

it is a public school supported by taxes, and to which pupils are admitted free as distinguished from private schools in which pupils are charged. As I understand, in the Northwest, schools supported by Protestants, are precisely the same as schools supported by Catholics because the taxes are collected and distributed in all respects in the same way to both. If all classes of schools are public schools, then why use the word 'public,' for schools covers the whole ground, and in framing the Constitutional Act of Alberta the parliament of Canada accepted that principle by eliminating from the clause relating to the distribution of the money the word 'public' and called them all schools? My hon. friend raises a difficulty, and the only one which confronts me as to schools existing at the time the Autonomy Bill was passed. There can be no doubt that all classes of schools then established, will share equally in this fund. The distribution, according to the Act and the Land Bill, must be pro rata to all classes of schools, according to attendance. There is no discrimination, but the difficulty my hon. friend raises is this; possibly in the near future the government of that province might move to do away with separate and racial schools. What right have we to interfere with the autonomy of the provinces?

Hon. Mr. LOUGHEED—My answer is this: that 30 years ago a fund was established for the purpose of maintaining those schools and we have no right any more than a trustee would have, to depart from the terms of the trust.

Hon. Mr. BEIQUE—I have the original statute of 1872, under which certain sections in every township to be surveyed should be set aside for the maintenance of schools, and the fund created from the sale of such lands was to be devoted to the maintenance of schools. The words in the section are 'and shall set apart and publish the same school lands by notice in the "Canada Gazette."' "

Hon. Mr. LOUGHEED—That was changed in 1879 as I have already pointed out. In the Consolidation Act in 1879, under subsection 3 of section 23, the fund

was to be applied and limited towards the support of public schools therein, and that has remained the law down to the present time without amendment.

Hon. Mr. ROSS (Middlesex)—There was a trust established for education, and the quotation to which the hon. senator from De Salaberry has referred speaks of it as a school fund, not as a public school fund. The only difficulty that may arise is the one that I have pointed out. As the law stands now, there is no possibility that separate schools, whether they are for Roman Catholics or for Protestants, or for anybody else, as long as they are conducted in conformity with the laws of the province, will fail to share; they must share, pro rata, in the distribution of this fund. But the difficulty which my hon. friend pointed out is a possible one, namely, that in the future, denominational schools may be established by the legislatures of the provinces. My answer is that the provinces have a right to establish denominational schools. We have that right in the province of Ontario. Are we to sit here as outsiders of these provinces and legislate in regard to education, when the British North America Act places education, with a slight reservation, exclusively under the provinces? Was not the great objection taken to the Autonomy Bill, that the provinces were not entirely free? A good many people in those enlightened provinces thought that the Autonomy Bills were a restraint on the will of the people. If that be the case, the hon. gentleman goes further, and proposes to put a further restraint on them. He says you must not establish schools for Doukhobors nor denominational schools for any denomination you choose, because that would be a diversion of the trust. If the provinces are to be free in dealing with their own educational matters, as I think they ought to be, then they should be at liberty, so far as we are concerned, to establish such schools as they see fit. The hon. gentleman says it is possible that some agitator may arise—I hope he has not arisen already—who will suggest this impropriety with a view to establish himself in the political majority and climb into

Hon. Mr. ROSS (Middlesex).