

time, the Honourable Mr. Lapointe, read a telegram from the Attorney General of Manitoba, as follows:

It is our understanding that clause 7 of the natural resources agreement as it stands covers all four sections, from 37 to 40 of the Dominion Lands Act.

I have been emphasizing the two basic intents or principles involved in section 40 to indicate that during the handing over of control of natural resources, and during this so-called completion of provincial autonomy or control over natural resources in 1930,—through agreements entered into freely by both sides—these two cardinal principles were not being disturbed. In fact, they were being ably championed by the spokesman of the official Opposition, Mr. Cahan, and they were agreed to by each of the provinces as a binding contractual and legislative obligation.

Please note what the present bill says and will do. Its basic purpose is to amend sections 6 and 7 of the B.N.A. Act of 1930, and specifically on page 3 it says that the school lands fund, and so on, shall be administered or disposed of in such a manner as the province may determine. Nothing at all is said about a fair and equitable distribution of these moneys. I ask this honourable house, does this bill, as it now reads, lift these trust obligations or trust limitations, giving to each of the provinces concerned unqualified control over (a) annual interest proceeds, (b) actual school endowment funds, and (c) unsold, unsurveyed and surveyed school lands to be now used for whatever purpose and in whatever way the province may deem fit?

I can sympathize with, and I can accept the proposition, that this removal of trust restraint upon the actions of the provincial governments concerned is a so-called completion of provincial sovereignty in the full control of its natural resources, in this case school lands and school endowment funds. But there is another side to the coin. Why is there, honourable senators, concern about this new legislative development, a concern to which the honourable senator from De Salaberry (Hon. Mr. Gouin) referred when he spoke to this measure on second reading? I must confess, too, that I share the honourable senator's concern about and opposition to the infringements upon a formerly-agreed trust obligation. Nor is it for me to say whether any such infringement will in fact materialize in actual practice in any one of these provinces. But most certainly, legislative and the moral sanction with respect to this dual-principled trust is now being removed, and this concerns me as it concerns other people.

Thinking of the situation in the province of Manitoba and back to 1930 only, I believe that it would be of interest to honourable senators if I were to say this: Despite the implications of the two principles in section 40 of the Dominion Lands Act which are part of the British North America Act of 1930, the so-called private or denominational schools—that is, schools which are outside the defined public school system; these non-public but perfectly legal schools—organized and carried on in accordance with the law of such province, *de facto* have received nothing in the way of financial aid or financial protection from these school endowment fund interests, or from the school endowment fund directly, for the province has chosen to give to such schools, which must meet the prescribed Department of Education standards, must abide by the curriculum and must be subject to inspection by the Department of Education, merely the right to exist, plus one benefit, namely, exemption from paying local taxes on their school property.

Reference was made by the honourable senator from De Salaberry (Hon. Mr. Gouin) to the report of the Manitoba Royal Commission on Education and to its unanimous recommendations that these private or parochial schools should receive a measure of support, not from the local authorities but from the provincial authorities—just a measure from provincial revenue sources. So far, for various reasons, which I shall not enumerate, these particular recommendations of the royal commission have not been acted upon, and the *de facto* situation of these private and parochial schools is that they get no public financial support of any kind, despite the fact that they are perfectly legal schools operating within the laws of the province.

So when we think of equality of educational opportunity, freedom of education, freedom of choice of education, I must confess that the parents who send children to these non-public schools are paying a very heavy discriminatory price indeed for the privilege of exercising freedom of choice in education.

But despite the *de facto* situation, the minds of many people are very disturbed—I too have received letters and telegrams—about this unjust situation as it affects minority groups. They feel that within our statutory framework—that is within section 40, which is part of the B.N.A. Act of 1930—there are two principles, one of which provided a moral and historical basis—and I go further and say a legal basis—to their claim that these so-called non-public schools are