Sir WILFRID LAURIER. I may tell my hon. friend, without being offensive to him, that I knew these words were not to be found in the second part of the section. I read:

> That a majority may establish such schools therein as they think fit . . . the minority may establish separate schools therein.

The words are not reproduced in the second part of the section, but in my estimation it is a distinction which is unworthy of my hon. friend to say that the minority under such circumstances would not have the same right as the majority. If the majority has the right to establish such schools as they think fit, the minority has that same right also, though it is not expressed in so many words.

Mr. R. L. BORDEN. What does the right hon. gentleman then conclude as to the meaning of the words 'such schools as they may think fit'?

Sir WILFRID LAURIER. I say that in the opinion of the minority the words 'as they may think fit' gave them the power to select their own text-books. That has been taken away from them. Their contention was right or it was wrong, it was legal or it was illegal, but whether it was legal or illegal they thought they had it, and in order not to create the impression on their mind we have taken that away and put in the other.

Mr. R. L. BORDEN. The right hon. gentleman does not contend there is any real distinction; he only says that the minority thought there was a distinction.

Sir WILFRID LAURIER. Let us put it that way if you want to.

Mr. R. L. BORDEN. Then, after all, there is no effective argument that there is any real distinction between section 16, No. 1, and section 16, No. 2, but that a certain class of our citizens (the minority in the Northwest) had a certain opinion, and therefore there is a distinction between section 16, No. 1, and section 16, No. 2. If it comes down to that; if that is the argument, it seems to me that there is not very much need of discussing it further. If the government take that position, they simply abandon the contention that there is any real distinction between section 16, No. 1, and section 16, No. 2, and confine themselves absolutely to the position that certain of our citizens who are interested in this question had that opinion.

Sir WILFRID LAURIER. If that is not a good argument for my hon. friend, it is a good argument for me, and, I hope, for many other members of this House. We should not legislate here in order to convey to men the impression that they are given bread when they are given a stone. If the minority for the last fourteen years have thought that they had been deprived of their right, but in order to have peace and harmony they abandoned that right and agreed to live under a system which has given satisfaction to everybody, it is, I think, a good reason why we should have no equivocation about it; why we should know where we are, and legislate accordingly.

Mr. R. L. BORDEN. That would be an excellent comparison, except that the change was made, not at the instance of the minority, but at the instance of the majority.

Sir WILFRID LAURIER. Yes, because if the majority and the minority had not agreed to that, there would be the same thing as occurred elsewhere, and which we do not want a repetition of here; we do not want to have another Manitoba school question, we had enough of one.

Mr. BELCOURT. I do not hope, after the discussion we have had, to shed any new light on the interpretation of section 11 of the Act of 1875, but perhaps I may be permitted to give the committee my interpretation of that section. The House is face to face with two interpretations; one given by the leader of the opposition and concurred in by the hon. member for North Toronto (Mr. Foster), and the other interpretation given by the Minister of Justice this afternoon. I shall endeavour to state briefly my reasons for adopting the opinion of the Minister of Justice. The interpreation given by the leader of the opposition and by his hon. friend (Mr. Foster) is what I would term a strictly narrow, judicial interpretation of the statute. It is the interpretation which a court of justice might give, and I think I am stating the case fairly when I say that the leader of the opposition informed the House that his interpretation is that which would be given by a judge if that section were brought to a court to be interpreted.

Mr. R. L. BORDEN. What other interpretation should one put upon it?

Mr. BELCOURT. Permit me to say that in my opinion the canons which should be adopted by parliament in interpreting a statute differ in many respects from the canons which govern a court of justice. The interpretation by a judge is according to the language of the statute and that only; a judge does not look to the extraneous or surrounding circumstances which existed at the time the law was passed; a judge would simply interpret the language to the best of his ability according to the dictionary and according to jurisprudence. Parliament, in interpreting a statute, must and should adopt a much wider view; parliament, I submit, must, in interpreting a statute, look at the conditions as they were at the time the law was passed; parliament must look at the intention of the legislature which passed that law; it must look at past history; it must look at every circumstance