

The Charlottetown Herald.

NEW SERIES.

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

Vol. XXVI. No. 19

Calendar for May, 1897.

MOON'S CHANGES.
New Moon, 1st day, 4h. 33m. p. m.
First Quarter, 9th day, 5h. 24m. p. m.
Full Moon, 16th day, 9h. 42m. a. m.
Last Quarter, 23rd day, 5h. 22m. a. m.
New Moon, 31st, 3h. 13m. a. m.

Day of Week	Sun	Moon	High Water
1 Sat	4 51 7	4 47	7 10 32
2 Sun	4 49	5 44	8 12 11 6
3 Mon	4 46	6 38	9 15 11 41
4 Tues	4 42	7 28	10 14 11 16
5 Wed	4 37	8 14	11 10 11 51
6 Thurs	4 31	8 56	12 1 4 21
7 Fri	4 24	9 34	1 17 4 21
8 Sat	4 16	10 8	2 24 4 21
9 Sun	4 7	11 16	3 27 4 21
10 Mon	3 16	12 1	4 27 4 21
11 Tues	3 2	1 43	5 24 4 21
12 Wed	3 17	2 59	6 19 4 21
13 Thurs	3 34	4 19	7 19 4 21
14 Fri	3 53	5 42	8 24 4 21
15 Sat	4 20	7 8	9 30 4 21
16 Sun	4 31	8 30	10 35 4 21
17 Mon	4 39	9 44	11 39 4 21
18 Tues	4 44	10 44	12 42 4 21
19 Wed	4 47	11 28	1 47 4 21
20 Thurs	4 48	12 6	2 54 4 21
21 Fri	4 47	1 0	4 1 4 21
22 Sat	4 44	1 27	5 2 4 21
23 Sun	4 39	2 52	6 11 4 21
24 Mon	4 32	4 16	7 10 4 21
25 Tues	4 23	5 40	8 10 4 21
26 Wed	4 13	7 0	9 11 4 21
27 Thurs	4 2	8 19	10 12 4 21
28 Fri	3 10	9 32	11 13 4 21
29 Sat	2 57	10 40	12 14 4 21
30 Sun	2 43	11 43	1 15 4 21
31 Mon	2 28	12 41	2 16 4 21

D. A. Bruce

Is a name known throughout the Province and carries with it the assurance of exceptional high values at exceptional low prices.

This is especially true with our

New Spring Suitings and Overcoatings.

Beautiful goods, beautifully made, beautifully trimmed, reduced to a low price.

See our Gents' Furnishings.

D. A. BRUCE.

Wall Papers

Wall Papers

NOW OPEN—A full line of American and Canadian Papers.

Sample Books always on hand.

A few bales of the latest patterns still to open. For quality and prices we will not be beaten.

Try us before purchasing elsewhere.

McMILLAN & HORNSBY,

Queen Street, Charlottetown.

BIG BAGAINS GIVEN FOR THIRTY DAYS.

I have decided to sell my stock of

Clocks, Watches, Jewelry, Spectacles, etc., etc.

At a big discount for cash for thirty days. All persons buying ten dollars worth of goods in that time will receive a present 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 repaired and put in good running order by me, and regulated by Town Time. The articles entrusted to me will receive my personal attention. Store open from 8 a. m. to 8 p. m.

G. G. JURY,

North Side Queen Street, opposite the Market.

THE PERFECT TEA

MONSOON TEA

"Monsoon" Tea is packed under the supervision of the Tea growers, and is advertised and sold by them as a sample of the best quality of tea that can be grown in the East. For that reason they see that none but the very fresh leaves go into Monsoon packages.

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

It is put up in sealed tins of 1/2 lb., 1 lb., and 5 lbs., and sold in three flavors at 60c., 70c., and 80c. If your grocer does not keep it, tell him to write to STEEL, HAYDEN & CO., 11 and 13 Front St. East, Toronto.

ALL KINDS OF

JOB WORK

Performed at short notice at The HERALD Office.

Local and Special News.

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. Millers & Co., Toronto.

Ask for Minard's and take no other.

Mrs. Creagan: "And how is Micky getting on at school?" Mrs. Shaugnessy: "Splendid—quite splendid. The teacher is that fond of him that she keeps him with her half an hour after the other boys go home, nearly every day of the week, she does."

To remove worms of all kinds from children and adults. Dr. Low's Worm Syrup is a safe and sure remedy.

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 brows or black.

WORK AND WORRY.

Over-work, worry, and mental strain last spring caused heart trouble, nervousness, sleeplessness, etc. Millers' Heart and Nerve Pills helped me at once and finally cured me. I feel like a new man now.

(Signed) THOS. STENZEL, Wholesale Grocer, Charlottetown, Ont.

THE BEST COUGH CURE is Haggard's Pectoral Balsam.

It heals the lungs and cures Coughs and Colds.

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."

WITH INVALIDS.

Yes! with invalids the appetite is capricious and needs coaxing, 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 health. Burdock Blood Bitters enriches the blood, strengthens the system, regulates the bowels, liver, kidneys and stomach, and cures dyspepsia, biliousness, bad blood, sick headache, etc. One cent a dose and every dose helps the cure.

Magistrate: "What passed between yourself and the complainant?"

O'Brien: "I think, sir, a half-dozen bricks and a lump of paving stone."

Keep Minard's Liniment in the House.

Why buy imitations of doubtful merit when the Genuine can be purchased as cheaply?

The proprietors of MINARD'S LINIMENT inform us that their sales the past year still entitle their preparation to be considered the BEST and FIRST in the hearts of their countrymen.

Minard's Liniment is used by Physicians.

GREATEST IN THE WORLD.

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."

The Best Cough Cure is Haggard's Pectoral Balsam.

It heals the lungs and cures Coughs and Colds.

Minard's Liniment the lumberman'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 Constipation are promptly cured by Burdock Pills. Easy to take, sure in effect.

A SPLENDID MEDICINE.

DEAR SIR,—I hope that this letter will be of some use to those who suffer from headache and have not yet heard of 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 a half of Burdock Blood Bitters. It is a splendid medicine and I recommend it to all sufferers from headache or pain in the back.

MISS JANE McALLISTER, Almonte, Ont.

Norway Pine Syrup cures Coughs, Colds, and all Throat and Lung Troubles. Price 25 and 50 cents.

TESTING HONESTY.

Your druggist is honest if when you ask him for a bottle of Scott's Emulsion he gives you just what you ask for. He knows this is the best form in which to take Cod Liver Oil.

In place of that constantly tired out feeling, Ayer's Sarsaparilla will give you strength.

Coughs, Colds, Sore Throat, Asthma, Bronchitis, and all Lung Troubles are quickly cured by Haggard's Pectoral Balsam.

Mr. Blake's Opinion.

MR. EWART TRAVERSES ITS VARIOUS CLAUSES.

The letter written by the Hon. C. Fitzpatrick to the Hon. Edward 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 asked as to the validity of the conclusions 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 was entitled to separate schools as they had enjoyed them previous to the Manitoba Act of 1890," and Mr. Fitzpatrick asks whether in Mr. Blake's opinion "the effect of the judgment has been correctly stated." I agree with Mr. Blake's reply to this question; in fact, the correctness of that reply cannot be questioned, for the Privy Council itself stated that "it is certainly not essential that the statute repealed by the act of 1890 should be re-enacted, or that the precise provisions of this statute should again be made law." I cannot, however, agree with the opinion "that the Judicial Committee did nothing to define, and did not in fact define, what were the precise powers or duties of the Governor-General-in-Council further than that there 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 the grievances which the Judicial Committee found to exist. The language of the judgment leaves, in my opinion, no room for dispute upon 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 character is sufficiently defined by the third subsection of section 23 of the Manitoba Act," and the object to be attained by adopting steps of this general character, is clearly indicated in further language as follows: "All legitimate ground of complaint would be removed if that system were supplemented by provisions which would remove the grievance upon which the appeal is founded, and were modified so far as might be necessary to give effect to these provisions." This language makes it clear that while the Privy Council did not think that they ought themselves to prepare the legislation necessary for the purpose indicated, yet that it did actually declare (1) what the grievances were; (2) the extent to which legislation would have to go in order to remove those grievances; and (3) what was the general character of the steps to be taken for that purpose. Perhaps I may be allowed to fortify this opinion by reference to the generally received construction of the Privy Council judgment in Canada.

MR. MACARTHUR'S OPINION.

During the argument upon my application for the remedial order (5th March, 1895), Mr. McCarthy quoted certain words used by Lord Watson during the argument before the Privy Council, in which Lord Watson said that he was "not prepared to relieve him (the Governor-General) of the duty of considering how far he ought to interfere." Sir Charles H. Tapper 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 said that he would not give a suggestion. 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. McCarthy 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, if they venture to instruct this body were stepping beyond their jurisdiction. It will, therefore, be seen that Mr. McCarthy would not agree with Mr. Blake, that Mr. McCarthy's contention is that although the Judicial Committee did do something to define the duties of the Governor-General-in-Council, yet that the committee should not have done so, a point which I may fairly leave between the Privy Council and Mr. McCarthy."

OPINION OF THE ONTARIO LEGISLATURE.

On the 4th March, 1896, the Liberal majority in the Ontario Legislative Assembly carried a resolution from which the following is an extract: "That the said Judicial Committee has further decided that the provisions of the said act deprive

the Roman Catholic minority of affected rights or privileges in relation to education in a manner which constitutes, in the language of the judgment, a legitimate ground of complaint, which should be removed by supplemental provisions which would remove the grievance." Sir Oliver Mowat, in moving the adoption of the resolution just referred to, said that the Privy Council had decided, "that while the act was a valid exercise of authority by the Manitoba Legislature, the provisions of the act deprived the Roman Catholic minority of certain rights and privileges, and those rights and privileges ought to receive attention and that proper provisions ought to be introduced by way of supplement or otherwise, for the purpose of removing what the Judicial Committee called a grievance." Afterwards at Oakwood, on the 3rd June, 1896, Sir Oliver Mowat, in replying to the mandement issued by the Roman Catholic bishops, said as follows: "The mandement claims no more than has been recognized to them by the Privy Council of England, whatever that was. This does not mean that, according to the Privy Council, there must be a return to the exact condition of the law as it stood in Manitoba before the Legislation of 1890. On the contrary, their lordships expressly said that "it is certainly not essential that the statutes repealed by the act of 1890 should be re-enacted, or that the precise provisions of these statutes should again be made law." Their Lordships said, also, that "the particular course to be pursued must be determined by the authorities to whom it has been committed by the statute. It is not for this tribunal to intimate the precise steps to be taken." But their Lordships also held, with no less distinctness, that in the Manitoba law of 1890 Roman Catholics had a grievance and a legitimate ground of complaint, which should be removed. Accordingly, the 'legislation' mentioned in the mandement is said therein to be 'a measure which would be an efficacious remedy for the evils suffered by the Manitoba minority.' This is what the mandement claimed.

This, in Sir Oliver Mowat's opinion, is what the Privy Council declared ought to be done.

THE FINANCIAL ASPECT.

In reply to Mr. Fitzpatrick's third question Mr. Blake said: "It thus appears to have been contended and as I conceive, rightly contended, by the authors of the remedial bill, that the practical and constitutional difficulties in the way of imposing taxes on, or appropriating public funds of the Province of Manitoba by the Parliament of Canada were overwhelming. The bill failed to become law. The whole question had been, and remained a political question, such as I have described. All sides seem to have practically agreed that the complete restoration by the Parliament of Canada was impossible, in view of the overwhelming difficulties to which I have referred as to the appropriation of public funds. For this reason, and because of other practical difficulties, Mr. Blake considered that 'the provisions of the settlement now under discussion' were infinitely more advantageous to the Roman Catholic minority than any remedial bill which it is in the power of the Parliament of Canada to force upon the Province of Manitoba." Had Mr. Blake been aware that the authors of the Remedial Bill did not in any way concede the existence of the difficulty to which he refers. His mind, no doubt, was directed to one point, namely, that the Dominion Parliament could not alter the destination of money voted by the Local Legislature. But the solution of what Mr. Blake suggests to be a difficulty in no way depends upon that question. The solution was of the very simplest kind. As is well known, the ownership of the lands in Manitoba is vested in the Dominion authorities. By a Dominion statute certain of the Manitoba lands were "set apart as an endowment for purposes of education," and the administration of these lands was retained by the Dominion Government. Moneys derived from the sale of them were "to be invested in securities of Canada to form a school fund." The interest arising from this fund was to be paid annually to the Government of the Province towards the support of the public schools therein, and the moneys so paid shall be distributed for that purpose by the Government of such Province in such manner as it deems expedient." At the time that the statute was passed, there were both Pro-

which we possess, is not to make us less citizens of the Dominion, is not to make us less anxious for the promotion and welfare of the Dominion; and it is no argument to say that because a certain piece of legislation is within the power of the local Parliament, therefore the legislation is not to be disturbed. By the same Act of Parliament by which power is conferred upon the Local Legislature, the duty and power—because where there is a power there is a corresponding duty—are cast upon the Governor-General-in-Council to revise and review the acts of the legislative bodies. If you are to say that because a law has been passed within the legislative authority of a province, therefore it must remain, we can easily see, sir, that before long these Provinces, instead of coming nearer together, will go further and further apart. We can see that the only way of making a united Canada, and building up a national life and sentiment in the Dominion, is by seeing that the national laws of one province are not offensive to the laws and institutions, and it may be to the feelings, of another. I will go so far as to say that they must be to some extent taken into consideration." If in company with these last named gentlemen, I am still wrong, there is a further argument which is, to my mind, unanswerable. It cannot be put in better language than that used by the Hon. Mr. Foster (13th March, 1895, Hansard 338) when he said: "As in the case of an individual, so in the case of a society and a country, the highest form of freedom is invariably surrounded with the strongest limitations. Above the compelling powers of the courts of law, and above the compelling powers of superior parliaments there is a sentiment of justice and fair play, which compels, where there is no legal instrument—which compels the very force of the appeal which that sentiment carries to the heart, and to the conscience, of a parliament and a people, to do justice, and to exercise that unrestrained and unrestricted freedom in the interests of a minority, or of any class of people, plainly aggrieved and asking redress." I do not differ from Mr. Blake in his statements with reference to the power of the Governor-General and the Dominion Parliament. I distinguish, of course between power and right. Physically, Parliament has power to do wrong, and may, of course, do so if it chooses.

THE FINANCIAL ASPECT.

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THE FINANCIAL ASPECT.

stant and Roman Catholic schools in Manitoba, and it was assumed that the Government of the Province would fairly administer the fund. So long as it did so the Dominion Parliament was justified in confiding the administration of it to the local authorities, but when the Province abolished the schools of one denomination, and refused to give the Catholics a share of the fund, the Dominion Parliament, which had intended by its statute to donate the fund for the support of both Protestant and Catholic schools, would naturally amend its statute and itself retain the disbursement of its own moneys—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 were properly applied. It will thus be seen that Mr. Blake's difficulty could easily have been surmounted. Mr. Blake refers in general terms to other practical difficulties in enforcing the provision of the Remedial Bill. For myself I know of none. I am aware that a great many people think that if the province refused to submit to the Remedial Bill nothing could be done. This is an entire misapprehension. The province have not to be consulted when the Dominion Parliament is exercising its jurisdiction, and although a Dominion statute may be quite objectionable to every man in a province, it nevertheless goes into operation, and is enforced by the ordinary machinery of the courts of law in case anyone is found foolish enough to set himself up against it.

NO DISFRANCHISEMENT.

One main provision of the Remedial Bill was a declaration that Catholics subscribing to separate schools should not be compelled to subscribe to other schools. There could have been no difficulty in enforcing this law. Another main provision 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 the administration of the schools, that is providing for officials, teachers with certain prescribed authorities, etc. I can see no possible difficulty in carrying out this law or any similar law.

MARCH 16, 1897. JOHN S. EWART.

Mr. Ewart, having been shown a statement said to have been made by Mr. Prondergast to the effect that he (Mr. Ewart) had at one time advised the Roman Catholic minority in Manitoba that the Remedial Bill, if passed, would be ultra vires of the Dominion Government, said that Mr. Prondergast must either be wrongly reported, or else must have entirely misapprehended Mr. Ewart's position. Mr. Ewart declares that such has never been his opinion; that he never said that it was, and that he certainly would not have labored for many months endeavoring to have the Remedial Bill passed into legislation if such had been his opinion.

Pure Blood

Blood means sound health. With pure, rich, healthy blood, the stomach and digestive organs will be vigorous, and there will be no dyspepsia. Rheumatism and Neuralgia will be unknown. Scrofula and Salt Rheum will disappear. With pure

Hood's Blood

Your nerves will be strong, and your sleep sound, sweet, and refreshing. Hood's Sarsaparilla makes pure blood. That is why it cures so many diseases. That is why so many thousands take it to cure disease, retain good health, prevent sickness, and suffering. Remember

Hood's Sarsaparilla

Is the One True Blood Purifier. 50¢ per bottle. Hood's Pills cure Liver, Biliousness, and all other ailments. Easy to operate. See

