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Hon. Senator Bernier's GREAT SPEECH

as reported in THE SENATE DEBATES
(Continued.)

Any settlement which falls short of the requirements of the judgment of the Privy Council and of the Remedial order, cannot be a solution of the difficulties without our consent. In this case our consent has not been given and the government has, nevertheless, passed us over and entered into an agreement which they knew was not acceptable to us. Such treatment is accorded only to helots. But we are weak and weakness is apparently no more entitled to consideration with this Liberal federal government than it was with the Liberal provincial government. That will not, however, affect the determination of the minority to insist upon their rights.

Shall I remind the government of their pledges? They are fresh in every memory and cannot be repudiated. It cannot be denied that Mr. Laurier did promise, in the House of Commons and during the electoral campaign, that he would give full justice to the minority, and that he alone could do it. The pledges of his candidates to the same effect cannot be denied. They are so many and so well known that I need not take up your time in reading them. And yet, these pledges are disregarded as was the case with Mr. Greenway! And we are called upon to accept again mere promises, to rely on the good will of Mr. Greenway and of his friends. We have been too often betrayed to consent to that.

The minority will adhere to its policy of claiming its privileges as a matter of right, and not simply as a matter of mere courtesy on the part of a hostile government. In doing so we may be stigmatized as extremists, because there are some who, unable to find good grounds to support the so-called settlement, like to resort to that word as a stigma against the friends of the good cause that the minority is fighting. But mere words are nothing but wind, and such wind will not uproot the tree of our claims, and of the constitution. The mover and seconder of the address did use that expression. Had they pondered a little more upon it perhaps they would not have done so, because, after all, they were stigmatizing their own leaders. These indeed are extremists also, since they admit that their so-called settlement is not all that we are entitled to. Such an admission is contained even in the Speech from the Throne, where it is said "the best arrangement that could be obtained," implying thereby that something more is due. On the other hand, I must confess that there is also in that part of the Speech from the Throne more than is necessary to convince the mover and seconder of the address, and I may say the whole Dominion, that the government does not intend practically to become an extremist.

The good will or the ill will of the Manitoba government is their rule. That is a policy which does not indeed require any great exertion. It is a policy of surrender.

Before the election a policy of sunny ways was announced, but it turns out that the beams of the sun are all for the govern-

ment, and that we are left in cold and darkness; and the government here insinuates, and the Manitoba government openly declares, that we must be satisfied with that lot. We think, however, that as British subjects, we are entitled to all the blessings that are to be derived from British citizenship, and we confidently expect that one day or other the sun will shine over our plains as it does over all the other portions of the empire. In the meantime, we will maintain our position like free men, and we will show that we are not unworthy of sitting at the board where British institutions are conceived and framed, and given to the people, not as an instrument of despondency or treachery, but as a generator of freedom and justice, and as a guarantee of good faith.

The government and their organs are taking great credit to themselves for that so-called settlement. They triumphantly direct our attention to the fact that it has taken them only six months to effect that settlement, while the other government had not been able to do anything during the six previous years. Some reasons may be found for that, however. We have noticed that every time the late administration made a move towards an equitable solution, they had to face, not only the Manitoba government which was unfriendly to them, but the political party who, sitting at the time on the opposition benches in this parliament, were continually obstructing their policy, which action forms a marked contrast with the present opposition which has declared its willingness to help the hon. Gentlemen on the treasury benches now if they were willing to introduce adequate remedial measures. The previous government wanted to give us something, while the present administration does not care to give us anything, but is satisfied with what their friends in our distant province are disposed to grant, however trifling it may be. In fact, this so-called settlement does not give us anything; it is a complete surrender on the part of this government, and it did not require six months to accomplish such a feat.

It could have been done in a month. It was very easy work, where there was no fight, no danger, and no credit. As we say in French,—"A VAINCRE SANS PERIL, ON TRIOMPHE SANS GLOIRE." That this settlement does not fully remove our grievances, it is useless to argue because it is admitted by the government itself. It may be well, however to mention some details to show how far this so-called settlement ignores the former position of the minority. Under the old law we had the right—I say the right, and not a mere possibility—of being represented on the general board of education. We had in that general board of education a Catholic section empowered to manage the Catholic schools. We had a Catholic superintendent of education. We had Catholic inspectors. We had Catholic normal schools. We had Catholic examiners. We had Catholic teachers. We had Catholic school districts and Catholic trustees.

We had the selection of text books. We had the right to levy taxes on our properties for the support of our schools. We were exempt from taxation for the support of non-Catholic schools.

We had our share of the legislative school grant, and all these have been held by the Privy Council to be rights and privileges that should not be taken away from us, but which had been affected by the school legislation of 1890. Now, the so-called settlement gives away each and all of those privileges. The mere reading of the law now passed by the legislature of Manitoba, and which is nothing but the settlement reduced into law is a sufficient evidence of that assertion. Here it is:

AN ACT TO AMEND "THE PUBLIC SCHOOL ACT."

Her Majesty, by and with the advice and consent of the legislative assembly of the province of Manitoba enacts as follows:—

1. Religious teaching, to be conducted as hereinafter provided shall take place in any public school in Manitoba;

(a) If authorized by a resolution passed by the majority of the school trustees of the district in which the school is carried on, or,

(b) If a petition be presented to said school trustees asking for religious teaching and signed by the parents or guardians of at least ten children attending the school in the case of a rural school district, or by the parents or guardians of at least twenty-five children attending the school in case of a city, town or village school.

2. Such religious teaching shall take place between the hours of 3:30 and four o'clock in the afternoon, and shall be conducted by any Christian clergyman whose charge includes any portion of the school district, or by any person duly authorized by such clergyman, or by a teacher when so authorized.

3. Where so specified in such resolution of trustees, or where so required by a petition of parents or guardians, religious teaching during the prescribed period may take place only on certain specified days of the week instead of on every teaching day.

4. In any school in towns and cities, where the average attendance of Roman Catholic children is forty or upwards, and in villages and rural districts where the average attendance of such children is twenty-five or upwards, the trustees shall, if required by a petition of parents or guardians of such number of Roman Catholic children, respectively, employ at least one duly certificated Roman Catholic teacher in such school. In any school in towns & cities where the average of non-Roman Catholic children is forty or upwards, and in villages and rural districts where the average attendance of such children is twenty-five or upwards the trustees shall, if required by the petition of parents or guardians of such children, employ at least one duly certificated non-Roman Catholic teacher.

5. Where religious teaching is required to be carried on in any school in pursuance of the foregoing provisions and there are non-Roman Catholic children attending the school, and the school-room accommodation does not permit of the pupils being placed in separate rooms for the purpose of religious teaching, provision shall be made by the regulations of the Department of Education (which regulations the board of school trustees shall observe), whereby the time allotted for religious teaching shall be divided in such a way that the religious teaching of Roman Catholic children shall be carried on during the prescribed period on one-half of the teaching days of each month.

6. The Department of Education shall have the power to make regulations not inconsistent with the principles of this Act, for carrying into effect the provisions of this Act.

7. No separation of pupils by religious denominations shall take place during the secular school work.

8. Where the school-room accommodation at the disposal of trustees permits, instead of allotting different days of the week to different denominations for the purpose of religious teaching, the pupils may be separated when the hour for religious teaching arrives, and placed in separate rooms.

9. No pupil shall be permitted to be present at any religious teaching unless

the parents or guardians of such pupil desire it. In case the parents or guardians do not desire the attendance of pupils during such religious teaching, then such pupils shall be dismissed before the religious exercises are begun or shall remain in another room.

10. When ten of the pupils in any school speak the French language, or any language other than English, as their native language, the teaching of such pupils shall be conducted in French or such other language and English upon the bi-lingual system.

11. All the provisions of "The Public Schools Act" and amendments and of "The Education Department Act" inconsistent with the provisions of this Act, are hereby repealed.

12. This Act shall come into force on the day of A. D. 1897.

As Mr. Cameron said, in moving the second reading of that bill, this law is the triumph of the Manitoba government and legislature. There is in this law not the slightest vestige of our rights. Is it more in conformity with the judgment of the Privy Council? It cannot be, because that judgment is substantially a recognition of the rights we had under the old law, and which I have already enumerated. But let us contrast more closely the two documents. The grievance of the minority says the judgment is in the fact that "denominational schools, of which they had the management," and for which "they could select the books to be used and determine the character of the religious teaching," have been deprived of their legal status, of their share of the legislative school grant, of their right to levy taxes for the support of such schools, and of the exemption they enjoyed as to the support of the other schools:—

They are, on the contrary, obliged to maintain "schools which they regard as no more suitable for their children than if they were distinctively Protestant in their character."

Thereby, their lordships say, the rights of the Catholics have been affected—hence "their legitimate grounds of complaint." Does the settlement remove in any way the grievance? No; on the contrary, it affirms the position of the local government, and has the pretension of burying for ever those rights, the spoliation of which, according to the judgment of the Privy Council, constitutes the grievance. In support of this contention allow me to read from the speech of Attorney General, Mr. Cameron, when introducing the measure into the local legislature:

He (Mr. Cameron) regarded the terms of the settlement arrived at as a distinct triumph on the part of the legislature and government.

And further on he proceeds to point out that the settlement and the bill based upon it are:—

Precisely in accordance with the declarations of the legislature and the government ever since the question arose.

Now, what were in substance these declarations? That they would never restore to the minority its rights and privileges. And this government has agreed to that. Let nobody be deceived by that clause which allows half an hour of religious teaching after the school hours. This is not a concession at all. We were not in need of the interference of this government, we were in need of any amendment to the law of 1890, to use the school premises for that purpose after school hours. It might have been after four o'clock instead of half-past three, but this

is immaterial. Whether it is after four or after half past three, does not change the principle. It is after school hours, and the trustees by virtue of their corporate powers had the right to authorize, by resolution or by simple permission, any sort of meetings in the school premises whether these meetings be, in their nature, industrial, political, or religious. The school trustees had even the right by virtue of their corporate powers to authorize in the school-house the celebration of mass one day and the next day to authorize any other denomination to have herein its religious service, and so on, in succession with every one of them. And to prevent it, the legislature would have had to pass a law. Having that power, the trustees had surely also the power of authorizing half an hour of catechism after the school hours. I repeat it, that clause is merely, in another form, the repetition of powers which the trustees have always had, that is, the lending of the school premises for any legitimate object, outside of the school hours, which power they already possessed by virtue of their being a corporate body and the custodians of those premises. As a matter of fact, it is perfectly known that in the rural parts of the country the school-house is generally the meeting place for the people. And, in case the school trustees would have been disposed to refuse such authorization, there is not a Catholic family in Manitoba which would not have gladly thrown wide open the doors of its home to the children to afford them an opportunity to receive that same religious instruction for half an hour. Then, in so far as this aspect of the case is concerned, the provision as to the half hour does not better our position. Does it alter the nature of the schools as a teaching institution? Mr. Cameron, in the words I have already quoted, positively answers in the negative. Let me state my own views. The settlement provides that from nine o'clock in the morning until half past three in the afternoon there will be no reference to any religious matter. In going into the class-room teachers and children alike will have to hang up their Christianity and God himself, in the hall with their hats and overcoats, and leave them there until the hand of the clock has marked the time when that stranger, who, however, gave His life to save ours, when that Saviour of our souls will have the option of making his humble ingress amongst those children and there with the kind permission of certain gentlemen and under certain regulations, of which we know nothing at present, have some conversation for half an hour or so. Will that half hour of religious instruction given to the children—as a sort of punishment to some of them—have the effect of christianizing that part of the day during which God has been expelled? Not in the least. From nine o'clock until half-past three the school will simply be an unchristian school, a school of infidelity, to be succeeded at sunset by another kind of teaching, if perchance, there is such teaching, because it is provided that religious teaching may not take place every day in certain cases but only on every alternate day and even less frequently. There is even a possibility of having