their school, and the complaint was that that restricted their rights, because they could not establish the minority school unless the majority first started the public school. Sir John Thompson said that was not in accordance with the statute of 1875, and as it is in effect assumed to alter the statute, it was ultra vires. But he was not dealing with the question of the validity of any ordinance amending another ordinance as to school rights and privileges. So, Mr. Speaker, ordnances 29 and 30 are undoubtedly territorial law, and would remain territorial law until the province was formed and something was substituted for them by the new legislature. But ordinances 29 and 30 undoubtedly include everything that is in section 16 of the original Bill. They do more, but they certainly include all of 16. Now, what has been this marvellous change that so completely satisfied the hon. member from Brandon ? He objected to section 16 with ordinances 29 and 30, but he had not the slightest objection to 29 and 30 with section 16. Instead of improving the Bill, from his paring down point of view, he has actually made the Bill stronger. Under the Bill as it was first introduced by the Prime Minister, ordinances 29 and 30 were repealable, and by repealing or amending them the special privileges given to Protestants or to Roman Catholics with reference to representation on the board could have been removed if the proper authorities saw fit to remove them. But with the change that has been made, this cannot be done.

I intended to say something further on section 93 but that has been dealt with so very fully that I will not enlarge upon the point. But, Mr. Speaker, important and very important, as is this attempt to deprive the new provinces of the full right to legislate as regards education, subject only to the restriction of any one or more of the subsections of 93 which might apply, there is perhaps a more serious aspect of the question as affecting the whole Dominion. I think we should consider with very anxious care what may be the result of the legislation, even if we assume that parliament has the power, or that the Act may be validated by the imperial parliament. Canada has had a very unhappy experience which should enable us to foresee what may happen if we attempt to force upon a province against its will an irrevocable law with regard to education. A school law which, in practice, is not causing friction, which is treated with unconcern, if not indifference, by the majority—and I am inclined to think that is the case in the Territories at present—and which the people have the power to repeal or change at their discretion, such a law may exist for years, perhaps for all time and grow into as full recognition as if based upon the most absolute law. Let the people know that such a law is to be imposed, that it is a case of compulsion, that what they submit to and acquiesce in now will be irrevocable and they will resist, they will find grievances where, perhaps, none exist ; they will find pretexts to disobey the law and render it abortive. And, as you cannot send a whole people to jail, so you cannot enforce any law which the great majority of people are determined to obstruct. Given a people, with the legislature, a government, and its officials, adverse to a law, and the enforcement of that law is hopeless. The First Minister knows that no words that he can use in this Bill will prevent the provincial government from rendering what he is now attempting to pass impossible. He surely does not think that if these legislatures are hostile they will overlook the Manitoba lesson of 1896. They have had a lesson there that school laws may be smashed and broken, and if the wit of man can devise a method to defeat a law so imposed they will defeat it. The draughtsman of this Bill is assuming to frame a clause in substitution for subsection 1 of 1893, so that any legislation of the province will be null and void if it prejudices any rights under ordinances 29 or 30. He has put the proposed provinces, as I have said, in a more restricted position than is Manitoba or any of the other provinces I mentioned. But a statute may be worded within the powers of the legislature and not contravening this Act, yet such that in its administration separate schools can be made impossible. If the right hon. gentleman has any doubt about that, I would suggest that he consult the hon. member for Brandon (Mr. Sifton). I have no doubt that with his experience, that hon. gentleman can point out half a dozen ways in which that can be done. I am convinced that the conversion of the hon. member for Brandon is due, to a great extent, to his conviction that the law can be obstructed, no matter how it is framed. The First Minister may think he makes all safe by disallowing statutes. But an Act may be passed that he cannot disallow, and yet in the working out of that Act a coach and four may be driven through ordinances 29 and 30. For example, every year the appropriation Act of the legislature will grant a lump sum for education. Can the minister disallow that ? But how about the administering of that fund ? Can the First Minister interfere ? Or can his government interfere ?

Why, no local authority could interfere, who could compel the local government to spend the money in accordance with the principle of the law. Then take the ordinances 29 and 30 ; look at the powers over public schools and separate schools alike possessed by commissioners under clauses 3 and 7. Look at clauses 2, 7 and 137 giving powers to the commissioners. Subclause 2 of clause 7 gives power :

> To appoint an official trustee to conduct the affairs of any district; and any such official trustee shall have all the powers and authorities conferred by this ordinance upon a board