manner the Postmaster General, the Minister of Finance, and the Minister of Justice, and even the hon. member for Assiniboia (Mr. Scott). Are we not justified in giving him one bit of advice: Doctor, cure thy own ills?

This question, Mr. Speaker, is one of justice. Justice is not the outcome of human passion, but rather of reason. Of old, it was represented under the form of a woman whose eyes were bandaged, which meant that she should not be influenced by the clamour from the street. And when I heard hon. members on the other side of the House claim that the majority wanted so and so, and the minority so and so; that petitions in support of their views were more numerous than those in the opposite sense; when I heard them state in this parliament, the highest court in the country, that it was not a question of deciding who was right and who was wrong, but a question of deciding who had the majority, I said to myself: Have they forgotten that this is the twentieth century; that the old principle 'Force above right,' no longer rules in this country, especially since the establishment of the Constitution of 1867.

The hon. member for North Toronto (Mr. Foster) ventured to make some charges against the province of Quebec; he accused her of not showing in practice that toleration of which she boasts so highly, and he claimed that the Protestant population was not free as regards education. And on what grounds has he brought forth such a charge? On the fact that in our schools the Catholic religion is taught, while the Protestant religion is taught in the school of the minority. Does the hon. member know who is responsible for that system? It has not been forced upon the minority; the minority wanted it. The Protestant minority in the province of Quebec wanted that system to be established, they cannot complain therefore that the majority are not always tolerant, as claimed by the hon. member for Toronto North.

On the other hand, the hon. leader of the opposition showed sympathy for the province of Quebec; unfortunately that sympathy was not at all of the practical order. The hon. gentleman did not state that he was not in favour of separate schools. But he has these two objections to make: First, the constitution will not allow us to alter the terms of the British North America Act; secondly, under the federal constitution the Catholic minority

has no rights in the new provinces. Such is the stand taken by the hon. leader of the opposition.

The hon. gentleman's contention seems to me indefensible. That is true specially as regards his first proposition, viz., that parliament has no right to step in and alter the terms of the British North America Act. Indeed, the hon. gentleman who sits at his left (Mr. Foster) was unwilling to urge that point.

With a view to find out what rights we enjoy, is it not necessary that we should consult history? 'History,' says Laurent, 'shows us the meaning and the scope of statutory enactments.' The problem which we have to solve has already been solved, and solved by Sir John Macdonald himself in 1870. But, even before his time, the problem had been solved by the great neighbouring republic and that as early as 1820. Of course, in order to draw correct inferences from the history of the United States, we should take into account the similarity of circumstances, as also the difference between the constitutions of both countries. The United States, in the same way as Canada, have territories, and these territories will have, some day or other, to be admitted into the union. But the difference between our constitution and that of our neighbours on that point is quite marked. Not only has the federal constitution been worked out by the people of the United States, but the constitution of each separate state is also the creation of the peoples of these various states. Here, on the contrary, not only is the federal constitution a gift of the imperial parliament, but even the constitutions of the provinces of Quebec and Ontario have been granted by that same authority. In the same way, the constitution of these new provinces of Alberta and Saskatchewan will have been granted to them by us. Now, Mr. Speaker, although, under these circumstances, the position of the various states is much stronger than that of the federal power; although the people of each state have the right to adopt their own constitution, however, in 1820, when the state of Missouri asked for admission into the union, with a constitution providing that slavery might be maintained for ever within its territory, Congress refused to admit that state into its union unless a contrary provision was inserted. The advocates of Missouri objected: You are interfering with the principle in state sovereignty; you are interfering with the principle in virtue of which the people of each state are entitled to frame their own constitution. The wise men of the Republic answered: Above the principle of state sovereignty there stands the still more sacred principle of individual freedom.

Let me, Mr. Speaker, quote on this point an extract from Storey's book on the American Constitution, volume II, page 220:

§ (1321). At the time when the preliminary measures were taken for the admission of the