

Mr. STOCKTON. I am lending myself to the argument I understood him to make. I understood him to say that, under a strictly legal interpretation, the courts would decide according to the interpretation put upon the Act by the leader of the opposition and the hon. member for North Toronto. If I misunderstood him in that respect, I shall be very glad to be corrected. If that be the case, where do we go for the interpretation of statutes except to the courts? And if the courts decide as to what the correct interpretation of a statute is, can we come to this legislature to ascertain its meaning? We pass laws here every day, but this parliament does not interpret the meaning of the statutes which it passes. The courts interpret the meaning of those statutes; and therefore I was surprised at the statement I understood my hon. friend to make, namely, that a strict judicial interpretation would be according to the meaning put upon the Act by the leader of the opposition and the hon. member for North Toronto, but that a broad, liberal interpretation would be according to the opinions expressed in debate here in parliament. If my hon. friend admits that, he admits then the position taken by the leader of the opposition and the hon. member for North Toronto, and I thank him for that argument.

Mr. A. LAVERGNE. If I may be allowed to interject a few remarks into this hair splitting controversy which we are now having, I might remind my hon. friend that the courts interpret statutes liberally according to the intention of the legislature, and I might refer my hon. friend to the decisions of the courts on the law of patents. I am not surprised that my hon. friend did not understand the argument of the hon. member for Ottawa (Mr. Belcourt) because it took him two hours this afternoon to understand the argument of the Minister of Justice, who repeated the same thing that he had said a couple of weeks ago, and it was only on a third repetition of the argument for his own benefit that my hon. friend understood it. My hon. friend has taken under his wing the Jews and all those who do not fall under the denomination of Catholic or Protestant. Well, it is quite clear, both by the law of 1875 and the British North America Act, that denominational or separate schools, which are synonymous in the law, apply only to the dual system of Catholics or Protestants, and that the Jews or the Mormons—the latter of whom seem to be the favourite protégés of our hon. friends on the other side—if they want schools of their own, must choose between the Catholic and the Protestant system, as they do in the province of Quebec, where we have the most perfect system of separate schools in confederation. That therefore is not an

Mr. BELCOURT.

argument which my hon. friend can bring against section 11 of the law of 1875. This is the first time in the history of Canada that the interpretation given to that section by the leader of the opposition has been given to it. On every occasion before, when we have had a debate on the question of separate schools, the interpretation we, on this side, have given of this law has never been questioned.

It is quite clear, and if my hon. friend takes the trouble to read it over once more, he will see that the adjective 'Protestant' and 'Roman Catholic' is applied, and that when it speaks of the majority, that is only as co-relative of the rights given to the minority. Of course, the rights given to the majority must be the same as those given to the minority—you cannot deprive the great number of rights that are given to the few. So, I think that it is only hair-splitting that we have been given to-night. As to section 16, No. 2, it deprives the Catholics of the Northwest not only of the right to have their schools where they are a majority, but of a great many things they would have had under section 16, No. 1. I do not wish to go into the merits of the difference between these two proposed sections—that will come later on. But, if there are any people interested in the rights of the Catholic minority in the Northwest they are the bishops of the Northwest. And we have heard their opinion. And if there is a man who desires to see that minority deprived of its rights, it is the hon. member for Brandon (Mr. Sifton). And that hon. gentleman has come back to the support of the government because section 16, No. 2, deprived them of rights which section 16, No. 1, would have given them. These things, I think, he no doubt knew as to the relative meaning of the two sections.

Mr. PRINGLE. I would like to ask the hon. gentleman (Mr. Armand Laverne) a question. Does he concede that under the amended clause 16, the Catholics are deprived of any rights to denominational schools other than the right to religious instruction? Under section 41, chapter 29, the minority of the ratepayers in a district whether Protestant or Catholic have the right to establish separate schools. Under section 45, that school must be established subject to the privileges and according to the method the government has provided in chapter 29. Now, under that, are the schools separate and public, placed upon the same footing except in regard to religious instruction?

Mr. A. LAVERGNE. That is my opinion. And that has been corroborated by a Conservative paper in Quebec called 'L'Evenement.' That paper says that today denominational schools in the Northwest Territories have ceased to exist since the ordinances were passed. I may say in