

fore he left, to have this Quebec resolution implemented in order to give more security and a greater guarantee in matters of education to his co-religionists in Quebec. We know that he wanted to make them absolutely independent of the majority in that province. We know also by the book which has been written by Mr. Pope on this subject and which has been more than once quoted in this House, that Mr. Galt is the author of this paragraph of section 93, which reads as follows :

All the powers, privileges, and duties at the union by law conferred and imposed in Upper Canada on the separate schools and school trustees of the Queen's Roman Catholic subjects, shall be and the same are hereby extended to the dissentient schools of the Queen's Protestant and Roman Catholic subjects in Quebec.

That is the drafting of Mr. Galt. We know that the two next sections which give the right of appeal to the minority if they fail to agree with the decision of the majority are also of Mr. Galt's drafting. We do not know who is the author of the first subsection which I have read, but if we want to know the spirit of this resolution and the object for which it was moved we have only to go to the preamble of the Act which is in these words :

Whereas the provinces of Canada, Nova Scotia and New Brunswick have expressed their desire to be federally united into one Dominion under the Crown of the United Kingdom of Great Britain and Ireland, with a constitution similar in principle to that of the United Kingdom :

And whereas such a union would conduce to the welfare of the provinces and promote the interests of the British Empire :

And whereas on the establishment of the union by authority of parliament it is expedient, not only that the constitution of the legislative authority in the Dominion be provided for, but also that the nature of the executive government therein be declared :

And whereas it is expedient that provision be made for the eventual admission into the union of other parts of British North America :

Be it therefore enacted and declared.

What is enacted ? What is declared ? The rules and regulations, the principles and exceptions to principles which were thought at that time by the fathers of confederation to be necessary not only for the organization into confederation of the provinces then in existence, but for the admission into the confederation at a later stage of other provinces when other provinces were to come in. Such was at that time the policy of the Conservative party ; such was the policy of the Liberal party ; such was the policy of Sir John Macdonald ; such was the policy of Geo. Brown. It is the policy to-day of the Liberal party, but what is the policy to-day of the Conservative party ? What has become of the traditions of Sir John Macdonald in that respect ? If Sir John Macdonald were to come into this House to-day would he recognize his party which has

Sir WILFRID LAURIER.

so far departed from the principles laid down on that occasion ? If this position be the true one, if this is the spirit in which we must read the situation, then I ask : How is this section 93 of the British North America Act to be introduced into the new constitution of this new province ? Is it to come in automatically, is it to come in mechanically, or is it to come in legislatively ? Is it, in other words, to be introduced in the way in which we are about to introduce it, that is by the Act and by the vote of this parliament ? Certainly it is to be introduced by the vote of this parliament, but because it is to be introduced by the vote of this parliament, because it is submitted to the members of this House to vote upon it I understand my hon. friend to say that therefore we are not constitutionally bound, and that we can vote as we please either one way or the other.

Mr. R. L. BORDEN. Is my right hon. friend referring to me ?

Sir WILFRID LAURIER. I thought so.

Mr. R. L. BORDEN. What did he say my position was ?

Sir WILFRID LAURIER. I thought my hon. friend took the ground that it was a matter of policy and not of constitutional right, that we could vote as we pleased regarding the introduction of section 93.

Mr. R. L. BORDEN. I would like to have my right hon. friend quote any portion of my remarks bearing out that suggestion.

Sir WILFRID LAURIER. I will not quote anything. If my hon. friend disclaims that position I accept it at once. If my hon. friend says we are bound constitutionally then I accept the disclaimer and I am very glad my hon. friend's position is clear upon that point. I understand we are bound constitutionally to adopt that position. At all events that is my position.

Mr. R. L. BORDEN. I have stated over and over again in this House, at least twenty times, I would think, that in my opinion we are obliged to apply to the new province the provisions of the British North America Act regarding the distribution of legislative powers.

Sir WILFRID LAURIER. That is not a very, very categorical answer, I think. That is rather equivocating upon this subject. We are bound to have a distribution of legislative powers, certainly. But, what is the legislative power of these new provinces in regard to education ? Is it absolute or is it not absolute ? Is it absolute or is it limited ? In my estimation it is limited. Does my hon. friend say the contrary ?

Mr. R. L. BORDEN. It is that power conferred by the provisions of the British North America Act as embodied in section 93 having regard to the condition of the pro-