

The word 'public' has been stricken out, and no mention has been made in this explanatory note of that particular and important word having been eliminated. The explanatory note, whether intentionally or otherwise, is certainly misleading, and had the effect of misleading the members of the Commons when this question was up for consideration. Owing to this the omission was not discovered. I take exception to the omission of the words 'public schools' and the insertion in lieu thereof of the word 'schools.' I might point out that as far back as 1872, the government of Canada appropriated for educational purposes the lands referred to in this Bill, namely two sections in each township throughout what was then Manitoba and the Northwest Territories, and provided that the proceeds of the sales should be applied for educational purposes. In 1879 the government of Canada specifically provided that the proceeds should only be used towards the support of 'public schools therein,' and from that day down to the present, this has been the law.

Hon. Mr. ROSS (Middlesex)—Was that a variation of the original Act?

Hon. Mr. LOUGHEED—The original Act of 1872 provided that the funds should be applied according to regulations of the Governor in Council; but in 1879 parliament specifically enacted that these funds should be applied towards the support of public schools. From then down to the present, although there have been several revisions of the Act, and many amendments thereof, the law has remained as it is to-day upon the statute-book. There are three provinces particularly interested in the appropriation and distribution of this fund, namely the provinces of Manitoba, Saskatchewan and Alberta, and it is now proposed to change the character of the terms of the trust, and to divert those moneys from the trust which was then made by the government of Canada and continued from that time down, so as to permit of a very much wider application than, during those 30 years, was intended by parliament. From the passage of the Act until now, in fact public schools have included separate schools throughout these

provinces. No matter whether they were Protestant, separate schools or Catholic separate schools, all those schools participated in a proportionate division of the fund. There has never been any dispute upon that question, and I challenge hon. gentlemen to point out wherein there has been any difference of opinion, or any difficulty created by reason of the distribution of these funds among all the classes of schools that were established by law. When the Autonomy Bill came into force, it was provided that all the rights of separate schools under the ordinances which were then in force should be preserved in their entirety.

Hon. Mr. ROSS (Middlesex)—But there were no separate schools.

Hon. Mr. LOUGHEED—Yes, there were separate schools then, and there are separate schools to-day. Parliament in 1905 provided under section 17 of the Autonomy Act—I am referring now to Saskatchewan—that—

17. Nothing in any such law (the British North America Act) 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 chapters 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.

2. In the appropriation by the legislature or distribution by the government of the province of any money for the support of schools organized and carried on in accordance with the said chapter 49 or any Act passed in amendment thereof, or in substitution thereof, there shall be no discrimination against schools of any class described in the said chapter 29.

Notwithstanding the authority of those provinces to pass educational ordinances, the ordinance referred to in the Act which I have just read is the ordinance in force to-day, and under which this distribution of money is made; consequently it cannot be said that any discrimination takes place with reference to the distribution of this fund. It is recognized that this fund is distributable amongst the schools which were then established. Consequently the rights of Catholics and Protestants have been guarded by this parliament as to the appropriation and distribution of those moneys. Since 1872 those school lands have been set apart for educational pur-