of constitutional law. The Liberal party as a whole studied very carefully indeed, not only constitutional law generally, but constitutional law as it related to education in provinces. They studied and discussed and debated, and formed very strong opinions on that question ; and I may say that my own feelings and views on that question to-night are largely coloured by the debates and the feeling of that time. I have noticed also that the speakers who have discussed this matter, the laymen if not the legal men, have announced that they had no intention of discussing the legal question ; and yet they have not been speaking for more than ten or fifteen minutes before they have been led into the temptation, and have been discussing the constitutional features of the question. While the legal question is discussed by legal men, we laymen have also to consider it as judges. We do not approach the matter as advocates but rather as jurymen, and we have the benefit, in all the arguments which have been presented by the legal men, of what I may call predigested food. I may say also that if legal minds only are capable of arguing and debating and coming to a decision on these questions, it naturally follows that they will reach the same conclusion ; and yet in this instance we find legal men differing just as much as laymen could possibly differ. So that there is no absolute certainty of a proper result from the fact that legal men happen to be arguing the case. However, it is not a matter of preference on the part of laymen. I myself would have preferred very much if this matter had not been left to a decision in this way. I would have preferred that a decision of the courts on these questions had been obtained before the government proceeded to act. I would not claim that a decision of the Privy Council would be necessarily better than a decision of this government or of the Supreme Court of Canada. But it would be a decision of the final court of appeal, and it would be acceptable even by those who did not favour it, and action based on a decision of that kind would not be attacked—those attacking it would be undermined by the very quotation of such a decision. I regret exceedingly that before this legislation was introduced such a decision was not obtained. To assume that we have the power to act is, I think, unwise in the face of the opposition ; but if we are forced to face it, where then does the battle lie ? We can trust the legal men at least to produce everything in that way. We have sections 93 and 146 of the Act of 1867 brought forward ; we have the Imperial Acts of 1871 and 1886 and the Mackenzie Act of 1875 ; we have the ordinances and the regulations ; and we have such questions as : does section 93 act automatically, and if so when ? Has it been modified, and if so, what is the date of the modification ? Has this parliament power to act, and if so, how is it to exercise that power, and must it exercise it ? We have also the fact that almost all the speakers declare that they are on the ground of the constitution, a very good place indeed to be ; and I must believe that the Act of 1867 is the real rock of the constitution, that wherever it is applicable it should be the foundation, that at all events the spirit of the Act of 1867 is actually the spirit of the confederation of the provinces which make up this Dominion.

The Act of 1867 was a special bargain between certain provinces which came together to form confederation ; and like all bargains it was made with an eye to the special circumstances immediately before them, each province looking to its own particular interests and safeguarding what it valued the most—refusing to concede anything likely to injure it. When this bargain was completed, then—and then only—was provision made for future additions to confederation—for the addition of Newfoundland, British Columbia, Prince Edward Island, Ruperts Land, and the Northwest Territories. They did not make a very specific provision for these additions. They saw that they might come. They knew the bargain that they had made for themselves, and they thought it would be sufficient to provide that any additions of these other provinces and Territories would be subject to the provisions of the Act they had agreed to. That, I think was the whole spirit of the Act. I doubt if any one of these provinces would have gone into confederation had they been told : We will make this bargain with you to-day as it stands, but we may to-morrow introduce another element into confederation and deal with it in an entirely different manner and spirit. They evidently considered that the provision 'subject to the provisions of this Act' was to be the spirit which would govern all future additions to confederation. It is not likely that the different parties then entering confederation had any specific thought in their minds of a territorial form of government in any part of the country before it became a province. That is one of the misfortunes in the case. The law itself is, I think, a very creditable law for the purposes which they had in view ; but like all other laws, it will not at all suit other circumstances and conditions to the same extent, and it is but imperfectly fitted to the present set of circumstances. The trouble with us now is that we are literally trying to bring into this law certain meanings and applications that perhaps were not foreseen or intended at all ; and it is probably a defect of the legal mind that it insists that because this is the law it must be made applicable in some way. It might easily happen that such a law will not in any one case fit the circumstances. The first question we have to decide is whether this parliament has the requisite authority to pass such a law. The question may afterwards follow : Is it impera-