

amendment, but he must know that gentlemen on this side of the House who represent these new provinces, and who represent them properly, are opposed to this amendment.

Mr. SCOTT. I may be very dense but I would like to know in what possible way, by any ingenuity of the imagination, the provision for one-half hour's religious instruction can work harmfully.

Mr. BARR. I have been telling you. Suppose the Galicians or the Mormons should provide for their religious teaching in a school, it would not be in the best interests of any community, and if this amendment is passed the trustees can control and the legislature of the new province could not interfere. Why should we not trust these new provinces? I believe that the legislatures will be composed of representatives just as intelligent as we are, and in fact more capable of making laws to suit themselves. I venture to think they would give a matter like this more time for consideration than we are giving it here. Tonight this House is adopting the extraordinary course of legislating to protect the majority, when we have usually found that the majority can take good care of themselves and make such laws as they consider in their best interests. It may be that under certain conditions the interests of the minority would require to be guarded, but when you undertake to make laws like the laws of the Medes and Persians that can never be changed, I say you are legislating in a dangerous way and in a way that may reflect discredit on the country.

Mr. LALOR. The hon. member for Dufferin has raised an important point which I would like to have answered. If the majority of the trustees in a good school section are Galicians or Doukobors or Mormons, can they have their religious teaching in the public schools of the country?

Sir WILFRID LAURIER. In my estimation that is a power which is vested in the legislature. So far as this parliament is concerned, as I read the law, it applies only to Protestants and Catholics.

Mr. R. L. BORDEN. Where is there anything about Protestants or Catholics in section 137?

Sir WILFRID LAURIER. The section is a recapitulation from the Act of 1875 which established separate schools for Protestants or Roman Catholics.

Mr. BARR. The Galicians belong to the Greek Church and do not acknowledge the Pope and so they must be Protestants. Are the Mormons, Protestants or Catholics?

Sir WILFRID LAURIER. The Galicians are certainly Christians but the Mormons are not.

Some hon. MEMBERS. Question.

Mr. BARR.

Mr. R. L. BORDEN. The right hon. gentleman has made a statement of a great deal of importance and which is altogether opposed to the view I entertain. The question of religious instruction is dealt with in section 137. Section 137 says this:

No religious instruction except as hereinafter provided shall be permitted in the school of any district from the opening of such school until one-half hour previous to its closing in the afternoon, after which time any such instruction permitted or desired by the board may be given.

I do not observe any reference in this provision to Protestants or Roman Catholics or any other denomination.

Sir WILFRID LAURIER. There is nothing there.

Mr. R. L. BORDEN. It is absolutely general, it is not dealing with separate schools where there is such a distinction made, it is dealing with public schools, where there is no distinction made. That circumstance is the very reason for that amendment which has been introduced, because no distinction has been made. Therefore I do not find any such qualification or limitation in section 137 as that which the Prime Minister suggests.

Sir WILFRID LAURIER. I have given my opinion for what it is worth and I have said that although I have been a lawyer it was many, many years ago and I do not pretend to give a legal opinion. I have given my opinion for what it is worth and if my hon. friend reads the Act, not section 137 alone, but the whole context, I think you will find there is a previous section which gives the power to have separate schools and that power is given to Protestants and Catholics. Therefore the Act deals with Protestants and Catholics and when this class of legislation was introduced into this country there were practically the only two classes although it is different now, and therefore my contention would be that all the sections intended to preserve the rights must be construed with the general tenor of the Act.

Mr. R. L. BORDEN. The argument of my hon. friend seems to be that because Protestants and Catholics are mentioned in a section which deals with separate schools, although any such mention is omitted in the section dealing with public schools, nevertheless the last clause must be construed as if it contained that which is omitted from it.

Sir WILFRID LAURIER. That would certainly be my view.

Mr. R. L. BORDEN. Then I am not surprised to hear my hon. friend say it is a long time since he was a lawyer if that is the construction he puts on the statute; that you are to construe it as if it contained certain words which it does not contain;