

terized in this parliament. A few days ago I went to the city of Toronto, and I found the people there clothed and in their right mind; I saw no blatant mob; on the contrary, I saw a city magnificent in its universities and its colleges, in its public institutions, in its private enterprise, in the energy and intelligence of its people, and I came away feeling that Canada should be proud of Toronto. Let me refer for a moment to the hon. member for Labelle (Mr. Bourassa). I think he was the greatest sinner in this respect; and yet there were some things in the hon. gentleman's speech that I agreed with—that I felt were in keeping with the dignity and the tone of this debate. But a large part of his speech seemed to me to be a mixture of fact and fiction, lit up by a somewhat lurid declamation of a rasping character; and therefore I felt that if that hon. gentleman expects, as I believe he does, to become a man of light and leading for the people of united Canada, it will be necessary for him to mend his methods and moderate his language. But the member for Labelle has also gone back on his record with respect to the question before the House. In 1902, when an effort was made in parliament to have a Dominion registration for the medical men of the whole of Canada, the hon. member for Labelle opposed that on the ground that it was a question of education, saying that educational questions belonged exclusively to the province. Why this change? Is this not an educational question? Does it not, then, as exclusively belong to the province as the question of Dominion registration for medical men? And yet the hon. gentleman to-day is taking a directly opposite position from that which he took in 1902. Let me say, Mr. Speaker, that the sheet anchor for the permanence and security of the rights of minorities in any country is to stand solidly by the constitution. It may suit the convenience or the inclination of the minority to-day to encroach upon the provisions of the constitution, but it will come back to them in the years to come with double force and when they least expect it. Therefore my view is that we should always stand unflinchingly and solidly in line with the terms of the constitution.

Now, I am not going to discuss certain questions which I might have otherwise discussed at greater length, because this has been rendered unnecessary by the remarks of the hon. Minister of Justice this afternoon. You have heard, Sir, considerable discussion during this debate as to the meaning of the British North America Act and as to the powers to be given to provinces not only those in esse, but in posse; that was the language used, and you heard that because Lord Carnarvon, when the British North America Act was before the House of Lords, had said that certain clauses of that Act would apply in esse and in posse, therefore that was the in-

Mr. STOCKTON.

tention of the imperial parliament, and we would have to follow that upon this particular occasion, and indeed whenever we interpreted the British North America Act. Now, Sir, an Act of parliament is an expression of the legislative will. The same canon of construction that applies to a contract you apply to the interpretation of an Act of parliament; that is what the Minister of Justice said this afternoon, which will shorten my remarks upon this particular point. If I meet with you, Mr. Speaker and we enter into a contract which for certainty we reduce to writing, the intention of the contracting parties is discovered by the language which we have used, and the courts will so determine; and if this or any other legislature enacts a statute, the intention is the mind of the legislature as expressed in the words that are used. My hon. friend the Minister of Justice will not deny that that is the correct canon of interpretation that you are to apply to Acts of parliament as well as to written contracts between private individuals.

Now, I listened with very much interest the other day to the Minister of Inland Revenue (Mr. Brodeur) who said that there was a compact between these provinces even reaching out to the great Northwest; but when he was interrogated by the leader of the opposition, he admitted that whatever the compact was, was expressed in the Act of parliament—that you could not go back of the Act of parliament. But, Sir, on the top of that, with a kind of triumphant wave of the hand, he turned to the supporters of the government sitting behind the First Minister, and he said: Are you going back upon the compact and the terms that were agreed upon in the years gone by? And he was applauded to the echo. It did occur to me that my right hon. friend the leader of the government moved a little uneasily in his seat when the Minister of Inland Revenue made that statement; because he was the great exponent of going back on the compact in 1896, when he refused to carry out the terms of the Manitoba Act as to remedial legislation; and therefore it seems to me that it was hardly worth while for the Minister of Inland Revenue to dwell upon that when he was compelled to admit that the intention was within the four corners of the Act itself. No wonder that the hon. member for Labelle, in consequence of the action of the First Minister in 1896, in answer to the Minister of Inland Revenue, then said that he was rather skeptical about any remedial legislation that might hereafter arise in consequence of what happened in 1896.

Let me say another thing. The Bill introduced by the First Minister is designed as a law for the minority; it does not pretend to look after the majority. The majority is supposed by the First Minister to have no conscience. Only minorities are supposed to