

this Bill simply provides for the continuance of the law which was passed by the men who represented the Northwest Territories three years ago, and which has been in existence for three years without, so far as I am aware, any man having lifted up his voice against it, is it not better to deal with this question now, to settle this question in this way, rather than to leave it open to be a very possible cause of discord, and a means of holding back the prosperity and the progress of this Dominion?

This is contained in pages 3185 and 3186 of 'Hansard.' Let me say, Mr. Speaker, that the Minister of Customs throughout his speech took for granted and directly assumed that the Act of 1875 was absolutely binding upon the people of the Northwest. As has been pointed out that Act might during any session of this parliament since its passage have been repealed. He dwelt at great length upon the ordinances but as I have pointed out—and I think it is undeniable—the ordinances simply are the creature of the statute which was a Dominion statute and which was not the legislative Act of the Territories even as Territories, although section 93 would require it to be the Act of a province to make it binding on the people, of the now proposed provinces. He was assuming further that the system of separate schools introduced by that Act of 1875 was regarded by the people of the Northwest as a very precious heritage, as something which they would by no means allow themselves to be deprived of, as something which they regarded as of extreme value. Might I refer that hon. minister and the House to the observations of his late colleague the present member for Brandon (Mr. Sifton) in which he demonstrated from his personal knowledge of the facts that the people of the Northwest, the very people to whom the Minister of Customs was ascribing the utmost anxiety to retain separate schools, these very people at the very time of the passage of the Act of 1875 and ever since that time, have fought against the principle and have, as the hon. member for Brandon (Mr. Sifton) has pointed out, reduced the system of separate schools which grew up under the Act of 1875 to what he now represents to be their present innocuous status. He showed that the efforts of the people of the Northwest have always since the introduction of that Act, been in the direction of curtailing this institution, evidencing a desire not to continue the separate school system in their midst. The hon. the ex-Minister of the Interior (Mr. Sifton) in the speech to which I have referred threw law and constitution, legal and moral obligation to the winds, and placed his adherence to the amended clause 16 entirely on the ground that he considered it necessary to save this government. This government could at any time save itself and its reputation as the champion of provincial rights in this country by withdrawing these

Mr. ALCORN.

Bills or at all events by withdrawing clause 16. That hon. gentleman in the course of his remarks, made use of this language which is to be found at page 3259:

I do not think they would be able to convince me that it would not be better that the legislature of the Northwest Territories should be free.

And further on he says:

I came to the conclusion that, whatever anybody else might do, my course was perfectly clear: I should, when this question came up, be in a position to speak with a freedom with which a member of the government could not speak, and I should be called upon to decide to what extent and how far I would be prepared to compromise opinions which I had publicly expressed, and opinions which I still hold in order not to destroy the government of which I have been a member.

Further on he says:

The question is how far a man is justified in compromising his opinion for the purpose of preventing a political crisis.

This might be referred to as practical politics with a vengeance. The moral obligation argument appears to me to amount to saying that there is a moral obligation arising out of Canadian history, as to separate schools binding the government of Canada to impose upon the provinces of Alberta and Saskatchewan separate schools, and it amounts to saying that we are in fact under a moral obligation to amend the British North America Act, because that is what we are doing by the present legislation, a thing which we certainly have no power and therefore no right to do. We are asked nevertheless in pursuance of that moral obligation to amend that Act. As I have pointed out in the sections to which I have referred, numbers 2 and 16 we are also asked in effect to amend the Dominion Lands Act, section 25, subsection 3 which I would like to call to the attention of hon. gentlemen. That section reads:

All moneys from time to time realized from the sale of school lands shall be invested in securities of Canada, to form a school fund, and the interest arising therefrom, after deducting the cost of management, shall be paid annually to the government of the province or territory within which such lands are situated, towards the support of public schools therein; and the moneys so paid shall be distributed for that purpose by the government of such province or territory in such manner as it deems expedient.

It is beyond question that the effect of the measure now before the House is to work an amendment of that Dominion Act. If it is necessary to pursue that matter further let me refer to subclause 2 of the proposed amendment which reads:

In the appropriation by the legislature or distribution by the government of the province of any moneys for the support of schools organized and carried on in accordance with said chapter 29 or any Act passed in amendment