

am aware it has been in the Act before the establishment of separate schools in the Northwest, by the government of which I was a member some 30 odd years ago. It was made very plain then how those lands were to be distributed; whether the word 'public' was or was not there was a matter of perfect indifference. If it was considered that any point could be made of it, it could have been removed many years ago. I was not aware it was there to-day. The effect of the hon. gentleman's proposition would be a declaration by this parliament that the separate schools were not to share in the distribution of moneys arising from the sale of those lands. Wholly apart from the Act passed in the '70's, the constitution of Alberta and the constitution of Saskatchewan was made very plain. Clause 17 reads:

Nothing in any such law shall prejudicially affect any right or privilege with respect to separate schools which any class of persons have at the date of the passing of this Act under the terms of chapter 29 and 30 of the ordinances of the Northwest territories passed in the year 1901 or with respect to religious instruction in any public or separate school as provided for in the said ordinances.

It goes on to provide for the appropriation of money. When this agitation first arose, a compromise was made and the words I have read are the result of that compromise. In that compromise, separate schools are distinctly recognized, and they are recognized by the government of the province because they make a fair distribution between the separate schools and the public schools. There has been no complaint that I am aware of. The money is paid pro rata according to the attendance at the schools, in a very fair and proper way, and the law has been so arranged that they could interchange; Catholics may very often attend Protestant schools, and Protestants attend Catholic schools, because there is no interference with religion and permission is given after school hours for the teaching of religion in the schools. A tolerant spirit prevails there, and there has been no disposition of recent years to disturb it.

Hon. Mr. FERGUSON—All those schools are public schools.

Hon. Mr. SCOTT.

Hon. Mr. SCOTT—If after all those years parliament should make a change and say that the proceeds of those lands shall only be applied to public schools, it would be most unwise. Separate schools do not come under the denomination, because the hon. gentleman himself spoke of them as separate schools. Why on earth should we now seek to raise a question in the Northwest which is sure to create bitter feeling, sure to raise prejudices and animosity. Why should the words in the Bill be interfered with? The lands belong to the Dominion. They are public lands in a sense, but the proceeds of those lands are to be distributed in a certain way. If you now deliberately change the Act and state that in the opinion of this parliament those moneys should only be distributed among public schools, you can easily raise a question whether the separate schools come under that denomination. I have no doubt if an appeal went to the Privy Council they would decide against separate schools, because they made a blunder on the former occasion, as they often do in deciding questions, in their desire to do what they consider best in the interest of the Dominion. If some one were to start proceedings, and the case should go to the Privy Council, I have not the slightest doubt that the Privy Council would give the decision again as to the separate schools. They have done so before and would do it again. It is not in the interest of the country that a question of that kind should be started now for the purpose of making an agitation. There are papers that would be glad to take it up, because there are people who would like to abolish the separate schools. I quite appreciate that. This was a kind of compromise, but compromises are sometimes broken. We made compromises about the school question before, and I have known them to be broken repeatedly.

Hon. Mr. LANDRY—Where?

Hon. Mr. SCOTT—It is too long to go into it now. There never was a clearer law on the statute-book than in the case of Manitoba. My hon. friend knows very well that when he voted on that question he stated his opinion to that effect, and yet the Privy Council swept it all aside.