Mr. A. LAVERGNE. That will depend on the motion.

Mr. R. L. BORDEN. That shows how very sincere the hon. gentleman is in the opinion he has put forward. However, I was dealing with the right hon. gentleman and not with the hon. member who has just interrupted me. 'The minority of ratepayers therein, whether Protestants or Roman Catholics, may establish separate schools therein.' That is the language of the Act of 1875. The word 'separate' has no technical meaning, as I have pointed out. It is not denominational schools but separate schools. A distinction has been drawn in the courts between those. The word 'separate' simply implies separation, but the right hon. gentleman sees a great deal more in it. And why? Because the territorial legislature established a dual system of schools—clerical schools and public schools; but surely the most cursory glance at this Act of 1875 should inform him that it was perfectly competent for the territorial legislature to do that, but not necessary that it should do it. It was perfectly competent for that legislature to establish a dual system of schools. He speaks of interpretation, but we cannot get any aid from the Territorial legislation, because the Territorial legislature had no power to interpret this enactment. The ordinances of 1884 and 1887 were measures which the Territorial government passed, and which were within its powers as defined in the Act of 1875. They cannot be regarded as interpretation of that Act because they might or might not go to the full extent of the power which it conferred. The situation seems to me so absolutely plain that it is almost impossible to argue it. They had the power to establish clerical schools and public school, if they saw fit. It appears they did so by the ordinance of 1884. And, because they did so under the full powers given them, it is said they interpreted the Act of 1875 in the sense that that Act made it necessary for them to do this. According to that argument, you would say that because parliament could pass clause 16, No. 1, having the power to do so; therefore, there is a constitutional obligation on this parliament to pass that clause. It is merely necessary to state the proposition to confute it. Then, come down, in the end, to the expression 'separate school' which the right hon. gentleman defines as having a certain meaning, for which definition he has no other warrant than the interpretation—as he calls it—of the Territorial government in 1884. And merely to speak of that is to indicate in the clearest manner that no such so-called interpretation could have any effect. Suppose some one were to go to court to-morrow and contend that the Act of 1875 made it necessary to establish a dual system of schools in the Territories; and the judges should examine the Act and declare that they found no expression of that kind in it; and counsel should answer: 'Ah, but the Territorial legislature, under this Act, did establish a dual system.' Any man who would make that argument before a court, it seems to me, would not favourably impress the court; the argument would be laughed to scorn. You must distinguish between the power given by the Act of 1875, and the restriction imposed by the Act of 1875 with respect to the establishment of separate schools. There was power, I repeat, to establish a dual system of schools, but there was no obligation to do so. The right hon. gentleman (Sir Wilfrid Laurier) goes back to the expression 'separate schools' for his sole warrant that under the Act of 1875 the schools were to be controlled, so far as their teaching is concerned, by the particular body that established them. I cannot see any room for such an argument. Perhaps the right hon. gentleman desires to make some observation before I deal with another point.

Sir WILFRID LAURIER. No; go on.

Mr. R. L. BORDEN. This Act of 1875 must have been of a most extraordinary character, if we are to take the two interpretations placed upon it to-day by hon. gentlemen on the other side of the House who have spoken. According to the Minister of Justice (Mr. Fitzpatrick) it meant, in the first place, that the Territorial legislature, although it received the power to make ordinances with respect to education, was to have no control over education, but that the majority in each district was to make the ordinances, the laws, the regulations with regard to that district. Therefore, you might have not merely five or ten, but forty or fifty different systems of laws in the Territories under the provisions of the Act of 1875. It seems to me it is not necessary to mass arguments to refute an interpretation of that kind. And then my hon. friend from Labelle (Mr. Bourassa) declared further that the majority of the ratepayers who were to establish what might be called the majority school was a religious majority and not a majority of the ratepayers. That is, the hon. gentleman's argument would mean that in a district in which there were 2,000 Protestants, 2,400 Roman Catholics, and 500 of other religious denominations, it would be impossible to establish schools, for the simple reason that there would be no religious majority. Or take another illustration: Suppose there were 2,000 Protestants, 2,400 Roman Catholics, and 500 of other denominations. According to the argument of the hon. member for Labelle it would be impossible for 2,000 Protestants and 1,000 Roman Catholics to unite as a majority for the purpose of establishing schools. You could not, by any combination have a school established in such a district. Will any hon. gentle-