

Sifton), who in all probability was going around to members of parliament—good men, honest men, against whom I have not a word to say, for I have nothing to say against men who may have different opinions from mine—going around to members not only from the Northwest but others, and saying to them: You cannot accept this; this will give clerical schools: this is putting for ever the majority of the Northwest Territories under the shackles of the hierarchy of Rome. Then, my right hon. friend no doubt felt convinced that in order to have peace he must accept the amendment now proposed. I remember hearing him very often say in this House that he never said anything until he had pondered it well, but that when he did, he stuck to what he said. He has not done so in this instance, and I am sorry for it. What is the proposal before us now? Those who want public schools are all right, public schools by this proposal will be established in the Territories for ever. But in what position will be those who are in favour of separate schools, who want to go home and say: I have supported separate schools; I voted against the amendment of the leader of the opposition because he said let us leave those new provinces to construe the British North America Act as they desire and establish what system of schools they choose. Some of my hon. friends will say: We could not accept that amendment of the leader of the opposition and therefore we voted for the amendment of the right hon. gentleman. But what is the amendment of the right hon. gentleman, and what is it going to give the minority of the Northwest Territories? Here is the amendment:

Section 93 of the British North America Act, 1867, shall apply to the said province, with the substitution for subsection one of said section 93, of the following subsection:

1. Nothing in any such law shall prejudicially affect any right or privilege with respect to separate schools which any class of persons have at the date of the passing of this Act under the terms of chapters 29 and 30 of the ordinances of the Northwest Territories, passed in the year 1901.

Where the expression 'by law' is employed in subsection 3 of the said section 93, it shall be held to mean the law as set out in said chapters 29 and 30, and where the expression 'at the union' is employed in subsection 3, it shall be held to mean the date at which this Act comes into force.

That means that there shall be given to the minority in the Northwest Territories all the separate schools they want, so long as are instituted in those provinces the Protestant or public schools granted under the school ordinance, chapter 29 of 1901.

What are these schools? There are the public schools established by law by the Act of 1875 passed by a Liberal government, then re-enacted in 1885, obliterated in 1892 and smashed to pieces in 1901. These are

the schools which the minority will have in the Territories the moment this Bill passes. It seems to me, Mr. Speaker, that there is something higher than office. In 1896 the Conservative party went down to its defeat because it stood by a principle. It has been badly rewarded.

Mr. FOSTER. Heaven remains.

Mr. BERGERON. But in this instance my right hon. friend has yielded to what he thought was a threatening majority. Well, what kind of schools is he going to give the minority in the Northwest Territories? Let me show by some hon. gentleman opposite what they are. What did the hon. Minister of Finance (Mr. Fielding) say? It was a sight for the gods to see how zealous were some of these gentlemen after they came back to the fold. The Minister of Finance does not think that the constitution compels us to give a system of schools to the Northwest Territories.

For the purpose of record, just let me read the section in the Act of 1875—section 11, chapter 49, Act 1875:

I have already read this, but I will quote it again so that it will appear in 'Hansard' with the rest:

When and so soon as any system of taxation shall be adopted in any district or portion of the Northwest Territories, the Lieutenant Governor, by and with the consent of the council or assembly as the case may be, shall pass all necessary ordinances in respect to education; but it shall therein be always provided, that a majority of the ratepayers of any district or portion of the Northwest Territories, or any lesser portion or subdivision thereof, by whatever name the same may be known may establish such schools therein as they may think fit, and make the necessary assessment and collection of rates therefor; and further, that the minority of the ratepayers therein, whether Protestant or Roman Catholic, may establish separate schools therein, and that, in such latter case, the ratepayers establishing such Protestant or Roman Catholic separate schools shall be liable only to assessments of such rates as they may impose upon themselves in respect thereof.

Now the Minister of Finance says he wants to explain that. He goes on:

That is the clause in the Act of 1875, and with the change of a few words, which in no way disturbs its substance, that is the clause we find to-day in the Northwest Territories Act.

The hon. gentleman makes a mistake there. Further on he says:

Again I say I do not for a moment contend, and I do not understand that my right hon. friend contended, that, as a matter of constitutional right fixed by the words of the statute, we are obliged to re-enact that clause. I go further. I do not hesitate to say that in my view, at any time since 1875, it was within the power—I do not say the moral right—but un-