

section shall respectively have exclusive jurisdiction.

The system indicated above for the management of the schools operated with entire harmony and to the general satisfaction of all connected with the active work of education in the Territories.

On the 31st December, 1892, there was passed by the legislative assembly of the Territories ordinance No. 22 of 1892, intituled 'ordinance to amend and consolidate as amended the ordinances respecting schools,' whereby all previous ordinances relating to education were repealed.

The last mentioned ordinance contains the following provision :

The members of the executive committee, and four persons, two of whom shall be Protestants and two Roman Catholics, appointed by the Lieutenant Governor in Council, shall constitute a council of public instruction, and one of the executive committee, to be nominated by the Lieutenant Governor in Council, shall be chairman of the said council of public instruction. The appointed members shall have no vote.

Then the petition goes on :

By the said ordinance there is vested in the council of public instruction not only the powers and authority which, by the previously existing ordinance, were vested in the board of education as a whole, but also the powers and authority thereby vested in each section thereof.

Then the petition continues :

For the reasons aforesaid, your petitioners protest and declare concerning the said school ordinance No. 22 of 1892, of Northwest Territories, and the regulations of council of public instruction made in pursuance thereof :

(a) That the said ordinance, and the said regulations prejudicially affect the rights and privileges of your petitioners, and all other of Her Majesty's Catholic subjects in the Territories, in relation to education.

And they pray as follows :

That your Excellency may be pleased to disallow ordinance No. 22 of 1892, of the Northwest Territories.

Alternatively your petitioners appeal to your Excellency in Council from the said ordinance and from the regulations of the council of public instruction passed in pursuance thereof, and pray that the legislative assembly and the council of public instruction be ordered and directed to repeal or amend the said ordinance and regulations, so as to eliminate therefrom the provisions thereof above objected to, and that such further and other relief in the premises may be rendered as the circumstances require and admit.

This petition was referred to a sub-committee of the council, and that sub-committee reported as follows. I need not read it all but will give only the conclusion :

The Committee of the Privy Council regret that the change made in the ordinances relating to education should have been such as to cause, even unwittingly, dissatisfaction and alarm on the part of the petitioners, and they advise that communication be made to the Lieutenant Governor of the Northwest Territories, urgently requesting that the complaints set forth by the petitioners be carefully inquired into, and the

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whole subject be reviewed by the executive committee and the Northwest assembly, in order that redress be given by such amending ordinances or amending regulations as may be found necessary to meet any grievances or any well-founded apprehensions which may be ascertained to exist.

However these suggestions, though communicated to the assembly, were not taken into consideration, and the law has remained from then until now as it was then. That is to say, after 14 years the law is the same in 1905 as it was in 1892. I must say also that the views of the minority were not pressed further by them. They did not go to the courts, the law was not disallowed, the minority rather submitted to the condition of things imposed on them. They accepted loyally that condition of things. They have taken their part in the working out of this law ; and although they thought that by it they were deprived of an important right they submitted loyally to that deprivation. They have taken their share in the working out of the Act, and as I am given to understand it has worked on the whole satisfactorily. At all events, we have the opinion of Mr. Haultain—who in that respect ought to be counted an authority—that if he were dictator he would not change the present law. It is satisfactory to the Protestants, and as I understand from an interview in the press, in which Bishop Legal, Bishop of Alberta, was reported to have said that so far as it went, although not an ideal system, he was satisfied with it, it is accepted by the Catholics. Therefore we have the opinion from both sides that the law, though supposed to be an invasion of the rights of the minority, is on the whole accepted as satisfactory and with a desire to work it out for the common welfare of the country. What then was to be done under the circumstances ? Here is the law as it is to-day and as it has been for 14 years. It may be that the point taken by Sir John Thompson was well taken. I pass no opinion on that. It may be that the point taken by the minority was well-founded, and on that I likewise pass no opinion. But we find a condition of things which has been in existence 14 years, and I think it would be foolhardy to attempt to displace it now. At all events, the point we have in view, the end we pursue, on behalf of the minority on both sides, whether Protestant or Catholic, is that the present condition of things shall continue, and the view we take is that it comes within the purview of section 93 of the British North America Act. That is the position we take. I do not say that our drafting is absolutely unimpeachable. I have stated our view and aim, and to this aim and purpose we propose to adhere, but I do not intend to be committed absolutely to the drafting of clause No. 2. If it be insufficient, we are willing to consider any reasonable amendment, provided it be on the line I have stated and on no other. But