

apply not only to both Canadas but to all of the provinces—the provinces which were then entering confederation as well as the provinces which would come later on into the confederation.

Mr. R. L. BORDEN. May I ask the hon. gentleman a question? Is he making the point that there is something in this compact which was not embodied in the British North America Act, or does he conceive that everything in this compact made at London was embodied in the British North America Act? What is the point?

Mr. BRODEUR. I have not discussed the British North America Act so far. I have simply been speaking of the compact which was existing and answering the assertion that has been made almost every day in some of the papers that the compact was only in regard to Quebec and Ontario and did not affect the other provinces.

Mr. R. L. BORDEN. What I would like to know is if the hon. gentleman contends that in this compact to which he has just referred and which was made in London, there is anything which was not embodied in the British North America Act?

Mr. BRODEUR. No.

Mr. R. L. BORDEN. There is not?

Mr. BRODEUR. No.

Mr. R. L. BORDEN. Well then you have every thing in the British North America Act.

Mr. BRODEUR. I do not think my hon. friend has understood exactly. It is probably my fault; it is probably my mistake; I speak so badly that perhaps I have been misunderstood by my hon. friend. The point which I wanted to make is this, that it has been asserted time and again in the papers, for instance in the Toronto 'News' of the 1st April, that the compact had reference purely and simply to both Canadas. That has been asserted almost every day. I wanted to prove by the book which I have just quoted and by the motion which was made by Sir Alexander Galt and which was assented to by the delegates from Nova Scotia and New Brunswick that a system of separate schools should not only be maintained in the provinces which were then entering the union, but that a system of separate schools should be maintained that was later on, even after confederation, embodied in the laws and that future provinces in consequence should be bound also to maintain a system of separate schools whether they should establish these separate schools at the union or whether they should establish them later on. That has been embodied in the British North America Act and that is the reason why I am surprised that papers that want

Mr. BRODEUR.

to inflame public opinion in all parts of the country are always repeating the story that the compact was simply in regard to the two provinces. I have proved that the compact affected all the provinces in the Dominion.

Now, before I discuss the constitutional question my hon. friend, the leader of the opposition, will probably forgive me if I discuss for a moment or two the amendment which he has moved and which we have now to consider. I have read this amendment over several times and I have had some difficulty in making up my mind as to its exact meaning. Perhaps it is my mistake. I am sure it is my mistake, because my hon. friend certainly wanted to put before the House a concrete motion embodying perfectly his views and ideas. I will read the amendment again in order to find out whether, with the help of my hon. friend, I will be able to understand exactly its meaning. It says:

Upon the establishment of a province in the Northwest Territories of Canada, as proposed by Bill (No. 69), the legislature of such province—

Here are the words which I do not understand exactly.

—subject to and in accordance with the provisions of the British North America Acts, 1867 to 1886, is entitled to and should enjoy full powers of provincial self-government, including power to exclusively make laws in relation to education.

I understand perfectly well the latter part, that the provincial legislature shall have the right, if this amendment carries, to exclusively make laws in relation to education. Does it mean, however, Mr. Speaker, that these laws shall be subject to section 93 of the British North America Act? Does it mean that the provincial legislature shall have the right to exclusively make laws in regard to education, and that at the same time these laws should be submitted to the federal parliament control under section 93 of the British North America Act? That is the point which I have not been able to understand. It is true, as I have said, that my hon. friend is very clear in the latter part of his amendment, but he does not seem to be so clear in the qualification which he gives to these powers. What does he mean by 'subject to and in accordance with the provisions of the British North America Act'? Does he mean that section 93 will apply or does he mean that section 93 shall not apply as far as education is concerned? I would like to put to him a question to know exactly whether I understand the exact meaning of his amendment. Suppose that his amendment should carry, suppose the legislature of the province of Saskatchewan should pass a law creating separate schools—could this legislature vary, or decrease, or abolish these separate schools? I do not know