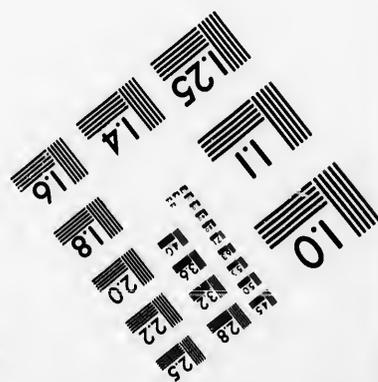
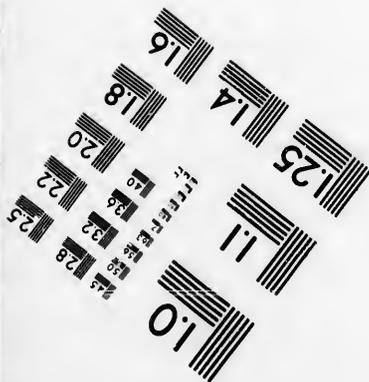
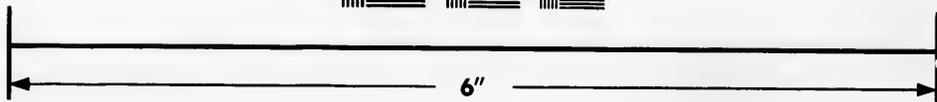
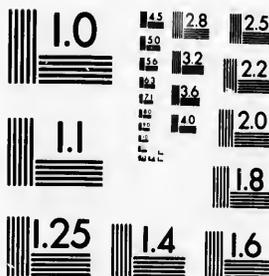


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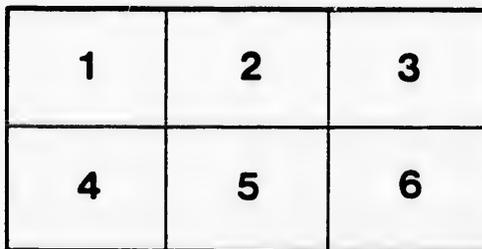
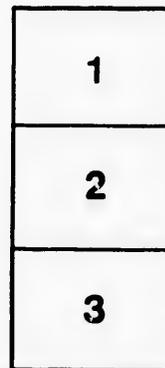
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SPEECH
OF
C. F. McISAAC, M.P.
ON THE
REMEDIAL BILL

OTTAWA, TUESDAY, 17TH MARCH, 1896.

Mr. McISAAC. Mr. Speaker, the hon. member for Pictou (Sir Charles Hibbert Tupper) this afternoon in the course of his speech made some allusions to myself and the hon. member for Guysboro' (Mr. Fraser), and the election which took place in Antigonish last year. I desire to refer to that at the outset. A little less than a year ago a contest took place in the county which I have the honour to represent in this House. During that contest the hon. member for Pictou conducted the campaign on behalf of the Government. He was then Minister of Justice, and claimed credit because the Government had passed the remedial order. He made the Manitoba school question the paramount issue before the electors of Antigonish on that occasion. The hon. gentleman stated this afternoon that the hon. member for Guysboro', in his presence and in my presence, while the three of us were on the public platform, promised that he would in this House support the policy of

remedial legislation. I am here, Sir, to give a most emphatic denial to that statement of the hon. member for Pictou. I tell him, and I tell you and the members of this House, that the hon. member for Guysboro' did not on that occasion make such a pledge. If he refers to the meeting which took place in the court-house in Antigonish on the 6th April, 1895—and that is the only occasion on which the hon. member for Pictou, the hon. member for Guysboro' and I addressed a meeting together during the whole campaign, so that he cannot have reference to any other—I tell this House that not only did the hon. member for Guysboro' not pledge himself in favour of remedial legislation, but the hon. Minister of Justice did not say then that he would vote for it himself. Further, I say, and I am going to prove it, that the hon. member for Pictou on that occasion did not dare to state, though I challenged him to do so before the electors of Antigonish, that

the policy of this Government was to introduce remedial legislation and place it before Parliament, Manitoba failing to comply with the remedial order. The Minister of Justice was in the county for two weeks, and for the first week, though addressing some six or seven meetings, including the one I have referred to, he did not dare to tell the electors of Antigonish that the Government would introduce remedial legislation as their policy if Manitoba failed to comply with the remedial order. I am not here to explain why he was so slow in doing it. I do not know whether it was or was not the policy of the Government at that time, but I can state as a matter of fact, that it was one week after he came into the county before he declared the position of the Government. It may have been that it was because of the fact that in Haldimand, at the same time, an election was going on, a member of this Government running for election and claiming credit in that county because the Government were standing by the constitution, and although they were compelled to issue the remedial order, they were not bound to go further, and that it was not necessarily the policy of the Government to introduce remedial legislation in this House. But I tell you, Mr. Speaker, and I am going to prove it, that at this meeting at which the hon. ex-Minister of Justice states that the hon. member for Guysboro' said he would pledge himself to vote in this House for remedial legislation the hon. gentleman himself did not, although challenged two or three times to do so, say that it was the settled policy of the Government to introduce remedial legislation, Manitoba failing to comply. I am going to put on the stand to prove my statement a witness the hon. member for Pictou will not dare to discredit, one of his best friends and one who did more to reduce my majority in Antigonish, say, ten times more than the hon. member, though he was there two weeks.

The witness to which I refer is the Antigonish "Casket," published in the town of Antigonish. It is a Catholic paper, professing to be non-partisan in politics. That paper supported the Government candidate and opposed me, at least, during the latter portion of the campaign.

Mr. McDOUGALL. That is not true.

Mr. McISAAC. What is not true?

Mr. McDOUGALL. The editor is not a Conservative.

Mr. McISAAC. Who is talking about the editor?

Mr. McDOUGALL. I am talking now about the editor.

Mr. McISAAC. I never said a word about the editor. I am talking about the paper. I know what I am talking about, and the hon. gentleman need not interrupt me. I would like to put a question to the hon. member

for Pictou. Perhaps the member for Cape Breton (Mr. McDougall) may be able to answer it for him. Does he mean that the statements published by the "Casket" in reference to that campaign are or are not true? Did the "Casket" tell the truth in relation to the Antigonish election?

Mr. McDOUGALL. What is the question?

Mr. McISAAC. Is the "Casket" a truthful paper? Now, remember I stated that the ex-Minister was a whole week in the county holding meetings before he declared what the policy of the Government was. I said I would put on the witness stand the "Casket" to substantiate my assertions. That paper is one they will not dare to discredit. It opposed me during the last campaign. This is what the editor, Mr. Wall, says, over his own signature:

When doubt was thrown on the question as to whether the Government was on constitutional principles bound by its action in issuing the remedial order, to introduce remedial legislation in Parliament as a Government measure in the event of Manitoba's failure to comply with that order, I saw the reasonableness of that doubt and promptly notified the readers of "The Casket" of its existence, as I had previously made the statement absolutely that they were so bound.

When Sir Charles Hibbert Tupper, Minister of Justice, visited the county, I watched his public utterances for an authoritative statement that remedial legislation, Manitoba failing to grant it, would be introduced and carried forward as a Government measure. I noted with some dissatisfaction that in his first public speech in the town he made no such statement. I refused, until such authoritative statement should have been made by the Minister, to advise "The Casket's" readers to support the Government candidate; and, knowing the ease with which a careful weigher of words can appear to make a declaration without actually doing so, I further refused to take the statement of any person that anything tantamount to such a declaration was made by him in any of the outlying districts. Finally, on the evening of April 10, at the courthouse in Antigonish, Sir Charles set all doubts as to the Government's intentions at rest by declaring, as unequivocally as the most sceptical could desire, that they had adopted remedial legislation as their policy and would stand or fall by it.

Sir, what did that mean? That it took the Minister until the 10th April before he stated exactly that remedial legislation was the settled policy of the Government; yet he this afternoon stated that the hon. member for Guysboro' (Mr. Fraser) had pledged himself to support remedial legislation on the 6th. Why, that was not the question at all; and yet he says the member for Guysboro' pledged himself. Now, Mr. Speaker, I tell you that the question in Antigonish was, not whether the Remedial Bill to be introduced by this Government would contain the exact provisions of the remedial order; but the question was for a time whether they would introduce the Bill. On 10th

April, the Minister of Justice for the first time declared that remedial legislation was the policy of the Government. I may say that I was not present at this meeting of the 10th April. From that time forward the Government received the support of that paper, and I received its opposition. But then remember it was a whole week before it was understood in the country that that was the settled policy of the Government. The ex-Minister read from my card an extract showing that I agreed with him on the point of law, namely, that the Government were bound to take the action, the passing of the remedial order, in obedience to the command of the highest court in the realm. The Minister of Justice read that from my card, and I see that hon. gentlemen opposite applauded him because they found I agreed with him on that opinion. I assumed that a man occupying the high position of Minister of Justice in this country would be a high authority on a point of law, and I assumed that the Minister of Justice, who was the father of this famous remedial order, and who went down and declared that the Government was bound by law to issue this remedial order—I assumed that he was good authority, and I adopted his opinion as to the legal point. I am sorry to find that although his opinion and mine then agreed, they have carried very little weight in this country. This view is expressly rejected by the present Minister of Justice, so much so far as that card is concerned.

An hon. MEMBER. An election card.

Mr. GILLIES. What is the date of the card?

Mr. McISAAC. 10th April. The ex-Minister of Justice tried to impose on the House an impression, which was especially unfair to the hon. member for Guysboro' (Mr. Fraser), and I want to read to the House what the hon. gentleman stated in that county since that time. He went down to Antigonish, when the Conservatives held a convention last November and, according to the report of the "Colonial Standard" stated:

I have been a member of the Canadian House of Commons for a considerable period of time, and having fought under leaders that do not now exist, I can safely affirm that I never knew a period, when the party was more united to win than I found that party before the last session had ended. All these infamous stories and falsehoods which fall from the Grit press from day to day, are born in desperation. Their miserable jibes, their horrible slanders and their infamous falsehoods in respect to the manner in which fifteen gentlemen conduct themselves and the public business around the table of the Privy Council of Canada, are put before the public because these men are destitute of proper political capital.

That statement was made in face of the fact that at the very time he was giving utterance to such words as terrible slanders, infamous jibes, he knew that within the Council Cham-

ber there had occurred something which, probably, never happened in any government in the civilized world—ministers accusing each other of forgery and committing almost all the crimes in the calendar. Let hon. gentlemen read the statements made by the leader (Hon. Mr. Foster) of the House not very many days ago, when he stated that he and his colleagues went into the Government and stayed there, but it was very difficult to do so, because they had for leader a man who was not fit to be leader; and one of the seven bolters was the hon. gentleman (Sir Charles Hibbert Tupper) himself. In the face of these facts, I ask, if the statement of the ex-Minister is to be relied upon?

In regard to my own position, to which the hon. gentleman referred, I am not afraid here, or elsewhere, to state what my position is, and what my pledge was. I pledged myself to vote with the Government on this question without any reservation or condition whatever, and I intend to keep my pledge, and vote for the Bill.

Some hon. MEMBERS. Hear, hear.

Mr. McISAAC. Mr. Speaker, I stated over and over again during the contest that I believed that the school question was at least as safe in my leader's hands and his supporters as in the hands of the present Premier and his supporters, and having watched the halting and bolting course of the Government ever since, I say to-night, that I am stronger in that conviction than I ever was before. I want to point out to this House, that, while I am redeeming my pledge, made to the electors of Antigonish—and it is one that I never intended to violate—the Government have not carried out the pledges they made through the Minister of Justice to the electors.

An hon. MEMBER. What was the pledge?

Mr. McISAAC. The Bill before the House is only a shadow of the remedial order, although we were promised a Bill to embody the provisions of the remedial order, namely:

(a) To construct, maintain, manage and conduct Roman Catholic schools; (b) to receive a proportionate share of every subsidy granted from the public funds for educational purposes; (c) exemption for the Catholics from the payment of taxes imposed for the maintenance of public schools.

These are the promises that were made. That was the character of the Bill which the Minister of Justice on that occasion pledged the Government would introduce and pass through this House. I am here to say, that the Bill now before the House does not contain the provisions, but omits the principal and most material one of the three sub-clauses of the remedial order. The Minister of Finance, on 8th July of last year, at the time when there was a bolt in the Cabinet, and when three Quebec Ministers went out of the Government, because the Government failed to carry out their promises, made the following state-

ment, with a view to satisfy the members of the party :-

A session of the present Parliament will be called together to meet not later than the first Thursday of January next. If by that time the Manitoba government fails to make a satisfactory arrangement to remedy the grievance of the minority, the Dominion Government will be prepared, at the next session of Parliament, to be called as above stated, to introduce and press to a conclusion such legislation as will afford an adequate measure of relief to the said minority, based upon the lines of the judgment of the Privy Council, and the remedial order of the 21st March, 1895.

These were the assurances given by the Finance Minister on the 8th July, 1895, at the time when his friends and supporters from the province of Quebec were dissatisfied, when he could only bring back two of the bolting Ministers, and when a great many of the bolting supporters were still wavering. He stated that legislation would be on the lines of the remedial order and of the judgment of the Privy Council. That statement did not satisfy some of the hon. gentleman's friends, and he was obliged, on 15th July, to make another statement, in order to make his position clear, and that statement is as follows :-

I am here to state, and to state it on behalf of the Government, that so far as a policy can be decided on unanimously and unitedly, this policy is: That so far as it can be enunciated clearly, and so far as this Government is concerned, it intends to adhere to that policy, word for word, line for line, and letter for letter.

The first statement he made did not seem to satisfy his friends, and so he made another statement of a more certain character, and stated that the remedial order would be carried out line by line, word for word, and letter for letter. The Bill introduced does not contain the provisions of the remedial order word for word, letter for letter, line for line, not even paragraph for paragraph, because it omits clause (b), which, I have pointed out, is one of the most important. What was the statement made by the Finance Minister last Friday? The hon. gentleman made a most eloquent and able speech, as he always does in this House. He spoke about almost everything else at length, but he said very little about the Bill. After spending two hours in discussing bills of rights and other subjects, he screwed up courage to come to the Bill under consideration, and state its nature. He said :-

The principle of remedial legislation is in that Bill as the gold is in the nugget.

Sir RICHARD CARTWRIGHT. Very refractory gold.

Mr. FOSTER. It may be so, Sir. But the man who wants to get pure gold does not simply kick aside the nugget with his rough encasement, but he says: Let me have that and, with the help of others, I can refine it into pure gold.

Compare that statement with the statement

made by him on 15th July, which said it is not the nugget you are going to get, it is the pure gold you are going to get, word for word, line for line, and letter for letter. But, Sir, on this occasion, it is the nugget he is giving us, and he tells us that there is gold in the principle of the Bill, and that we can put it through the process of refining. That means, that when the Bill goes to the committee of this House, the committee, according to his way of putting it, is a parliamentary refining mill, the motive power of which is the Dominion Government. Well, Sir, the engine of this motive power got very badly out of order last July, when three bolters from the province of Quebec went out, because they had not only no gold, but they had not even the nugget. The whole engine got out of repair then, and when they had not even nuggets to offer their friends from the province of Quebec, all they could do was to enter into a contract by which the machine was to be put into repair, and be ready for operation on the 2nd of January so as to begin the process of refining. Sir, the 2nd of January came, and the mill was there, and the mill hands were there, but what happened? Where was the nugget, and where was the gold? Instead of these fourteen Cabinet Ministers going to work as they agreed to, why, seven of them bolted, and left the foreman, because, as they said, he was not able to run the machine. Although they had promised to begin work on the 2nd of January, the process of refining had to be delayed, and two months elapsed before they could get the machine into repair, and on the 3rd of March they moved the 2nd reading of this Bill.

Mr. McDUGALL (Cape Breton). And yet you cannot get in.

Mr. McISAAC. And yet you cannot get in, says the hon. member. I have heard that statement during four elections at which I got in by a large majority, and I will get in again by a large majority. Sir, the only consolation the Minister of Finance gives us is that when the Bill goes into committee, the gold will there be separated from the nugget. That might be all right if all the members of the committee were anxious to improve it, but I am sorry to say that such is not the complexion of the committee of this House. They will be divided upon this, as upon all other questions. Some members will pull in one direction and some in another, but so far as I am concerned, I will give my hearty support to any motion which is calculated to improve this Bill, and to get out of it all that we can. Sir, we listened the other evening to a speech from the hon. member for Leeds (Mr. Taylor) who is the Government whip in this House. When I heard his declarations on this Bill, and when I heard the Minister of Finance (Mr. Foster) say that the Bill would be trusted to a

committee composed of such men as the Government whip, then, Sir, I thought to myself that there is very little hope for getting much. Here is what the Government whip (Mr. Taylor) said :

For myself, I think the requirements of the constitution and the decision of the Queen's Privy Council would be fully met, if, when the Bill gets into committee, it is amended in this way : That in the province of Manitoba there shall be one national school system, that there shall be one school, and that in that school no religion shall be taught that will be offensive to the parents of any child. That would be my view ; that, I believe, would settle the constitutional grievance, because it would place the whole of the community on the same footing. That is the view I shall take, when we get into committee on the Bill. But, I presume, the hon. member for North Simcoe (Mr. McCarthy) would oppose that view, because he says, that he prefers separate schools to secular schools ; and I believe there are others in this House who take a similar view. But, in my opinion, the requirements of the constitution would be met, if this Parliament passed a Bill of that nature ; because, if the Christians in that country, Catholic and Protestant, cannot agree on a form of religion that will not be offensive to any man's child, then, let them wipe out the whole thing from the schools, and let the religious training be given in the churches and Sabbath schools. Sir, I think it is a reflection on the pious fathers and mothers, on the clergymen of all denominations alike, and on the Sabbath school teachers of all denominations, if the religious training of our children has to depend on twenty or thirty minutes daily of state-aided religion taught in the schools.

And further on he said :

* * * The hope of the leader of the Opposition, in moving this amendment, is, that, if carried, it would put him in power, and then he will settle the question by a still stronger Bill. Does he promise, either in his speech or in his amendment, that, if he were in power, and the government of Manitoba refused to settle this question, he would not come to this Parliament and ask us to pass a stronger Bill, a Bill that will restore the schools as they existed previous to 1890 ? No, Mr. Speaker, he says just the contrary ; he says, and his supporters from Quebec who have thus far spoken on the subject also say, that this Bill is no good, that it is not strong enough ; and they will support his motion with the object, that, when he gets into power, he will bring in a stronger Bill. They can go back to their constituents and say, we did not vote against the Bill, we voted to put the Government out and to put the leader of the Opposition in and he will give us a better Bill.

And again :

* * * If the leader of the Opposition wants to settle the question for all time to come, and remove it from this House, not to remain as a question, as the hon. gentleman has often said, out of which political capital could be made, then let him withdraw his amendment and substitute a motion reading like this : That this House is of the opinion that this Bill or any other Bill dealing with this question be not read now or six months hence or at any future time, but the whole question be left to the province of

Manitoba to deal with it as it may deem best. Let the hon. gentleman move such a motion, and he will satisfy the House that if the question is not settled now, we at all events will not deal with it, and it will be left to the province of Manitoba. If the leader of the Opposition should move a motion like that, he might reasonably expect the support of hon. members in this House who are opposed to the re-establishment of separate schools as they were prior to 1890. But the hon. gentleman cannot expect that hon. members entertaining such opinions will support a motion for the six months' hoist, preceded by a speech to the effect that the grievances in Manitoba must be removed, and that the claim of the minority that separate schools be established must be conceded and attended to. This being the case, I cannot support the amendment. I cannot do so in view of the statement made by the leader of the Opposition and repeated by his followers, that the only object they have in view is to defeat the present Bill with the hope of being able to pass a stronger Bill.

Sir, if there are many in this House like the hon. gentleman (Mr. Taylor) I see very little hope for the Bill being made any better in committee than it is now. The Government all along have maintained the position, and it has been asserted again to-night by the ex-Minister of Justice (Sir Charles Hibbert Tupper) that they cannot expect anything from Mr. Greenway and the government of Manitoba ; that, in fact, the Manitoba government had sent notice through Mr. McCarthy, while they were hearing the case last spring, that no matter what order the Privy Council would pass, or no matter what Bill this House would pass, the government of Manitoba would not obey it. Well, Sir, if the Government believe that, and I assume they did, then I say, Sir, that this Bill before the House is a Bill which puts in the hands of the Manitoba government the full control of its administration. If this Government had at heart the interests of the minority, as they profess, and if they believe as they asserted over and over again, that the Manitoba government was hostile, then, Sir, it is not only inconsistent, but it is heartless and cruel, to hand over to the tender mercies of the oppressors, the down-trodden oppressed.

Now, let me say a word or two about some sections of the Bill. The first section gives the appointment of the school board to the government of Manitoba. If they undertake to put into operation the provisions of the Bill, they would naturally select Catholics who are opposed to separate schools. And to show this House that I am not alone in holding that view, I will read another extract from the Antigonish "Casket," which, to say the least, has all along been strongly in favour of the position of the Government on this question. It says with regard to this section of the Bill :

We cannot, however, in view of the attitude of intense hostility to Catholic educational rights taken by the government of Manitoba, but anticipate grave difficulties from the placing of the administration of the proposed schools almost en-

tirely in the hands of that government. The probability is that Mr. John O'Donoghue will be the first member of the new board—or perhaps the first Superintendent of Catholic schools for Manitoba. Then in the matter of the provincial grant to Catholic schools, there is absolutely no warrant that we can see for the assumption that the province will make this grant voluntarily. If, then, there is authority under the constitution to provide for the sharing of this grant, it would seem to us to be a wise policy to settle this vexed question once for all.

The Bill provides three modes of assessment. Section 23 says that each school section shall be assessed, and have to pay and collect \$20 a month for each month a teacher is employed in the section; beside that, an additional tax of \$5 will be collected; and, besides, there is the provision that the trustees can hold a meeting and make a further assessment in order to carry on a separate school successfully. This would entail a burden upon five families, which is the minimum number who can establish a separate school, a tax of between \$25 and \$40 a month without any legislative grant whatever. Then, by section 37, subsections "h" and "i," the trustees are required to receive and provide accommodation for the children of parents who are not Catholics, and for those of Catholic parents who have given notice that they will not be separate school supporters; and they can collect not more than 50 cents per month for each child. This is placing such a burden on the people of every school section as will prevent their carrying out this law. By section 28, a person who gives notice that he is not a separate school supporter is not bound to contribute towards the support of the school; so that whenever any trouble arises in a school section—and everybody knows that there is nothing more likely to cause irritation than the small matters that arise in school sections, regarding the location of school sites, the employment of teachers, and similar questions—then, every dissatisfied ratepayer, no matter what the cause of his dissatisfaction may be can, under this section, leave the school section and escape taxation, and those who remain may be utterly unable to maintain a separate school in the district. Section 74 is the section which omits clause "b" of the remedial order which declares that the Roman Catholic minority in Manitoba are and shall be entitled to their share of the legislative grant for education. This section is therefore so much waste paper; it amounts to nothing, and will, I have no doubt, render all the other sections of the Bill unconstitutional. Nearly every lawyer in this House takes that view. I am not going to give my opinion at all. But the view of eminent lawyers in this House is that this and other omissions from the Bill renders the whole Bill unconstitutional. I will read from "La Vérité," which is a leading Catholic paper in the province of Quebec, and I am told is called a clerical organ, referring to this Bill:

The parliamentary correspondence of the "Tribune" considers that the present time is not well chosen for discussing the merits of the Remedial Bill.

We believe it is infinitely better worth our while to examine this Bill now when it is at least theoretically possible to modify it, than to pass it first and then to estimate its shortcomings.

It will be said "If there are defects they will be removed by subsequent legislation." Let no one create this illusion for himself. As the Act is when passed, so it will remain. Never can Parliament be held to legislate twice on the question.

It is enough to remember what is going on at Ottawa to convince one of this.

If the Bill is not modified so as to make it conform entirely to the remedial order of last March it can be attacked as unconstitutional. In effect the Federal Parliament has no right to legislate on the school question, except in so far as the Manitoba legislature has refused to legislate itself.

Now the remedial order of March 21st, 1895, declared that the minority had a right to three things, viz.: (a) To construct, maintain, manage and conduct Roman Catholic schools; (b) to receive a proportionate share of every subsidy granted from the public funds for educational purposes; (c) finally, exemption for the Catholics from taxes imposed for the maintenance of public schools. It is a, b, c which the Federal Government ordered the legislature to do. It is, therefore, a, b, c which the Manitoba legislature has refused to do. It is, therefore, a, b, and c which the Federal Parliament has the right to do in virtue of the constitution.

But by the Bill actually before the public the Government only invites Parliament to do (a) and (c); for no matter what we may say, clause 74 does not do (b), that is to say, it does not give the minority a proportionate part of every grant made for educational purposes out of public funds.

Winnipeg may then say: "I have refused to do a, b and c, but I have not refused to do a and c alone. You have, therefore, the right to legislate on a, b and c, because of my refusal, but you have not the right to legislate on a and c, because you have not, in the first place, given me notice to legislate myself on a and c alone.

It is useless to do like the ostrich, to hide one's head in the sand and believe one's self under shelter. If clause 74 is not modified so as to do c, the Act will probably be declared unconstitutional.

Let us now cast a glance over some of the clauses of the Bill which, according to us, require to be altered.

To begin with, the first section of the Bill appears to us as exposing the minority to a grave danger. This section says that "the Lieutenant-Governor in Council of the province of Manitoba shall appoint, to form and constitute the Separate School Board of Education for the province of Manitoba, a certain number of persons, not exceeding nine, all of whom shall be Roman Catholics." It is hardly probable, we know, that the Manitoba government would carry this clause into effect and constitute the Separate School Board, but it may do so, and if it should take into its head to carry out this disposition of the Bill it would certainly do it in such a way as to frustrate the whole law. For that purpose all it would have to do would be to appoint as members of the new board a certain number

of persons regarded as Catholics by law, but deeply opposed to separate schools.

By section 2 the Dominion Government reserves the right to constitute and renew this board if the Manitoba government neglects to do so. Prudence demands, it seems to us, that the Dominion Government should reserve this right to itself absolutely. Otherwise, it opens the door to grave complications. For, we repeat it, if the provincial government takes appointing members of the Separate School Board it will only be for the purpose of obstruction.

The third section seems to us still more dangerous, because it insures, so to speak, the hostile intervention of the Manitoba government. In fact this section says that "the Department of Education for the province of Manitoba may make such regulations as they may think fit for the general organization of the separate schools."

Now, the Department of Education for Manitoba is nothing else in reality than the government. So, then, the separate schools will be subject, for their general organization, to the government that has just abolished them! No need of dwelling upon this.

Besides, this section 3 is as useless as it is dangerous. Section 4 gives to the Separate School Board the right of making regulations for the schools. There will then be concurrent jurisdiction. Both the Department of Education for public schools and the Separate School Board will have the right to make regulations on the same matter—the separate schools. Therefore, the two sections 3 and 4 constitute a breeding nest of endless conflicts.

Section 4 gives the board the right of choosing the books to be used in the separate schools, but limits the choice to the books in use in the public schools in Manitoba and in the separate schools of Ontario. This limitation seems to us arbitrary and dangerous. A loyal gentleman said to us on this subject: "I think, for my part, that the Dominion Government has not the right to impose any restrictions as to the choice of books, if such restrictions did not exist in the school laws of Manitoba before 1890." Owing to this restriction it will be very difficult, we believe, to establish French schools; that is to say, schools where the teaching is done in French where the ordinary language is French; for the separate schools of Ontario are, above all, English. To a certain extent the teaching of French is allowed, but even in the French districts, if we are not mistaken, the English is the official language of the separate school as well as of the public school. The school books must necessarily be of the same nature as the schools; that is to say, they must be mainly English.

Moreover, one knows what a dreadful war is being carried on in Ontario against the separate schools. Should a party opposed to these schools come into power in Ontario they could very substantially modify the separate school books. Grant that to-day these books be proper; they may cease to be acceptable to-morrow. Why should the law subordinate the existence of the separate schools in Manitoba to the vicissitudes through which the separate schools may have to pass in Ontario?

The famous section 74 reads textually as follows:—"The right to share proportionately in any grant made out of public funds for the purposes of education having been decided to be, and being now, one of the rights and privileges of the said Roman Catholic minority of Her Majesty's subjects in the province of Manitoba, any sum granted by the legislature of Manitoba

and appropriated for the separate schools shall be placed to the credit of the Board of Education in accounts to be opened in the books of the Treasury Department and in the Audit Office."

In plain language, the meaning of the above is this: As the Catholic minority have the right to a proportionate share of all grants voted by the legislature for the purposes of education, they may accept whatever the legislature may grant them. As the reader will see, this is not terrorizing.

But the Ministerial papers will say the Government cannot go further than that; they cannot touch the funds belonging to the province to give a part thereof to the Catholics. All they can do is to declare that the Catholics have a right to a proportionate share of the sums voted for education.

No doubt the Federal Parliament could not appropriate any part of the funds of a province to any use whatever. But the Bill could go much further than it goes. It could provide, for instance, that, as the minority have a right to a proportionate share of the sums voted by the legislature for educational purposes, there will rest with this minority a right of action against the province of Manitoba if such a proportionate share be not voted to it. The clause would then have a sanction. What is the use of solemnly proclaiming the right of the minority to a share of the legislative grants if no means be given it to have this right respected?

The law might say also that in the case of the Manitoba legislature failing to vote to the minority the sums to which this minority is entitled, then the Governor General in Council shall take out of the proceeds of the sale of lands reserved for the support of schools a sum proportionate to the number of the Catholics and apply it to the separate schools. There is nothing like that in the Bill.

This section 74 is therefore clearly intended to humbug the minority in Manitoba, as is also section 112. But we are told that the minority are satisfied and that therefore we should not object. Now, I have heard this, but I am not satisfied that they are.

Mr. GILLIES. You had better vote against the Bill.

Mr. McISAAC. Are you satisfied with the Bill as it is?

Mr. GILLIES. Certainly.

Mr. McISAAC. Without any amendment?

Mr. GILLIES. I am satisfied with the principle of the Bill, and that is what we are discussing now. Are you satisfied?

Mr. McISAAC. I tell you that I am not.

Mr. GILLIES. Then you had better vote against the Bill.

Mr. McISAAC. I say that if I could believe that the minority in Manitoba are satisfied with the Bill, as it is now, I would be compelled to say that the grievance of that minority, as they were represented to me and to the people of the country, must have been grossly magnified. I do not believe that the minority are satisfied with it, except perhaps on this condition, that promises have

been made to gentlemen representing the minority in Manitoba, that although this Bill practically provides but very little, still in the future, they will get something more, and under this belief they may have given their assent to the Bill. I want no stronger proof of this than what occurred the other night, when the hon. member for Quebec Centre (Mr. Langeller) put the question across the floor to the hon. Postmaster General (Sir Adolphe Caron). I shall read from the speech of the hon. member for Quebec on that occasion. He said :

By the last clause of the Bill an attempt is made to humbug the minority and induce it to accept the Bill. The friends of the Government say to them : it is true that this Bill gives you nothing, but it lays down the principle, and once that principle is accepted, we shall pass a good Bill that will give you all what you ask for. The Ministers would not dare to speak in that way in this House, but that is what their friends say out of it. Is the Postmaster General prepared to state that this is only the beginning, and that the law will be completed later on ? If he makes such a declaration I am ready to vote for the Bill. Is the Postmaster General prepared to declare that this is only the beginning, and that the Bill will be completed at another session ? Let him answer immediately. Every one knows why he does not answer. He will not answer, but his friends will go on deceiving the minority by making it believe that this is only the commencement of the justice which the Government is determined to grant to it. They say that this Bill is but the acknowledgment of the principle of interference, and that the law will be completed later on.

But, though the hon. member for Quebec Centre threw this challenge across the floor of this House, the Postmaster General remained dumb, and even yet no answer has come from him or any other member of the Government. Therefore, Sir, I am satisfied that these sections are put in for the purpose of humbugging and deceiving the minority in Manitoba. I have listened with a great deal of attention to the speeches delivered on both sides of this debate. Of all those I have heard speak, the hon. member for Bellechasse (Mr. Amyot) convinced me most strongly of two things—first, that he was more strongly in favour of this Bill than any other member of the House, and, second, that he brought forward some of the strongest arguments against the Bill that have been brought forward by any member. He said :

Can we pass legislation to force Mr. Greenway or the Manitoba government ? What power have we ? The only thing we can do is to pass a declaratory law, and the Bill contains that declaration. It says that it is decided that such is the right of the minority. Mr. Speaker, when the government of Manitoba will be led by men who are friends of the minorities as well as of the majorities, when the government of Manitoba will be led by friends of justice, then the Manitoba government will find in the law such declaration, and will give justice to the minority. But, Sir, so long as the Manitoba government will be led by friends of the Liberal party in this House, unless we go there with an army, unless

we go there with force, unless we go there as a nation equipped for war in order to obtain that justice which the constitution says is ours, I do not see any human way of forcing Manitoba to give us justice. We might, perhaps, say in this Bill that a certain amount, yearly, should be given to the separate schools out of the lands which the Federal Government own in that province. Well, Sir, it will be easy to pass such a law later on. It might be, perhaps, possible to insert such a clause even in this Bill, but that I do not discuss now.

Later on in his speech he said :

But, Sir, the Conservative party of Manitoba, which, in Manitoba, as everywhere else, is the upholder of liberty, is not a very small minority in that province. If you take the returns of the last election for the Manitoba legislature, you find that out of a total of 25,507 votes, giving thirty-two government supporters, the government supporters have received 11,173 votes, whereas the Conservative candidates received 10,719 votes, the Patrons 2,650 votes, and the Independent received 920 votes. * * * * * You will see, also, Sir, when party passion is over, when the present Bill will be the law of the land, when it will be understood and interpreted, when the sentiment of justice which exists in the heart of every Canadian is awakened, you will see then, Sir, that the Conservative party will be in power in Manitoba. Then the Conservative party will get back the majority in Manitoba, and you will have a friendly administration at the head of affairs there. Then this law will be the safety of the minority, will bring back peace to the Dominion, and will allow us to work harmoniously together for the development and the welfare of the country. That is what this law is likely to do.

Mr. AMYOT. Will the hon. gentleman allow me one remark ? The hon. gentleman quotes my speech, but does not say that that part refers especially to the clause providing for the share for the minority from the education fund. He should have the fairness to state that. He quotes this as if I were speaking of the whole Bill, whereas I was speaking of clause 74.

Mr. McISAAC. I think I have been fair to the hon. gentleman. I have read lengthy extracts from his speech, and in those extracts I find the strongest condemnation of this Bill. Pass this Bill, he says, and when the Conservative party come into power they will carry out its provisions. It means that until the Conservative party come into power this Bill is not worth a snap.

Mr. AMYOT. That only refers to clause 74.

Mr. McISAAC. That is the effect of the hon. gentleman's speech, as any one can gather. This is an admission that until the hon. gentleman's friends get into power this Bill will remain a dead letter. This is in effect an admission that the Bill is so defective that it will not afford any remedy or remove any grievance. Sir, if justice is to be denied until the Conservative party come into power, then do not pass this Bill, because, when his party come into power they will be tied down to the provisions of this

Bill, and will have to apply themselves to the doubtful process of doing justice to the minority through the instrumentality of this Bill. He stated that justice will be denied until his friends get into power in Manitoba. Sir, would it not be far better for his friends to pass a Bill in the legislature of Manitoba itself. Does not everybody know that a Bill passed in that legislature is worth ten times more to the minority of that province than a Bill passed in this House? Therefore, assuming his statement to be correct, I say if justice is to be denied the minority until his friends get into power in Manitoba, then it will be infinitely better that his friends should introduce a Bill into the legislature of Manitoba. But the hon. gentleman has gone further, he has stated that the Conservative party in the province of Manitoba, as elsewhere, were the champions of toleration, of liberty, and I suppose I may include, separate schools. Why, has the hon. gentleman been asleep for the last fifteen years? Has he read the political events of this country for these years? Does he not know that for fifteen years a struggle has been going on in the province of Ontario on this very question? And what is the record of his friends in Ontario on that question, and what is the record of the Liberal party? Do the political events in that province prove the statements of the hon. member for Bellechasse (Mr. Amyot) that the Conservative party in Manitoba and elsewhere are the champions of religious liberty and toleration all over this country? Does he not know that during the last fifteen years the Liberal party, led by Sir Oliver Mowat, have stood by the separate schools and the cause of the Catholic minority in that province? And does he not know that during those fifteen years his political associates in that province have hounded Sir Oliver Mowat and the Liberals from pillar to post, because forsooth they would not lay their hands upon the separate schools and destroy them. Sir, I will go further, and I will examine the political situation in Manitoba. The hon. gentleman would have this House believe that his friends in Manitoba are the friends of separate schools, are the friends of the minority in that province. On that point I take issue with him, and I will proceed to give the proof. In the election which took place in Manitoba in 1892, the Conservative party, at a convention held on 30th May, at Winnipeg, adopted a platform, the sixth plank of which related to schools, and reads as follows:—

The Opposition hereby declare:

1. That they are in favour of one uniform system of public schools for the province.
2. That they are ready and willing to loyally carry out the present Act should it be held by the Judicial Committee of the Privy Council of Great Britain to be within the legislative power of the province.

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3. That in the event of such School Act being held by the Judicial Committee of the Privy Council of Great Britain to be beyond the legislative powers of the province, they will endeavour to secure such amendments to the "British North America Act" and the "Manitoba Act" as will place educational matters wholly within the legislative power of the province of Manitoba, without appeal to the Governor in Council or the Parliament of Canada.

That is the platform of his friends in 1892. But did the last election afford the hon. member a crumb of comfort in that respect? An election was held within a few weeks in that province. I will give the hon. gentleman the platform of his friends, those who in the future are to give justice to his coreligionists in that province. Here is the platform of the Conservative party, here is the appeal which they made to the people of Manitoba a few weeks ago when the provincial election was held. It was published in the "Nor-Wester," the chief Conservative organ in that province, and I will read it:

DECEPTION.

Electors of Manitoba.

The Greenway Government is Deceiving You.

Mr. Laurier said at Montreal, in the late contest there, speaking as to the Manitoba school question:

I have no hesitation in telling you that I want to have the minority in Manitoba restored to the same privileges which are freely granted in Quebec to the Protestant minority, and to the Catholic minority in Ontario.

The Brandon "Sun" (the organ of the Greenway party), in its issue of 26th December last, said:

Let it be shown that the Manitoba School Act attacks the conscientious convictions of Catholics and we will join in demanding its amendment and correction.

Hon. Mr. Sifton, in his speech at Douglas, on 31st December last, as reported by the Winnipeg "Daily Tribune" (the Government organ), said:

We are prepared to consider any changes in method that will make it acceptable to the Roman Catholics. We will do anything in reason, anything that will not compromise principle; and again, anything in reason, if we can settle this matter without compromising principle, then we will do it, but not otherwise. If there is any change that can be made in the religious exercises that will make them acceptable to all parties, if any change can be made in the time they are held, or other like changes, we are prepared to consider them.

What does all this mean? Is the present School Act going to be modified to meet the grievances of the Roman Catholics, by the Greenway party, if returned to power? Why are these doubtful and qualified expressions uttered and published at the present time if no understanding has been come to? The evidence is clear, and the inference is clear. The Greenway party are coming before you on a false issue. They are deceiving you on this school question, and hope by means of it to cover the numerous shortcomings of their administration.

You may depend upon it that, if returned to power, they will so change and amend the present School Act that the conscientious convic-

tions of the Roman Catholics will no longer be attacked by it, and, though they will not have separate schools in name, they will have them in fact.

Remember Greenway's withholding of maximum letter as to freight rates.

Remember Sifton's concealment of Dalton McCarthy's opinion re Ryan & Honey claim.

Remember Greenway's deception towards the Roman Catholics in passing the School Act, and he will now deceive the whole province.

ELECTORS, DON'T TRUST THEM!!!

What does that mean? This is the leading Conservative paper in that province, this is the platform of the Conservative party, and this is the appeal made by the Conservative party to the electors of Manitoba a few weeks ago. That paper asks the electors to reject the Greenway government because that government would be prepared to extend relief to the Roman Catholic minority; whereas the other party were pledged, if they got into power, never to give them any relief. Is there any comfort for the hon. member for Bellechasse in that? If so, he is welcome to take it. But I have not exhausted the hon. gentleman's arguments yet. It is reasonably clear from these arguments that this Bill will afford no remedy, but the hon. member for Bellechasse has another argument, and I will give it to the House. He says it is useless to try and enforce this Bill while Mr. Greenway is in power, unless we go there with an army. Now, let us see how the hon. member would succeed if he went there with an army. He went out there once before. He admitted that we cannot enforce this law while Greenway is in power, and the only means of enforcing it is by waging war upon Manitoba, and I suppose the hon. gentleman would be willing to undertake it himself. Well, let us suppose that he has made a serious argument, and let us see how much there is in it. Let us suppose that the gallant member for Bellechasse leads an army on to Manitoba, and takes in his caravan the Remedial Bill for the purpose of enforcing it, and ramming it down the throats of Greenway and his government. What would be the result? Against whom would he direct his first attack? And who would return the volley first? Would he be joined by the loyal Conservatives of Manitoba in making an attack upon the Grits of that province? No; I fear not. I am afraid he is doomed to disappointment here again. The only man in Manitoba I ever heard of who declared he was ready for war, was a gentleman belonging to his political faith in the parliament of Manitoba. His name is Mr. Mulvey, member for the county of Morris.

Mr. LARIVIERE. And a supporter of Greenway.

Mr. McISAAC. On this question.

Mr. LARIVIERE. No, all through.

Mr. MCGREGOR. I know him, he is a Conservative of old.

Mr. McISAAC. Of course, he would support Greenway on this school question. I want to ask what the result of the hon. member's attack upon Manitoba is likely to be? This is what Mr. Mulvey said:

He was a strong advocate of national schools. Was he a man who knew naught of liberty and freedom to submit to such a constitution as that drafted in 1870 at Fort Garry, at the point of the bayonet? Were his children to be submitted to such a galling yoke? No, Sir! Four times already in his past career had he shouldered the musket in defence of the will of the majority and he would now say on the floor of this House, and without fear, that a fifth time would he take up his rifle to fight for the liberties of the majority.

Fancy a fight carried on one side by the gallant member for Bellechasse, and on the other side by the bellicose member for Morris, and each fighting for the constitution.

Mr. AMYOT. I want to know if it is to my personal bravery that the hon. gentleman makes allusion in his observations?

Mr. McISAAC. Not at all. I am saying that he is the only brave man I ever heard of in this House, or in this part of the Dominion, who has suggested war, and the only other brave man in Manitoba who suggests war against him is Mr. Mulvey.

Mr. AMYOT. I never suggested war. I said that was the only possible way to enforce the Bill, judging from our experience in 1874.

Mr. McDUGALL. I think I have a right to ask the hon. gentleman a question. I want to know in regard to Major Mulvey—

Some hon. MEMBERS. Order.

Mr. SPEAKER. The hon. gentleman has no right to ask the hon. member who is in possession of the floor a question, unless he chooses to give way.

Mr. McDUGALL. I want to ask—

Some hon. MEMBERS. Order.

Mr. SPEAKER. The hon. gentleman (Mr. McIsaac) is not disposed to give way to answer a question.

Mr. McDUGALL. He does not want to answer it. He is afraid to answer it.

Mr. McISAAC. Let us see how enforcement by an army would work. The gallant member for Bellechasse (Mr. Amyot) would lead an army into Manitoba, and he would be met there no doubt by the bellicose member for Morris, Major Mulvey. What would the result be? In order to ascertain the probable result, let us examine the past military records of both and judge. The member for Morris has four times already shouldered his

rifle in defence of the majority, and he is ready to do so again for the fifth time.

Mr. McDOUGALL. He is Greenway's secondcr.

Mr. McISAAC. History records that the hon. member for Bellechasse went to the North-west during the rebellion—

Some hon. MEMBERS. Order, order.

Mr. SPEAKER. The hon. gentleman should state what relevancy the conduct of the hon. member for Bellechasse in the North-west has to the Bill now before the House.

Mr. McISAAC. I was proceeding to reply to the remark made by that hon. gentleman. That hon. gentleman has insisted that this is the only way to enforce this Bill.

Mr. AMYOT. Not this Bill, the remedial order.

Mr. McISAAC. I am meeting that argument, and I think, Mr. Speaker, I am in order. If we are to judge as to the probable result of the conflict, we must consult these records. I have already told you the military exploits of the hon. member for Morris.

Mr. SPEAKER. I think the military exploits of the hon. member for Bellechasse are not before the House.

Mr. McISAAC. I will now proceed to quote a few extracts from the "Mail and Empire," the leading Conservative organ in Ontario, to show the opinions it holds in regard to this Bill. On March 4th the "Mail and Empire," said:

Sir Charles Tupper's motion for the second reading of the Remedial Bill elicited from Mr. Laurier this afternoon in amendment, the proposition that the measure be considered this day six months. There is no mistaking the ground on which the Liberal leader asks the House to acquiesce in the six months' hoist. To his mind the Bill is weak and faint-hearted, and, what is worse, does not take from Mr. Greenway the control of the education of the Catholics of Manitoba. It is significant that the two leading speakers who dealt with the subject to-day were forced to opposite conclusions by reasons that are very much alike. Sir Charles Tupper points out that, impelled by a sense of constitutional duty, the Government has reluctantly taken hold of the matter.

Mr. SPEAKER. I point out to the hon. gentleman that he is violating a rule by reading extracts from newspapers relating to debates that have taken place in this House. Any editorial or any newspaper comment on a matter before this House cannot be referred to or read in the House.

Mr. McISAAC. If that ruling had been given some days ago we might have had the second reading over now. I suppose it is not a very great loss to the House to abstain from reading anything in the "Mail."

This Bill is inefficient and unworkable, and in the opinion of the leading lawyers who spoke, unconstitutional. The Minister of Justice who discussed this as he does all questions in a spirit of justice and moderation never touched this phase of the discussion at all, and the ex-Minister of Justice, who is usually bold if not rash and aggressive, did not even dare to offer an opinion on the point. It is a Bill which ostensibly professes to remedy the grievances of the minority without giving effectual relief, and as has been well said, while creating a vast and obnoxious machinery, provides no motive power either to start it or keep it moving. It is what one might expect from the Government that issued a remedial order containing in strong terms declarations in favour of separate schools for the minority, but without the intention of carrying it out.

Mr. AMYOT. I rise to a point of order. I draw attention to the fact that the hon. gentleman, who has indulged in personal abuse, is now reading his speech. I object to it.

Mr. SPEAKER. That is contrary to the rules, as the hon. gentleman knows.

Mr. McISAAC. I am merely using notes, and the hon. gentleman knows it. It is the result of a forced compromise between the two wings of the Government, one of which desired to carry out the order "word for word, line for line, and letter for letter," and the other, the stronger wing determined not to carry it into effect. It is a Bill of 112 sections, one of which declares that the minority shall have separate schools and nearly every other one of the remaining 111 sections blocking the way, and in effect declaring that the minority shall not have separate schools. It really offers but a dry and lifeless skeleton to the Manitoba minority. It is truly offering a stone to those who asked for and were promised bread. I cannot see any means whereby this skeleton can be vivified and given initial existence unless the Manitoba government will undertake the process of incubating it into life, and there seems but faint hope for that to happen, while the two governments maintain towards each other their present attitude.

