

provinces. The men who make this objection are not Tories. They are not Orangemen. They are Liberals. They are, some of them, the men who give virility and prestige to Liberalism in their constituencies, and without whom there would be no Liberal party worthy of the name. To ignore the fact of their opposition, to minimize its significance, or to misunderstand its quality is to play the part of children in a situation which demands the wisdom and courage of men.

And what happened shortly before this editorial was written? At a meeting in Massey Hall, which was addressed not by Conservatives, but by some of the ablest Liberals in the province of Ontario if not in Canada, the same spirit was evidenced. Let me quote to you remarks which I take as typical of the whole, and which were addressed to that great assembly by a gentleman who a short time before had been offered the nomination of the Liberal party in North Toronto and who had refused it.

An hon. MEMBER. Who was that?

Mr. BRISTOL. It was Mr. Stapleton Caldecott. He said:

What Sir Wilfrid Laurier proposes is open to most serious objection, and for myself, with my previous admiration for this man, giving him my hearty service as a model statesman, for the moment I have lost my respect for his judgment. (Hear, hear.) He has sought, almost in an indecent manner, to thrust upon this people a piece of legislation they will never submit to.

That statement was received by Liberal cheers at that meeting, and speeches in the same vein were made there by men of the type of D. E. Thompson, K.C., a Liberal lawyer known throughout the whole country, and by Rev. Dr. Milligan, a man most highly respected throughout this land. On behalf of such men, if I may be permitted to do so, I desire to repudiate the suggestion that they are either bigoted or intolerant, on the contrary, I could more truly describe them as patriots, as men who put principle above party, as men who were not quite so able as others were to cheerfully cast aside the political principles which during the last thirty years they had been educated in, by Mackenzie, by Blake, by Mowat, by Davies and by the right hon. the Prime Minister himself. And, Sir, if the Liberals in this parliament believe what they say, how unkind, how ungracious it was of them not to come to the great city of Toronto to talk with these brothers who were so misled, and to endeavour to convince them of their wrong. How much more courageous it would have been for the gentlemen opposite to have come openly to that city, and standing on the platform say, as the Prime Minister says in this House: I am standing where I stood in 1896. I can assure the Prime Minister that had he done so he would have addressed men who would have felt in the kindest way towards him,

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and men whose minds and hearts were open to conviction. If the right hon. gentleman and those associated with him in the government of this country believe that they are standing where they stood in 1896, I can assure them that the leaders of the Liberal party who do not sit in this House have not been able to reach the same conclusion.

The subject under consideration seems to present itself in practically two ways; first, has the parliament of Canada the power to pass this legislation? and, second, if it has the power, is it good policy to do so? I would have thought, in view of the able, and so far as I have been able to read, unanswered argument of the leader of the opposition, that if it had been at all possible to have saved this country the unfortunate discussion which has taken place for the past two months, it would have been the part of wisdom, the part of good politics, and the part of good statesmanship to have endeavoured to do so. Assuredly, Sir, if the parliament of Canada has no power to pass this legislation, then all these extraordinary appeals, able as many of them have been, in favour of separate schools or in favour of the Bill before us are idle and useless, and the country has been unnecessarily aroused and the time of parliament unnecessarily wasted. I wish for a few moments to direct the attention of this House to the important question as to whether the parliament of Canada has the power to pass this legislation. When the British North America Act was passed in 1867, there was I venture to think, no power given to the parliament of Canada to carve out new provinces. The only section which deals with the admission of new provinces and with the admission of these new Territories—which by the way were then not part of Canada and are not possibly covered by the Act—the only section that deals with this at all is section 146, and I think the Minister of Justice will not endeavour to contend that under section 146 the parliament of Canada has the power to pass this legislation. I must confess that I would have considered it only fair to the members on this side of the House, if the Minister of Justice had been thoughtful enough at an early stage of this debate to have answered, if answer were possible the able argument of the hon. the leader of the opposition. His silence has placed us in the position that we are compelled in advance to criticise a proposition which should have been established beyond all doubt by the government. The onus does not lie on us to show that this parliament has not the power to pass this legislation; the onus lies on the government to show parliament that we have that power. And, after such an able answer as the leader of the opposition made to the argument of the Prime Minister, it was due to the House—if there was any