

respondence, and taking into account all the circumstances in regard to it, I have not the slightest doubt, that the commissioners who came down here, whether they set aside the directions which they got from the legislature or not, negotiated upon the principle of having separate schools for the province of Manitoba. The hon. gentleman says it was not a parliamentary compact, it was a concession which was made to them by this Parliament. A pretty concession, that they would have the right or privilege with respect to denominational schools which any class of persons had by law or practice at the time of the union. The decision of the Privy Council showed that they had no rights whatever. What was the intention of the words that were put there? It is true, that the words might not bear the meaning, but one of the hon. gentlemen, I forget whether it was the hon. member for Queen's or the hon. member for Albert, says that he thinks, perhaps, the Privy Council gave a wrong decision, and that, if he had been sitting as a judge, he would have decided, that they were entitled to denominational schools, and that the words were intended to cover that right. There is no doubt, that these poor delegates went away believing that they had secured separate schools. The speeches in the House, the declarations of Mr. Mackenzie, the declarations of Mr. Brown, the statements and admissions of others who spoke upon the subject, show that they thought the same. But now we are told by some hon. gentlemen opposite, that this was not a parliamentary pact, but it was a concession made by this Dominion, and they are not willing to carry out what was intended by that concession because the Privy Council have decided that the minority are not entitled to it by law. But the only purpose of raising that argument is to give greater weight to the idea that the decision of the Privy Council was not a direction for the Governor in Council or the Parliament in Canada, but that our action has to be decided as a matter of policy. But, if the understanding at the time was clear, and if it is known what the concession was intended to be, then, as a matter of policy, how can they deny these people the schools that they require?

Mr. DAVIES (P.E.I.) I desire to ask the hon. gentleman a question for information. Did I understand him to say that the bill of rights No. 2 referred in express terms to the schools?

Mr. HAGGART. Yes.

Mr. DAVIES (P.E.I.) Will he kindly tell me what section?

Mr. POWELL. Is there a section that—

Mr. DAVIES (P.E.I.) I did not ask such a trite question as that. I asked what section. The hon. member for Westmoreland is a little too smart.

Mr. HAGGART.

Mr. POWELL. I beg pardon.

Mr. HAGGART. I think I am perfectly correct in my facts.

Mr. DAVIES (P.E.I.) I was not casting doubt on the hon. gentleman's statement, but I have the bill of rights in my hand, and I cannot find the statement he refers to.

Mr. HAGGART. In bill No. 1, or No. 2, \$25,000 is provided for the schools. If you will read Archbishop Taché's letter in the matter, he draws attention to this particular clause in bill of rights No. 1 and No. 2, and makes a comparison of them.

Mr. DAVIES (P.E.I.) I did not want to interrupt the hon. gentleman. I have the bill of rights here, and I do not see any reference to it.

Mr. HAGGART. There is no reference to it in bill of rights No. 3. The argument of the hon. member for Simcoe is founded on the contention that the negotiations were conducted on bill of rights No. 3.

Mr. DAVIES (P.E.I.) Then I understand the hon. gentleman to say that there was an express reference to it in No. 1 and No. 2.

Mr. HAGGART. Yes.

Mr. STUBBS. Are separate schools mentioned in the bill of rights?

Mr. HAGGART. No; in bill No. 1 and bill No. 2, the reference is to schools. In No. 4, separate schools are distinctly mentioned.

Mr. DAVIES (P.E.I.) Has the hon. gentleman got the paragraph?

Mr. HAGGART. I had it here, but cannot find it at the moment. I thought every member of the House knew the facts. My argument is, that negotiations on the bills of rights and the correspondence show conclusively, that the people of that section of the country thought that they had got, whether by a concession or by a parliamentary pact, the guarantee of this Parliament of the separate schools in Manitoba. As the hon. member for Simcoe states, the law is decided by the Privy Council, which, in the case of Barrett vs. Winnipeg, and Logan vs. Winnipeg, said, that they had not these schools by law, and they had not them by practice, because "practice" means a legal practice. I have heard since, that, if there was a reappeal of the case, with evidence which has been discovered since that time, the position of the minority would be fully established, and it would be shown that the separate schools existed by legal practice. The case may again go before the Privy Council in England, because, I believe, documents are in existence which it was impossible to find at that time, proving that these schools received grants from the legislature of the province of Manitoba. If that was the case, it would be *ultra vires*