

sions of these ordinances and in accordance with the free will as the case may be of the trustees or the authorities in the particular districts. It says:

Shall pass all necessary ordinances in respect to education, but it shall therein be always provided, &c.

Therefore the management, the administration of the schools under that, if you go back one section, is in accordance with the ordinances under the good judgment and common sense of the trustees or the authorities for the time being, and not as the trustees or authorities for the time being may deem fit. It is under the control of the ordinances as passed under the authority of the law.

Sir WILFRID LAURIER. It seems to me that a good deal of unnecessary confusion has been imported into this discussion simply because we have ignored the historic conditions under which this legislation has been arrived at. If you take this law, the Act of 1875, or indeed any law that you have in the statutes whether of Quebec, of Ontario or Manitoba, if you take them by themselves, without having any reference whatever to the historic conditions which have necessitated that legislation, you are at once confronted by a mystery which seems to be insoluble, but if you take the history, the conditions which have made this legislation necessary, or if not necessary advisable, then it seems to me that the conclusion is very simple, and that you have at once the explanation of the difficulty that was presented this afternoon. First of all as to the main point of discussion of to-day, that is the difference between section 16, No. 1, and section 16, No. 2. In order to examine them fully, let us come at the principle, let us look first at the law of 1875 incorporated in clause 16, No. 1.

Subject to the provisions of the said section 93, and in continuance of the principles heretofore sanctioned under the Northwest Territories Act, it is enacted that the legislature of the said province shall pass all necessary laws in respect of education, and that it shall therein always be provided (a) that a majority of the ratepayers of any district or portion of the said province or of any less portion or subdivision thereof, by whatever name it is known, may establish such schools therein as they think fit, and make the necessary assessments and collection of rates therefor.

The leader of the opposition (Mr. R. L. Borden) and the hon. member for North Toronto (Mr. Foster) very properly asked: What is the meaning of these words, that the ratepayers in the school district shall have the power to establish such schools therein as they think fit. These words are very broad, they must be qualified in some way, they must have some meaning. It cannot be meant that they can have such schools as in their own will or fancy are

fit for them. There must be some qualification necessary to interpret the clause. Everybody will agree with this. And now you have the explanation under what immediately follows:

(b) That the minority of the ratepayers therein, whether Protestant or Roman Catholic, may establish separate schools therein, and make the necessary assessment and collection of rates therefor.

You give to the minority the privilege of having separate schools when the majority in that district has had the privilege of establishing such schools as they think fit, and that privilege is given not to everybody, not to the Jews, as was suggested by the hon. member for Toronto this afternoon, not to the Mormons, but to either Protestants or Catholics.

Mr. FOSTER. That is the minority?

Sir WILFRID LAURIER. The minority has that privilege, not the Jews, this is not given to the Jews.

Mr. FOSTER. I did not refer to the minority schools, I was arguing on the majority of ratepayers.

Sir WILFRID LAURIER. Exactly. But the qualification comes in and applies in the same way to the majority as well as to the minority in this matter. The privilege is given to the minority, to a certain minority, that is to say to the Protestant or Catholic minority. There must be some reason for the difference. In the discussion which is going on to-day in certain parts of the country you often hear: But if you give that privilege to the minority, why not give it to the Jews, the Mormons and the Greek Church? I am not concerned with these; that is a matter for the local legislature? but so far as this parliament is concerned, we have only to deal with the law as we find it, that is to say the privileges given to the Protestant or to the Catholic minority, not to any other. When this law was first established in the province of Quebec and the province of Ontario, and subsequently in the province of Manitoba, the great body of the Canadian population was divided between Catholics and Protestants. There were very few people of other denominations. There are more now, but at that time there were no denominations to be reckoned with except the great body of Protestants and the great body of Roman Catholics and the law was made for them. Now if you give the privilege to the minority whether it be Protestant or whether it be Catholic to secede from a school which has been established by the majority since the privilege is given to the Protestants or to the Catholics, it is because there must be in the school something offensive to the conscience of the Protestant or of the Catholic. You cannot conceive any reason for distinction and separation except for that. If