

That is the clause in the Act of 1875, and with the change of a few words, which in no way disturbs its substance, that is the clause we find to-day in the Northwest Territories Act. It is curious, in view of the wide discussion and agitation which are taking place to-day, that when this Act of 1875 was passed, there was practically no discussion of it in this House. There was certainly no adverse discussion. It is remarkable that the parliament of Canada passed that clause and put it upon the statute-book by a unanimous vote of the House of Commons. Again I say I do not for a moment contend, and I do not understand that my right hon. friend contended, that, as a matter of constitutional right fixed by the words of the statute, we are obliged to re-enact that clause. I go further. I do not hesitate to say that in my view, at any time since 1875, it was within the power—I do not say the moral right—but undoubtedly within the power of this parliament to repeal the Act of 1875. Therefore, I am not claiming that there is any binding legal obligation, but I do say that we are obliged to look carefully into the circumstances under which that Act was passed; and if we find that at the time it was regarded by its friends and supporters, and parliament generally, as an Act which was passed, not only for the present but the future, that creates a moral obligation which this House may well take into consideration. The Bill was introduced in 1875 and carried with practically no opposition. It is worth while remembering that the government of the late Mr. Mackenzie was then in power. The Bill, as first introduced, did not contain any provision respecting education. Attention was drawn to that omission, and a provision was made a little later. The chief speaker on that occasion was the Hon. Edward Blake—a very eminent member of this parliament, a very able constitutional lawyer, and a gentleman whose Protestantism, I believe, is beyond question. Mr. Blake, speaking on that Bill, said:

The task which the ministry had set for itself was the most important it was possible to conceive. To found primary institutions under which we hope to see hundreds of thousands, and the more sanguine of us think, millions of men and families settled and flourishing, was one of the noblest undertakings that could be entered upon by any legislative body, and it was no small indication of the power and true position of this Dominion that parliament should be engaged to-day in that important task. He agreed with the hon. member for Kingston (Sir John A. Macdonald) that the task was one that required time, consideration and deliberation, and they must take care that no false steps were made in such a work. He did not agree with that right hon. gentleman that the government ought to repeal his errors. The right hon. gentleman had tried the institutions for the Northwest Territories which he now asked the House to frame, and for the same reason as he had given to-day—that it would be better for the Dominion government to keep matters in their own hands and

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decide what was best for the future. He (Mr. Blake) believed that it was essential to our obtaining a large immigration to the Northwest that we should tell the people beforehand what those rights were to be in the country in which we invited them to settle. . . . He regarded it as essential, under the circumstances of the country, and in view of the deliberation during the last few days, that a general principle should be laid down in the Bill with respect to public instruction. He did believe that we ought not to introduce into that territory the heartburnings and difficulties with which certain other portions of the Dominion and other countries had been afflicted. It seemed to him, having regard to the fact that, as far as we could expect at present, the general character of that population would be somewhat analogous to the population of Ontario, that there should be some provision in the constitution by which they should have conferred upon them the same rights and privileges in regard to religious instruction as those possessed by the people of the province of Ontario. The principles of local self-government and the settling of the question of public instruction seemed to him ought to be the cardinal principles of the measure.

Is it not evident that at that time, in advancing that view as to the necessity of settling the education question, Mr. Blake had the idea that it should be settled, not for that day only, not as a temporary matter, but settled then and for ever?

Other members spoke at that time. I find that, in this House, as I have stated, there was no objection—the Bill passed without any division. The Bill went to the Senate, and was discussed there by several gentlemen, among others by Hon. Mr. Scott, then as now Secretary of State, who was in charge of the Bill. Whatever he said might fairly be assumed to express the view of the government of the day, the view of Hon. Alexander Mackenzie and his colleagues. Mr. Scott in the course of the discussion said:—

Any gentleman would have to admit that it was the greatest possible relief to the people of Ontario that this question was settled for them, and was not, as in some of the other provinces, a source of constant discord. He was one of those who maintained that parents had a right to educate their children as they pleased, and that they ought not to be taxed to maintain schools to which they could not conscientiously send their children. Our whole system of government was based upon that sound principle, and how long could we have happiness and peace in this country if we were to abolish that safeguard, which was now recognized in both the large provinces? Would not every gentleman in this chamber gladly see the New Brunswick trouble removed? Now was the proper time to establish in the new territory a principle that ought years ago to have been established in this Dominion.

We may not feel called upon to agree with Mr. Scott as to how widely that principle ought to have been established in former years, but surely we cannot read the remarks he made on behalf of the gov-