

I believe, to this day laid by the government of Manitoba before the legislature of that province, or has never been brought before them properly. Now, what further? On 20th January, 1895, the Privy Council's second decision was given. On 14th February, the Manitoba legislature met. The Dominion Government's communication was never laid before the legislature. The Lieutenant-Governor's speech at the opening of the legislature contained this clause:

Whether or not a demand will be made by the Federal Government that that Act shall be modified. * * * * It is not the intention of my government in any way to recede from its determination to uphold the present system.

That was in 1895, as late as 14th February: and the resolution carried in that legislature was:

That this House will, by all constitutional means, and to the utmost extent of its power, resist any steps which may be taken to attack the school system established by the Public School Act of 1890.

That was definite enough, perhaps, but the counsel for Manitoba, the hon. member for Simcoe, came before the Privy Council on 4th March for a further hearing of the case of the minority, and there told us, in unmistakable language, that he was appearing, practically, out of politeness, to convince us that we ought not to pass an order, but admitting, that, if we did do it, no attention would be paid to it, that it would not have any effect. If that statement is challenged, I will give the hon. gentleman's language; if it is not, I will pass it by, but I think that is a fair statement of his position. There was an adjournment made, mark you, Mr. Speaker, on that occasion, to suit the counsel's convenience so far as we could possibly do it. In concluding his argument, the hon. member for Simcoe, the counsel for the government of Manitoba, said:

In conclusion I beg to thank the Council for your patient and attentive hearing. I certainly cannot complain of any want of attention and of respect for the gentlemen whom I represent—and I shall take care so to report to them; and whatever effect may be given to my arguments, they have had at the hands of this Council a most attentive hearing, and I thank you for your kindness in that regard.

It is a little late to get up this supposed grievance on the part of the government of Manitoba as to the manner in which they were treated. No one can look over the record without seeing that if they had evidence of facts they desired to present, there was abundant opportunity to present them, or that having asked directly or through counsel that certain facts should be submitted, the tribunal called on to investigate them ever made a refusal. I was a member of that board, and I think the board was prepared to sit as long as the counsel for

Sir CHARLES HIBBERT TUPPER.

Manitoba desired in order to hear testimony and argument. The hon. gentleman went upon the statutes of 1871 and the subsequent statutes up to 1890, and including 1890, and on those I am prepared to go, and on those I stand to-day.

Then we had the remedial order. The hon. member for North Simcoe (Mr. McCarthy), counsel for Manitoba, stated that if we adopted the remedial order we were bound to do what we are doing now, to bring down legislation, and press it through. The remedial order was adopted in March, and in June the reply of the Manitoba government was received, which, among other things, stated:

We are therefore compelled to respectfully state to Your Excellency in Council that we cannot accept the responsibility of carrying into effect the terms of the remedial order.

We took another step. The leader of the Opposition ought to have been gallant and generous enough in a crisis of this kind to have given us full credit for it, for we risked the confidence of our party at the by-elections, when for the sake of peace, harmony and a settlement, we went further on the lines of conciliation, and adopted a further order in last July to remove any impression what we wanted the Manitoba legislature to carry out, on hard and fast lines, in cast-iron terms or to the letter and word of the remedial order. The conciliatory despatch sent to the Manitoba government in July, 1895, concludes:

It by no means follows that it is the duty of the Federal Government to insist that provincial legislation, to be mutually satisfactory, should follow the exact lines of this order,—that is the remedial order. It is hoped, however, that a middle course will commend itself to the local authorities, that federal action may become unnecessary.

That document was sent 27th July, 1895, and when was it answered? The Manitoba government knew we were bound, as honourable men, to call Parliament not later than the 2nd January, 1896, that our minds must be made up before that time, that the only period in which negotiations could possibly be carried out was from July until December, but not one line, not one scratch of the pen, not a hint or a word came from the government of Manitoba in answer to that despatch of conciliation until two days before Parliament met.

Mr. MULLOCK. When did their legislature meet?

Sir CHARLES HIBBERT TUPPER. I care not when they met, for the purpose of my argument.

Mr. MULLOCK. Of course not.

Sir CHARLES HIBBERT TUPPER. I care not when it met. The government could have called the legislature together, if they were in earnest they could have