

This amendment says that the legislature of the province is entitled to and should enjoy the full power to exclusively make laws in relation to education subject to the British North America Act, and the only section of the British North America Act dealing with education is section 93, so that it might just as well have read subject to section 93 of the British North America Act. Then again, Mr. Speaker, this amendment must mean exactly what section 93 of the British North America Act means, because the hon. gentleman has gone on record on page 3102 of 'Hansard' where he says: This parliament has no power to alter section 93. If his amendment does not mean exactly what section 93 of the British North America Act means he is in the position of, upon the one hand, arguing that parliament has no right to alter section 93, and, on the other hand, putting up an amendment which does alter this section. In my opinion this amendment and section 93 are exactly the same, and the objections I have to the amendment are exactly the objections I have to the application of section 93 of the British North America Act without variation or limitation. These objections are twofold: first, that under the amendment or under section 93 of the British North America Act it would require a judicial decision after expensive litigation to enable us to find out what sort of a school system we are entitled to in the Northwest Territories, and, secondly, it all depends on the interpretation of the words 'at the union' in subsection 1 of section 93 whether or not the provinces are in a position to exclusively make laws in relation to education or whether we shall have fastened on us for all time to come an absolute dual system of sectarian schools. If the amendment were adopted, or if section 93, without variation, were adopted and the court held that the words 'at the union' in subsection 1 of section 93 meant the year 1870, as contended by hon. gentlemen opposite, then the provinces would have, in my opinion, the exclusive right to deal with the subject of education. If, however, the court held that the words 'at the union' meant the present time, or the date of the coming into force of this Bill, as I think they undoubtedly would hold, then if we adopted the amendment, the minority in the new provinces would have all the rights and privileges to which they would be entitled by any law in force to-day in the Northwest Territories, including the law of 1875 under which an absolute dual system of sectarian schools was established. As a resident of one of the new provinces, and as one of the Protestant majority, I object to hanging the whole future school system of the new provinces on the decision of a point of law. I object to the new provinces being placed in the position of having hung over their heads an absolute dual system of sectarian schools suspended like the sword of Damocles by a

138½

single thread and that thread being the judicial interpretation of the words 'at the union.' That is the position we would be placed in if the amendment of the hon. leader of the opposition were adopted.

Now, as to the proposal of the government, do the ordinances which parliament is asked to confirm and continue and make the foundation of the future school system of the new provinces make provision for a proper system of education? I am somewhat familiar with these ordinances and with the actual working of the school system under these ordinances, and I want to say here to the hon. members of this House, to those who do not live in the west and who are not familiar with our school system, that there is not in Canada to-day a school system better adapted to our needs than that established in the Northwest Territories. As has already been pointed out more than once, these ordinances make provision for a national school system from nine o'clock in the morning until half-past three o'clock in the afternoon. There is not an essential element of a national school system that is not to be found in these ordinances. Let me again call the attention of the members of this House to the powers of the government in relation to schools under these ordinances, for I am satisfied that if the members from the other provinces, and if the people of the eastern portions of Canada had an accurate knowledge of the school laws of the Northwest Territories which parliament is being asked to confirm, we would not have had the agitation which has been going on in the country for the last month. Nor would we have had parliament flooded with the number of petitions that have been presented to this House. These ordinances declare that the government shall control and manage all schools, kindergarten, public and separate and normal schools. The government have power to make regulations:

(A) For the classification, organization, government examination and inspection of schools.

(B) For the examination, licensing and grading of teachers.

(C) To authorize text and reference books for the use of pupils and teachers in all schools.

In short, the schools of the Northwest Territories under these ordinances are organized under the direction of the government. They are managed and carried on under the government. They are controlled and inspected by the government. The text books and reference books must be authorized by the government. The teacher must be qualified to the satisfaction of the government under the regulations prescribed by the government, and the conduct of the schools, separate as well as public, must be in accordance with the regulations laid down by the government, and that conduct shall be exactly the same in both separate and public