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The Remedial Bill.

ELSEWHERE in this issue we publish a summary of the leading features of the Remedial Bill before the Dominion Parliament. Now that remedial legislation has taken practical shape, it is important that our readers should intelligently study this important question and not allow themselves to be led astray by the specious arguments of those who desire to divert attention from the real merits of the case by raising spurious issues.

It should be distinctly remembered that this remedial legislation is not, properly speaking, a part of the public policy of the present Dominion Government. That is to say, the Government have not incorporated it in their platform, the same as their tariff policy, their railway policy, or their policy on any other of the great public questions upon which they legislate from year to year. This is not a question of party politics, so far as the Federal Government is concerned, and it is only by accident that it has to be dealt with by the Conservatives, rather than by any other party that might be in power at the present time.

Our readers are already more or less familiar with the question, in its different stages leading up to the present status. But it may not be out of place to go over the ground in brief once more. At the time of Confederation, separate schools existed by law, in Ontario and Quebec. Their continuance was guaranteed by subsection 1 of section 93 of the British North America Act as follows: (1) Nothing in any such law shall prejudicially affect any right of privilege with respect to denominational schools, which any class of persons have by law or practice in the Province at the Union. But so anxious were the Protestant minority in the Province of Quebec that their educational rights should be safeguarded beyond all possible contingencies, that Sir A. T. Galt, their representative in London when the British North America Act was framed had a provision placed in the act to the effect that the Government and Parliament of Canada should remedy any infringements that might be made upon the educational rights of minorities in Ontario and Quebec. When Manitoba came into the Union, those interested were particularly placed on an equal footing with Ontario and Quebec, as regards education, and for that purpose the provisions of the British North America Act respecting education in Ontario and Quebec were made to apply to Manitoba. Sub-section 1 of section 93 of the British North America Act above quoted was incorporated in the Manitoba Act with the added words "or practice"; so that in the Manitoba Act it reads thus: (1) Nothing in any such law shall prejudicially affect any right of privilege with respect to denominational schools, which any class of persons have by law or practice in the Province at the Union. These additional words were put in to guard against any doubt that might arise regarding the existing, by law, of separate schools, in the territory now known as Manitoba, when it entered the Union. From this it

will be seen that it was the intention of the Manitoba Act that separate schools should continue to exist in that Province. It is also evident that those interested in the matter felt sure everything possible had been done to safeguard the rights of the minority in the matter of education.

At the time Manitoba became a Province of the Union the Catholics formed a majority of her population. For twenty years from 1870 to 1890 separate schools existed in the Province, and no one seems to have thought of their abolition. About 1889 Mr. Greenway desired to obtain the assistance of the Catholics to strengthen his Government. For this purpose he approached the ecclesiastical authorities and asked them to name a man to represent the Catholics in his Cabinet. He was told this would not be done unless a guarantee were given that the separate schools should not be interfered with. Mr. Greenway and other members of his Government gave the solemn pledge that the existing educational arrangements should not be disturbed. The Hon. Mr. Prendergast entered the Government as the Catholic representative, and Mr. Greenway carried the general objection of the large majority. How did he keep his pledge? Inside of a year Mr. Martin, his Attorney-General, introduced, and carried through the Legislature, a bill abolishing the Catholic schools of Manitoba; but leaving the Protestant schools as they stood. You will look in vain in the history of modern Legislatures for an act of greater treachery and perfidy. Such in a few words as possible is the history of the question up to 1890. The Catholics appealed to the Courts on the grounds that it was beyond the power of the Manitoba Legislature to pass such an act. After fighting it from court to court, the Imperial Privy Council decided against them, declaring it to be within the competency of the said Legislature to pass the act. Failing in this they made a second appeal on the strength of subsection 2 of section 22 of the Manitoba Act, which reads as follows: "(2) An appeal shall lie to the Governor General in Council from any act or decision of the Legislature of the Province, or of any provincial authority, affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education. Their case was tried in the Supreme Court of Manitoba, appealed to the Supreme Court of Canada and finally to the Imperial Privy Council. The latter tribunal, the highest in the Empire, decided in favor of the Catholics. Their appeal was heard before the Governor-General in Council, notice was served on the Greenway Government by the Dominion Government of the powers vested in the latter to deal with the matter unless the provincial Legislature of Manitoba granted a redress of grievances. Our readers know the rest. They know that Mr. Greenway has absolutely refused to do anything towards righting the wrong he has perpetrated on the Catholics of Manitoba. In consequence of this perverse conduct of the Government at the Federal Government have been obliged to introduce the remedial bill.

It is worthy of notice that opposition to remedial legislation has not come from the greatest minds among the Protestants of to-day, or of those recently deceased. The leaders of political thought and the active workers in consolidating the Union acknowledge the justice of the Catholic cause. The late Sir John McDonald, Sir Charles Tupper, Sir Mackenzie Bowell, Hon. Peter Mitchell, and others of the Parliamentary leaders at the time of the Union have placed themselves on record as advocates of the contention of the minority. Sir John McDonald, asked by a member of the Manitoba Legislature for advice on the matter said: "There is, it seems to me, but one course open to you. By the Manitoba Act, the provisions of the B. N. A. Act (sect. 93) respecting laws passed for the protection of minorities in educational matters are made applicable to Manitoba, and cannot be changed; for, by the Imperial Act confirming the establishment of the new Province, it is provided that it shall not be competent for the Parliament of Canada to alter the provisions of the Manitoba Act in so far as it relates to the province of Manitoba. Obviously, therefore, the separate school system in Manitoba is beyond the reach of the Legislature of the Dominion Parliament." The Hon. Wm. McDougall was an active participant in the negotiations which terminated in making Manitoba a Province of the Union. He has no doubts as to the justice of the case of the Catholics of Manitoba, or, whichever denomination might be in the minority, should have the right to establish and maintain their own separate schools, by law, or practice, in the territory now known as Manitoba, when it entered the Union. From this it

where separate schools actually existed, but were not recognized by the law, should not be repeated in Manitoba. And then the right of appeal to the Federal Parliament was given to make assurance doubly sure. If any doubts were to be raised, they existed in the minds of any of our readers regarding the legal or righteous aspects of the matter under review, or as to the perfidy of the men who deprived the minority of Manitoba of their rights, we trust we have said enough to remove them.

The civic election, here, on Wednesday last, was one of the most exciting for many years. It resulted in the re-election of Mayor Dawson, by about six hundred majority over his opponent Mr. Hasezard. Mr. Dawson had a majority in every ward of the city. The Councilors elected, are for Ward 1, Henry G. Douse; for Ward 2, F. P. McGarrou; by acclamation; for Ward 3, T. Z. Taylor, by acclamation; for Ward 4, Donald Nicholson, and Dr. Harry D. Johnson; for Ward 5, Messrs. Horne, Hooper and Hughes.

OTTAWA advices of the 17th, say that the purchase of new rifles for the army is a matter of the Government's policy regarding the militia. The most modern equipment in the shape of big guns are to be purchased for garrison and field batteries, and possibly a supply of Maxim and Nordenfeldt guns. The total appropriation which Parliament will be asked to vote will be in the vicinity of \$3,000,000.

The revenue of Canada last month was \$545,000 better than it was in January, 1895; and it is \$1,750,000 better for the seven months. The expenditure, on the other hand, has decreased by \$630,000.

Dominion Parliament.

(Condensed from Halifax Herald's Report.)

The proceedings in the house on the 7th, opened with a volley of complaints against newspaper articles. Mr. Davis led off. He read from the Fort Madoc a notice of an article commenting adversely upon the report of certain judicial proceedings in Halifax. It appears that Judge Johnston of the Nova Scotia bench in dealing with two young men convicted of burglary, decided to postpone sentence for six months to give the prisoners an opportunity of joining the Northwest mounted police, and so betaking themselves out of the province. The member for Assiniboia added his protest to that of the Macleod Gazette against such a scandalous imputation upon the composition of the force. While, he said, he was aware that it would be impossible for men to be recruited into the police under such circumstances, he considered that such a suggestion of this kind was entirely unwarranted.

There was a long string of questions on the order paper on Monday, the 10th, but little information of interest was elicited. Mr. Dickey informed Mr. Laurier that the Messrs. Connolly had not signed their names to the petition which they had presented to the House of Commons in regard to the exchequer cut on 11th Sept., 1894. Proceeds of execution were issued against them in October, 1895. A steam-dredge belonging to the defendants had been seized and sold, but the proceeds were not sufficient to pay the debt. Mr. Dickey asked Mr. Laurier whether the financial aspect of the measure is this: The Catholics who become adherents to this school system or rather who do not dissent from this school system, will be exempted from taxation for the public schools of the province of Manitoba. The municipality is enjoined by the bill to collect the whole amount of the tax for the support of the party in the municipality. By property in that sense I mean Roman Catholic property subject to the tax for the support of separate schools. The subject of a legislative grant was one of very grave difficulty, and the constitutionality of the provisions relating to it will, I have no doubt, be the subject of discussion in the house. But so far as the bill is concerned, the attempt that was made by the government was this: There were two aspects of the question. The sharing of the legislative grant was one of the rights adjudged primarily to the Roman Catholic minority in Manitoba in the provincial legislation in England and Canada. That therefore was one of the rights to which they were particularly entitled. On the other hand, it was felt that for this purpose, to attempt to interfere directly with property granted by the province of Manitoba, would lead to enormous practical difficulties, besides being of a very highly offensive character. If I may use that term, to the local authorities. The government did not feel that it had any constitutional authority to deal practically with the question of the legislative grant, and so far as the difficulty was considered possible of solution, it is solved in the bill which I propose to introduce by adjointing that the right to share in the legislative grant be one of the rights and privileges of the Catholic minority in the province of Manitoba, taking it for granted, as I think later discussion will show, we have a right to do, that of the province of Manitoba, itself, will after the system is established, supply that find to the separate schools. That, of course, will be a matter of discussion later on. I do not know that I can say anything further just now as to the financial aspect of the case.

laborers. In this connection, Sir Charles read the statement of Sir Oliver Mowat and Rev. Mr. McMullen, brother of the member for North Wellington, who affirm that there was no more prosperous and contented class of people in the world than agricultural laborers in Ontario. He (Sir Charles) could say the same thing of the agricultural laborers in his own province. (Cheers.) Mr. Tuckson of Nova was the next speaker, occupying the attention of the house for two hours. Mr. Powell followed. He first devoted his attention to Mr. Laurier, who in his reply to Mr. Foster had declared that the cause of the misery in Ireland had been the protectionist policy. He said he thought he had a fair grasp of Irish history, but this was new to him. He proceeded to quote history showing the policy that Ireland had been the one of the English parliament which prohibited Ireland from exporting most of her products. Taking up the liberal claim that the N. P. had not increased manufactures to any extent and that in order to make a showing the government had studied the census with sufficient industrial establishments, he gave statistics to show that the larger industries showed the most increase. Those having capital of \$50,000 or over increased 96 per cent.; those of 25,000 or over, 80 per cent.; those of 10,000 or over, 60 per cent. The same was true of the number of employees and of wages paid. Referring to the volume of trade, he said last year our trade was \$224,000,000, and in 1878 it was \$175,000,000, an increase of 27 per cent. The value of goods during this period had decreased about 20 per cent., and if this percentage was added to the returns of 1895 in order to make a comparison it would show an increase in the volume of trade of \$1,000,000. Taking in the total provincial and other trade not included in the trade and navigation returns, the increase in Canada's trade was \$278,000,000, that is, it doubled itself since 1878. He defended the policy of protection, and asserted that the period of the United States' greatness began with the adoption of protection, and that England maintained the policy of protection until her industries became so firmly established that they could withstand all competition. He showed that agricultural land had declined very much in England since the adoption of free trade, and quoted the recent speech of Lord Salisbury, who said England had made a mistake in connection with the repeal of the corn laws, and that the time had come when some remedy must be done to give relief. He admitted that there had been a decline in agriculture even in Canada, but showed by the figures that in old Canada (excluding the Northwest and Manitoba) agriculture was in a flourishing condition when compared with that of England. The N. P., he contended, had done much to bring about the sort to be framed to bear easily on the poor man. If the free trade policy of England was adopted, tobacco and tea would have to bear the chief portion of the tax. On average 25 per cent. of the value of the duty on tobacco would be \$3. Four pounds of tea would use per head, and the English rate on this would be equal to about 60 cents. The total tax on the two staples would be \$1.50 per head, or almost as much as the whole customs duties at present. Every poor man uses some tobacco as a rich man and he uses more tea. Taking a household of five members the tax per family would be \$15.00.

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Mr. Laurier—I would like to ask my hon. friend if he can tell me by whom the Board of Education in Manitoba has been followed as closely as possible in order that, while restoring those rights which it was thought desirable should be restored, it should not transgress the lines of the jurisdiction of this parliament. It has been a matter of very grave difficulty, I need scarcely say, to frame the bill. The general scheme may be in this: It was found impossible to restore to the Roman Catholic minority in Manitoba those rights which it was thought they were entitled to under the constitution without establishing a system of separate schools, in order to make that workable a board of education is to be established in the province for separate schools composed of the same number of members as the Catholic members of the old board of education. This board will have power with respect to organization and carrying out on the schools. The standard of education to be sought in these schools, and the standard of the teachers who are qualified to hold licenses in the schools, are to be the same as in the public school act of Manitoba, not identical, but of the same standard. The persons who contribute to these schools, the separate schools, are to be prima facie all the Catholics in Manitoba. But the Roman Catholic who professing that his children shall attend the public schools, and decides that he will contribute to the public schools, has the right to make that choice, by giving certain notice, which will be found in the bill, and he will be deemed to have contributed to the public schools, and not to the separate schools. The inspection is of a double kind. What I may call the everyday inspection is to be carried on by inspectors to be appointed by the Board of Education, the body to which I have referred. There is a further inspection to be made by inspectors to be appointed, or to be authorized in that behalf, by the Lieutenant-Governor-in-Council of the province of Manitoba. These inspectors of the local government will inspect them simply for the purpose of certifying in the schools. It is thought desirable that an entirely independent inspection should be had for the purpose of testing efficiency, but, as I have said, the practical, everyday inspection is to be made by what I may call domestic inspectors appointed by the Board of Education. It is not necessary for me, I think, to go into any further details. The bill provides for certain powers and other matters that are essential to the working of any school system, and which are necessarily in the nature of details which cannot be discussed at the present time. One very troublesome question dealt with by the bill is the question of school books. That, I may say, gave a great deal of difficulty, but it was finally settled on this basis: that the Board of Education should have the choice of the school books, should be able to purchase them, and should be limited to this, that they should only select school books that have been the choice of the public schools of Manitoba or the books in the public separate schools in the province of Ontario. There is a fair range of books, and it will be seen, I think, which will be readily admitted to be a very high standard of books. These are the general lines of the bill. I do not intend particularly to discuss either the details of the bill or the principles, because this can be more fittingly done on another occasion. I do not think I need say more to put the house in possession of the lines on which the bill has been drawn.

Mr. McCarthy asked—Perhaps the hon. gentleman will tell the house about the financial aspect of the measure? Mr. Dickey replied—the financial aspect of the measure is this: The Catholics who become adherents to this school system or rather who do not dissent from this school system, will be exempted from taxation for the public schools of the province of Manitoba. The municipality is enjoined by the bill to collect the whole amount of the tax for the support of the party in the municipality. By property in that sense I mean Roman Catholic property subject to the tax for the support of separate schools. The subject of a legislative grant was one of very grave difficulty, and the constitutionality of the provisions relating to it will, I have no doubt, be the subject of discussion in the house. But so far as the bill is concerned, the attempt that was made by the government was this: There were two aspects of the question. The sharing of the legislative grant was one of the rights adjudged primarily to the Roman Catholic minority in Manitoba in the provincial legislation in England and Canada. That therefore was one of the rights to which they were particularly entitled. On the other hand, it was felt that for this purpose, to attempt to interfere directly with property granted by the province of Manitoba, would lead to enormous practical difficulties, besides being of a very highly offensive character. If I may use that term, to the local authorities. The government did not feel that it had any constitutional authority to deal practically with the question of the legislative grant, and so far as the difficulty was considered possible of solution, it is solved in the bill which I propose to introduce by adjointing that the right to share in the legislative grant be one of the rights and privileges of the Catholic minority in the province of Manitoba, taking it for granted, as I think later discussion will show, we have a right to do, that of the province of Manitoba, itself, will after the system is established, supply that find to the separate schools. That, of course, will be a matter of discussion later on. I do not know that I can say anything further just now as to the financial aspect of the case.

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for the separate schools to be appointed. Mr. Dickey—it is to be appointed by the Lieutenant-Governor in council of Manitoba, and after three months default in making any appointment, the Governor-in-council is clothed with power to fill vacancies or to appoint the board.

Mr. Choquette—I desire to ask if the bill has received the approval of the religious authorities? Mr. Oulmet—The hon. gentleman may make inquiries for himself. Mr. Laurier—is the hon. gentleman prepared at this moment to fix a day for the second reading of this very important measure? Mr. Dickey—No, I am not prepared at this moment, but I have no doubt the leaders on both sides of the house could agree later on to fix a date. Mr. Laurier—I would suggest that some time would be needed for the study of this bill before the second reading is fixed.

Mr. Dickey—Quite so. I would point out to the hon. gentleman that the bill is not printed in French. Mr. Mills (Bothwell)—I would like to ask whether it is the intention of the government to communicate a copy of this bill to the government of Manitoba before the second reading; and whether they will be invited to express any opinion upon this subject. Mr. Dickey (after consultation among the ministers)—I think there would be no objection at all to that course being followed; although I do not know that it would be necessary. If it is considered more courteous it shall certainly be done.

Mr. Hazen—I wish to ask the Minister of Justice how many clauses the bill contains? Mr. Dickey—There are 112 clauses. Mr. Martin—Do I understand the hon. gentleman to say it is printed in English and will be distributed to-day? Mr. Dickey—No, but I think very shortly. Probably to-morrow or the day after to-morrow.

The bill was read a first time. Mr. Mullock sought to secure restoration to the order paper of his bill proposing members of parliament from accepting patronage in coming to Ottawa. Mr. Dickey said that he had not attended to it in his sessional duties. His motion was negatived by 104 to 48 on a non-party vote. Davies then brought up a matter which led to an interesting discussion respecting Sir Charles Tupper's recent speech in the Cape Breton county election. He characterized this statement as indelicately inaccurate and said that no more than \$1,500 had been spent by the grays. He charged the estimate to grant an official investigation of Sir Charles, in replying spoke with his old-time vigor. He said from all the information which came into his possession and that of his friends, he had every reason to believe that the estimate mentioned was well within the estimate. Money had been promised to men in Cape Breton County to abstain from voting, while others had been paid substantial sums for their votes. The Cape Breton election was a matter of life and death to the position of ministerial chairs, and knowing that the party was accustomed to such "human devices" as mentioned he was satisfied that the sum stated was not exaggerated. Mr. McDougall said he had been over every section of the county and was surprised to find the large amount of money which the grays had used. He had been informed on reliable authority that the Hon. A. G. Jones, of Halifax, had said that the grays should be paid \$100,000 at least to defeat Tupper. D. C. Frazer said he knew something of the inner working of the election. (Ministerial cheers.) The sum stated by Mr. Davies as having been subscribed towards Mr. Murray's expenses, was \$100,000. Sir Charles Tupper followed with some rasping observations, this being his first encounter with his old opponent. It was an old time device of Sir John McDonald's when he spent \$50,000 in the election of 1878, to have his opponents with bribery and corruption. Evidently Sir Charles Tupper was pursuing the same tactics. Sir Charles Tupper, in reply, admitted the right of the opposition to bring the matter up. The question of the statement of \$25,000 had been sent into Cape Breton by the grays, he said he made the statement in the presence of the attorney-general of Nova Scotia, who engineered the campaign against him, and it was not denied. L. H. Davies—I am informed he solicited an opportunity to speak at your meeting to challenge the statement. Sir Charles Tupper—The hon. gentleman has been misinformed. I should certainly have given a chance to hear a denial from him. The debate was continued by Devlin, Flinn, Mill, and others. Mr. Laurier, Mr. Choquette, Mr. Dickey, and Mr. Oulmet, all took part during his remarks, said a member of the house, McDonald of Victoria had written a letter to Mr. Tobin, a barrister of North Sydney, saying that Sir Charles Tupper was going down to contest the election in that district, and this was the time to get up. Mr. McDonald (Victoria) said he had no recollection of ever having written such a letter as Mr. Laurier mentioned. He was on friendly terms with Mr. Tobin for a number of years, and he knew him to be one of the staunchest of grays in the county. He did business with him, and had written perhaps half a dozen letters in the course of the year, and could not, of course, say what he might have written in a foolhardy way. Mr. Laurier—In justice to the hon. member I will say the words I used were not words of insinuation in a foolhardy way. Mr. Laurier, but I did not use them out of consideration to the hon. member's feelings.

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