

subject and according to the following provisions:

1. Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the union.

Inasmuch as 'the union' is made to mean the date of the passing of this Act, and the word 'province' is changed to 'territory,' this subsection would read:

Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the territory at the time when this Act comes into effect.

What would that preserve? First of all, Mr. Speaker, it would preserve everything that is set out in chapters 29, 30 and 31 of the ordinances; there cannot be any possible doubt about that. In the next place, it might preserve everything that is set out in section 14 of the Act of 1875. It might, and it might not. It might be held by a court that the privileges held by law at the union were the privileges *de facto* possessed under the ordinances as they existed at the union, and the court might refuse to go back to the provisions of the Act of 1875. It is evident that there was a doubt about this, because the Bill re-enacts clause 14 of the Act of 1875, and thus it is revived, crystallized and made absolutely certain. I have pointed out to you what Mr. Forget, Mr. Justice Rouleau, Archbishop Taché, Sir John Thompson, and Mr. Haultain, thought as to the Act of 1875. It is the fact that under the Act of 1875, a complete dual system of clerical schools was established in the Northwest Territories, and it is the fact that legal authorities, like my friend Mr. Haultain, a quotation from whom I could read if I saw fit, like Sir John Thompson, to whom the matter was referred, thought that when those privileges were curtailed and taken away, they were taken away in defiance of the clause of the Act of 1875 which we find in substance in clause 16 of the Bill before the House. Therefore we should have the privileges by this Act retained as they are in chapters 29, 30 and 31, of the ordinance of 1901 and as they are in the Act of 1875.

Now, what more? Here is subsection 3:

In the appropriation of public moneys by the legislature in aid of education, and in the distribution of any moneys paid to the government of the said province arising from the school fund established by the Dominion Lands Act there shall be no discrimination between the public schools and separate schools.

It does not stop there.

There shall be no discrimination between the public schools and the separate schools, and such moneys shall be applied to the support of the public and separate schools in equitable shares or proportion.

I have had something to do with the administration of school laws. For a number

of years a good deal of my time was spent in dealing with subjects of that kind, and I can give to the House my opinion, which they can take for what it is worth, but I am fairly confident that it is an opinion that will be justified by any court to which it may be referred, that the effect of that clause will be that if twenty years from now the province of Alberta undertook to appropriate \$250,000 to build and equip a provincial university, a proportionate amount of money, proportionate to the number of separate schools as compared with the public schools, would have to be set aside for the establishment of a separate school institution. That is the opinion I have upon that clause; that is the opinion I expressed to the Prime Minister at the time I objected to the clause, and I say it would be impossible for us to pass that clause, to allow it to go into effect, without putting a constitutional, irrevocable earmark upon the public funds of the Northwest Territories and upon the \$50,000,000 worth of public lands that are in the public school trust. We would earmark that fund for ever, and would compel the legislatures of these provinces to divide that money, and in all probability to constitute one of the greatest endowments of sectarian education that has ever been proposed. That is the proposition which I understand to be concealed—partly concealed, not concealed to me—which I understand to be expressed by the terms of this clause.

I have been always a strong party man. I do not think that my political friends in past years have had any cause to complain that I have not been willing to do my share of the fighting, or that I have not been willing to take my share of the blame. If men are going to act together politically, when one makes a mistake the rest have to take the blame, and I have always been willing to take my share of the blame, and have always been willing to shoulder the load along with the rest. But I declare, and I am serious—if I had not been serious about it I would still have been a member of the government—I declare that I would join with anybody in Canada to resist the passage of that Bill in the terms in which it was placed before the House by my right hon. friend (Sir Wilfrid Laurier). I have nothing more to say with regard to that. It was an unpleasant necessity for me to speak of it, but there are occasions on which people have to do things which constitute a very unpleasant necessity.

We have before us now a different proposition. My hon. friend the leader of the opposition says that he cannot see any difference between this proposition and the other.

Mr. R. L. BORDEN. The words that I used were that I saw no difference 'in principle.'

Mr. SIFTON. 'In substance' the hon. gentleman said.