

edge so divinely inspired, that it is impossible for him to be wrong?

Mr. DANIEL. I believe, Mr. Speaker, that there is not a quorum present in the House.

Mr. SPEAKER. There is a quorum.

Mr. PORTER. Such a denial of the will of the people as that of the Prime Minister expressed in the manner in which it has been expressed is, to my mind, subversive of the very first principle of freedom and is a direct blow at the constitution of our country. I have hoped since the introduction of these Bills, that, observing the strong feeling of disapproval throughout the country in regard to them, the government would see fit to withdraw or alter these clauses in the Bill, to modify them so as to enable every hon. gentleman in this House to support the measure granting provincial rights to these two provinces so that on the first day of July next, when these Bills are intended to come into force and effect, there would be genuine cause for universal rejoicing at the birth of these two new provinces. But, Sir, if we make the mistake now of inflicting upon these provinces the system of separate schools intended by these Bills, we shall be doing an Act—and it is important for each of us to consider this—which is irrevocable, we shall inflict a burden upon these provinces which cannot be removed for all time to come. If we recognize in these Bills the right of the church to interfere in matters of state, especially in so important a matter as the education of the youth, if we set up the principle of separating or isolating different portions of the youth and preventing them from growing up together which is so necessary to the growth of a common interest and a common sentiment which alone can build up a young country like Canada, we shall be doing an injustice, which, I think, every member of this House will sooner or later regret. Let us, if possible, avoid that condition of affairs. If these new provinces, if any part of these Territories, see fit to inflict upon themselves a system of separate schools, that is their own business—it is their own misfortune.

Sir, I have been surprised at some of the arguments addressed by hon. members on the government side of the House as a reason why these Bills in their present form should be supported by this House. Some hon. members have gone so far as to say that the passage of these Bills in one form or their defeat in another might mean the defeat of this government, that it might mean the driving from power of the right hon. gentleman himself. For my part, I think it would be a thousand times better that this government should go down to defeat, a thousand times better that the right hon. gentleman should be driven from power, than that this parliament should inflict an injustice, however small, upon these new

provinces upon this the day of their birth. The sentiment expressed in regard to the defeat of the government or the driving of the right hon. gentleman from power is a fallacious sentiment. It is cowardly, it is unpatriotic, and I hope that no hon. gentleman in this House will hide himself upon the vote on this question behind any such subterfuge as this. Since the introduction of these Bills a great change has come over some of the government supporters. It is pretty evident that the right hon. gentleman, with the cat-o'-nine tails in his hand, has been able to whip his followers into line upon this question, but I venture to think the right hon. gentleman will waken up one of these days to the fact that he cannot, with the whip in his hand, whip the Dominion of Canada into line, and I believe the people of this country will wrest that power from the right hon. gentleman and will administer such a castigation as the insincerity displayed by the right hon. gentleman in this matter so richly deserves, and as the dominating powers have brought upon him. It is a well-recognized principle of legislation in all civilized communities, and one that I have never heard questioned, that all legislation should be so directed as to do the greatest good for the greatest number, and liberty is the boasted bulwark of the British constitution. I do not believe that by such legislation as that now before us the principle I have enunciated can be maintained, nor can liberty be upheld if we are legislating for a class as against the mass, or asserting the principle of coercion as against the principle of liberty. I have taken some pains to read the constitution and the constitutional history of this country, and while I acknowledge the fact that lawyers will differ, perhaps the view of this matter that has appealed to me will be such that some hon. members or the public will be able to gain some knowledge from it. I have searched the constitution in vain to find one word, clause or paragraph that makes it incumbent upon this parliament to legislate in regard to education in these new provinces. Especially is this so in the initiatory stages of this legislation. But, Sir, I find that there is a prohibition contained in the words in the 93rd section of the British North America Act, where it says that:

The legislatures may exclusively make laws in regard to education subject to the qualifications therein set forth.

I want to point out that while we may differ in regard to the right of this parliament to legislate upon this subject, there is no obligation upon this parliament to do so. What is the position in regard to the local legislatures? While the constitution, so far as this parliament is concerned, leaves it in the position of a doubtful right and imposes no obligation; in regard to the local legislatures, there is not only an undoubted right, but an obligation, too. What would