THE COERCION

Hon. Mr. Laurier's Great Speech on the Motion for a Second Reading---Severe Condemnation of Government's Course.

A Strong Plea for the Policy of Investigation and Conciliation---Good Reasons for Proposing the Six Months Hoist.

ever, may perhaps be justified, not so tion—the names of men who, if they much on account of the feeling which had moved and acted on a wider and may not unnaturally be attributed to better known theatre, would to-day live me, being of the race and of the creed not only in the hearts of their own of which I am, but still more in consid- countrymen, as they do now, and will eration of the great responsibility which forever live, but would also have been has been placed upon me by the too celebrated throughout the civilized kind regard of the friends by whom I world. (Cheers.) That is not all. in am surrounded here-I would say that its isolation, its semi-independence, the in the course of my parliamentary car- province of Nova Scotia attained a reeer, during which it has been my duty markable degree of prosperity. Its force of events made this a federative on more than one occasion to take part | merchants | were | veritable | merchant | in the discussion of those dangerous princes. There are feelings in all classquestions which too often have come es of our community. It is not, eituer, before the parliament of Canada, never to be wondered at that when asked to did I rise with a greater sense of se-curity, never did I feel so strong in the people of Nova Scotia had some misgryconsciousness of right as I do now, at ings as to their course. What would this anxious moment, when in the name have been the part of statesmanship on of the constitution so outrageously mis- that occasion? The part of statesmanship on interpreted by the government, when in ship would have been to try and perthe name of peace and harmony in this suade the people of the grandeur of the land, when in the name of this minor- idea—because they were a people emin ity which this bill pretends to help, ntly fittd to see the grandeur of such when in the name of this young nation in idea—of Canadian confederation. on which so many hopes are centered, I But such was not the course taken. rise to ask this parliament not to proceed any further with this bill. (Loud ment of Nova Scotia at that time a gen-The position which I have taken from the first on this question, back from England to this country to and which I have maintained all along force this measure upon the people of up to this moment, is of such strength that it easily takes away the pain waich no man of sensitiveness can well avoid when, impelled by a paramount seese tion, he forced the project down the of public duty, he has to take a course which he knows may not be parallel the brute force of the majority of a with that taken by all his friends. But the argument seems to be overwhelming that if this bill becomes the law, while it would afford no protection whatever to the suffering minority in Manitoba, it would be a most violent wrench of the principles upon warch our constitution is based. The hon. gentleman who has just moved the sec- young generation, have become reconto this house again, after an interval of the hon, gentleman knows that the bitseveral years, to take the place at 'he gentleman has largely taken away from recalled that page, he would have its power to disallow within certain per a member by the statement he has made over and over again in his speech, reiterated not once but perhaps ten times-which was, in fact, the burden of his speech—that the government in province but of the Dominion of Canthis instance are not free agents, but simply creatures of necessity, the tools, told us that ever since confederation the instruments of the constitution, waich, in this matter, leaves them no this were not so important a debate I option, but compels them to bring forward the measure which they have now brought to the attention of the house. In so far as this statement is concerned, trovert it in any way, though I shall address myself to it further on. _ut I been happy! Why, what has been the give every allowance to the claim of the ward this bill he is impelled by the cesire of doing justice to the minorry. the motive of the government I comall things to do justice to a minoraly, from his long parliamentary experience a country like this, where the people are stances it is the part of statesmanship not to force upon the people the views

A PAGE OMITTED.

was never perhaps a corner of the earth | man seems to think lightly of this. He of so few acres, and having so few pco. thought it would be misery if we had ple, which in a given time produced civil and religious war in this country.

Ottawa, March 3 .- Mr. Laurier, upon, such a galaxy of men of the first class rising, was received with loud appliause. as the small province of Nova Scotia. He said:—Mr. Speaker, if, in a decate of Sound and Howe—above all, Howe place for me to make a personal reterence to myself-a reference which, how- of the most famous men of their generatleman who to-day has been brought Canada. Instead of applying himseli to persuading his fellow-countrymen of the grandeur of this act of confederathroats of the people of Nova Scotia by moribund parliament, and the hon. g ntleman must to-day bear the responsibility and the stigma that for a whole generation the great idea of confederasynonymous with oppression and coer-

MANY AGITATIONS. But I would recall the history to the hon, gentleman not only of his own ada at large. The hon, gentleman has we have been a happy people. Well, if would say that if the people have been happy the cabinet ministers unfortunately have not always been happy. Is that the way the hon, gentleman has I do not intend at this moment to con- read the history of Canada since confederation? The people of Canada have course of events ever since we have had hon, gentleman that in bringing ior- confederation? Is it not a fact that almost from the first moments of its existence until now confederation has Well, if such were the intention and been torn not once or twice but repeatedly by agitations which more than once mend their intention, I commend their have shaken it to the very roots and motive; would to heaven I could like threatened its very existence. Why, wise commend their sound judgment the ink was scarcely dry upon the docuand good sense. To do justice, and of ments which established confederation when the New Brunswick school ques is always a great and noble thing. It is tion arose. From New Brunswick it one of the noblest attributes of human spread into Quebec, and thence into Ounature. But the hon. gentleman vno tario, and for years, as everyone knows, has spoken for the government knows it embittered and impassioned public opinion of the Dominion to the exclusthat amongst men the standard of just ion almost of every other topic. Then, ice is not uniform, but is affected by immediately after that, the attempt of differences of religion, differences of this government, of which the hon. geneducation and a multitude of other (ir- tleman was a member, to take away cumstances. The hon, gentleman is from the statute book of Ontario the aware-more than anybody else, per- act known as the streams bill of 1890 haps, he ought to be aware—that in a roused the people of Ontario to a detercommunity with a free government, in mination to maintain their legislative in dependence at all hazards. Then, a few divided on any question, there are diff- years after, the disallowance by the goverent standards of justice in the minds ernment of which the hon, gentleman of the people, different conceptions of was a member of the railway legislation right and wrong as to what may be pro- of Manitoba—that legislation by which per or improper. Under such circum- Manitoba sought to get rid of the incubus of the monopoly in transportation which had been given to the C. P. R.of any section, but to endeavor to brought Manitoba to the very verge of bring them all to a uniform standard rebellion. The day was not far distant tion. I followed him closely. There tates bill and the refusal to disallow the majority, it must be that that fact allow the Manitoba school act. is a page, however, of which he might that act. The hon, gentleman must not alone proves that the question at issue have spoken, but of which he has not recklessly excite religious passions in this is one which deeply, very deeply, affects said a single word. He might have country and bring them back to a very the people in that province. referred to the page of the history of dangerous pitch. Now, again, I am the manner in which his native prov- sorry, we can hear the roar coming upince of Nova Scotia was brought into on us of another wave of agitation and this confederation. The hon, genfle- evil commotion in this country. The deman has not forgotten, surely-or if he mon of discord is in the land, blowing has he is the only man in this coun ry the wind of strife over all and in all surely, who has-that when the idea of directions, awakening slumbering pasconfederation-a great, a good, a noble sions, arousing old prejudices. You can idea it was was brought to the attentrace its pasage in our cities, towns and tion of the people of Nova Scotia, it did country villages; nay, back in the backnot meet with ready acceptance, and woods settlements, where falls the axe for obvious, very obvious reasons. I of the pioneer, the rude toil of the am within the mark when I say that pioneer does not prevent his feeling its since the days of Athens of old there evil suggestion. Still the hon, gentle

try by whose action will it be brought call the fierceness of the agitation over but by the action of this government, the New Brunswick school act; think which, although it had the methods of of the feeling aroused by the Jesuits estake the methods of coercion in order to country was convulsed. In one disalredress a wrong? There is one thing that is certain at this moment. The attention of the people from all parts of the country is upon this matter, and whatever may be our opinion upon this question, whatever views we may hold as to the policy of the government, there is one thing which cannot be denied: These frequent recurrences of agitation deduced? What does our own history danger is all the more to be apprehend- for the protection of the local legisla which have brought about this commo- mixed tion, you find that on every occasion taught us that this remedy of interfermsy not be out of place at present to lock further into the history of our own country, and by the dangers through of interference you run grave risk of threatened. TERMS OF THE UNION.

I come back to the history of con-

that when the idea of a union of our

should be legislative or federative. The

union. The fact that the provinces were

it imperative that there should be a con-

fects all the provinces, and that the lo- ly, and that no judgment is to be exercal legislature should be invested with cised by this parliament in such matthose subjects which alone affect the dif-ferent communities. This division of not be that this remedy is to apply melegislative powers was absolutely essen- chanically. This remedy must be granttial to the federal form of government, ed or denied, according as the circum-It seems absolutely essential that all stances of each case require. And that the local legislatures should be absoluted is the very language of the statute that ly free of each other and free from con- the hon, gentleman cited a few motrol supervision. The hon, gentleman ments ago. The remedy is to be sought has alluded to the differences which ex- and applied as the circumstances of the ist between our constitution in this re- case require. And it can be intelligently spect and the American constitution. applied only after full and ample inquiry Though I am prepared to say that 'n into the facts of the case and after all many respects the Canadian constitu- the means of conciliation have been extion is far superior to the American, it hausted, and only as a last resort. These may be that in this respect it is not on in my judgment, are the principles that a par with the American. Under the eaght to guide us in this matter. And. American system all legislatures, whether assuming these principles to be true er the central legislature or the state I may now apply myself to a history of legislatures, are free from the control of this case. each other. There is in a sense the control of the supreme court, but this contion was to the people of Nova Sco ia | trol is simply judicial. It is not allowed to review the discretion which is vested regard to the history of this case, or the cion; but I am glad to say that to-day in any legislature. The only control it circumstances which brings it before the people of Nova Scotia, especially the has is to keep within bounds the differ- parliament for discussion on this occaent legislatures and prevent the en- sion. Those circumstances are so well gentieman who has just the results and prevent the end state. Those circumstances are so well ond reading of this bill, who comes back ciled to the idea of confederation. But croachment of the one on the other. The known, however, that I do not blame weak point in the American constitution him for not having referred to them. terness of the initiation of confed ra- is just what has been stated by the hon. But there are some salient facts which bead of his party, and who, we are told, tion, the feeling against the coercion gentleman. The reserves powers are in it is well to bring again before the athead of his party, and who, the unwilling then practised has never been removed, the states where with us the reserve tention of the house. In 1870, the legparty, has taken some credit to himself and never will entirely disappear until power is in this parliament. But our islature of Manitoba, shortly after the party, has taken some create of which he is it is buried in the graye of the last man constitution goes much further. It gives province was brought into the union, and to the government the champions of of that generation whose manhood was to the Dominion government the control in the full exercise of the power which the minority. In so far as this con outraged by the arbitrary proceeding of and supervision over provincial legis- had been granted it by this parliament, tention is concerned I have not he which trampied under foot the dignery latures. The hon, gentleman said this confirmed tention is concerned I have a winch trampled under root the digits, rathes. The holf, gentleman said this slightest desire to take one single par- and manhood of a proud people. If was a boon, I say perhaps it was a system of separate schools ticle from the encomiums to which the the hon, gentleman, while he was traticle from the encomiums to which the hon, gentleman, while ne was tra- very great mistake. Under our consti- Now, the minority, under these circumstates are entitled; but the hon, cing the history of confederation, had tution the Dominion government has in Now, the minority, under these circumstates. the praise which we would gladly have known that coercive methods never yet lods all acts passed by the legislatures. given to the government of which he is | led any people to good and wise action. In matters of education the government has still more extensive powers, because parliament here can interfere and substitute laws for those of the provincial legislatures in regard to education. Now, before I go any further, it may not be out of place to ask, what was the reason for these extraordinary powers being imported into our constitution? In so far as the power of disallowance is concerned, this can be traced very clearly to the power of disallowance which is possessed by the imperial authorities over colonial legislatures. The imperia! parliament has the power of disallowance, of supervision, over the acts of the colonial legislative bodies. This may be easily understood, because we are a dependency. But the relation between the Dominion and the provinces are not the same. Between these there is no superiority and no inferiority; all are equal, with this exception, that the Dominion parliament is invested with larger power, that is, power of more extended and a more important character than the local legislature. It may be asked, indeed it must be accepted as a truism, that under popular government the majority must rule. I do not mean to say that the majority will always be right No. the majority may err, the majority may prevaricate. But I am not prepared to say that the majority will always do wrong, will always prevaricate and will always wantonly and wickedly do injustice to the minority. It may be that the majority will prevaricate; it may be that the majority will do wrong to the minority. What is the remedy of the minority under these circumstances? The remedy of a minority under a free government is to agitate and endeavor to bring over the majority to their way of thinking. This is the rule under all free government. But under our constitution the minority has also another power. It may not only agitate within the sphere of the province to convince the majority, but it may appeal to the executive of Canand a uniform conception of what is when bloodshed was within measurable ada, the parliament of Canada, to the distance, and it was only because the people of Canada, and thus force the government decided to come down and sissue which was confined to their own yield that strife was averted on that oc- province into the federal area. Now if The hon, gentleman has referred at casion. Then came the agitation which in any province there is a contest of have always preached, they had it, not length-and I do not blame him for took place in this province in order to such bitterness that the minority will when they disallowed the cattle quarthat—to the history of this confedera- obtain a disallowance of the Jesuit es-

A DANGEROUS REMEDY.

It is, therefore, manifest, it is obvious, that if under these circumstances the minority take an appeal to the executive of Canada, to the parliament of Canada, the bitterness of the strife will be imported into the Dominion at large and there rage not only with equal violence, but perhaps with increased fury.

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HISTORY OF THE CASE. The hon, gentleman did not say much in fact did not say anything at all, with remedy against the legislation that had been passed. They came before this government, they came before this parliament, with petitions asking for redress of their grievances. The hon. gentleman has taken credit to himself for the fact that the government acted in a spirit of fairness to the minority. If this government had given the minority the same measure of justice is has given to other parties, the minority would have had redress of grievances long ago. An hon, member-How?

Mr. Laurier-I will tell the hon, gentleman how. The hon gentleman norhaps, has not forgotten that in 1890 the legislature of the Manitoba passed four act which came up for review before the minister of justice and the government of Canada the following year. One of these acts was the act abolishing the French language as an official language, one was an act abolishing sep- that arate schools, one was an act establishact dealing with public companies. ACTS DISALLOWED.

Two of these acts were disallowed and Which were the acts which were disallowed? Were they the acts abolishing the French language and the separate schools? No, these were allowed to go into operation, and the acts disallowed were the acts establishing a cattle quarantine in Manitoba, and the act to make certain provisions with regard to public companies in Manitoba. They disallowed the first of these latter because they said there was another act passed by this parliament which they knew was never applied and which was the cause of the scheduling of our cattle in England. The other act was with regard to public companies. It was disallowed for this reason, amongst others, that it would result in the confiscation of property under certain circumstances. Sir, the confiscation was one of the complaints of the minority in all their petitions. The power of disallowance has always been held by the government opposite to be essential to the administration of this confederation. If they ever had a fair chance of putting into operation the doctrine which they

Mr. Moncrieff-Would the hon, gen-Does he think that the government should have disallowed that Manitoba school act? (Ministerial "Hear, hear.") Mr. Laurier-The answer to that question is very plain. The hon, gentleman asked me what was my view. Did the side ever take the view of the Liberal trine-(Opposition applause)-and I say

It would be misery, I grant, but if reli- That has been our experience within gious war is to be brought in this countries the last 25, yes, almost 30 years. Repersuasion in its hands, has chosen to tates question. In these cases the whole lowance was demanded in the name of Roman Catholicism, while in the other disallowance was demanded in the name of Protestantism, and the old feuds which divided our ancestors in other lands threatened to invade our country and here work the mischief which they and commotion are a severe strain, and teach us? The lesson we should deduce very severe strain, upon the tie which is that though it is a wise provision to binds these provinces together, and the establish this power in the constitution ed if, searching further for the causes tures, perhaps it was not dictated by unthere was one cause, and that was the ence with local legislation has never feature of our constitution which been applied and probably never can be abridges the independence of sovereign- applied without friction, disturbance ty of the legislatures. In one form or and discontent; that you cannot apply other such was the cause of these agitations. In view of these salient facts it dissa is faction as satisfaction. It must which we have passed learn if possible creating a grievance on the part of the to avoid the danger which we are majority. But the remedy is this and must be applied. The remedy of inter-ference is founded in the constitution; and, being there, it must be applied by these who love the constitution. federation. I call attention to this fact it must be applied in such a way as not to provoke irritation; it must be applied provinces was first mooted the question in such a way that even those who sufwas debated whether the bond of union | fer by it shall continue to love the constitution, shall be ready to live, and, if necessary, to die for the constitution. The power is there, and, being there scattered and divided by long distances the aid of the Dominion government will and by divisions of creed and race made be sought by the minority. What is the rule that ought to be followed? I shall federation of legislative power, that the be told by the hon. gentleman (Sir central legislature should be invested Charles Tupper), in fact he has already with that class of subjects which af- told us, that the rule works mechanical-

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allow the Manitoba school act? But, complaint of the minority, unsupported sir, in this matter, the hon. gentlemen, by evidence, without having made any as usual, apply their doctrine just as investigation, are we to be told that the it suits them. When they thought it law of the majority is to be set aside was right to apply the doctrine, they If you tell me this, then I say it was did so, but when they found it was dif- a mere mockery to give to the province ficult they did not. Now, I refer to this of Manitoba the right to legislate upon matter simply as an answer to the claim | this question. It is true that hon, gen which was made a moment ago by the tlemen say that they stand upon the hon, gentleman that the government in constitution. I take issue with them. this matter acted simply as the friends stand also upon the constitution, and of the minority. Then they referred the rest the case on the judgment of every minority to the courts to test the valid- Canadian; of all men who believe that ity of the act. And you remember the above the constitution, nay, not above terms of the order-in-council; they stat- the constitution, but in it, incorporate ed specifically that if a court confirmed in every word and syllable of it, there the validity of the act then they might are to be found there laws of eternal come before the Dominion government and then the government would take up tions can be founded. I grant that the their claims. Well, the court decided arate schools, one was an act establishing a quarantine, and the last was an view of the Manitoba legislature. It ablish separate schools, and the right ing a quarantine, and the last was an view of the Manitoba legislature. Now they come again with petitions. denied. Somebody says no. The judic-Those petitions affirmed three grievness ial committee of the privy council says in substance; first, they said that the yes. They have decided that the legtwo were allowed to go into operation. act of 1890 was an outrage upon the islature had a right to pass that legisconscience in establishing a system of lation of 1890; but the constitution says common schools; nay, more, that though | that although the Manitoba legislature it was nominally a system of common had the right to pass that act, the minority has an appeal to this government lishing Protestant schools. Then they and to this parliament; but again I as alleged as another reason, that the act sert that if you can tell me that this was a violation of the compact which appeal is to be granted as a matter of had been entered into by the population course without an inquiry, without an of the North-West Territories and the investigation whatever, I repeat what government of Manitoba, which compact I said a moment ago, that it was a mos had been repealed several times after- fatal gift to place in the hands of the wards by the legislature of Manitoba province, was this power of legislation SHOULD HAVE INVESTIGATED.

above all others: when they received was far beyond the power of the p those petitions they should have inves- ince, then the government was entra tigated them; they should have ascer- ped into the belief that they posses tained the facts which were alleged by the minority of Manitoba in order to legislation, the minority of Manitoba apply such remedy as the facts war- has the right to come to this parliame ranted. But they did not do it. They to ask redress for this grievance. That went again before the courts, and this redress must be based upon one con time to ascertain whether they had the tion-that the minority of Manitoba had power under the constitution to pass alleged and proved a wrong such as the the remedial, order which they were hon, gentleman has described, a wrong asked to pass in favor of the minority. which appeals to the heart and mine They then claimed that the courts gave of every man, which would be a violation them the right to interfere, to pass the tion of those sacred rights which Go tleman allow me to ask him a question? remedial order which was asked for, has implanted in the breast of ever nay, that parliament should enforce it man, which the Greek poet has called by legislation. What was the duty of the government? Again I say it was able." I understand the position taken their duty to investigate the complaints by the minority of the province of Man of the minority. But they failed to do itoba in their petitions to be that the that; they passed a drastic order-in- have such a grievance to offer to the hon, gentleman or anybody else on that council, which they sent to Manitoba, people of Canada. They say in their and now ask us, in the name of the mi- petitions that their consciences are out party on the question of disallowance? pority, to pass this bill, though no in-(Ministerial jeers and laughter.) I'am vestigation has ever taken place. I this in the opinion of every man would take issue with them, and in the name be held to be one of those violations of their own mouths and by their own doc- of the minority of Manitoba I say that heaven's law, unwritten and unchange their course to-day is unconstitutional, able. They say that compacts have to the hon, gentleman who put me the is weak and dangerous. The hon, gen- been made between them and the gov question: if he thinks it was right and tleman told us a moment ago that the ernment of Canada, and that a compact proper to disallow the cattle quarantine government is bound to act mechanical was made between the crown of Engact, would it not have been ten times by in this matter. Now, I ask parlia- land and themselves, and that this has better and more advantageous to dis- ment this question: Shall we, upon the been violated, and if a compact to which

Now, sir, the government, in my esti-

truth and justice, on which alone na legislature of Manitoba has the right the act was valid and legislate in matters of education, to eson education. It was not only a fall gift, but it was a dangerous one. was a snare to entrap the legislature into humiliation. Because, if they have mation, should have done just one thing not the right to pass legislation, that power. But, though the legislati of Manitoba had the right to pass "heaven's law, unwritten and unchange raged and violated. It seems to me that

close attention of th follows: "Has Hi Governor-General-in-C make the declaratio ders which are aske nemorials and petit material facts to be has His Exceller eneral-in-Council tion in the premises terial facts to be a And what was the tion? The answer tive, of course; that terial facts to be as ion, then this gover to pass the remedia asked of them. I ernment when they ence to the court as they are at the I they of the opinion well known and rec tion? If they we then I want to kno arbitrament on a f facts? If they we opinion and could cts were well know was a judgment us that no inquiry inquiry is necessary they not say so a courts? A judgme ed on a certain sta suming the facts to swer was given in t hon. gentlemen tell facts are well know vestigation; still, fore the courts whi question, they did tion, but they held very doubtful. ceit on one occasio casion. I charge er four years ago oose between th deceit in some eceit all along, an been subserviency along, the question lution as it is at even under the ter dered by the judg ouncil there was aich appears to may seem invid reed and race-tha pasis of this bill. the creed and do so because I ity have a stron people of Car the chance to want their case to my kind. Let the believe it will a ascience of any

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come to question 5,

missed.

MR. EWART spoke a mom reference to question who has the right to orders. Shall we rnment here will this question : as placed on it ves. Let me r nts of Mr. Ewa ority before t of the privy coun two as to wha is already been king for a decla the relief to b We merely iven the jurisdic ef if he thinks p vas jurisdiction g sion which was the hon. gentl chary in this ef, but what I s relief was a matter must be, first of a before we con the judgment lves when they incil of Canad counsel for vernment was ately without

creed and race

case to go on

hon. gentlemen