

all the work of parliament is confined to finding out what clause 16, No. 1, and what clause 16, No. 2, really mean. Would not these words in the Act of 1875 'May establish such schools as they think fit' mean that the Roman Catholics, who are the ones intended to be benefited by the law of 1875—

Mr. FITZPATRICK. No, the minority, whether Catholic or Protestant.

Mr. BERGERON. My hon. friend will allow me my own opinion, and that is that the law of 1875 was intended for their benefit. It must have been as hard then, as it is now, to speak of those questions.

Some hon. MEMBERS. No.

An hon. MEMBER. There were bigger men then.

Mr. BERGERON. There were then fresh in the minds of everybody the promises which had been made by the Canadian government to the people in that country, and it was on account of these promises that clause 11 of the Act of 1875 was passed. What I wish to know is whether these words 'as they may think fit' did not mean that the minority could have the kind of schools they wanted. There was no law then to tell them what kind of schools they should have. I want to be posted on that.

Mr. FITZPATRICK. You will have to post yourself. The statute is there.

Mr. BERGERON. But I should like to have the opinion of the Minister of Justice. Had they the right to teach French in the schools by the law of 1875? Would not that right flow from their right to establish such schools as they saw fit. And as a matter of fact, was not the French language taught in the schools then? By the clause 16, No. 2, which puts in force only the ordinance of 1901, have they the right, whether in a separate or a public school, to teach the French language?

Mr. FITZPATRICK. No, but they do it as a matter of fact.

Mr. BRODEUR. I understood my hon. friend some years ago to declare by his vote that the French language was not an official language in the Northwest.

Mr. BERGERON. Where and when did I do that?

Mr. BRODEUR. In the House of Commons in 1889 or 1890.

Mr. BERGERON. I would like to be shown that.

Mr. BRODEUR. My hon. friend does not remember that?

Mr. BERGERON. No, it would have to be shown me very strongly to make me believe it.

Mr. BERGERON.

Mr. BRODEUR. Does not my hon. friend remember that that question came up before the House in 1890? A long discussion took place in this House on the question whether the French language should be an official language in the Northwest or not.

Mr. BERGERON. I do not remember the occasion. And still, less, if possible, do I remember voting that way. Now there is another point which I want to ask the Minister of Justice about. It would seem that 'separate schools' under the Act of 1875 meant a very different thing from what we understand to-day by separate schools. At that time what was understood was a separate system of schools for the minority, whether Protestant or Catholic. What we understand by 'separate schools' to-day is simply that the minority in a school district, whether Catholic or Protestant may establish a separate school, but, as a matter of fact, the teaching is all the same, whether in the public or in the separate school. Is not that the case? It seems to me that it is only by putting questions in this way that we can properly discuss this question. When a question is put and answered, we hit the nail squarely on the head. It is far better than long discussions in which the members try each for himself, to bring out all the points involved in this measure. My hon. friend from St. John city and county (Mr. Stockton) does not see any difference between section 16, No. 1, and section 16, No. 2. For my part I believe there is a difference, but it seems to me that the Minister of Justice has not stated the difference plainly. I would like to get it from him, because, in this discussion it is to him we naturally look for light.

Mr. FITZPATRICK. My recollection is that the Act of 1875 was passed as a result of the agitation that grew up in Canada as a result of the New Brunswick school question, and not on account of any promise it made to the people of the Northwest Territories. Of course, I do not say that definitely, but that is my impression. I have endeavoured once or twice to make my meaning clear about the difference in these two cases. The first section would give to the minority in the Northwest Territories all the rights they have, de jure and de facto, at the present time. That would include all the provisions of the Act of 1875, section 11.

Mr. FOSTER. That is clause 16, No. 1, would do that?

Mr. FITZPATRICK. Yes. Clause 16, No. 2, would give to the minority in the Northwest Territories those rights and privileges which they have, not by the law at large as in force in the Northwest Territories, but by the particular law enacted under chapters 29 and 30 of the ordinances.