

rule that governs the rest of us. It is in the nature of a resurrection, we must remember. Under the circumstances, I, for my part, am not going to enforce or insist on the hon. gentleman doing what perhaps a humbler member, guided by the ordinary principles which regulate man and man, whether as members of the House or of any other assembly, would feel impelled to do without the dictation of the Chair.

Mr. LANDERKIN. We will not take any further proceedings against him.

Mr. McCARTHY. I will proceed with my argument, and I trust, at all events, not to offend again the proprieties of the House. I was dealing, Sir, at the moment with the consideration that we ought to attach to the Manitoba constitution. It will be perhaps in the memory of the House that the Minister of Finance, with whose address I am mainly dealing, in no way or other gave the House to understand that although there had been no bill of rights, which he declined, in point of fact, to argue in support of, nevertheless from the terms of the Queen's proclamation, from the language conveyed in the construction given to the hon. member for Montreal West (Sir Donald Smith), who was a commissioner at that time, the people of Manitoba, to whom these delegations were sent, and as to whom this proclamation was issued, had a right to assume, and could naturally assume, that they would be dealt with in this Parliament on the most favourable terms. For my part, Sir, I do not think it is necessary to labour that argument, for while I have here the blue-book containing the proclamation of Her Majesty and letter of instructions to the hon. member for Montreal West, as well as to his co-delegates, I think it will be perfectly clear that there was nothing more said either in the proclamation or in the instructions to the delegates than that the civil and religious liberties of the people of Red River would be respected and that they would have the rights of British subjects. The quotations that were given by the Minister of Finance do not put the matter any further than that, and it is unnecessary for me to criticise or to point out that the argument which was founded on that statement was certainly not warranted by anything contained in the text. Then, if that be not so, we are driven back to the document itself.

I yield to no man in the House in the broad and liberal interpretation which I am prepared to give to this remedial clause. I worship the constitution, if it is not idolatry, almost to the extent that it is worshipped by hon. gentlemen on the Treasury benches. But I want to know whether the constitution is only in force in Ottawa; I want to know whether no respect is to be paid to the constitution at Winnipeg. By the very same terms of the constitution, by the very code

we have with respect to education, the duty and responsibility are first cast upon the provinces, and it is only when complaint is made here and when certain events happen, all of which have happened, that we are called upon in any sense to interfere. Ought we not first to assume—I am speaking to reasonable men, I am speaking as a reasonable man—that the legislative body charged with this duty at Winnipeg discharged that duty according to their sense of right and wrong. Are we to assume without evidence, without a charge, that this legislative body, consisting of forty of the chosen representatives of the people, passed this law in 1890 wantonly, without cause, without consideration, without justification? They have since, we know, adopted that law, and ratified that law, at two elections. I am perhaps more familiar with the practice of courts than I am with dealing with a question of this kind in an assembly of this nature; but a rule of the courts, which I venture to say is a proper rule for our guidance, is this, that where a question is a proper question to be submitted to a jury, and a jury has determined that question, without the imputation of improper motives being passed, no matter whether you accept the verdict or not, no matter whether it is a correct verdict or not, the highest court of the land would sustain the finding of the tribunal to which the law of the land has committed the responsibility. Surely the solemn verdict of the legislature of Manitoba is as much entitled to respect as is the verdict, or conclusion of a petty jury of twelve men. But, Sir, what are the accusations that are made? I have gone through the petitions that were presented to His Excellency the Governor General in Council. These petitions emanated from the province, and from a body there called the National Congress, and in the petitions the allegation that is made is this:

The Roman Catholics regard such schools (namely the schools that had been established in 1890) as unfit for the purpose of education, and the children of Roman Catholic parents cannot and will not attend to any such schools. Rather than countenance such schools, Roman Catholics will revert to the voluntary system in operation previous to the Manitoba Act, and will at their own private expense, establish, support and maintain schools in accordance with their principles and their faith, although by doing so, they will have in addition thereto, to contribute to the expense of the so-called public schools.

They also allege:

That the Public School Act requires all members of the community, whether Roman Catholic or Protestant, to contribute by taxation to the support of what are called public schools, but are in reality a continuation of the Protestant schools.

In addition to these causes, which are all the complaints that are made by the petitions, the Conservative League, which ap-