

introduced to the House the cry and prayer of the hon. leader of the opposition was: Don't rush the Bill. Then there were many requests from the hon. leader of the opposition, day after day, to bring the Bill down immediately and one would imagine that the whole Conservative party were united, that there were no dissentients in their ranks, that they had settled upon a sound and fixed policy. They were practically saying: Bring forth the beast of separate schools so that we may get our hands on it right now and here. That was not the fact when the second reading of this Bill was moved. The position which the hon. leader of the opposition took upon that occasion was, I say, not creditable to himself or to his party. It was not fair to the country and I submit it is open to criticism. The hon. gentleman made a legal argument and it was, I concede, a very able one. He seemed very sure about the correctness of his argument, because he postulated everything from his premises to his conclusion and in effect he said that this was the straight and narrow path to sound political principle and statesmanship. He said the administration had no more right to pass the educational clauses of this Bill than they would have to amend Mahomet's Koran. He says it is not open to argument, and then he turns to his followers, but he does not exhort them to stand together in his support as did the hon. member for North Toronto (Mr. Foster) in 1896, but he tells them that he does not expect them to follow his lead if for reasons of conscience they cannot see their way to do so. I would like to know what conscience has to do with the consideration of a question of constitutional law? I never saw in any text-book upon the interpretation of statutes, that conscience was a canon of construction. I have heard that at one time in England, law was measured by the length of the chancellor's foot, but I never heard of legal principles being affirmed on the rule of conscience. I never saw in *Holman vs. the Crown*, or in the *Queen vs. Robinson*, or in any other constitutional case any reference to conscience. Nevertheless, the hon. gentleman (Mr. R. L. Borden) for some reason or other turns to his followers and says: While I am absolutely sound in my opinion, and while the legislation is clearly ultra vires, still for conscience sake you are at liberty to oppose it. This brand of conscience seems a very peculiar thing to me—

Mr. INGRAM. Hear, hear.

Mr. A. K. MACLEAN. I am referring to the particular kind of conscience which the leader of the opposition was speaking of. If you try to define it, or measure it, or size it up in any way, you are puzzled. It does not seem to be governed by latitude, or by longitude, or by altitude. From the island of Montreal there are three Conservative members, and they have expressed their

willingness to support the government measure, while an hon. member from Toronto told us this afternoon that he was going to support the amendment—I suppose on conscientious grounds. I am curious to know what effects this change of conscience within an area of a few hundred miles. Does the atmosphere of the St. Lawrence in the neighbourhood of Montreal generate a different form of conscience from that which the atmosphere of Lake Ontario does? The hon. member for Cornwall and Stormont (Mr. Pringle) has expressed his intention of supporting this measure, and I wonder if the climatic conditions in his neighbourhood produces another kind of conscience. This conscientious argument submitted by the leader of the opposition does not appear to me to be fair. I look upon it as an intimation to his followers to pursue whatever course might suit their constituents. It is possible, of course, that some members of the opposition may not have any conscience at all on this question, but possibly their constituents have a conscience, and it might be right to respect the conscience of your constituents. I sympathize with any member supporting the opposition who represents a constituency where there is perhaps a fair division of conscience, for it may be very difficult for him to decide which form of conscience he will be guided by, as to whether he will vote for the Bill or support the amendment. I am reminded of another story which will illustrate this, though perhaps I am breaking my record for storytelling. During the days of the American civil war a settler lived upon the Mason and Dixon line, in the state of Missouri, and he was very careful whenever he was questioned by a sentry of the northern army to declare that he was against slavery, and to a confederate sentry he was as careful to state that he was in favour of secession. But one day both sentries met together, and his declaration then was: I am nothing at all, and not much of that. I fear that some members of the opposition will find themselves in that very predicament.

Possibly it may be good party tactics, and possibly these manoeuvres are not at all discreditable to the intellect of the leader of the opposition, for it may be that these gentlemen who have been given leave to vote as they like under the conscience rule, are the doves which the Noah of the Conservative party is sending out to carry some message of good-will to hierarchies and to minorities, so that possibly during the next election they may come back to the Conservative ark bearing from here and there an olive branch.

I submit that the position taken by the leader of the opposition was not fair to this country; I submit that it was not fair even to his own political friends. The people of Canada are not agitated about provincial rights or about the constitutional question. Possibly not one per cent of Canadian elec-