

the same reason that this government has to-day for not doing justice, the principal reason probably was that Sir John Thompson, who had been attacked by a certain wing of his party, wanted to have himself forgiven for being a Roman Catholic. That was the political reason. The ostensible reason given by Sir John Thompson was that the time was too short because he had received the petitions only a few days before the year elapsed, and he gave further this reason, that the complaint of the Roman Catholics was rather based upon dangers which might arise from the ordinances of 1892 and that they had not yet received any ill-treatment under these ordinances, that he did not see any special article under these ordinances which clashed, in his opinion, legally with the dispositions of the law of 1875. As the Prime Minister has rightly stated this afternoon, the law of 1875 did not pretend to be a public instruction law, it was simply an organic law to be considered the basis of future legislation.

Mr. BERGERON. And is still the law.

Mr. BOURASSA. Certainly. There is no doubt the ordinance of 1892 was against the spirit of the law. Of course when it comes to the fine legal point as to whether this or that article of the ordinance of 1892 was legally against the law of 1875, there is no doubt, I suppose, that Sir John Thompson could find the same easy excuse that the leader of the opposition and that the government are now finding in order not to do full justice. But I want to remind gentlemen on both sides of the House that the fact that the ordinance of 1892 was not disallowed did not have the same result as if it had been a law from another province, that the fact that the ordinance of 1892 was not disallowed within the 12 months following its sanction by the Lieutenant Governor of the Territory did not deprive this parliament of the right of rendering justice when these dangers which Sir John Thompson pointed out as being only in the future were to arise. In connection with this I will quote the words of Sir John Thompson in a debate in this House on a motion by Mr. Tarte asking for the production of documents with reference to separate schools in Manitoba and the Northwest Territories. This debate occurred in the early part of the session of 1894 and the quotation is to be found at page 2059 of 'Hansard.' It is as follows:

Sir JOHN THOMPSON. Let me call attention especially to the differences which exist, as to the disallowance, between an ordinance of the Northwest Territories and the statute of a province. If a year is allowed to elapse without the disallowance of the statute of a province, that statute being within the provincial powers—and that is practically admitted here, except for the statement of Mr. Justice Rouleau, which I shall not discuss—that statute becomes law and is beyond the reach of any power but the legislature which enacted it. But, as regards

an ordinance of the Northwest Territories, it must be remembered that this parliament has control of the Territories in a fuller and more absolute sense than it has control of the provinces. We have a limitation upon our power with regard to the provinces; we can only exercise our jurisdiction within a limited sphere. But from day to day everything that happens within the Territories is within the jurisdiction of this parliament, no matter what the legislature of the Territories may do with regard to it. So, instead of being limited to the immediate exercise of the power of disallowance, as in the case of provincial statutes, we have the power from day to day, and from year to year, to correct any substantial grievances found to exist there, if the legislature should turn—though I am sure it would not—a deaf ear to those complaints.

So that the position taken by Sir John Thompson was that, although he did not think proper to disallow the ordinance of 1892, he maintained the right of this parliament to pass legislation at any time, because, as he said, the Territories were still under our control. Sir, it was so very true that in that very debate leading members of the Liberal party, although it had been about 15 or 18 months after the ordinance of 1892 had been passed, made passionate appeals to this parliament to have some kind of remedial legislation passed, and I may say that one of the most eloquent on that occasion was the member for Rouville, now the Minister of Inland Revenue (Hon. Mr. Brodeur), who said:

I will ask my hon. friends on this side who come from Ontario to be just to the Catholics of the Northwest as their great leader in provincial politics is just to the Catholics of this province. We hope—

Mind you, this was three months after the appeal for disallowance.

We hope that they will help us restore to the Catholics of the Northwest the rights of which they have been deprived, and I trust the Liberal party will continue to be just, as it has always been, to the minority.

I echo these sentiments. I say that this parliament has always the right at any time on any occasion to remedy the injustice that was committed in 1892. Is this not the very occasion when we are going to abandon all that right of sovereignty which we now possess, when we are going to hand over for ever to the provinces the right to deal with these matters, reserving to ourselves what I might call the empty right of remedial legislation under clause 93? If there is a time when we should not create injustice it is when we are building a constitution in that country. If there is a time when we should do that justice for which my hon. friend the Minister of Inland Revenue (Mr. Brodeur) was appealing to the English-speaking Protestant Liberal members of this House in 1894, I think this is the occasion and it is the only occasion, and if you let it pass justice will never be done.