Charlottetown Tera

NEW SERIES.

Vol. XXVI. No. 19

Calendar for May. 1897.

New Moon, 1st day, 4h. 33.8m. p. m. First Quarter, 9th day, 5h. 24 3m. p. m. Full Moon, 16th day, 9h. 42m., a. m. Last Quarter, 23rd day, 5h. 22m. a. m. New Moon, 31st, 8h. 13.1m., a. m.

M Week, rises Sets Rises | Sets Ch'town

Seekers After Insurance that Insures

placing their Insurance in the World's greatest Com panies (Fire and Life) re-

JOHN MCEACHERN,

Epps's Cocoa. Wall Papers

ENGLISH BREAKFAST COCOA

ssesses the following Distinctive

DELICACY OF FLAVOR, SUPERIORITY IN QUALITY. GRATEFUL and COMFORTING to the

NERVOUS or DYSPEPTIC. ritive qualities unrivalled. In quar ter-pound Tins only.

Prepared by JAMES EPPS & Co., Ltd. Oct. 7, 1896.

Readers of the Herald

We wish to dispose of the following goods to make room

And for a SHORT TIME ONLY will sell at a special FOR THIRTY DAYS. discount for Cash.

Watches and Clocks, Silver Table and Toilet-

Vases and Fancy Goods, Brooches and Rings, Studs and Ear Rings Scarf Pins and a lot of other goods.

Parties who bring this advt. to us will be allowed an extra discount.

CAMERON BLOCK,

CHARLOTTETOWN

A. A. MCLEAN, LL B., Q. (Barrister, Solicitor, Notary,

Etc., Etc., MONEY TO LOAN BROWN'S BLOCK. January 20, 1897,-3m



TRILIAN'S WORM POWDERS. Are pleasent to take. Contain their own Purjetive. Is a safe, sure, and effectual estroyer of worms in Children or Aduly-

This is especially true with our

Beautiful goods, beautifully made, beauti

fully trimmed, reduced to a low price.

See our Gents' Furnishings.

New Spring Suitings

Wall Papers

dian Papers.

hand.

Sample Books always on

Try us before purchasing

-TO THE-

-OF-

Carefully Arranged

Everybody welcome.

-IN THE-

MARITIME PROVINCES.

BOOKSELLERS.

patterns still to open

will not be beaten.

Oueen Street, Charlottetown,

elsewhere.

BIG BAGAINS GIVEN

Clocks, Watches, Jewelry,

I have decided to sell my

At a big discount for cash for

thirty days. All persons buy-

ing ten dollars worth of goods

in that time will receive a pre-

sent worth one dollar or have

it deducted off the article they

purchase. Any person having

watches or clocks out of order

will do well to have them re-

paired and put in good running

order by me, and regulated by Town Time. The articles en-

trusted to me will receive my

personal attention. Store open

from 8 a. m; to 8 p. m.

THE PERFECT TEA

FROM THE TEA PLANT TO THE TEA CUE

"Monsoon" Tea is packed under the supervision of the Tea growers, and is advertised and sold by then as a sample of the best qualities of Indian and Ceylou. Teas. For that reason they see that none but the very fresh leaves go into Monsoon packages.

That is why "Monsoon," the perfect Tea, can be sold at the same price as inferior tea.

It is put up in sealed caddies of 1/2 lb., I lb., and 5 lbs., and sold in three flavours at 40c., occ. and 60c.

If your greendoes not keep it, tell him to write STEEL, HAYTER & CO, 11 and 13 Front St.

ALL KINDS OF

Performed at short notice at The HERALD Office.

IN ITS NATIVE PURITY.

G.G.JURY

Spectacles, etc., etc.,

and Overcoatings.

CHARLOTTETOWN, PRINCE EDWARD ISLAND, WEDNESDAY, MAY 5, 1897.

DOAN'S! DOAN'S! DOAN'S! Doan's Kidney Pills cure backache, weak back, rheumatism, diabetes, Bright's disease, dizziness, sleeplessness and all kidney, bladder, and urinary difficulties. Price 50c. per box or 6 boxes for \$2.50. Sold by all druggists or sent by mail on receipt of price by T. Milburn & Co., Toronto.

Local and Special News

Ask for Minard's and take

Mrs. Creegan: "And how is Micky getting on at school." Mrs. Shaughnessy: "Splendid—rale splendid. The teacher is that fond of him that she kapes him wid her half an hour after the other boys go home, narely every day of the wake, she does." Is a name known throughout the Province and carries with it the assurance of ex ceptional high values at exceptional low

> kinds from children and ad-Dr. Low's Worm Syrup is a safe and sure rem-

Whiskers that are prematurely gray or faded should be colored to prevent the look of age, and Buckingham's Dye excels all others in coloring brown or black.

Over-work, worry, and mental strain last spring caused heart trouble, nervous-ness, sleeplessness, etc. Milburn's Heart and Nerve Fills helped me at once and finally cured me. I feel like a new man

WORK AND WORRY.

(Signed.) THOS. SINTERL,
Wholesale Clothier,
Toronto, Ont

THE BEST COUGH CURE is Hagvard's Pectoral Balsam. It

Policeman (to group of small boys):
"Come, now, move on. There's nothing
the matter here,"
Sarcastic Boy: "Of course there ain't.
If there was you wouldn't be here."

Yes! with invalids the appetite is capricious and needs loaxing, that is just the reason they improve so rapidly under Scott's Emulsion, which is as palatable as cream,

RICH AND RED.

Rich red blood means strong vigorous ealth. Burdock Blood Bitters enriches

NOW OPEN—A full line bricks and a lump of paving stone.

of American and Cana-the House,

by Pysicians.

Loran E. Adams, Deep Brook N. S. says:
"I have taken Norway Pine Syrup with
Grand results. I had a very bad cough
for five weeks and could get no relief, but
after taking one bottle of Norway Pine
Syrup I was entirely cured, It is the
greatest cough medicine in the world."

cures Coughs and Colds.

est, Brightest, and Most and Lung Troubles. Price

In place of that constantly tired out and Mr. McCa thy. But we leave it to the people to decide the question. Come strength. in and let us hear from you.

Coughs, Colds, Sore Throat, Asthma, Bronchitis, and all lative Assembly carried a resolution from which the following is an extract: "That the said Judicial due to the Dominion of Canada. Committee has further decided that Balsam.

Coughs, Colds, Sore Throat, Asthma, Bronchitis, and all lative Assembly carried a resolution from which the following is an extract: "That the said Judicial due to the Dominion of Canada. Committee has further decided that the provisions of the said act deprive right of local self-government, was passed, there were both Pro-Coughs, Colds, Sore Throat,

Mr. Blake's Opinion.

ed as to the validity of the conclu

MR. MACARTHY'S OPINION.

precise provisions of this statute

heals the lungs and cures ion "that the Judicial Committee did nothing to define, and did not in

WITH INVALIDS.

Magistrate: What passed between your-Keep Minard's Liniment in the third subsection of section 23 of

A few bales of the latest The proprietors of MINARD'S LINI-For quality and prices we

Minard's Liniment is used

GREATEST IN THE WORLD.

The Best Cough Cure is Hagyard's Pectoral Balsam. It heals the lungs and

Minaid's Liniment the lumperman's Friend.

AN ANTIDOTE FOR ASTHMA. Mr. Albert Reid, Angus, Ont., was for over two years a sufferer from Asthma. A half bottle of Yellow Oil cured him completely, and although that was some time ago, he has never been troubled with the same complaint since.

Sick Headache and stipation are promptly cured by Burdock Pills. Easy to ake, sure in effect.

A SPLENDID MEDICINE. Dear Signate.

Dear Signate.

Dear Signate of some use to those who suffer from headache and have not yet heard of B. B. B. Headache and pain in the back afflicted me for a long time, but now I am free from them, thanks to the use of one bottle and see our all sufferers from headache or pain in the back.

MISS JANE MCALLISTER.

Norway Pine Syrup cures We claim to have the Larg- Coughs, Colds, and all Throat 25 and 50 cents.

TESTING HISHONESTY.

CLAUSES

MR. EWART TRAVERSES ITS VARIOUS Blake, Q. C., dated 19th January, 1897, asking for his opinion on three points connected with the Manitoba school question, and Mr. Blake's reply on the following day, have been laid before me, and my opinion askions arrived at by Mr. Blake. Mr. Fitzpatrick informs Mr. Blake that certain persons have asserted "that the effect of the judgment recovered in the case of Brophy by the Privy Council was that the Roman Catholic minority in Manitoba were entitled to separate schools as they had or otherwise, for the purpose of re- vince, therefore it must remain, w enjoyed them previous to the Manipatrick asks whether in Mr. Blake's pinion, "the effect of the judgment has been correctly stated." I agree to the mandement issued by the only way of making a united Canawith Mr. Blake's reply to this question; in fact, the correctness of that lows: "The mandement claims no and sentiment in the Dominion, is eply cannot be questioned, for the Privy Council itself stated that "it them by the Privy Council of Eng- one province are not offensive to s certainly not essential that the land, whatever that was. This does the laws and institutions, and it

statute repealed by the act of 1890 not mean that, according to the may be to the feelings, of another. should be re-enacted, or that the Privy Council, there must be a re- I will go so far as to say that they give the Catholics a share of the should again be made law." I can- law as it stood in Manitoba before consideration." If in company with not, however, agree with the opinfact define, what were the precise powers or duties of the Governor-General-in-Council further than here was a jurisdiction to hear the appeal and to proceed under the Union Act." It is, in my judgment, extremely clear that the Privy Council did indicate, in general terms, the course which ought to be adopted for the purpose of removing he grievances which the Judicial Committee found to exist. The anguage of the judgment leaves, in

my opinion, no room for dispute upimmediately adds "their general ly, the 'legislation' mentioned in the heart, and to the conscie character is sufficiently defined by the Manitoba Act," and the object to be attained by adopting steps of

dicated in further language as fol-Oliver Mowat, the effect of the de- from Mr. Blake in his statements operation, and is enforced by the lows: "All legitimate ground of cision of the Privy Council is that with reference to the power of the the grievances complained of ought Governor-General and the Dominion ish enough to set himself up against complaint would be removed if that system were supplemented by proto be removed by "a measure Parliament. I distinguish, of course visions which would remove the which would be an efficacious rem- between power and right, Physi-

grievance upon which the appeal is edy for the evils suffered by the cally, Parliament has power to do founded, and were modified so far as Manitoba minority." This is all that might be necessary to give effect to the Catholics have ever asked, That makes it clear that while the Privy is what the mandement claimed. these provisions." This language This, in Sir Oliver Mowat's opinion Council did not think that they is what the Privy Council declared ought themselves to prepare the ought to be done.

legislation necessary for the purpose declare (1) what the grievances

application for the remedial order quoted certain words used by Lord Watson during the argument before the Privy Council, in which Lord Watson said that he was " not prehow far he ought to interfere." Sir Charles H. Tupper interrupting Mr. McCarthy said: "I did not mention the point to refute your position as to whether we had the absolute duty to perform, but merely to point out that Lord Watson's position was not acted upon when he gestion. There is a very marked suggestion there as to what we could do, and, perhaps, as some would argue, a suggestion as to what we should do." To this Mr. McCarhy replied as follows: "Possibly that observation is warranted by what Lord Herschell has said. But the question was not asked what you should do, but whether you have jurisdiction. The Privy Council, diction. It wil, therefore, be seen that Mr. McCarthy would not agree with Mr. Blake, that Mr. McCarthe Judicial Committee did do some-

the Roman Catholic minority of which we possess, is not to make affected rights or privileges in rela- us less citizens of the Dominion, is tion to education in a manner which not to make us less anxious for the constitutes, in the language of the promotion and welfare of the Dom-The letter written by the Hon. C. judgment, a legitimate ground of inion; and it is no argument to say Fitzpatrick to the Hon. Elward complaint, which should be removed that because a certain piece of legisby supplemental provisions which lation is within the power of the would remove the grievance." Sir local Parliament, therefore the legis Oliver Mowat, in moving the adop- lation is not to be disturbed. By tion of the resolution just referred the same Act of Parliament by to, said that the Privy Council had which power is conferred upon the decided, "that while the act was a Local Legislature, the duty and valid exercise of authority by the power-because where there is a Manitoba Legislature, the provisions a power there is a corresponding of the act deprived the Roman Cath- duty-are cast upon the Governor olic minority of certain rights and General-in-Conneil to revise and privileges, and those rights and pri- review the acts of the legislative vileges ought to receive attention bodies. If you are to say that be-

and that proper provisions ought to cause a law has been passed within be introduced by way of supplement the legislative authority of a moving what the Judicial Com- can easily see, sir, that before long mitte called a grievance." After- these Provinces, instead of coming wards at Oakwood, on the 3rd June, nearer together, will go further and 1896, Sir Oliver Mowat, in replying further apart. We can see that the Roman Catholic bishops, said as folda, and building up a national life more than has been recognized to by seeing that the national laws of turn to the exact condition of the must be to some extent taken into fund, the Dominion Parliament, the Legislation of 1890. On the these last named gentlemen, I am to donate the fund for the support

contrary, their lordships expressly still wrong, there is a further argusaid that " it is certainly not essen- ment which is, to my mind, untial that the statutes repealed by the answerable. It cannot be put in Act of 1890 should be re-enacted, better language than that used by or that the precise provisions of the Hon. Mr. Foster (13th March, these statutes should again be made 189; Hansard 338) when he said: law." Their Lordships said, also, "As in the case of an individual, so that 'the perticular course to be in the case of a society and a counpursued must be determined by the try, the highest form of freedom is authorities to whom it has been invariably surrounded with the committed by the statute. It is strongest limitations. Above the not for this tribunal to intimate the compelling powers of the courts of precise steps to be taken.' But law, and above the compelling to other practical difficulties in enforcing the provision of the Remediwith no less distinctness, that in the there is a sentiment of justice and al Bill. For myself I know of none. Manitoba law of 1890 Roman Catho- fair play, which compels, where on this point. While it says that lies had a grievance and a legitithere is no legal instrument—which on this point. While it says that "it is not for this tribunal to prescribe the precise steps to be taken," it immediately adds "their general to the removed. According which that sentiment carries to the ly, the 'legislation' mentioned in the heart, and to the conscience, of a mandement is said therein to be a parliament and a people, to do jusmeasure which would be an effica-tice, and to exercise that unrestraincious remedy for the evils suffered ed and unrestricted freedom in the ing its jurisdiction, and although a by the Manitoba minority." It interests of a minority, or of any objectionable to every man in a

wrong, and may, of course, do so if

In reply to Mr. Fitzpatrick's third question Mr. Blake said: "It indicated, yet that it did actually THE HON. MR. FITZPATRICK'S OPINION. thus appears to have been conceded In the ante-election pledge of Mr. and as I conceive, rightly conceded, were; (2) the extent to which legis. Fitzpatrick, dated 5th June, 1896, by the authors of the remedial bill, lation would have to go in order to he promises "to vote for a measure that the practical, and constitutionremove those grievances; and (3) according to the Catholics of Mani- al difficulties in the way of imposwhat was the general character of toba that justice to which they have ing taxes on, or appropriating pubthe steps to be taken for that pur- a right by virtue of the judgment of lie funds of the Province of Manitopose. Perhaps I may be allowed to the Privy Council." It would be ba by the Parliament of Canada fortify this opinion by reference to unfair to Mr. Fitzpatrick to suggest were overwhelming. The bill failthe generally received construction that when he penned this pledge he ed to become law. The whole of the Privy Council judgment in thought that the Catholics had no question had been, and remained a rights under the judgment of the political question, such as I have Privy Council, and therefore that he described. All sides seem to have might safely say that he would vote practically agreed that the complete During the argument upon my in favor of giving them such. Even restoration by the Parliament of application for the remedial order if, in company with all these gentle- Canada was impossible, in view of difficulty in carrying out this law men, I should be wrong in holding the overwhelming difficulties to that the Privy Council did indicate which I have referred as to the apwhat ought to be done, I could still propriation of public funds. For contend that it, was the duty this reason, and because of other of the Dominion Parliament to practical, difficulties, Mr. Blake con-Genera) of the duty of considering pass "a measure which would be an sidered that "the provisions of the efficacious remedy for the evils suf- settlement now under discussion" fered by the Manitoba minority. It were infinitely more advantageous is admitted by Mr. Blake that the to the Roman Catholic minority

Privy Council has held (1) that the than any remedial bill which it is Catholics had certain rights; (2) in the power of the Parliament of that those rights have been taken Canada to force upon the Province Mr. Prendergast must either be away; and (3) that the Dominion of Manitoba." Had Mr. Blake been Parliament has jurisdiction to re- in Canada he would have been astore them. Such being the case, I ware that the authors of the Resaid that he would not give a sug-David Mills (18th March, 1896, cede the existence of the difficulty Hansard 462) is unanswerable. to which he refers. His mind, no "Now, Mr. Speaker, let me say that doubt, was directed to one point, it is also a well settled rule that namely, that the Dominion Parliawhere there is a right by law in the ment could not alter the destination suppliant to seek for relief, there is of money voted by the Local Legisa corresponding duty to hear his lature. But the solution of what complaint, and if a substantial right, Mr. Blake suggests to be a diffior privilege, be injuriously affected culty in no way depends upon that or destroyed, to redress the griev. question. The solution was of the ance and restore the privilege taken very simplest kind. As is well if they venture to instruct this body away." The principle to which Mr. known, the ownership of the lands were stepping beyond their juris- Mills referred is well known, but in in Manitoba is vested in the Domorder that it may, for the purpose inion authorities. By a Dominion of the school case, be put beyond statute certain of the Manitoba dispute, I quote from a speech of lands were "set apart as an endowthy's contention is that although Mr. Dalton McCarthy (March 1889) ment for purposes of education," when be was urging the Dominion and the administration of these thing to define the duties of the Parliament to interfere with the lands was retained by the Domin-Governor-General-in-Council, yet local legislation of the Province of that the committee should not have Quebec with reference to the from the sale of them were "to be done so, a point which I may fairy Jesuits' Estate Act. He said as invested in securities of Canada to leave between the Privy Council follows: "I venture to ask the form a school fund." The interest House seriously to consider the po- arising from this fund was to "be feeling, Ayer's Sarsaparilla will give you OPINION OF THE ONYABIO LEGISLA. sition in which we stand. The wor- paid annually to the Government of on the 4th March, 1896, the Libony, which some gentlemen have support of the public schools there-

and healthfulness. Assures the ainst alum and all forms of adulter mon to the cheap brands. Key J Powner Co., May York.

testant and Roman Catholic schools in Manitoba, and it was assumed that the Government of the Province would fairly administer the So long as it did so the Domini n Parliament was justified in confiding the administration of it to the local authorities, but when the Province abolished the schools which had intended by its statute of both Protestant and Catholic schools, would naturally amend its statute and itself retain the disbursment of its cwn monies-the trust confided to the local authorities, and the purposes of the statute having thus been violated—the Dominion would itself see that its grants was properly applied. It will thus be could easily have been surmounted. will be observed from the above ex-tracts that, in the opinion of Sir and asking redress." I do not differ operation, and is enforced by the

One main provision of the Renedial Bill was a declaration that Catholics subscribing to separate schools should not be compelled to subscribe to other schools. There sould have been no difficulty in enforcing this law. Another main povision was that Catholics should be permitted to set up schools for themselves. No difficulty would have been found in carrying out this provision. A third main provision was that the Catholics should have a right to tax themselves for the schools. Could anyone suppose that there would be any difficulty in carrying out this law? The remaining provisions were devoted to that is providing for officials, teachers with certain prescribed authorities, etc. I can see no possible

March 16, 1897. JOHN S. EWART. My Ewart, having been shown a he (Mr. Ewart) had at one time adin Manitoba that the Remedial Bill, if passed, would be ultra vires of the wrongly reported, or else must have that he never said that it was, and ihat he certainly would not have lato have the Remedial Bill passed in-

MARK WRIGHT & CO.--COFFINS, CASKETS, AND ALL FUNERAL GOODS