

this clause emanate which has been thus cast aside and condemned? The Prime Minister repudiates his own child. The Minister of Justice (Mr. Fitzpatrick) says the child is not his. And we certainly know that it did not belong to the ex-Minister of the Interior (Mr. Sifton), for he was not here. It was not the child of the Minister of Finance (Mr. Fielding), for he was on the ocean when it was conceived—he could not claim the fatherhood nor could we impute it to him. Whose child was it then? Hear what the Prime Minister said:

Now, Sir, a word as to the changes we have made in that clause. I stated the other day that we propose to make a change and we have given notice of an amendment which we intend to move to clause 16. What is the reason of this change? It is a fair question to ask and a question to be answered. Sir, we have taken the ground on more than one occasion, we again take this ground, and it is the ground upon which we stand in dealing with the present case, that wherever a system of separate schools exists that system comes into force and is constitutionally entitled to the guarantees which are embodied in section 93 of the British North America Act. Be that system much, be it little, whatever it is, it is entitled to those guarantees. That is the position we take and when we introduce section 16, as it is in the Bill,—

That is in the original Bill.

—we had no other intention than to give to the minority the rights and privileges to which they are entitled under the law which they have to-day.

That was the position of the Prime Minister. He intended simply to give them the rights and privileges they had under the ordinances of the Northwest. The Minister of Justice (Mr. Fitzpatrick) said practically the same thing, and I need only read a word of his statement:

In so far as I am concerned, that clause, in the terms in which it is now drafted, was prepared merely for the purpose of giving to the people of the Northwest Territories those things which they now have, and it never was intended to go one inch beyond that.

Now, as you are aware, Mr. Speaker, I am not a lawyer, much less a constitutional lawyer. I do not want to become involved in a constitutional argument. But I think I have common sense enough to take issue with the Minister of Justice when he says that this clause does not go one inch further than the original clause 16. As I read it, this clause goes as far as it possibly could go to rivet on the people of those new provinces a dual system of schools for all time to come. What does it say:

Nothing in any such law—

Meaning nothing in any such provincial law as the provinces might enact.

Nothing in any such law shall prejudicially affect any right or privilege with respect to separate schools which any class of persons have at the date of the passing of this Act,

Mr. HENDERSON.

under the terms of chapters 29 and 30 of the ordinances of the Northwest Territories, passed in the year 1901.

Now, had the hon. gentleman drafted a clause which said:

Nothing in any such law shall affect any rights or privileges with respect to separate schools—

And so on, I think he would have left the matter perhaps a good deal where it was. But he takes very good care to have the word 'prejudicially' introduced, he takes good care that no change can be made in the law of that country that would take away any of the rights or privileges which the Roman Catholics had in that country. And he is very careful to say that these privileges and rights can be added to under the provision of section 1 which I have read, the privileges which they had to establish separate schools, tax themselves on the petition of these ratepayers—that right is not to be prejudicially affected. Then they were to have the right to religious teaching in their schools from half-past three to four o'clock. Is there anything in this clause that would prevent religious teaching in those schools from 9 o'clock in the morning to 4 o'clock in the afternoon? I do not think so. I do not think that is within the four corners of the whole resolution. Certainly they could not prejudicially affect the right, they could not limit it to a quarter of an hour in the afternoon. The power could be given, at any rate, if the Territories chose to use it, to have religious teaching from 9 o'clock in the morning until 4 o'clock in the afternoon. Now how did it come about that this serious blunder has been made, that clause 16 as originally put in the Bill found its way there instead of clause 16 of which the right hon. the First Minister has given notice to be inserted when the Bill comes before the Committee of the Whole? He says he did not authorize it, the ex-Minister of the Interior tells us the Prime Minister did not draft it, the ex-Minister of the Interior says he does not blame the Minister of Justice for drafting it. Who drafted it? Who is responsible for it? No member of the government? Why, they say, it was the draughtsman. They will not assume responsibility for it, because the country has condemned it, parliament has condemned it because their own followers would not agree to it.

Mr. FITZPATRICK. My hon. friend has been absent from the House so often that I suppose he did not hear the other day when I took responsibility for that clause. I drew it line by line and word by word, from beginning to end.

Mr. HENDERSON. I am very glad to hear the hon. gentleman say so. But when the hon. gentleman refers to my absence from the House, let me tell him that it would be in the interest of this country if