

THE HERALD

WEDNESDAY, MARCH 18, 1896. PUBLISHED EVERY WEDNESDAY. SUBSCRIPTION—\$1.00 A YEAR. JAMES McISAAC, Editor & Proprietor.

Nearing the Close.

It is expected that a vote will be taken in the House of Commons to-day, on Mr. Laurier's amendment to the motion for the second reading of the remedial bill. Including to-day, the debate shall have lasted ten days, as Mondays are devoted to the business of private members, and the House does not sit on Saturdays. During this time some excellent speeches have been made. A splendid presentation of the case from the legal point of view, was made by Hon. Mr. Dickey, Minister of Justice. We publish a report of his speech in this issue, and we recommend to our readers a careful perusal of it. The legal aspects of the case are lucidly presented and logically argued.

The most valuable contribution to the debate was the splendid speech of Hon. Mr. Foster, delivered on Friday afternoon last. Historically, logically and eloquently, his speech was a masterpiece. It was a masterpiece of reasoning, precision and irrefutable logic. He pointed out that this was a constitutional question that came to the Government, not through any act or desire on their part, but was thrust upon them from the highest court in the Empire. The decision of this high court should be respected; the constitution should be carried out in its entirety. He appealed to his fellow conservatives in Parliament and outside of Parliament, to deal with this question, not from a petty, personal or provincial point of view, but from a broad, national, and constitutional standpoint. Let future history record that the statement of our day brought to the consideration of this question the broadest, the most liberal and the most tolerant views. Amongst the evidence produced by Mr. Foster to prove that the minority in Manitoba had been grossly deceived by the Provincial Government, were extracts from the debate in the Manitoba Legislature, previous to the abolition of the Legislative Council. On that occasion the Premier of the Province said: "It may be said that the Council is a safeguard to the minority. He could assure the minority that their rights would never be trampled upon in this province. There would always be sufficient English speaking members in this House who would insist on giving their French fellow subjects their rights to protect them." Mr. Lupton, an influential member of the Legislature is thus reported: "There are some questions of sentiment which lay close to the hearts of the French people; and he could assure them that the English-speaking members would not ruthlessly deal with these if the French representatives were sufficiently patriotic to support the measure before the House. They would recognize their generosity and not forget it." This is how Mr. Cornish, another supporter of the Provincial Government is reported. "He believed the old settlers and the French would make common cause with their rights were infringed upon; and he could assure them that when the Canadian (that is the English-speaking) party became the great majority it would not be found oppressive." The minority took these assurances as good faith, and as a result the remarks of Mr. Royal, speaking in their behalf. He said: "But there was something else for himself, which had not been guaranteed by any act; he found it yesterday in the remarks of the Hon. Messrs. Davis and Nougay, in the applause given by Mr. Brown to the sentiments of Mr. Lupton, and in the expressions of Mr. Cornish." Mr. McKay is reported to have said he "was very much pleased to hear the generous and just remarks of the Hon. Premier, and the Hon. Provincial Secretary and also that of the Hon. member for Rockwood, which gave the minority in the House that confidence which the members of this House, and by their vote on this bill would express the security

they felt in the hands of that majority." These are some of the pledges that were unceremoniously broken by the acts of 1890. Verily, the more this question is discussed, the more perfidious appears the conduct of Mr. Greenway and his friends.

On the 11th inst., L'Electeur, Mr. Laurier's Quebec organ, published a statement to the effect that Archbishop Walsh, of Toronto had endorsed Laurier's attitude on the school question. On the 12th, Senator Casgrain, Ottawa, received the following telegram, which speaks for itself: TORONTO, March 12.—The Toronto despatch to L'Electeur regarding my attitude on the Manitoba school question is an audacious falsehood (Sgd. ARCHBISHOP WALSH). Would it be believed, that on the 18th, the morning and evening Grit dailies of this city published L'Electeur's statement without the Archbishop's denial? There is truth, independence and "equal rights" for you! After that which will believe one word these organs may say about the school question?

A very largely attended meeting was held in the public hall, Misoucou, on Wednesday evening last, for the purpose of discussing the question of cranberry cultivation. The proceedings throughout are reported to have been of a most instructive and interesting character. Gilbert DesRoches, Esq., president, and opened the meeting with an appropriate speech. Mr. Dickey read a very practical paper on the cultivation of the cranberry, in which he narrated his own experience in this particular line, and described how ditches, for draining the bog should be made. Mr. Dickey proposed about two hundred bushels of cranberries from his meadow last year, and expects a still greater yield this year. His Honor, Lieutenant Governor Howland, then read a very able and exhaustive essay on cranberry culture, and dealt at length with the nature and history of the cranberry, the different stages in the development of its culture and the state of perfection to which this culture has been carried in different countries. His Honor's address, which was listened to with unerring precision, was instructive in the highest degree, and a most valuable contribution to the knowledge of cranberry culture. Brief addresses were delivered by Rev. John A. McDonald, John Gaffney, Richard Hunt, D. Rogers, George J. G. East, and others. His Honor was presented with an address, to which he suitably replied.

"After all it would be well for both electors and representatives to remember that this is a Protestant country. This is what we are gravely told by a certain daily signing organ of this city. The inference, of course, is that we Catholics are here on mere sufferance; that we have not; dare not claim any rights except such as the crew in charge of this delectable steamer may determine. It is well that the organ has thus placed itself in its true light before the public. The opinion has prevailed that those responsible for the existence of the sheet in question, would be quite satisfied if all the Catholics were at the bottom of the sea, and the declaration above quoted leaves little doubt regarding their desire in this direction. Evidence has not been wanting, during the last year or two, that the managers of this organ have not been as successful as they might wish in their unhallowed propaganda, inasmuch as they have experienced some difficulty in securing an instrument sufficiently pliable to record their wishes, and become responsible therefor to the public. This difficulty seems, for the present, to have disappeared, as the cloven foot was abundantly manifest in its columns during the past few weeks. The treatment of Protestant minds in Canada, both in Parliament and outside of it, are just now appealing to their fellows to exercise that spirit of toleration and compromise which has been such an important factor in laying broad and deep foundations of the powerful and world-wide British Empire. But here, in this small place, we find a handful of persons, dominated by small ideas, conducting a small organ, for the purpose of inflicting their small notions on the public; by shouting that "this is a Protestant country," and endeavoring to convey the impression that these small creatures are in charge of the country. God help the Catholics if these creatures were ever permitted to have things their own way!

St. Patrick's Day Celebration. The very disagreeable weather yesterday forenoon did not prevent the members of the Benevolent Irish Society and the Ancient Order of Hibernians from turning out in force at the appointed time and marching in full regalia, with banners flying and to the music of the League of the Cross Band. Having covered the prescribed route the procession proceeded to the Cathedral, where solemn High Mass was celebrated by Rev. Father McDonald, assisted

by Rev. Ignatius McDonald, as deacon, and Rev. P. P. Arsenault as sub-deacon. The sermon was preached by Rev. Father McLaughlin. His discourse was an eloquent panegyric on Ireland's great apostle, St. Patrick. In eloquent and graphic language he described St. Patrick's apostolic career, dwelling on many remarkable and extraordinary incidents of his missionary life in Ireland. How Ireland, during the lifetime of this glorious apostle, was entirely converted from paganism to Christianity was beautifully portrayed. The transcendent virtues that adorned St. Patrick's character were dwelt upon. Having finished the work he was sent to, he was not bound to redeem these bonds. If this government should pay its debts on bonds, should it not equally pay its debt of honor (Applause). The hon. gentleman who spoke last (Mr. Wallace) had made, he thought, a capital mistake in dealing with the school question. He argued that parliament had power to do that which would be pleasing to St. Patrick, let them, on all occasions practice the virtues which he taught them by precept and example. After Mass the procession re-formed and marched along Great George Street, Richmond to Queen and down Queen to the A. O. H. Hall, when the members of the Order retired. The B. I. S. returned, via Water Street, to their Hall on Prince Street, on arrival at their hall, a hearty vote of thanks was tendered to His Honor Lieutenant Governor Howland for his attendance, to which he replied in fitting terms. Three rousing cheers were then given for His Honor and the League of the Cross Band, after which the society separated. The day's celebration was brought to a close by a dramatic entertainment entitled the "Shamrock and Rose." The play was presented in the Opera House, to an immense audience. The actors were drawn from our local talent, and their excellent presentation of their respective parts and the hearty applause which greeted them bore testimony to their good acting.

Dominion Parliament.

(Condensed from Halifax Herald's Report.)

SPEECH OF HON. MR. DICKEY, MINISTER OF JUSTICE.

Mr. Dickey expressed his embarrassment in discussing a question of such magnitude as this, because the government's position was approached by two kinds of opposition. He proposed to discuss the question from the drier and more legal side which had not, he thought, received sufficient attention. He did not think it could be too frequently impressed upon the people that the educational sections of the B. N. A. act were Protestant in their origin, and that they were essential to the formation of the confederation of which they were so proud. (Hear, hear.) In support of this statement he quoted the utterances of Sir Alexander Galt and Hon. George Brown at the time of confederation, and a speech delivered by Sir Oliver Mowat in the Ontario assembly in 1890. Nobody, he thought would dispute the point, from a constitutional view, that the B. N. A. act recognized the rights of a minority as such. It seemed to him that both Mr. Wallace and Mr. Laurier, in their argument, seemed to miss the point, from the fact that they both were in the ordinary case of a minority that was granted special privileges under the act of the union. A great deal was said outside about equal rights all round the country, without respect to creed or class. But when they spoke of the phrase, as applied to minorities, it could be only fairly used in the sense that Protestant minorities should have equal rights with Catholic minorities, and that Catholic minorities should have equal rights with Protestant minorities.

As to whether there was a bargain with Manitoba at the time the province came into the union, the question should be viewed from the common sense standpoint of ordinary historical training. A special act was passed providing for certain matters as to which Manitoba required special treatment, and one of the matters was the subject of education. Why, he asked, was Manitoba not left under the general clause in the act of confederation with regard to education unless there was some particular reason arising from negotiations or otherwise, which led parliament to deal specifically with it? The province took its constitution as it was offered by the Dominion parliament, and lived under it for twenty years, and therefore, it could very well be presumed that there was some sort of arrangement at that time. An admitted difference between the wording of the Manitoba act and the B. N. A. act was that, under the former the future legislature was prevented from making laws prejudicially affecting any rights regarding denominational schools, which any class of persons, either by law or practice, possessed before the union. True, the judicial committee of the privy council held the words "or practice" meant absolute nothing, and whatever may have been the intention of parliament, the intention of these words was absolutely futile. No one, however, who studied the question from a constitutional point of view, would doubt that the object of parliament in putting the words in was to preserve to the minority of Manitoba of that day all the rights that they were enjoying in practice with regard to schools. If the parliament of Canada had properly expressed its meaning at that time, there would have been no Manitoba school question now on our hands, because the act of 1890 would have been declared

ultra vires of the province, being in contravention of the section referred to. With respect to what the leader of the opposition had said about mechanical action, he submitted that parliament's action should be mechanical where it was a question of redressing a substantial wrong that had been properly proved in regard to the point whether this parliament should or should not act, he admitted it was perfectly competent for them to reject the measure and refuse to interfere. He went further and said there was no obligation on the part of parliament to do anything at any time. He pointed out, however, that if this parliament were so craven and dishonest as to repudiate its bonds, there was no power in the world to oblige us to pay, and yet no honorable gentleman would say we were not bound to redeem these bonds. If this government should pay its debts on bonds, should it not equally pay its debt of honor (Applause). The hon. gentleman who spoke last (Mr. Wallace) had made, he thought, a capital mistake in dealing with the school question. He argued that parliament had power to do that which would be pleasing to St. Patrick, let them, on all occasions practice the virtues which he taught them by precept and example. After Mass the procession re-formed and marched along Great George Street, Richmond to Queen and down Queen to the A. O. H. Hall, when the members of the Order retired. The B. I. S. returned, via Water Street, to their Hall on Prince Street, on arrival at their hall, a hearty vote of thanks was tendered to His Honor Lieutenant Governor Howland for his attendance, to which he replied in fitting terms. Three rousing cheers were then given for His Honor and the League of the Cross Band, after which the society separated. The day's celebration was brought to a close by a dramatic entertainment entitled the "Shamrock and Rose." The play was presented in the Opera House, to an immense audience. The actors were drawn from our local talent, and their excellent presentation of their respective parts and the hearty applause which greeted them bore testimony to their good acting.

Mr. Dickey then took up consideration of the acts of 1871 and 1881; which separate schools were established in the Dominion, and the act of 1890, by which these rights were taken away. He held that the house of commons had already taken a definite position on this matter, from which it could not retreat. In 1890, Hon. Edward Blake had introduced a resolution that had special reference to the Manitoba school case, which was then looming up on the horizon, and his sense of justice was strongly against divorce, and, I, therefore, refuse to give you relief. Such a case would be that of the present parliament if, from the same motives, it were to reject the appeal of the Manitoba minority.

He went on to say that the remedial order was definite and decided, but it was not drastic, or in any way offensive. There was nothing in the order except what was necessary to vest the Dominion parliament with jurisdiction to deal with the question. If the bill was passed, he saw nothing to prevent parliament's repealing it if it thought fit. He could not see that, by passing the bill, the Dominion parliament forfeited the power to repeal its own legislation. In answer to a question from Mr. Mills (Liberal), Mr. Dickey said he did not think the Manitoba legislature could repeal or amend the remedial act passed by the Dominion parliament. Mr. Mills—Why not? Mr. Dickey—I don't think the constitution would allow them to. Continuing, he said, if we refuse to interfere in the case of the Manitoba minority, we are, practically, withdrawing this section out of the constitution. Mr. Laurier says he should have a commission to investigate. To investigate what? (Hear, hear.) He has given us three reasons for investigation: 1, whether there was a compact; 2, whether the public schools are relevant to Catholics; 3, whether they are really Protestant schools. But the grievance we have to remedy is the repeal of certain legislative enactments which were in the act that was repealed. We are not to ask now what indeed the British parliament passed that act. They have recognized, as a legal right, the rights of minorities with respect to schools. If we hold an investigation some Catholics might come and say that they had no objection to separate schools; others would say that separate schools were repugnant to them. The investigation would be a farce, gone through, possibly, for the sake of delaying this question a little longer, but I see nothing to be gained by it. It is not a question of degree or of a detail of administration. This House cannot shirk the question. There is no hon. gentleman in the House who can shirk the question. The question is now before us on the matter of principle as to whether we will pass this act in force or not. Here

doubt about that. They were not bound to accept the judgement of the privy council of England. The act was refused to do so, what must they think of their own consistency? Had their whole course in the past been nothing but a mockery? If the privy council had decided the other way, and had said that no one could interfere in the face of that judgment, the government had gone ahead and had enforced remedial legislation upon the province of Manitoba, what would have been thought of their course? He considered that the House would be justified in taking any step which the judgment of the Privy Council would not endorse as right. He read several clauses from the judgment, and defied any candid man to read those words without arriving at the conclusion that the Privy Council, while not indicating the exact steps to be taken, had meant to convey their conviction that there was necessity for remedying the existing grievance in some way or other. It was extremely deplorable that any honorable member found himself unable to follow that judgment. This was not the only question that would arise in this way. There were cogent questions that would be sure to come, and this House would be taking a far reaching and dangerous step, if, after obtaining a judgment of the court, it deliberately refused to accept that decision, and so, in future cases of the same kind, rendered an appeal impossible. (Applause.) If this were done, what would be the result? It would be to bring to the House for decision, and would be exposed to the influence of political and party tactics. Continuing, Mr. Dickey defended the action of the Dominion government in issuing the remedial order at the time it had done so, holding that the position of the question, and the attitude of Manitoba at the time fully justified the step. Manitoba refused to appear before the Privy Council at all, which was not an act of mediation, but a refusal to appear. After the judicial committee of the Privy Council had given their decision, the government of Manitoba, in the speech from the throne, reiterated their determination to stand by what they believed to be the strict rights of the Dominion. They never had shown any disposition to approach the subject in any other way, and Mr. McCarthy said, last session, that he had not the slightest expectation of any arrangement being made with the province of Manitoba. Mr. Laurier now complained that the remedial order was too drastic. At first, he complained because it was not drastic enough, and he appealed from Philip Clark to Philip Clark. Mr. Laurier—I suppose the last one was drunk and the first one sober. Mr. Dickey—I entirely agree with you.

He went on to say that the remedial order was definite and decided, but it was not drastic, or in any way offensive. There was nothing in the order except what was necessary to vest the Dominion parliament with jurisdiction to deal with the question. If the bill was passed, he saw nothing to prevent parliament's repealing it if it thought fit. He could not see that, by passing the bill, the Dominion parliament forfeited the power to repeal its own legislation. In answer to a question from Mr. Mills (Liberal), Mr. Dickey said he did not think the Manitoba legislature could repeal or amend the remedial act passed by the Dominion parliament. Mr. Mills—Why not? Mr. Dickey—I don't think the constitution would allow them to. Continuing, he said, if we refuse to interfere in the case of the Manitoba minority, we are, practically, withdrawing this section out of the constitution. Mr. Laurier says he should have a commission to investigate. To investigate what? (Hear, hear.) He has given us three reasons for investigation: 1, whether there was a compact; 2, whether the public schools are relevant to Catholics; 3, whether they are really Protestant schools. But the grievance we have to remedy is the repeal of certain legislative enactments which were in the act that was repealed. We are not to ask now what indeed the British parliament passed that act. They have recognized, as a legal right, the rights of minorities with respect to schools. If we hold an investigation some Catholics might come and say that they had no objection to separate schools; others would say that separate schools were repugnant to them. The investigation would be a farce, gone through, possibly, for the sake of delaying this question a little longer, but I see nothing to be gained by it. It is not a question of degree or of a detail of administration. This House cannot shirk the question. There is no hon. gentleman in the House who can shirk the question. The question is now before us on the matter of principle as to whether we will pass this act in force or not. Here

it is too late, now, to argue questions like that. We are here to decide the question according to the law as it now stands, and I am dealing with it simply upon that assumption. I may say for myself that I represent a county that is almost wholly Protestant. It has been said that we should go to the country and obtain a mandate from the people on this question. I do not agree with that theory. This question was started in parliament before. In 1890, parliament took a stand with respect to it, by passing Mr. Blake's resolution, authorizing a reference to it by this house to the courts, and, in 1891, parliament dealt with it by passing an act in the same direction. Every aspect of the question is familiar to parliament. It has been brought up now by the decision of the privy council for judgment, and, in my opinion, parliament has the

right to take up with it. It would be regrettable if this house of commons were to discuss the question without raising the question of the constitution. I am a member of the House, and I would like to see them, and I would like to see the people of Ontario mandate on a question to my country that made according to my own opinion upon it. I would like to see the government, and make no claim to count of our own. We claim the right to believe that the best interests of the country, and the votes and suggestions of the people, who it would be a great if they should be to Roman Catholic votes as usual, are not to be taken into account. But the question is, is it a question of whether the education of the people of Ontario should be under the control of the Dominion government, and upon that point, I believe that the Dominion should be adopted. The matter of control was as to which we should be glad to receive into committee. 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