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SESSIONAL PAPERS

VOLUME 17

FOURTH SESSION OF THE SEVENTH PARLIAMENT

OF THE

DOMINION OF CANADA

SESSION 1894



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FOURTH SESSION, SEVENTH PARLIAMENT, 1894.

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Census of Canada, 1890-91. Second Volume..... *Printed for both distribution and sessional papers.*

CONTENTS OF VOLUME C.

Census of Canada, 1890-91. Third Volume..... *Printed for both distribution and sessional papers.*

CONTENTS OF VOLUME 1.

1. Report of the Auditor General on Appropriation Accounts, for the year ended 30th June, 1893. Presented 20th March, 1894, by Hon. G. E. Foster. *Printed for both distribution and sessional papers.*

CONTENTS OF VOLUME 2.

2. Public Accounts of Canada, for the fiscal year ended 30th June, 1893. Presented 20th March, 1894, by Hon. G. E. Foster. 2a. Estimates for the fiscal year ending 30th June, 1895; presented 20th March, 1894. 2b. Supplementary estimates for the financial year ending 30th June, 1894; presented 20th June, 1894. 2c. Supplementary Estimates for the year ending 30th June, 1895; presented 12th July, 1895..... *Printed for both distribution and sessional papers.*
3. Lists of Shareholders in the Chartered Banks of Canada, as on 31st December, 1893. Presented 20th April, 1894, by Hon. G. E. Foster..... *Printed for both distribution and sessional papers.*
- 3a. Report of dividends remaining unpaid and unclaimed balances in the chartered banks of Canada, for five years and upwards, prior to 31st December, 1893. Presented 11th June, 1894, by Hon. G. E. Foster..... *Printed for both distribution and sessional papers.*

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4. Report of the Superintendent of Insurance for the year ending 31st December, 1893. *Printed for both distribution and sessional papers.*
- 4a. Preliminary abstract of the business of Canadian life insurance companies for the year ending 31st December, 1893. Presented 20th March, 1894, by Hon. G. E. Foster. *Printed for both distribution and sessional papers.*
- 4b. Abstract of statements of Insurance Companies in Canada for the year ending 31st December, 1893. Presented 7th May, 1894, by Sir John Thompson *Printed for both distribution and sessional papers.*

 CONTENTS OF VOLUME 4.

5. Report of the Department of Trade and Commerce, for the year ended 30th June, 1893. Presented 17th May, 1894, by Sir John Thompson.....*Printed for both distribution and sessional papers.*
- 5a. Report of the Mission to Australia, by the Minister of Trade and Commerce. Presented 4th July, 1894, by Sir John Thompson..... *Printed for both distribution and sessional papers.*
- 5b. The Colonial Conference, held at Ottawa, 1894.....*Printed for both distribution and sessional papers.*

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6. Tables of the Trade and Navigation of Canada for the fiscal year ended 30th June, 1893. Presented 27th March, 1894, by Hon. N. C. Wallace*Printed for both distribution and sessional papers.*
7. Inland Revenues of Canada. Part I., Excise, etc., for the fiscal year ended 30th June, 1893. Presented 20th March, 1894, by Hon. J. F. Wood...*Printed for both distribution and sessional papers.*
- 7a. Inland Revenues of Canada. Part II., Adulteration of Food, 1893. Presented 14th June, 1884, by Hon. J. F. Wood.....*Printed for both distribution and sessional papers.*
- 7b. Inland Revenues of Canada. Part III., Inspection of Weights and Measures and Gas. Presented 6th July, 1894, by Hon. J. F. Wood... ..*Printed for both distribution and sessional papers.*

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8. Report of the Minister of Agriculture for Canada for the calendar year 1893. Presented 12th June, 1894, by Sir John Thompson..... *Printed for both distribution and sessional papers.*
- 8a. Report on Canadian Archives, 1893. Presented 12th June, 1894, by Sir John Thompson.
Printed for both distribution and sessional papers.
- 8b. Third Annual Report of the Dairy Commissioner of Canada for 1892-93. Presented 18th May, 1894, by Hon. T. M. Daly..... *Printed for both distribution and sessional papers.*
- 8c. Report of the Director and Officers of the Experimental Farms for the year 1893. Presented 20th April, 1894, by Hon. G. E. Foster..... *Printed for both distribution and sessional papers.*

CONTENTS OF VOLUME 7.

- 8d. The Scheduling of Cattle in England—the Canadian Case. Presented 4th May, 1894, by Hon. T. M. Daly.....*Printed for both distribution and sessional papers.*
- 8e. Special Report of the Executive Commissioner on Awards on Agricultural Implements at Chicago, 1893. Presented 7th May, 1894, by Hon. T. M. Daly.
Printed for both distribution and sessional papers.
- 8f. Criminal Statistics for the year 1893..... *Printed for both distribution and sessional papers.*
- 8g. Report of the Executive Commissioner on the World's Columbian Exposition.
Printed for both distribution and sessional papers.
- 8h. Special Report on the production of and markets for Butter and Cheese.
Printed for both distribution and sessional papers.

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9. Annual Report of the Minister of Public Works, for the fiscal year ended 30th June, 1893. Presented 10th April, 1894, by Hon. J. A. Ouimet.....*Printed for both distribution and sessional papers.*
10. Annual Report of the Minister of Railways and Canals, for the past fiscal year, from the 1st July, 1892, to the 30th June, 1893. Presented 27th March, 1894, by Hon. J. Haggart.
Printed for both distribution and sessional papers.

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- 11.** Annual Report of the Department of Marine and Fisheries, 1893—Marine. Presented 1st May, 1894, by Sir Charles Hibbert Tupper. *Printed for both distribution and sessional papers.*
- 11*.** Annual Report of the Department of Marine and Fisheries, for the fiscal year ended 30th June, 1893—Fisheries. Presented 11th April, 1894, by Sir Charles Hibbert Tupper.
Printed for both distribution and sessional papers.
- 11a.** Report of the Chairman of the Board of Steamboat Inspection, etc., for calendar year ended 31st December, 1893. *Printed for both distribution and sessional papers.*

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- 12.** Report of the Postmaster General, for the year ended 30th June, 1893. Presented 9th April, 1894, by Sir Adolphe Caron. *Printed for both distribution and sessional papers.*
- 13.** Annual Report of the Department of the Interior, for the year 1893. Presented 21st March, 1894, by Hon. T. M. Daly *Printed for both distribution and sessional papers.*
- 13a.** Summary Report of the Geological Survey Department, for the year 1893. Presented 20th March, 1894, by Hon. T. M. Daly *Printed for both distribution and sessional papers.*
- 14.** Annual Report of the Department of Indian Affairs, for the year ended 31st December, 1893. Presented 20th March, 1894, by Hon. T. M. Daly *Printed for both distribution and sessional papers.*

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- 15.** Report of the Commissioner of the North-west Mounted Police Force, 1893. Presented 13th April, 1894, by Hon. W. B. Ives. *Printed for both distribution and sessional papers.*
- 16.** Report of the Secretary of State of Canada, for the year ended 31st December, 1893. Presented 20th March, 1894, by Hon. J. Costigan. *Printed for both distribution and sessional papers.*
- 16a.** Civil Service List of Canada, 1893. Presented 20th March, 1894, by Hon. J. Costigan.
Printed for both distribution and sessional papers.
- 16b.** Report of the Board of Civil Service Examiners, for the year ended 31st December, 1893. Presented 30th March, 1894, by Hon. J. Costigan. *Printed for both distribution and sessional papers.*
- 16c.** Annual Report of the Department of Public Printing and Stationery of Canada, for the year ending 30th June, 1893, with a partial report for services during six months ending 31st December, 1893. Presented 23rd May, 1894, by Hon. J. Costigan.
Printed for both distribution and sessional papers.
- 17.** Report of the Joint Librarians of Parliament for the year 1893. Presented 15th March, 1894, by Hon. Mr. Speaker *Printed for sessional papers only.*
- 18.** Report of the Minister of Justice as to Penitentiaries in Canada, for the year ended 30th June, 1893. Presented 20th March, 1894, by Sir John Thompson.
Printed for both distribution and sessional papers.
- 19.** Report of the Department of Militia and Defence of Canada, for the year ended 30th June, 1893. Presented 19th April, 1894, by Hon. J. C. Patterson.
Printed for both distribution and sessional papers.
- 19a.** Establishment Lists of the Active Militia for the financial year, 1894-95. Presented 20th July, 1894, by Hon. J. C. Patterson *Printed for both distribution and sessional papers.*
- 20.** Statement of the affairs of the Canadian Loan and Investment Company, on the 31st December, 1893. Presented 20th July, 1894, by Hon. Mr. Speaker *Not printed.*

CONTENTS OF VOLUME 12.

- 21.** Royal Commission on the Liquor Traffic. Minutes of evidence taken in the provinces of Nova Scotia, New Brunswick and Prince Edward Island.
Printed for both distribution and sessional papers.

CONTENTS OF VOLUME 13.

21. Royal Commission on the Liquor Traffic. Minutes of evidence taken in the province of Quebec.
Printed for both distribution and sessional papers.

CONTENTS OF VOLUME 14.

21. Royal Commission on the Liquor Traffic. Minutes of evidence taken in the provinces of Manitoba, North-west Territories and British Columbia....*Printed for both distribution and sessional papers.*

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21. Royal Commission on the Liquor Traffic. Minutes of evidence taken in the province of Ontario.
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CONTENTS OF VOLUME 16.

21. Royal Commission on the Liquor Traffic. Minutes of evidence taken in the United States.
Printed for both distribution and sessional papers.

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22. Report of the Commissioner, Dominion Police, for the year 1893, under Revised Statutes of Canada, chapter 184, section 5. Presented 20th March, 1894, by Sir John Thompson..... *Not printed.*
23. Return to an order of the House of Commons, dated 15th March, 1893, for a return showing the number of employees dismissed from the Prince Edward Island Railway since the 1st day of March, 1892, the name of each employee dismissed, the date of each dismissal, the reasons for such dismissals; also the names of employees reinstated, if any. Presented 20th March, 1894.—*Mr. Perry*..... *Not printed.*
24. Return to an order of the House of Commons, dated 20th March, 1893, for copies of all documents, claims, petitions, correspondence, reports of the superintendent of the Chambly canal, reports of experts and others, plans, agreements, proposals and decisions of the government in relation to the claim of Joseph Lacouture, of the parish of St. Luc, for damages caused to his property by the waters of the Chambly canal. Presented 20th March, 1894.—*Mr. Lavergne*... *Not printed.*
25. Statement of all superannuations and retiring allowances in the civil service, giving the name and rank of each person superannuated or retired, his salary, age and length of service; his allowance and cause of retirement, whether vacancy has been filled by promotion or new appointment, &c., for the year ended 31st December, 1893. Presented 20th March, 1894, by Hon. G. E. Foster.
Not printed.
- 25a. Return to an order of the House of Commons, dated 10th April, 1894, for a return showing the number of permanent civil servants in each department, inside and outside service, who contribute to the superannuation fund, and the gross amount of wages paid. Presented 25th April, 1894.—*Mr. McMullen*..... *Not printed.*
26. Statement of expenditure on account of miscellaneous unforeseen expenses, from 1st July, 1893, to date. Presented 20th March, 1894, by Hon. G. E. Foster..... *Not printed.*
27. Statement of Governor General's Warrants issued since last session of parliament, on account of the fiscal years 1892-93 and 1893-94, in accordance with the Consolidated Revenue and Audit Act, section 32, subsection b. Presented 20th March, 1894, by Hon. G. E. Foster..... *Not printed.*
28. Papers and correspondence relative to the payment to the Canadian Pacific Railway Company of amounts deducted from their subsidy in the year 1883. Presented 20th March, 1894, by Hon. G. E. Foster..... *Not printed.*
29. Return to an address of the House of Commons to his excellency the Governor General, dated 20th March, 1894, for copies of papers and correspondence relating to charges made against Mr. Justice Palmer, or to his resignation and acceptance thereof. Presented 20th March, 1894.—*Mr. Davies*.
Not printed.

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- 30.** Return of applications for registration under the provisions of chapter 131, Revised Statutes of Canada, "An Act respecting Trade Unions." Presented 20th March, 1894, by Hon. J. Costigan. *Not printed.*
- 31.** List of public officers to whom commissions have issued under chapter 19 of the Revised Statutes of Canada, during the year 1893. Presented 20th March, 1894, by Hon. J. Costigan. *Printed in No. 16.*
- 32.** Order establishing certain rules in respect of matters therein mentioned, in the Exchequer Court of Canada. Presented 20th March, 1894, by Hon. J. Costigan. *Not printed.*
- 33.** Copy of an order in council of the 17th January, 1894, continuing for the current year the issue of licenses to United States fishing vessels to enter any ports on the Atlantic coast for the purchase of bait, etc. Presented 21st March, 1894, by Sir Charles Hibbert Tupper. *Not printed.*
- 33a.** Return to an address of the House of Commons to his excellency the Governor General, dated 16th April, 1894, for: 1. Copy of order in council appointing Théophile Sabourin fishery overseer for the division of the Lake of Two Mountains and Isle Perrot. 2. Of the order in council appointing Julien Montpetit fishery overseer for the same division. 3. Of all instructions and orders issued by the fisheries department to the said overseers. 4. Of the reports of the two said overseers for the years 1891, 1892. Presented 5th June, 1894.—*Mr. Harwood*. *Not printed.*
- 33b.** Return to an address of the House of Commons to his excellency the Governor General, dated 26th April, 1894, for copies of all telegrams, letters, petitions, orders in council, and all correspondence relating to the dismissal of Timothy McQueen as fishery overseer in the county of Kent, Ontario. Presented 8th May, 1894.—*Mr. Campbell*. *Not printed.*
- 33c.** Return to an address of the House of Commons to his excellency the Governor General, dated 25th April, 1894, for copies of all papers, letters, petitions and reports sent to the minister of marine and fisheries, from 1st October, 1893, to this date, respecting the dismissal of I. B. Chevalier, of Iberville, from the post of fishery overseer; and of any communication sent from the government to the said I. B. Chevalier. Presented 11th May, 1894.—*Mr. Béchard*. *Not printed.*
- 33d.** Return to an address of the House of Commons to his excellency the Governor General, dated 30th March, 1894, for a return of all papers, correspondence, telegrams, reports to and orders in council, together with all departmental orders relating to the discharge from office as superintendent of St. Paul's island and keeper of Ingonish island, of Mr. Samuel Campbell, or relating to his superannuation allowance. Presented 23rd May, 1894.—*Mr. Davies*. *Not printed.*
- 33e.** Return to an order of the House of Commons, dated 14th May, 1894, for copies of all correspondence since 1st January, 1892, to the present time, from fishery officers and others from the western counties of Nova Scotia and the county of Charlotte in New Brunswick, as regards the taking of lobsters and of the limitation of size, and of all recommendations in regard to the same. Also a copy of all correspondence between the minister of marine and fisheries and his officials and all other persons as regards the close season for the herring fishing at Two Island harbour, Grand Manan, and of the weirs at that place. Presented 11th June, 1894.—*Mr. Bowers*. *Not printed.*
- 33f.** Return to an address of the House of Commons to his excellency the Governor General, dated 26th April, 1894, for copies of all orders in council and departmental orders now in force in the province of Ontario, concerning fisheries therein, and of all petitions received by the department with regard to the same. Presented 21st June, 1894.—*Mr. McGregor*. *Not printed.*
- 34.** List of all lands sold by the Canadian Pacific Railway Company from the 1st October, 1892, to the 1st October, 1893. Presented 21st March, 1894, by Hon. T. M. Daly. *Not printed.*
- 34a.** Return under resolution of the 20th February, 1882, in so far as the same is furnished by the department of the interior, respecting the Canadian Pacific Railway Company. Presented 28th March, 1894, by Hon. T. M. Daly. *Not printed.*
- 34b.** Return to an order of the House of Commons, dated 15th March, 1893, for copies of all documents, memorials and correspondence between the government and the Sorel board of trade and others, in relation to the granting of a subsidy to the Canadian Pacific Railway Company, for the rebuilding of a bridge at St. Michel d'Yamaska. Presented 10th April, 1894.—*Mr. Bruneau*. *Not printed.*

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- 34c.** Return to an address of the Senate to his excellency the Governor General, dated 5th April, 1894, for a schedule of the passenger and freight rates of the Canadian Pacific Railway Company, including the rates from St. Paul and Minneapolis to the seaboard, now in force. Presented 30th April, 1894.—*Hon. Mr. Boulton* *Not printed.*
- 34d.** Return to an address of the Senate to his excellency the Governor General, dated 17th May, 1894, for a schedule of the passenger and freight rates of the Intercolonial Railway; and the revenue derived by the Canadian Pacific Railway Company on its western division, between Port Arthur and Calgary, for the financial years ending 1892 and 1893. Presented 6th June, 1894.—*Hon. Mr. Boulton.*
Not printed.
- 35.** Return of orders in council, in accordance with subsection (*d.*) of section 38 of the regulations for the survey, administration, disposal and management of Dominion lands within the 40-mile railway belt in the province of British Columbia. Presented 27th March, 1894, by Hon. T. M. Daly.
Not printed.
- 35a.** Return of orders in council of 1893 relating to the department of the interior, in accordance with clause 91 of the Dominion Lands Act, chapter 54, Revised Statutes of Canada. Presented 27th March, 1894, by Hon. T. M. Daly *Not printed.*
- 35b.** Statement in reference to fishing bounty payments for 1892-93, required by chapter 96 of the Revised Statutes of Canada. Presented 28th March, 1894, by Sir Charles Hibbert Tupper.... *Not printed.*
- 36.** Return to an order of the House of Commons, dated 1st March, 1893, for copies of all reports, documents, maps, manuscripts and correspondence in relation to exploring expeditions heretofore made to James Bay and Hudson Bay. Presented 27th March, 1894.—*Mr. Jones* .. *Not printed.*
- 37.** Return to an address of the House of Commons to his excellency the Governor General, dated 20th March, 1894, for a return showing copies of all petitions or communications to the government or to any member thereof, or to his excellency, asking for any interference with the sentence passed by his lordship the Hon. Mr. Justice Rose on Messrs. McGreevy and Connolly, of all replies thereto and all correspondence between any member of the government and any other person on the subject of commutation of such sentence; of all medical reports made in regard to either said McGreevy or Connolly, whilst undergoing such sentence; of all reports or recommendations on the said subject, by any member of the government to his excellency, and of all replies thereto and of all orders in council in anywise bearing upon the subject of the commutation of said sentences. Presented 29th March, 1894.—*Mr. Mulock*..... *Not printed.*
- 38.** Detailed statement of all bonds and securities registered in the department of the secretary of state of Canada, since last return, 1893, submitted to the parliament of Canada under section 23, chapter 19, of the Revised Statutes of Canada. Presented 29th March, 1894, by Hon. J. Costigan.
Not printed.
- 39.** Return to an order of the House of Commons, dated 20th March, 1894, for a return showing the dates in each year since May 5th, 1887, when the Public Accounts, the Appropriation Accounts, and the Trade and Navigation Returns of Canada, for the next preceding fiscal year, have been published and ready for distribution; and when the said accounts and returns have been issued to the senators and members of the House of Commons of Canada in each of the years aforesaid. Presented 30th March, 1894.—*Mr. Charlton*..... *Not printed.*
- 40.** Return to an order of the House of Commons, dated 13th March, 1893, for a return showing the number of school teachers engaged in teaching in the North-west Territories, and the length of time each was engaged during the past year, with the salary received; also the number of pupils attending each school, and all sources of revenue for the maintenance of schools. Presented 2nd April, 1894.—*Mr. Semple*..... *Not printed.*
- 40a.** Supplementary return to an address of the Senate to his excellency the Governor General, dated 3rd February, 1893, for: 1. A copy of the deliberations, resolutions and ordinances of the former council of Assiniboia, relating to educational matters within its jurisdiction as it existed on the banks of the Red river before the creation of the province of Manitoba. 2. A statement of the amounts paid by the said council of Assiniboia for the maintenance of schools, showing the persons to whom such payments were made, the schools for which such amounts were paid, and the religious denomination to which such schools belonged. 3. A statement of the amounts paid by

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- the Hudson Bay Company, or by its agents, to the schools then existing in the territories forming to-day the province of Manitoba. 4. A copy of all memoranda and instructions serving as basis for the negotiations as a result of which Manitoba became one of the provinces of the confederation; together with a copy of the minutes of the deliberation of the persons charged on both parts to settle the conditions of the creation of the province of Manitoba and of its entrance into the confederation; and also a copy of all memoranda, returns and orders in council, establishing such conditions of entrance, or serving as a basis for the preparation of "The Manitoba Act."
5. A copy of the despatches and instructions from the imperial government to the government of Canada on the subject of the entrance of the province of Manitoba into the confederation, comprising therein the recommendations of the imperial government concerning the rights and privileges of the population of the Territories, and the guarantees of protection to be accorded to the acquired rights, to the property, to the customs and to the institutions of that population by the government of Canada, in the settlement of the difficulties which marked that period of the history of the Canadian West. 6. A copy of the acts passed by the legislature of Manitoba relating to education in that province and especially of the first act passed on this subject after the entrance of the said province of Manitoba into the confederation, and of the laws existing upon the same subject in the said province immediately before the passing of the acts of 1890, relating to the public schools and relating to the department of education. 7. A copy of all regulations with respect to schools passed by the government of Manitoba or by the advisory board, in virtue of the laws passed in 1890 by the legislature of Manitoba relating to public schools and the department of education. 8. A copy of all correspondence, petitions, memoranda, resolutions, briefs, factums, judgments (as well of first instance as in all stages of appeal), relating to the school laws of the said province of Manitoba, since the 1st June, 1890, or to the claims of catholics on this subject; and also a copy of all reports to the privy council and of all orders in council relating to the same subject since the same date. Presented 21st March, 1894.—*Hon. Mr. Bernier*. *Printed for both distribution and sessional papers.*
- 40b.** Return to an address of the House of Commons to his excellency the Governor General, dated 30th March, 1894, for copies of all papers, petitions, letters, reports, minutes and orders in council respecting the school law of Prince Edward Island, intitled "The Public Schools Act, 1877." Presented 23rd April, 1894.—*Mr. Leclair*. *Printed for both distribution and sessional papers.*
- 40c.** Return to an address of the Senate to his excellency the Governor General, dated 9th April, 1894, for copies of all school ordinances, school regulations and amendments thereto, adopted by the legislative assembly, the executive, and any board or council of education, in reference to the establishment, maintenance and administration of schools in the North-west Territories since 1885. Also for copies of all petitions, memorials and correspondence in reference thereto. Also for copies of all orders in council, reports to the governor general in council, and all communications and representations to the authorities in the North-west Territories. Presented 30th April, 1894.—*Hon. Mr. Bernier*. *Printed for both distribution and sessional papers.*
- 40d.** Return to an address of the House of Commons to his excellency the Governor General, dated 21st March, 1894, for copies of all petitions, memorials and correspondence, in reference to the appeal made in the name of the Roman catholic minority of the province of Manitoba, in reference to the school laws of that province; also copies of reports to and orders in council in reference to the same; also copies of the case submitted to the supreme court of Canada respecting aforesaid appeal, and including factums and all materials in connection therewith, and copies of all judgments rendered and answers given by said court on or to the questions referred to them. Presented 27th June, 1894.—*Mr. LaRivière*. *Printed for sessional papers only.*
- 41.** Return to an address of the Senate to his excellency the Governor General, dated 20th March, 1893, for a copy of all documents in relation to the demand of Michel Gosselin, Half-breed, living at Roseberry, Manitoba, and claiming indemnity for losses sustained during the troubles in the North-west in 1869 and 1870. Also a copy of all correspondence exchanged between the Dominion government and the said Michel Gosselin in relation to the said claim. Presented 21st March, 1894.—*Hon. Mr. Bellerose*. *Not printed.*
- 42.** Return to an address of the Senate to his excellency the Governor General, dated 21st February, 1893, for a copy of all the changes that have been made in the tariff since the national policy became law in 1879, giving the name of each article, showing the original duty imposed thereon, the amount of increase or reduction subsequently made, or placed upon the free list, together with the date of all such alterations in the tariff. Presented 2nd April, 1894.—*Hon. Mr. McMillan*. *Not printed.*

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- 43.** Return to an order of the House of Commons, dated 30th March, 1894, for a complete list of the revising officers under the Franchise Act, giving their names, their electoral divisions, and when appointed. Presented 5th April, 1894.—*Sir Hector Langevin*. *Not printed.*
- 44.** Return to an order of the House of Commons, dated 20th March, 1894, for return of all rates, general or special, charged on the Intercolonial Railway on through freight from Lévis to Halifax; with the dates when such existing general or special rates came into force, and in cases where such rates have been altered, specifying the alteration. Presented 6th April, 1894.—*Mr. Davies*.
Not printed.
- 44a.** Return to an address of the House of Commons to his excellency the Governor General, dated 30th March, 1894, for all papers, correspondence, telegrams, reports to, or orders in council, or departmental orders not already brought down to parliament, relative to the purchase of the Harris property in St. John for the Intercolonial Railway, or the payment of the purchase moneys therefor or relative to the uses or purposes to which that property has since been applied. Also for a list of all the claimants to the title of said property or any interest therein, together with the amounts paid to them respectively, and a summary or abstract of all deeds or agreements taken from the claimants respectively. Also for a statement of all moneys since laid out upon such property, and its total cost up to date. Presented 19th June, 1894.—*Mr. Davies*. *Not printed.*
- 45.** Return to an address of the House of Commons to his excellency the Governor General, dated 20th March, 1893, for copies of all correspondence between the government of British Columbia and the minister of the interior, relating to the boundary of the railway belt in the province of British Columbia. Presented 9th April, 1894.—*Mr. Mara*. *Not printed.*
- 46.** Return to an order of the House of Commons, dated 30th March, 1894, for a statement showing the various amounts paid by way of bounty on pig iron produced in Canada, the quantities produced, and the parties to whom the bounty was paid, and the province in which their works are situated, since the date of the last return. Presented 10th April, 1894.—*Mr. Edgar*.
Printed for sessional papers only.
- 47.** Return to an order of the House of Commons, dated 30th March, 1894, for a return showing (by provinces) the value of mining machinery admitted free of duty since the year 1890. Presented 10th April, 1894.—*Mr. Mara*. *Not printed.*
- 48.** Return to an order of the House of Commons, dated 29th March, 1894, for a return of: 1. The number of students who have graduated from the royal military college since its establishment. 2. Number of these graduates who are now in the public service of Canada and number in the service of the imperial government. 3. Amount expended on capital account and on income since the college was established. 4. Number of students graduated in 1893. 5. Number of students now in attendance. 6. Total amount of salaries paid each year, to the different persons employed in connection with the college. 7. Name of the commandant of the college: his salary, perquisites, if any, in the way of free residence, maintenance thereof, supplies, servants, &c. 8. The cost of the residence for use of commandant, if purchased, and the amount expended thereon by the government since the purchase. Presented 12th April, 1894.—*Mr. Mulock*.
Printed for sessional papers only.
- 48a.** Supplementary return to no. 48. Presented 11th May, 1894.—*Mr. Mulock*.
Printed for sessional papers only.
- 49.** Return to an order of the House of Commons, dated 30th March, 1894, for a return of the sentence imposed by the supreme court of the province of New Brunswick upon John V. Ellis, editor of the *St. John Globe*, in the past year, for an alleged contempt of court; together with the names of the judges composing the court at the time the sentence was imposed. Presented 12th April, 1894.—*Mr. Davies*. *Not printed.*
- 50.** Return to an address of the House of Commons to his excellency the Governor General, dated 20th March, 1894, for the production of all correspondence and other papers relating to the copyright question which have not already been brought down. Presented 13th April, 1894.—*Mr. Edgar*.
Printed for sessional papers only.

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- 51.** Return to an order of the House of Commons, dated 30th March, 1894, for a statement showing the working of the civil service insurance, how many civil servants have insured their lives in such insurance, and for what amounts respectively, without giving their names. Presented 13th April, 1894.—*Sir Hector Langevin*. *Not printed.*
- 52.** Return to an order of the House of Commons, dated 16th April, 1894, for a return of the receipts and expenditures to dates of 10th April, 1894, and 10th April, 1893. Presented 16th April, 1894. *Sir Richard Cartwright*. *Not printed.*
- 52a.** Return to an order of the House of Commons, dated 7th May, 1894, for a return showing the total amount of receipts and expenditures chargeable to consolidated fund from 1st July, 1893, to 1st May, 1894, and also for same period from 1st July, 1892, to 1st May, 1893. Presented 11th May, 1894.—*Sir Richard Cartwright*. *Not printed.*
- 53.** Return to an address of the House of Commons to his excellency the Governor General, dated 10th April, 1894, for copies of all correspondence between Mr. L. Vankoughnet and the government, or any member, or department, relating to his superannuation, and of all communications or reports to council or the treasury board or any member of the government, relating to such superannuation, and of any orders in council dealing with the same. Presented 17th April, 1894.—*Mr. Mulock*. *Not printed.*
- 54.** Return to an order of the House of Commons, dated 1st March, 1893, for a return of any correspondence which may have taken place between the government and any of the railway companies which have received public lands in aid of railway construction, in reference to the prices at which these lands are held and as to the steps taken by these companies to fulfil their trust by securing the early settlement of the lands so granted. Presented 18th April, 1894.—*Mr. Mills, Bothwell*. *Not printed.*
- 55.** Return to an order of the House of Commons, dated 10th April, 1894, for a return showing the names of officials employed in connection with the Canadian exhibit at the Columbian exposition from the province of Nova Scotia, showing their official position, amount of salaries paid and dates at which such employment ceased. Presented 20th April, 1894.—*Mr. Patterson, Colchester*. *Not printed.*
- 56.** Return to an order of the House of Commons, dated 10th April, 1894, for a statement in the form of Table C in the blue-book already published on the French treaty, for the years ending 30th June, 1892 and 1893. Presented 20th April, 1894.—*Mr. Laurier*. *Printed for sessional papers only.*
- 56a.** Supplementary return to an order of the House of Commons, dated 10th April, 1894, containing correspondence and other matter relating to the French treaty. Presented 3rd July, 1894.—*Mr. Laurier*. *Printed for sessional papers only.*
- 57.** Return to an address of the House of Commons to his excellency the Governor General, dated 30th March, 1894, for copies of all correspondence between the government and George Goodwin in connection with the transfer of his contracts or any of his contracts on the Soulanges canal. Presented 23rd April, 1894.—*Mr. Charlton*. *Not printed.*
- 57a.** Return to an address of the House of Commons to his excellency the Governor General, dated 25th April, 1894, for copies of all communications in the form of letters, petitions and reports, from 1st April, 1887, to 1st March, 1894, between the government and Mr. J. B. Many, or the municipal council of St. Luc, in the county of St. Jean, in relation to the construction of a swing bridge on the Chambly canal, opposite the south-east end of Ste. Thérèse island, in the Richelieu river. Presented 4th June, 1894.—*Mr. Béchard*. *Not printed.*
- 57b.** Return to an address of the House of Commons to his excellency the Governor General, dated 28th May, 1894, for : 1. Copies of all the reports of the engineers recommending that certain changes be made in the original contract, both in the materials and the nature of the works entering into the construction of the locks and other masonry on sections 1 and 2 of the Soulanges canal, giving the reasons why such changes should be made and the names of the engineers who recommended such changes. 2. Copies of all the correspondence exchanged between the engineers, the department of railways and canals, the contractor and other persons in connection with those changes, and copies of all orders in council in relation thereto. Presented 6th June, 1894.—*Mr. Tarte*. *Not printed.*

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- 57c.** Return to an order of the House of Commons, dated 16th April, 1894, for copies of all advertisements inviting tenders for the construction of sections 1 and 2 of the Soulanges canal; also copies of specifications connected with said work, copies of extensions of said specifications and tenders with estimated quantities and work to be done according to engineer's estimate; also copies of all tenders, copies of contracts let, of correspondence which took place between the contractors tendering for this work and the contractor to whom the contracts were awarded and the department of railways and canals in this matter, copies of all reports of engineers since the letting of the contract. Presented 14th June, 1894.—*Mr. Tarte* *Not printed.*
- 57d.** Return to an order of the House of Commons, dated 14th May, 1894, for: 1. Copies of all correspondence between the department of railways, the minister of public works and any other persons in relation to sections 12 and 13 of the Soulanges canal. 2. Copies of the call for tenders and of all tenders received. 3. Copies of contracts awarded. Presented 14th July, 1894.—*Mr. Tarte* *Not printed.*
- 58.** Return to an order of the House of Commons, dated 27th July, 1891, for copies of all correspondence relating to application for increase of salary of Judge Johnstone, county court judge for Halifax county, Nova Scotia. Presented 25th April, 1894.—*Mr. Fraser* *Not printed.*
- 59.** Return to an order of the House of Commons, dated 30th March, 1894, for a return showing the names of all prisoners who have died in penitentiaries in Canada during the last ten years, with the cause of death and the length of their last sickness in each case. Presented 25th April, 1894.—*Mr. Martin* *Not printed.*
- 59a.** Return to an address of the House of Commons to his excellency the Governor General of the 10th April, 1894, for a statement showing amount of receipts each month for gate money at Kingston penitentiary between 1st January, 1887, and 1st January, 1894. Statement showing disposition of these moneys, including statement showing the amount of those moneys deposited in any banks, with the names of such banks and particulars as to whose credit such deposits were made. Presented 26th April, 1894.—*Mr. Mulock* *Not printed.*
- 59b.** Return to an address of the House of Commons to his excellency the Governor General, dated 13th March, 1893, for a statement showing: (a.) Amount of money received as visitors' entrance fees at the Kingston penitentiary during each year from 31st January, 1885, to 1st February, 1893. (b.) Payments out of said moneys to the receiver general, and disposition of such funds. (c.) Particulars of goods manufactured and work done at said institution for any of its officers, showing who supplied the material for such goods, what sums were charged to said officers for said goods, and what sums have been actually paid during each of said years for said goods. (d.) Quantities of coal oil and gas supplied such officers, amount paid therefor, and when. (e.) Amount of laundry work done at said institution during said dates, for whom done, amount charged and paid therefor, with dates of such payments and names of persons making such payments. Presented 26th April, 1894.—*Mr. Mulock* *Not printed.*
- 59c.** Return (in part) to an address of the House of Commons to his excellency the Governor General, dated 30th March, 1894, for copies of all charges brought to the attention of the government or any department since 1891 in regard to any matters connected with the Kingston penitentiary, and the British Columbia penitentiary; of all appointment of persons to make investigations into any such charges, including their instructions; of all correspondence between any of such persons and any member of the government or department; of all evidence taken on any such inquiries; of all reports thereon, including any schedules in connection with such reports; and of all other documents and papers relating to any alleged irregularities in connection with the management of said institutions since 1891. Presented 1st May, 1894.—*Mr. Mulock* *Not printed.*
- 59d.** Supplementary return to no. 59c. Presented 15th May, 1894.—*Mr. Mulock* *Not printed.*
- 59e.** Further supplementary return to no. 59c. Presented 15th May, 1894.—*Mr. Mulock* *Not printed.*
- 60.** Return to an order of the House of Commons, dated 1st March, 1893, for a return of the report or reports of plans and surveys of the Galops Rapids channel, made by Mr. Kennedy. Presented 26th April, 1894.—*Mr. Reid* *Not printed.*

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- 61.** Return to an address of the House of Commons to his excellency the Governor General, dated 30th March, 1894, for copies of all reports made to the department of the interior or to the superintendent general of Indian affairs as to the value of the Thousand Islands and any offers received for the purchase of the same. Presented 26th April, 1894.—*Mr. Mills (Bothwell)*.
Printed for distribution only.
- 62.** Return to an order of the House of Commons, dated 16th April, 1894, for copies of report of engineer who inspected river Aux-Roseaux, river Aux-Rats and river La-Seine, in the electoral district of Provencher. Presented 1st May, 1894. *Mr. LaRivière*.....*Not printed.*
- 63.** Return to an order of the House of Commons, dated 30th March, 1894, for a return of all papers and correspondence relative to a claim for compensation for railway damages made by one Charles Coffin, of Midgell, Prince Edward Island, in the railway department of the government. Presented 1st May, 1894.—*Mr. Davies*.....*Not printed.*
- 64.** Return to an order of the House of Commons, dated 23rd April, 1894, for the report of the commission appointed to inquire into all matters concerning the Trent Valley canal. Presented 1st May, 1894.—*Mr. Hughes*.....*Not printed.*
- 65.** Return to an order of the House of Commons, dated 25th April, 1894, for a return giving the amount paid out of the Six Nation Indians' fund (by way of gift or loan) to individual members from the year 1886 to date, stating in each case: The name of the person, the fact of whether gift or loan, the date when paid, the amount, the reason for the gift or loan, the authority for such gift or loan, the conditions on which such loan was made, the provision for repayment, the amount repaid.—Presented 2nd May, 1894.—*Mr. Paterson (Brant)*.....*Not printed.*
- 65a.** Return to an order of the House of Commons, dated 16th April, 1894, for a return showing the amount of money that has been paid out of the funds of the Six Nation Indians for the payment of debts incurred by individual members thereof since the year 1886, and giving: 1. The names of the several persons who incurred the debts, with the separate amounts, the date or dates when incurred, and the proportion thereof that has been paid. 2. The names of the creditors to whom the payments were made, the dates when paid, with the total sum paid to each of such creditors; and stating in each case the authority given for incurring the debt, the authority for payment of the same, and whether such amounts have been repaid to the fund in whole or in part out of the annuities of the individuals on whose account the payments were made, and whether such was the condition on which such payments were authorized. Presented 14th May, 1894.—*Mr. Paterson, (Brant)*.....*Not printed.*
- 65b.** Return to an address of the House of Commons to his excellency the Governor General, dated 25th April, 1894, for copies of all petitions from the Indians of the Saugeen reserve claiming the exclusive right of fishing in French bay, lake Huron, of all answers to the same, and of all departmental orders in reference to that subject. Presented 16th May, 1894.—*Mr. Laurier*.....*Not printed.*
- 65c.** Supplementary return to no. 65b. Presented 23rd July, 1894.—*Mr. Laurier*.....*Not printed.*
- 65d.** Return to an address of the Senate to his excellency the Governor General, dated 10th April, 1894, for copies of all petitions or communications to the governor general, or the government, or any member thereof, asking for interference with the death sentence passed by Mr. Justice Harrison upon the two Chehalis Indians, Peter and Jack, in November, 1893, for the murder of the late Albert Edward Pittendrigh, in New Westminster, British Columbia, on the 27th October, 1892; of all replies thereto, and all correspondence between any member of the government and any other person on the subject of commutation of such sentence; of all reports or recommendations on the said subject by any member of the government to his excellency, and of all replies thereto, and of all orders in council in anywise bearing upon the subject of the commutation of said death sentence to imprisonment for life. Presented 14th May, 1894.—*Hon. Mr. MacInnes*.....*Not printed.*
- 66.** Return to an order of the House of Commons, dated 30th March, 1894, for all papers and correspondence in connection with the establishment of a government cattle ranche near Fort Macleod, North-west Territories, including the purchase of cattle for said ranche; the disposal of said cattle, and the management and disposition made of said ranche. Also a statement showing the amount of moneys paid for cattle placed upon said ranche, and for all other expenses incurred in connection with the same, also the total amount of moneys received for the sale of cattle from said ranche, and all other sources in connection with the same; which statement shall show the balance

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- to the credit or debit of said ranche on the first day of January last, and shall further give the names of all parties indebted to said ranche account for cattle purchased or for any other property or material, with the amount due from each of said parties, if any. Presented 2nd May, 1894.—*Mr. Charlton*..... *Not printed.*
67. Return to an order of the House of Commons, dated 10th April, 1894, for a return showing the amount paid to railways or steamship companies, as a bonus for bringing settlers to Manitoba or the Territories, in 1891, 1892 and 1893, and a list of settlers so brought, showing their names and locations. Presented 11th May, 1894.—*Mr. Martin*.....*Not printed.*
68. Return to an order of the House of Commons, dated 30th April, 1894, for copies of all communications received by the minister of agriculture in relation to the establishment of the bureau of labour statistics for the Dominion. Presented 14th May, 1894.—*Mr. Lépine*.....*Not printed.*
69. Return to an order of the House of Commons, dated 30th March, 1894, for a return showing the quantity of butter manufactured at the experimental creameries, established at Elgin and Woodstock, in the province of Ontario, from the time they were established up to the 1st of January, 1894; the number of sales made; where sold, and the amounts realized. Copies of all letters, reports, or other correspondence, especially the report of Clement & Son, of Glasgow, relating to the prices realized, and the condition of the goods when put upon the market. The amounts of money spent, and the different purposes for which the money was used. Presented 14th May, 1894.—*Mr. McMillan*.....*Not printed.*
70. Return to an order of the House of Commons, dated 30th March, 1894, for a return showing the number of homesteads taken up in Manitoba during the years 1892 and 1893, and the number of homesteads cancelled in Manitoba during said years, in each case showing the municipalities in which the homesteads were located. Presented 18th May, 1894.—*Mr. Martin*.... *Not printed.*
71. Return to an order of the House of Commons, dated 25th April, 1894, for a return showing: 1. The total number of depositors in the Dominion and post office savings banks. 2. The number of said depositors having deposits of \$1,000 or upwards and the total amount held by them. 3. The number having deposits of \$500 and over, not exceeding \$1,000, and the total amount held by them. 4. The number of depositors having deposits of less than \$500 and the total amount held by them. 5. The number of depositors not residing in Canada and the total amount held by them. Presented 18th May, 1894.—*Sir Richard Cartwright*..... *Not printed.*
72. Return to an address of the House of Commons to his excellency the Governor General, dated 7th May, 1894, for a copy of the order in council authorizing the sale of lot 16, concession 12, township of Luther, in the county of Wellington, for \$800 to John McNab and John Gallagher. Presented 22nd May, 1894.—*Mr. McMullen*.....*Not printed.*
- 72a. Supplementary return to no. 72. Presented 14th June, 1894.—*Mr. McMullen*.....*Not printed.*
73. Return to an order of the House of Commons, dated 30th March, 1894, for a return showing the sums of money paid to Mr. A. F. Wood, government valuator, for services, maintenance and transport during the years 1891-1892-1893, and the particular pieces of land or other property valued during those years. Presented 23rd May, 1894.—*Mr. McMullen*..... *Not printed.*
74. Return to an address of the House of Commons to his excellency the Governor General, dated 16th April, 1894, for copies of all orders in council in force in Canada (provinces of Lower Canada and Upper Canada) in 1858, concerning any drawback or bounty with respect to the building of Canadian ships, barques and other vessels; and also all orders in council amending the same, or concerning the same from 1858 up to the beginning of the confederation. Presented 23rd May, 1894.—*Mr. Amyot*..... *Not printed.*
- 74a. Return to an address of the House of Commons to his excellency the Governor General, dated 10th April, 1894, for copies of all orders in council from the origin of confederation up to the year 1879, inclusive, respecting any drawback or bounty with respect to the building of Canadian ships, barques or other vessels. Presented 30th May, 1894.—*Mr. Amyot*..... *Not printed.*
75. Return to an order of the House of Commons, dated 7th May, 1894, for copies of all calls for tenders, tenders received, contracts made, correspondence, telegrams, letters and papers relative to the public work (wharf or breakwater) at Grand Etang, Cape Breton; together with a statement of all moneys advanced or paid on such contract, with dates of payment. Presented 29th May, 1894.—*Mr. Davies*..... *Not printed.*

VOLUME 17—*Continued.*

- 75a.** Return to an order of the House of Commons, dated 6th February, 1893, for copies of all letters, petitions, surveys and reports in the possession of the government, relating to the threatened destruction of, and claims for, repairs on the breakwater at Sandford, in the county of Yarmouth, N.S. Presented 29th May, 1894.—*Mr. Flint* *Not printed.*
- 75b.** Return to an order of the House of Commons, dated 6th February, 1893, for copy of the report of government surveys on Wood island breakwater, P.E.I. Presented 29th May, 1894.—*Mr. Welsh* *Not printed.*
- 75c.** Return to an order of the House of Commons, dated 15th March, 1893, for copies of all reports, correspondence or other documents, not already brought down, relating to the state of repair of the breakwater at Rustico, P.E.I. Presented 29th May, 1894.—*Mr. Davics* *Not printed.*
- 75d.** Return to an order of the House of Commons, dated 1st March, 1893, for a statement showing : 1. What is the total sum spent by the government since confederation in each province of the Dominion on the public works classified as (1) harbours, piers and breakwaters, (2) improvements of rivers, and (3) dredging and dredges. 2. How much of the sum so spent in the province of Quebec was expended on works within the harbour of Montreal. 3. (1) How much money the government has loaned to the harbour commissioners of Quebec towards the construction of the new harbour works in that city ; and (2) what amount of interest, derived from the revenues of the said works, have the harbour commissioners paid to the government in respect of the interest due on the said loans ; and (3) how many years' interest, if any, are in arrears. 4. (1) How much money the government has lent to the harbour commissioners of Montreal towards the construction of harbour works in that city ; and (2) how much interest is due thereon. Presented 12th July, 1894.—*Mr. Lépine* *Not printed.*
- 75e.** Return (in part) to an order of the House of Commons, dated 30th March, 1894, for a return giving the total cost of the Cockburn island wharf and dock (lake Huron) ; the name of the contractor or contractors ; the date of its completion ; the number of sailing vessels that have called ; the quantity of freight imported and exported since its completion ; the number of steamers that made during the season regular calls at the wharf since its completion. Presented 12th July, 1894.—*Mr. McMullen* *Not printed.*
- 76.** Return to an order of the House of Commons, dated 14th May, 1894, for copies of all letters, reports of engineers or other papers in the hands of the government relating to the condition of the Pickets pier and the non-expenditure thereon of the sum voted last year for the purpose of repairing said pier. Presented 29th May, 1894.—*Mr. Borden* *Not printed.*
- 77.** Return to an order of the House of Commons, dated 18th April, 1894, for a statement of all sums paid by the government for the construction of the river Yamaska dam, under the first contract and subsequently thereto up to this date. Presented 29th May, 1894.—*Mr. Laurier* *Not printed.*
- 77a.** Return to an order of the House of Commons, dated 2nd May 1892, for copies of report of any inquiry held under the authority of the department of public works with a view to estimate the losses inflicted on proprietors of the commune of Yamaska, by the erection of a dam in the Yamaska river. Presented 4th June, 1894.—*Mr. Laurier* *Not printed.*
- 77b.** Return to an address of the House of Commons to his excellency the Governor General, dated 30th March, 1894, for copies of all letters, papers and statements in connection with awarding contract to William H. Davis & Sons for constructing a dam at Sheik's island, in connection with the Cornwall canal. Presented 5th June, 1894.—*Mr. Charlton* *Not printed.*
- 77c.** Supplementary return to no. 77b. Presented 15th June, 1894.—*Mr. Charlton* *Not printed.*
- 78.** Return to an address of the House of Commons to his excellency the Governor General, dated 10th April, 1894, for copies of all petitions, letters, plans, deeds and other documents respecting the claim of the Hurons of Lorette in relation to the seigniori of Sillery. Presented 29th May, 1894.—*Mr. Frémont* *Not printed.*
- 79.** Return to an order of the House of Commons, dated 10th April, 1894, for a return showing the amount of timber dues collected at Quebec for each year for the last ten years. The quantity of timber culled each year, and the wages paid to cullers and staff. Presented 30th May, 1894.—*Mr. McMullen* *Not printed.*

VOLUME 17—*Continued.*

- 79a.** Return to an order of the House of Commons, dated 10th April, 1894, for a return showing the quantity of timber that passed through the cullers' hands and was culled each year at Montreal, for the last ten years. The amount of fees collected for each year during the same period, and the amount of wages paid to the cullers and staff at Montreal for the same time. Presented 30th May, 1894.—*Mr. McMullen* *Not printed.*
- 79b.** Return to an order of the House of Commons, dated 7th May, 1894, for a return showing: 1. How much timber has been disposed of in townships 1, 2, 3 and 4, in ranges 14, 15, 16 and 17, east of the 1st principal meridian, and also on the Whitemouth river. 2. To whom said timber has been disposed of. 3. In what way said timber has been disposed of. 4. Prices realized for same. 5. Copies of all advertisements in connection with same, with names of newspapers in which same appeared and dates of insertion. 6. How much timber still remains undisposed of in said townships. Presented 29th June, 1894.—*Mr. Martin* *Not printed.*
- 79c.** Return to an order of the House of Commons, dated 25th April, 1894, for a statement of all timber licenses granted since January 1st, 1887, showing the date of each grant, the location, the area of the same, the name of the grantee, the bonus, if any, paid upon the same, whether disposed of: (a) At public auction duly advertised, where the public were invited to compete. (b) At auction where only applicants for the berth or limit were invited to bid. (c) By private application. (d) If in neither of the ways above mentioned, then stating in what way disposal and grant was made. (e) Length of public notice in each case when limits were sold either at public auction or by other form of public competition. Also a summary statement giving total area granted and total amount of bonuses received. Presented 12th July, 1894.—*Mr. Charlton* *Not printed.*
- 80.** Return to an order of the House of Commons, dated 28th May, 1894, for copies of all correspondence between D. J. Hughes, Esq., county judge of Elgin, Ont., and the officials of the government printing office, in regard to the printing of the last revised voters' list for Elgin. Presented 4th June, 1894.—*Mr. Casey* *Not printed.*
- 81.** Return to an order of House of the Commons, dated 14th May, 1894, for a return showing the amount and value of crucible steel imported into Canada free of duty in each year since 1885, under the provisions of order in council of 6th November, 1885. Also amount and value of lastings and mohair cloth imported into Canada free of duty in each year since 1885, under the provisions of order in council of 6th November, 1885. Presented 4th June, 1894.—*Mr. Charlton*.
Not printed.
- 81a.** Return to an order of the House of Commons, dated 14th May, 1894, for a return showing the amount and value of hatters' bands, bindings, tips, and sides and linings, both tips and sides, imported into Canada in each year since 1885, under provisions of order in council of 5th July, 1886. Also amount and value of steel strip for buckthorns and plain strip fencing imported into Canada free of duty since 1885, under provisions of order in council of 17th July, 1886. Also amount and value of wire rope imported into Canada free of duty since 1885, under provisions of order in council of 17th July, 1886. Also amount and value of twisted brass and copper wire imported into Canada free of duty since 1885, under provisions of order in council of 20th July, 1886. Also amount and value of yarn spun from the hair of the alpaca or angora goat, imported into Canada free of duty since 1885, under provisions of order in council of 18th November, 1886. Presented 4th June, 1894.—*Mr. Charlton* *Not printed.*
- 81b.** Return to an order of the House of Commons, dated 14th May, 1894, for a return showing the quantity and value of felloes of hickory wood imported into Canada in each year free of duty since 1887, under provisions of order in council of 16th November, 1888. Also quantity and value of homo spring steel wire, smaller than no. 9 and not smaller than no. 15, imported into Canada free of duty in each year since 1837, for the use of manufacturers of mattresses, under provisions of order in council of 6th December, 1888. Presented 4th June, 1894.—*Mr. Charlton* *Not printed.*
- 81c.** Return to an order of the House of Commons, dated 14th May, 1894, for a return showing the value of sweat leathers imported into Canada free of duty in each year since 1886, under provisions of order in council of 1st July, 1887. Also the value of square reeds, rawhide centres, textile leather or rubber heads, thumbs and tips, and steel, iron or nickel caps for whip ends imported into Canada free of duty in each year since 1886, under provisions of order in council of July 2nd, 1887. Also value of copper rollers for use in calico printing imported into Canada free of duty in each year since 1886, under provisions of order in council of 22nd November, 1887. Also quantity and

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- value of steel of no. 12 gauge and down to no. 30 gauge imported into Canada free of duty in each year since 1887, under provisions of order in council of 11th July, 1888. Also quantity and value of yarns, of wool and worsted, imported into Canada free of duty for use of manufacturers in each year since 1887, under provisions of order in council of 11th July, 1888. Also quantity and value of jute yarn, cotton yarn finer than no. 40; and wire of iron or steel, galvanized or tinned, or coppered, or not, of no. 16 gauge or smaller, imported into Canada free of duty in each year since 1887, under provisions of order in council of 11th July, 1888. Presented 4th June, 1894.—*Mr. Charlton*.....*Not printed.*
- 82.** Return to an order of the House of Commons, dated 25th April, 1894, for copies of all complaints made by one Etienne Tremblay, since 1st November, 1893, against Joseph Placide Rocheleau, postmaster of Pauline, in the county of Rouville, P.Q.; and of the report of the post office inspector who inquired into said complaint, or of any other official charged with such inquiry. Presented 5th June, 1894.—*Mr. Fréchette*.....*Not printed.*
- 83.** Return to an order of the House of Commons, dated 2nd May, 1894, for a return giving the names of the junior judges in the province of Ontario and dates when appointed, the name and population of the county to which appointed, also the salary and allowance of each of such judges. Presented 5th June, 1894.—*Mr. Lister*.....*Not printed.*
- 84.** Return to an address of the House of Commons to his excellency the Governor General, dated 7th May, 1894, for copies of all letters, proposals, cablegrams and correspondence since the 1st of January, 1890, between the government and any member thereof and any person, firm or company in relation to establishing a fast Atlantic steamship line between Canada and Great Britain, and also a line between Canada and France, and in relation to the subsidies for such services asked for or proposed to be given by the government, and any draft or completed contracts for such steamship service. Presented 6th June, 1894.—*Mr. Mulock*.....*Printed for distribution only.*
- 84a.** Supplementary return to no. 84. Presented 29th June, 1894.—*Mr. Mulock*.
Printed for distribution only.
- 84b.** Further supplementary return to no. 84. Presented 5th July, 1894.—*Mr. Mulock*.
Printed for distribution only.
- 85.** Return to an address of the House of Commons to his excellency the Governor General, dated 6th February, 1893, for copies of all correspondence, papers and documents, not already laid before the house, in reference to negotiations and communications between the government and the United States, in reference to reciprocity, canal tolls and wrecking and towing. Presented 11th June, 1894.—*Mr. Tisdale*.....*Not printed.*
- 86.** Return to an address of the House of Commons to his excellency the Governor General, dated 30th March, 1894, for copies of all correspondence, instructions, orders in council and reports about the boundary line between Alaska and British Columbia not already laid before this house. Presented 11th June, 1894.—*Sir Hector Langevin*.....*Not printed.*
- 87.** Return to an order of the House of Commons, dated 7th May, 1894, for a return showing in detail all sums of money in the hands of the government held as security for the performance of contracts completed, the name of each contractor who deposited the money, date of each such deposit, and amount of interest accrued on each deposit. Presented 11th June, 1894.—*Mr. Lister*.....*Not printed.*
- 88.** Return to an address of the House of Commons to his excellency the Governor General, dated 30th March, 1894, for a return of all correspondence, telegrams, reports to council, orders in council, or departmental orders or instructions relative to the employment of certified captains or mates on steamers plying in the waters or ferries of the Dominion, or to the running of such steamers or ferries without such captains or mates. Presented 19th June, 1894.—*Mr. Davies*.....*Not printed.*
- 89.** Return to an address of the House of Commons to his excellency the Governor General, dated 14th May, 1894, for copies of all correspondence between the minister of railways and the Rev. A. E. Burke and others having reference to the moving of the flag station from Mill river, on the Prince Edward Island Railway, to Howlan road, and all telegrams and documents having reference to the same, as well as all petitions, etc., against the removal of said flag station. Presented 19th June, 1894.—*Mr. Perry*.....*Not printed.*

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90. Return to an address of the House of Commons to his excellency the Governor General, dated May, 1894, for copies of all correspondence between J. B. Wright, M.D., V.S., and the government, or any member, department or officer of the government, and of all correspondence between the Grand Trunk Railway and the government, or any member, department or officer of the government, and of all correspondence between Mr. A. Brush and the government, or any member, department or officer of the government, and of all correspondence between the imperial authorities, or any one on their behalf, and the government of Canada, or any member, department or officer thereof, from, and including, the year 1882 until, and including, the year 1891, regarding the inspection of cattle passing through Canada from the United States. Presented 21st June, 1894.—*Mr. Mulock* *Printed for sessional papers only.*
91. Return to an order of the House of Commons, dated 16th April, 1894, for a return showing all lands allotted to Half-breeds in Manitoba for which patents have not been issued, giving along with a description of the land, the name of the allottee and the reasons why the patent has not been issued. Presented 21st June, 1894.—*Mr. Martin* *Not printed.*
92. Return to an order of the House of Commons, dated 21st May, 1894, for a return of the order, minute or direction authorizing the collector of customs at Woodstock, Ont., to admit free of duty certain goods consisting of vestments or other church articles for the use of the Roman catholic church at Woodstock, consigned to the Reverend Father Brady, of Woodstock, in the month of February, 1894. 1. The decision upon which the collector acted in admitting such goods free of duty. 2. All correspondence between the controller of customs or other person in the department of customs relating thereto. 3. Copies of the letters and correspondence which passed between the Rev. J. C. Farthing, of Woodstock, and the controller of customs, with reference to the admission of such goods and the alleged unfairness with which Mr. Farthing had been treated on the importation by him of a similar class of goods for the use of the Anglican church at Woodstock, of which he is rector. 4. And if duty has since been exacted upon the said articles, or any of them, a copy of the entry or minute in respect thereto and the amount of duty paid thereon. Presented 29th June, 1894.—*Mr. McCarthy* *Not printed.*
93. Return to an order of the House of Commons, dated 7th May, 1894, for a return showing the names of all persons appointed to act as what are known as return-men, in connection with immigration work, the period during which each worked, the amount of money paid to each, the names of the settlers brought to Canada by each return-man, and the places in which such settlers were located. Also statement showing what arrangements are made with these return-men. Presented 29th June, 1894.—*Mr. Martin*..... *Not printed.*
94. Return to an order of the House of Commons, dated 28th May, 1894, for a return showing the date on which the steamer "Stanley" commenced running between Charlottetown, P.E.I. and Pictou, N.S.; the date said steamer commenced running between Georgetown, P.E.I. and Pictou; how many trips were made; the date of each trip; how many mail bags were carried each trip; the date at which said steamer stopped carrying mails; the number of passengers and the amount of freight carried to and from Prince Edward Island; the amount of expenses and revenue for the winter 1893-94, in connection with said service. Presented 29th June, 1894.—*Mr. Perry*.
Not printed.
- 94a. Return to an address of the Senate to his excellency the Governor General, dated the 14th June, 1894, for a statement giving in detail the days, during the month of January, February, March and April last, on which the steamer "Stanley" crossed between Prince Edward Island and the mainland, such statement to show separately the days on which the said steamer made single and return trips, and also the ports of departure from either side. Also for a statement covering the same period, giving in detail the days on which the government ice-boats crossed between Cape Traverse and Cape Tormentine, such statement to show separately the days on which single and return trips were made. Also for a statement giving in detail the days during the same period on which no mails were conveyed from the mainland to Prince Edward Island, and from Prince Edward Island to the mainland. Presented 6th July, 1894.—*Hon. Mr. Ferguson (Queen's, P.E.I.)*
Not printed.
95. Return to an address of the Senate to his excellency the Governor General, dated 19th June, 1894, for a copy of the report made on the 5th May, 1891, by Sir Douglas Fox, regarding the proposed tunnel under the Straits of Northumberland, without the plans. Also copies of reports on the same subject by Mr. Francis Bain, dated the 9th and 18th of December, 1890, and the 14th March, 1891. Presented 5th July, 1894.—*Hon. Mr. Ferguson (Queen's, P.E.I.)*
Printed for sessional papers only.

VOLUME 17—*Continued.*

- 96.** Return to an address of the House of Commons to his excellency the Governor General, dated 27th April, 1892, for copies of all correspondence, memorials, departmental orders and orders in council, respecting or in any way relating to the removal of the export duty from saw-logs and other un-manufactured lumber exported from Canada to the United States. Presented 9th July, 1894.—*Mr. Rider*..... *Not printed.*
- 97.** Return to an order of the House of Commons, dated 9th May, 1892, for a copy of the report of the inspector of customs, Nova Scotia, in reference to the establishment of a port of entry at Whycomagh, in the county of Inverness. Presented 9th July, 1894.—*Mr. Cameron*..... *Not printed.*
- 97a.** Return to an order of the House of Commons, dated 9th May, 1892, for a copy of the report of the inspector of customs, Nova Scotia, in reference to the establishment of a port of entry at West Bay, in the county of Inverness. Presented 14th July, 1894.—*Mr. Cameron*..... *Not printed.*
- 98.** Return to an address of the House of Commons to his excellency the Governor General, dated 18th June, 1894, for a return of all charges, complaints, letters, telegrams, correspondence, reports or orders relative to the dismissal or removal of John McLeod as inspector of the repairs of the Broad Cove Marsh pier, Cape Breton. Presented 12th July, 1894.—*Mr. Davies*..... *Not printed.*
- 99.** Return to an address of the House of Commons to his excellency the Governor General, dated 25th April, 1894, for the production of all orders in council, correspondence, instructions to officers of the department of public works, and reports of such officers respecting the improvement of St. Andrew's rapids in the Red river of the North. Presented 12th July, 1894.—*Mr. Martin*..... *Not printed.*
- 100.** Return to an address of the House of Commons to his excellency the Governor General, dated 6th February, 1893, for copies of all orders in council now in force regulating the slaughtering of swine for exportation in bond, passed under authority of an act respecting customs, cap. 32, Revised Statutes, sec. 93; and for a copy of the quarantine regulations governing the importation of such swine into Canada for the purpose of slaughtering in bond. Presented 14th July, 1894.—*Mr. Smith (Ontario)*..... *Not printed.*
- 101.** Return to an order of the House of Commons, dated 28th May, 1894, for a detailed report showing the prizes awarded by the judges or jury at the Chicago Columbian exposition for the work of pupils of primary and special schools of every kind and degree, and also to pupils of secondary educational institutions of each of the provinces of Canada. Presented 14th July, 1894.—*Mr. Lachapelle*..... *Printed for sessional papers only.*
- 102.** Return to an order of the House of Commons, dated 21st May, 1894, for list of persons in Manitoba who have not as yet repaid the loans made to them, in or about the year 1876, for seed-grain, etc., with statement of the amount owing by each person and the interest claimed, up to 1st January, 1894, on each such amount. Also a list, showing the amounts of mortgages received as collateral security for each loan, with description of land mortgaged, with name of proprietor and name of borrower if he be another person. Presented 18th July, 1894.—*Mr. LaRivière*..... *Not printed.*
- 103.** Return to an order of the House of Commons, dated 28th May, 1894, for : 1. A statement showing the quantities of distilled and fermented liquors, under the different names as given in the trade returns, imported into and taken for consumption in Canada, from 1883 to 1893, both years included, computed in imperial gallons; the value of the same, and the duty paid thereon. 2. The quantity of distilled and fermented liquors, under the different names given in the inland revenue returns, manufactured in Canada and taken for consumption therein; the value of the same, and the duty paid thereon for the same years. 3. The amount of materials used in brewing and distilling alcoholic liquors in the several provinces of Canada during the same years. Presented 19th July, 1894.—*Mr. Flint*..... *Not printed.*
- 104.** Return to an order of the House of Commons, dated 28th May, 1894, for a statement showing the number of breweries, distilleries and maltsters' establishments in Canada in the year 1891; the amount of capital invested therein; the value of the output; the amount of wages paid; number of employees, and the revenue derived therefrom. Presented 19th July, 1894.—*Mr. Flint*..... *Not printed.*
- 105.** General statements and returns of baptisms, marriages and burials in the districts of Bellechasse, Chicoutimi, Gaspé, Kamouraska, L'Islet, Montmagny, Ottawa, and Saguenay. Presented 20th July, 1894, by Hon. Mr. Speaker..... *Not printed.*
- 106.** Return to an address of the House of Commons to his excellency the Governor General, dated 4th June, 1894, for copies of all correspondence, petitions and memorials in relation to the reduction or abolition of the duties on Canadian tobacco, or in relation to any possible changes in the inland revenue laws in that behalf. Presented 23rd July, 1894.—*Mr. Brodeur*..... *Not printed.*

SUPPLEMENTARY RETURN

To an ADDRESS of the SENATE, dated the 3rd February, 1893, for :—

1. A copy of the deliberations, resolutions and ordinances of the former council of Assiniboia, relating to educational matters within its jurisdiction as it existed on the banks of the Red river before the creation of the province of Manitoba.
2. A statement of the amounts paid by the said council of Assiniboia for the maintenance of schools, showing the persons to whom such payments were made, the schools for which such amounts were paid and the religious denominations to which such schools belong.
3. A statement of the amounts paid by the Hudson's Bay Company, or by its agents, to the schools then existing in the territories forming to-day the province of Manitoba.
4. A copy of all memoranda and instructions serving as a basis for the negotiations as a result of which Manitoba became one of the provinces of the confederation; together with a copy of the minutes of the deliberations of the persons charged, on both parts, to settle the conditions of the creation of the province of Manitoba and of its entrance into confederation; and also a copy of all memoranda, returns and orders in council establishing such conditions of entrance, or serving as a basis for the preparation of "The Manitoba Act."
5. A copy of the despatches and instructions from the imperial government to the government of Canada on the subject of the entrance of the province of Manitoba into the confederation, comprising therein the recommendations of the imperial government concerning the rights and privileges of the population of the Territories, and the guarantees of protection to be accorded to the acquired rights to the property, to the customs and to the institutions of that population by the government of Canada, in the settlement of the difficulties which marked that period of the history of the Canadian west.

6. A copy of the acts passed by the legislature of Manitoba, relating to education in that province, and especially of the first act passed on this subject after the entrance of the said province of Manitoba into the confederation, and of the laws existing upon the same subject in the said province immediately before the passing of the acts of 1890, relating to the public schools and relating to the department of education.
7. A copy of all regulations with respect to schools passed by the government of Manitoba or by the advisory board, in virtue of the laws passed in 1890 by the legislature of Manitoba, relating to public schools and the department of education.
8. A copy of all correspondence, petitions, memoranda, resolutions, briefs, factums, judgments (as well of first instance as in all stages of appeal), relating to the school laws of the said province of Manitoba, since the 1st June, 1890, or to the claims of catholics on this subject; and also a copy of all reports to the privy council and of all orders in council relating to the same subject since the same date.

JOHN COSTIGAN,

Secretary of State.

EXTRACTS FROM MINUTES OF THE COUNCIL OF ASSINIBOIA.

MINUTES of a meeting of the Governor of Rupert's Land and the Governor and Council of Assiniboia, held at the Court House, on Wednesday the 16th day of October, 1850.

Present :

Eden Colville, Esq., Governor of Rupert's Land, President.
 Major Caldwell, Governor of Assiniboia.
 Adam Thom, Esq., Councillor of Assiniboia.
 Right Reverend the Lord Bishop of Rupert's Land, Assiniboia.
 " " " " North-west "
 The Reverend Wm. Cochran, Assiniboia.
 " J. Smithurst "
 " La. Laféche "
 Alexander Ross, Esq., Assiniboia.
 Dr. Bunn, Assiniboia.
 Andrew McDermot, Esq., Assiniboia.
 Adam Thom, Esq., motion for taking into consideration the propriety of granting public money for education.

Schools in the North-west.

COUNCIL CHAMBER, Thursday the 1st May, 1851.

Mr. Cochran moved and M. Laféche seconded this resolution :

To weaken the mischievous and destructive energy of those violent and untamed qualities of human nature, which so frequently manifest themselves in society, in a half civilized state, and to strengthen the feelings of honourable independence, to encourage habits of industry, sobriety and economy, it is moved—That £100 be granted from the public fund to be divided equally between the bishop of Ruperts' Land and the bishop of North-west to be applied by them at their discretion for the purposes of education.

Carried unanimously.

* * * * *

W. B. CALDWELL, Gov. of Assiniboia.
DAVID, Rupert's Land,
† J. N., BISHOP of North-west,
JOHN BUNN,
LOUIS LAFLÉCHE, P.M.,
CUTHBERT GRANT,
J. BLACK.

COUNCIL CHAMBER, 27th November, 1851.

* * * * *

In conclusion, we subjoin our draft of the revised code of municipal regulations, the whole, of course, respectfully submitted.

* * * * *

CUSTOMS DUTIES.

23. Everything which may enter the settlement which, after entering the country, to the address of any settler, may be diverted from its proper destination, shall pay 4 per cent on the prime cost, excepting:

* * * * *

V. Books, maps, plates, prints, philosophical apparatus, &c.

* * * * *

A petition was read from the trustees of the presbyterian church of Frog Plain, for a grant for education. Referred to next meeting.

To the Governor and Council of Assiniboia.

The petition of the trustees of the presbyterian church of Frog Plain humbly sheweth :

That a school has existed, for two years, on the glebe of the said church; that said school, as not being under the patronage of the bishop of Rupert's Land, does not appear to have been contemplated in the grant of fifty pounds which you gave to his lordship in April last for the purposes of education; that during the latter part of the interval, the said school has been placed under the auspices of a duly ordained minister; that in reliance on his active and enlightendened superintendence, your petitioners and those whom they represent, hope to see the said school raised, in some measure, to the level of the parochial schools of Scotland.

That, as the improvement of education seems to be more requisite, at least among the protestants of the settlement, than its mere extension; your petitioners pray, that their minister may receive from the public fund a sum proportioned to the fifty pounds, as aforesaid granted to the church of England, without prejudice, however, to the recognized equality in the premises between the protestants as a whole and the Roman catholics.

And your petitioners shall ever pray.

Red River Settlement, 26th }
November, 1851. }

A. ROSS, JOHN FRASER, and the other
trustees of the presbyterian community.

Dr. Bunn moved, and M. Laflèche seconded this resolution:

That fifteen pounds be granted to the Rev. John Black, of Frog Plain, for the purposes of education in accordance with the petition of the committee of his congregation.

Carried unanimously.

M. Laflèche gave notice, that, at next meeting, he will move for an additional grant to the bishop of St. Boniface of fifteen pounds for education in consideration of the additional fifteen pounds now granted for the education of the English population.

W. B. CALDWELL.

* * * * *

COUNCIL CHAMBER, 9th December, 1852.

M. Laflèche moved, and Dr. Bunn seconded,

That fifteen pounds be granted to the bishop of St. Boniface for the purposes of education.

For.

BISHOP OF ST. BONIFACE,
MR. LAFLÉCHE,
MR. GRANT,
DR. BUNN.

Carried.

Against.

BISHOP OF RUPERT'S LAND,
MR. BIRD,
MR. COCHRAN.

EXTRACTS FROM REPORT OF THE SUPERINTENDENT OF EDUCATION
FOR THE PROTESTANT SCHOOLS OF MANITOBA, FOR THE YEAR
ENDING 31st JANUARY, 1886.

EDUCATION OFFICES,

WINNIPEG, 31st APRIL, 1886.

TO THE HONOURABLE D. H. WILSON, M.P.P.,

PROVINCIAL SECRETARY.

SIR,—I have the honour to transmit herewith my report for the year ending 31st January, 1886, of the protestant schools of the province, for the information of his honour the lieutenant-governor.

I have the honour to be, sir,
Your obedient servant,

J. B. SOMERSET,
Superintendent of Education.

* * * * *

To the intending emigrant from these countries, if our province is able to offer facilities for the efficient education of his children as soon as he arrives, it affords relief from one of his principal sources of anxiety and reconciles him to the temporary deprivation of many other social and material conveniences while establishing a home in a new country.

The history of the educational system of this province, since its establishment in 1871 to the present, affords very satisfactory evidence of the fulfilment of those conditions of usefulness and adaptability to the wants of the people, and justifies us in regarding its operations in the past with satisfaction, and warrants our confident expectation of its future success in maintaining the high standard of intelligence that is acknowledged at present to exist among all classes of our population.

* * * * *

Schools in the North-west.

By the provisions of the Manitoba School Act, the educational interests of the province are placed under the direction and control of the board of education, a body appointed by the lieutenant-governor in council, and consisting of two sections, the protestant, composed of twelve, and the catholic, of nine members. Each section has exclusive control of the schools of its own denomination, the number under the direction of the protestant section of the board, at the close of the school year now reported, being, 426 and the number under the direction of the catholic section 53.

It is gratifying to all lovers of good citizenship as well as of educational progress to note that, from the organization of this system of management in 1871, at which period the protestant schools numbered 16 and the catholic 17, to the present there has been an almost entire absence of the friction and disagreement that have marked the progress of education in some of the sister provinces.

NORMAL SCHOOL ACT.

An Act to establish Normal School Departments in connection with Public Schools, assented to 30th May, 1882.

The Legislative Assembly of Manitoba enacts as follows:

1. The protestant and catholic section of the board of education are hereby respectively empowered:

(a.) To establish in connection with the protestant public schools of the city of Winnipeg and with the Roman catholic public schools of St. Boniface, normal school departments, with the view to the instruction and training of teachers of public schools in the science of education and the art of teaching.

(b.) To make, from time to time, rules and regulations necessary for the management and government of the said departments.

(c.) To arrange with the trustees of such public schools all things which may be expedient to promote the objects and interests of the said normal school departments.

(d.) To prescribe the terms and conditions on which students and pupils will be respectively received and instructed in the said departments.

(e.) To determine the number and compensation of teachers, and of all others who may be employed in said departments.

(f.) To apply out of the amount apportioned to each section respectively from the grant annually voted by the legislative assembly, a sum not to exceed three thousand dollars for the maintenance of the said normal school departments.

THE COURSE OF STUDY PURSUED IN THE PROTESTANT SCHOOLS.

RELIGIOUS TEACHING.

The development of the moral nature is a primary requisite in any system of education. The board, recognizing this principle, has provided for the most careful inquiry into the character of its teachers and for such systematic religious instruction in its schools as may be given with the object of teaching the principles of Christian truth contained in the bible, and accepted by all the protestant denominations.

The necessity for greater attention to this training in the public schools is forcibly stated in an article in the April number of the *Century Magazine* by Washington Gladden, in a plea for the introduction of Christian teaching into the schools of the United States, from which the following is an extract:—

“This, then, is the first admonition that an intelligent Christianity must leave with those who direct the policy of our schools. You have been building on a foundation too narrow; you must enlarge your basis; you must learn that character is the principal thing, and that character is the result of a harmonious development of all the powers—of the eye and the hand and the practical judgment and the will, as well as of the memory and the logical faculty; and you must not forget that industrial training affords a discipline almost indispensable to the right development of character.

“But if the Christianity, whose chief concern is righteousness, has a right to reprove our state educators for having omitted to furnish this indirect but most

effective method of moral discipline, much more has it the right to rebuke them for their gross neglect to provide direct and systematic methods of moral education. The failure to awaken and develop the moral nature of the pupils in our schools is notorious and disastrous. Moral training has become altogether secondary; the attempt to secure it is but feebly and uncertainly made.

"The neglect to provide this kind of teaching is sheer fatuity; every citizen who is a Christian, and who believes that righteousness is the principal thing, is bound to cry out against it, and to demand unceasingly that this great defect in our systems of popular education be remedied without delay.

"The systematic and intelligent teaching of morals in the public schools would undoubtedly accomplish much good. Nevertheless the fact must not be overlooked that of this kind, to be most effective, must be vitalized by a genuine religious faith. Religion is the inspiration of all highest morality. And while (dogmatic) religion cannot be taught in the public schools, those teachers who possess this faith may, without any dogmatic instruction, impart it to their pupils. 'It is for the teachers,' says Mr. W. T. Harris, 'not to claim to introduce formal religious ceremonies, but to make all their teaching glow with a genuine faith, hope and charity, so that pupils will catch from them their view of the world as the only view that satisfies the heart and the intellect and the will.'"

BILL OF RIGHTS.

Exhibit "N."

A true copy.

DANIEL CAREY,

Clerk of the Crown and Peace.

(Translation.)

(1.)

That the territories heretofore known as Rupert's Land and the North-west will not enter the confederation of the dominion of Canada otherwise than in the form of a province, and known as the province of Assiniboia, and in the enjoyment of all rights and privileges common to the several provinces of the Dominion.

(2.)

That until the time when the increase of the population of this country shall have entitled us to more, we shall have two representatives in the senate and four in the commons of Canada.

(3.)

That, on entering into confederation, the province of Assiniboia shall be completely exempt from the public debt of Canada, and that should the province be called upon to assume any part of that debt of Canada, it shall not be until after having received from Canada the precise sum for which it is sought to render the province responsible.

(4.)

That the annual sum of eighty thousand dollars be allowed by the dominion of Canada to the legislature of the province of the North-west.

(5.)

That all properties, all rights and privileges possessed, be respected, and the establishing and settlement of the customs, usages and privileges be left to the sole decision of the local legislature.

(6.)

That this country be not subjected to any direct tax except such as may be imposed by the local legislature for municipal or local purposes.

Schools in the North-west.

(7.)

That the schools shall be separate, and that the moneys for schools shall be divided between the several denominations *pro rata* of their respective populations.

(8.)

That in this country, except Indians, who are neither civilized nor settled, every man having attained the age of twenty-one years and every British subject not a native of this province, but having resided three years in this country, shall be entitled to vote at elections of members of the local legislature and of the parliament of Canada, and that any foreign subject other than a British subject, having resided for the time aforesaid, and holding the property of a house, shall have the same right to vote, provided he takes the oath of allegiance.

It is understood that this article is only subject to amendment by the local legislature exclusively.

(10.)

That the agreement of the Hudson's Bay Company respecting the transfer of the government of this country to the dominion of Canada shall be considered as null, inasmuch as it is contrary to the rights of the people of Assiniboia and may affect our future relations with Canada.

(11.)

That the local legislature of this province shall have full control over all the lands of the province and shall have the right to cancel all arrangements made or commenced with reference to the public lands of Rupert's Land and the North-west, now called the province of Assiniboia (Manitoba).

(12.)

That a commission of surveyors be appointed by Canada to explore the lands of the North-west, and to submit to the legislature within a period of five years a report on the mineral wealth of the country.

(13.)

That treaties be concluded between Canada and the several Indian tribes of the country, on the requisition and with the concurrence of the local legislature.

(14.)

That continuous communication by steam be guaranteed from lake Superior to Fort Garry, to be completed within the period of five years.

(15.)

That all buildings and public edifices shall be a charge on the Canadian treasury, as well as all bridges, roads and other public works.

(16.)

That the French and English languages shall be common in the legislature and the courts, and that all public documents, as well as the acts of the legislature, shall be published in the two languages.

(17.)

(Reasons in English.)

That the lieutenant-governor to be appointed for the North-west shall be master of both languages—French and English.

(18.)

That the judge of the supreme court shall speak French and English.

(19.)

That the debts contracted by the provisional government of the North-west be paid by the Dominion treasury, in view of the fact that the said debts were con-

tracted solely in consequence of the illegal and inconsiderate steps taken by the Canadian agents to create civil war in our midst. Moreover, that no member of the provisional government, nor any of those who acted under its orders, shall be held to account in relation to the movement which lead to these present negotiations.

(20.)

That in view of the exceptional position of Assiniboia, the duties on merchandise, except liquor, imported into the province, shall remain the same as at present, until the expiration of three years from our entering confederation and so long thereafter as means of communication by railway shall not have been completed between St. Paul and Winnipeg and lake Superior.

PROGRAMME OF STUDIES FOR THE PROTESTANT PUBLIC SCHOOLS OF MANITOBA.

REVISED, MAY, 1889.

This programme is authorized by the protestant section of the board of education for use in schools in which fewer than five teachers are employed. The course of study is not intended as a fixed standard which all schools and classes are forced to follow. Classes are not of uniform capacity, neither are all teachers equally skilled. But it is prescribed for use by teachers as a uniform basis in classifying and making promotions in their schools, and it is to be followed with such modifications as circumstances may require—all such modifications, however, to be made only with the advice and consent of the inspector.

Any school in which an intermediate department has been established, and any school at which there are pupils able to advance beyond standard IV of this programme, shall be guided in its further classification by the programme of studies for fully graded schools.

It shall be the duty of every teacher to make out a time table for his school, and post it up with a copy of this programme in the school-room. The time table shall be presented to the inspector at each visit for his approval and signature.

The work prescribed for each standard in this programme shall include systematic and thorough review of the work of previous standards.

STANDARD I.

READING.—Authorized first readers.

SPELLING.—Part I, copying words; part II, copying words; dictation, written and oral.

COMPOSITION.—New words in reading lessons used in original sentences—orally in part I, orally and in writing in part II; oral and written description of observed objects, animals, plants and pictures; narration of personal experiences; reproduction of stories; reproduction of the substance of the reading lessons.

ARITHMETIC.—Part I, Numbers 1 to 12, their combinations and separations; use and meaning of one-half, one-third, to one-twelfth; simple problems; the making and use of figures and arithmetical signs.

Part II.—Numbers 12 to 50; use and meaning of one-twelfth, to one-fiftieth; relation of halves, fourths, eighths; use and relation of inch, foot, yard; pint, quart, gallon, peck, bushel; day, week; month, year; simple problems.

WRITING.—On slates.

GEOGRAPHY.—Observed phenomena—clouds, rain, etc.; prominent natural features in the neighbourhood; cardinal and semi-cardinal points of the compass; distance.

STANDARD II.

READING.—Authorized second readers.

SPELLING.—From the reading lessons.

Schools in the North-west.

COMPOSITION.—Oral and written description of observed objects, plants, animals and pictures; narration of personal experience; reproduction of the substance of the reading lessons and of short stories; simple letter writing.

ARITHMETIC.—Numbers 50 to 100, as in part II; notation and numeration to 1,000; addition subtraction, multiplication and division to 1,000; relation of thirds, sixths, twelfths, thirds and ninths; use and relation of ounce, pound, bushel; square inch, square foot, square yard; Roman notation to C; problems.

WRITING.—Authorized copy books, numbers 1 and 2.

GEOGRAPHY.—Natural phenomena; geography of the neighbourhood; the earth as a whole.

STANDARD III.

READING.—Authorized third readers.

SPELLING.—From the reading lessons; from the practical speller—part I, lessons 1 to 50, part III, lessons 1 to 12.

COMPOSITION.—Oral and written description of common plants, domestic animals, acts, pictures; letter writing; reproduction of the substance of the reading lessons and historical tales; accounts and receipts.

GRAMMAR.—The simple sentence; kinds of sentences—declarative, etc.; subject and predicate.

ARITHMETIC.—Notation and numeration; simple rules completed; two-step questions in reasoning; vulgar fractions, oral and written to 1-1000; reduction; bills.

WRITING.—Authorized copy-book, number 3.

GEOGRAPHY.—North America, Manitoba; atmospheric phenomena.

HISTORY.—Historical tales; the municipal system; the government of the province.

STANDARD IV.

READING.—Authorized fourth readers and the literature prescribed for third-class teachers' certificates.

SPELLING.—From the reading lessons; the practical speller.

COMPOSITION.—Oral and written description of plants, animals, acts, pictures; letter writing; reproduction of the substance of the reading and history lessons; cheques, notes, drafts.

GRAMMAR.—Function and definition of parts of speech, phrases, clauses; analysis and synthesis of complex and compound sentences; simple parsing.

ARITHMETIC.—Vulgar and decimal fractions, completed; applications of square and cubic measures; percentage, simple interest; two and three-step questions in reasoning.

BOOK-KEEPING.—Single entry.

WRITING.—Authorized copy book, number 6, etc.

GEOGRAPHY.—Canada, United States, Europe, British Empire.

HISTORY.—Outline of British history, Brunswick period in detail; outline of Canadian history.

FOR THE WHOLE SCHOOL :

HYGIENE.—Lessons on cleanliness, proper clothing, pure air, good water, exercise, rest, avoidance of draughts, wholesome food, temperate habits—with special reference to use of alcohol and tobacco, bathing, accidents, poisons, disinfectants, digestion, circulation, respiration.

Practical effect should be given to the instruction in this subject by attention to the physical condition and habits of the children, the ventilation, lighting, heating and cleaning of the school-room and the supervision and direction of the sports and exercises of the pupils, by the teacher.

MORALS.—(a) Duties to self;—self-culture, self-respect, self-control; purity in thought, word and deed; industry, economy; truthfulness, courage, etc. (b) Duties to others;—Courtesy, including all forms of politeness in school-room, home, society,

public meeting, school ground, street; respect for parents, teachers, benefactors and those in authority. (c) Duties to the state;—Civil duties, including respect for law as the means by which the innocent are protected and the guilty punished; tax paying, patriotism, support of government, etc.; political duties—voting, public office a sacred trust. (d) Duties to animals;—As beasts of burden, as food, as sport.

To establish the habit of right-doing, instruction in moral principles must be accompanied by training in moral practices. The teacher's influence and example, current incidents, stories, memory gems, sentiments in the school lessons, examination of motives that prompt to action, didactic talks, daily reading of scripture selections with prayer, learning of the ten commandments, etc., are means to be employed.

PROGRAMME OF STUDIES FOR THE PUBLIC SCHOOLS OF MANITOBA.

ADOPTED SEPTEMBER 1ST, 1891.

This programme is authorized by the advisory board for use in rural schools and intermediate departments in which fewer than five teachers are employed. The course of study is not intended as a fixed standard which all schools and classes are forced to follow. It is prescribed for use by teachers as a guide in classifying and making promotions in their schools, and it is to be followed with such modifications as circumstances may require—all such modifications, however, to be made only with the advice and consent of the inspector.

It shall be the duty of every teacher to make out a time table for his school, and to post it up with copy of this programme in the school-room. The time table shall be presented to the inspector at each visit for his approval and signature.

The work prescribed for each standard in this programme shall include systematic and thorough review of the work of previous standards.

STANDARD I.

READING.—Authorized first reader.

SPELLING.—Part I, copying words; part II, copying words; dictation, written and oral.

COMPOSITION.—New words in reading lessons used in original sentences—orally in part I; orally and in writing in part II; oral and written description of observed objects, animals, plants and pictures; narration of personal experiences; reproduction of stories; reproduction of the substance of the reading lessons.

ARITHMETIC.—Part I.—Numbers 1 to 12—their combinations and separations; use and meaning of one-half, one-third, to one-twelfth; simple problems; the making and use of figures and arithmetical signs.

Part II.—12 to 50; use and meaning of one-twelfth, to one-fiftieth; relation of halves, fourths, eighths; use and relation of inch, foot, yard; pint, quart, gallon, peck, bushel; day, week, month, year; simple problems.

WRITING.—On slates.

GEOGRAPHY.—Observed phenomena—clouds, rain, etc.; prominent natural features in the neighbourhood; cardinal and semi-cardinal points of the compass; distance.

STANDARD II.

READING.—Authorized second reader.

SPELLING.—From the reading lessons.

COMPOSITION.—Oral and written description of observed objects, plants, animals and pictures; narration of personal experience; reproduction of the substance of the reading lessons and of short stories; simple letter writing.

ARITHMETIC.—Numbers 50 to 100, as in part II; notation and numeration to 10,000; addition, subtraction, multiplication and division to 1000; relation of thirds, sixths, twelfths, thirds and ninths; use and relation of ounce, pound, bushel; square inch, square foot, square yard; Roman notation to C; problems.

Schools in the North-west.

WRITING.—Authorized copy books, and practice book.

GEOGRAPHY.—Natural phenomena; geography of the neighborhood; the earth as a whole.

STANDARD III.

READING.—Authorized third reader.

SPELLING.—From the reading lessons.

COMPOSITION.—Oral and written description of common plants, domestic animals, acts, pictures; letter writing; reproduction of the substance of the reading lessons and historical tales; accounts and receipts.

ARITHMETIC.—Notation and numeration; simple rules completed; two and three-step questions in reasoning; vulgar fractions oral and written to 1-1000; reduction; bills.

WRITING.—Authorized copy book and practice book.

GEOGRAPHY.—North America, Canada in outline, Manitoba; atmospheric phenomena.

HISTORY.—Historical tales; the municipal system; the government of the province.

STANDARD IV.

READING.—Authorized fourth reader and the literature prescribed for third-class teachers.

SPELLING.—From the reading lessons.

COMPOSITION.—Oral and written description of plants, animals, acts, pictures; letter writing; reproduction of the substance of the reading and history lessons; cheques; business correspondence.

GRAMMAR.—Tweed's Grammar for Common Schools parts I to V inclusive.

ARITHMETIC.—Vulgar and decimal fractions, completed; applications of square and cubic measures; percentage, simple interest.

WRITING.—Authorized copy book and practice book.

BOOK-KEEPING.—Single entry.

GEOGRAPHY.—Canada in detail, United States, Europe, British Empire.

HISTORY.—Outline of British history, Brunswick period in detail; outline of Canadian history.

FOR THE WHOLE SCHOOL:

HYGIENE.—Lessons on cleanliness, proper clothing, pure air, good water, exercise, rest, avoidance of draughts, wholesome food, temperate habits—with special reference to use of alcohol and tobacco, bathing, accidents, poisons, disinfectants, digestion, circulation, respiration.

Practical effect should be given to the instruction in this subject by attention to the physical condition and habits of the children, the ventilation, lighting, heating and cleaning of the school-room, and the supervision and direction of the sports and exercises of the pupils, by the teacher.

TEXT BOOK.—Child's Health Primer (Pathfinder No. 1).

MORALS.—(a) Duties to self:—Self-culture, self-respect, self-control; purity in thought, word and deed; industry, economy; truthfulness, courage, etc.

(b) Duties to others:—Courtesy, including all forms of politeness in school-room, home, society, public meetings, school ground, street; respect for parents, teachers, benefactors and those in authority.

(c) Duties to the state:—Civil duties, including respect for law as the means by which the innocent are protected and the guilty punished; tax paying, patriotism, support of government, etc.; political duties—voting, public office a sacred trust.

(d) Duties to animals:—As beasts of burden, as food, as sport.

To establish the habit of right doing, instruction in moral principles must be accompanied by training in moral practices. The teacher's influence and example, current incidents, stories, memory gems, sentiments in the school lessons, examination of motives that prompt to action, didactic talks, teaching the ten commandments, etc., are means to be employed.

STANDARD V AND INTERMEDIATE DEPARTMENT.

The programme for the fifth standard and the intermediate department embrace the following subjects: Reading and orthoepy, spelling, English grammar, composition and prose, literature, poetical literature, history, geography, arithmetic, algebra, physics, physiology, book-keeping and writing.

PROGRAMME OF STUDIES AUTHORIZED FOR PUBLIC SCHOOLS IN CITIES AND TOWNS BY THE ADVISORY BOARD.

1ST SEPTEMBER, 1892.

GRADE I.

READING.—First reader, part I. Authorized supplementary reading.

COMPOSITION.—Ready and correct use of simple sentences in familiar conversation suggested by objects, pictures, etc.

WRITING.—On slates.

ARITHMETIC.—Numbers 1 to 10; their combinations and separations, oral and written; the signs +, —, ×, ÷. Count to ten by ones, twos, threes, etc. Use and meaning of one-half, one-third, one-tenth. Making and showing one-half, one-fourth, one-eighth, one-third, one-sixth, one-ninth, one-fifth, one-tenth, one-seventh (no figures.) Simple problems—oral.

OBSERVATION LESSONS.—*Colour*:—Train to distinguish common colours. *Form*:—Sphere, cylinder, cube, triangular prism; circle, square, oblong, triangle; surfaces, lines, angles. Position and place, distance, size, duration, etc. *Qualities*:—Prominent qualities of objects. Simple study of familiar plants.

SPELLING.—Copying words.

MUSIC.—Singing of rote-songs; drill on the scale and intervals as found in exercises, 1, 2, 3, 4, on second page, first series of charts, normal music course. (The four exercises are also printed on four cards, one on each card.)

GRADE II.

READING.—First reader, part II. Authorized supplementary reading. Phonic analysis. Exercises in articulation and pronunciation. Reading at sight from books used in grade I. Reading stories and poetical selections from blackboard. Appropriate selections of poetry memorized and recited.

COMPOSITION.—The substance of the reading lesson, and of short stories told or read to pupils, to be reproduced by them orally. Oral expression in complete sentences of simple thoughts suggested by pictures, observation lessons, etc.

WRITING.—On slates.

ARITHMETIC.—Numbers 10 to 25, their combinations and separations, oral and written. Count to 25 by ones, twos, threes, etc. Use and meaning of one-half, one-third, one-fourth, etc., to one-twenty-fifth (no figures.) Relation of halves, fourths, eighths, thirds, sixths, twelfths, thirds, ninths (no figures.) Simple problems introducing gallons in peck, pecks in bushel, months in year, inches in foot, pound, current coins up to 25c. Addition in columns, no total to exceed 25.

OBSERVATION LESSONS.—*Colour*:—Hues, tints, shades of colour (as scarlet, crimson, pink, red) distinguished and arranged. *Form*:—Cone and pyramid, ellipse and oval; kinds of lines and angles; circumference, centre, diameter, radius. *Qualities*:—Prominent qualities of objects (continued) as elasticity, porosity, fragrance, etc. Simple study of familiar plants and animals.

SPELLING.—From readers—such words from each lesson as pupils can learn while mastering reading matter.

MUSIC.—Singing of rote-songs. Review. Drill in intervals. Easy exercises from the chart in each of the nine keys.

Schools in the North-west.

GRADE III.

READING.—Second reader. Authorized supplementary reading. Phonic analysis. Exercises in articulation and pronunciation. Appropriate selections of poetry memorized and recited.

COMPOSITION.—Brief oral expression in complete sentences of thoughts suggested by pictures, observation lessons, etc. Narrative of occurrences within pupil's experience. Written exercises on the foregoing after oral work has been carefully done. Oral and written reproduction of the substance of the reading lesson. Use of terminal marks.

WRITING.—Copy book 3. Careful attention to penmanship in all written exercises.

ARITHMETIC.—Numbers 25 to 100—Their combinations and separations, oral and written. Count to 100 by ones, twos, threes, etc., to tens. Use and meaning of one twenty-sixth, one twenty-seventh, etc., to one one-hundredth (no figures.) Addition, subtraction, division and partition of fractions of grade II. Roman numerals I to C. Simple problems introducing seconds in minute, minutes in hour, hours in day; pounds in bushel; sheets in quire, quires in ream.

OBSERVATION LESSONS.—*Colour*:—Prismatic colours; harmony and contrast of colours. *Form*:—Quadrilaterals and triangles; previous work reviewed. *Qualities*:—Transparency, opacity, etc.; solid, liquid, gas. Simple study of familiar plants and animals—(continued.)

SPELLING.—From reader—words to be arranged, so far as possible, in groups according to similarity in form and sound. Careful attention to spelling of all work used as written exercises.

MUSIC.—Complete work found in the first series of charts, and sing easy exercises in all keys from part I, first reader—normal music course.

GEOGRAPHY.—Development of geographical notions by reference to geographical features of neighbourhood. Elementary lessons on direction, distance, extent.

GRADE IV.

READING.—Third reader. Authorized supplementary reading. Continuation of exercises of previous grades. Exercises to secure projection of tone. Memorizing of poetical selections.

COMPOSITION.—Oral and written exercises in the use of language as an expression of thought. Arrangement of sentences in paragraphs. Special attention to be given to correct forms of speech. *Materials*—Observation lessons, reading lessons, pictures, historical tales; stories for reproduction; letter writing; "action lessons."

WRITING.—Copy book 4. Careful attention to penmanship in all written exercises.

ARITHMETIC.—Numeration and notation to 10,000. Simple rules to 10,000. Addition, subtraction, division and partition of fractions already known (figures.) Introduce terms numerator, denominator, etc. Roman notation to 2,000. Graded problems introducing remaining reduction tables. Daily practice in simple rules to secure accuracy and rapidity.

SPELLING.—From reading matter. Exercise as in grade III.

MUSIC.—Complete the work found in part I, first reader, and read all music in parts II and III, first reader.

GEOGRAPHY.—(a.) Review of work of grade III. Lessons to lead to simple conception of the earth as a great ball with surface of land and water, surrounded by the air, lighted by the sun, and with two motions. (b.) Lessons on natural features, first from observation, afterwards by aid of moulding board, pictures and blackboard illustrations. (c.) Preparation for and introduction of maps. (Review of lessons in position, distance, direction, with representations drawn to scale.) Study of map of vicinity drawn on blackboard. Maps of natural features drawn from moulded forms. Practice in reading conventional map symbols on outline maps. (d.) General study from globe and maps. The hemisphere, continents, oceans and large islands, their relative positions and size. The continents, position, climate, form, outline, surround-

dings, principal mountains, rivers, lakes, the most important countries, productions, people, interesting facts and associations.

ELEMENTARY SCIENCE.—*Plants*:—Growth of seedlings observed and compared (beans, peas, corn, maple, morning-glory, etc.); fruit, seeds, roots observed and compared. *Nature*:—The air, winds, directions, effects; moisture, rain, snow, fog, dew, frost, etc. *Animals*:—Simple study of common animals.

GRADE V.

READING.—Fourth reader. Authorized supplementary reading. Continuation of exercises of previous grades in pronunciation, etc. Memorizing of poetical selections.

COMPOSITION.—Oral and written exercises. The work of grade IV continued. Special attention to be given to correct forms of speech. Letter writing. Oral and written reproduction in orderly arrangement of the thoughts of substance of lessons in reading and geography, and on plants and animals.

WRITING.—Copy book 5. Exercises. Careful attention to penmanship in all written exercises.

ARITHMETIC.—Notation and numeration completed. Formal reduction. Vulgar fractions to thirtieths. Denominate fractions. Daily practice to secure accuracy and rapidity in simple rules. Graded problems. Reading and writing decimals to thousandths, inclusive.

SPELLING.—From reading matter. Exercises as in grades III and IV.

MUSIC.—Review the most difficult songs and exercises in part II, first reader, giving special attention to two-part songs and exercises, so that each pupil may be able to sing either a soprano or an alto part. Begin work laid down in the second series of charts, and second reader, part II.

GEOGRAPHY.—Simple study of the important countries in each continent. Manitoba and Canada to be studied first. The position of the country in the continent; its natural features, climate, productions; its people, their occupations, manners, customs, noted localities, cities, etc. Moulding boards and map-drawing to be aids in the study.

PHYSIOLOGY.—Child's Health Primer (Pathfinder no. 1.)

ELEMENTARY SCIENCE.—*Plants*:—Wrapping and unfolding of buds observed and compared; growth from buds, branches, bulbs and slips; simple study of a few common flowers, violet, anemone, dandelion, etc. *Nature*:—Sun, moon and stars, their rising and setting; draining of vicinity; soils. *Animals*:—Continuation of simple study of common animals.

GRADE VI.

READING.—Evangeline. Riverside literature series no. 1. (Houghton, Mifflin & Co.) Biographical Stories, Hawthorne. Riverside literature series no. 10. (Houghton, Mifflin & Co.) Sharp Eyes and other papers. Riverside literature series no. 36. (Houghton, Mifflin & Co.)

COMPOSITION.—Oral and written exercises in the use of language as an expression of thought. Special attention to be given to correct forms of speech. *Materials*—reading, geography and history lessons. Oral and written expression of results of simple experiments in elementary science performed by pupils, or by the teacher in their presence. Care to be taken to secure orderly arrangement of thought.

WRITING.—Copy book 6. Exercises. Careful attention to penmanship in all written exercises.

ARITHMETIC.—Factors, measures and multiples. Vulgar fractions completed. Easy application of decimals to ten thousandths. Easy application of square and cubic measures. Daily practice to secure accuracy and rapidity in simple rules. Easy application of percentage. Graded problems.

SPELLING.—As in previous grades. Principles of English spelling.

MUSIC.—Complete the work found in second series of charts and part II of second reader.

GEOGRAPHY.—The earth as a globe. Simple illustrations and statements with reference to form, size; meridians, and parallels, with their use; motions and their

Schools in the North-west.

effects, as day and night, seasons; zones with their characteristics as winds, and ocean currents; climate as affecting the life of man. (b) Physical features and conditions of North America, South America and Europe, studied and compared. Position on the globe, position relative to other grand divisions, size, form, surface, drainage, animal and vegetable life, resources, etc. Natural advantages of the cities. (c) Observation to accompany the study of geography—apparent movements of the sun, moon and stars, and varying time of their rising and setting; difference in heat of the sun's rays at different hours of the day; change in the direction of the sun's rays coming through a school-room window at the same hour during the year, varying length of noon-day shadows; changes of the weather, wind and seasons.

PHYSIOLOGY.—Physiology for Young People (new Pathfinder no. 2) chap. 1 to 9.

HISTORY.—(a) *English*:—Early Britain. How the English came. Struggle between English and Danes. Norman rule. Magna charta. England on the continent. (Henry V.) (b) *Canadian*:—French regime.

ELEMENTARY SCIENCE.—*Minerals*:—Simple lessons on gold, silver, copper, lead, zinc, tin, iron, sulphur, carbon, oxygen, hydrogen.

GRADE VII.

READING.—Story of Iliad.—Church. English classic series no. 59. Story of Æneid.—Church. English classic series no. 58. Birds and Bees. Riverside literature series no. 28. Christmas Carol (condensed) English classic series no. 32. The Children's Treasury of English Song. Part I. Palgrave. (McMillan & Co.)

COMPOSITION.—Oral and written exercises as in previous standards. Making of abstracts; expansion of narrative, sentences into paragraphs.

WRITING.—Careful attention to penmanship in all written exercises.

ARITHMETIC.—Decimals completed. Percentage without time. Easy problems in interest. Application of square and cubic measures. Problems.

SPELLING.—From reading matter. Incidental spelling. Careful attention to spelling of all words used in written exercises.

MUSIC.—Third reader, normal music course.

GEOGRAPHY.—Physical and political geography of the countries in Europe and North America. General review of the physical features of the grand divisions. Position of the countries in the grand divisions, surroundings, surface, climate, animal and vegetable life, resources, inhabitants—their occupations and social condition, important localities, cities and towns.

PHYSIOLOGY.—Physiology for Young People (new Pathfinder no. 2), chap. 10 to 17.

HISTORY.—(a) *English*:—Religious movements. (Henry VIII and Mary.) King and people. (Chas. I, commonwealth.) Development of industries and increase of power of industrial classes. (b) *Canadian*:—Military rule. Quebec Act. Constitutional Act. War of 1812. Responsible government.

ELEMENTARY SCIENCE.—*Minerals*:—Carbon and its oxides, iron, oxides, sulphides, chlorides, carbonates, silicates, sulphates.

GRADE VIII.

READING.—Cricket on the Hearth. English classic series no. 86. Lays of Ancient Rome. English classic series nos. 76, 77. Essays of Elia. English classic series no. 88. Lay of Last Minstrel, introduction and canto I. English classic series no. 8. Irving's Legend of Sleepy Hollow. English classic series no. 41. The Children's Treasury of English Song. Part II. Palgrave. (McMillan & Co.)

COMPOSITION.—Continuation of previous exercises. Direct instruction in choice of words, arrangement of words in sentences, structure of paragraphs, narration, description, common figures of speech.

GRAMMAR.—Tweed's grammar for common schools (Lee & Shephard.)

WRITING.—Careful attention to penmanship in all written exercises.

ARITHMETIC.—Percentage with time. Interest and discount. Ratio and proportion. Square root. Measurement of surfaces, triangles, parallelograms, circles.

ALGEBRA.—Simple rules, simple equations, problems, easy exercises in factoring.

EUCLID.—Book I with easy exercises.

SPELLING.—As in grade VII.

MUSIC.—Third reader.

GEOGRAPHY.—Physical and political geography: (a) of the countries in South America, Asia, Africa; (b) of Australasia and other islands of the Pacific. Topics as in grade VII.

HISTORY.—(a) *English*:—from James I to end; (b) *Canadian*:—Confederation to present time.

ELEMENTARY SCIENCE.—*Physics*:—Common facts learned from observation and experiment in regard to the following topics:—1. Matter, its properties and states. 2. Motion and force, laws of motion. 3. Gravitation, equilibrium, pendulum. 4. Lever, wheel and axle, pulley, inclined plane, wedge and screw. 5. Liquid pressure, specific gravity. 6. Electricity, frictional and current. Magnetism compass. 7. Sound, pitch of sounds, echoes, acoustic tubes. 8. Heat, diffusion, effects, thermometer. 9. Light, reflection, refraction, lenses, solar spectrum, colour.

FOR THE WHOLE SCHOOL:

MORALS.—(a) Duties to self:—Self-culture, self-respect, self-control; purity in thought, word and deed; industry, economy; truthfulness, courage, etc.

(b) Duties to others:—Courtesy, including all forms of politeness in school-room, home, society, public meetings, school ground, street; respect for parents, teachers, benefactors and those in authority.

(c) Duties to the state:—Civil duties, including respect for law as the means by which the innocent are protected and the guilty punished; tax paying, patriotism, support of government, etc.; political duties—voting, public office a sacred trust.

(d) Duties to animals:—As beasts of burden, as food, as sport.

To establish the habit of right doing, instruction in moral principles must be accompanied by training in moral practices. The teacher's influence and example, current incidents, stories, memory gems, sentiments in the school lesson, examination of motives that prompt to action, didactic talks, teaching the ten commandments, etc., are means to be employed.

TEXT BOOKS.

LIST OF TEXT BOOKS FOR THE USE OF PUBLIC SCHOOLS, STANDARDS I-IV.

Canadian readers, published by W. J. Gage & Co.: First primer, second primer, second book, third book, fourth book.

Supplementary Readers: The Ontario readers, parts I and II, Appleton's Primary Reader, the Ontario and Appleton's primary charts, Tweed's Grammar for Common Schools, Buckley's History of England, Jeffers' History of Canada (primer), the Public School Geography, Kirkland & Scott's Elementary Arithmetic, Child's Health Primer (Pathfinder no. 1), McLean's High School Book-keeping, Gage's copy books.

LIST OF TEXT BOOKS FOR THE USE OF PUBLIC SCHOOLS, STANDARD V AND INTER-MEDIATE DEPARTMENT.

Canadian readers published by W. J. Gage & Co., fifth book, Tweed's Grammar for Common Schools, Welsh's English Composition, Buckley's History of England, Jeffers' History of Canada (primer), the Public School Geography, Hamblin Smith's Arithmetic, C. Smith's Elementary Algebra, Gage's Introduction to Physical Science, Physiology for Young People (new Pathfinder no. 2), McLean's High School Book-keeping, Gage's copy books.

NOTE.—Any school using unauthorized text books shall forfeit its right to participate in the legislative grant.

RETURN

(40b)

To an ADDRESS of the HOUSE OF COMMONS, dated 30th March, 1894, for copies of all papers, petitions, letters, reports, minutes and orders in council respecting the school law of Prince Edward Island, intituled "The Public Schools Act, 1877."

JOHN COSTIGAN,

Secretary of State.

CHARLOTTETOWN, 17th April, 1877.

Sir ROBERT HODGSON, Lieutenant Governor of Prince Edward Island.

SIR,—I respectfully desire to address a memorial to your honour.

By an act of the legislature passed in the 31st year of the reign of her present majesty, chapter 6, provision was made for schools—for the French-speaking portion of the population by section 72 directing the amount of money to be paid to their teachers over and above the salaries to be paid to the teachers of other schools.

A bill, which has passed through two branches of the legislature during the present session, repeals the section before referred to and makes no provision in its place.

Whether intended or not, the direct effect of this will be seriously to injure, if not completely to close, the separate schools which for so many years have existed among the French.

If the legislature possessed a legal right to do this, I should deny, as I do now deny, its moral competence to do it, for a cruel act of injustice is not less cruel or less unjust because it is embodied in an act of the legislature.

But I desire to point out to your honour that the 93rd section of "The British North America Act, 1867," provides for a case exactly such as this, for, anticipating a possible wrong, the imperial act renders a local legislature powerless to give it effect. I am advised that the French schools, so essentially "separate," as they have been for years, which are now sought to be so summarily closed, come clearly within the letter as well as the spirit of that enactment.

I protest against this bill now awaiting your honour's assent because it "prejudicially" affects the "right or privilege" of the French population of this province.

I protest against it because a system virtually "separate" existed by "law at the union" of this island with the dominion of Canada, and because the "right or privilege" of the French-speaking portion "of the queen's subjects in relation to education" will thereby be seriously affected.

Against this bill I appeal to the governor general in council. To allow this act to go into operation at once, with all the cumbrous and expensive machinery necessary for the working of its provisions, will be to close the separate schools of the French population which I seek to save, and deprive them of the benefits of education which I am striving to secure for them, and this would be a grave and serious evil I desire to avert.

I do not ask your honour to disallow the bill, reasonable as I believe that request would be, but your honour has been given the power and the right of protecting

a minority from the injustice which may arise from hasty and injurious legislation. Rights, such as those enjoyed by the French-speaking minority of this province, are most carefully guarded by the British North America Act. Lest a statute of the local legislature might conflict with these rights, the reserving power has been intrusted to the lieutenant governor. The exercise of that power decides nothing, but merely gives an opportunity for further consideration of the reasons which may be urged by those whose rights are sought to be taken away. To assent to it, would be to give a decision indeed, and at once destroy rights long enjoyed by the separate schools of the French population.

I earnestly entreat your honour to withhold your assent from this bill and so stay its operation for, at least, a little while that I may have an opportunity of making the appeal against its legality which the constitution enables me to do.

In this memorial to your honour, I rest the prayer of my petition upon my strict legal right to appeal to the governor general in council, under the 93rd section of the British North America Act, but, in doing so, I do not desire to be understood as having stated the only objections which may be urged against this measure. These objections at other times and in other ways shall be duly commented on for the bill in question comes in sharp contact with the religious convictions of nearly half the people of this province. My people have a strong belief in the traditions of their fathers and a deep attachment to their ancient faith, and a measure which, in its inception and its object, is designed to destroy the one and uproot the other, can only be acquiesced in by them after every legitimate means has been exhausted to protect themselves against its operation. These are considerations, however, which I abstain from urging upon your honour now, all I ask is that your honour will exercise the prerogative given to you and not prevent a minority whose rights have been recognized by an imperial act—and which are very dear to them, from availing themselves of a safeguard given to them by that very act in the endeavour to save their rights from destruction.

I have the honour to be

Your honour's obedient servant,

PETER McINTYRE,

Bishop of Charlottetown.

GOVERNMENT HOUSE, 18th April, 1877.

His Lordship the Bishop of Charlottetown.

MY LORD,—I have the honour to acknowledge the receipt yesterday of your lordship's memorial of that date requesting me, for the reasons therein assigned, to withhold my assent to an act recently passed by both branches of the legislature in relation to the public schools of this province.

In reply I beg to inform your lordship that, as at present advised, I cannot accede to your request.

I shall not, however, fail to forward your lordship's memorial with the act when transmitted for the approval of his excellency the governor general, in whom is vested the power of giving effect to your lordship's objections thereto, if he deems them well founded.

I have, etc.,

R. HODGSON,

Lieutenant Governor.

PROVINCE OF PRINCE EDWARD ISLAND,

GOVERNMENT HOUSE, 15th May, 1877.

The Honourable the Secretary of State.

SIR,—I have the honour to transmit herewith a memorial from his lordship the Roman catholic bishop of Charlottetown to his excellency the governor general, on the subject of the Public Schools Act, recently passed by the legislature of this province, which the bishop has requested me to forward to his excellency.

Prince Edward Island School Law.

I transmit also, for the information of his excellency, the protest addressed to myself, referred to in the bishop's memorial to the governor general, requesting me to withhold my assent to the act in question, together with a copy of my reply thereto.

I received the bishop's protest late in the day, previous to the prorogation, and the leader of my government informs me that no representation was made by the bishop against the passing of the act during its progress through both houses of the legislature.

A limitation clause in the act prescribes the first day of July next as the period when it shall come into operation, and I am assured that it will be ready for transmission to Ottawa within a fortnight from this date.

I have, etc.,

R. HODGSON,

Lieutenant Governor.

CHARLOTTETOWN, PRINCE EDWARD ISLAND, 12th May, 1877.

The Right Honourable the Earl of Dufferin.

MY LORD,—During the session of the legislature of this province which has just closed, an act dealing with public education has been passed. Against this act I protested, because of its suppression of French Acadian schools, which, I deem, are protected under the 93rd section of the British North America Act. Sir Robert Hodgson, the lieutenant-governor, while refraining from the exercise of his power to reserve the bill for further consideration, assured me that my objections could be urged to, and would be considered by your excellency.

When I protested against the suppression of the French schools, I had not then seen the whole act, for it had not been printed. Since then, and within the last few days, I have procured a copy, and upon giving it an attentive perusal, I find to my great sorrow that the Roman catholics of this province are virtually marked out by exceptional legislation for heavy taxation, far over and above what must fall upon other religious denominations.

My lord, I cannot allow this to pass without an appeal to your excellency to stay the operation of a measure so harsh and so oppressive. The reasons why your excellency is confidently appealed to to protect the Roman catholics of this province against legislation directed against them, are embodied in memorials to your excellency. These are being rapidly signed throughout the province, and in a week or two I hope to lay them before your excellency. In the meantime, I venture to express the hope that your excellency will delay assenting to this measure until these objections be laid before you, expressing, as they do, the deep sense of the wrong attempted to be done to nearly one half of the population of this island.

I have the honour, my lord, to be your lordship's obedient servant,

PETER MCINTYRE,

Bishop of Charlottetown.

To His Excellency the Right Honourable

Sir FREDERICK TEMPLE, Earl of Dufferin, etc., etc., etc.

The memorial of the undersigned adult inhabitants of the province of Prince Edward Island humbly sheweth:—

That by an act passed on the 18th day of April last, called "The Public Schools Act, 1877," provision is made for a system of public education throughout this province.

That your memorialists believe that education should not and cannot be separated from instruction in the verities of the Christian faith, and, so believing, they have, throughout the province, at their own expense, built and maintained schools where secular teaching becomes education by being based upon religious instruction.

The act before alluded to not only ignores these schools, but attempts to legalize a principle so harsh and unjust, that your memorialists earnestly entreat your excellency to stay its operation.

Your memorialists assure your excellency that they cannot withdraw their children from the schools which, at so much expense to themselves, they have erected, for they are restrained from doing so by the strength of convictions which they cannot overcome. They will therefore be compelled to pay for secular schools in addition to those which they feel bound to support.

They believe this to be an act of injustice to them, but it is an act of injustice which a majority possessed the power of imposing upon a minority, and, therefore, while they protest against it, they must submit. But, in addition to this, the statute introduces a new and unheard of principle, for it in effect makes it a crime, punishable by fine and imprisonment, for your memorialists to send their children to their own schools, rather than to those established under its provisions.

Section 15 provides that unless the average attendance in a school district "shall be fifty per cent of the children of school age within the district" that a deduction shall be made from the salary of the teacher.

Section 16 provides that such deduction shall be made up by and levied as a rate upon those parents who, by not sending their children to the schools, have caused the number of scholars to fall below the average required by section 15.

The effect of these clauses will be this:—If your memorialists continue, as they will continue, to send their children to their own schools, and from such attendance the average of children attending the schools under this act should fall below fifty per cent, then, notwithstanding your memorialists have paid their taxes into the public treasury, and that their children are attending efficient schools built and maintained by themselves, notwithstanding this, they are to be fined because they will not withdraw their children from the religious teaching they prize so highly, to send them where all instruction in the Christian religion is, by law, carefully and rigorously excluded.

To ignore efficient schools because Christianity is taught in them, your memorialists believe to be a grievous wrong, but to direct special legislation against them, so as to blot them out of existence, is an act of injustice so oppressive that your memorialists most respectfully appeal to your excellency that, by exercising the power given you by the constitution, you may protect them against the operation of so unjust a law.

These schools are, as they were intended to be, an evidence of the ardent attachment of your memorialists to their ancient faith, and this statute enacts that they shall not send their children to them without the poor alternative of fine and imprisonment.

Against this law and its cruel and unjust enactment your memorialists appeal to your excellency. We entreat your excellency to disallow it—to leave it to its operation would be to give the sanction of her majesty's approbation to a legislative enactment directed against the Roman catholic faith, by endeavouring to suppress educational establishments which, at great expense and with no little exertion and sacrifice, they have erected and maintained for the education of their children.

And your memorialists, etc.,

PETER McINTYRE,
Bishop of Charlottetown.

(Alleged to bear 18,000 signatures.)

MEMORANDUM by the Bishop of Charlottetown and the Rev. Dr. O'Brien, to accompany the petitions inclosed by His Lordship Bishop McIntyre, of Charlottetown, to His Excellency the Governor General.

OTTAWA, 6th June, 1877.

The Anglo-Rustico schools (now sought to be suppressed by the "Public Schools Act, 1877") were not brought into existence by the 31st Vic., cap. 6 (3d. vol. Laws of Prince Edward Island, page 316). They were in existence before that time. The 103rd section of that statute enacts that they "shall be continued as now in operation."

Prince Edward Island School Law.

Section 104 gives power to the board of education to establish similiar schools to those established in the Anglo-Rustico district.

Besides the "two schools" referred to in section 103, there have been established the following under the provisions of the 104th section:—

Rustico, Queen's county, 3 (additional); Hope River, Queen's county, 3; Egmont Bay, Prince county, 5; Miscouche, Prince county, 2; Fifteen Point, Prince county, 4; Cascumpec, Prince county, 4; Tignish, Prince county, 8; making in all 31, including the two referred to in section 103.

In these schools the books were and have been similar to those used in the catholic schools in the province of Quebec.

In each and every of these schools it is, and ever has been, the custom and the legally recognized right, "in operation" in 1868, for the catholic priest, in whose parish they were situated, to attend each as frequently as he deemed necessary, or as often as his duties permitted him, to hear the children their catechism and to instruct them in the verities of the catholic faith. This has been the uniform custom and acknowledged right since the establishment of these schools to the present time.

This was the mode in which the Anglo-Rustico schools in township number 24 were "in operation" at the time of the passing of the 31st Vic., cap. 6.

This mode of "operation" was in force when Prince Edward Island entered the confederation. It is claimed that a right became vested in favour of all Anglo-Rustico schools then established, and under the 93rd section of the "British North America Act" was protected—protected to such an extent that the provincial legislature was unable to divest the French population of such rights.

It is observable that section 103 required the teachers of the Anglo-Rustico schools to comply with the provisions of this act relating to district teachers "but not teaching." This difference was made in order that the teaching might be under the direction of the parish priest, and that such books might be introduced as he might think advisable. As a fact, such books were introduced, and were before and at the time of and since confederation, the same as were used in the catholic schools of Quebec. It was a condition precedent that each teacher of the Anglo-Rustico schools should obtain a license from the board of education. This was always done, but they were exempt from the rules of teaching incumbent upon the teachers in English schools.

The requirements of section 104 (the last line) has always been strictly and scrupulously adhered to: "and the trustees of his school shall conform in all respects to the provisions of this act." In every particular and in every respect, has this requirement been strictly adhered to. The assessment, the election of trustees, each and all and every requirement has been conformed to in a manner the most special and minute. For the French valued very highly these schools, and all the more highly because they were denied to their Irish and Scotch co-religionists, and they alone of all the catholics in Prince Edward Island were entitled to them by law.

They were sufficiently intelligent to understand this: that, unless the language of the 93rd section of the British North America Act was used in a non-natural sense, these schools were secured to them for ever. To describe their amazement and distress now that these schools are to be destroyed, is simply impossible.

They feel they have been deceived and betrayed, and the difficulty is that their pastors are unable to enlighten them, for they themselves are not able sufficiently to appreciate the polemical dexterity by which the catholic faith is, under the guise of a legislative enactment for the support of "education," sought to be suppressed.

† PETER McINTYRE,

Bishop of Charlottetown.

C. O'BRIEN, D. D.

DEPARTMENT OF THE SECRETARY OF STATE, 1st June, 1877.

To His Honour

The Lieutenant Governor of Prince Edward Island,
Charlottetown.

SIR,—I have the honour to acknowledge the receipt of your despatch no. 14, of the 15th May, inclosing a letter addressed to his excellency the governor general, by the Roman catholic bishop of Charlottetown, which his lordship has requested you to forward to his excellency on the subject of the Public Schools Act recently passed by the legislature of the province of Prince Edward Island.

I have, etc.,

R. W. SCOTT,
Secretary of State.

DEPARTMENT OF THE SECRETARY OF STATE, 1st June, 1877.

To the Governor General's Secretary.

SIR,—I am directed to transmit to you herewith a letter addressed to his excellency the governor general, by his lordship the Roman catholic bishop of Charlottetown, received through his honour the lieutenant governor of Prince Edward Island with a request from the bishop that it might be forwarded to his excellency, on the subject of the Public Schools Act recently passed by the legislature of that province.

I have, etc.,

E. J. LANGEVIN,
Under Secretary of State.

DEPARTMENT OF THE SECRETARY OF STATE, 6th June, 1877.

To His Honour

The Lieutenant Governor of Prince Edward Island,
Charlottetown.

SIR,—With reference to your despatch, no. 14, of the 15th ultimo and its enclosures, on the subject of the local Public Schools Act passed during the recent session of the legislature of the province of Prince Edward Island, I have the honour to request that you will, at the earliest possible moment, transmit a full report with reference to the provisions of the act complained of by his lordship, the bishop of Charlottetown, with such observations and explanations as you may, after the advice of your ministers, be able to communicate for the information of his excellency the governor general.

I have, etc.,

R. W. SCOTT,
Secretary of State.

DEPARTMENT OF JUSTICE, OTTAWA, 6th June, 1877.

With reference to the despatch of 15th May, 1877, from the lieutenant governor of Prince Edward Island, on the subject of the recent local Public Schools Act, enclosing certain letters from the bishop of Charlottetown as to some of the provisions of that act, I recommend that a despatch be addressed to the lieutenant governor requesting at the earliest moment a full report from him with reference to the provisions of the act complained of by the bishop of Charlottetown with such observations and explanations as he may, after the advice of his ministers, be able to communicate for the information of his excellency.

R. W. SCOTT,
Acting Minister of Justice.

Prince Edward Island School Law.

DEPARTMENT OF THE SECRETARY OF STATE, OTTAWA, 9th June, 1877.

To His Honour

The Lieutenant Governor of Prince Edward Island,
Charlottetown.

SIR,—Adverting to my letter of the 6th instant, I have the honour to transmit to you herewith copies of two petitions—one from certain of the adult inhabitants of the province of Prince Edward Island, and other from the French Acadian population of Prince Edward Island, accompanied by a copy of a memorandum signed by his lordship the bishop of Charlottetown and the Reverend Dr. O'Brien, praying for the disallowance of the act passed by the legislature of that province during its late session entitled "The Public Schools Act, 1877."

I have to request that you will bring these documents under the notice of your government with the view of eliciting from the government such observations as they may choose to make on the petitions and papers sent herewith.

I have, etc.,

R. W. SCOTT,

Secretary of State.

PROVINCE OF PRINCE EDWARD ISLAND,

GOVERNMENT HOUSE, 13th June, 1877.

Honourable the SECRETARY OF STATE, OTTAWA.

SIR,—I have the honour to acknowledge the receipt of your despatch no. 1073, on 675 and 676 of the 9th instant, transmitting copies of the petitions, one from certain of the adult inhabitants of this province, and the other from the French Acadian population of this province, accompanied by a copy of a memorandum signed by his lordship the bishop of Charlottetown and the Rev. Dr. O'Brien, praying for the disallowance of the act passed during the late session of the provincial legislature, entitled "The Public Schools Act, 1877," and requesting me to bring these documents immediately under the notice of my government, with the view of eliciting from them such observations as they may choose to make upon such petitions and papers.

The absence of the attorney general, who is also the leader of my government, attending the fishery commission in Halifax, precludes my calling their attention to this matter until his return, when no time shall be lost in doing so.

I have, etc.,

R. HODGSON,

Lieutenant Governor.

OTTAWA, 20th June, 1877.

His Excellency the Right Honourable LORD DUFFERIN, Governor General.

MY LORD,—In addition to the memorials and other documents which I have already had the honour to transmit, as well to your excellency as to the secretary of state for Canada, I have now the honour to inclose to your excellency still further evidence showing that the Anglo-Rustico schools of Prince Edward Island, which are to be suppressed by "The Public Schools Act, 1877," are, and always have been separate, dissentient and denominational in their character.

I herewith inclose twenty-five certificates signed by the teachers and trustees of the Anglo-Rustico schools, which show very clearly this fact and earnestly deprecating their suppression.

I also have the honour to inclose a certificate, signed by 442 of the inhabitants of Prince Edward Island, in which they bear evidence that these schools have always been considered to be catholic denominational schools.

I also inclose a copy of the 39th section, of the 15th Vic., chap. 13 (local statutes of Prince Edward Island). It was under this statute that the Anglo-Rustico schools were first recognized by law, and I desire to call your excellency's attention to the fact that the teacher was not required to pass any examination before the board of education, but, instead, was required to produce a certificate from the catholic priest of his efficiency for teaching, and that it was necessary that such certificate should contain a statement that he was a member of such priest's congregation.

Protestants were thus absolutely prohibited from teaching these schools. The law not that the teacher might be, he must be a catholic. The act of 1868, which consolidated the then existing education laws, repealed this section, and substituted the provisions of section 103 in its stead, which enacts that the Anglo-Rustico schools "shall be continued as now in operation."

How these schools were then "in operation," is clearly shown by the inclosed certificates. The only change made was that the teachers should pass the examination required by the board of education.

And now, my lord, I feel that my task is completed. I have laid before your lordship what I venture to affirm to be evidence unanswerable and overwhelming, that these schools come within the letter and the spirit of the 93rd section of the British North America Act, and I now wait the result of your excellency's decision with an anxiety which I cannot conceal.

The general certificate, signed by protestants as well as by catholics, is not as numerously signed as it would have been had I had more time at my disposal. But I felt it might be satisfactory to your lordship to have this additional evidence as soon as possible, and I lost not a moment in obtaining it.

I left Ottawa on the instant and since then I have travelled 2,450 miles; to accomplish this, I travelled day and night, and my anxiety to return to Ottawa in the shortest possible time, gave me but little space to have the certificate more generally attested. Had a longer delay been possible, I could have presented it with thousands of signatures instead of with hundreds; but I felt that what I had procured was sufficient to prove the facts that are set forth in it, and I feared laying myself open to any imputation of delaying one single hour what I might sooner place before your excellency.

When I reached my diocese, I saw all the teachers and masters whom it was possible for me to visit. On Sunday alone I rested, and, then, only to celebrate and set forth the mysteries of our holy faith, which are so cruelly attacked by this bill. I only mention this to your excellency, not as claiming any credit for what I have done, I could not do less; I feel I may truly say, I could not have done more; I have endeavoured to still the agitation of my people; I discountenanced all public meetings; I have sought to quiet their alarm. I hoped and I sought to impress the belief upon them, that your excellency, as the representative of the queen's majesty, would not lend the sanction of our sovereign's approval to a legislative enactment against our legally established catholic schools, in which their children for so many years have been instructed in our holy faith.

And, now, my lord, I lay these documents, these proofs of our case, before your excellency, with earnest hope that your excellency will be pleased to exercise the power given you by the constitution, and disallow this illegal and unconstitutional measure.

I have the honour to be, my lord,
With expressions of my most profound respect,
Your lordship's humble and obedient servant,

† PETER McINTYRE,

Bishop of Charlottetown.

Prince Edward Island School Law.

We the undersigned, inhabitants of the province of Prince Edward Island, do hereby certify that the Anglo-Rustico schools which have been recognized by, or established under, the Education Act of 1868, or the previous acts consolidated by that statute, are, and have always been considered to be catholic denominational schools.

The trustees and teachers have always been catholics, a lesson in the catechism was daily taught and the books used were catholic works of devotion and instruction, and were other than those prescribed by the board of education.

Some of the undersigned are not Roman catholics, but they cheerfully bear witness to the matters of fact set forth in the above statement.

PETER MACINTYRE, Bishop of Charlottetown.
DANIEL McDONALD, D. D., V. G.
STEPHEN PHELAN, C. C.
H. Z. PERRY,
JOHN CORBETT,
OWEN CONNOLLY,
JOHN GAHAN,
J. B. MACDONALD,
JOHN McEACHERN,
D. A. MACDONALD,
MARTIN SHEA,—and four hundred others.

Extract from Minutes of the Executive Council of Prince Edward Island.

COUNCIL CHAMBER, 30th June, 1877.

At a meeting of the executive council in committee:—

Present :

Messrs. DAVIES,
“ YEO,
“ LAIRD,
“ GORDON,

Messrs. STEWART,
“ LEFURGEY,
“ ROBERTSON,
“ PROWSE,

DEBLOIS.

The executive council in committee have had under their consideration the following memorials and petitions against “The Public Schools Act, 1877.”

1. Petition of Bishop McIntyre to Lieutenant Governor Hodgson, dated 17th April, 1877.

2. Petition of Bishop McIntyre to the governor general, dated 12th May, 1877.

3. A petition to the governor general, alleged to be signed by 18,000 adult inhabitants of this province.

4. A petition of certain Acadian French inhabitants of this province.

5. A memorandum by the bishop of Charlottetown and the Rev. Dr. O'Brien, to accompany the above petitions.

6. Memorial from Bishop McIntyre to the governor general, dated 20th June, 1877, with certificates attached.

The council in committee desire to make some observations upon the statements made in these petitions and memorials, more especially with reference to the claim now, for the first time, put forward that the law of this island, before and at the passing of the act petitioned against, recognized certain separate denominational schools. At the outset they cannot refrain from expressing their surprise and astonishment that such a state of facts should have existed in this province, and that neither during the late election, when the question of denominational education was fairly placed before the people, nor since then in the discussions of the press and in the legislature, has ever such claim, to their knowledge, been advanced. The council in committee emphatically deny the statements in these memorials, in so far as they assert or imply the existence of any separate denominational schools in this province recognized by law or supported at the public expense. They assert, without hesita-

tion that no such schools exist, or have existed for many years, and that the law does not, and did not, at the time confederation took place, recognize or sanction them. They admit that in the French schools, as well as in the Scotch and Irish schools, books have been used which were not authorized by the regulations of the board of education, but they affirm and submit that there existed no legal authority for the use of these books, and that their use was improper and illegal. It is unnecessary to point out that an evasion of the law, even if successfully carried on for years, cannot, of itself, change the law or the rights of any parties under it. The great principle that the public moneys shall not be appropriated for the purpose of teaching sectarian dogmas or creeds, is one which a large majority of the people of this province value very highly, and which they will not surrender without a struggle commensurate with the importance they attach to the principle itself. It has been the underlying principle of our educational laws for years, and, though attacked in many ways and from many quarters, has so far been preserved intact.

The "Public Schools Act, 1877," was not passed by the legislature in a secret or hurried manner. When first introduced it was printed and circulated, and ample time afforded to any who desired to petition or protest against it. The press of the province, from their different standpoints, discussed its provisions and their effects at length, and during the session of the legislature it was the topic uppermost in the minds of all interested in the subject of education. Notwithstanding all this, no protest or petition against the bill was ever presented to either branch of the legislature. The debates upon the bill, both upon its introduction and during its progress, were long and protracted. At least one of the members of the opposition was a French Acadian, and had been for years a member of the executive council and the board of education of the province, while several others represented French Acadian districts. Every conceivable argument against the bill was resorted to by those opposed to it; yet, strange to say, not a word was said, not a hint given, of the existence of these separate denominational schools which, it is now alleged, the French Acadians legally possessed. The fact is at least significant, and the council in committee boldly assert that no member of the legislature would have dared publicly to state that any such schools existed with the sanction of law.

The council observe that in the petition of the Roman catholic bishop to the lieutenant-governor against the bill, dated 17th April last, the assumed rights of the French Acadians are based solely upon the 72nd section of the act of 1868. The argument raised by the bishop upon this section has already been fully answered by the attorney general in his reasons for the passing of the act now petitioned against. The council in committee do not deem it necessary to add anything further to the attorney general's reasons upon this point, than to observe that the several education laws in force in this province, from the year 1854 downwards, recognized the principle of giving extra allowances to teachers who imparted instruction in the higher branches, and such extra allowances were paid as well to those who taught Greek and Latin, as to those who taught French. The attempt to construe a section of the law providing additional payment to teachers who were capable of imparting certain extra branches of learning as conferring a special privilege upon any one class of the inhabitants, will not, they submit, bear a moment's scrutiny.

The bishop's memorial to the governor general, dated 12th May, 1877, takes different ground. In that memorial he prays for a disallowance of the act on the general ground that it is unjust to the Roman catholics, and that it "virtually marks them out by exceptional legislation for heavy taxation." No section or part of the act is referred to in support of this serious charge, and the council in committee unhesitatingly assert that none can be, and they appeal confidently to the provisions of the act itself in support of their denial of the charge. The object of the legislature was to enact an educational law which should bear justly upon all classes and creeds. That object the council in committee affirm the legislature fairly carried out in the act now under discussion. Its provisions are, to a very large extent, taken from the act which has been for some years in operation in New Brunswick.

The petition alleged to be signed by 18,000 adult inhabitants of this province reiterates the charges of injustice set forth in the bishop's petition above referred

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to, and attempts to substantiate them by references to the 15th and 16th sections of the act. These two sections provide that, in cases where a certain average attendance of scholars is not maintained, a deduction shall be made from the salary of the teacher, and to prevent the innocent from suffering for the neglect of others, they provide that those who wilfully refuse to send their children to school, and so cause the deficiency in the attendance, shall be obliged to make good the deduction from the teacher's salary. These provisions are, in the main, merely re-enactments of those which have been in force for many years in this province, and are, it is respectfully submitted, necessary for the efficient carrying out of any education law. The change from the old law lies in the simple fact that the deduction from the teacher's salary, made because of the deficiency in the average attendance, is to be levied upon those who wilfully cause the deficiency. The 21st section of the act of 1854, the 8th and 10th sections of the act of 1860, the 24th section of the act of 1861, the 5th section of the act of 1863, and the 27th section of the act of 1868, are respectfully referred to in support of the council statement. The allegation in the petition that the enactment in question is "directed against the Roman catholic faith," is couched in strong language, and is, doubtless, intended to appeal to the sympathies of those moderate and prudent statesmen who justly discountenance class legislation. The council in committee pronounce the statement to be most unjust and untrue; the framers of the bill, had no such object, and the bill itself nowhere discloses it. If any such object prevailed with the promoters of the bill, why did they incorporate subsection M of section 93 in it? This section was expressly inserted to meet those cases where any denomination of Christians, Roman catholics or protestants, had erected a school of their own and to enable such school to participate in the public expenditure, provided it conformed in all respects to the public schools' rules and regulations during school hours. In New Brunswick a section, identical in its terms, proved to be the panacea for the complaints of the Roman catholics of that province, and there exists no reason why a similar result should not follow here, if equally moderate counsels prevail.

Turning from these general charges against the act, the council in committee desire to call more especial attention to the statements made in the memorandum of Bishop McIntyre and Dr. O'Brien, which accompanied the petitions, in the petition signed by a number of Acadian French, and in an additional petition of Bishop McIntyre, dated 20th June instant, to which is annexed a number of certificates. These documents assert, in very positive and distinct terms, that there has existed in this island, for years past, a class of separate denominational schools, recognized as such by law, and known as the Anglo-Rustico schools. To this statement the council in committee give a most unqualified denial; they assert in distinct and unequivocal language, that if such denominational schools do exist, they exist in defiance of the law, and without the knowledge of the government, or of the education authorities. They are aware that in the district schools attended by the children of the French Acadians, and also in some other schools attended by children of one denomination only, either of protestants or Roman catholics, the law, with respect to the books to be used, has been, to a limited extent, evaded, but they allege that no public school existed in this province at the time of confederation, or since then, which legally had any of the rights or privileges now claimed for the schools designated in the petitions as Anglo-Rustico schools. It certainly will be admitted as, at least, a singular fact, that with thirteen Roman catholic members in the legislature, all opposing the bill, no such claim as that now advanced, was ever made; that no newspaper in the province has, to their knowledge, ever maintained it; that the secretary of the board of education, who has filled the office for over four years, never knew of it, and that no member of the council ever had the slightest knowledge of its existence. The agitation on this school question has been continuous for years past in this province. Petitions on the subject have been presented time and again by the Roman catholic bishop and the Roman catholic laity to the legislature, and yet never once have the extraordinary claims now made been, to our knowledge, preferred or hinted at. On the contrary, in the year 1875, a monster petition was presented to the legislature of this province, signed by His

Lordship Bishop McIntyre and about 9,000 Roman catholics, of which number nearly 2,000 were French Acadians, of the very school districts which are now alleged to possess, as of right, these catholic denominational schools, in which petition they pray the legislature to concede the very privileges they now boldly assert, they, at that time, and for years before, had legally possessed. A copy of this petition will be forwarded herewith, and the council in committee respectfully submit, that whatever construction may now be placed upon the act of 1868, the presentation of this petition to the legislature shows clearly that the bishop and the 9,000 others who signed with him did not, at that time, know of the existence of the rights they now profess to have been, for so many years, in the legal enjoyment of. Again, in the session of 1876, a parliamentary committee, composed of protestants and catholics alike, was appointed to investigate and report upon the manner in which the education law had been, and was then being, carried on in the public schools of the province. That committee sat for days, examined a large number of witnesses, including all the school inspectors, the president and secretary, and nearly all the members of the board of education, and the head masters of our provincial college and normal school. The evidence taken and the report of the committee clearly showed that the law, with respect to the books used, has not been complied with, particularly in the French Acadian schools, but not a hint was given of the existence of any such legal rights as those now claimed in the memorials under review.

The council in committee fully admit that this strange silence does not amount to any positive proof, and they confidently appeal to the statute law in support of their position. The argument in the memorandum of the bishop and Dr. O'Brien, reiterated in the bishop's last petition of 20th June, 1877, is that by the 39th section of the act, 15 Vic., cap. 13, the Anglo-Rustico schools were first recognized, and had certain rights guaranteed to them, and that this recognition and these rights existed at the time of the passing of the act of 1868 (31 Vic., cap. 6) and were sanctioned and legalized by the 103rd and 104th sections of that act; that they continued in force at the time this province entered the confederation in 1873, and cannot now be withdrawn by the local legislature. The construction attempted to be put upon these two last named sections of the act, is one which, the council in committee submit, they will not legally bear. There are no schools in this province known by the name of the Anglo-Rustico schools, or called in the acts by any such name. The school districts of this island are each registered by some particular name; one district and one only is called and registered the "Anglo-Rustico district." Its inhabitants are partly Acadian French and partly English. The district being very populous, and one district school being found insufficient to afford the means of education to all the children, the legislature, in 1864, by the 27th Vic., cap. 31, section 6, after reciting the fact that the district was so populous that one school was insufficient, authorized the board of education to establish two public schools within the limits of that district. The section provided that the teacher should be a duly licensed district school teacher and that both he and the trustees of the school should comply with all the provisions of the law relating to education. The 7th section of the same statute authorized the board of education to apply the same remedy to other districts found similarly circumstanced with the "Anglo-Rustico district," that is, being so populous that one school was insufficient for the children. It goes on to provide expressly that the teachers of any such additional school, established under that section, should be a duly licensed teacher, "and that both teachers and trustees should conform, in all respects, to the laws relating to education." These sections show at once how and why the two schools of the Anglo-Rustico district were "in operation" at the time of the passing of the law of 1868. The reason of their being allowed at all was, as it stated on the face of the act of 1864, because the district was too populous for one school, and the mode in which they were to be conducted was with a duly licensed teacher, and none other, and by "both teacher and trustees conforming, in all respects, to the law." The 103rd section of the act of 1868 (31 Vic., cap. 6), was enacted to confirm and continue that state of things, and the 104th to permit the application of the same remedy to districts found similarly circumstanced. The sections are nearly transcripts of sections 6 and 7 of the act of 1864, which was e-

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pealed by the act of 1868. The French children of the Anglo-Rustico district, as a matter of convenience and choice, attend one school, the English children the other. Neither school has any legal privilege with regard to books, teaching or system of education, distinct from the other public schools of the province. They are both public district schools, and both bound to comply, in all respects, with the provisions of the law; indeed, so careful were the framers of the act to guard against any possible misconception which might arise from allowing two schools to one district, that the very clause conceding the privilege declares that the teacher must be a licensed teacher of the board of education, and must "comply with the provisions of the act relating to district teachers." Now, one of the provisions of the act relating to district teachers is that the books prescribed by the board of education shall be used, and (section 31) that any school wherein the books, regulations and system of education prescribed by the school visitor for the county, or board of education shall not be used, shall, if the board see fit, be deprived of its allowance until it conforms. The 101st section prescribes that no teacher shall receive his pay, until he produces certificates that the "provisions of the act have in all respects been complied with," which certificates are set out in a schedule to the act. The board of education, acting under the authority of the act, promulgated regulations which, for years before, and at the time of, and since confederation, were in full force and unquestioned. A copy of these regulations are appended. The 2nd regulation is as follows:—"No books of any kind shall be used in the schools except those approved of by the board of education from time to time." The council in committee submit that no teacher has attempted, since the passing of the act of 1868, to claim his salary without producing the necessary certificates from the trustees of the district, that he has "in all respects complied with the law." The contention that the teachers in the Anglo-Rustico district were to comply with the law relating to district teachers but not teaching, is unworthy of any reply—it is mere quibbling. Can it be contended that any distinction existed between the English teacher of the Anglo-Rustico district and the French teacher? If so, where does the law point it out? Has the English teacher of that district also a right to educate his scholars as he pleases, and to ignore the law? Such a claim never was known or heard of.

Then, as to the operation of the 104th section, the attorney general has written to the secretary of the board of education, asking if the board has ever acted upon the authority of that section with respect to other school districts on this island, and the reply is that, since his inception of office in January, 1873, they have not, and that no record can be found of their having done so, between the passing of the act of 1868 and the year 1873. A copy of the letter of the secretary of the board of education is appended hereto, and from this it appears that the board has not exercised at any time, since the passing of the act, the powers conferred upon it by the 104th section of the act.

Passing by, for a moment, the construction of the sections 103 and 104, the council in committee dispute *in toto* the correctness of the statements in the bishop's memorandum with reference to the mode in which the two schools of the Anglo-Rustico district were in operation at the time the act passed. The attention of the governor general is called, in the memorial of the bishop of the 2nd June, to the act of 1852, in which the Acadian schools are recognized as distinct schools, and very disingenuously it is insinuated, if not directly and openly stated, that the law remained, up to 1868, as it was in 1852. Nothing could be further from the truth than this, and yet any one not intimately acquainted with island legislation would, from the petitions and memorials now under review, inevitably come to that conclusion. With a view of removing all such erroneous impressions, the council in committee desires to call attention to the island legislation on the subject, and to show that so far from the Acadian schools which, in 1852 were recognized by law, being in existence in 1868, they had years before by express legislation been swept away.

The act of 1852, in its 39th section, recognized the French Acadian schools in this respect only: That it allowed a French Acadian teacher, producing a certificate from the priest that he was a member of his congregation and was capable of teaching certain branches, and had taught them, to receive a certain salary. It did not sanc-

tion, however, the use of any but the prescribed books; on the contrary, the 51st section of that act directed that the board might withhold the allowance from any school not observing the books, regulations and system of education prescribed by it.

In 1854 the education law was amended, and by the 29th and 30th sections the French Acadian teachers had their salaries raised £5 a year, were obliged to open English classes for instruction in reading, writing and arithmetic, failing which, they were to be deprived of their allowance. Next in order came a regulation of the board of education passed in 1857, proscribing all books but those authorized by the board, which regulation has ever since remained in force. In 1860 the law was again amended, and the third section placed Acadian teachers, who passed the board of education examination and received a certificate and complied with the requirements and directions of the education law, on the same footing as other teachers. The 4th section of same act provided that those Acadian teachers who refused to be re-examined, should have their salaries reduced to £35 per annum. The 10th section of same act fixed the number 40 as the total requisite number for each Acadian school, and provided that if the average daily attendance did not amount to 18, a deduction should be made from the teacher's salary.

In 1861 the education laws were consolidated, all previous acts being repealed. The clauses of the previous statutes relating to Acadian teachers were re-enacted. Those Acadian teachers who passed the board's examination were put on the same footing as all other teachers, and those who could not pass the board were to receive a reduced salary. (See sections 29, 31 and 32 of 24th Vic., cap. 36.) The 37th section of same act authorized the board to withhold allowance from any school in which the books, regulations and system of education prescribed by the board were not used and observed. (See sec. 31 of 24 Vic., cap. 36.) In 1863, however, the law was again amended by 26 Vic., cap. 5; the 31st and other sections of the act of 1861, recognizing the Acadian teachers as a distinct class, were repealed, and by the 6th section of the act of 1863, with the general consent of all parties, the legislature expressly reciting that it was inexpedient to grant government support any longer to Acadian teachers as such, abolished them as a separate class, and any special privilege they may have enjoyed. The sections of the act of 1861, conferring privileges upon them, were repealed, and from that time forth the law in this province never recognized the Acadian teacher as distinct from the Scotch, Irish or English. Acadian schools, as being in any sense distinct from other schools, ceased to exist, and when, five years afterwards, the act of 1868 was passed, and referred to the two schools as then in operation in the district known as the Anglo-Rustico district, it was known to all that these two schools were in operation under the law, openly, at least, complying in all respects with the law, and separate, in the sense only that the French children attended one and the English the other. All power of the priest or clergyman to give any certificates to entitle a person to teach had for years expired, and the only power retained to the priest of the Roman catholic church in any public school, was the power enjoyed by the clergyman of every protestant denomination, as also by judges, magistrates and members of the legislature, under the 53rd section of the act of 1868, to visit and inquire into the management of the schools.

How it came to pass that such an important omission was made from the memorials and memorandum against the "Public Schools Act, 1877," as the clauses of the act of 1863 abolishing the last vestiges of the Acadian teachers as a distinct class, it is impossible to say, but there can be no doubt that his lordship the bishop has been very badly advised both as to the law and the facts.

The council in committee inclose, for the information of his excellency the governor general, copies of the several education laws referred to in this minute, and of the regulations of the board of education thereunder. Their earnest desire is to carry into effect a good education law, under which the children of all classes of the community may receive such an education as will fit them for the battle of life. Nothing is further from their minds than the motives imputed to them in the memorials and petitions herein reviewed, and they sincerely believe that the policy of the holding of all religious bodies on an equal footing, so far as the state is concerned,

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giving no privileges to the one which are withheld from the other, but treating them all with justice, is the only one which can bring about a peaceful settlement of this great question. The present government of this province were returned by its people to enact and carry out a free non-sectarian school law. The Public Schools Act 1877, is the result of their labours, and they submit that it is strictly within the constitutional powers of the legislature of this province, and does not in the slightest degree violate any of the provisions of the British North America Act of 1867, nor deprive any person or class of any legal privilege which they possessed at the time this province entered into confederation. The construction to be placed upon the 93rd section of the British North America Act has already been determined by the privy council in *ex parte Renaud*, an appeal arising out of the New Brunswick education law, and the council will cheerfully submit to any construction which the application of the rules and principles laid down in that case may lead his excellency the governor general to put upon the "Public Schools Act, 1877."

The council in committee trusts that the original petition said to be signed by 18,000 persons, and also the certificates said to be signed by 442 protestants and catholics may be transmitted to the lieutenant governor for their inspection, and that if any insuperable objection exists against the transmission of the original that copies of the signatures may be sent.

Certified extract.

WILLIAM C. DESBRISAY,
Clerk Executive Council.

ATTORNEY GENERAL'S REASONS FOR PASSING "THE PUBLIC SCHOOLS ACT 1877."

This act was passed for the purpose of putting the education of the youth of the colony upon a more satisfactory footing than it has been for some years past. It is modelled, to a large extent, upon the public schools act of New Brunswick, and nearly all of the salient features of that act, excepting the mode of levying the assessment, and the sources from, and the conditions under which the teachers salaries are to be paid, are introduced into this act.

So long ago as the year 1852, the system of free education was introduced into, and extended over the whole island. Numerous amendments to the first act have, from time to time, been made, and in the year 1868 an act was passed consolidating and amending the laws relating to education, which has remained in operation till now. Our system of education has, from its first introduction in 1852, been free and non-sectarian. At one time small grants were annually voted towards several sectarian schools, but for years before we entered confederation they had been withdrawn. This free non-sectarian character has been continued by the present act which repeals the law of 1868. Under this new law, the executive council, together with the chief superintendent of education, and the principal of our provincial college, constitute a board of education. The administration of the law will chiefly devolve upon the superintendent, who will have the assistance of a secretary, and of three inspectors of schools.

The duty of framing regulations for the efficient working of the law is cast upon the board; the government for the time being will, therefore, be directly responsible for the manner in which the law is carried out. The chief towns are severally erected into entire districts, and the trustees of the several school districts are constituted corporate bodies. The payment of the teachers' salaries is made to depend upon the class of license held by the teacher, the quality of the instruction imparted by him as reported by the inspector, and the maintenance of a specified average attendance at the school. Bonuses are payable after five years teaching, and the ordinary statutory salaries are supplemented by an additional grant from the treasury, equal to any amount up to a certain limit raised by local assessment. School accommodation, free of charge, is to be provided for all children between five and sixteen, irrespective of their creed, and all schools to be non-sectarian; a number of alterations and improvements unnecessary to specify, are also made. Special care and attention have been devoted to make the new act bear as equally as possible upon all classes of the community.

I have read the memorial from Bishop McIntyre to Lieutenant Governor Sir Robert Hodgson, dated 17th of April last, asking him, for certain reasons therein stated, to withhold his assent to the bill; which memorial, I am instructed, has been forwarded by the lieutenant governor to the secretary of state, Ottawa. I have also read a copy of the memorial addressed by Bishop McIntyre to the governor general, the Earl of Dufferin, asking him to delay assenting to this act until certain petitions against it are forwarded to him. The memorial to Sir Robert Hodgson sets out with the statement that, by the act of 1868 (31st Vic., chap. 6), provision was made for schools for the French-speaking portion of the population, etc. I can not but think his lordship has been very badly advised on this matter. The section 72 of that act, to which he refers, and which he assumes granted a privilege to a certain class of the community over and above the others, never was intended to do so, in its practical operation, did not, as I am informed by those best qualified to know, do so; and cannot, I respectfully submit, be in any way construed so as to enable any class to claim any privilege under it. It is the first time I have ever heard of such a construction being sought to be placed upon this section. The section merely entitles any teacher qualified to teach the French language, and actually engaged in teaching it to a class not less than ten, to receive £5 over and above the ordinary salary of his grade, provided the inhabitants of the district raise a similar sum of £5 by subscription among themselves. To prevent misunderstanding, I quote the section *verbatim*: "Any teacher, male or female, who shall, in addition to the qualifications required by this act, be qualified to teach the French language, and who shall have taught, in his school, French to a class of not less than ten pupils, shall, on producing from the board of education a certificate of his competency to teach the French language, be entitled to receive £5 over and above the salary to which such teacher may be entitled under this act, provided the trustees of such school district do raise the like sum of £5 for such teacher by voluntary subscription from the inhabitants; and provided further, that the number of teachers receiving the aforesaid increase of salary shall not amount to more than twenty."

This inducement to teachers to improve themselves by acquiring a knowledge of French, and teaching that language to their scholars, has no reference to any class. As a matter of fact the advantages of this section were not confined to either the teachers or the scholars of French nationality only, and any attempt to make it appear that the section conferred a legal right or privilege upon any class or creed must, in the light of the practical construction it has received, prove a total failure. His lordship, in his memorial, further goes on to assume that the repeal of this section will seriously injure, if not completely close, the separate French schools. The section has been taken advantage of to such a limited extent, that I fail to grasp the importance his lordship would attach to its repeal. What meaning is intended to be conveyed by the use of the term "separate schools," which, it is alleged, "have for so many years existed," I cannot say. The fact that the French portion of the population live in settlements or villages, by themselves, naturally resulted in their schools being separate in the sense of being attended solely by French children, such a result must, and will of necessity, continue under the new act. It is more than probable too, under the circumstances, that teaching in these schools was not strictly in conformity with the law; but, if it is intended, by the use of the term "separate schools," to convey the impression that the old law, either directly or indirectly, authorized or sanctioned any school as a separate school in the popular sense, in which the religious views or tenets of any religious body could legally be taught, or books, other than those authorized by the board of education, used, then I must emphatically dissent from any such proposition. His lordship assumes throughout his memorial that the French population had some right or privilege which the new act prejudicially affects. The existence of such a right or privilege I cannot for a moment admit, and during the long and protracted debates in the house of assembly on the introduction of the bill, and at its second and third readings, I have no recollection of any member even attempting to claim anything of the kind, although, after the third reading of the bill, it was proposed by a member of the house to introduce into the present bill a clause analogous to the one now under discussion.

think, also, I am correct in saying that no newspaper in the colony has ventured

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to make any such claim on behalf of the French population, and I am satisfied that, if made, it would astonish those who have for many years been engaged in administering the education laws of the province.

His lordship states that he rests the prayer of his petition upon his strict legal rights under the 93rd section of the British North America Act. The definition of a legal right under that section has already been judicially given by the privy council of Great Britain in *ex parte Renaud*, but I have gone at some length into the matter with the object of showing that there was neither moral or legal right in the claim now put forward.

The memorial to his excellency the governor general, deals almost entirely in generalities, but I cannot allow one statement to pass without remark. His lordship says: "The Roman catholics of this province are virtually marked out by exceptional legislation for heavy taxation, far over and above what must fall upon other religious denominations." To this serious charge I must submit, respectfully, my most positive denial. No sections or parts of the act are cited in its support, and I unhesitatingly affirm that none can. Being myself the draftsman, I may fairly be presumed to know what it contains, and I reiterate that no favour has been shown or allowed by it to any denomination or sect, but that all are placed upon an equal footing. The law does not, and will not, if allowed to go into operation, recognize or know any man's creed; it treats a man as a citizen, and as that only. I append copies of the rules and regulations under the old school act, which, although reprinted in 1876, and bearing that date upon them, are, I am assured by the secretary of the educational board, identical, in all respects, with those that have been in force prior to and since this province entered the confederation. I also enclose, for information, if required, copies of the authorized lists of school books, the only ones which could legally be used in the public schools. I am aware, however, the law in this latter respect has not, of late years, been strictly adhered to or enforced.

The act comes into operation on the first day of July next, 1877.

DEPARTMENT OF THE SECRETARY OF STATE, OTTAWA, 22nd June, 1877.

To His Honour

The Lieutenant Governor of Prince Edward Island, Charlottetown.

SIR,—Adverting to my letters of the 6th and 9th instant, I have the honour to transmit to you, herewith, for the information of your government, and for report thereon, a copy of a letter addressed to his excellency the governor general by his lordship the bishop of Charlottetown, in further reference to "The Public Schools Act, 1877," passed during the last session of the Prince Edward Island legislature.

I also inclose three of the certificates or memoranda, and also a copy of the certificate of 442 of the inhabitants of Prince Edward Island, referred to in his lordship's letter, and to state that twenty-two other certificates similar to those first mentioned relating to other school sections have been submitted and are retained in this department.

I have to request that these memoranda may be returned.

I have, etc.,

R. W. SCOTT,

Secretary of State.

PROVINCE OF PRINCE EDWARD ISLAND,

GOVERNMENT HOUSE, 25th June, 1877.

The Honourable the Secretary of State.

SIR,—At the instance of my government, I have to request that the original petition against the Public School Act, 1877, with the signatures appended to it, may be transmitted to me for their inspection, as they entertain grave doubts whether the signatures are those of adult male inhabitants of this province.

My government allege that they are materially strengthened in these doubts, from the fact that no reference was made to the petition in the public press, or any public meetings called upon the subject, whilst the individual members of the government, residing, as they do, in different sections of the province, were entirely ignorant of any such petition being circulated for signature.

Care will be taken that the petition is preserved and returned. Should there be any insuperable objection, which my government cannot believe to exist, to the transmission of the original documents, then, they desire that a copy of the signatures attached to it may be forwarded.

Under the system established by the imperial government—before confederation—petitions against legislative enactments were required to be transmitted, through the lieutenant governor, thus affording the local government the opportunity of forwarding, with them, such remarks and observations as they might deem advisable, a system which, whilst doing ample justice to all, unquestionably prevented much unnecessary delay.

I have, etc.,

R. HODGSON,
Lieutenant Governor.

PROVINCE OF PRINCE EDWARD ISLAND,

GOVERNMENT HOUSE, 26th June, 1877.

The Honourable the Secretary of State, Ottawa.

SIR,—I have the honour to acknowledge the receipt of your despatch, no. 1161, on 735, of the 22nd instant, transmitting, for the information of my government and for report thereon, copy of a letter addressed to his excellency the governor general by his lordship the bishop of Charlottetown, in further reference to the Public Schools Act, 1877, also three of the certificates or memoranda, and also a copy of the certificate of 442 of the inhabitants of this province referred to in his lordship's letter, and stating that twenty-two other certificates similar to those first mentioned relating to other school sections, have been submitted and are retained in your department.

These documents, received this day, have been shown to the leader of my government, and, at his desire, I beg to request that you will be pleased to transmit a copy of the signatures, appended to the certificate, stated to be signed by protestants as well as catholics.

It is the intention of my government to meet in council on the 29th instant, when, I am assured by the leader, that their report, in reply to the memorials against the act, including those now acknowledged, will satisfactorily prove to his excellency the governor general that the grounds of opposition to the act are without foundation. As desired, these memoranda shall be returned to your department.

I have, etc.,

R. HODGSON,
Lieutenant Governor.

Letter from Secretary Board of Education to President of Council.

EDUCATION OFFICE, CHARLOTTETOWN, 28th June, 1877.

Hon. L. H. DAVIES.

SIR,—In answer to yours of 21st instant, I beg to reply as follows:—

1st. I have held the office of secretary of the board of education since the 10th of January, 1873.

2nd. During the time I have been secretary, it has not been considered by the board or contended by any parties before the board, that the schools of the Anglo-Rustico school district were in any sense separate or sectarian schools, or in any way different from the other public schools of the province, except in so far as they

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occupied the same territory or nearly so, and were attended by children of English or French parentage, respectively.

3rd. The board of education has not at any time since my inception of office in 1873, exercised the powers conferred on it by the 104th section, and I can find no record of any such power having been exercised previous to the passing of the act of 1868.

4th. With reference more especially to the following school districts, viz.: Rustico and Hope River, in Queen's county; and Egmont Bay, Miscouche, Fifteen Point, Cascumpec and Tignish, I fail to find any evidence that the board has at any time divided or altered any of them under the 104th section of said act.

5th. During the time I have been in office, I have never heard or known of any school on this island receiving government aid, or being a public school, having any legal right to use books other than those authorized by the board of education.

6th. All teachers employed under the board of education are required to conform to the same rules and regulations, which regulations are, by order of the board, posted in all the schools.

I append a copy of those regulations.

I have, etc.,

DONALD McNEILL,
Secretary.

DEPARTMENT OF THE SECRETARY OF STATE, OTTAWA, 30th June, 1877.

To his Honour The Lieutenant Governor of Prince Edward Island.

SIR,—In compliance with the request contained in your despatch, no. 26, of the 26th instant, I have the honour to transmit to you, herewith, a copy of the signatures appended to the petition, of which a copy was enclosed to in my letter of the 22nd instant in reference to "The Public Schools Act, 1877" of the province of Prince Edward Island.

I have, etc.

E. J. LANGEVIN,
Under Secretary of State.

DEPARTMENT OF SECRETARY OF STATE.

OTTAWA, 30th June, 1877.

To his Honour The Lieutenant Governor of Prince Edward Island.

SIR,—In compliance with the request contained in your despatch, no. 24, of the 25th instant, I have the honour to transmit to you, herewith, the original petition against the Public Schools Act, 1877, of Prince Edward Island, a copy of which was transmitted to you with my letter of the 9th instant, with the signatures appended to it.

I may state that the petition did not profess to be exclusively from the male population of the province of Prince Edward Island, nor was it so described in my letter inclosing a copy of it.

I have etc.,

R. W. SCOTT,
Secretary of State.

DEPARTMENT OF JUSTICE,

OTTAWA, 30th June, 1877.

I recommend that a communication be addressed by the secretary of state to the lieutenant governor of Prince Edward Island, calling his attention to the fact that the information from his attorney general referred to in his letter of the 12th instant, respecting the Public Schools Act, 1877, has not yet been received, and inti-

mating that, in accordance with a request from the attorney general of Prince Edward Island to the minister of public works, a decision upon the matter has been delayed pending the receipt of further communication. That it is therefore expected that no steps will be taken to actively enforce any of the provisions of the act which may interfere with the various schools which the Roman catholic bishop of Charlottetown claims to be Roman catholic denominational schools.

R. LAFLAMME,

Minister of Justice.

DEPARTMENT OF THE SECRETARY OF STATE,

OTTAWA, 30th June, 1887.

To his Honour The Lieutenant Governor of Prince Edward Island, Charlottetown.

SIR,—Referring to previous correspondence on the subject, I have the honour to draw your attention to the fact that the information from your attorney general referred to in your despatch of the 12th instant, respecting the Public Schools Act, 1877, of Prince Edward Island, has not yet been received, and to intimate to you that, in accordance with a request from that officer to the hon. minister of public works, a decision upon the matter has been delayed pending the receipt of further communication.

It is therefore expected that steps will be taken to actively enforce any of the provisions of the act which may interfere with the various schools which the Roman catholic bishop of Charlottetown claims to be Roman catholic denominational schools.

I have, etc.,

E. J. LANGEVIN,

Under Secretary of State.

CHARLOTTETOWN, P. E. I., 2nd July, 1877.

The Right Hon. the Earl of Dufferin,
Governor General of Canada in Council.

MY LORD,—I returned home on Saturday, 30th instant, from Ottawa and I have been so alarmed at the confident statements of the semi-official organs of the local government that it is your excellency's intention not to disallow "The Public Schools Act" that I cannot refrain placing before your excellency some considerations upon the reasons which the semi-official press urge in defence of the great wrong which I gather from their statements is to be done to my people.

It is stated that a pledge is to be taken by the local government that it (the latter) will procure the repeal of so much of the Public Schools Act as will work the injustice complained of.

I am not ignorant of the fact that the local legislature is sometimes requested to and does undertake to pass an act repealing some portions of its statutes which the minister of justice is of opinion are *ultra vires*.

On this subject I have consulted E. J. Hodgson, Esq., my legal adviser, and I inclose a communication I have received from him upon this point.

Mr. Hodgson makes it very clear that the cases in which the local legislature has repealed illegal sections of statutes are far otherwise than the case now under consideration.

But what presses upon me, and what I would respectfully ask your excellency is this:—What is to become of the Anglo-Rustico schools in the meantime? They are to be closed by law. The teachers, no longer paid, will go elsewhere. The scholars will be dispersed and their unfortunate parents will be fined and imprisoned if they do not send their children to schools where all else is permitted to be taught, save only Christianity. Where the apostles' creed is a forbidden formula, and the *pater noster* may be a forbidden prayer.

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And it is urged that the French population must submit to this, and that a promise will be obtained from the local government to relieve them of the wrong and oppression which until our legislature next meets they are expected to submit to in silence. Is not the very fact of asking the local government to undo a wrong they have committed, an admission that a wrong has been committed which ought to be undone?

The 93rd section of the British North America Act gives me the right to appeal to your excellency against such a law as this. I have made that appeal, and I cannot bring myself to believe that your excellency will be advised to refrain from exercising the power given you by the constitution in order that there may be substituted in its stead that which the law does not recognize at all. For I fail to see in the British North America Act any statutory authority giving your excellency the power to demand from the local government the enactment of any law, or rendering any pledge given by the executive council, binding upon the government of a province. I am advised that this is a correct view of the law, and it seems to me to be too plain to admit of a single doubt.

But I feel bound to add one other remark. A "promise" and its "performance" are not synonymous terms.

The case is surely a plain one. Certain valued and delicate interests are by the British North America Act specially reserved to the protection of the Dominion government, and parliament. They are purposely withdrawn from the provincial legislature. These rights have been boldly invaded by the Prince Edward Island legislature. Can it be that your excellency will be advised to forbear from exercising the power which the constitution has entrusted to your excellency, and thus hand these interests to a tribunal from which the constitution has purposely withdrawn them.

My lord, the reasons which at the time of confederation prevailed to have clause 93 of the British North America Act enacted are well known. I consider, I am not alone in considering, that that clause partakes of the nature of a treaty. It was adopted for the protection of certain interests, very precious and very dear to both protestants and catholics. It is not too much to say that without it, confederation would never have been effected. It was foreseen that such a case as this might arise. To meet it the wise provision embodied in this clause was made part of the constitution. If now, when the rights of catholics are not only threatened but openly attacked, it is ignored, then every catholic from Cape Breton to Vancouver Island must and will feel he has been betrayed. The effects of such action cannot and will not be limited to the wronged inhabitants of Prince Edward Island. As a loyal citizen of this Dominion, I implore that such an unfortunate state of affairs may not be forced upon the country.

It has been said that if any part of the law is unconstitutional the court will afford a remedy. If this be our answer, then may we not complain that the appeal given to your excellency is nothing but an empty mockery? But, my lord, is it wise statesmanship to allow an act to go into force for the express purpose of giving rise to continual litigation, and all the ill-feeling that comes from litigation? This province has been for many years without this school law. It cannot do any great harm to any one if we continue as we were, for a few months longer. Then at its next session the legislature, less hasty in its action than it has been this year and having learned better the limits of its power, can pass a constitutional law. Such a law I would not venture to oppose, and we may look forward then to peace and quietness.

My lord, I cannot see the necessity for such desperate hurry that our rights must be taken from us, the country thrown into confusion, and the constitution be violated rather than that Prince Edward Island should for a few months longer retain a system of education which has been in operation for the last quarter of a century.

Further, these cases cannot be taken into court without great and heavy expense. Where is the money to come from? My people are poor, they have already by this act a triple tax laid upon them, and, my lord, am I to tell them that they are to submit to a great wrong or be heavily taxed in order to obtain justice? All my life

long I have endeavoured to keep out of the law, but those who have had much experience in it tell me that its great expense is only equalled by its great uncertainty.

To show, my lord, that I am not unreasonably suspicious of the influences which unfortunately are at work here, I shall state a fact which has come to my knowledge since my return.

Under the new law, Charlottetown is to have seven school trustees. Its population is about 10,000 of whom about 4,500 are catholics. Three of these trustees are appointed by the city, four by the government. The city has made its appointments, a catholic and two protestants. The government has made theirs, four protestants. I feel, my lord, that comment upon the above is needless.

I have, etc.,

PETER MCINTYRE,
Bishop of Charlottetown.

PROVINCE OF PRINCE EDWARD ISLAND,

GOVERNMENT HOUSE, 5th July, 1877.

The Honourable the Secretary of State, Ottawa.

SIR,—I have the honour to acknowledge the receipt of your despatch, no. 1192, on 654 of the 30th ultimo, calling my attention to the fact, that the information from my attorney general, referred to in my despatch of the 12th instant, respecting the Public Schools Act, 1877, has not been received, and intimating that a decision upon the matter has been delayed, pending the receipt of further communication, at the request of the attorney general preferred to the honourable the minister of public works, and stating that "it is therefore expected that no steps will be taken to actively enforce any of the provisions of the act, which may interfere with the various schools which the Roman catholic bishop of Charlottetown claims to be Roman catholic denominational schools."

I mailed to you on the 3rd instant, a minute of my council, in reply to the various objections raised by the bishop, and other petitioners against the general provisions of the act, and also in reply to those objections specially relating to the schools called French Acadian schools, which minute affords the information referred to in my despatch of the 12th instant.

Having called the attention of the leader of my government to your despatch, I have been advised by him that the act does not require any immediate active steps to be taken by the government, with reference to the schools claimed as Roman catholic denominational schools, unless the people fail to elect trustees, and the chief superintendent is called upon under the act, to appoint them, but I am assured by him that, in so far as the government and their officials are concerned, they are quite satisfied that, in accordance with the expectation you express upon this point, no active interference should take place with these schools, until his excellency the governor general has had full opportunity for examining and considering the several documents and statutes forwarded at the instance of my government upon the subject.

I have, etc.,

R. HODGSON,
Lieutenant Governor.

PROVINCE OF PRINCE EDWARD ISLAND,

GOVERNMENT HOUSE, July, 1877.

The Honourable the Secretary of State, Ottawa.

SIR,—I have the honour to acknowledge the receipt of your despatch, no. 1191, on 735 of the 30th ultimo, transmitting a copy of the signatures appended to the petition against "The Public Schools Act" of this province, a copy of which was inclosed to me in your despatch of the 22nd ultimo.

I have, etc.,

R. HODGSON,
Lieutenant Governor.

Prince Edward Island School Law.

PROVINCE OF PRINCE EDWARD ISLAND,

GOVERNMENT HOUSE, July, 1877.

The Honourable the Secretary of State, Ottawa.

SIR,—I have the honour to acknowledge the receipt of your despatch no. 1188 on 675 of the 30th ultimo, and of the original petition, with the signatures appended to it, against "The Public Schools Act, 1877," of this province, transmitted therewith.

I have, etc.,

R. HODGSON,
Lieutenant Governor.

CHARLOTTETOWN, PRINCE EDWARD ISLAND, August 11th, 1877.

To the Hon. R. W. SCOTT, Secretary of State for Canada, Ottawa.

SIR,—Herewith I inclose printed regulations referred to in the letter of His Lordship Bishop McIntyre, of the 31st ultimo, which were then omitted to be forwarded.

I have, etc.,

EDWARD J. HODGSON.

CHARLOTTETOWN, PRINCE EDWARD ISLAND, 31st August, 1877.

To the Hon. R. W. SCOTT, Secretary of State for Canada.

SIR,—I have the honour to enclose a communication to his excellency the governor general in council regarding "The Public Schools Act, 1877," which I beg may be laid before his excellency in council.

I have, etc.,

PETER MCINTYRE,
Bishop of Charlottetown.

CHARLOTTETOWN, PRINCE EDWARD ISLAND, August 31st, 1877.

To His Excellency The Right Hon. the EARL OF DUFFERIN,
Governor General of Canada.

MAY IT PLEASE YOUR EXCELLENCY,—I beg your excellency's permission again to refer to "The Public Schools Act, 1877," and my many memorials to your excellency regarding it.

I have laid before your excellency in council evidence that the Acadian schools sought to be destroyed by this statute are protected by the British North America Act, and this evidence, I venture to say, is unanswerable.

I received from the minister of justice an assurance that, although a decision as to whether this measure was constitutional could not be come to by the 1st of July, yet "a communication had been addressed officially to the lieutenant governor, stating that it is expected that no steps will be taken to actively enforce any of the provisions of the bill which may interfere with the various schools which you claim to be Roman catholic denominational schools."

I hoped that the expressed wish of the federal government would not have been inoperative, but the executive of the province have refused to comply with the reasonable request of the minister of justice, and the consequence is that all the Acadian schools in the province are now closed.

My lord, I think I may with fairness claim that I have waited very patiently. I knew that my case was a righteous one and that the law was on my side, and that, moreover, I had and still have, as your lordship is not unaware, the open support and expressed sympathy of the whole episcopate of Canada.

I have hitherto endeavoured to quiet the alarm of my people and to still their agitation, for I was slow to believe that a great wrong would be done to the French people of my diocese.

But, my lord, my waiting has been in vain, for I have had no answer to my memorials and my prayer for justice has been as yet unheeded. Five months have elapsed since I forwarded my first petition, and my earnest hope, that the guaranteed rights of my people should not be destroyed, has been long delayed. *Spes quae differtur, affligit animam.*

My duty to my people calls for something more than patient waiting, but before passing to those active measures which, strong in the justice of my cause and in the moral support of right thinking people, I feel called upon to adopt, I desire to make one last appeal to that sense of justice which I am unwilling to believe the federal government will allow to be obscured by considerations of expediency.

The French people of my diocese have been deprived of the religious instruction which they have enjoyed for a quarter of a century, and which is guaranteed to them by the constitution of Canada, and I have hitherto uttered no word of complaint, except what has been submitted to your excellency through the ministers of the crown.

My lord, is it too much to ask that I may be permitted respectfully to request a decision upon this important matter? I am sure your excellency would not willingly prolong my great anxiety and the distress of my people. If it were for myself alone, or if private interests only were concerned, I should not press so strongly for a decision that we may at least know our fate. For I do not conceal from your excellency that I am most anxious to learn whether the sanction of our sovereign is to be given to a legislative enactment directed against the Roman catholic faith, and whether rights guaranteed by the constitution are to be taken away, notwithstanding the protest of those to whom those rights are very dear.

I have the honour to be, my lord,

Your excellency's most obedient servant,

PETER McINTYRE,

Bishop of Charlottetown.

DEPARTMENT OF THE SECRETARY OF STATE,

OTTAWA, 15th November, 1877.

His Honour the Lieutenant Governor of Prince Edward Island,
Charlottetown, P.E.I.

SIR,—I have the honour to transmit to you, herewith, for the information of your government, a copy of an order of his excellency the governor general in council, and of the report of the honourable the minister of justice therein referred to, on the subject of the act passed by the legislature of the province of Prince Edward Island, at the late session thereof, intituled "The Public Schools Act, 1877."

I have the honour to be, sir,

Your obedient servant,

R. W. SCOTT,

Secretary of State.

OTTAWA, 12th November, 1877.

The committee of the privy council have had under consideration the report hereunto annexed, from the honourable the minister of justice, on the act passed by the legislature of the province of Prince Edward Island, at its last session, intituled "The Public Schools Act, 1877," and for the reasons therein given they respectfully advise that the said act be left to its operation, and that a copy of the said report and of this minute be transmitted for the information of the lieutenant governor of Prince Edward Island.

Certified,

W. A. HIMSWORTH,
Clerk Privy Council.

Prince Edward Island School Law.

DEPARTMENT OF JUSTICE, OTTAWA, 8th, November, 1877.

In the last session of the local legislature of Prince Edward Island an act was passed entitled the Public Schools Act, 1877.

This act repeals all the previously existing laws on the same subject, and appoints a board of education, composed of a chief superintendent (to be appointed by the lieutenant governor), the members of the executive council, the principal of the Prince of Wales college.

This board is given power to establish normal schools, to appoint three inspectors, each county constituting an inspectoral district, to prescribe the qualifications for inspectors and their duties, and to provide for the uniform certification of all candidates for the same; to divide the province into school districts, and to create new districts or alter boundaries; to make regulations for the organization and the government and discipline of schools, for the classification of schools and teachers, and to appoint examiners of teachers, and to grant and cancel licenses; to prescribe text books and apparatus for the use of schools, books for school libraries.

The chief superintendent is to have, subject to the board of education, the supervision and direction of the inspectors and schools; to enforce the provisions of the act and the regulations and decisions of the board of education; to withhold all provincial aid from the districts presenting false or insufficient returns, etc., etc. The duties of the inspectors are to visit at least semi-annually each school; to examine the schools and school houses, and to ascertain if the provisions of the school law are there carried out and obeyed, etc., etc.

The act provides that the support of the schools is to come from local assessment and from assistance provided by the provincial treasury.

The act also regulates the salaries of teachers according to their qualifications; and section fifteen enacts that "No teacher shall receive from the provincial treasury the salary herein provided, according to his respective class or grade, unless the average daily attendance for the term during which he claims his salary shall be at least fifty per cent of the children of school age within the school district, and made so to appear to the chief superintendent's satisfaction; and if such average daily attendance shall be less than fifty per cent, a proportionate deduction shall be made from his salary for any deficiency."

Section 16 enacts: "In case such deduction shall at any time be made from any teacher's salary for the reason set forth in the preceding section, the chief superintendent shall cause the fact and the amount of the deduction to be certified to the trustees of the districts who shall forthwith upon the receipt thereof, levy an assessment upon the parties in the district, who have, by neglecting or refusing to send their children to school, caused the deficiency in the average attendance, and such assessment shall be distributed and paid in such proportions and amounts by such persons as the trustees in their absolute discretion may determine; but should it be proved to the satisfaction of the trustees that such deficiency was caused by sickness, or other unavoidable causes, the trustees shall in that case be, and they are hereby, authorized to levy an assessment on the district to meet such deduction in such manner as for other school purposes."

Section 40 enacts as follows: "All school districts, as registered at the time of the passing hereof by the board of education, are hereby declared to be established and confirmed as school districts until altered by the board of education, constituted by this act, and shall have all the rights and benefits of school districts to be established under this act, notwithstanding any errors, defects, or irregularities in the establishing or registration of the same."

By the act, trustees to be nominated at school meetings, called for the purpose, in each district, on the first Tuesday of July, in each year, shall decide what amount shall be raised for the support of teachers to supplement the sum provided by the province, and what sum shall be raised for the purchase of school houses, etc., and for general school purposes. Three trustees are to be appointed for each district.

Section 69 of the act regulates the conditions under which the board of trustees shall employ teachers, and the times for visiting schools.

Section 92 is as follows :—

“ All schools conducted under the provisions of this act shall be non-sectarian, and the bible may be read in all such schools, and is hereby authorized, and the teachers are hereby required to open school on each school day with the reading of the sacred scriptures by those children whose parents or guardians desire it, without comment, explanation or remark thereupon by the teachers; but no children shall be required to attend during such reading, as aforesaid, unless desired by their parents or guardians.”

After the passing of this bill, the right reverend the catholic bishop of Charlottetown presented to his honour the lieutenant governor, on the 17th April, 1877, a memorial requesting him to withhold his assent to the said bill on the ground that it interfered with the rights of the catholic community of the province as secured to them by the 93rd section of the British North America Act, 1867.

His honour the lieutenant governor declined to interfere with the carrying out of the bill, and transmitted this memorial to his excellency the governor general of the Dominion.

The grounds of the bishop's objections to the act are, in substance, that a system of separate schools existed by law at the time of the union of the island and the dominion of Canada, and that the right or privilege of the French-speaking portion of the queen's subjects in relation to education were seriously affected; that by the act chapter 6 of 31 Vic., sec. 72, provision is made for schools for the French-speaking population, directing the amount to be paid to their teachers over that paid to teachers of other schools; that this provision was repealed by the new act; and that the new bill will have the effect of closing the separate schools which, for many years, have existed among the French.

His lordship also addressed a memorial to his excellency the governor general setting forth that he believed that education should not be separated from instruction in the virtues of the Christian faith; that the catholics of the province had built and maintained schools based upon religious instruction; that the act alluded to required the existence of these schools; that the catholics could not withdraw their children from the schools they had erected at great expense; and would therefore be compelled to pay for schools in addition to those which they felt bound to support; that in addition to this, the statute introduced a new principle, establishing a penalty, by fine and imprisonment, on such of the catholics as would send their children to their own schools, specially referring to section 16 above cited, which inflicts a penalty for the non-attendance of children of school age within the school district; and complained of the loss of these schools and of the penalties inflicted on them as a consequence of non-attendance at a school established by law as a grievous wrong and an attack upon their faith; and asked for the interference of the governor general.

The attorney general of the province forwarded a representation in support of the act and in answer to the allegations of the bishop of Charlottetown, in which he stated in substance, that the system of education has always been, according to the law of the province, non-sectarian, that at one time small grants were voted annually towards several sectarian schools, but that, for years before confederation, they had been withdrawn, and that this non-sectarian character has been continued by the present act which repealed the law of 1868.

In answer to Bishop McIntyre, the attorney general states that he does not see that provision was made by the act of 1868 for schools for the French-speaking portion of the population, and that section 72 of that act does not bear this interpretation; that this section has been taken advantage of to a very limited extent throughout the province, and he denies that these schools have the character of separate schools in any way different from the schools established by the last act. He contends, at the same time, that these schools may continue under the provisions of this statute as formerly; that the provisions of the former act did in no way, directly or indirectly, sanction any school as a separate school in the sense in which religious views or tenets could legally be taught, or books used other than those authorized

Prince Edward Island School Law.

by the board of education; that the French population had no right or privilege which the new act prejudicially affects.

The attorney general relies on the decision of the privy council in *ex parte Renaud* to show that there is no moral or legal right in the claim of the bishop and denies that the Roman catholics of the province are marked out by exceptional legislation for taxation over and above what must fall upon other religious denominations.

He incloses copies of the authorized list of school books, the only ones which could be legally used in a public school up to this time, admitting, however, that the law in this latter respect had not of late years been in any way strictly adhered to or enforced.

The executive council further submitted in support of the act a memorandum, dated 30th June, 1877, in which they make observations upon the statements contained in the petitions and memorials transmitted by his lordship the bishop of Charlottetown.

They deny that there ever existed separate denominational schools; that their existence was never asserted in the press or in the legislature as being supported at the public expense; that no such schools actually exist or have existed for many years. They admit that in the French schools, as well as in the Scotch and Irish schools, books have been used which were not authorized by the regulations of the board of education, but they contend that there existed no legal authority for the use of these books, and that their use was improper and illegal.

That the fundamental principle of their school law was exclusively non-sectarian. The memorial further states that the bill was discussed at length in the legislature without any haste in its passing, and that no protest or petition was ever presented, and that, during the lengthy debate which took place with respect to this bill, not a hint was given of the existence of these separate denominational schools.

The council observe that the catholic bishop in his petition assumes that the rights he claims are based solely upon the 72nd section of the act of 1868, which argument they say has been fully answered by the attorney general in his report. The council in answer to the complaint made by the bishop as to sections 15 and 16 of the act, claim the right of the legislature to enact such provisions as will secure the attendance of children at school and as are necessary for the proper securing of the objects of the act, and to levy the difference of amount which otherwise would have been obtained to pay the teachers' salaries. In order to disclaim any intention of attacking the Roman catholic section of the community, the memorial relies on subsection M of section 93, which they say is expressly enacted to meet the cases where any denominations of Christians, Roman catholics or protestants, have erected a school to participate in the public expenditure, provided it conforms in all respects to the public school rules and regulations during school hours.

The memorial denies absolutely the allegations contained in the petition of the bishop and of the catholics that there exists any class of denominational schools recognized by law known as the Anglo-Rustico schools, and that if they ever existed it was in defiance of the law and without the knowledge of the government, admitting, however, that the law, with respect to the books used in some of the schools attended by children of one denomination, had been, to a limited extent, evaded.

The council in its memorial allege that in the year 1875, a monster petition was presented to the legislature of the province, signed by Bishop McIntyre and about nine thousand Roman catholics in which they prayed the legislature to concede the very privileges they now boldly assert they at the time and for years before had legally possessed. A copy of this petition is forwarded with the memorial, showing, as they contend, that the catholics could not have supposed the existence of the rights they now profess to have.

They also refer to a parliamentary committee of the session of 1876, appointed to investigate into the educational law, who, by its report, showed that the law with respect to books, had not been complied with in the French Acadian schools, but without any affirmation of any legal rights as those claimed by the bishop.

To the argument used by the bishop, based upon the 39th section of the 15th Vic., chap. 13, that the Anglo-Rustico schools were first recognized and had certain rights guaranteed to them, which were recognized at the time of the passing of the act of 1868, 31 Vic. chap. 6, and sanctioned and legalized by the 103rd and 104th sections of that act; the council contend that these sections cannot bear such construction. That there exist no schools in the province known as the "Anglo-Rustico schools" or so called in any of the acts. That the school districts are registered by some particular name, one only of which is called and registered as the "Anglo-Rustico district" where the population are partly Acadian French and partly English. That these districts being very populous and one school being found insufficient, the legislature in 1864 by the 27th Vic., chap. 31, authorized the board of education to establish two schools in that district. That the statute required that the teacher should be a duly licensed district school teacher, and that both he and the trustees of the school should comply with all the provisions of the law relating to education. That the 7th section of this statute authorized the board to apply the same remedy to other districts found similarly circumstanced with the Anglo-Rustico district in imposing the same condition as to their establishment.

Such, according to the memorandum, were the only reasons for establishing these schools in the Anglo-Rustico district, which were always subject to the regulations of the law, both as to licensed teachers and otherwise.

That the 103rd section of the act of 1868 was intended to continue and confirm that state of things, and the 104th section to allow the same remedy to districts similarly circumstanced. That these sections, 103 and 104 of the act of 1868, are nearly transcripts of sections 6 and 7 of the act of 1864 which was repealed by the act of 1868.

That such schools had no legal privilege with regard to the books, teaching or system of education different from the other schools.

That one of the provisions of the act, 1868, relating to district teachers, is that the books prescribed by the board of education shall be used, and that any school where the books, regulations and system of education prescribed by the school visitor shall not be used, shall be deprived of its allowance.

Referring to section 101, it is contended that no teacher can receive any pay until he produces certificates that the provisions of the act are, in all respects, being complied with. The regulations sanctioned by the board comprise the following:—

"No books of any kind shall be used in the school, except those approved of by the board of education from time to time." It is further alleged that no teacher has ever attempted under this act to claim his salary without producing the necessary certificates from the trustees of the district, that he has in all respects complied with the law. The secretary of the board of education certifies that no other school was ever established of this character, since the passing of the act, 1868. With reference to the mode in which the schools of the Anglo-Rustico district were in operation at the time the act was passed, the council state that they had not the character ascribed to them by the bishop.

The memorial affirms that they were not at that date in the same condition as in 1852, but that they had been by express legislation, swept away.

The act of 1852, in its 39th section, recognized the French Acadian schools in this respect only: That it allowed a French Acadian teacher, producing a certificate from the priest that he was member of his congregation and was capable of teaching certain branches, to receive a salary, but did not sanction the use of any but the prescribed books. On the contrary, the 51st section of that act directed that the board might withhold the allowance from any school not observing the books, regulations and system of education prescribed by it. In 1854 the education law was amended, and by the 29th and 30th sections, the French Acadian teachers had their salaries raised £5 a year, and were obliged to open English classes for instruction in reading, writing and arithmetic, failing which they were to be deprived of their allowance.

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Next came a regulation of the board of education passed in 1857, proscribing all books but those authorized by the board, which regulation has ever since remained in force. In 1860 the law was again amended, and the 3rd section placed Acadian teachers, who passed the board of education examination, and received a certificate, and complied with the requirements of the law, on the same footing as other teachers. The 4th section of the same act provided that those Acadian teachers who refused to be re-examined should have their salaries reduced to £35 per annum.

The 10th section of the same act fixed the number forty as the total requisite number for each Acadian school and if the average daily attendance did not amount to eighteen, a deduction should be made from the teacher's salary.

In 1861 the education laws were consolidated, all previous acts being repealed. The clauses of the previous statutes relating to Acadian teachers were re-enacted. Those Acadian teachers who passed the board's examination were put on the same footing as all other teachers and those who could not pass the board were to receive a reduced salary (see sections 29, 31 and 32 of 24 Vic., chap. 36). The 37th section of the same act authorized the board to withhold allowance from any school in which the books, regulations and system of education prescribed by the board were not used and observed (see section 31 of 24 Vic., chap. 36). In 1863 the law was again amended by 26 Vic., chap. 5, the 31st and other sections of the act of 1861 recognizing the Acadian teachers as a distinct class were repealed, and by the 6th section of the act of 1863 the legislature declared that it was inexpedient to grant government support any longer to Acadian teachers as such, abolished them as a separate class and any special privilege they may have enjoyed.

The sections of the act of 1861 conferring privileges upon them were repealed and since that time the memorandum contends, that the Acadian teacher and Acadian schools as distinct from the ordinary schools, ceased to exist, and if mention is made in the act of 1868 of the Anglo-Rustico school, the only reason was that one school was frequented by the English speaking people and the other by the French. The only power which was left to the priest or clergymen after the passing of the act of 1868 was that of visitor, enjoyed by clergymen of all denominations, also by judges, magistrates and members of the legislature under section 53 of the act of 1868.

In conclusion the memorandum refers to the decision of the privy council in *ex parte Renaud* as confirming their position.

The above memorandum was communicated to the bishop for his observations, and in answer he states that he sees in the minute of council only three points:—

1. That the claim about the Acadian schools is a new one for it was not made in the legislature, nor in the press, nor in his memorial of the 17th April, 1877, to Sir R. Hodgson, nor in the catholic petition of 1875.
2. That clauses 15 and 16 of the Public Schools Act, 1877, are not unfair and oppressive.
3. That there are no Acadian separate schools recognized by law.

For the answer to the last two points he refers to the report of his solicitor which he appends; and on the first, in substance, he re-affirms the existence of those schools as being known to the whole community and to the executive council, which fact he supports by reference to the debates at the time of the passing of the bill. His lordship explains the absence in his petition to the lieutenant governor of the 17th April, 1877, of the grounds taken by him in his subsequent petition and memorial. His reasons are that the bill was being passed through hurriedly and he had but a short time to prepare his objections.

That he was denied a copy of the bill after repeated attempts to obtain one. On the fact alleged by the memorandum that the petition presented by him and his people, to the number of nine thousand, did not mention the existence of this new claim regarding the rights of catholics, his lordship states that he had no reason to mention this because it was then a well known fact and he asked by his petition to have a general system of education of sectarian principles, and that there was no necessity for calling the attention of the legislature to the then existing Anglo-Rustico school.

His lordship the bishop, in support of his proposition that these schools were, and were understood to be, and can easily be established to have been, denominational schools in accordance with the regulations of the Roman catholic church, transmitted an additional memorial with documents in support of his contention. He accompanies this memorial with twenty-five certificates by the teachers and trustees of the Anglo-Rustico schools, which state that these schools were distinct and denominational in their character. He also transmits a certificate, signed by 442 of the inhabitants of Prince Edward Island, in which they declare that these schools have always been considered such.

The report, accompanying the observations of his lordship, of his solicitor, contains in substance the following answer:—

As to sections 15 and 16 of the Public Schools Act, 1877, the solicitor asserts that no similar principle can be found in any anterior statute as imposing such unjust taxation on any portion of a community, referring to a minute of council which he annexes, showing that the previous laws levied the tax for the deficiency upon those parents who sent their children to school, whilst sections 15 and 16 of the present act levied the penalty upon those who do not (sec. 21, 17 Vic.)

The solicitor, in his report, in reply to the observations made as to the objection arising from sections 15 and 16 in the statute, states that the penalty imposed by these sections is not for the wilful cause of the absence of the children, but for the neglect or refusal of the parents, so that, whenever there is any school other than the public school, and the attendance of the latter falls below the average, the parents will send their children elsewhere, and, though already twice taxed, must pay again, and he states the object of this clause is directly levelled at the catholics, who alone in the island have a separate school.

On subsection M of section 93, he observes that this clause might be made in two places, viz., Charlottetown and Summerside, a means of conciliation, but that depends upon how it is worked, but by the act the working is left to the board of trustees, of which not one is catholic.

On the main question of the existence or non-existence of Acadian separate schools, the report, in addition to the facts alleged by the bishop, states that as to the Anglo-Rustico school, strictly speaking, this is the name of a district, though the Acadian schools would be known by that name. That it is not their legal designation, and although sections 103 and 104 of the act refer only to the two schools of that district, yet that they have an important bearing upon the position of all the Acadian schools. The whole evidence he relies upon reposes in the fact, which he states, that at one time these Acadian schools were recognized, the certificate of the parish priest being all that was required from the teacher. That afterwards changes were made in the qualification, etc., of the teachers. That from the time these schools were opened up to June, 1877, in all of them the priest constantly gave religious instruction and religious books were used. This was an open and notorious fact, in proof of which he refers to the certificates of teachers and trustees, and of catholic and protestant inhabitants of the district, which he states could be multiplied to any extent. Reference is also made by him to the report of Mr. Norman Stewart, visitor for Prince county, which states that "suitable elementary French reading books should be prescribed for the use of the French schools, about one-seventh of the school population of the county are French, their education must therefore be of considerable importance to the county. With the text books now used, especially the readers, thorough and progressive instruction is impossible. As soon as the alphabet is mastered, children are put in the *Nouveau-Traité*, a book which is altogether too difficult for beginners."

From this, the solicitor concludes that it is evident that these schools were separately and independently managed, the report having been made to the house of assembly by the government itself, two members of which are still connected with the government. The report asserts the statement that the teachers giving this special instruction and education received their salaries upon the certificates that the school had been taught according to law, with the observance of all presented regulations and with the use of all ordered books. The report further states

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that the use of these books with the knowledge of the board, together with the exceptional teaching in these schools, amount to a legal recognition of their existence.

The report refers to the case of *Ridsdale vs. Clifton et al.*, as follows: What then, in a question of this nature, is the weight in law of such contemporaneous and continual usage?

Their lordships may take the answer to this question from the words either of Lord Campbell in *Gorham's Bishop of Exeter* (152 B, 73-74), or of Chief Baron Polloch in *Pochin vs. Duncombe* (1 H. & N. 856), or of Lushington in *Westertin vs. Leddell* (Moore Separate Report, 79).

To justify the prevalence of the usage with respect to schools, the report alleges, without any other evidence than that contained in the certificates previously produced, that at Rustico and many other Acadian districts, Acadian schools existed.

He further says that the legislation from 1852 to 1868, which abolished Acadian teachers as a separate class, does not touch upon the privileges of those schools, because, as he says, there is a wide difference between teachers and teaching, and does not believe that the changes affecting the status of the former necessarily change the nature of the latter.

The report further states that these schools have been "openly, uniformly, continuously and with authoritative sanction" existing, and were in existence at the time of confederation; that they were of a denominational character, and that, therefore, they are entitled to have this privilege restored to them by the repeal of the law which has deprived them of its advantages.

The question of constitutionality of this act rests upon the question whether the catholics of Prince Edward Island had, by law, when the province became part of confederation, a system of schools which may be qualified denominational which, under section 93 of the British North America Act, cannot be interfered with by any subsequent action of the provincial legislature.

This section provides: "In and for each province the legislature may exclusively make laws in relation to education, subject and according to the following provision:—

"(1) Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the union.

"(2) All the powers, privileges and duties at the union by law conferred and imposed in upper Canada on the separate schools and school trustees of the queen's Roman catholic subjects shall be and the same are hereby extended to the dissentient schools of the queen's protestant and Roman catholic subjects in Quebec.

"(3) Where in any province a system of separate or dissentient schools exists by law at the union or is thereafter established by the legislature of the province, an appeal shall lie to the governor general in council from any act or decision of any provincial authority affecting any right or privilege of the protestant or Roman catholic minority of the queen's subjects in relation to education.

"(4) In case any such provincial law as from time to time seems to the governor general in council requisite for the due execution of the provisions of this section is not made, or in case any decision of the governor general in council on any appeal under this section is not duly executed by the proper provincial authorities in that behalf, then and in every such case, and as far only as the circumstances of each case require, the parliament of Canada may make remedial laws for the due execution of the provisions of this section and of any decision of the governor general in council under this section."

In order to render any law of the provincial legislature inoperative under this section, it is requisite that there should in such province have been at the union denominational schools, with respect to which certain classes of persons had rights or privileges and that these privileges should have been secured by law.

To determine this question it is necessary at once to consider what law was in force at the time of the union of Prince Edward Island, for the purpose of determining whether, within the meaning of subsections 3 and 4 of section 93 of the British

North America Act, the French or Roman Catholics of Prince Edward Island had by such law any right or privilege with respect to such denominational schools, and whether the last act prejudicially affects such rights and privileges.

By the laws of Prince Edward Island before the union, in 1868, a new system of education had been introduced and all anterior statutes were repealed. A board of education composed of eleven persons was appointed, and no schoolmaster or mistress was authorized to teach unless he or she received a license from the board after examination. Visitors were appointed for defined districts, and a board of five trustees for each district was to be selected by the inhabitants of such district. The law conferred on these trustees the power to assess householders being parents or guardians of children, and for the building or repairing of school-houses, section 72 (upon which his lordship the bishop of Charlottetown relies in support of his contention), provided that a teacher who could teach French should receive £5 additional salary, provided the trustees of such school district raised that sum for such teacher by supplementary subscription. All school districts as then registered by the board of education previous to the passing of the act were established and confirmed as school districts, and entitled to all rights and benefits conferred by the act notwithstanding any want of form or irregularity whatsoever in the mode of establishing each district or any other proceeding. Every school teacher was required to transmit to the secretary of the board of education a notice stating the date at which he entered into his engagement, and the day of the opening of the school under his charge. The two most important clauses under this act bearing upon the question, and insisted upon as creating or recognizing separate or denominational schools are sections 103 and 104, which are as follows: "The two schools which were established, and are now in operation in the district known as the Anglo-Rustico district, on township number twenty-four, in this island (one school having been found insufficient to afford the means of education to all the children therein) shall be continued as now in operation, and the board of education are hereby authorized to divide and alter the said district in such way and manner as they may deem expedient, so as to meet the exigency of the case, anything herein contained to the contrary notwithstanding; provided always, that no teacher appointed to take charge of any such school or schools in the said Anglo-Rustico district, shall at any time be recognized as a district teacher or be entitled to a salary, unless such person shall have obtained a license as a first or second-class teacher from the board of education, and shall comply with the provisions of this act relating to district teachers.

"In case any other established school district in this island shall be found similarly circumstanced with the said district hereinbefore designated the Anglo-Rustico district, it shall be in the power of the board of education to apply the same remedy in relation thereto, by dividing or altering the same and establishing an additional school therein, as is mentioned and set forth in the last preceding section, in regard to the said Anglo-Rustico district, and with the like restrictions in all respects as therein prescribed in regard to the teacher of any such additional school, being a duly licensed teacher, and the trustees of his school shall conform in all respects to the provisions of this act."

The grounds urged by the bishop for the disallowance of this act amount to the proposition that the sections 103 and 104 recognize and allow the existence of schools under the name of Anglo-Rustico district schools which were denominational by toleration and usage. Upon a close examination of the sections referred to it is impossible to arrive at the conclusion that these schools were denominational by law, whatever may have been the course of instruction carried on in them.

I find no provision in the law which could be interpreted as warranting the exemption of these schools from the enactment applying to the schools generally. It must be observed that all previous laws were abolished by the statute of 1868, that the only provision which can be invoked in support of the proposition that the Anglo-Rustico schools were denominational, is that these sections 103 and 104 mention them and allow them to be continued as then in operation, but the reason mentioned for their continuance is not that they offered a different system of education but because one school was found insufficient to afford the means of education,

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the law having established only one school for each district and this exception being made to apply merely to a certain territorial division, the board of education being authorized to divide and alter the district so as to meet the exigency of the case.

I find it impossible to discover in these two clauses anything which could justify the claim of the bishop to secure the right to denominational teaching in such schools, as the section itself declares that no teacher shall take charge of any such school in the Anglo-Rustico district and be recognized as a district teacher or entitled to a salary unless he shall have obtained a license from the board of education and shall comply with the provisions of the act relating to district teachers.

Consequently, if such teacher is subject to all the regulations imposed by the law upon other teachers, I cannot see how they can assert their independence of the general provisions of the statute. The latter portion of section 104 seems to repel the possibility of any such interpretation as suggested by the bishop.

When allowing trustees to establish other schools than those generally created by the statute in one district it reserves the same restrictions in regard to the teaching of such additional schools and binds the trustees to conform in all respects to the provisions of the act.

It, therefore, follows that even in the Anglo-Rustico district the teachers were bound to obtain their license and to comply with the provisions of the act. The trustees of such schools were also bound to conform in all respects to the law. The only reasons brought by the bishop's solicitor are, first, the fact that a different course of instruction was followed in these French schools, and secondly that the board of education and the public generally were aware of and sanctioned the system which was carried on independently of the provisions of the statutes.

This does not amount to a legal recognition of the existence of these schools.

The law having been passed in 1868, the time during which such a system was admitted or supposed to have been admitted cannot amount to a usage having the legal effect of repealing a positive statute. In other words, the learned gentlemen pretend that, because the law was suspended in some instances by trustees who were appointed and bound to see to its execution, this would be equivalent to a special provision in the statute allowing the existence of such schools, or a repeal of any provision which would prohibit the establishing of separate or independent schools. Such a proposition cannot be admitted as founded in law.

Taking for granted even the proposition of the bishop, that these schools were denominational in their teaching and in the course of education followed therein, with the tacit sanction of the trustees and board of education since the passing of the statute of 1868, this fact alone would not support the pretension that the last act should be disallowed. It would only establish, at most, the fact that, notwithstanding the positive enactments of the statute establishing a uniform system of education non-denominational in its character, a different system was tolerated. The provision of the constitutional act which secures to any province a system of separate or dissentient schools requires, as a condition of interference by the federal authority to maintain that privilege, that these schools should be separate or dissentient in their nature by virtue of the law existing at the date at which the province joined the union. It is not contended that there was any provision in any of the previous acts of the legislature of Prince Edward Island which secured to any sect the right of establishing an independent school. The bishop himself does not allege in his memorandum that such a provision existed in any of the statutes.

The reasoning of the argument of his solicitor would therefore be that, although there was not in existence any statutory provision empowering the catholic community to establish and maintain separate schools, and notwithstanding that there was in existence express statutory provision to the contrary, they could, because such schools had been virtually in operation, call on the federal government to prevent the legislature from establishing any regulation with respect to the schools generally without securing to them the right of maintaining separate and denominational schools.

Nothing can be found in the statutes that justifies such a proposition.

Reference has been made by the bishop to the law existing previous to 1868 in Prince Edward Island. The last statute on the subject previous to 1868 was chapter 36 of 24 Victoria, 1861. There, also, all provisions inconsistent with the enactment were abolished. A board of education was constituted to regulate the admission of teachers and the practice and system of education to be observed. This statute required also that every school teacher, whether Acadian or otherwise, should pass an examination by the board of education and receive a certificate of qualification. An exception, however, was made by the 31st section allowing admission of Acadian teachers, who had not been examined, to receive a reduced salary of £35, if he produced a certificate signed by the priest or clergyman of the district or parish wherein he taught, to the effect that he was capable of teaching and that he had taught the number of scholars required, and had instructed one English class for three months previous to the granting of such certificate.

Section 37 of the same act, however, declares that all schools claiming allowance to teachers under the act wherein the books, regulations and system of education prescribed, or to be prescribed by the school visitor and board of education to be observed, are not observed or adopted, shall, if the board think fit and make an order to that effect, be refused or deprived of such allowance until such time as such books, regulations and system of education shall be observed and adopted.

The preamble to this act states that the laws now in force establishing a system of free education in the island require consolidation and amendment.

Thus, so far back as 1861, the law did not recognize any system of separate and denominational schools, it is useless to go beyond that date, and it is impossible for the bishop to find in any provision from which could be inferred the right of any denomination to establish a separate or denominational school not under control of the board of education.

Great stress has been laid on section 15 as imposing an unjust tax upon the parents neglecting or refusing to send their children to the district school, thereby causing a deficiency in the average attendance, and leaving absolutely to the discretion of the trustees to determine the amount and to levy an assessment on the parties.

This provision I consider to be severe and giving somewhat arbitrary power to trustees in fixing the penalty and in the selection of the offenders. It confers the power of levying an additional tax at the discretion of the trustees. The previous laws give the right to the trustees to levy the amount of the deficiency on the district, which necessarily comprised those who complied with, and those who refused to submit to the law. If we are bound to consider the right of regulating education as absolutely appertaining to each province, except where the privilege of establishing separate schools existed by law, it must be admitted that they have equally the right to attach to the provisions of such laws the condition and penalties required to secure its object; however arbitrary or unjust the mode of enforcing it may appear, it would not seem proper for the federal authorities to attempt to interfere with the details or the accessories of a measure of the local legislature, the principles and objects of which are entirely within their province.

Inasmuch, however, as the provisions first referred to, which enable the trustees to levy the tax at their discretion, seem to depart, in a measure, from the well established principle that taxation should be certain and so far as possible equally distributed, I recommend that the attention of the lieutenant governor be called to such provisions with a suggestion that they should be amended to meet the objections mentioned, but for the reasons above set out I recommend that the act itself be left to its operation.

R. LAFLAMME,

Minister of Justice.

Prince Edward Island School Law.

PROVINCE OF PRINCE EDWARD ISLAND,

GOVERNMENT HOUSE, 19th November, 1877.

Honourable the SECRETARY OF STATE, OTTAWA.

SIR,—I have the honour to acknowledge the receipt of your despatch, no. 1910, on 1170, of the 15th instant, transmitting for the information of my government, copy of an order of his excellency the governor general in council, and of the report of the honourable the minister of justice therein referred to, on the subject of the act passed by the legislature of this province at its late session, entitled "The Public Schools Act, 1877."

I have, etc.,

R. HODGSON,

Lieutenant Governor.

PROVINCE OF PRINCE EDWARD ISLAND,

GOVERNMENT HOUSE, 22nd February, 1878.

Honourable the SECRETARY OF STATE, OTTAWA.

SIR,—I have the honour to inform you, that I have this day returned to you, per book post, the original petition against the Public Schools Act, 1877, transmitted to me with your despatch, no. 1188, on 675, of the 30th June last.

I have, etc.,

R. HODGSON,

Lieutenant Governor.

RETURN

(40c)

To an ADDRESS of the SENATE, dated the 9th April, 1894, for copies of all school ordinances, school regulations and amendments thereto, adopted by the Legislative Assembly, the Executive, and any Board or Council of Education, in reference to the establishment, maintenance and administration of schools in the North-west Territories since 1885. Also for copies of all petitions, memorials and correspondence in reference thereto. Also for copies of all Orders in Council, reports to the Governor General in Council, and all communications and representations to the authorities in the North-west Territories.

JOHN COSTIGAN,

Secretary of State.

EDMONTON, N.W.T., 2nd November, 1893.

The Honourable the Secretary of State, Ottawa.

SIR,—I have the honour to enclose a petition to his excellency the governor general in council on behalf of the board of trustees of St. Joachim's Roman catholic separate school district, no. 7 of the North-west Territories.

I have, etc.,

N. D. BECK, *Chairman of the Board.*

To His Excellency the Governor General of Canada in Council.

The petition of the board of trustees of St. Joachim's Roman catholic separate school district, no. 7 of the North-west Territory, speaking, as well for themselves in their corporate and individual capacity, as for the other catholic ratepayers of the said school district humbly sheweth:

(1.) That the North-west Territories Act contains the following provisions with reference to education:—"The lieutenant governor by and with the advice and consent of the legislative assembly of the territories, shall pass all necessary ordinances in respect to education, but it shall therein always be provided, that a majority of the ratepayers of any district or portion of the Territories, or of any less portion or subdivision thereof, by whatever name the same is known, may establish such schools therein as they think fit, and make the necessary assessment and collection of rates therefor; and also that the minority of the ratepayers therein, whether protestant or Roman catholic, may establish separate schools therein—and in such case the ratepayers establishing such protestant or Roman catholic separate schools shall be liable only to assessment of such rates as they impose upon themselves in respect thereof." (R. S. C., chap. 50, ss. 2 and 14.)

Schools in the North-west Territories.

(2.) Until the 31st December, 1892, there was in force in the Territories an ordinance, passed in pursuance of the above mentioned provision of the North-west Territories Act, which contained the following provisions:—

“The lieutenant governor in council may appoint and constitute a board of education for the North-west Territories composed of eight members to hold office for two years and until their successors are appointed, five of whom shall be protestants and three shall be Roman catholics.” (Revised Ordinance chap. 59, sec. 14.)

Provision was also made in the said ordinance prescribing the duties of the board of education in respect of all schools under their management. (Sec. 10.)

The said ordinance contained also the following provision:—

“The board of education shall resolve itself into two sections, the one consisting of the protestant, and the other of the Roman catholic members thereof, and it shall be the duty of each section:

“(a) To have under its control and management the schools of its section, and to make from time to time such regulations as may be deemed fit for their general government and discipline, and the carrying out of the provisions of this ordinance.

“(b) To select and prescribe a uniform series of text-books.

“(c) To appoint inspectors who shall hold office during the pleasure of the section appointing them.

“(d) To cancel the certificate of a teacher upon sufficient cause. (Sec. 11.)”

The said ordinance contained also the following provision:—

“Each section of the board shall have the selection of the text-books for the examination of teachers in history and science, and it shall have power to prescribe any additional subjects of examination for the teachers of the schools of its section, and in all examinations on such subjects the examiners of each section shall respectively have exclusive jurisdiction.” (Sec. 13.)

(3.) The system indicated above for the management of the schools operated with entire harmony and to the general satisfaction of all connected with the active work of education in the Territories.

(4.) On the 31st December, 1892, there was passed by the legislative assembly of the territories ordinance no. 22 of 1892, intituled “Ordinance to Amend and Consolidate as Amended the Ordinances respecting Schools,” whereby all previous ordinances relating to education were repealed.

The last mentioned ordinance contains the following provision:—

“The members of the executive committee, and four persons two of whom shall be protestants and two Roman catholics, appointed by the lieutenant governor in council shall constitute a council of public instruction, and one of the executive committee, to be nominated by the lieutenant governor in council shall be chairman of the said council of public instruction. The appointed members shall have no vote. (Sec. 5.)”

By the said ordinance there is vested in the council of public instruction not only the powers and authority which by the previously existing ordinance were vested in the board of education as a whole, but also the powers and authority thereby vested in each section thereof.

(5.) In pursuance of the power and authority conferred upon them by the said ordinance, the council of public instruction have promulgated certain regulations, of which one is to the effect, that, save in exceptional cases, no one can become a certificated professional teacher, entitled to conduct a public or separate school, without attendance at a normal school.

(6.) It is a well known fact, that the greater number and the more important number of the catholic schools are conducted by members of one or other of two religious orders of the catholic church, namely, The Faithful Companions of Jesus, and the Sisters of Charity, commonly known as the Grey Nuns. The former of these two orders, has for its object, and as the very reason of its existence the education of youth.

In consequence of its being composed of members from different countries, it necessarily possesses a varied and extensive amount of experience in the art of teaching besides the subjects are thoroughly trained in their own houses, before they are

allowed to teach. The grey nuns engaged in teaching in the territories, have also had many years of training, within their own communities, and much practical experience in the direction of schools. The rules of both these orders prohibit their members from living otherwise than in community, in a house of their order, and consequently make it practically impossible for them to comply with the regulations of the council of public instruction, enjoining attendance at the normal schools.

(7.) Another of the said regulations of the council of public instruction imposes a uniform course of instruction and a uniform selection of text-books, alike for all schools whether public, protestant or catholic. As to such a regulation, it is impossible that it can meet with the approbation of both protestants and catholics. The text-books now prescribed are in many instances of a character highly objectionable to catholics, either by asserting many things, which they have always repudiated, or by entirely ignoring, greatly minimizing or misrepresenting the part that the catholic church and her members have played in history, in all departments of science and literature, lastly by propagating religious and philosophical theories of which catholics disapprove.

(8.) No provision is made in the said ordinance for catholic separate normal schools, and the text-books prescribed for use in the normal schools are open to the same objections as are hereinbefore made to the text-books prescribed for use in the ordinary schools for children.

(9.) The effect of the said ordinance especially by means of the said regulations passed in pursuance thereof, is to deprive the catholic separate schools of that character which distinguishes them from public or protestant schools, and to leave them catholic separate schools in name only, and such, it is admitted, is its obviously necessary effect.

(10.) The passage of the said ordinance was strenuously opposed in the name of the catholic minority during its consideration by the legislative assembly.

(11.) The Rev. H. Leduc, O.M.I., vicar general of the catholic diocese of St. Albert, in the North-west Territories, in the name and on the behalf of the catholic population of the Territories, both clerical and lay, lately brought to the notice of the council of public instruction the objections of catholics to these new laws and requested their repeal, but no reply has been made to this request.

(12.) For the reasons aforesaid, your petitioners protest and declare concerning the said school ordinance no. 22 of 1892, of North-west Territories, and the regulations of council of public instruction made in pursuance thereof.

(a) That the said ordinance, and the said regulations prejudicially affect the rights and privileges of your petitioners, and all other of her majesty's catholic subjects in the Territories, in relation to education.

(b) That if the said ordinance be not disallowed, or repealed, or amended, so as to give to the representatives of the catholic minority the management and control of catholic schools so far as regards their general government and discipline, the selecting and prescribing of the text-books for use therein, the inspection of schools, and the granting or cancelling of teachers' certificates, the said ordinance will cause a great disturbance of peace and harmony among her majesty's catholic and protestant subjects within the Territories, and in the other parts of the Dominion.

(c) That the disallowance, repeal or amendment, in the respects above mentioned of the said ordinance, is necessary to prevent an unjust infringement of the natural and moral rights of the catholics in the Territories.

(d) That the said ordinance, inasmuch as it places in the hands of non-catholics the absolute control and management of catholic separate schools to such an extent that such persons are enabled, as they have actually done, to obliterate almost wholly the distinction between catholic and other schools, surpasses in spirit, intention and effect the powers of the legislative assembly in relation to education.

(13.) Your petitioners point out that it will be practically impossible for the legislative assembly of the Territories to repeal or amend the said ordinance before the expiration of the time within which your excellency is authorized by the 17th section of the North-west Territories Act to disallow ordinances of the legislative assembly. Therefore, your petitioners humbly pray—

Schools in the North-west Territories.

(1.) That your excellency may be pleased to disallow ordinance no. 22 of 1892, of the North-west Territories.

(2.) Alternatively, your petitioners appeal to your excellency in council from the said ordinance and from the regulations of the council of public instruction passed in pursuance thereof, and pray that the legislative assembly and the council of public instruction be ordered and directed to repeal or amend the said ordinance and regulations, so as to eliminate therefrom the provisions thereof above objected to, and that such further and other relief in the premises may be rendered as the circumstances may require and admit.

And, as in duty bound, your petitioners will ever pray.

The board of trustees of St. Joachim's Roman catholic separate school, district no. 7, North-west Territories.

W. D. BECK, *Chairman.*
S. LARUE, *Secretary and Trustee.*
J. G. FAIRBANKS, *Trustee.*

EDMONTON, 2nd November, 1893.

St. BONIFACE, 7th November, 1893.

To the Honourable the Secretary of State, Ottawa.

HONOURABLE SIR,—Herewith is enclosed a petition to the governor general of Canada in council from the board of trustees of St. Joachim's separate catholic school district no. 7 of the North-west Territories. I fully endorse that petition and I hope that the government will see its way to remove, by disallowance, the ordinance spoken of.

Experience shows that delay in such a matter merely renders more difficult the remedy of the exit.

My diocese extends over most of Assiniboia and it is in the name of the catholics under my episcopal care that I apply for protection against the injuries of which they have to suffer.

I pray, therefore, that you will lay my request before the governor general in council along with the petition of the board of trustees for St. Joachim's school district.

With the utmost respect and esteem,

I remain,

† ALEX. Arch. of St. Boniface, O.M.I.

CERTIFIED COPY of a report of a committee of the honourable the privy council, approved by his excellency the governor general in council on the 6th December, 1893.

The sub-committee, to whom was referred a communication, hereto attached, dated 2nd November, 1893, from the chairman of the board of trustees of St. Joachim's Roman catholic separate school district no. 7 of the North-west Territories, enclosing petition relative to certain ordinances of the North-west Territories respecting education, recommend that a copy thereof and of the petition therein referred to be transmitted to the lieutenant governor of the North-west Territories for the consideration of his government.

The committee submit the above recommendation for your excellency's approval.

JOHN J. MCGEE, *Clerk of the Privy Council.*

GOVERNMENT HOUSE,

REGINA, 18th December, 1893.

The Honourable the Secretary of State, Ottawa.

SIR,—I have the honour to acknowledge receipt of your despatch of the 11th instant, enclosing therewith copy of a communication dated the 2nd November

ultimo, from the chairman of the board of trustees of St. Joachim's Roman catholic school district no. 7 of the North-west Territories, covering a petition relative to certain ordinances of the Territories and to state that the same will receive attention.

I have, etc.,

C. H. MACKINTOSH,
Lieutenant Governor of N. W. T.

St. BONIFACE, 15th November, 1893.

To His Excellency the Governor General in Council.

MAY IT PLEASE YOUR EXCELLENCY,—I herewith enclose four petitions marked *a, b, c, d.*

(*a*) A petition in the name of his lordship the Right Reverend Bishop Grandin.

(*b*) A petition from the trustees of the Roman catholic public school district of St. Albert, no. 3.

(*c*) A petition from the trustees of the Roman catholic public school district of Cunningham, no. 5.

(*d*) A petition from the trustees of the Roman catholic public school district of St. Leon.

These four petitions have been sent to me with the demand of forwarding them to his excellency the governor general in council.

I join my humble request to that of the petitioners to pray that a remedy should be applied to the inconveniences complained of. The intention of depriving the catholics of their rights in matters of education and of abolishing the official use of the French language, specially in the schools, is so manifest that, unless it is checked at once the injustice will be perpetrated.

Surely it cannot be the will of his excellency the governor general in council to permit such a violation of the law which has organized the Territories.

I hope, therefore, that the ordinances and regulations complained of will be disallowed, and

Your petitioner shall always pray,

† ALEX. Arch. of St. Boniface, O.M.I.

Similar petitions from the bishop of St. Albert and the trustees of the following districts.

(*a*) A petition in the name of His Lordship the Right Reverend Bishop Grandin, Vital J. Grandin, Bishop of St. Albert, J. J. M. Lestanc, O.M.I., Administrator, R. Lacombe, Vicar-General, O.M.I., H. Leduc, O.M.I., Vicar-General.

St. Albert, Alberta, N.W.T., 4th November, 1893.

(*b*) A petition from the trustees of the Roman catholic public school district of St. Albert, no. 3. H. W. McKenny, Chairman, E. Brosseau, N. Morin.

St. Albert, Alberta, N.W.T., 4th November, 1893.

(*c*) A petition from the trustees of the Roman catholic public school district of Cunningham, no. 5. J. Cunningham, Chairman, J. Courtepatte, Secretary.

St. Albert, Alberta, 6th November, 1893.

(*d*) A petition from the trustees of the Roman catholic public school district of St. Leon. Geo. Gagnon, Chairman, Napoléon Thibaudeau, Secretary-Treasurer.

St. Albert, Alberta, N.W.T., 4th November, 1893.

CERTIFIED COPY of a report of a committee of the honourable the privy council, approved by his excellency the governor general in council on the 6th December, 1893.

The sub-committee of the privy council have had under consideration a communication, hereto attached, dated 15th November, 1893, from his grace the archbishop of St. Boniface, enclosing the following five petitions, relative to certain ordinances of the North-west Territories respecting education:—

Schools in the North-west Territories.

(a) A petition in the name of his lordship the Right Reverend Bishop Grandin.

(b) A petition from the trustees of the Roman catholic public school district of St. Albert, no. 3.

(c) A petition from the trustees of the Roman catholic public school district of Cunningham, no. 5.

(d) A petition from the trustees of the Roman catholic public school district of St. Leon.

(e) A petition from the archbishop of St. Boniface, conveying and endorsing the humble prayer of the four others.

The sub-committee recommend that a copy of the above mentioned communication, together with copies of the several petitions therein referred to, be transmitted to the lieutenant governor of the North-west Territories for the consideration of his government.

The committee submit the above recommendation for your excellency's approval.

JOHN J. MCGEE,

Clerk of the Privy Council.

DEPARTMENT OF THE SECRETARY OF STATE,

OTTAWA, 12th December, 1893.

His Honour the Lieutenant Governor of the North-west Territories.

SIR,—His excellency the governor general having had under his consideration in council five petitions, transmitted with a communication dated 15th of November, 1893, from his grace the archbishop of St. Boniface, relative to certain ordinances of the North-west Territories respecting education, I have now to transmit to your honour for the information of your government, pursuant to an order made by his excellency on the 6th ultimo, a copy of the communication above mentioned, together with copies of the said five petitions.

I have, etc.,

L. A. CATELLIER,

Under Secretary of State.

ST. BONIFACE, 22nd November, 1893.

To the Honourable the Secretary of State, Ottawa.

HONOURABLE SIR,—Herewith find enclosed five petitions marked, *a, b, c, d, e.*

(a) A petition of the trustees of Lacombe Roman catholic separate schools no. 1, of the North-west Territories.

(b) A petition of the board of trustees of Prince Albert Roman catholic separate school district no. 6 of the North-west Territories.

(c) A petition of the trustees of McLeod Holy Cross Roman catholic separate school, no. 8, of the North-west Territories.

(d) A petition of the board of trustees of St. Patrick's Roman catholic school district, no. 11, of the North-west Territories.

(e) A petition of the trustees of St. Agnes Roman catholic public school no. 18, of the North-west Territories.

I humbly and earnestly request that you will lay these petitions before the governor general in council at the earliest possible date and that you will kindly support them.

With respect and esteem, I remain,

† ALEX., *Arch. of St. Boniface, O.M.I.*

Similar petitions from the board of trustees of the following districts:—

(a) A petition of the trustees of Lacombe Roman catholic schools, of the North-west Territories.

J. W. COSTELLO, *Chairman.*
 J. R. MIQUELON, *Secretary.*
 WILLIAM CARVELL, *Trustee.*
 J. J. LESTANC, *Trustee.*
 E. H. ROULEAU, M.D., *Trustee.*
 J. S. FEEHAN, *Trustee.*

Calgary, 8th November, 1893.

(b) A petition of the board of trustees of Prince Albert Roman catholic separate school district of the North-west Territories.

HENRY LACROIX, *Chairman.*
 O. ST. DENIS, *Trustee.*
 G. R. RUSSELL, *Trustee.*
 L. SCHMIDE, *Trustee.*

(c) A petition of the trustees of McLeod Holy Cross Roman catholic separate school no. 8, of the North-west Territories.

T. H. STEDMAN, *Chairman.*
 JOHN RYAN, *Secretary.*
 CHARLES RYAN, *Trustee.*

McLeod, 8th November, 1893.

(d) A petition of the board of trustees of St. Patrick Roman catholic school district no. 11, of the North-west Territories.

CHARLES BYRNE.
 JOSEPH SMITH.
 DENIS BRADLEY.

Prince Albert, 17th November, 1893.

(e) A petition of the trustees of St. Agnes Roman catholic public school no. 18, of the North-west Territories.

CHARLES SMITH, *Chairman.*
 R. BEAUVAIS, *Trustee.*
 W. J. MACDONALD, *Secretary.*
 LUDGER GAREAU, *Treasurer.*
 CUTHBERT GERVAIS, *Trustee.*

Pincher Creek, Alberta, N.W.T., 20th November, 1893.

CERTIFIED COPY of a report of a committee of the honourable the privy council, approved by his excellency the governor general in council on the 6th December, 1893.

The sub-committee of the privy council have had under consideration a communication, hereto attached, dated 22nd November, 1893, from his grace the archbishop of St. Boniface, enclosing the following five petitions relative to certain ordinances of the North-west Territories, respecting education:—

(a) A petition of the board of trustees of Prince Albert Roman catholic separate school district no. 6 of the North-west Territories.

(b) A petition of the board of trustees of Lacombe Roman catholic separate school no. 1 of the North-west Territories.

(c) A petition of the trustees of McLeod Holy Cross Roman catholic separate school no. 8 of the North-west Territories.

(d) A petition of the board of trustees of St. Patrick's Roman catholic school district no. 11 of the North-west Territories.

Schools in the North-west Territories.

(e) A petition of the trustees of St. Agnes Roman catholic public school no. 18 of the North-west Territories.

The sub-committee recommend that a copy of the above mentioned communication together with copies of the several petitions therein referred to, be transmitted to the lieutenant governor of the North-west Territories for the consideration of his government.

The committee submit the above recommendation for your excellency's approval.

JOHN J. MCGEE,
Clerk of the Privy Council.

DEPARTMENT OF THE SECRETARY OF STATE,
OTTAWA, 14th December, 1893.

His Honour the Lieutenant Governor of
the North-West Territories, Regina, N.W.T.

SIR,—I have the honour, by command of his excellency the governor general in council, to transmit to you, herewith, for the consideration of your government copy of a letter from his grace the archbishop of St. Boniface, enclosing the five petitions therein mentioned relative to certain ordinances of the North-west Territories respecting education.

I have, etc.,

L. A. CATELLIER,
Under Secretary of State.

St. BONIFACE, 1st December, 1893.

To the Honourable the Secretary of State, Ottawa, Ont.

HONOURABLE SIR,—Herewith find enclosed two petitions addressed to his excellency the governor general in council and marked *a* and *b*.

(a) A petition of the board of trustees of St. Vital's Roman catholic separate school district, no. 11, of the North-west Territories.

(b) A petition of the Stobart Roman catholic separate school district, no. 8, of the North-west Territories.

I respectfully request that you should, as soon as possible, present such petition and support them before his excellency.

I remain, etc.

† ALEX., *Archbishop of St. Boniface, I.O.M.*

Similar petitions from the board of trustees of the following districts :—

(a) A petition of the board of trustees of St. Vital's Roman catholic separate school district, no. 11, of the North-west Territories.

R. PRINCE, *Chairman.*
W. LATOUR.
G. DENAU.

(b) A petition of the Stobart Roman catholic separate school district, no. 8, of the North-west Territories.

LOUIS PARENTEAU, *Chairman.*
BERNARD PAUL,
EUGÈNE BRUNELLE, } *Trustees.*
CHAS. FISHER, *Witness.*

CERTIFIED COPY of a report of a committee of the honourable the privy council, approved by his excellency the governor general in council on 13th December, 1893.

The sub-committee of the privy council have had under consideration a communication, hereto attached, dated the 1st December, 1893, from his grace the archbishop of St. Boniface, enclosing the undermentioned petitions relative to certain ordinances of the North-west Territories, respecting education.

(a) A petition of the board of trustees of St. Vital's Roman catholic separate school district, no. 11, of the North-west Territories.

(b) A petition of the Stobart Roman catholic separate school district, no. 8, of the North-west Territories.

The sub-committee recommend that a copy of the above mentioned communication, together with copies of the petitions referred to, be transmitted to the lieutenant governor of the North-west Territories for consideration.

The committee submit the above recommendation for your excellency's approval.

JOSEPH POPE,
Asst. Clerk of the Privy Council.

DEPARTMENT OF THE SECRETARY OF STATE, OTTAWA, 16th December, 1893.

His Honour

The Lieutenant Governor of the North-west Territories,
Regina, N.W.T.

SIR,—I have the honour, by command of his excellency the governor general in council, to transmit to you, herewith, for the consideration of your government copies of two petitions mentioned therein relative to certain ordinances of the North-west Territories respecting education.

I have, etc.,

L. A. CATELLIER, *Under Secretary of State.*

ST. BONIFACE, 6th December, 1893.

To the Honourable the Secretary of State, Ottawa.

HONOURABLE SIR,—Enclosed find two petitions which I respectfully ask you to present, as soon as possible, to his excellency the governor general in council.

They are marked *a* and *b*.

(a) A petition of the board of trustees of Saskatchewan Roman catholic public school district, no. 2, of the North-west Territory.

(b) A petition of the board of trustees of St. Anthony of Padoua's Roman catholic separate school district of the North-west Territories.

With respect and esteem, I remain,

ALEX., *Arch. of St. Boniface.*

Similar petitions from the board of trustees of the following districts :—

(a) A petition of the board of trustees of Saskatchewan Roman catholic public school district, no. 2, of the North-west Territory.

THEOPHILE LAMOUREUX, *Chairman and Secretary.*

ALCIBIADE LAMOUREUX.

S. H. PARADIS, *Treasurer.*

Fort Saskatchewan, Alberta, N.W. T., 7th November, 1893.

(b) A petition of the board of trustees of St. Anthony of Padoua's Roman catholic separate school district of the North-west Territories.

EDOUARD DUMONT.
XAVIER LETENDRE.
LOUISON LETENDRE.

Schools in the North-west Territories.

CERTIFIED COPY of a report of a committee of the honourable the privy council, approved by his excellency the governor general in council on the 13th December, 1893.

The sub-committee of the privy council have had under consideration, a communication hereunto attached, from his grace the archbishop of St. Boniface, dated 6th December, 1893, enclosing the undermentioned petitions relative to certain ordinances of the North-west Territories respecting education.

(a) A petition of the board of trustees of Saskatchewan Roman catholic public school district no. 2 of the North-west Territories.

(b) A petition of the board of trustees of St. Anthony of Padoua's Roman catholic separate school district of the North-west Territories.

The sub-committee recommend that a copy of the above mentioned communication, together with copies of the petitions therein referred to, be transmitted to the lieutenant governor of the North-west Territories for consideration.

The committee submit the above recommendation to your excellency's approval.

JOSEPH POPE,

Assistant Clerk of the Privy Council.

DEPARTMENT OF THE SECRETARY OF STATE,

OTTAWA, 18th December, 1893.

His Honour the Lieutenant Governor of the North-west Territories, Regina.

SIR,—I have the honour, by command of his excellency the governor general in council, to transmit to you herewith, for the consideration of your government, copies of the two petitions therein mentioned, having reference to certain ordinances of the North-west Territories respecting education.

I have, etc.,

L. A. CATELLIER, *Under Secretary of State.*

ST. BONIFACE, 12th December, 1893.

To the Honourable the Secretary of State, Ottawa, Ont.

HONOURABLE SIR,—Would you be kind enough to lay, as soon as possible, before his excellency the governor general in council, the enclosed petition marked *a*, being a petition of the board of trustees of Lebret Roman catholic school district, no. 12, of the North-west Territories.

With respect and esteem, I remain, etc.,

† ALEX., *Arch. of St. Boniface, O.M.I.*

Similar petition marked *a* from the board of trustees of Lebret Roman catholic school district no. 12, of the North-west Territories.

JOHN LYNCH, *Chairman.*

ALEXANDRE GOYER, *Trustee.*

JOSEPH POITRAS do

8th December, 1893.

GOVERNMENT HOUSE, REGINA, 30th December, 1893.

The Honourable the Secretary of State, Ottawa.

SIR,—I have the honour to acknowledge the receipt of your despatches, dated respectively the 13th, 14th, 16th and 18th instants, enclosing copies of several petitions, which have been addressed to his excellency the governor general in council, in reference to certain ordinances of the North-west Territories respecting education.

I have referred these several communications to the executive committee, and am informed that a reply is now being prepared by Mr. Haultain, the chairman of the committee, which will be ready for transmission in a few days.

I have, etc.,

C. H. MACKINTOSH,

Lieutenant Governor of the North-west Territories.

ST. BONIFACE, 19th December, 1893.

To the Honourable the Secretary of State, Ottawa, Ont.

HONOURABLE SIR,—Enclosed herewith find a petition marked *a*, which I trust you will present as soon as possible to his excellency the governor general in council.

It is a petition of the board of trustees of St. Joseph of Dauphinais Roman catholic school district, no. 15 of the North-west Territories.

With respect and esteem, I remain, etc.,

† ALEX. Arch. of St. Boniface, O.M.I.

Similar petition from the board of trustees of St. Joseph de Dauphinais' Roman catholic school district no. 15 of the North-west Territories.

MOISE DAZÉ, *Chairman.*
JOHN BEAULIEU, *Trustee.*
HILAIRE BOUCHER, "
J. N. BRUNET, *Secretary.*

File Hills, 11th December, 1893.

ST. BONIFACE, 28th December, 1893.

To the Honourable the Secretary of State, Ottawa, Ont.

HONOURABLE SIR,—Herewith find enclosed two petitions, marked *a* and *b*, which I take the respectful liberty to ask you to present, as soon as possible, to his excellency the governor general in council, and to support them.

Petition *a* is from the board of trustees Charlebois Roman catholic separate school no. 37 of the North-west Territories.

Petition *b* is from the board of trustees of Fish Creek's Roman catholic separate school district of the North-west Territories.

I remain with respect and esteem, yours, etc.,

† ALEX. Arch. of St. Boniface, O.M.I.

(*a*) A petition from the board of trustees Charlebois Roman catholic separate school no. 37 of the North-west Territories.

FRANCOIS SAGIS, *Trustee.*
ALEXANDRE DUSSION, "
EDOUARD CADOTTE, "
O. CHARLEBOIS, O. M. I., *Secretary.*

Cumberland, Sask., N. W. T., 9th December, 1893.

(*b*) A petition from the board of trustees of Fish Creek's Roman catholic separate school district of the North-west Territories.

BONIFACE LEFORT,
PAUL DESJARLAIS,
XAVIER FEDLER,

Trustees of the School of St. François de Taché.

Schools in the North-west Territories.

GOVERNMENT HOUSE, REGINA, 5th January, 1894.

The Honourable the Secretary of State, Ottawa.

SIR,—In continuation of my letter of the 30th ultimo I have now the honour to enclose you herewith, for submission to his excellency the governor general in council, reply prepared by Mr. F. W. G. Haultain, on behalf of the executive committee, to the various petitions addressed to his excellency in reference to certain ordinances of the territories respecting education.

I have, &c.,

C. H. MACKINTOSH,
Lieutenant Governor of the North-west Territories.

LEGISLATIVE ASSEMBLY, REGINA, N.W.T., 4th January, 1894.

His Honour the Lieutenant Governor
of the North-west Territories, Regina.

SIR,—On behalf of the executive committee, I have the honour to submit the following statement in reply to the several petitions to his excellency the governor general in council, praying for the disallowance of ordinance no. 22 of 1892, referred by your honour to the committee for their consideration. As all the petitions appear to be practically alike, I shall throughout this statement cite the petition of the bishop of St. Albert.

As the petitions request the disallowance of the ordinance of 1892, it might be well to consider, whether the state of affairs complained of, will be remedied by the disallowance of an ordinance, which, so far as the more important points in question are concerned, is largely a re-enactment of earlier legislation which has been allowed to go into operation.

For this purpose, I shall make a short comparative statement of the law and regulations as they existed prior to the ordinance of 1892 and as they exist to-day. I shall not go into the details of the law, but confine my remarks to—1. The training and licensing of teachers; 2, inspection; 3, text-books; as our action in regard to these subjects seems to be that which is complained of.

1. Training and licensing of teachers.

By sub-section 6 of section 10 and section 12 of chapter 59 of "The Revised Ordinances, 1888," the general examination of and licensing of teachers was vested in the whole board of education and not in the sections of the board.

The board of education was composed of five protestant and three Roman catholic members. The bishop of St. Albert in his petition is therefore asking for something which has not been possessed by the Roman catholic section of the board for five years and asks for the disallowance of the ordinance of 1892 because it re-enacts what has been practically on our statute book for more than five years.

Section 7 of the amending ordinance of 1891-92, allowed each section of the board of education to prescribe text-books in history and science, *i. e.*, controversial subjects.

The practical necessity for this safeguarding clause may be estimated by a reference to the action of the board of education and its sections on the suggestion of the Reverend Father Leduc, then a member of the board (see exhibit "A," Father Leduc's letter and its result, exhibit "B," Regulations of the Board of Education of 3rd September, 1891, pages 8, 9, 11, 13, 14). On the 3rd September, 1891, then, by the joint, and I may add, unanimous action of the Roman catholic and protestant sections of the board of education, prompted by the Reverend Father Leduc, a uniform course of study and a practically uniform series of text-books were prescribed for all candidates for teachers' certificates.

With regard to the training of teachers, I might say that our regulations do not compel any teacher, who possesses equivalent qualifications, to attend our normal sessions.

Teachers are required to possess scholarship and professional skill. If any member of a religious order presents evidence of these, she can obtain her certificate

without attending our normal school, but if she does not present such evidence, under our regulations, she is not entitled, in her religious character, to anything more than any other lady who wishes to teach in a government school and obtain a government grant.

Our duty is to see that none but properly qualified teachers are engaged in our schools, and that none but properly conducted schools receive public money, and those duties cannot be delegated to the representatives of any religious body or bodies.

As a matter of fact, many members of religious orders are specially and splendidly trained as teachers, and our regulations will admit them without any attendance at our normal classes.

No member of a religious order teaching in the Territories to-day is affected by the normal school regulations, and for the future, members of religious communities wishing to engage as teachers in schools drawing public money in the Territories, must conform with regulations of which they have had full notice.

In further reference to the subject of uniform training of teachers, I might cite the action of the old board of education under the system which, in the words of the petition, "operated with entire harmony and to the general satisfaction of all connected with the active work of education in the Territories."

At a meeting of the board of education held on the 25th January, 1888, it was resolved:—

"That, in the opinion of this board, it is necessary to make provision for the instruction and training of teachers for our public schools in the science and art of teaching;

"That the board feels that the appointment of a normal school principal, whose duty it would be to hold normal school sessions in different parts of the country, would have the best possible results in increasing the efficiency of teachers and stimulating education.

"Therefore resolved:—

"That his honour the lieutenant governor be requested to urge upon the Dominion government the advisability of granting the sum of five thousand dollars for the next financial year for normal school purposes."

At that meeting, among other members present and approving, were Rev. Father Leduc and Mr. A. E. Forget.

Again, on the 3rd September, 1891, the board of education, on the motion of Mr. A. E. Forget, a Roman catholic member, passed the following resolution:—

"That all persons in the inspectorates of eastern and western Assiniboia, who obtained non-professional certificates at the recent examination of teachers, not holding certificates of normal training, and who desire to obtain professional certificates, be required to attend a normal session either at Moosomin or Regina; such normal session to commence on the reopening of the union schools after the Christmas holidays, and to terminate, for third class teachers six weeks, and for first and second class teachers three months from the date of commencement."

On this occasion were present and approving, the Rev. Father Leduc, the Hon. Mr. Justice Rouleau and Mr. A. E. Forget, all the members of the Roman catholic section of the board.

2. **INSPECTION.**—Section 5 of ordinance no. 28 of 1891-92, provides for the appointment of inspectors by the lieutenant governor in council. Section 11 of the ordinance of 1892, simply re-enacts this.

There are four school inspectors for the Territories, one of whom the Reverend Father Gillies, is a Roman catholic priest. There are 44 Roman catholic and 286 protestant schools in the Territories. The bishop of St. Albert's statement that until the 31st December, 1892, the law gave each section of the board of education power to appoint inspectors is not correct, as that power was taken away from the sections by the ordinance of 1891-92, passed in the previous session of the legislature.

3. **TEXT-BOOKS.**—The petition states that "text-books now prescribed are in many instances of a character highly objectionable to Roman catholics," that they are "for the most part protestant, and are offensive to catholics, etc." A general charge of this nature can only be met by an equally general denial, or by putting

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the books in as evidence. No objectionable text-books have been prescribed for Roman catholic schools. Out of the large number of books prescribed for schools, teachers examinations and normal classes, the petitioner has been unable to specify one which would support his most general and unfounded assertion. Until the passage of the ordinance of 1892, text-books for Roman catholic schools were prescribed by the Roman catholic section of the board of education.

The only change of the text-books for these schools since 1888, was made at the last general meeting of the council of public instruction, held in June, 1893. At that meeting, and with the approval of the Reverend Father Caron, a Roman catholic member of the council, a uniform series of text-books for all schools was prescribed, with one exception.

At the Reverend Father Caron's request, Roman catholic schools were allowed to use as optional text-books the Roman catholic readers in the primary classes.

The only school text-books in our programme which could possibly excite controversy are the readers and histories.

In history, the text-book, under the new regulations is Buckley & Robertson's History of England and Canada. This book was already prescribed by the board of education, having been considered unobjectionable by the Roman catholic section, and was in use before the late regulations and the ordinance of 1892 came into force.

The readers, above the primary ones, are the Ontario series, which were already actually used in a number of Roman catholic schools in the territories and are allowed in the separate schools of Ontario, where text-books "offensive to Roman catholics" are not usually prescribed.

I have thus shown that by the ordinance of 1892, and the regulations made under its authority, no right has been interfered with and no substantial departure has been made from the regulations which were established by the Roman catholic section of the late board of education or by the general board with their approval.

The effect of the ordinance has not been "to deprive Roman catholic schools of that character which differentiates them from public or protestant schools."

The religious complexion of the school is a domestic matter, which concerns the ratepayers establishing such school, and such ratepayers only.

It is the result of the religious complexion of the community establishing the school. It is preserved and maintained by the trustees elected by that community who, in that respect, have ample jurisdiction. They choose their own teacher, and determine the character and amount of religious instruction that shall be given in the school.

The general control of the school system is not concerned with this question, nor should it be.

To deny this involves a duplication of the whole machinery of education. It would involve two courses of study, two standards for teachers, two sets of inspectors, two sets of normal schools, two superintendents and government grants based on different standards.

This duplication is in the last analysis impossible, as it is unnecessary. Granted the right of Roman catholic inspection and Roman catholic management and control, the further necessity will arise for a Roman catholic assembly to make ordinances for the government of Roman catholic schools, and a Roman catholic lieutenant governor to assent to such legislation, and a Roman catholic governor general to allow the law to come into operation, on the advice of a Roman catholic council, possessing the confidence of a Roman catholic house of commons.

The responsibility for the general management of our schools, for the educational policy of the Territories, and for the expenditure of the school vote is above and beyond any sectarian difference. Expenditure and control are inseparable, and so long as schools continue to receive government grants, they must be subject to government control.

I do not feel called upon to discuss the constitutional phase of this question. The petitioner questions the power of the legislature in one clause (subsection D of section II), but the effect of this clause depends upon the satisfactory proof of the rest of the petition. The petition is not supported by any such proof.

Indeed, the petitioner has not even made a pretense of proof of any of his assertions.

With all respect for his eminent position, I must call attention to the inaccuracy of statement and quotation apparent from a comparison of the petition with the public records. No specific case is quoted in support of general charges.

A careful comparison of our present system with the system in existence prior to the ordinance of 1892 will show no substantial changes, or at least no changes involving a grievance or a wrong.

On all important subjects the regulations complained of are the regulations passed under the system which the petitioner claims to have "operated with entire harmony and to the general satisfaction of all connected with the active work of education in the Territories."

The petitioner prays for disallowance, or alternatively that the legislative assembly and council of public instruction be ordered to repeal or amend the ordinance and regulations, etc.

The legislative assembly cannot be ordered to repeal or amend its own legislation by any power or authority.

Disallowance will not practically remedy any alleged grievance. Disallowance will change the name of the governing body from "council of public instruction" to "board of education," but will not change the regulations, and finally disallowance, in the words of the right reverend petitioner, but with a four-fold significance, "will cause a great disturbance of peace and harmony among her majesty's protestant and catholic subjects in the Territories and in other parts of the Dominion."

I have, etc.,

F. W. G. HAULTAIN,

For the Executive Committee, N.W.T.

DEPARTMENT OF THE SECRETARY OF STATE,

OTTAWA, 10th January, 1894.

His Honour the Lieutenant Governor of the North-west Territories, Regina.

SIR,—I have the honour, in continuation of prior correspondence upon the subject, to acknowledge the receipt of your despatch of the 5th instant, transmitting, for submission to the governor general in council, reply prepared by Mr. F. W. G. Haultain, on behalf of the executive committee of the North-west Territories, to the several petitions addressed to his excellency praying for the disallowance of certain ordinances of the Territories in reference to education, and to inform you that the matter will receive attention.

May I ask you to be good enough to cause me to be supplied, for official purposes, with two additional copies of exhibit "B," referred to in the reply in question.

I have, etc.,

L. A. CATELLIER,

Under Secretary of State.

ST. BONIFACE, 7th January, 1894.

To His Honour the Secretary of State, Ottawa, Ont.

HONOURABLE SIR,—Enclosed herewith find a petition, which I trust you will present to his excellency the governor general in council, and also support it.

It is a petition of the trustees of Lethbridge Roman catholic separate school, no. 9, of the North-west Territories.

With much esteem, I remain; etc.,

† ALEX., *Arch. of St. Boniface, O.M.I.*

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Similar petition from the board of trustees of Lethbridge Roman catholic separate school, no. 9, of the North-west Territories.

M. E. ROY, *Chairman.*
CYRILLE BEGIN, *Treasurer.*
THOS. CLUNY, *Trustee.*
Sister FRANCES McCORMACK, F.C.J.,
Secretary.

LETHBRIDGE, 8th November, 1893.

GOVERNMENT HOUSE, REGINA, 12th January, 1894.

The Honourable the Secretary of State, Ottawa.

SIR,—Referring to my letter of the 5th instant, transmitting, for submission to his excellency the governor general in council, the reply of the executive committee to the various petitions, addressed to his excellency, in reference to certain ordinances of the Territories respecting education, I have now the honour to enclose you herewith a further statement on the same subject.

I have, etc.,

C. H. MACKINTOSH,
Lieutenant Governor of the North-west Territories.

REGINA, 12th January, 1894.

To His Honour the Lieutenant Governor of the North-west Territories.

SIR,—I beg to make a short additional statement on behalf of the executive committee in reference to the petition of the right reverend the bishop of St. Albert to the governor general in council praying for the disallowance of ordinance no. 22 of 1892.

In my previous communication of the 4th January instant, I stated "that the only change of text-books for these Roman catholic schools since 1888 was made at the last general meeting of the council of public instruction held in June, 1893. At that meeting and with the approval of the Rev. Father Caron, a Roman catholic member of the council, a uniform series of text-books was prescribed, with one exception."

Instead of using the word "prescribed," I should have said "determined upon." As a matter of fact the only changes in text-books for Roman catholic schools actually made by the council of public instruction are the changes set forth in the explanatory circular of the 30th September, 1893, a copy of which is hereto attached. I have already referred to changes in text-books prescribed for examinations for teachers' certificates, and in this letter deal only with the question of school text-books.

The changes indicated in the circular of the 30th September are the only changes in Roman catholic school text-books which have been made since 1888. The effect of that circular is:

(1) To strike from the list of books for Roman catholic schools the metropolitan series of readers.

(2) To prescribe for all standards above standard 2 the Ontario readers.

(3) To continue for standards 1 and 2 the Dominion series of readers, the text-books already in use under the regulations of the Roman catholic section of the board of education, the Ontario readers being only made optional in these standards; and

(4) To allow the Ontario bilingual readers to be used in French-speaking districts, under the conditions set forth in the circular.

In abolishing the metropolitan series of readers the example of the Roman catholic committee of the council of public instruction of the province of Quebec

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was followed. At a sitting of that body, held on the 20th May, 1892, his eminence Cardinal Taschereau in the chair, among the books struck from the list of books approved for use in the Roman catholic schools in the province of Quebec were the metropolitan 1st, 2nd, 3rd and 4th readers.

My previous communication has sufficiently stated the unobjectionable character of the Ontario readers.

This further statement will clearly refute the charge of having prescribed for Roman catholic schools text-books offensive to Roman catholics.

I have, etc.,

F. W. G. HAULTAIN,

For the Executive Committee, N.W.T.

GOVERNMENT HOUSE, REGINA, 15th January, 1894.

The Honourable the Secretary of State, Ottawa.

SIR,—I have the honour to acknowledge the receipt of your letter of the 10th instant, and to transmit you herewith, as requested, two additional copies of "exhibit B" referred to in the reply of the executive committee to the several petitions addressed to his excellency the governor general in council, in reference to certain ordinances of the Territories respecting education.

I have, etc.,

C. H. MACKINTOSH,

Lieutenant Governor of the North-west Territories.

DEPARTMENT OF THE SECRETARY OF STATE, OTTAWA, 19th January, 1894.

His Honour the Lieutenant Governor of the North-west Territories,
Regina, N.W.T.

SIR,—I have the honour to acknowledge the receipt of your despatch of the 12th instant, enclosing for submission to his excellency the governor general in council an additional statement from Mr. F. W. G. Haultain, on behalf of the executive committee of the North-west Territories, in reference to the petition of the right reverend the bishop of St. Albert to the governor general in council praying for the disallowance of ordinance no. 22 of 1892.

I have, etc.,

L. A. CATELLIER,

Under Secretary of State.

DEPARTMENT OF THE SECRETARY OF STATE, OTTAWA, 19th January, 1894.

His Honour the Lieutenant Governor of the North-west Territories,
Regina, N.W.T.

SIR,—I have the honour to acknowledge the receipt of your despatch of the 15th instant, covering the transmission of two additional copies of "exhibit B" referred to in the reply of the executive committee to the several petitions addressed to his excellency in council regarding certain ordinances of the North-west Territories dealing with education.

I have, etc.,

L. A. CATELLIER,

Under Secretary of State.

EXTRACT of the report of the committee of the honourable the privy council, approved by his excellency on the 5th February, 1894.

The committee of the privy council have had under consideration the following petitions, namely:—

- (1.) Petition of the board of trustees of St. Joachim's Roman catholic school, district no. 7, of the North-west Territories.
- (2.) Petition in the name of his lordship the Right Reverend Bishop Grandin.
- (3.) Petition of trustees of Roman catholic school district of Prince Albert, no. 3.
- (4.) Petition of trustees of Roman catholic separate school district of Cunningham, no. 5.
- (5.) Petition of trustees of Roman catholic separate school district of St. Leon.
- (6.) Petition of his grace the archbishop of St. Boniface, endorsing the prayer of the above petition.
- (7.) Petition of the trustees of the Roman catholic separate school of Lacombe, no 1.
- (8.) Petition of the trustees of Roman catholic separate school of McLeod, Holy Cross, no. 8.
- (9.) Petition of the trustees of Roman catholic separate school of St. Patrick, no. 11.
- (10.) Petition of the trustees of Roman catholic separate school of St. Agnes, no. 18.
- (11.) Petition of the board of trustees of St. Vital's Roman catholic separate school district, no. 11 of the N. W. T.
- (12.) Petition of the Stobart Roman catholic separate school district, no. 8 of the N. W. T.
- (13.) Petition of the board of trustees of Saskatchewan Roman catholic public school district no. 2 of the N. W. T.
- (14.) Petition of the board of trustees of St. Anthony of Padoua's Roman catholic separate school district of the N. W. T.
- (15.) Petition of the trustees of Roman catholic separate school of Lebret, no. 12.
- (16.) Petition of the trustees of Roman catholic separate school of St. Joseph of Balgonie.
- (17.) Petition of the trustees of Roman catholic separate school of St. Joseph of Dauphinais, N. W. T.
- (18.) Petition of the trustees of Roman catholic separate school of Charlebois, no. 37.
- (19.) Petition of the trustees of Roman catholic separate school at Fish Creek.

The committee have also had under consideration a letter of his honour the lieutenant governor of the North-west Territories, dated 5th January, 1894, having therewith the statement, in reply to the above petitions, of F. W. G. Haultain, Esq., for the executive council of the North-west Territories, and the further letter of his honour dated 12th January, 1894, enclosing an additional statement by Mr. Haultain.

The committee report upon the above named petitions and letters as follows:—

(1.) The committee find these several petitions are practically alike.

By the first prayer of their petition the petitioners ask that your excellency might be pleased to disallow ordinance no. 22 of 1892 of the North-west Territories.

The committee find that the ordinance complained of was assented to on the 31st December, 1892, and that, amongst other things, it enacts as follows:—

"Section 1. That the ordinance may be cited as the School Ordinance.

"Section 4. There may be established, subject to the provisions of this ordinance and to the regulations of the council of public instruction, the following classes of schools:—

"(a) Public schools for pupils between five and twenty years of age, in which instruction shall be given in the elements of an English and commercial education.

"(b) Separate schools for pupils between five and twenty years of age in which instruction shall be given in the elements of an English and commercial education.

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"Section 5. The member of the executive committee and four persons, two of whom shall be protestant and two Roman catholic, appointed by the lieutenant governor in council, shall constitute a council of public instruction, and one of the said executive committee to be nominated by the lieutenant governor in council shall be chairman of the said council of public instruction. The appointed members shall have no vote and shall receive such remuneration as the lieutenant governor in council shall provide.

"The executive committee and any sub-committee thereof appointed for that purpose shall constitute a quorum of the council of public instruction.

"Section 6. It shall be lawful for the lieutenant governor in council to appoint a superintendent of education for the Territories who shall also be secretary of the council of public instruction.

"Section 7. It shall be lawful for the council of public instruction from time to time—

"(a) To appoint two or more examiners at such remuneration as shall be thought proper and who shall constitute a board of examiners to examine teachers and grant certificates of qualification.

"(b) To make and establish rules and regulations for the conduct of schools and institutes and to prescribe the duties of teachers and their classification.

"(c) To determine the subjects and percentages required for all classes and grades of certificates of teachers as well as to make and prescribe rules for the guidance of candidates for certificates of qualification as teachers.

"(d) To select, adapt and prescribe the text-books to be used in the public and separate schools of the Territories.

"(e) To arrange for the proper training, examination, grading and licensing of teachers and the granting of certificates which shall be of seven classes, namely, high school, first-class, grade A and B, second-class, grade A and B, third-class and provisional."

Here follow provisions as to kindergarten schools.

"(f) To determine all cases of appeals, disputes and complaints arising from decisions of trustees or inspectors and to make such orders thereon as may be required.

"(g) To make any provisions not inconsistent with this ordinance that may be necessary to meet exigencies occurring under its provisions.

"(h) To make and establish rules and regulations for the guidance of inspectors."

Section 6 above quoted has been repealed by clause 1 of ordinance no. 23 of 1893, and the following substituted therefor:—

"6. The lieutenant governor in council may from time to time determine what officers or persons it is necessary to employ for any purposes mentioned in this ordinance, assign their names of office, prescribe their duties and salaries and make the necessary appointments."

The committee, in order to have a proper understanding of the question, submit some quotations from the law governing schools and education in the territories prior to the passing of the ordinance complained of, as found in ordinance no. 59 of 1888, which ordinance was repealed by the ordinance no. 22 of 1892.

By the ordinance no. 59 of 1888, it was provided amongst other things:—

"Section 4. The lieutenant governor in council may appoint and constitute a board of education for the North-west Territories, composed of eight members to hold office for two years and until their successors are appointed, five of whom shall be protestant and three shall be Roman catholic.

"5. The board shall meet at Regina on the third Tuesday in January and July in each year, and at such other times as the lieutenant governor may direct.

"6. A majority of the board shall be a quorum.

"7. The board shall appoint one of their number as chairman, who may vote with the other members of the board on all questions and any question on which there is an equality of votes shall be deemed to be negatived.

"Section 10. It shall be the duty of the board:—

"1. To prescribe the duties of the secretary to the board.

"2. To make regulations for the registering and reporting of the daily attendance at all schools, and to prescribe the form of school register.

"3. To cause a proper record to be made of the proceedings of the board.

"4. To determine all appeals from the decision of inspectors of schools, and to make such orders thereon as may be required.

"5. To provide for a uniform system of inspection of all schools, and to make, from time to time, such regulations as may be deemed necessary with respect to the duties of inspectors.

"(a.) The remuneration of inspectors shall be at the rate of twenty dollars per annum for each organized school within their inspectorates open during the year or in any part thereof. For travelling expenses they shall be allowed five dollars for each day absent in the discharge of their duties, but where the railway is used they shall be allowed the actual fares paid on such railway and such necessary expenses as the board of education, through its secretary, may approve.

"6. To arrange for the proper examination, grading and licensing of teachers, and the granting of certificates, which shall be of six classes, viz., first class (two grades), second class (two grades), third class and provisional.

"And for such schools as are not designated protestant or Roman catholic.

"7. To take charge of all such schools organized under this or any previous ordinance, and to make, from time to time, such regulations as may be deemed fit for their general government and discipline and the carrying out of the provisions of this ordinance.

"8. To appoint inspectors who shall hold office during the pleasure of the board.

"9. To select, adapt and prescribe a uniform series of text-books to be used in such schools.

"10. To cancel the certificate of a teacher upon sufficient cause.

"Section 11. The board of education shall resolve itself into two sections, the one consisting of the protestant and the other of the Roman catholic members thereof, and it shall be the duty of each section—

"1. To have under its control and management the schools of its section, and to make, from time to time, such regulations as may be deemed fit for their general government, discipline and the carrying out of the provisions of this ordinance.

"2. To select and prescribe a uniform series of text-books.

"3. To appoint inspectors who shall hold office during the pleasure of the section appointing them.

"4. To cancel the certificate of a teacher upon sufficient cause.

"Section 12. There shall be a general board of examiners for teachers' certificates, whose number shall be fixed by the board of education, and whose remuneration shall be the same as that of the members of the board of education, one-half of which board of examiners shall be nominated by each section of the board.

"Section 13. Each section of the board shall have the selection of text-books for the examination of teachers in history and science, and it shall have power to prescribe any additional subjects of examination for the teachers of schools of its section, and in all examinations on such subjects the examiners of each section shall respectively have exclusive jurisdiction."

INSPECTION.—The provisions of the appointments of school inspectors in the ordinance of 1888, were as follows:—

Under section 10, subsection 5, the board of education were empowered "to provide for a uniform system of inspection of all schools, and to make, from time to time, such regulations as may be deemed necessary with respect to the duties of inspectors." This section also provided for the remuneration of inspectors.

By subsection 3 of section 11 it was provided as a duty of each section. "To appoint inspectors who shall hold office during the pleasure of the section appointing them."

Section 80 of the ordinance of 1888 laid down the duties of inspectors of schools. Under the ordinance of 1892 the council of public instruction are authorized by subsection (h) of section 7: "To make and establish rules and regulations for the guidance of inspectors," and by section 11 it was provided that "the lieutenant governor

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in council may appoint inspectors of schools in the territories, and fix their salaries and travelling allowances, and such inspectors shall severally hold office during pleasure, and in addition to duties imposed upon them under section 91 of this ordinance shall perform such other duties as may be imposed upon them from time to time by the council of public instruction."

Section 11, above quoted, was repealed by section 6 of ordinance 23 of 1893, and subsections 9 and 10 of section 91 of the ordinance of 1892, which reads: "9. To inspect the visitors' book and write therein a general report of the condition in which he found the school. 10. To endorse all teachers' certificates in accordance with the regulations of the council of public instruction." Upon a comparison of the duties prescribed for inspectors of schools in the ordinance of 1888 and that of 1892, as amended, it will be seen that they are practically the same, the notable exception being the repeal of the subclauses 9 and 10 above set out, which subclauses correspond with subclauses 16 and 17 of section 89 of ordinance of 1888.

Upon comparing the provisions of the ordinance complained of, above quoted, with those of the ordinance no. 59 of 1888, above quoted, it will be seen that they differ materially in the following respects:—

By the ordinance of 1888, a board of education was appointed by authority of the lieutenant governor composed of eight members, five of which were to be protestants and three Roman catholics. A majority of the board formed a quorum, and the board appointed one of their number chairman, whereas by the ordinance complained of "the board of education" is done away with, and its place is substituted by section 5, a "council of public instruction," which is composed of the members of the executive committee and four other persons, two of whom shall be protestants and two Roman catholic appointed by the lieutenant governor in council, and one of the executive to be nominated by the lieutenant governor shall be chairman. The appointed members shall have no vote. A quorum is constituted by the executive committee only.

The petitioners complain that there is vested in the council of public instruction not only the powers and authority which by the ordinance of 1888 were vested in the board of education as a whole, but also the powers and authority thereby vested in each section thereof, and that in pursuance of the powers and authority conferred upon them by the said ordinance, the council of public instruction have promulgated certain regulations which are prejudicial to the rights and privileges of the petitioners. Amongst other such objectionable regulations is said to be one governing teachers' certificates.

By the provisions of subsection 6 of section 10 of ordinance 23 of 1888, the whole board of education irrespective of either section, had alone authority to "arrange for the proper examination, grading and licensing of teachers." Under the provisions of section 12, there was a general board of examiners for teachers' certificates, one half of which board of examiners were nominated by each section of the board, and by section 13 each section of the board had the selection of text-books for the examination of teachers in history and science, and in all examinations on such subjects the examiners of each section, respectively, have exclusive jurisdiction.

Although the formation of the board of examiners is different under the present law, the committee of the privy council are unable to ascertain that the board of public instruction has in any way altered or restricted the mode and manner of examining teachers. The committee are informed by Mr. Haultain's statement that so far back as January 1888, at a meeting of the board of education, it was resolved "That in the opinion of this board it is necessary to make provision for the instruction and training of teachers for our public schools in the science and art of teaching; that the board feels that the appointment of a normal school principal, whose duty it would be to hold normal school sessions in different parts of the country, would have the best possible results in increasing the efficiency of teachers and stimulating education.

"Therefore it is resolved that his honour the lieutenant governor be requested to urge upon the Dominion government the advisability of granting the sum of \$5,000 for the next financial year for normal school purposes."

There is nothing in the above resolution to indicate that there was to be one normal school for protestant teachers and another for Roman catholic teachers, but rather the one normal school for all.

The committee cannot ascertain that the establishment of the normal school was objected to 1888, but, on the contrary, Mr. Haultain says that at least two of the then Roman catholic members of the board of education were present at the meeting at which the above resolution was passed, and approved of the same.

It appears therefore to the committee that prior to the ordinance of 1892, normal schools had been sanctioned by the board of education without objection, and that a uniform training of teachers had been adopted by and with the approval of both sections of the board.

The petitioners further complain that the council of public instruction "have promulgated certain regulations of which one effect is that, save in exceptional cases, no one can become a certificated professional teacher entitled to conduct a public or separate school without attendance at a normal school."

To ascertain the nature of this objection it is well to examine the cases which are there said to be exceptional. It is provided by the regulations of the council of public instruction governing teachers' certificates, 1894, (at page 8 under the heading "persons eligible without examinations") as follows:—

"(1.) A person holding a professional certificate of the first or second class issued in Ontario or Manitoba since 1886, may receive a certificate of equal standing upon presenting, (a) A statement from the department of education in his own province that his certificate is still valid. (b) A certificate of moral character of recent date. (c) A certificate from his last inspector of having taught successfully.

"(2.) Persons holding non-professional certificates of the first or second class, issued in Ontario or Manitoba since 1886, may receive certificates of equal standing upon presenting proof of character and age.

"(3.) Persons holding certificates from other provinces of the Dominion or from the British Islands may receive certificates of such class as the council of public instruction may deem them entitled to.

"(4.) Graduates of any university in her majesty's dominions may, on the presentation of proofs of scholarship, character and age, receive non-professional certificates of the first class."

"(5.) Persons holding certificates of educational value from institutions other than those mentioned may receive such certificates as the council of public instruction may deem them entitled to."

Clause five would appear to have been especially framed to meet the cases of those persons mentioned by the petitioners, who would be unable to comply with the regulations enjoining attendance at the normal schools. On this subject Mr. Haultain says in his statement:—

"With regard to the training of teachers, I might say that our regulations do not compel any teacher who possesses equivalent qualifications to attend our normal schools. Teachers are required to possess scholarship and professional skill. If any member of a religious order presents evidence of these, she can obtain her certificate without attending our normal school, but, if she does not present such evidence, under our regulations, she is not entitled, in her religious character, to anything more than any other lady who wishes to teach in a government school and obtain a government grant.

"As a matter of fact, many members of religious orders are especially and splendidly trained as teachers, and our regulations will admit them, without any attendance at our normal classes. No member of a religious order, teaching in the Territories to-day, is affected by the normal school regulations."

The committee observe that the next complaint of the petitioners is, that another regulation of the council of public instruction, made under the ordinance of 1892, imposes a uniform course of instruction, and a uniform selection of text-books alike for all schools, whether public, protestant or catholic, and that the text-books now prescribed are in many instances of a character objectionable to Roman catholics.

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First, the committee would refer to the subject of text-books prescribed for examination of teachers, and second, to the text-books used in schools.

As to teachers' examinations, it is well to recollect that, under the ordinance of 1888, the power to arrange for the examinations, grading and licensing of teachers, and the granting of certificates, was vested in the whole board of education. Half of the examiners were nominated by each section of the board, and each section had one selection of text-books for the examination of teachers in history and science. Amongst the documents before them, the committee find an official circular bearing the following imprint on its face:—

“Regulations with respect to teachers' examinations and entrance examinations to union schools, compiled by authority of the board of education for the North-west Territories, and of the sections therein.

“JAMES BROWN,

“*Secretary Board of Education.*”

“REGINA, 3rd September, 1891.”

By this circular it appears that, before the ordinance of 1892, the whole subject of teachers' examinations was regulated by the entire board, and the books for the examinations agreed upon.

So far as the committee can ascertain, the only subjects upon which any difference of opinion on points of religious belief was likely to arise between the different sections of the board were history and science. Having this fact in view, section 13 of the ordinance of 1888, provided that each section of the board should have the selection of the text-books in history and science. Upon looking at page 7 of the regulations of September 1891, clause 19 “subjects of examinations for third class candidates,” the text-books prescribed for reading are found to be for protestant candidates, High School Reader; for Roman catholic candidates, Metropolitan Fifth Reader. Again at page 8, history—“To have a good general knowledge of the history of England and Canada. Text-books. For all candidates, Buckley and Robertson's High School History of England and Canada; English History, chapters 19 to 26 inclusive, Canadian, chapters 1 to 8 inclusive. History of literature and poetical selections: to be familiar with the selections prescribed for study and to have a knowledge of the life and works of their authors.”

Text-books—for protestant candidates, High School Reader; for Roman catholic candidates, Metropolitan Fifth Reader.

In the subjects for examinations for second class candidates, the text-book prescribed for all candidates is again “Buckley and Robertson's High School History of England and Canada,” and the text-book for all candidates in history of literature and poetical selections, is “Stopford Brook's History of English Literature.” Poetical selections to be prescribed and the text-books in the above subjects prescribed for examinations of first class candidates, are the same.

The committee find that in all the other subjects mentioned in the said regulations, a uniform series of text-books is prescribed, and that the only differences in respect to text-books for any of the examinations are mentioned above.

The committee observe, in looking at the regulations at present in force governing the examination of teachers, that the text-book prescribed for third class certificates is still “Buckley and Robertson's High School History.” For second class, in addition to Buckley and Robertson's History, as prescribed in 1891, “Swinton's Outlines of the World's History,” sections 1, 2 and 3, is also authorized.

For first class certificates in history of the English language and literature, the text-books now authorized are Lounsbury's History of the English Language, in addition to Stopford Brook's English Literature (Primer) in History, Swinton's Outlines of the World's History, Bagshot, the English Constitution, and Bourinot's Constitutional History of England and Canada are substituted for Buckley and Robertson's High School History of England and Canada.

It will thus be seen that the text-books now prescribed are practically the same as those in use under the regulations of September, 1891. The committee are not aware that the substitutions above noted have been prejudicial to any class of schools. Referring to the doing away with the Metropolitan Readers, Mr. Haultain remarks that the council of public instruction was but following the example of the Roman catholic committee of the council of public instruction of the province of Quebec, which, he says, has ceased to use these readers. The petitioners have not specified any text-book now prescribed for the examination of teachers, which is objectionable to Roman catholics, and as, with the exception above noted, the books now prescribed are practically the same as those in use and prescribed by regulations prior to the passing of the ordinance of 1892, and as such regulations were concurred in by both sections of the board, the committee cannot say that the complaint of the petitioner in this respect is well founded. It is to be noted that the petitioners do not complain of the abolition of any text-books, but only of the imposition of a uniform course of instruction and a uniform selection of text-books, a state of affairs, so far as teachers' examinations are concerned, that appears to have existed under the old regime, and to which no objection seems to have been made by Roman catholics but which, on the contrary, was approved of by their representatives on the board of education. (See Mr. Haultain's statement, the letter of the Reverend Father Leduc, annexed thereto, and the regulations of September, 1891).

As to the text-books used in schools, under the provisions of the ordinance of 1888, the text-books for Roman catholic schools were prescribed by the Roman catholic section of the board of education. The text-books used in Roman catholic schools, prior to the passing of the ordinance of 1892, are set out in the programme of studies and list of books, which are found on pages 31 to 36 in the published regulations of the board of education, adopted 15th March, 1888. The petitioners do not specify wherein this programme of studies and list of books has been changed or altered, and the only information the committee had before them is that furnished by Mr. Haultain, and by the circular to teachers, dated 30th September, 1893, which was issued to teachers of Roman catholic schools.

Mr. Haultain says that the only changes in Roman catholic school text-books, which have been made since 1888, are those indicated in this circular, which reads as follows:—

"In reply to inquiries respecting readers and examinations for promotion in Roman catholic schools, I am directed to forward the following minutes, passed by the council of public instruction, 13th September, 1893.

"The regulations of the council of public instruction mailed to all schools on or about 16th August last, govern all examinations held under the directions of the council.

"The following readers are authorized for use in the Roman catholic schools in standards 1 and 2, and become compulsory after 1st January, 1894, viz. :—

"The Dominion Series (Sadlier's Catholic Readers), parts 1 and 2, and the Second Reader; or the Ontario Readers, parts 1 and 2, and the Second Reader.

"In school districts where French is the vernacular, the school trustees may, upon obtaining the consent of an inspector in writing, use the Ontario Series of Bi-lingual Readers, parts 1 and 2, and the Second Reader, instead of the Dominion Series of the Ontario Readers. In all standards above the second, the Ontario Readers are prescribed after 1st January, 1894."

It is to be noticed by this circular that the only change made in the programme of studies adopted in March, 1888, is the substitution of "The Dominion Series" (Sadlier's Catholic Readers) for the Ontario Readers. The use of the latter readers is in the alternative, so that they need not be used so long as Sadlier's Readers are in use.

As the Ontario Series of bi-lingual readers is in use in the separate schools of Ontario, and by section 3 (b) of the ordinance of 1892, it is imperative that instructions be given in the elements of an English and commercial education, it is presumed that it is with a view to assist in the carrying out of this provision of the ordinance

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that bi-lingual readers are allowed. So far as the text-book for history is concerned, it would appear that no change has been made in this respect, and that in Roman catholic schools the same text-books in history can now be used as were prescribed by the regulations of March, 1888. The statement of the petitioners, therefore, that the council of public instruction imposes a uniform course of instruction and a uniform selection of text-books alike for all schools, whether public, protestant or catholic, seems not to be made good. It appears, on the contrary, that in all the subjects mentioned and set out in the programme of studies and list of books prescribed by the Roman catholic section of the board of education and passed 15th March, 1888, namely, reading, spelling, grammar, composition, geography, history, arithmetic, religious instruction and literature, with the one exception of the Metropolitan Readers, no change has been made whatever by any regulations of the board of public instruction.

The petitioners further state that "the effect of the said ordinance, especially by means of the said regulations passed in pursuance thereof, is to deprive the catholic separate schools of that character which differentiates them from public or protestant schools, and to leave them catholic separate schools in name only, and such, it is submitted, is its obviously necessary effect."

The committee observe that section 32 of ordinance no. 22, of 1892, provides:—

"The minority of the ratepayers in any organized public school district, whether protestant or Roman catholic, may establish a separate school therein, and in such case the ratepayers establishing such protestant or Roman catholic school shall be liable only to assessments of such rates as they impose upon themselves in respect thereof.

"Section 36. After the establishment of a separate school district under the provisions of this ordinance, such separate school district shall possess and exercise all rights, powers and privileges, and be subject to the same liabilities and method of government as is herein provided in respect of public school districts.

"Section 83. All schools shall be taught in the English language, and instructions may be given in the following branches, viz., reading, writing, orthography, arithmetic, geography, grammar, history of Britain and Canada, French and English literature, in accordance with the programme of studies prescribed by the council of public instruction. Due attention shall be given during the entire school course to manners and morals and the laws of health, and to such physical exercises for the pupils as may be conducive to health and vigour of body as well as mind, and to the ventilation and temperature of school-rooms."

As regards religious instruction, the committee find that a material change has been made in the working of clauses 84 and 85 of ordinance 59, of 1888, which provided for this instruction, and clause 85 of the ordinance no. 22, of 1892. By the former it was enacted as follows:—

"Section 84. No religious instruction, such as bible reading or reciting prayers, except as hereinafter provided, or asking questions or giving answers from any catechism, shall be permitted in any public school in the Territories from the opening of such school at nine o'clock in the forenoon until the hour of three o'clock in the afternoon, after which time any such instruction permitted or desired by the masters may be given.

"Section 85. Schools may be opened each morning with prayer with the consent of the trustees who shall approve of the form of prayer to be used.

"Section 86. Any child attending any school whose parent or parents or guardian is or are of the religious faith different from that expressed in the name of such school district, shall have the privilege of leaving the school-room at the hour of three o'clock in the afternoon, or of remaining without taking part in any religious instruction that may be given, if the parents or guardian so desire.

"Section 87. It shall be unlawful for any teacher or school trustee to in any way attempt to deprive such child of any advantage that it might derive from the ordinary education given in such school, and such action on the part of any school trustee, inspector or teacher, shall be held to be a disqualification for and voidance of the office held by him or her."

The law now is as follows:—

“Section 85. No religious instruction such as bible reading, or reciting, or reading or reciting prayers (except as hereinafter provided) or asking questions or giving answers from any catechism shall be permitted in any school in the Territories from the opening of such school at nine o'clock in the forenoon until one half hour previous to the closing of such school in the afternoon, after which time any such instruction permitted or desired by the trustees may be given.

“Section 86. Any child attending any school shall have the privilege of leaving the school-room at the time at which religious instruction is commenced, as provided for in the preceding section, or of remaining without taking part in any religious instruction that may be given, if the parents or guardian so desire.

“Section 87. It shall be unlawful for any teacher, school trustee or inspector, to, in any way, attempt to deprive such child of any advantage that it might derive from the ordinary education given in such school, and such action on the part of any school trustee, inspector or teacher shall be held to be a disqualification for and avoidance of the office held by him or her.”

The principal change being that, while the ordinance of 1883 referred to and governed public schools only, and did not govern or affect separate schools, the ordinance of 1892 refers to any school, and consequently governs separate as well as public schools.

The provisions of section 85, of ordinance 59, of 1888, relating to the opening of schools by prayer, is expunged.

There are no other provisions in the ordinance of 1892, or amending ordinance in relation to religious instruction, and the law now is as above stated.

It would appear from the facts above set forth that the disallowance of the ordinance in question would not meet the complaints alleged in the petitions otherwise than by restoring the board of education which had control of the schools of the Territories before the ordinance of 1892 was passed; because in other respects the law and regulations concerning education in the Territories were not materially different before the ordinance of 1892 was passed from what they now are in so far as the points mentioned in the petition are concerned. Disallowance would not nullify any of the regulations complained of.

The committee of the privy council have not ascertained that any act done or regulation made by the council of public instruction under the ordinance of 1893, is contrary to the rights or interests of the minority in the Territories. It would seem that the real complaint of the petitioners is that the rights and interests of themselves, and of those who share their opinions and interests, are not likely to be appreciated and safeguarded by a council of public instruction, in which they are not represented by any person fully acquainted with and sharing those interests, and having the right to vote. This seems to be confirmed by the statement of the petitioners that the former system operated with entire harmony and to the general satisfaction of all connected with the active work of education in the Territories, notwithstanding that it was under that system, that the regulations now objected to were made.

The petitioners seem to have considered that they could hardly ask with confidence, for disallowance of the ordinance on account of this apprehension. The prayer of the petition had this alternative:—“Alternatively your petitioners appeal to your excellency in council from the said ordinance, and from the regulations of the council of public instruction passed in pursuance thereof, and pray that the legislative assembly and the council of public instruction be ordered and directed to repeal or amend the said ordinance and regulations, so as to eliminate therefrom the provisions thereof above objected to, and that such further and other relief in the premises may be rendered as the circumstances require and admit.”

While an appeal in the sense of the provisions of the British North America Act, referring to appeals to the governor in council, on matters affecting education in the province of Canada, is not established as regards the Territories, the committee of the privy council feel confident that any suggestion having your excellency's authority would be given all proper consideration by the assembly and by

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the council, and the committee consider themselves justified in entertaining this confidence, more especially as in the same enactment as that under which the North-west assembly is organized and exercises its functions (The North-west Territories Act, section 14) the following provision is made:—

“The lieutenant governor in council shall pass all necessary ordinances in respect of education, but it shall therein always be provided that a majority of the ratepayers of any district or portion of the Territories, or of any less portion or subdivision thereof by whatever name the same is known, may establish such schools therein as they think fit, and make the necessary assessments and collection of rates therefor, and also the minority of the ratepayers therein, whether protestant or Roman catholic, may establish separate schools therein—and in such case, the ratepayers establishing such protestant or Roman catholic separate schools shall be liable only to assessments of such rates as they impose upon themselves in respect thereof.”

The committee submit herewith the following documents, which form part of the record, namely:—

(1.) Regulations of the council of public instruction governing teachers' certificates, 1894.

(2.) Circular to teachers of Roman catholic schools in the Territories, dated 30th September, 1893.

(3.) Circular of council of public instruction, dated 1st September, 1893.

(4.) Regulations with respect to teachers' examinations, compiled by authority of the board of education, dated 3rd September, 1891.

The committee of the privy council regret that the change made in the ordinances relating to education should have been such as to cause, even unwittingly, dissatisfaction and alarm on the part of the petitioners, and they advise that communication be made to the lieutenant governor of the North-west Territories, urgently requesting that the complaints set forth by the petitioners be carefully enquired into, and the whole subject be reviewed by the executive committee and the North-west assembly, in order that redress be given by such amending ordinances or amending regulations as may be found necessary to meet any grievances or any well-founded apprehensions which may be ascertained to exist.

All of which is respectfully submitted for your excellency's approval.

JOHN J. MCGEE,
Clerk of the Privy Council.

DEPARTMENT OF THE SECRETARY OF STATE, OTTAWA, 15th February, 1894.

His Honour the Lieutenant Governor of the North-west Territories.

SIR,—I have the honour to inform you that his excellency the governor general has had under his consideration in council certain petitions as set forth in the order in council, herewith transmitted for your information, praying for the disallowance of ordinance no. 22 of 1892, of the North-west Territories together with a letter from your honour dated the 5th January ultimo having therewith a statement, in reply to the said petitions, of F. W. G. Haultain, Esquire, for the executive council of the North-west Territories, and the further letter of your honour, dated 12th January, enclosing an additional statement by Mr. Haultain.

I am now to inform you that his excellency in council regrets that the changes made in the ordinance relating to education should have been such as to cause, even unwittingly, dissatisfaction and alarm on the part of the petitioners, and I am to urgently request that the complaints set forth by them be carefully enquired into, and the whole subject be reviewed by the executive committee and the North-west assembly in order that redress be given by such amending ordinances or amending regulations as may be found necessary to meet any grievances or any well-founded apprehensions which may be ascertained to exist.

I have, etc.,

JOHN COSTIGAN,
Secretary of State.

GOVERNMENT HOUSE, REGINA, 20th February, 1894.

The Honourable the Secretary of State, Ottawa.

SIR,—I have the honour to acknowledge the receipt of your despatch of the 5th instant transmitting therewith, for my information, copy of an order of his excellency the governor general in council, dated 5th February, 1894, upon the subject of ordinance no. 22 of 1892 of the North-west Territories.

I have carefully noted the observations contained in the latter part of your despatch and have the honour to state that same shall be submitted to the executive committee and to the legislative assembly of the territories for their consideration.

OTTAWA, 13th March, 1894.

His Grace the Archbishop of St. Boniface, St. Boniface.

MY LORD ARCHBISHOP,—I have the honour to acknowledge the receipt of your grace's letter of the 9th instant enclosing a memorial to his excellency the governor general in council in answer to a report of the committee of the honourable the privy council concerning the catholic schools of the North-west Territories.

I have, etc.,

C. H. MACKINTOSH,

Lieutenant Governor of the North-west Territories.

DEPARTMENT OF THE SECRETARY OF STATE,

I have, etc.,

L. A. CATELLIER,

Under Secretary of State.

MEMORANDUM OF ARCHBISHOP TACHE,

IN ANSWER TO A REPORT OF THE COMMITTEE OF THE HONOURABLE THE PRIVY COUNCIL OF CANADA.

To His Excellency the Governor General in Council,

MAY IT PLEASE YOUR EXCELLENCY,—The right honourable the minister of justice has transmitted to me the report of the committee of the honourable the privy council, approved by your excellency on the 5th February, 1894. This document concerning the catholic schools of the North-west Territories has been called forth by certain petitions, addressed to the governor general in council, in favour of the catholic minority of the Territories, urging the disallowance of the ordinance no 22, passed in 1892 by the legislative assembly of the Territories.

Your excellency is well aware of my position and of the duties it imposes upon me and I feel satisfied that I cannot be offensive in taking the respectful liberty to state that I take exception to some of the statements and conclusions, which in the said report I consider as erroneous and unjust.

In order to show my observations with more clearness I will divide them into two parts.

In the first part I will consider the allegations of the report and its conclusions.

In the second part I will state why and how much I regret that the privy council has accepted the report of the committee and passed an order in council signed by your excellency.

PART FIRST.

In this part I will review how far the school ordinance of 1892, considered in its general aspect, has changed the position of the catholics in the matter. Secondly, I will show how far the rights of the catholics are overlooked in some of the points examined by the committee, in its report.

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GENERAL ASPECT OF THE ORDINANCE.—The minority of the North-west have petitioned for the disallowance of the ordinance of 1892, because it deprives them of most of the rights they enjoyed by the ordinance of 1888 and because as they say: "The said ordinance, inasmuch as it places in the hands of non-catholics the control and management of catholic separate schools to such an extent that such persons are enabled, as they have actually done, to obliterate almost wholly the distinction between catholic and other schools."

To this complaint, made in such a general way, the committee answer:—"It would appear from the facts that the disallowance of the ordinance in question will not meet the complaints alleged in the petitions, otherwise than by reestoring the board of education which had control of the schools of the Territories before the ordinance of 1893 was passed, because in other respects, the law and regulations concerning education in the Territories were not materially different before the ordinance of 1892 was passed from what they now are, in so far as the points mentioned in the petition are concerned. Disallowance would not nullify any of the regulations complained of."

This assertion of the committee is perhaps construed cleverly enough to catch the assent of those unaware of the change which has taken place, but the same assertion, in spite of its restriction does not stand before the real comprehension of the facts and their consequences. To avoid entering into a long discussion, the case may be made clear by a simple comparison between the rights enjoyed by catholics of the Territories until 1892 and what is now left to them.

The ordinance of 1888 granted to the catholics, as such, the following rights:

- 1.—The lieutenant governor in council may appoint and constitute a board of education composed of eight members, and three shall be Roman catholics (4). The three catholic members had right of vote.
- 2.—Any question on which there is an equality of votes shall be declared to be negatived (9.) So that the 3 catholics, with the help of one single protestant, could negative all hostile regulations.

It shall be the duty of the board (3 catholics out of 8): (Section 10.)

- 3.—To determine all appeals from the decisions of inspectors of schools and to make such orders thereon as may be required.
- 4.—To provide for a uniform system of inspection of all schools and to make such regulations as may be deemed necessary with respect to the duties of the inspectors.
- 5.—To arrange for the proper examination, and the granting of certificates. The 3 catholics had right of vote.
- 6.—To make regulations for the general government and discipline.
- 7.—To appoint inspectors.
- 8.—To select and prescribe text books.
- 9.—To cancel the certificates of a teacher, (for such schools as are not designated protestant or Roman catholic.)

The ordinance of 1892 gives as follows, to catholics:

- 1.—The members of the executive committee and two protestant and two Roman catholics shall constitute a council of public instruction. The appointed members shall have no vote. (5).
- 2.—No vote against hostile regulations.

3.—Nothing.

4.—No power.

5.—No vote nor action.

6.—Nothing.

7.—No power.

8.—No power.

9.—No power.

- 10.—The board of education shall resolve itself into two sections, the one consisting of the protestant and the other of the Roman catholic members thereof. (II) It shall be the duty of each section (protestant as well as catholic and exclusively):
- 11.—To have under its control and management the schools of its section.
- 12.—To make such regulations as may be deemed fit for their general government and discipline.
- 13.—To select and prescribe a uniform series of text books.
- 14.—To appoint inspectors who shall hold office during the pleasure of the section appointing them.
- 15.—To cancel the certificate of a teacher.
- 16.—There shall be a general board of examiners, for teachers' certificates, one half of which board of examiners shall be nominated by such section of the board of education. (12)
- 17.—Each section of the board shall have the selection of text books for the examination of teachers in history and science. (13)
- 18.—It shall have power to prescribe any additional subject of examination for the teachers of schools of its section (religious instruction, for instance.)
- 19.—And in all examinations on such subjects the examiners of each section shall respectively have exclusive jurisdiction.
- 20.—All schools shall be taught and instruction given in the following branches, viz., reading, etc. (82.) In French districts all the branches could be taught in French.
- 21.—It shall be incumbent upon the trustees of all schools to cause a primary course of English to be taught.
- 22.—Any school conducted in violation of the provisions of this ordinance or of the regulations of the board of education or section thereof shall forfeit all right to participate in any of the grants. (83.)
- 23.—Religious instruction was permitted in separate schools at any time during school hours though forbidden in public schools before 3 o'clock. (84.)
- 24.—At the desire of the trustees of any school district, the inspector, catholic or protestant, may examine a teacher
- 10.—No power.
- 11.—No control nor management.
- 12.—No such power.
- 13.—No action thereupon.
- 14.—No such power.
- 15.—No such power.
- 16.—No such nomination.
- 17.—No power to select.
- 18.—No power.
- 19.—No jurisdiction even conjointly.
- 20.—All schools shall be taught in the the English language and instruction will be given in the following branches, viz.: reading, etc.
- 21.—It shall be permissible for the trustees of any school to cause a primary course to be taught in the French language.
- 22.—Any school conducted in violation of the provisions of this ordinance or of the regulations of the council of public instruction or of the superintendent shall be liable to forfeit all rights to participate in any of the grants. (84.)
- 23.—No religious instruction shall be permitted in any schools until one-half hour previous the closing of such schools. (85.)
- 24.—No such privilege.

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possessing no certificate, and employed or proposed to be employed by such trustees. (89.)

- 25.—The inspectors have to observe that no books are used in any school but those selected from the list of books authorized by the board of education or section thereof.
- 26.—The catholic inspector may grant provisional certificates to competent applicants recommended by the trustees of schools.
- 27.—Under clauses 177 and 178 union schools could be established in catholic institutions and have their high school branch as catholics.
- 28.—The board of education may authorize the establishment of a normal department, and the trustees of any such school shall thereupon establish such normal department, (catholic as well as protestant.)
- 25.—No more rights for catholics as to selection of books.
- 26.—Upon the recommendation of an inspector the superintendent may grant provisional certificates of qualification.
- 27.—Where union schools are established the high school department of such schools shall be non-sectarian. (184.) That is to say non-catholic.
- 28.—High school departments of union schools being non-sectarian, the normal department must be such, and the catholics, as such, have no right therein.

It is evident from the above comparison that the ordinance complained of, and the regulations that are or may be framed in virtue thereof, alter most materially the condition of the catholics of the North-west with regard to their schools; consequently, it is not exact to say that "the disallowance of the ordinance in question will not meet the complaints alleged in the petitions." On the contrary, it would meet fully such complaints, the complaint being expressed as follows: "The said ordinance and the said regulations prejudicially affect the rights and privileges of your petitioners, and of all others of her majesty's catholic subjects in the Territories in relation to education."

The report of the honourable committee says: "Disallowance will not nullify any of the regulations complained of." On the contrary, disallowance would restore the right of modifying all such regulations, and in fact abolish all the regulations as well as dispositions uncongenial to the ordinance of 1888. For instance, it would abolish the office of superintendent and the power vested in its incumbent, "to make and establish rules and regulations for the conduct of schools, and to institute and to prescribe the duties of teachers and their classification." (Clause 7-b.)

The petitioners do not object to the nomination of a superintendent, but they strongly object to his appointment when, by the ordinance, he is entirely and absolutely free from any control on the part of catholics, who have no means to protect themselves against such an official, should he be badly disposed. The catholics, as such, have no control over their schools, and the law complained of abandons them, to a large extent, to the good will of the superintendent. He may be the best of men and a very sincere worker for the success of catholic as well as of other schools. On the other hand, the superintendent, in whose choice the catholics have no voice, may be the worst enemy of our institutions and work, cautiously, perhaps, but surely, their destruction.

The petitioners had this and other dangers in view, when they said: "The effect of the ordinance is to deprive the catholic separate schools of that character which differentiates them from public or protestant schools and to leave them catholic separate schools in name only, and such, it is submitted, is its obviously necessary effect."

The petitioners did not enter into all the details of the case (that would have filled a large volume), because they knew that the ordinance complained of, as well as the one which would have been restored by disallowance, were both before the honourable the privy council and they relied upon the intelligence and good will of

his excellency's distinguished advisers to supplement what they wilfully omitted, on that account.

(2.) **THE RIGHTS OF THE CATHOLICS ARE OVERLOOKED IN SOME OF THE POINTS EXAMINED BY THE COMMITTEE.**—The review of the disposition of the ordinance of 1892, taken in its general aspect, is sufficient to show how much that law prejudicially affects the interests of catholics and what reasons they have to ask for its disallowance.

I could, perhaps, and surely I would like to, put an end to my observations, but the report of the honourable committee and its conclusions, force upon me the following up of each of the points which the committee have submitted to the honourable the privy council.

(a) **INSPECTION.**—After incomplete quotations with regard to inspection of schools, the report disposes of the important question by the following observation: "Upon a comparison of the duties prescribed for inspectors of schools in the ordinance of 1888 and that of 1892, as amended, it will be seen that they are practically the same."

I deeply regret to have to say that this observation is misleading and cannot but convey a faint and unfair idea of the right of which the catholics are deprived with regard to the inspection of their schools. A few remarks will prove my assertion.

The board of education had five protestant and three catholic members. All the members had the same rights, the three catholics as well as their five protestants colleagues, in all questions of general interest. For instance: "In determining all appeal from the decisions of inspectors. In providing for a uniform system of inspection of all schools, and in making regulations with respect to the duties of inspectors." The law did not only give to the catholics a voice in the framing of the regulations of general interest but divided the general board of education into two different sections, each of them having perfect equal rights. Therefore, the catholic section "had under its control and management the catholic schools." To that section alone belonged the right "to appoint inspectors who hold office during the pleasure of the section." This office of catholic inspector was as separate from the office of protestant inspector, as the catholic schools were separate from other schools; the inspectors had to examine catholic schools as such in all that distinguished them from other schools. The catholic section had the selection of the books used in its schools, it had the selection of the language which would form the main part of the teaching; the same section had the right to enforce religious instruction; it had the right to secure by examination, conducted by catholics alone, the fitness of the catholic teachers with regard to religious instruction, and to any additional subject proscribed by the section.

The inspection of catholic schools was ruled according to the lines above mentioned. All these privileges of the catholics, all the obligations of inspectors with regard to the same, are now annulled. No catholic character is left to the inspection; the inspectors may now conduct it not only without catholic ideas, but even in a spirit entirely opposed, and the catholics have no voice in the council to bring forth any redress.

"Upon a (full) comparison of the duties prescribed for inspectors of schools in the ordinance of 1888 and that of 1892," I cannot in any way agree with the hon. committee when they say that said duties "are practically the same."

I am bound to confess that I feel very little comfort in the fact mentioned by Honourable Mr. Haultain that, "out of four inspectors, we have one who is catholic."

The fact, it is true, proves that the council of public instruction in the Northwest does not require that school inspectors should be hostile to catholics; but, beyond that the appointment of a catholic inspector proves absolutely nothing.

To me the fact itself is a plain demonstration that the office of inspector is no more what it was, even if exercised by the same man. To perform his actual duties as inspector, Father Gillies, though a catholic priest, must conduct his inspection, now that he is appointed under the ordinance of 1892, in a very different way from what his official duties would impose upon him, should he be appointed by the

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catholic section of the board of education, under the ordinance of 1888. The two offices are most decidedly different, both technically and "practically."

My views on the subject are corroborated in paragraph no. 1 of the letter which the Rev. Father Leduc addressed to me on the 17th February, and which is attached to this memorandum as appendix A.

(b) BOARD OF EDUCATION.—The report of the hon. committee admits that the provisions of the two ordinances, "differ materially" on this point. The ordinance of 1888 vested rights on the general board of education and privileges on its two sections, the catholic as well as the protestant; while the ordinance of 1892 practically deprives the catholics of all the rights they enjoyed in the general board of education and all the privileges conferred on their section.

Here lies the whole separate school question.

Any accumulation of the most plausible arguments and the most clever plea, against the old system, or in favour of the new, are mere waste of time, and fall short, if one does not lose sight of the radical changes, operated by the suppression of the general board of education and of its sections. There were the guarantees offered to catholics as well as to protestant schools, while the practical consequence of the ordinance of 1892 does away with such guarantees.

It may be compared to a severe partial stroke of paralysis, it does not completely take the life from the body but it deprives it of all independent action or motion, and of all means of helping itself.

(c) EXAMINERS.—The report of the committee says: "Although the formation of the board of examiners is different under the present law the committee of the privy council are unable to ascertain that the board of public instruction has in any way altered or restricted the mode and manner of examining teachers."

I am forced to say that such an assertion cannot convey a fair and exact idea of the condition imposed upon catholic schools by the ordinance of 1892; the unfairness is due to the non-consideration of the privileges conferred by the act of 1888.

I admit that, under the ordinance of 1888, the board of education had alone authority to arrange for the proper examination, grading and licensing of teachers; but I decidedly object to the introduction in that statement of the words: "irrespective of either section," and that statement for the simple reason that the two sections constituted the general board. Should any member of one of the sections, in his personal capacity, propose any regulation antagonistic to the views of the members of the other section, surely the latter in their individual capacity would have opposed the motion.

Suppose, for instance, that a catholic member of the board would have proposed something offensive to the views of non-catholics, it is certain that the protestant members would have opposed the same, perhaps not as a section, but as members of the general board, representing protestant interests therein; the same may be said also of a protestant proposing something adverse to catholic ideas.

The working of the general board required good understanding and mutual concessions among its members, "irrespective of either section," if you like, but safeguarding to a great extent the views of each section.

Now the catholics have no vote in the council of public instruction; consequently they have no chance of making their views accepted or even of opposing any attempt to force them into the greatest difficulties. I regret exceedingly that "the committee of the privy council are unable to ascertain that the new law has in any way altered or restricted the mode and manner of examining teachers."

The following remarks may perhaps show more plainly the alterations and restrictions of the new law.

Under the old ordinance it was enacted as follows: "One-half of the board of examiners shall be nominated by each section of the board of education." The catholic section had therefore the right of nominating one-half of the examiners.

The law said also: "Each section of the board shall have the selection of textbooks for the examination of teachers in history and science." Evidently the examination in history and science were not conducted "irrespective of either section."

Moreover, it was decreed in the old law that: "Each section shall have power to prescribe any additional subjects of examination for the teachers of schools of its section." This enactment decidedly enabled each section to bring in religious instruction as a part of the examination.

The law added: "In all examinations on such subjects the examiners of each section shall respectively have exclusive jurisdiction."

The catholics of the North-west Territory are deprived of the four last mentioned privileges, exercised through their section of the board as they have lost the advantage of being heard in the general board itself in matters relating to the examination, and it will be a long time before they can feel assured that the actual law has not in any way altered or restricted the mode and manner of examining teachers.

(d) **NORMAL SCHOOLS.**—The ordinance of 1888 and that of 1892 are explicit enough to show the difference which characterizes the two laws with regard to normal schools. The ordinance of 1888 does not repudiate catholic normal institutions. In its clauses 177 to 179 it provides for "high school branches" attached to what they call "union schools" and, then, "the board of education may authorize the establishment of a normal department in any such schools," catholic or protestant as the union school may be. The ordinance of 1892, clauses 184 and 185, provides for similar arrangements with the two following different propositions: (a) "Provided that the certificates held by the teachers of the high school branch are approved by the superintendent of education. (d) Provided that, where union schools are established the high school department of such schools shall be non-sectarian."

The meaning of the last words is fully explained by practice in this country. The distinction between the enactments of the two laws, with regard to normal schools, has escaped the notice of the honourable committee. It should have been taken into consideration, when the report says: "It appears to the committee that prior to the ordinance of 1892, normal schools had been sanctioned by the board of education without objection and that a uniform training of teachers had been adopted by and with the approval of both sections of the board."

The committee would not have been led to such an error if Mr. Haultain had thought of laying before them the regulations adopted by the board of education on the 14th March, 1889, and the 10th September, 1890.

The instructions of the 14th March, 1889, are for inspectors and principals of union schools. It is said, on page 5: "The following shall be the course of studies in the high school branch of normal schools:—

"(a) For protestant schools: Reading, sixth reader with recitations, etc., etc.
 "(b) For Roman catholic schools: Review of intermediate course, etc., etc.

Then, about normal sessions, we read:

"(1.) Every union school (catholic as well as protestant) shall have, if required by the board of education, a normal school department."

Now, we read in the "Amendments to the Regulations of the Board of Education and of the Sections thereof," the following rules adopted, the 10th September, 1890:—

Page 3.—"The following books are prescribed for the use of candidates for third-class certificates; by the protestant section: Ontario Public School English Grammar, etc., etc.; by the Roman catholic section: as published and amended by adding; etc., etc.

"(45.) The subjects of examination for second-class certificates shall be such and such, for schools under the control of the protestant section; or such and such, for the schools under the control of the Roman catholic section."

Page 4.—"The following books are prescribed for the use of candidates for second-class certificates:

"By the protestant section: Stopford Brook's English literature, etc., etc.

"By the Roman catholic section: as published and amended by adding; etc., etc."

Section 46 is amended by substituting the following: "For the list of books prescribed for the use of candidates for first-class certificates by the protestant section, etc., etc."

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No amendment for first-class certificates by the Roman catholic section.

Page 7.—“The head teacher of every high school branch of a union school (catholic as well as protestant) shall be styled principal of such school.”

Page 8.—“(1) The regular entrance for pupils for the high school branch shall be in writing.

“(3) The paper shall be prepared and the results declared by the board of examiners” (half catholic).

Page 9.—“(6) The following shall be the course of studies in the high school branch of union schools:

“For protestant schools, standard V, as amended in programme of studies, etc., etc.

“For Roman catholic schools: Review of the intermediate course, etc., etc.”

Page 10.—“(7.) Every union school shall have, when required by the board of education, a normal school department.”

Page 12.—“(17.) Any student attending a normal session shall be obliged to attend such classes, in standard VI in the programme of studies of the protestant section; or in the superior course of the Roman catholic section.”

Undoubtedly, all these regulations were kept out of the reach of the committee when they say: “There is nothing to indicate that there was to be one normal school for the protestant teachers and another for Roman catholic teachers but rather the one normal school for all.”

For more ample information one may consult paragraph 2 of Father Leduc's important letter (appendix A.) fully corroborated by Mr. A. E. Forget, who writes to me, on the 1st March, from Regina:—

“MY LORD,—In accordance with your grace's desire, Rev. Father Leduc has handed to me a copy of a letter which he addressed to you regarding our school questions in the Territories. The facts which he relates and with which my name is associated, are all fresh in my memory and as they are in accord with my own remembrances, I can without the least hesitation, corroborate them by my own testimony.”

I strongly recommend the perusal of the whole letter of Mr. Forget, from which the above is quoted. It is attached to this memorial as appendix D.

It is but natural that the honourable committee should give a broad and favourable interpretation to clause 5 of certain regulations governing teacher's certificates and under the heading “persons eligible without examination.” The three first clauses of these regulations established an odious distinction between the certificates issued in Ontario and Manitoba and certificates from the other provinces of the Dominion and from the British Islands.

Under clause 4 “the graduates of any university of her majesty's dominions may receive non-professional certificates.

The 5th clause states “that persons holding certificates of educational value from institutions other than those mentioned, may receive such certificate as the council of public instruction may deem them entitled to.” The report of the committee says this, “clause 5 would appear to have been especially framed to meet the cases of those persons mentioned by the petitioners.” The hopes of the honourable committee are dispelled by the illustration given by Rev. Father Leduc in the third paragraph of his letter (appendix A). The rev. father speaks from personal experience and his statement is perfectly clear and conclusive.

I here quote an extract from the letter alluded to by Father Leduc and addressed by Mr. James Brown to Rev. Sister Bond, Edmonton, on the 1st September, 1893: “Inspector Hewgill had no power to endorse the certificates when he visited Edmonton last spring. Endorsation ceased when normal school training was instituted. There has been but one way to secure professional certificates since midsummer, 1892, viz., by undergoing a training at a normal school.”

Such an affirmation from the then superintendent of education, proves “this clause 5 would appear to have been framed” for somebody else than the members of teaching orders, even the best qualified; Rev. Mother Bond is unquestionably a teacher of the high school standing and experience.

The paragraph 4 of Rev. Father Leduc's letter (appendix A) gives another illustration of the position of the members of teaching orders. On the other hand, it is very refreshing to hear Mr. Haultain stating in his memorial: "that no member of a religious order teaching in the Territories to-day is affected by the normal school regulations."

Very well, then, for to-day, but clause 5, if it continues to be interpreted as it has been in 1893, will not free the members of religious orders from attending normal school sessions, where and whensoever the council of public instruction shall decide.

(e) Books.—The committee, in their observations about the selection of books, seem to forget that each section of the board of education had an action of its own in the selection of books, as well as in other matters. Mr. James Brown, secretary of the general board, was not the secretary of the catholic section and, consequently, the records kept by him cannot furnish complete information.

With regard to the selection of books in connection with the examinations of teachers, all the members of the board had equal rights. There is no doubt that the catholic members did all in their power to meet the views of their protestant colleagues, and I am confident that they were reciprocated; the members of the board did not meet purposely to disagree or systematically oppose one another; mutual concession, at no sacrifice of principle, was surely a good policy, specially as it was well understood by all and each member that they preserved their personal independence. An agreement was rendered possible by allowing each section the exclusive choice of their authors, on certain matters, and the exclusive conduct of the examination of their candidates on certain special subjects.

This seems entirely overlooked in the report.

As to the selection of text-books for pupils in the schools, it was altogether in the hands of the section; the respective members had only to agree among themselves.

All these rights are taken away from the catholics, and no choice whatever is left to them in the selection of books. Decidedly, I disagree with the committee when they affirm: "The committee cannot say that the complaint of the petitioners in this respect is well founded."

To support their views on the subject, the committee have thought proper to cite the following: "Mr. Haultain remarks that the council of public instruction was but following the example of the Roman catholic committee of the council of public instruction of the province of Quebec, which, he says, has ceased to use these "Metropolitan Readers."

I confess I was not prepared for such logic. The catholic committee of Quebec replaced the Metropolitan Readers by another series of catholic readers; therefore, it is said that the catholics of the North-west ought to be satisfied that the right they had to the selection of books for the schools has been taken from their hands and given to others who select the books they choose.

I admit that the value of such an argument is beyond my comprehension.

I invite those interested in the matter to fully investigate the subject, as stated in paragraph 5 of Rev. Father Leduc's letter (appendix A).

As for the allegation that the Rev. Father Caron has given his assent to the change of books in catholic schools, it is answered in the letter addressed to me from Regina, on the 24th February, 1894, by the rev. father, and which is attached to this memorial as appendix B.

Paragraph 8 of Mr. Forget's letter (appendix D), fully corroborates the vindication of Father Caron against the said imputation.

The taking from the hands of the catholic section the selection of text-books has been conducive to the practical suppression of French books and French teaching in the schools of the North-west. In connection with this deplorable result of the ordinance of 1892, I respectfully draw attention to a second letter from Rev. Father Leduc, dated Calgary, 26th February, 1894 (appendix C).

The change which has taken place since 1892, is made known in a very clear and forcible manner by paragraph 7 of Mr. Forget's letter (appendix D). No wonder that the author of the letter adds in paragraph 9: "As a practical result

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we have then, at this time I address you these lines, monseigneur, the strange spectacle of catholic schools managed and inspected by protestants, and in which the programme of studies is fixed and the text books are carefully selected according to the advice of the protestant superintendent of education. Such is, in few words, the intolerable condition to which the catholic minority is reduced in the Territories by the ordinance of 1892, and the regulations prescribed by the council of public instruction since the said ordinance has come in force.

“Had not then the catholics a thousand times reason to ask its disallowance; and nobody could wonder at their deep disappointment on hearing that they have asked in vain.”

(f) **SEPARATE SCHOOLS.**—The petitioners stated that: “the effect of the said ordinance, especially by means of the said regulations passed (or which may be passed) in pursuance thereof is to deprive the catholic separate schools of that character which differentiates them from public or protestant schools, and to leave them catholic separate schools in name only, and such, it is submitted, is its obviously necessary effect.”

In answer to this complaint, the report of the committee quotes sections 32, 36 and 83 of the ordinance of 1892, by which “catholics as well as protestants have power to create separate schools under particular circumstances and to support them separately and exclusively.” Decidedly, catholics as well as others possess thereby an advantage, and nobody denies it. The petitioners do not deny the existence of separate schools, but they affirm that they are reduced to a mere existence.

The condition of catholic schools is clearly established in this memorandum; the most objectionable (but not the only one) feature of the act is indicated by the petitioners when they say: “The ordinance complained of denies to the representatives of the catholic minority the management and control of catholic schools, so far as regards their general government and discipline, the selecting and prescribing of text books therein, the inspection of schools, the granting and cancelling of teachers’ certificates.”

In virtue of the same law the catholic schools are under the control and management of the council of public instruction in which no catholic has a vote. The selection of all books, both for teachers and pupils, is entirely in the hands of protestants, as well as the final training and licensing of teachers. The inspectors may be all protestants, and in all cases the examination must be conducted without consideration for catholic ideas. The council of public instruction and the superintendent may be protestant, freemason, Jew, agnostic, infidel, materialist, and they are the only two powers who can make regulations for the catholic schools; is it an excessive sensitiveness on the part of catholic parents and of their clergy to feel alarmed, and to respectfully demand from the federal authorities to cause the restoration of their schools to a condition that could justify the name by which they are designated?

(g) **RELIGIOUS INSTRUCTION.**—“The committee find that a material change has been made in the working of clauses 84 and 85 of ordinance 59 of 1888.” The committee after stating the difference between the two ordinances with regard to the suppression in the late ordinance of prayers in all schools, and the assimilating of all and any schools with regard to religious instruction, adds: “There are no provisions in the ordinance of 1892 in relation to religious instruction.” Yes, unfortunately there are none. The ordinance has destroyed the character of the catholic schools, and it has no provisions on which it can rest securely.

To have a full comprehension of the condition made to catholic schools of the North-west, with regard to religious instruction, it suffices to remember the following points:

No prayer at the opening or during the class.

No religious instruction (even for the youngest children) except during half an hour before closing; just when the children are the most tired and when the shortness of the days, during the winter season, makes them restless and anxious to return home, and when the anxiety of the parents may determine them to urge the leaving of the school at the earliest possible time fixed by law.

No religious instruction is required from the teachers who may be licensed, though entirely ignorant of the religious instruction they are expected to give, the teacher may be antagonistic to catholic faith, and is answerable for his teaching only to the inspector and superintendent who may be as ignorant as himself, and as badly disposed with regard to catholic doctrine.

Such is the condition to which the catholic schools are or may be reduced in the North-west Territories. No wonder "that the change made in the ordinance of (1888) has been such as to cause dissatisfaction and alarm on the part of the petitioners."

(h) THE MAIN COMPLAINT.—The want of information is the reason why the report says: "The committee of the privy council have not ascertained that any act done or regulation made by the council of public instruction under the ordinance of 1892 is contrary to the right or interest of the minority in the Territories." More information, and easily obtained, would have modified some of the conclusions as expressed in the report. It is gratifying, nevertheless, to ascertain that, even in spite of the want of complete information, the committee recognizes the main reason which determined the petitioners to request his excellency the governor general in council to apply a remedy both against the actual difficulties and the future dangers obviously contained in the law of 1892; the report says: "It would seem that the real complaint of the petitioners is that the right and interest of themselves, and of those who share their opinions and interest, are not likely to be appreciated and safeguarded by a council of public instruction in which they are not represented by any person fully acquainted with and showing those interests and having the right to vote."

The fact is that the ordinance itself is the main blow struck at catholic schools and the fountain from which may spring, at any moment, the most objectionable regulation and to which catholics would be obliged to submit. The contentions of Mr. Haultain, so cleverly defended in the report of the honourable committee, far from altering my convictions have strengthened those which I expressed in letters written on the occasion of a telegram received from the right honourable the premier of Canada, and dated Ottawa, 1st January, 1894.

The letters are in no way confidential, nevertheless I had no intention of publishing them if they had not been alluded to in the public prints. Here is the first letter:

"ST. BONIFACE, 2nd January, 1894.

"RIGHT HONOURABLE AND DEAR SIR JOHN,—Your telegram was received last night, and I hasten this morning to answer both by telegram and letter.

"I have not a copy of the full text of the regulations made under the ordinance no. 22, A.D. 1892. I see the utility of that document to show an instance of what can be done in virtue of the ordinance itself, so I write and telegraph to Regina to obtain what I desire.

"Permit me to state that such regulations are but an instance of what can be done. Even if such regulations had been delayed, it would prove nothing in favour of the ordinance, though the regulations themselves add to the conviction of the danger contained in the ordinance. The fact is that, on the strength of the said ordinance, the catholics are altogether in the hands of the open adversaries of their schools, and if the ordinance is allowed to go on, it is merely and simply the sacrificing of the rights, privileges and practice of the catholic population, and that even in communities exclusively French and catholic.

"The dangers of the ordinance of which we complain are so obvious that at first we thought it was unnecessary to petition for its disallowance, and that the government would prevent its coming into force. It seems impossible that the ordinance would escape its notice.

"Now that we have petitioned, let us hope that we have not done so in vain. The catholics are weak in the North-west, and that but increases the obligation of the government to protect them.

"With the most profound respect and esteem,

"I remain your obedient servant,

"ALEX, Arch. of St. Boniface, O.M.I."

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On the 3rd January I received three of the documents asked for by the right honourable premier. I forwarded them with the following letter:—

“ST. BONIFACE, 4th January, 1894.

“RIGHT HONOURABLE AND DEAR SIR JOHN,—I herewith enclose three documents I secured, and they are marked *A. B. C.*—You will easily perceive therein that no French or even catholic book can be used in the schools of the North-west above the second standard.

“You will also observe that all teachers, nuns, as well as others, are obliged to pass the prescribed professional examination after a session in the normal school. This is actually in vigour and the council of public instruction has the power to do still worse.

“I therefore strongly urge the disallowance of the school ordinance of the North-west Territories enacted in 1892 and no. 22 also of the amendments to the said ordinance passed in 1893 and no. 23.

“May I be allowed to add that this trouble in the North-west is the result of what has happened in Manitoba. The delay is increasing the difficulties and adding to the injustice perpetrated against the catholics and French who have been the pioneers in this country. What a disgrace to Canada if this injustice is allowed to go without being checked.

“With much respect and esteem,

“I remain your obedient servant,

“ALEX, *Arch. of St. Boniface, O. M. I.*”

After having detailed the particular features of the old system, the petitioners said: “The system operated with entire harmony and to the general satisfaction of all connected with the active work of education in the territories.” The report of the committee having quoted the above passage added sneeringly: “It was under that system that the regulations now objected to were made.” The thrust, sharp as it looks, is not after all so incisive, for the simple reason that the assertion is erroneous and ungrounded both in fact and as a deduction.

(i) PETITIONS.—The report says: The petitioners seem to have considered “they could hardly ask with confidence for disallowance of the ordinance;” and this assertion is based on the fact that the prayer of the petitioners had an alternative. I can assure the honourable committee that the petitioners were entirely satisfied that they could ask with confidence for disallowance and if they prayed with an alternative it was for another reason. They cannot help but think that they are badly rewarded when demanding their rights for having stated that they would accept the mean selected by the government, providing it was radical and efficacious. They first humbly prayed that his excellency may be pleased to disallow the ordinance and secondly (but it appears wrongly for their interests), they appealed to his excellency in council and prayed that the legislative assembly and council of public instruction be ordered and directed to repeal or amend the said ordinance and, because they used such an alternative, the report does not hesitate to say that “the petitioners seem to have considered that they could hardly ask for disallowance.” I take the liberty respectfully to remind the honourable committee that their observation in no way applies to one of the petitions, as it is unjust with regard to the others.

In forwarding to the governor general in council other petitions entrusted to me for transmission, I added my own petition in the most concise terms possible and this is how it reads: “I join my humble request to that of the petitioners to pray that a remedy should be applied to the inconvenience complained of. The intention of depriving the catholics of their rights, in matters of education, and of abolishing the use of the French language, especially in the schools, is so manifest that, unless it is checked at once, the injustice will be perpetrated.

"Surely it cannot be the will of the governor general in council to permit such a violation of the law which has organized the territories.

"I hope, therefore, that the ordinance and regulation complained of will be disallowed and your petitioner shall always pray.

ALEX, *Arch. of St. Boniface, O. M. I.*"

I was so entirely satisfied that the honourable the privy council would easily perceive the danger of the ordinance, that I thought it at that time useless to help them by pointing out such dangers.

The report of the committee is correct in stating that: "an appeal in the sense of the British North America Act, referring to appeals to the governor general in council on matters affecting education in the provinces of Canada, is not established as regards the Territories." This disposes of one of the alternatives mentioned in most of the petitions, it destroys the alternatives so that the demand for disallowance is thereby the only one prayer to be considered. The honourable committee does not deny their right to comply with that prayer. They merely glide over it and nothing of that which was demanded is granted. The two refusals, one through want of power, the other through want of will, do not nevertheless satisfy the committee and they quote the North-west Territories Act, invoked by the petitioners, as an acknowledgment that in reality the catholics of the North-west have a right to their separate schools, and that it is to be regretted that such rights have been trespassed upon by the ordinance complained of, and "they feel confident that any suggestion having his excellency's authority would be given all proper consideration by the assembly and by the council; and they advise that communication be made to the lieutenant governor of the North-west Territories, urgently requesting that the complaint set forth by the petitioners be carefully enquired into, and the whole subject be reviewed by the executive committee of the North-west assembly, in order that redress may be given by such amending ordinances or amending regulations as may be found necessary to meet any grievances, or any well founded apprehension, which may be ascertained to exist."

Let us remark that the urgent request is addressed to the very men who have caused the whole difficulty, and that their leader has already boldly and officially affirmed there are no "grievances or any well founded apprehensions" that the catholics can point out. Time alone will show what will be the result of such an indefinite and uncertain policy.

(j) CONCLUSION—Meanwhile the seed of fanaticism and religious persecution is planted in the plains of the North-west; it is carefully cultivated at Regina, surrounded and protected by parliamentary enactments and official cares. The obnoxious seed has already obtained the proportion of a large tree. By order from Ottawa it could have been eradicated; but no, it is allowed to grow under the simple advice to cut off its longest stems, if thought to exceed proper dimensions, to graft on its coarse trunk some better shoots, from which could be gathered fruits less offensive to the taste of individuals and less dangerous to society.

I have read the report with a deep feeling of surprise and pain; it may be perhaps considered as a clever piece of pleading against catholic interests, but I regret excessively to be prevented from considering it as a complete statement of the case or an impartial judgment of the same. The report is largely a mere endorsement of Mr. Haultain's views, though it does not require the well known ability of the members of the committee to ascertain that the memorial of Mr. Haultain can, in a great measure, be easily refuted by the very text of the two ordinances spoken of.

I easily understand that, at a distance, without full practical knowledge of the details and the working of the two school systems, some errors could have found their way in the report, in spite of the best will; but what I cannot understand is that the catholics have been kept in complete ignorance of Mr. Haultain's assertions against their petitions. No one was condescending enough to inform the venerable Bishop Grandin, or those who represented him, or any of the representatives of the catholic population, of what the chief of the executive at Regina had communicated

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to Ottawa; documents and views which have been all accepted without challenge and without giving to the interested parties the least chance of refuting them.

The petitions of the catholic laity were all signed by representative men, men elected by catholic ratepayers as trustees for the different school districts, some of whom are natives of the country, who are more entitled to protection and cautious treatment than any other portion of the community, because they already feel acutely the change which has taken place in their country since it became a part of Canada. The other laymen, signers of the petitions, are new settlers, some of whom have been induced to come into the country by the assurance that they would have their separate schools, where their children could be brought up according to their convictions and instructed in their own language. In spite of all that, the minority are refused the protection to which they are entitled.

Two of the petitions were signed by five old missionaries, who have collectively furnished over two hundred years of active service in Manitoba and the North-west, and who have grown old amidst the dangers, fatigues and the privations unavoidable in a country in which they entered as pioneers of faith and civilization. Forty-seven years ago I began to teach reading to children in the North-west. The Reverend Father Lacombe did the same, forty-two years ago; the amiable Bishop Grandin busied himself the same way, in Athabaska, thirty-nine years ago and so forth. The devoted sisters of charity have their schools open in the far North-west for more than thirty-five years. In the face of such circumstances, no one did us the favour, if not the justice, to make known to any of us what was objected against our request. The petitioners have been treated as if they had been incapable of appreciating the nature of their complaints, and the thing went so far as to ridicule them in stating that they themselves had approved what they condemn to-day. Instead of giving the sufferers a chance of refuting their adversaries, the views of the latter are endorsed and given publicity with the danger of prejudicing public opinion. Newspapers, furnished with official documents and official views are endeavouring to direct that public opinion. Embarrassed with the feeling that they cannot prevent, they quiet themselves and expect to quiet others by saying "This is not a question of sentimentalism?" True, men must be governed by reason but not to the exclusion of sentiments. The seat of the intellect, as well as the rest of the human organs, draws its solidity from the focus of life; when the heart beats but weakly and slowly, the brain loses part of its activity and force. The Supreme Wisdom itself knows how to harmonize with the Infinite Charity, for the government of the world. The minority and those who claimed their rights could have been treated in a very different manner without their rulers falling into an unreasonable excess of sentimentality.

What precedes was written when I was made cognizant of a letter addressed by the Hon. Judge Rouleau of Calgary, to a minister of Ottawa. The hon. judge has been, for years, member of the old board of education and of its catholic section, so he is perfectly well posted on the law of 1888 and able to appreciate the radical changes brought upon catholic schools by the ordinance of 1892. His practical knowledge of all the details, supported by his proficiency in law, gives particular weight to his opinion. With his permission, I here insert copy of his letter.

"CALGARY, 30th May, 1893.

"DEAR SIR,—At different times my attention has been especially called on the school ordinance passed at the last session of the legislative assembly of the North-west Territories.

"After mature examination of this ordinance, I have come to the conclusion that it is *ultra vires* of the powers of the legislative assembly for, among others, the following reasons:

"1. Because it is not provided by the said ordinance that the separate schools should be governed and controlled by the minority, but that they are in fact controlled and governed by the majority; in a word, we have no separate school system, such as provided by the spirit of the law, chap. 55, section 14 of the Revised Statutes;

"2. Because the section 83 of the said ordinance no. 22 of 1892, provides that the English language be compulsory and taught in every school; what is contrary to the spirit of section 110 of c. 50 Rev. Sts. amended by section 18 ch. 22, 54-56 Vict., 1891;

"3. Because the section 32 of the said ordinance (1892) is in contradiction to section 14 of the North-west Territories Act, (ch. 50 R.S.) in that it limits the rights of the minority more than it is limited by the said section 14.

"But of course the principal objection of the catholics to the school ordinance is the absolute control, the choice of text books, the schools inspection, etc., by the protestant majority.

"The separate schools exist now but in name; they do not exist in fact.

"For the above reasons it seems to me that the federal government should disallow this ordinance on the shortest possible delay, and thus prevent grave injustice towards the catholic minority.

"I have the honour to be your obedient servant,

"CHARLES B. ROULEAU."

PART SECOND.

WHY AND HOW MUCH I REGRET THAT THE HONOURABLE THE PRIVY COUNCIL HAS ACCEPTED THE REPORT OF THEIR COMMITTEE AND PASSED AN ORDER IN COUNCIL IN CONFORMITY WITH THE SAME.

I shall surprise no one by stating that I deeply regret the order in council which has accepted the report of the committee reviewed in the first part of this memorial. I regret this act of the federal government because, as I have proved it, it rests on incomplete and erroneous data, from which it draws conclusions that cannot be admitted. I regret that act because it consummates a crying injustice and constitutes a real danger for the institutions by which we are governed. I am the metropolitan of the ecclesiastical province in which are situated the Territories of the North-west. I am the bishop of a diocese which embraces all Manitoba and most of one of the districts of the North-west; Regina, the capital, is within the limits of my jurisdiction; it is evident, therefore, that I do not exceed my functions. I merely claim the right of my flock, in raising my voice in favour of schools in which I could feel assured that the catholic children would receive an education in accordance with the faith of their parents and the teaching of their church.

While accomplishing my duty as a pastor of souls, I am sure not to astonish the honourable the privy council at Ottawa by stating that I have the right, nay, the obligation of acting within the lines traced for me by the civil authorities of my country when I was asked by them to co-operate in the settlement of the difficulties which had arisen at Red river, previous to the entry of the North-west into confederation. I request therefore to be heard, not only on account of my position in the religious order, but also on account of the position assigned to me in the political order. I cannot have been used as a medium of pacification, during the difficulties of 1870, and be obliged, to-day, to remain a silent witness of the violation of the promises which, more than anything else, secured that pacification.

As a general proposition, I say without hesitation that what is now going on in Manitoba and the Canadian North-west, with regard to schools, is a flagrant and unaccountable violation of the assurances given to the catholic population of these vast countries. Such assurances were entrusted to me for transmission, precisely because I was the chief pastor of that population. My episcopal character did not prevent the civil authorities asking my aid in a settlement of political difficulties; and I claim the political mission I have accomplished should strengthen my voice when I state that the population was deceived when asked to accept an agreement which it would have repudiated in a very energetic way if it could only have suspected what is going on to-day.

To render my contention clearer, I must first relate a few facts. In March, 1869, the conditions of the transfer of the Territory of the North-west to the new Cana-

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dian confederation was settled between the imperial government, the commissioners of Ottawa and the Hudson's Bay Company. In the course of that negotiation the inhabitants of the country were entirely ignored. Later on, Lord Granville in his despatch to Sir John Young, governor general, cautioned the government of Canada: "that the old inhabitants of the country will be treated with such forethought and consideration as may preserve them from the dangers of the approaching change." This wise advice was not acted upon; on the contrary, such measures were taken that Lord Granville in a despatch, dated the 3rd November, 1869, did not hesitate to state: "The Canadian government have by this measure given an occasion to an outburst of violence in the Territory." The noble lord added afterwards: "Those proceedings have certainly enhanced the responsibility of the Canadian government." The imperial authorities, in consequence of the dissatisfaction of the people, took on themselves a closer direction of affairs, in order, according to Lord Granville's words: "to exhaust all means of explanation and conciliation before having recourse to force." To comply with such direction the Canadian government asked Vicar General Thibault and my friend Mr. DeSalaberry to proceed to Red river, in order to calm the apprehensions of the people. Sir Donald A. Smith received a commission under the great seal of Canada, and started for Fort Garry to use his salutary influence as mediator, and to turn towards that end the resources of his ability and the means that his exalted position placed at his command.

I was then at Rome, enjoying the happiness that the grand and imposing ceremonies and deliberations of the ecumenical council of the vatican could procure to a bishop devoted to his church, when a telegraphic despatch called me to Ottawa. Owing to the importance of the summons, the sovereign pontiff dispensed me from the ordinary rules of the council for obtaining leave of absence. His holiness granted me a private audience, blessed my mission and myself and added with emotion: "I bless the people of the Red river, on condition that they will listen to your advice and live in peace and charity." I left the eternal city on the 12th January, 1870. On my meeting Sir George Cartier in Montreal, he said to me, with his usual frankness: "I am happy to see you. We have blundered, and you must help us to undo the mischief." I proceeded with him to Ottawa, and remained in the capital some ten days. I often met the governor general and his ministers. His excellency called me to several private audiences, either alone or with some of his advisers. I had an interview with the whole ministry, and several with its leading members. After I had been made well acquainted with all the circumstances of the case, my departure for the North-west was fixed for the 17th February. The day before leaving, I had the honour of a long interview with the governor general. His excellency handed me the following autograph letter:—

" OTTAWA, 16th February, 1870.

" MY DEAR LORD BISHOP,—I am anxious to express to you, before you set out, the deep sense of obligation which I feel is due to you for giving up your residence at Rome, leaving the great and interesting affairs in which you were engaged there, and undertaking in this inclement season the long voyage across the Atlantic, and long journey across this continent for the purpose of rendering service to her majesty's government, and engaging in a mission in the cause of peace and civilization.

" Lord Granville was anxious to avail of your valuable assistance from the outset, and I am heartily glad that you have proved willing to afford it so promptly and generously.

" You are fully in possession of the views of my government, and the imperial government, as I informed you, is earnest in the desire to see the North-west Territory united to the Dominion on equitable conditions.

" I need not attempt to furnish you with any instruction for your guidance beyond those contained in the telegraphic message sent me by Lord Granville on the part of the British cabinet, in the proclamation which I drew up in accordance with that message, and in the letters which I addressed to Governor McTavish, your vicar general, and Mr. Smith.

"In this last, I wrote: all who have complaints to make, or wishes to explain, are called up to address themselves to me, as her majesty's representative, and you may state with the utmost confidence, that the imperial government has no intention of acting otherwise than in perfect good faith towards the inhabitants of the North-west. The people may rely that respect and attention will be extended to the different religious persuasions; that title to every description of property will be carefully guarded and that all the franchises which have subsisted, or which the people may prove themselves qualified to exercise, shall be duly continued and liberally conferred.

"In declaring the desire and determination of her majesty's cabinet, you may safely use the terms of the ancient formula: 'Right shall be done in all cases.'

"I wish you, my dear lord bishop, a safe journey and success in your benevolent mission.

"Believe me, in all respect, faithfully yours,

"JOHN YOUNG."

With the above letter in my hand, there is certainly no temerity on my part in stating that I have the right and even the duty to point out the manifest violation of the promises it contains. The legislation of Manitoba and of the North-west on the school question is contrary to assurance given, and as long as a proper and efficacious remedy is not applied, I shall remain convinced that the social equilibrium is disturbed in Canada and that the perturbation is the result: 1. Of the violation of the royal promise; 2. Of the sacrifice of a federal autonomy; 3. Of the abandonment of the minority to the unjust vexation of the majority.

(1) VIOLATION OF ROYAL PROMISE.—When I met the governor general in Ottawa, in 1870, he insisted, in a special manner, that I should accept his word as a sure guarantee. He was not acting simply on the advice of his responsible ministers, but he was acting as the direct representative of our beloved queen, having received from her majesty's government a special direction to that effect.

As a proof of this special mission, his excellency, in alluding to his proclamation of December, 1869, told me: "The proclamation I drew up in accordance with the message of Lord Granville." That proclamation had not yet been promulgated in the Red river settlement; it was given to me with the request to make it as widely known as possible; specially among the catholic population. His excellency pointed out the following passage: "By her majesty's authority I do assure you that on the union with Canada all your civil and religious rights and privileges will be respected."

The very letter I have quoted above proves also that the governor was acting in the name of her majesty, otherwise he could not have said to me: "I am anxious to express to you the deep sense of obligation which I feel is due to you for giving up your residence at Rome for the purpose of rendering service to her majesty's government." His excellency let me know that my services had been desired by the secretary for the colonies, and he wrote: "Lord Granville was anxious to avail of your valuable assistance from the outset and I am heartily glad that you have proved willing to afford it." Alluding to our long and numerous conversations, his excellency added: "The imperial government, as I informed you, is earnest in the desire to see the North-west Territory united to the Dominion on equitable conditions. The imperial government has no intention of acting otherwise than in perfect good faith towards the inhabitants of the North-west."

His excellency was so anxious that I should persuade the people that they had nothing to fear, on account of their religion, that, in his letter to me, he added a new promise to the assurance given in his proclamation. In that letter, we read "By her majesty's authority, the people may rely that respect and attention will be extended to the different religious persuasions."

If the proclamation issued by the representative of our beloved queen, in her name, and framed by special direction from a minister of her majesty; if the letter addressed to me, to corroborate his excellency's most solemn assurances, given "by

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her majesty's authority ;" if all that means anything and is not purely idle talk, it means that: at the union of this country with Canada all religious rights and privileges of the different religious persuasions would be treated with respect and attention.

The catholic populations of her majesty's domain were not to be excluded from such advantages; the proclamation was specially intended for them, as well as the letter addressed to me.

Now, the religious convictions of the catholics, with regard to the education of children, are well known; they are the same in all countries and at all times; they are such that the faithful and their pastors bear all sorts of expenses and annoyances rather than to desist from them.

A catholic population does not enjoy full religious freedom when impeded from having schools in accordance with their own ideas or convictions. This was well known to the governor general of Canada when he promised respect and attention for our religious persuasions, when he assured the catholics that their religious rights and privileges would be respected. It would have been a mockery to add that there would be no protection for catholic schools. That mockery, the catholics have to bear it now, both in Manitoba and in the North-west. Respect and attention are extended to the different religious persuasions, except to catholics; so much so that protestants are granted schools that satisfy them while the catholics are refused the same privileges; their schools are surrounded with difficulties on account of religious convictions.

In 1890, the government of Manitoba thought of a law which would modify both the protestant and the catholic schools to such an extent as to assimilate them all, by banishing all religious instruction. The attempt failed, as far at least as protestant schools are concerned. These schools remained what they were, plus the obligation for catholics to help in their support. The catholic schools, on the contrary, ceased to be recognized; they are deprived of their legitimate share of government grant; they are even deprived of all legal means of securing any help. If the catholics of the province do not accept the system viewed with so much favour by the protestants, all catholic school properties in the province are to be confiscated and handed over to municipalities, in several of which the catholics have no action but that of paying their taxes, not only the general municipal taxes, but also the taxes levied for the support of protestant schools.

Such is the respect and attention extended "to one of the different religious persuasions" in Manitoba.

In the first part of this memorial, I have shown, under its true light, the condition of catholic schools in the North-west under the ordinance of 1892, which the government at Ottawa has just declined to disallow. More cautious than the government of Manitoba, the government of the Territories has left the catholic schools in existence, but it has deprived them of what constitutes their true character and of their freedom of action.

The new school laws of Manitoba and of the North-west are a plain and manifest violation of the assurances given by her majesty's authority and in her name.

The catholic persuasion "far from receiving the respect and consideration promised to the different religious persuasions," is deprived of rights and privileges which ought to be considered natural and inalienable in a country which boasts of religious equality and of freedom of conscience.

The governor general wrote to me: "In declaring the desire and determination of her majesty's cabinet, you may safely use the terms of the ancient formula: right shall be done in all cases." I used the terms, they were respected for twenty years in school legislation, but since 1890 the lie is given to the formula.

I know, better than any one else in the world, the impression I was asked to convey to the dissatisfied people of Red river, and now that the assurances then given are not taken into account, I strongly protest against such injustice and violation of the promise said then to be formulated by royal authority.

(2.)—SACRIFICE OF FEDERAL AUTONOMY.—Nowadays, it is often spoken of provincial autonomy and of the obligation for the central power to respect the rights

of the confederate provinces. This is both just and necessary for the working of our political institutions; on the other hand, this cannot mean that provincial authorities are almighty and absolutely independent; that they have everything under their absolute control, even the question of general interest and obligations incurred previous to the formation of the same provinces.

The federal power is endowed also with autonomy and it has the right and obligation to safeguard this autonomy; in order to maintain its entirety. Such a duty does not free the Dominion from colonial tie, nor does it free its legislation from the imperial veto and does not constitute it as an independent state. Restrictions, rightfully established and carefully exercised by a superior authority, are not an encroachment on the rights of an inferior power, specially when the latter owes its existence to the very same restrictions. Such notions are elementary; nevertheless, I consider them as necessary to catch the real meaning of what I have to say.

In the beginning of 1870 there was no province of Manitoba, no government in the North-west Territory. Canada itself possessed nothing, and had absolutely no jurisdiction in these vast countries.

Forgetful of the restrictions of federal autonomy, Canada went beyond its jurisdiction and thereby gave occasion to difficulties in the Red river country, which at the time was purely and simply a British possession; the Hudson Bay Company having, on consideration, desisted from its pretensions or rights. The imperial government was willing to transfer the country to Canada, on the conditions stipulated in 1869, but moreover, on certain other conditions determined by the insurrectional movement, which had been caused by Canada's premature entrance in the country.

The North-west was not to enter into confederation as a conquered land. "Troops should not be employed in forcing the sovereignty of Canada on the population of the Red river, should they refuse to admit it." (Sir F. Roger's letter, 22nd March, 1870.) Having not to conquer, Canada had to resort to negotiations to secure the admission of the North-west into her confederation and to accept decision of her majesty's government on all portions of the "Settlers' Bill of Rights," in order to satisfy the delegate who had been called to negotiate. The negotiations were unquestionably binding on both sides on the points agreed to, otherwise they could not be called "negotiations" or "understanding as to the terms on which the settlements on the Red river should be admitted into the Dominion."

On the 3rd of May, the governor general was able to telegraph to Lord Granville: "Negotiations with the delegates closed satisfactorily." All that was to be and was done without trespassing on the autonomy of the dominion of Canada; but all that could not be done without imposing on Canada new and special obligations, that she would have to respect and cause to be respected, throughout the country she was to acquire, and in the different provinces and territories that she might think proper to circumscribe therein. These obligations, on the part of the federal government, cannot be considered as an encroachment on the rights of the province of Manitoba or of the territories of the North-west, as they were accepted by Canada, even before the creation of Manitoba and the organization of the Territories.

Otherwise, it would be just as well to say that Ottawa is acting against the autonomy of the prairie province and the Territories by the appointment of lieutenant governors, the establishment of post offices, the collection of dues, etc., etc.

Suppose that the legislative assemblies at Winnipeg or Regina take the fancy to pass laws enacting, some way or other, about the above mentioned matters or some similar, would Ottawa hesitate for a moment to disallow such enactments, and if the people were complaining of the violation of their rights, it would not take a long time to tell them that rights imply obligations and that the federal government had to protect its own autonomy; disallowance being merely one of its prerogatives. The federal government would have thousand times reason to resort to such self-protection, as it is a thousand times wrong in neglecting its obligations. Obligations are in reality more sacred and more imperative than the revendication of a right. Authority can desist from a legitimate claim, but it cannot do lightly with an obligation.

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Let us now consider what are the obligations of the federal government, with regard to education in the countries which have been the object of the negotiations of 1870.

The delegates of the North-west carried to Ottawa and supported a certain bill of rights. The 7th article related to schools, and demanded separate schools and an equitable distribution of school money, in order, according to the governor general's expressions: "that respect and attention would be extended to the different religious persuasions."

No objection was made against this proposition of the delegates. On the contrary, they were assured that it would be carried out, and on both sides it was considered as a condition of the entry of the North-west into confederation. Otherwise the governor general could not have produced to the satisfaction, which was experienced and expressed by the imperial government and caused by the telegram of the 3rd of May stating: "Negotiations with the delegates closed satisfactorily."

Therefore, the delegates asked for separate schools, which would have the right to share in school appropriations; the request was accepted favourably by the ministers who were negotiating in the name of the Canadian government.

Lord Granville, in the name of the imperial government, wrote Sir John Young on the 18th of May, 1870:

"I take this opportunity of expressing the satisfaction with which I have learned from your telegram of the 3rd instant that the Canadian government and the delegates have come to an understanding as to the terms on which the settlement on the Red river should be admitted into the Dominion." These facts cannot be denied except through a complete ignorance of the negotiations.

I know the objections brought forward against my assertion, but they have no weight nor value. For an instance, it is said that the delegates were not the representatives of the people of the North-west; this objection is absolutely futile since the Canadian government recognized them, negotiated with them with the knowledge the approbation and the satisfaction of the imperial government.

They also affirmed that the "bill of rights, framed at the public convention, made no reference to schools; that the schools were not spoken of at the convention." This other error does not stand before the knowledge of facts.

Sir Donald A. Smith, Canadian commissioner at Red river during the disturbance, is unquestionably a reliable witness of what occurred at the convention in which he took so prominent a part, and which gathered at Fort Garry, twenty representatives of the English population and twenty of the French. The report of Sir Donald A. Smith was printed in the Sessional Documents no. 12, 1870. Sir Donald recognizes that the statement published in the journal the *New Nation* is fairly exact. Then the *New Nation* reports the 9th article of the bill of rights as prepared by the committee of the convention, and which reads as follows: "Article 9th, the sum of \$15,000 a year be appropriated for schools, etc."

A discussion ensued, and Mr. K. McKenzie, seconded by Mr. Riel, moved that the amount be \$25,000. Mr. McKenzie's amendment carried, and the article as amended was adopted on a division: yeas, 27; nays, 9.

In consequence, the bill of rights submitted to the Hon. Mr. Smith demands in article 9th, that "the sum of \$25,000 a year be appropriated for schools, etc.;" and the answer of the honourable Canadian commissioner was: "I feel quite certain that an amount, even exceeding that here mentioned, will be appropriated for the purposes referred to."

It is evident, therefore, that the schools were referred to in the convention, that a yearly appropriation for that object was put in the bill of rights, framed by the same convention; and that the honourable Canadian commissioner did not hesitate to assure the people that their request would be more than complied with by the Canadian government.

True, it was not spoken then of separate schools, but the circumstances implied necessarily schools of that character, because there were no other schools in the country, and I dare say that no other were thought of at the time, either by protestants or catholics; and if the proposition of depriving the catholics of their legiti-

mate share had then been suggested it would have been repudiated without hesitation by all.

The 7th article of the bill of rights, considered at Ottawa, was no contradiction to the request of the convention, it merely and simply gives the true meaning of the convention's request with regard to schools, and I repeat it, it was understood and accepted as such by the negotiators.

I do not ignore that the Manitoba Act has been unfavourably interpreted, nevertheless, and notwithstanding my respect for and submission to the courts of my country, I do not hesitate to state that the question is not settled in a just and satisfactory manner. I wish to be understood.

The courts have pronounced simply on the interpretation of the words of the law; they have not examined the other aspects of the question. It is evident that the wording of the 22nd clause of the Manitoba Act has not been able to command the unanimous opinion of the learned authorities who have pronounced on it. The first sub-clause has been examined by the highest tribunals of Manitoba, Canada and England, with the following results: The court of queen's bench has pronounced unfavourably to the minority, three judges being against and one in favour. The five judges of the supreme court of Canada have been unanimous on an interpretation of the law favourable to said minority.

Therefore, in Canada, six out of nine judges have decided that the law which in reality had been passed to protect the minority, is clear enough to attain its object and the intention of the legislators.

The cause having been brought before the judicial committee of the privy council met with defeat. I am told that the judges were not unanimous; if so, the cause of the minority is supported at least by half of all the judges who have given their interpretation.

The diversity of opinion between the tribunals and between the members of some of them is not an inducement for the minority to view with satisfaction a result depriving them of rights guaranteed by the negotiations and which have been recognized as certain during twenty years after the creation of Manitoba. One is compelled to acknowledge that human justice is very uncertain and that human laws are often badly defined.

The opinion of the supreme court of Canada has been asked for by the federal government on certain special points indicated by the government, and outside of many considerations and facts which command attention in a cause so important to the welfare of the minority. Here again the opinions differ, and the learned judges do not agree on the meaning of the law and its applications. Six questions were submitted for opinion. On one point, three judges out of five gave an opinion favourable to the appeal by the minority; on the five other points, three out of the five judges decided against that appeal. What will now be done? The opinion of the board is not binding, and the government remains with its responsibility, and the parliament with its power. What will now be the action of the friends and adversaries of freedom of teaching? The sacred cause is just now in a very alarming condition, both in Manitoba and the Territories, and this condition of affairs, I cannot help repeating, is diametrically opposed to the intention of the legislators who enacted the laws which are now interpreted against the minority, though they were expected to protect the same minority.

There cannot be two opinions concerning the intention of the legislators at Ottawa in voting the school clause of the Manitoba Act, 1870. All proves, evidently, that the object of that legislation was to protect the minority, either protestant or catholic. Every circumstance connected with that legislation points out in that direction; the negotiations asked for by the imperial and Canadian government to arrive at an understanding which satisfy the people of the North-west and dispel their apprehensions; the request of the delegates asking for separate schools; the satisfactory answers given to the delegates; the promises of the government; the very fact, under such circumstances, of the introduction of a school clause in the Manitoba Act; the discussion in parliament with regard to the same clause; all, absolutely all, prove that the legislators were bound and willing to secure a protec-

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tion for the minority in matters of education. The opinion here expressed has been fully endorsed by many eminent men, who took part both in the framing and discussing of this clause, and all are unanimous in stating that the clause was intended to protect the minority.

Let an investigation take place, and I am sure that there is not a single witness that would dare to come and on oath declare that the law as passed was in no way intended to secure the protection demanded. On the contrary, there are many witnesses who would unhesitatingly give sworn evidence that the clause 22 was introduced into the Manitoba Act and was voted with the certainty that the said clause would secure to the minority of the new provinces rights acquired before or to be acquired after the admission of the country into the Dominion. To deny this is simply to close one's eyes to the evidence. To refuse to draw the natural conclusions that such evidence dictates to all political parties, to all classes of citizens of whatsoever origin or creed, is a criminal abandoning of an imperative obligation.

But, some would say, the law is not clear, the judges do not agree in its interpretation. Well, if the three branches of the legislature at Ottawa have failed to express themselves in a way that could be interpreted in accordance with their view, let them remedy the mistake and legislate to-day according to the intention which had determined the legislation of 1870, but for peace sake, let the injustice be removed as well as the clause of the constitutional act of Manitoba, which is worse than a dead letter and which would be the disgraceful monument of a legislative blunder, if the judicial decision continue to affirm that such law does not only mean nothing in the sense of protection, but moreover, that it deprives the minority of the province of Manitoba of all the immunities granted to her majesty's other Canadian provinces by the imperial act of 1867 (clause 93).

There is surely wisdom enough in the country to enact a law expressing clearly what it is intended to mean. As the matter stands now, the minority is in much worse condition in Manitoba than in any other province; the catholics have lost the beneficial practice by which schools were recognized and helped for the fifty years previous to their entry into the Dominion; the assurances given to determine them to join the confederation are disregarded; they are deprived of all the rights and privileges they have enjoyed by the law since the reunion with Canada till 1890. Bad and unjust as all this is, it does not satisfy the persecutors. A new enactment passed during the last session, and sanctioned last Friday by the lieutenant governor of Manitoba, has decreed the confiscation of all catholic school properties and houses, though acquired and built exclusively by catholic money, unless the oppressed population submits blindly to what is done or may be done in their own schools, contrary to their religious convictions. Can it be possible that all this is to be tolerated?

In the North-west Territories, the letter of the law is allowed to stand; separate schools have their existence, pending their entire and complete suppression. The ordinance and those by whom it is administered have taken from the catholic schools all that could characterize them as such, and the spirit of federal law is violated in the more open and arbitrary manner and, on false information, Ottawa has decided that there was no reason to disallow the ordinance of 1892; besides the catholics are told that in reality and practically the ordinance takes nothing from them.

The persecution against catholics is tolerated under the pretense of respect for provincial or territorial autonomy. What about federal autonomy?

The dignity and prosperity of a self-governing country does not consist merely in the protection of its rights and privileges, but also in the accomplishment of its duties and obligations. The government is the judge of the degree of self-protection it can or ought to secure. On the other hand, those in favour of whom it has contracted obligations have the right to claim their fulfilment; the voices of the sufferers cannot be stifled without inconvenience not only to themselves but also to the central power; Canada cannot tolerate injustice without abandoning the exercise of its rights and the fulfilment of its obligations, and that is what I call the sacrifice of federal autonomy.

(3.)—ABANDONMENT OF THE MINORITY TO THE VEXATION OF THE MAJORITY.—To any British subject it ought to be sufficient to have demonstrated that the rights of the catholics to their separate schools in Manitoba and the North-west have their foundation in the honour of the empire which has been engaged by the assurances given officially in the name and by "her majesty's authority."

To any Canadian worthy of the name it ought to be enough to have proved that the most elementary justice commands the respect of the conditions which have been stipulated and to which Canada has been a party; having consented to the terms without which she would not be to-day in possession of what constitutes the half of her domains.

To this consideration of a special and of the highest character I can add other motives which are, it is true, of common application, but nevertheless not without importance. I say that the minority ought not to be badly treated precisely because it is the minority, and that in all well organized societies, as well as in all well conducted families, there must be a protection for the weak. A father of a family knows how to interpose to protect his younger children against the bad treatment of the older ones. The grand neighbouring republic has not hesitated to enter into a long and bloody civil war to protect the coloured population of the southern states. How can Canada remain an idle spectator of the sufferings of a class of her children who claim protection?

Let every one ponder the disastrous consequences which may be entailed by the principles invoked to-day against us. The Canadian confederation is in its twenty-seventh year of existence, and Manitoba in its twenty-fourth, and in this province catholics are already ostracised; not only are they deprived of their legitimate share of the school endowments, but the taxes levied upon them are for the benefit of schools conducted contrary to their convictions. More than this, their school properties are confiscated, properties acquired by their own money without any help from outside; and Ottawa permits it to go on! Where is the country going to under such a system?

To-day it is the spoliation and arbitrary confiscation; to-morrow it may be imprisonment, and if the majority so wishes, as it says it cannot be controlled, it may be that the next thing will be banishment or the re-enactment of penal laws. Manitoba has already seen the outlawry of one of its children, to whom protection had been promised.

It may be admitted that it is a dangerous game to disregard minorities, to the extent of considering them as an insignificant quality which is not to be taken into account.

A pin is the smallest of toilet articles: used properly, it may add to the elegance and comfort of a dress, but if the little article is incautiously placed under the heel, it may turn up to the discomfort of the imprudent, who uses it that way, and his walking will certainly be impeded, even if he is the most elegant and fast walker. If he persists in disregarding his mistake it may be the cause of muscular disorders, followed by the most disastrous consequences. Something similar may occur in a social organization.

A minority, small and weak, as it may seem, has always some influence. Treated with justice and consideration, it may add, and will surely add, to the strength and honour of its country, but if the same minority is despised, and if, instead of being allowed its proper place, it is crushed underfoot, a different result may be expected.

After all the oppressed minority is not so numerically insignificant as people seem to think. In Manitoba, and more so in the North-west, the catholics are, in proportion to others, more numerous than the protestants are in proportion with the catholics in the province of Quebec. If I am not mistaken, there is, in the opinion expressed lately in the supreme court, something which could be applied to the province of Quebec, in the same way as too many are pleased to see it applied to Manitoba. I know that the majority in Quebec will never attempt to deprive the minority in that province, in the matter of education, of anything appertaining to the religious convictions of the said minority. I am proud and happy that the

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well known dispositions of my countrymen and co-religionists inspire me with such conviction and trust.

If, although impossible, the majority of Quebec should think of depriving the protestant minority of the rights and privileges acknowledged previous to its entry into confederation, and which have since been recognized by provincial laws, yes, should such a proceeding be attempted, we should experience the most violent commotion ever seen in the country. From Halifax to Victoria, from l'Isle de Sable to Charlotte island, by water and by land, everything and every one would be put into motion to protest against the injustice, the bad faith, the encroachments, etc., etc. The excitement would be such that there would be no delay in Ottawa to disallow the provincial law. Then, the provincial autonomy would have to retreat before the federal autonomy, and that would be right, and the catholic Canadian bishops would be the first to join their voices to that of the protestants of Quebec, to the demand that the latter should be treated with justice.

How is it then, that a similar attempt is so differently considered, when directed against the minority of Manitoba and the North-west? Alas! the sole possible explanation is that there are two weights and two measures, according to the violence of the cries, or to the disposition of those to whom weight and measure are applied.

The last general census for the Dominion, registered, in round figures 2,000,000 catholics and 2,800,000 non-catholics, protestants and others. The difference is large, but is it large enough to justify the opinion, which seems to prevail, that catholics do not need to be treated as others, and that they are bound to accept silently, if not thankfully, what is decided by their fellow citizens of other creeds?

We had peace in Manitoba and the North-west, with regard to education. The promise coming from England had been repeated at Ottawa, and their softening echo was repeated through all the prairies of the west. Then came a man who breathed over the country a breath of discord and fanaticism; politicians did not hesitate to utilise the dangerous weapon to defend their own position by stimulating the desire of abolishing all religious instruction in all the schools; they could not have failed to see the ultimate result. The majority raised their voice against the project, inasmuch as they were concerned, and then they entered into a bargain with the politicians. The majority told to the authors of the school law: "You may abolish the catholic schools, we will be but too glad, but do not touch our protestant schools; we wish to keep them what we have made them." "Very well," said the politicians, "give us a compact vote, support all our measures, and then, not only will we abolish catholic schools, but we will force their supporters to pay for yours." And so it was done. Catholic schools were condemned by the very same law which protects and enriches the schools dear to protestant ideas. Peace has since disappeared from the country, dissension is among its citizens; the bad seed is also taking root in the North-west, and a painful agitation threatens confederation.

Political parties fear or expect the result that could come out of the excitement; the tribunals are exercised with the most subtle interpretations; the books of the learned are searched in, to ascertain if the Canadian parliament knew, or did not know what they said, when they prepared and voted the constitution of Manitoba.

In the midst of the legal and political tourney, the most contradictory opinions are expressed by equally learned men.

Outside of the courts, some say: "Unconstitutional or void laws ought not to be disallowed;" others add: "The ordinance of the North-west was not to be disallowed, being within the limits of the constitution." It is said yes, it is said no, and the discordant voices prevent the protection required and asked for.

We have the most evident proof that the wording of the laws is not the real source of our difficulties; here is the proof of my assertion: The Manitoba Act, passed by the federal legislature in 1870, ratified by the imperial parliament in 1871, reads as follows in the 23rd section: "Either the English or the French language may be used by any persons, in the debates of the houses of the legislature, and both those languages shall be used in the representative records and journals of those houses. And either of those languages may be used by any person, or in

any pleading or process in or from all or any of the courts of the province." The acts of the legislature shall be printed and published in both those languages. Unquestionably these few words are clear; their meaning is obvious; they are perfectly intelligible; there cannot be two opinions on their real signification.

What has happened?—The local government of Manitoba, in defiance of a federal statute so clearly expressed, in spite of the confirmation of the same by the imperial parliament; yes, the government of Manitoba proposed and its compact majority voted as follows:

"Any statute or law to the contrary notwithstanding, the English language only shall be used in the records and journals of the house of assembly for the province of Manitoba, and in any pleadings or process in or issuing from any court in the province of Manitoba, the acts of the legislature of the province of Manitoba need only be printed and published in the English language."

The lieutenant governor gave assent to the bill, unconstitutional and unjust as it is, and the enactment is indicated 53 Vict., chap. 14.

The matter was referred to Ottawa as offensive to the dignity of the British parliament, subversive of the federal legislation and injurious to the interests of the French-speaking Canadian population.

Who raised his voice in the federal parliament or who acted in a way to have such an unconstitutional act erased from the state book of the prairie province?

Meanwhile, and ever since, the cause of our schools is carried from tribunal to tribunal to secure an opinion about the subtleties which could be detected in the wording of the school clause. Clear language has proved of no avail or is supposed to be unintelligible to avoid rendering the justice implied in its natural signification.

I love my country; I would like to see its political institutions admired; I would be happy to feel that the freedom they are supposed to afford is enjoyed by all. But, alas, the events of the last few years are not showing Canada and Canadians to the best advantage.

The divine precepts have prepared my will to submit to the laws of the land of my allegiance, but my heart is not forbidden to bleed, when such laws are unjust and detrimental to the interests of so many of her majesty's loyal subjects. Sincere catholics will obey the laws, even if offensive to their interests and enacted against them, precisely because they have catholic convictions. How cruel it is to take advantage of their spirit of submission to oppress them.

May God pardon the authors and abettors of such wrong-doings and enlighten them that they may comprehend that the maltreatment of the minority will, on the long run, prove injurious to this province, its adjacent territories and even to the whole Dominion.

ALEX. TACHÉ, *Arch. of St. Boniface.*

St. Boniface, 7th March, 1894.

APPENDIX A.

To His Grace ALEX. TACHÉ, Archbishop of St. Boniface.

MY LORD,—I have just read and studied with all possible diligence and attention the report of the privy council of Canada, approved by his excellency the governor general, the 5th February, 1894.

A petition made in the name of His Lordship Bishop Grandin, of St. Albert, 17 others made by the trustees of the catholic schools of the North-west Territories, and another drawn by your grace, had been addressed to his excellency the governor general in council. All these petitions expressed the grave subject of complaints of the catholics with regard to the last school ordinance in the North-west Territories. Perfectly identical, except the one presented by your grace, they asked, either the

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disallowance of the ordinance no. 22 A.D. 1892, or a formal order to the legislative assembly and to the council of public instruction to repeal or to amend the said ordinance and the regulations of the council of public instruction in such a way as to remove all the grave and just subjects of complaints formulated by the catholics in the petitions to his excellency the governor general in council.

Both alternatives are refused, we are simply commended to the good-will of the lieutenant governor that he may interest himself in our favour with the legislature of the Territories and the members of the executive, who form also the council of public instruction. Now, my lord, my conviction is that we have been entirely sacrificed by the governor in council. They reject our most legitimate subjects of complaints; they overlook their importance and bearing. It is what I will endeavour to prove.

We read in the report of the committee of the privy council:—

“(1.) Upon a comparison of the duties prescribed for inspectors of schools in the ordinance of 1888 and that of 1892, as amended, it will be seen that they are practically the same.”

The report of the committee of the privy council eludes deliberately the question and gives a conclusion the greater part of which is outside of the subject of the petitions. We complain that the ordinance of 1892 deprives us, catholics, of the right of appointing our inspectors for our catholic schools, right granted by the ordinance of 1888. This ordinance conferred on the catholic section of the board of education the power to appoint its inspectors. It is this right that we claim in our petitions. Protestant inspectors, owing to their religious education, their prejudices, their opposition to the catholic school system, cannot generally inspire us any confidence. We protest in our petitions against that violation of the right that we have to govern our schools and appoint our inspectors, as we acknowledge the same right to the protestant schools. I regret to be obliged to state that the decision of the privy council in the case in question has not at all for its object the true complaint of the petitioners. Let them not tell us: “Out of four inspectors, you have one catholic.” If we have him to-day, we may not have him to-morrow. At all events, he cannot inspect but the schools of one district, all the schools of the other districts being outside of his jurisdiction. Once more, the right to appoint our inspectors is taken from us, and we are at the mercy of the council of public instruction, entirely composed of protestants, in which no catholic has a right to vote; and our schools are nearly all inspected by protestant inspectors who may be altogether hostile to our educational institutions, especially to our convents. Such is the true object of our complaints; such is the right that we claim. And this is what has been overlooked at Ottawa. “You have no right to complain,” we are told; “the inspectors’ duties are practically the same to-day as they were before the ordinance which you ask to be disallowed. In the meantime—accept the inspectors that are imposed upon you, although they may be your open enemies and members of secret societies who have sworn the total destruction of your institutions.”

(2) The report says: “The committee are informed by Mr. Haultain’s statement that so far back as January, 1888, at a meeting of the board of education, it was resolved: That in the opinion of this board it is necessary to make provision for the instruction and training of teachers for our public schools in the science and art of teaching, that the board feels that the appointment of a normal school principal, whose duty it would be to hold normal school sessions in different parts of the country, would have the best possible results in increasing the efficiency of teachers and stimulating education.

“Therefore, it is resolved that his honour the lieutenant-governor be requested to urge upon the Dominion government the advisability of granting the sum of \$5,000 (five thousand dollars) for the next financial year for normal school purposes.

“There is nothing in the above resolution to indicate that there was to be one normal school for protestant teachers and another for Roman catholic teachers, but rather the one normal school for all.”

Let us see:

In the month of January, 1888, the board of education, composed then of eight members, among whom five protestants and three catholics discussed the advisability

of having in a near future normal schools, that is to say, as soon as circumstances would permit and such establishments would be practically possible both for protestants and catholics. I was then a member of the board with Hon. Judge Rouleau and Mr. A. Forget. Hon. Judge Rouleau was absent on that day, but Mr. A. Forget and myself took part in the discussion, and all the members of the board, protestant and catholic, were of opinion that normal school institutions could but stimulate and promote the cause of education. It was proposed to hire a principal, but Mr. Forget immediately pointed out that two were required, one for the protestants and one for the catholics. As the thing was not to be done at once, it was resolved to pass only the resolution, mentioned by the privy council, asking for a subsidy of \$5,000 (five thousand dollars) for normal school purposes, without specifying them. The board of education reserved to itself to regulate the use of these \$5,000, if that sum was granted for the purposes in view, and the catholic section knew that it had also a right to a part of that sum, if it were granted. All the members understood, or at least could understand, by Mr. Forget's remarks and mine, that when the time to act would come, we would claim our right to one or several catholic normal schools. And, in fact, every time that the question has been brought before the board of education since January, 1888, until our last session in the summer of 1892, I have always, supported by my colleagues Hon. Judge Rouleau and A. Forget, Esq., claimed catholic normal schools, if ever the board should pass a resolution making compulsory the attendance at those schools. I have done more, I have always maintained that the establishments of our sisters, devoted to education during their whole life, were nothing but a continuous normal school lasting for them until death. On the report of Mr. Haultain, chief of the executive at Regina, a party interested before all to the maintenance of his ordinance of 1892, the report of the privy council says: That the resolution passed unanimously by the board of education in January, 1888, concludes to the establishment of only one normal school for protestants and catholics, without distinction. As I have just proved it, this assertion is contrary to the views expressed in the board, when it adopted the resolution bearing on the demand of the sum of \$5,000, which the federal government refused.

Under the false pretense that at least two members of the catholic section of the board of education have, in January, 1888, given their assent pure and simple to the future establishment of only one normal school, we are invited to remain quiet, to accept the new ordinance, to be satisfied with protestant normal schools, even for the sisters, who would have to leave their convents to go and mix with the teachers or candidates of both sexes, of all denominations, of every age, on the benches at Regina or elsewhere, and to receive school from the lips of a grand master of freemasonry, with the pedagogical teaching free from all tinge of catholicism, but possibly saturated with materialism and all the errors which the catholic church rejects and condemns.

"(3.) The petitioners further complain that the council of public instruction has promulgated certain regulations of which one effect is that, save in exceptional cases, no one can become a certificated professional teacher entitled to conduct a public or separate school without attendance at a normal school."

To ascertain the nature of this objection it is well to examine the cases which are there said to be exceptional. It is provided by the regulations of the council of public instruction governing teachers' certificates, 1894 (at page 8 under the heading: persons eligible without examinations) as follows:

5. "Persons holding certificates of educational value from institutions (other than those mentioned in clause 1, 2, 3, 4) may receive such certificates as the council of public instruction may deem them entitled to."

Clause five would appear to have been especially framed to meet the views of these persons mentioned by the petitioners who "would be unable to comply with the regulations enjoining attendance at the normal school."

Since the members of the committee of the privy council have thought that the clause five, above mentioned, is intended to remedy the complaint of the petitioners, I regret to be obliged to cause them a deception. It may be that this clause will be willingly applied by the council of public instruction in favour of

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protestant candidates, but surely it will not be so for the catholics. Here is my proof:

In 1891, one of our teaching sisters, superioress of one of our convents in Alberta, had a non-professional certificate grade—this certificate was to become professional after two years' teaching in the country by being endorsed by the inspector. Issued on the 1st of September, 1891, the said certificate was regularly endorsed by the inspector in 1892. The following year, after the passing of the ordinance no. 22 A.D. 1892, they pretended that the inspectors had no longer the right to endorse the non-professional certificates, and in the month of August, 1893, Mr. J. Brown, the secretary of the council of public instruction, gave official notice to the rev. sister, that her non-professional certificate would expire on the 1st September next, but by a special favour (!) they extended the term of expiration of said certificate to the 1st of October, time of the opening of the normal school session at Regina, where she would have to go; the attendance at the normal school being for her the only means of obtaining a professional certificate. I then went myself to Regina where I had a long interview with Mr. Goggin, superintendent of education. The Reverend Mr. Caron and Mr. A. Forget were with me. I expressed first the impossibility for the sisters to leave their convent to attend those normal school sessions; I declared that it would force them to act directly against the rules and constitutions which govern their order; that to make such regulation for them was equivalent to willingly and positively exclude them from teaching in the Territories. Mr. Goggin discovered to me the bottom of his thought in asking me why did we not hire lay teachers instead of nuns who, by their state of life, cannot comply with the regulations of the council of public instruction. I then appealed to this clause 5, to which we are referred by the report of the committee as to an infallible remedy to our complaints. I showed him that the life of our teaching sisters is a perpetual normal school. The reverend sister here mentioned had taught in England and elsewhere with the greatest success, during nearly 30 years. It was of no avail. The institutions mentioned in clause 5, I was given to understand, are not religious institutions, orders, convents; even if their members were to devote their whole life to teaching, but institutions, approved and recognized either by the state or by councils of public instruction.

The professional certificate was refused to the sister, in the face of clause 5. They consented to give it to her only when it was proved that she had a strict right to it, by virtue of the law and regulations, existing before the ordinance of which we complain.

(4.) This clause 5, I have also invoked it myself to obtain a provisory certificate, that is a permit, for a sister newly arrived from Europe, to teach until the time appointed for the next examinations of the teachers. And I was refused. Mr. Goggin told me that he could not recommend a certificate, even provisory, on the only fact that the person asking for it had belonged for years to a religious teaching order. I was obliged to swear that, to the best of my knowledge, she was competent to teach and that she had taught with success for several years.

Therefore let the committee of the privy council be well convinced of the inefficiency of the remedy that they indicate. It is a cunning trick that may deceive, but which does not stand before the above explanations and proofs.

"(5.) The petitioners have not specified any text-book, now prescribed for the examinations of teachers, which is objectionable to Roman catholics, and as, with the exception above noted, the books now prescribed are practically the same as those in use and prescribed by regulations prior to the passing of the ordinance of 1892, and as such regulations were concurred in by both sections of the board, the committee cannot see that the complaint of the petitioners in this respect is well founded. It is to be noted that the petitioners do not complain of the abolition of any text-book, but only of the imposition of a uniform course of instruction and a uniform selection of the text-books, a state of affairs, so far as teachers' examinations are concerned, that appear to have existed under the old regime, and to which no objection seems to have been made by Roman catholics, but which, on the contrary, was approved of by their representatives on the board of education."

Under the ordinance of 1888, in September, 1891, the old board of education, the two sections being together, adopted an almost uniform selection of text-books for the examinations of candidates. I say almost uniform because the readers and the subjects of literature were excepted, the two sections being divided on these points. In my letter to the secretary of the board I had myself provoked this agreement between the two sections, let it be well noted, without binding ourselves to each other. The sections preserved always the strict right to change their books whenever they would think useful for their respective schools. This right, we could not alienate it, we never did alienate it. It is taken from us by the ordinance of 1892; it is a crying injustice of which we complain. Under the old regime we could use this right, as we thought fit and useful to the catholics; we could agree or disagree with the protestant section for the choice of books, as we thought proper. To-day we have to submit to the unjust law of the stronger. The council of public instruction has the right to prescribe any book they like for the examinations of candidates.

I need not stop to examine the merit or demerit of such a book or author, for the simple reason that they may be changed at will by the council of public instruction and replaced by authors most hostile to our convictions; we have no voice in the matter; and we are told by the committee of the privy council that our complaint is not founded.

In our schools they tolerate to-day our catholic readers for the little children only, but they have the right to take them from us to-morrow as they have already done for all the children above the second reader. And we are told: Nothing is changed; you have no longer the choice of your books, you must accept ours; why do you complain?

(6.) "The petitioners further state that the effect of the said ordinance, especially by means of the said regulations passed in pursuance thereof, is to deprive the catholic schools of that character which differentiates them from the public or protestant schools and to leave them catholic separate schools in name only, and such, it is submitted, is its obviously necessary effect:

"The committee observes that section 32 of the ordinance no. 22 of 1892 provides:

"The minority.....may establish separate schools.

"Section 36. After the establishment of a separate school district under the provisions of this ordinance such separate school district shall possess and exercise all rights, powers, privileges, and be subject to the same liabilities and method of government as is herein provided in respect of public schools."

Because the minority may, yet, by the ordinance no. 22 of 1892, establish separate schools catholic or protestant as the case may be, does it follow that the effect of the said ordinance and of the regulations passed by the council of public instruction is not to deprive the catholic schools of all that differentiates them from the protestant public schools, and to make them catholic schools in name only? Let us see:

The catholics, formerly represented by the members of the catholic section of the board of education, were convinced that their interests were safeguarded; for it belonged, according to law, to the said section:

(1.) To have under its control and administration, all its schools, and to make from time to time any regulation it would think proper for their general government and discipline.

(2.) To prescribe and to select uniform series of text-books.

(3.) To appoint its inspectors.

(4.) To cancel teachers' certificates for sufficient cause.

(5.) Religious instruction (limited in public schools) was not limited in separate schools.

(6.) To choose text-books for history, science and such other branches that it would judge fit, *e. g.* religious instruction for candidates, examinations, and to have exclusive jurisdiction in these matters.

(7.) To appoint half of the examiners.

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To-day no more catholic section; not one catholic has a right to vote in the council of public instruction.

No more control nor administration of our schools.

No more right to choose our books: they may impose on us any book they like. Our schools, 75 per cent, are inspected by protestant inspectors. We have no more right either to appoint or to control these inspectors.

We have no power whatever on our teachers' certificates. They have to pass by the one normal school, which will be what the council of public instruction will make it, and which may be hostile to every catholic idea.

They have taken from us the right to choose our books on history and science for candidates' examinations.

No more jurisdiction for the correction of examination papers in these matters, a jurisdiction that was reserved to us under the ordinance of 1888.

No more right to appoint our examiners.

No more religious instruction; not even the right to open school by prayers. What is then left to us? if not schools catholic in name only, nothing else. We are permitted to have separate or catholic schools, but on condition that they are made in every respect like to the public or protestant schools, that is, that our teachers receive the same training and under the same inspectors, use the same methods, give up all religious instruction, etc., etc.

At Regina, in the council of public instruction, two opinions are entertained. The leader would like to take the "bull by the horns" and get rid at once of these catholic separate schools, while his first employee, the grand master of freemasonry, wishing also to destroy anything that is catholic in our schools, advises to proceed more quietly. In his opinion, the same end must be obtained, that is, to have only non-catholic schools, but it must be obtained by deceit and cunning. Take a step to-day and let the catholic get used to it, and then make another move, then a third one and so on, until the complete abolition of the separate schools.

This is our actual position. Were we not fully justified to ask for the disallowance of an ordinance which opens the gate to so disloyal a war against our schools?

(7.) "It would appear from the fact above set forth, that the disallowance of the ordinance in question would not meet the complaints alleged in the petitions otherwise than by restoring the board of education which had control of the schools of the Territories before the ordinance of 1892 was passed; because in other respects the law and regulations concerning education in the Territories were not materially different before the ordinance of 1892 was passed, from what they now are in so far as the points mentioned in the petition are concerned. Disallowance would not nullify any of the regulations complained of."

I humbly beg pardon to the honourable committee, but I cannot help seeing the best accentuated sophism in the above quotation. Why? the disallowance of the ordinance would not remedy our complaints and our just grievances?—If this ordinance had been disallowed, all the rights, of which I was speaking just now, were restored; control and administration of our schools; choice of our books; right to appoint our inspectors and examiners; religious instruction in the separate schools; normal schools optional and not compulsory, and if declared compulsory, to be catholic for our candidates. And the disallowance would have remedied nothing, but re-establishing the old board of education; the disallowance, we are boldly told, would have nullified none of the regulations of which we complain. If the law had been disallowed, had not the members of the catholic sections authority to amend the said regulations? Did not most of these regulations fall themselves by going back to the ordinance of 1888? Truly, how many specious insinuations and affirmations in the above passage of the committee's report.

In order not to disallow the ordinance, they give the false pretext that the disallowance would be useless. They thus mock the petitioners; they sacrifice the minority to the desire of pleasing the majority of which they are more afraid.

That ordinance no. 22, 1892, "*vrai ballon d'essai* (says the *Manitoba Journal*) the success of which were to determine the fate of the minority, might have burst at Ottawa if the federal government had willed it; but it has refused its protection

to the weak. Is it then decided in Ottawa that it will tolerate the violation of the rights, natural and acquired, of those who are not numerous nor audacious enough to constitute a dangerous element?

(8.) "The committee of the privy council regret that the change made in the ordinance relating to education should have been such as to cause, even unwittingly, dissatisfaction and alarm on the part of the petitioners, and they advise that communication be made to the lieutenant governor of the North-west Territories, urgently requesting that the complaints set forth by the petitioners be carefully enquired into, and the whole subject be reviewed by the executive committee and the North-west assembly, in order that redress be given by such amending ordinances or amending regulations as may be found necessary to meet any grievances or any well-founded apprehensions which may be ascertained to exist."

At last behold the immense consolation that is given to the catholics of the North-west. The committee of the privy council has the greatest sympathy for us. It extremely regrets that the ordinance of 1892 has been the involuntary (?) cause of dissatisfaction and alarms. The ordinance is maintained. With it and under the cover of legality, they will be able to increase, to multiply the difficulties and obstacles to hinder our catholic schools to work; they will impose on us new regulations more tyrannical, more impracticable than ever; the good-will of the past, on the part of the members of the council of public instruction and of the legislature, is a proof, at least probable, of their future good-will.

The committee of the privy council commends us to the mercy, to the generosity of the avowed enemies of our religious institutions, of our schools, of our convents. They have shown their dispositions (?) and now they are requested to amend either the ordinance or the regulations of the council of public instruction in order to remedy our grievances and our alarms, if any.

Is this truly what we had a right to expect? Could such a decision satisfy the request of the petitioners? Does it conform to justice? Is this a specimen of the boasted "British fair-play?"

We are sacrificed to the breath of the deplorable fanaticism which blows over our territories; our rights are trampled upon; our catholic schools existing by law, exist only in name.

It might have been otherwise; the government at Ottawa has not willed it.

Accept, my lord, the homage of my profound respect, of my heartfelt sympathy and of my devotedness.

H. LEDUC, *O.M.I., Ptre., Vic. Gen.*

APPENDIX B.

CHURCH OF OUR LADY OF THE HOLY ROSARY,

REGINA, ASSA., 24th February, 1894.

To His Grace Monseigneur A. TACHÉ.

MY LORD,—In answer to your letter asking me if it be true, as affirmed by some, that, as a representative of the catholics in the council of public instruction, I have given my assent to the choice of Ontario readers as reading books in our catholic schools in the North-west Territories, I am glad to say, my lord, that such is not the case.

Besides, here is what took place in the only general assembly of the council of public instruction held until this day, since its formation, in virtue of the ordinance of 1892.

The council, as you know, is composed of the members of the executive council of the Territories, all protestants, and of four members named by the lieutenant governor in council; two protestants and two catholics having the right to offer their advices, but without the right to support such advice by their vote. Mr. Forget, of Regina, and myself, represent the catholics. Our nomination dates from

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the 8th June last, and on the very next day we were called for the first meeting. During the absence of Mr. Forget who, at that time, was in Paris for his health, I was alone to represent the interests of our schools in a council composed of six protestant members, assisted by Mr. James Brown, then superintendent of education and by Professor Goggin, both also protestants. The latter, admitted in the assembly on the special request of the president of the executive, was in reality the directing spirit. No motion was moved nor seconded, no resolution adopted. They satisfied themselves by discussing without taking any decision, and, inasmuch as I am informed, no minutes have been kept of our deliberations. Such, at least, are the informations from Mr. James Brown, when they were asked for by Mr. Forget in my presence.

In the course of that discussion, altogether informal, according to the expression of my English colleagues, Mr. Goggin, having expressed the idea that it would be desirable to render uniform the use of books in the schools, I said, in a general way, that in fact, on account of our system of inspection, it would be very advantageous if all the school children could use the same books.

Should those books be the catholic or the protestant books? That question was not on the tapis, and consequently, I did not think that I should fully express my views by saying that if the members of the council wished for the uniformity of books for the good management and for the efficacious inspection of the schools they could adopt our series of catholic books.

Later on, in the course of my remarks, Mr. Goggin, it seemed to me, wished to insinuate that catholic books could be left aside and replaced by the Ontario readers, and then I said that "the younger the children who attend the schools the more do we urge that the books put in their hands should be perfectly catholic."

And, on account of the special composition of the council of public instruction, and knowledge that, by the ordinance of 1892, that council has absolute power to impose upon us books of its own choice, I thought proper to add that "if we were obliged to put aside the catholic reading books, we would more willingly abandon the books used for the scholars of the 4th degree than to abandon the books used for younger scholars."

Such is, your grace, and textually, the only remarks made by me concerning the choice of books, in that assembly of the council of public instruction, and I leave you to judge if they are of a nature to be interpreted as an acknowledgment for replacing our catholic books with protestant ones.

That meeting of the council took place in the month of June, and it was only in the month of September that I learned, by questions addressed to me from Prince Albert, that the catholic books had been erased from the list of books approved for the pupils of the third and fourth degrees, and that such catholic books had been replaced by Ontario readers. A few days later, I learned that in certain quarters it was repeated that I had given my approval to such a change.

During the same month, Mr. A. E. Forget, my colleague in the council of public instruction, Mr. A. Prince, M.L.A. for St. Albert, Mr. C. E. Boucher, M.L.A. for Batoche, and myself, had an official interview with the members of the executive council; I availed myself of the circumstances to explain once more the idea I had expressed before the members of the council of public instruction, concerning some books used in catholic schools; refusing thereby to accept any responsibility in that part of the new regulations and asking, as well as the other members of the deputation, that council should restore to the catholics their right to use catholic books in their schools.

Should not the members of the executive committee have understood the meaning of my words, at the assembly of the council of public instruction, they have not been able to misunderstand my protest on the day of the above interview.

Nevertheless, notwithstanding such protest, Mr. Haultain affirms, in a public document, that I have given my assent to such tyrannical regulations.

What can one think of such an affirmation?

Accept, my lord, the expression of profound respect of

Yours very humbly,

J. CARON, *Priest.*

APPENDIX C.

CALGARY, 26th February, 1894.

To His Grace A. TACHÉ, Archbishop of St. Boniface.

MY LORD,—I answer your enquiries about the abolition of the French language by the ordinance of 1892, both for the examinations and the schools.

If our petitions did not speak of this violation, it is because we left to the solicitude of your grace to claim our right on this respect; it is what you have done in an energetic petition, that has been ignored at Ottawa.

The ordinance of 1892 has abolished the French language :

I.—FOR THE EXAMINATION.

Before 1892 the candidates could pass their examinations in French. The examination papers were translated in this language, and twice I have been charged myself with this translation.

On Thursday last, the 22nd instant, I was at Regina. In order not to assert anything but perfectly certain, I went to see Mr. James Brown, the secretary of the council of public instruction, and I put to him officially the following questions :

Q.—Under the ordinance of 1888, could the candidates pass their examinations in French ?

A.—Yes.

Q.—Were the examination papers translated in French ?

A.—You know it well, you have translated them yourself.

Q.—Under the ordinance of 1892, by which we are governed to-day, can the candidates still pass their examinations in French ?

A.—I do not see that they can do it.

Q.—If the candidates did write their examinations in French, would these examinations be recognized in the council of public instruction ?

A.—No.

Therefore, it is evident that the French language is abolished for the examinations.

II.—FOR THE SCHOOLS.

The French language is also practically abolished in the schools. By the regulations of the council of public instruction, in conformity with the ordinance of 1892, the teaching must be given in English to the children above the 2nd reader. Thus arrived at this insignificant degree of learning, all the French Canadian children must be taught exclusively in English. They permit the use of the two first Ontario bi-lingual readers to the youngest children, but even then the consent in writing of an inspector, most of the time English and anti-French, must be obtained. Such is the amount of French teaching that is permitted, or tolerated. It would be more true and more simple to say at once that the French is banished from the schools.

Last year our schools in Edmonton and St. Albert, have been inspected by a gentleman, who is English and protestant, Mr. Hewgill of Moosomin. He questioned the pupils in English, paying very little attention to the French. He gave instructions to the teachers to give the greatest possible attention to the teaching of the English language. As to the French: *Abeat quo libuerit.*

In short, the ordinance of 1892 takes from the French population of the Northwest Territories the right, recognized by the ordinance of 1888, of using the French language for the examination and in the schools, and of giving a French as well as an English education to its children.

No more French schools, no more catholic schools, or rather schools catholic and French in name only; but in reality English and non-catholic; this is the plain truth, no matter what Mr. Haultain, and after him, the report of the committee of the privy council may say to the contrary. It is the conclusion that will be drawn

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by all the friends of justice who will carefully study the facts without any prejudice of political party, of race or of religion.

I now conclude by relating a fact which will show that our apprehensions are not vain and without foundation. In July, 1891, one of our catholic candidates for the teachers' examinations had passed with success on all the branches required by the board of education, and was to receive a certificate degree A. Unfortunately the said candidate had failed on arithmetic, having obtained only 18 points out of 100, when at least 50 were required.

I knew perfectly the candidate and I could not believe in such a radical and humiliating failure. As I was a member of the board of education, I asked and obtained to have the papers on arithmetic re-examined by the Reverend Mr. Gillis, catholic inspector and the Reverend Mr. McLean, methodist minister, inspector for the protestant section. The result was that the candidate in question got over 50 points, and was awarded a diploma degree A, thanks to my claiming justice.

As I know perfectly that the majority of the legislative assembly and of the council of public instruction, with a few exceptions, entertain dispositions that are hostile to our schools and especially to our convents, I do not understand how the report of the committee of the privy council can say that our apprehensions and alarms have no foundation whatever.

The disallowance was the only true remedy to the underhand, unavowed but real persecution that we undergo—Ottawa has refused it. The evil done by the ordinance of 1892, and the injustice that it sanctions, are tolerated by the federal government. However, we will continue to fight unceasingly and with a renewed courage for our rights and for our schools which we have the duty and the mission to protect and defend.

Accept, my lord, etc.,

H. LEDUC, O. M. I., V. G.

APPENDIX D.

(Translated from the French.)

REGINA, 1st March, 1894.

To His Grace MONSEIGNEUR TAGHÉ, Archbishop of St. Boniface.

MY LORD,—In accordance with your grace's desire, Rev. Father Leduc has handed to me a copy of a letter which he addressed to you regarding our school question in the Territories. The facts which he relates and with which my name is associated, are all fresh in my memory, and as they are in accordance with my own remembrances I can, without the least hesitation, corroborate them by my own testimony.

As to the commentaries which accompany them, especially inasmuch as they relate to the motive by which the members of the privy council may have been animated in their refusal of disallowing the school ordinance of 1892, my position as an employee of the government imposes upon me a reserve from which you would not, I am certain, wish me, my lord, to depart. But as I would not wish either that my silence in that respect would be falsely interpreted, I wish to express the opinion that the painful position made to us by the decision of the privy council can only be explained by supposing that the good faith of the ministers must have been surprised.

It seems, in fact, impossible to imagine that the catholic members of the privy council would have so coldly sacrificed our dearest interests, if they had exact and complete information on the questions.

I will say further, I am willing to believe that Mr. Haultain and his colleagues are in good faith in the conclusions which they draw from the resolutions of the board of education cited by them. These gentlemen not having been members of the old board of education, could not have known its deliberations but by the minutes thereof. Now, there is nothing in those minutes to indicate to those who may to-day read them, especially if they do not belong to our faith, that the catholic members of this board did not intend to give to these resolutions the meaning attributed to them. It seems, however, that, for catholics, the name of the Rev. Father Leduc, if not those of his colleagues in the board of education, should have been a sufficient guarantee that we should not have given an effective support to those resolutions unless circumstances guaranteed our rights.

This being said, Mr. Haultain and his colleagues of the executive council of the Territories will pardon me if I do not receive without an incredulous smile the assurance given by them, and accepted perhaps too easily by the privy council, that the legislation and school regulations of which we complain, have not been inspired by any sentiment hostile to our schools. They and the other members of the legislative assembly, who voted the ordinance of 1892, knew plainly what they were doing. I do not ignore that each one individually has protested that he did not wish to injure the privileges and rights of the catholic minority. In spite of all these protestations, this ordinance, in the dispositions which concern us, had and could have had but one object: that is, the abolition of all distinct character of our schools.

Thanks to that ordinance and to the regulations of the council of public instruction which followed, this end has to-day been practically attained. Nothing essential now distinguishes the catholic schools from the protestant schools but the designation now ironical of separate schools.

We should not think, however, that the immediate authors of the ordinance of 1892, and of the regulations which complete it, are alone responsible for them. In the eyes of those who have pressed them, it would be, indeed, giving them too much honour; others who had tried before them have also a right to their share of the laurels. It would be curious enough to make a faithful and complete history of the slow and underhand work of those people, bent to the destruction of our schools, and many candid souls would surely be more than astonished, if we gave to each one his share of responsibility.

But what is the use? Besides this history would carry us too far, and would oblige me to go beyond the limits of a communication of this kind. I will, therefore, my lord, confine myself to give you a short, a very short historical sketch of our school laws since the date of the organization of the Territories.

In memoriam rei. I will first mention that the constitutional act of the Territories guarantees to any minority the free establishment of separate schools wherever required; and the power, conferred on the territorial legislature to legislate in matters of education, is subject to this right. Therefore, all ordinances ignoring this right could for this reason be nullified by the court in case that the federal government would refuse to disallow it. But the disallowance is the only recourse that we can claim in the case of ordinances which, as the one of 1892, conforming itself strictly to the letter of the law, however, disregards its spirit, so as to render entirely illusory this wise constitutional disposition.

Before being so cavalierly trodden upon by the legislature of the Territories, let us see what interpretation the legislature, composed in part of the same persons, has given to this clause of our constitution.

The first bill in matters of education was presented in 1883, by Mr. Oliver, representing the district of Edmonton, in the council of the North-west Territories. This gentleman is still the representative of the same district in the legislative assembly. This bill, which gave at the time great honour to its author by the originality of its conception, after a first and second reading, was printed and distributed to the public. This same bill, slightly modified, was again submitted by its author, to the consideration of the council of the North-west. The following day the Hon. Judge Rouleau, presenting another one on the same subject. The

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special committee, composed of the Messrs. Rouleau, MacDowall, Turriff, Ross and Oliver, to which these two bills were referred, made their report a few days later by presenting a third bill, the result of the fusion of the two first ones. This last bill, after having passed the ordinary formalities, became soon the ordinance known under the title of the School Ordinance of 1884.

In order to understand well all the importance that the interpretation given by the ordinance of 1884 to the clause of the constitution relating to schools bears in itself in favour of the catholics, I will mention that this ordinance in its final form was unanimously adopted by the North-west council then composed of thirteen protestants and two catholics. If all did not remain to the same degree faithful to that spirit of justice and liberality which distinguishes this first school legislation, all at least deserve our profound gratitude for the authorized interpretation given by them to the clause relating to schools of the North-west Territories Act; and I cannot better express it to them than in giving here the list of their names. They were: The Honourable Edgar Dewdney, lieutenant governor; the Hon. Judges Richardson, McLeod and Rouleau, Lt.-Col. Irvine and Messrs. Breland, Reed, Oliver, MacDowall, Hamilton, Jackson, White, Ross, Turriff and Gebbes. The eight at the end of this list were all representatives, elected by the people.

Let us now consider what that ordinance contained. First, it provided for the nomination of a board of education, composed of twelve members, six of which were protestants and six catholics, divided into two distinct sections.

These two sections, sitting together, had but general powers; but the sections, sitting separately, had very extensive powers.

Let us open the ordinance at the clause 5, and this is what we find in it: "It will be the duty of each section:

"1. To have under its control and direction the schools of its section, and to pass, from time to time, the regulations that it will think fit for their general government and discipline, and for the execution of the dispositions of the present ordinance.

"2. To provide for the examination and the classification of its teachers, and to adopt measures to recognize certificates obtained elsewhere, and to cancel all certificates for good reasons.

"3. To choose all the books, maps and spheres that will be used in the schools under its control, and to approve the plans for school buildings, provided always that, when the books relate to religion and morals, the choice made by the catholic section of the commission be subject to the approbation of the competent religious authority.

"4. To appoint inspectors who will remain in charge at the will of the commission by which they have been appointed."

By the clause 6 of the same ordinance, the board, and one or the other of the sections, had the right to hold meetings in any convenient place in the Territories.

The 25th clause, to which I specially call attention, reads as follows:—

"25. In conformity with the dispositions of the 10th article of the North-west Territories Act of 1880, relating to the establishment of separate schools, any number of ratepayers domiciled in the limits of any public school section or in two sections or more adjoining public schools, or some of them are in the limits of an organized school district, and others on adjoining lands not included in said districts, can be erected in a separate school district by proclamation of the lieutenant governor, with the same rights, powers, privileges, obligations, and mode of government as precedingly stipulated in the case of public school district."

And in clause 131, it was decreed as follows: "In no case would a catholic be obliged to pay taxes for a protestant school, neither would a protestant to a catholic school."

In short, therefore, that ordinance not only recognized the rights of catholics to establish separate schools, but sanctioned also the principle, now ignored, that to them alone belong the exclusive right to govern them.

Unfortunately, owing to financial reasons foreign, however, to the dispositions just mentioned, this ordinance remained a dead letter.

The following year it was amended and revised, and then we had the school ordinance of 1885. This last ordinance reduced to five the number of the members of the board of education, two protestant and two catholics, under the presidency of the lieutenant governor.

So the sections were left to the general administration of their respective schools, but some of their powers were transferred to the board of education, such as the nomination of inspectors and examiners, the regulations of the examinations and the teachers' classification. Owing to the particular composition of the board of education, these changes offered no immediate danger, although they indicated a new and hostile tendency.

The 25th clause of the ordinance of 1884 remained intact, as well as the part above mentioned of clause 131. The financial obstacle, which had impeded the working of the ordinance of 1884, having been removed, the ordinance of 1885 was put in operation immediately after the date of its adoption, in the month of December, 1885, Messrs. Secord and Marshallsay, and the Hon. Judge Rouleau and the Reverend Father Lacombe were nominated as members, respectively, of the protestant and catholic sections of the board of education.

For some time the schools then in existence continued to receive the allowance granted them by the lieutenant governor on the subsidies voted annually by the federal parliament, for the administration of the Territories, and that by virtue of an order in council dated November 4th, 1880, on the recommendation of Hon. David Laird, lieutenant governor of the Territories.

The conditions of this allowance were then made public by a circular of the secretary of the lieutenant-governor. This circular is not without importance for us, inasmuch as it marks the first steps taken by the civil authority, since the organization of the Territories, for the support of the schools, and when considering its perfect spirit of impartiality.

Believing, therefore, that it might be of some service to your grace, I will here transcribe a copy thereof, made on the only copy which remains in the archives of the government. Here it is:

GOVERNMENT AID TO SCHOOLS.

His excellency the governor general in council having by order, dated 4th November, 1880, agreed to grant aid to schools in the North-west Territories, by paying one-half of the salary of the teacher of any school in which the minimum daily attendance is not less than fifteen pupils. I am directed by the lieutenant governor to intimate that his honour will, until further notice, from and after January 1st, 1881, be prepared to pay quarterly or half yearly, one-half the salary of any teacher in the Territories, on the following conditions:—

1st. That a quarterly register of the school be forwarded to this office, showing the names, age and studies of the children taught, not being Indians, whose education is otherwise aided by the Dominion government, and that the average daily attendance is not less than fifteen pupils.

2nd. That on some part of the register there be written a certificate, signed by the teacher and two of the parents whose children are attending said school, declaring that to the best of their knowledge they believe the register to contain a true statement of the attendance at the school.

3rd. That accompanying the register there be forwarded to this office a certified copy or statement of the agreement with the teacher, showing by whom he or she was engaged, and the amount agreed to be paid as solely for services as teacher.

A. E. FORGET,

Secretary to the lieutenant governor.

LIEUTENANT GOVERNOR'S OFFICE,
BATTLEFORD, 14th December. 1880.

P.S.—Blank registers can be had on application to the above office.

A. E. F.

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I now return to the history of the legislation.

In 1886, the law became again what it was in 1884, as to the choice of the inspectors and the teachers' examination, but it limited the establishment of separate school districts, making them possible only in the limits of public districts previously established by the majority. This limitation, which still exists, is fatal to the interests of the minority, and constitutes, in my opinion, a violation of the spirit of the constitutional act. It frequently happens that the catholics, residing in the limits of a public school district, are not numerous enough to form alone a separate district, but that end could be attained, if they could, as before, in virtue of the ordinances of 1884 and 1885, join their fellow catholics residing immediately outside of these limits.

In 1887, the school laws were again amended and revised. This time a great effort was made to give us a legislation on the model of the one imposed later on in 1892. The blow was very difficult to ward off, the more so because it was unexpected and came from high.

There would be also much to say on the fight that the Hon. Judge Rouleau had to outstand in the council of the North-west Territories, for the maintenance of our rights; but as it ended by a compromise, I will merely mention in what the ordinance of 1887 differed from the preceding ones.

The principle of equal representation, which had until then prevailed in the constitution of the board of education, was abandoned. The number of the members was raised to eight, five protestants and three catholics. The sections preserved the administration of their respective schools; the right to choose the books; to appoint their inspectors, and to cancel for cause any teacher's certificate; but all the other powers were henceforth to be exercised by the whole board. In compensation it was decreed, in clause 41 of the ordinance, that after the establishment of a separate school district, any property belonging to rate-payers of religious belief of such district, would be subject only to taxes imposed by that district. This new disposition was favourable to us, and in perfect conformity with the spirit of the constitutional clause. As to the rest, the position remained about the same.

In 1888, new revision, but without any important change. The same for the amendments in 1889 and 1890. In 1891-92 the sections were deprived of the right to appoint their school inspectors, the said right being now placed in the hands of the lieutenant governor in council.

We are now come to the session of 1892, venom long accumulated was thrown loose by one of the new members in the legislative assembly who was not bound by the compromise of 1887. Inspiring himself by the recent example of the province of Manitoba, everything was again discussed. But this time in spite of the efforts of Messrs. Prince and Boucher, the only catholic representatives in the legislative assembly; in spite of the generous protestations of Messrs. Clinkskill, Cayley, Betts, MacKay, Meyers and Mitchell, offended by the proposed legislation, the majority, directed by Mr. Haultain, imposed on us, without mercy, the now famous ordinance of 1892.

In placing before your grace the names of the protestant members of the legislative assembly, who have a right to our gratitude, for the active part that they have taken in the defence of our rights, I must mention in a special manner, the noble and courageous conduct of Mr. Clinkskill during the preceding session. This gentleman was then one of Mr. Haultain's colleagues on the executive committee, and not satisfied with giving us the effective support of his word and of his votes, he even made the sacrifice of his seat, as a member of the executive committee, when he saw the uselessness of his efforts to preserve to the catholic section of the board of education the right, exercised until then, to appoint the inspectors for the schools under its jurisdiction.

Until the date of the ordinance of 1892, we had never been denied the right to administer our schools, to regulate the programme of studies, to choose the text-books, to control the religious instruction and to authorize the use of the French language wherever thought convenient. These rights were exercised by the catholic section of the board of education, and, strictly speaking, were sufficient to preserve to our schools their distinctive character of catholic schools.

Now all this has disappeared. The board of education no longer exists nor its sections. All the schools, public and separate, catholic and protestant, are placed, by the ordinance of 1892, under the direct control of a protestant superintendent of education and of a council of public instruction, composed of the members of the executive committee, in which the catholics have not one single representative.

It is true that, by a clause of the ordinance, it is provided for the nomination of four additional members on the council of public instruction, two protestants and two catholics, but, being deprived of the right of supporting by their votes the opinions that they might express, and not being able to attend to council sittings unless invited by the executive committee, their usefulness is reduced to very little. Moreover the facts speak by themselves. Since the nomination of these supplementary members, they have been invited but to one sitting of the council of public instruction, and however radical changes have been made in the administration of our schools, in spite of the energetic protestations of Rev. Father Caron, and those of your humble servant, who have the honour to represent the catholics in the council of public instruction. I know that it has been asserted that Rev. Father Caron had given his assent during the only sitting just mentioned and to which he had to attend alone in his colleague's absence. But Father Caron, in a letter addressed to your grace and which he has shown to me, overthrows that pretension. These gentlemen may have been sincere for a moment in believing that the Rev. Father Caron had consented to allow the catholic readers in use then in our schools to be replaced by protestant books; but after the interview which we asked of them, and which they granted in September last, there could no longer exist any misunderstanding on that respect. As it was our duty, in concert with Messrs. Prince and Boucher, who were present at that interview, we energetically protested against introducing protestant readers in catholic schools. The regulation passed to that effect becoming in force only for the purpose of the promotion examinations for the year 1894, it was still time to modify it in order to make it conformable to the catholic sentiment. Instead of that, a circular was sent a few days later rendering compulsory in catholic schools the use of protestant readers after the 1st of January, 1894, and that in all the classes above the 2nd standard; these gentlemen reserving to themselves to invoke this alleged misunderstanding with the Rev. Father Caron, as a justification of their conduct.

As a practical result, we have then, at this time I address you these lines, monseigneur, the strange spectacle of catholic schools managed and inspected by protestants, and in which the programme of studies is fixed and the text-books are carefully selected, according to the advice of a protestant superintendent of education. Such is, in a few words, the intolerable condition to which the catholic minority is reduced in the Territories by the ordinance of 1892, and the regulations prescribed by the council of public instruction, since the said ordinance has become in force.

Had not, then, the catholics a thousand times reason to ask its disallowance; and nobody could wonder at their deep disappointment on hearing that they have asked in vain.

I am inclined to think that the recommendation of the privy council will find an echo in the minds of the members of the council of public instruction and of the local legislature, and that a generous effort will be made to calm the ever increasing dissatisfaction of the catholic populations. Let Mr. Haultain recall to his mind his hesitations of the first hour and when the unfortunate ordinance was only at its second reading. Let him recognize to-day, as he admitted then, the incompatibility between certain dispositions of this ordinance and a spirit of the constitution which guarantees to the catholics the right to separate schools. Here are some of his kind words in our favour; I find them in the account of the speech delivered on that occasion. Did he not declare then (*Regina Leader*) "that there were some points in the bill he could not agree to, and which he would mention. He could not agree to the clause making uniform text-books compulsory, it was contrary to the constitution."

It is exactly what we say, and we have been extremely surprised to see him later, in his capacity as president of the council of public instruction, giving his sanction to a regulation which, in his own opinion, is contrary to the constitution.

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I bring now to a close these notes already too long, begging your grace to accept the expression of my profound respect and the assurance of my entire devotedness in these painful circumstances.

A. E. FORGET.

ORDINANCES OF THE NORTH-WEST TERRITORIES.

No. 5 OF 1884.

An Ordinance providing for the organization of Schools in the North-west Territories.

[*Passed 6th August, 1884.*]

Be it enacted by the Lieutenant Governor of the North-west Territories in Council, as follows.—

BOARD OF EDUCATION.

1. The lieutenant governor in council, sitting as an executive council, may appoint, to form and constitute the board of education for the North-west Territories, a certain number of persons, not exceeding twelve, six of whom shall be protestants and six Roman catholics.

2. Three of the protestant members and three of the Roman catholic members recorded at the foot of the list of the members of the board, as entered in the minute book of the council of the North-west Territories, shall retire and cease to hold office at the end of each year, which for the purposes of this ordinance shall be held and taken to be the thirtieth day of June annually; and the names of the members appointed in their stead shall be placed at the head of the list; and the six members so retiring in rotation and annually may be eligible for re-appointment, and such retiring members shall hold office until their successors are appointed.

3. It shall be the duty of the board:—

- (1.) To make from time to time such regulations as they may think fit for the general organization of the schools;
- (2.) To make regulations for the registering and reporting of daily attendance at all the schools in the North-west Territories, subject to the approval of the lieutenant governor in council;
- (3.) To make regulations for the calling of meetings from time to time and prescribe the notices thereof to be given to members.

4. The board of education shall meet once a year at the time and place where the board may think fit.

5. The board shall resolve itself into two sections, the one consisting of the protestant and the other of the Roman catholic members thereof; and it shall be the duty of each section:

- (1.) To have under its control and management the schools of the section and to make from time to time, such regulations as may be deemed fit for their general government and discipline and the carrying out of the provisions of this ordinance;
- (2.) To arrange for the proper examination, grading and licensing of its teachers, the recognition of certificates obtained elsewhere and for the withdrawing of the license upon sufficient cause;
- (3.) To select all the books, maps and globes to be used in the schools under its control and to approve of the plans for the construction of school houses; provided, however, that in the case of books having reference to religion and morals, such selection by the catholic section of the board shall be subject to the approval of the competent religious authority; and
- (4.) To appoint inspectors, who shall hold office during the pleasure of the section appointing them.

6. The board of education, or any section thereof may, whenever they shall see fit, appoint and hold a meeting of such board or section in any part of the North-

west Territories and such meeting shall be as valid as if held in Regina, which shall be the usual place of meeting of such board or section.

7. The quorum of the board of education shall consist of a majority of the members and each of the sections of the same shall decide its own quorum.

8. Any member of the board of education absenting himself from the meeting of his section or of the board for six months, unless from sickness or absence from the North-west Territories, shall be considered to have *ipso facto* resigned his position, and the president of the section to which he belongs shall notify the lieutenant governor of the vacancy so caused and the member appointed to replace him shall hold office only for the unexpired term of the member whom he replaces.

SCHOOL DISTRICTS.

9. The words "school district" shall mean any tract of land declared by the lieutenant governor, as hereinafter provided, to be such school district, and the inhabitants thereof shall be a body corporate and politic for the purposes and with the powers and liabilities hereinafter specified.

10. Every school district shall be known under the corporate name of the "school district of _____" (here insert the name chosen by people of district) "protestant" (or "catholic") "public" (or "separate") "school district no. _____" (given by lieutenant governor or lieutenant governor in council) "of the North-west Territories."

11. A protestant or catholic public or separate school district shall at its erection comprise an area of not more than thirty-six square miles, its extreme limits being not more than nine miles apart, and shall contain not less than four resident heads of families with a population of children of school age, that is to say between the ages of five and sixteen, of not less than ten.

12. Any person, whether male or female, of the full age of twenty-one years, not an alien or an unenfranchised Indian, who has within the limits of any proposed or existing school district possession in his or her own right of any land of the value of one hundred dollars or who is an occupant and cultivator of unpatented Dominion lands whether as a homesteader or otherwise, and any person who has, as a joint tenant or tenant in common, an unexpired lease for the term of one year of any certain parcel of land of which the yearly rental is at least twenty dollars, shall, unless disqualified as hereinafter provided, have the right to vote in all matters connected with such school district and shall be described in this ordinance by the word elector.

FORMATION OF SCHOOL DISTRICTS.

13. Any three resident electors of any locality fulfilling the requirements of section eleven of this ordinance may be formed or may form themselves into a committee to procure its erection into a school district, and may petition the lieutenant governor for such erection.

14. The petition shall set forth :

- (1.) The proposed name in full, limits, definite location and approximate area of the proposed district ;
- (2.) The approximate value of the taxable property within the proposed limits ;
- (3.) Approximately the total population, the adult population and the population of children of school age, as defined in section eleven of this ordinance resident within the proposed district ;
- (4.) By an accompanying sketch, plan or map of the proposed district, its boundaries, principal legal subdivisions, principal physical features and general location ;
- (5.) The date upon and place at which a vote of the school electors of the proposed district will be taken to decide whether the majority is in favour of the locality being erected into a school district or not ;
- (6.) The petition must be accompanied by an affidavit of the several members of the committee, made before a justice of the peace, or notary public,

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resident within the limits of the proposed district, or as near thereto as may be, that the members of the committee are *bona fide* resident electors of the proposed school district, and that the statements made in the petition are correct.

15. At least twenty-one days before the day mentioned in the petition to the lieutenant governor as the one upon which the before-mentioned vote is to be taken, the committee shall cause to be posted up in at least ten conspicuous and widely separated places within the district and also to appear in each issue of the newspaper published nearest the proposed school district for the same period, copies of the following notice:—

“All parties are hereby notified that the undersigned committee have petitioned the lieutenant governor for the erection of (give name in full) school district within the following limits, that is to say (define limits) and hereby call for a vote of the school electors within these limits to decide whether such petition shall be granted or not, to be given on the day of (the same being the day mentioned in the petition to the lieutenant governor and not less than twenty-one days from the posting of the last of the ten notices and the same time from the first appearance of the notice in the newspaper as hereinbefore provided). Votes will be received from nine o'clock a.m. until four o'clock p.m. The qualification of voters is expressed in the following oath which persons desiring to vote must take if required: ‘You do solemnly swear that your name is (mention name given by the proposed voter); that you are the owner (tenant or occupant) of (describe the land voted upon); that it is of the value of one hundred dollars (or, if a tenant, of the yearly value of twenty dollars); that it is situated within the limits of the proposed school district, that you are of the full age of twenty-one years; that you are not an alien or unenfranchised Indian; that you have not received any corrupt reward and have no hope or expectation of receiving any such reward for voting at this time and place.’”

(Name of member of committee who is to act as returning officer.)

.....

Returning Officer.

(Name of second member of committee).....

(Name of third member of committee).....

School Committee.

(1.) Such notices may be either printed or written and must be in both the French and English languages.

VOTING ON ERECTION OF DISTRICT.

16. The committee shall appoint one of their number returning officer to act at the voting to take place as announced in the before-mentioned notices, and such returning officer shall have power to administer all oaths required by this ordinance and take all other action so required, and he shall be liable to the same penalties and disabilities as if he had been appointed by the lieutenant governor as in other manner provided in this ordinance.

(1.) In no case shall a returning officer vote at any election or voting under this ordinance except in case of a tie, when he shall give a casting vote.

17. The returning officer shall:

(1.) Provide himself with a blank book, suitably ruled and headed, for the purpose of recording the vote cast, in which shall appear, in separate columns, but in one line, the name and sex of each voter, the description of the property voted upon, remarks, whether voter sworn or refused to be sworn, and the vote cast, whether “yea” or “nay” to the petition specified in the notice of voting being granted;

(2.) Keep posted in a conspicuous place at the place of polling a copy of the notice of voting in both languages, as provided in section 15;

- (3.) Appear at the place on the day and at the hour mentioned in the notice of voting, and continue there during the hours mentioned in such notice of voting;
- (4.) Question, either personally or by an interpreter in the voter's own language, if necessary, every person presenting him or herself to vote, as to name, sex and location or description of property, and record the answers given in the poll book;
- (5.) If required by any person present or of his own accord, if deemed advisable, administer the oath prescribed in section 15 of this ordinance to the person desiring to vote;
- (6.) If the voter is not required to be sworn, or if he takes the oath when required, ask him in an audible tone in the language spoken by him (either personally or through an interpreter) whether he votes for or against the granting of the petition expressed in the notices of voting, and record his answer in the column headed "yea" or "nay," according to the expressed wish of such voter;
- (7.) Admit any two persons who have respectively voted for and against the petition, into the polling place, to act as scrutineers, and on demand allow either or both of them to see any vote being recorded in the book.
- (8.) At the hour appointed in the notice of voting, sum up the votes cast and declare the result and also the time, being within the three days immediately following, the place, being within the district, when and where he will appear before two justices of the peace (at the same time giving the name or names) when, where and before whom he will appear for the final recount of votes, and when all complaints against the conduct or result of the election will be heard.

DECIDING RESULTS OF VOTING.

18. On appearing before the justices of the peace so named at the time and place appointed, the returning officer shall place in the hands of such justices the poll book used by him at the poll, and shall make an affidavit before such justices, which shall be inscribed upon such book, that the election has been conducted throughout in the manner provided by the ordinance (or with such exceptions as he shall mention) and that the returns contained therein are correct.

- (1.) The justices of the peace shall then receive and record in writing any complaint that may be made under oath by any parties relative to the conduct of the election, and shall examine into and decide upon such complaints by taking evidence under oath.

19. Before proceeding to the hearing of any complaint, the justices of the peace shall require the complainant to deposit with the clerk of the court such sum, not being less than twenty-five nor more than one hundred dollars, as may seem necessary to them to cover the costs of the hearing of the complaint, which costs shall be paid according to the decision of such justices of the peace.

20. The decisions of the justices of the peace shall be as follows:—

- (1.) If it be found that the proceedings in taking the vote have been irregular in essential particulars and that injustice has thereby been done, it shall be declared of no effect, and the justices of the peace shall forthwith forward to the lieutenant governor a full report to that effect;
- (2.) If it be found that any vote has been cast by a person not duly qualified to vote, or on account of bribery or intimidation, it shall be struck off the poll book.

21. When all complaints have been heard and decided upon and the corresponding alterations duly made in the poll book, the justices of the peace shall finally sum up the votes cast and shall forward to the lieutenant governor a return showing the total number of votes taken on each side and the number remaining on each side after the recount.

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- (1.) In case of a tie after the final recount, the returning officer shall give a casting vote.
22. On receiving the returns of the voting on the petition for erection of a school district, as hereinbefore provided, the lieutenant governor shall :
- (1.) If the vote has been declared of none effect, or if the majority of votes has been against the petition being granted, notify the petitioners to that effect and return their petition ;
 - (2.) If the majority of votes have been in favour of the petition being granted, forthwith proclaim the district a school district in accordance with the terms of the petition addressed to him in that behalf, with such number as he may see fit, and in manner as hereinafter provided.
23. If it is desired in the case of any contested election or voting under this ordinance, to appeal from the decision of the justices of the peace, such appeal must be made under oath within twenty days from the rendering of the decision of the justices of the peace as hereinbefore provided, before the stipendiary magistrate of the judicial district within which the school district affected is situated, and the stipendiary magistrate shall thereupon investigate such appeal and shall confirm the election or vote, or set it aside and appoint the time and place of holding a new election, with costs, as to him may seem meet.
24. If two or more petitions for the erection of adjacent school districts, of which the proposed boundaries or any portion of them overlap, are received before either of them have been erected by proclamation as hereinbefore provided, the lieutenant governor shall, on receiving the returns of the voting in favour of both, before issuing the proclamation finally defining the boundaries and appointing the day for electing the trustees, alter the proposed boundary lines in such manner as shall appear to be an equal division of the territory in dispute between the said two districts, and shall so declare and fix the boundaries in his final proclamation ; provided always that, in case by such alteration of boundaries either district should be reduced below the standard provided in section eleven of this ordinance, then such district shall not be so erected into a school district on the petition sent in.

SEPARATE SCHOOLS.

25. In accordance with the provisions of section ten of "The North-west Territories Act, 1880," providing for the establishment of separate schools, it shall be lawful for any number of property holders resident within the limits of any public school district, or within two or more adjoining public school districts or some of whom are within the limits of an organized school district, and others on adjacent land not included within such limits, to be erected into a separate school district by proclamation of the lieutenant governor, with the same rights, powers, privileges, liabilities and method of government throughout as hereinbefore provided in the case of public school districts.
26. Such separate school district shall be erected on petition of all those desiring to have their land set aside as a separate school district.
27. The petition for the erection of a separate school district shall state, in addition to the particulars mentioned in section fourteen of this ordinance :—
- (1.) The description of the land held by each petitioner, its area, assessed value or probable assessable value, if outside the limits of a municipality, its situation in regard to present organized school districts as well as Dominion lands surveys and natural boundaries ;
 - (2.) The number of children of school age resident within and adjacent to the proposed district, of the religious faith of the petitioners, who would probably attend such school.
28. Each such petition shall be accompanied by an affidavit of some person competent to verify the signatures and facts therein set forth.
29. Upon the receipt of such petition, the lieutenant governor shall, if there be no impediment requiring the consideration of the lieutenant governor in council, issue a proclamation erecting such separate school district and order the first election of trustees in the same manner as provided in the case of public school districts.

30. The lieutenant governor shall at the same time notify, in writing, the board of trustees of any public school district that may include the whole or any part of such separate school district within its limits, of the fact of the erection of such separate school district and of the lands of such separate school district having been withdrawn from such public school district.

31. Any land and personal property thereon set apart as a separate school district, shall be assessable by the public school district, within whose organized limits it is situated for the purpose of paying off any debenture indebtedness that may have been incurred during the time that such land was included as a part of such public school district, in the same manner and time and at the same rates as the remaining portion of such public school district may be assessed to pay off such indebtedness, but for no other purpose whatever.

32. Upon the election of the first board of school trustees of any separate school district they shall make a demand upon the trustees of the public school district or districts within whose limits such separate school district or any portion thereof was originally situated, for a sum of money equal to the equitable share of the ratepayers of such separate school district in any land, building or other property, whether real or personal, held by such school district, such share to be computed in proportion to the amounts from time to time paid into the funds of such public school district on account of the real and personal property included within the limits of such separate school district.

33. If such claim be not settled to the satisfaction of the board of trustees such separate school district they may enter an action to recover the amount claimed in any court of competent jurisdiction within the limits of the judicial district in which such separate school district or any part thereof may be situated.

DIVISIONS OF AND ADDITIONS TO SCHOOL DISTRICTS.

34. Any public school district may be divided into two or more parts by proclamation of the lieutenant governor, on recommendation of the board of trustees of the district, after he shall have been satisfied that a vote has been taken on the question in the manner provided in the case of a school district, authorizing the issuing of debentures, and that the majority of duly qualified votes cast have been in favour of such division being made.

35. The method of the erection of the parts of such public school district into public school districts shall be the same as provided in the case of separate schools and the provisions of this ordinance contained in sections 25 to 30, both inclusive, relating thereto, shall apply as in the case of separate schools.

36. Any two or more public or separate school districts may be united in one public or separate school district by proclamation of the lieutenant governor in the same manner as that provided for the division of public school districts, and all the real and personal property held by all the districts shall thereby become the property of the united district.

37. The owner of any land situated outside the limits of any school district, or included in any school district, may have it included in an adjoining or adjacent school district, whether public or separate (but of the faith, either protestant or Roman catholic, to which the petitioner belongs) on petitioning the trustees of such district to that effect; and such petition shall be accompanied by the affidavit of the petitioner that he is the owner of such land.

38. The trustees, on receiving a petition to the effect and in the form and substance mentioned in the next preceding section of this ordinance, may annex the land of the petitioner to the district of which they are trustees, and shall notify the lieutenant governor that such land has been annexed to their school district, and shall announce the additions or changes that have been made, stating in particular the ownership and assessed value of the property affected, by notice in the newspaper published nearest the school district or districts affected; and they shall also notify in writing the petitioner and the board or boards of trustees of the district or districts that have been affected by the changes that have been made.

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39. Parties petitioning for the organization of separate school districts or for any addition or change in the area or limits of any school district or districts, as hereinbefore provided, shall accompany such petition with such sum of money as may be deemed sufficient by the lieutenant governor to pay the necessary expenses connected with the changes petitioned for before they can require their petition to be considered.

PROCLAMATION.

40. The proclamation of the lieutenant governor erecting any district into a school district shall set forth:—

- (1) The name in full, number, situation and limits thereof;
- (2) The date and place at which the first nomination and election of trustees shall be held, which may be filled in by the returning officer according to instructions of the lieutenant governor;
- (3) The hour, from nine o'clock, a.m., to ten o'clock, a.m., during which the nominations shall be received, and the hour (ten o'clock, a.m.) at which the voting, if any be necessary, shall begin, with the hour (four o'clock, p.m.) at which the poll shall be closed on the day of election;
- (4) The qualifications of persons who shall be entitled to vote at the election, which shall be the same as provided in section of this ordinance;
- (5) The qualification of persons who may be elected as trustees, which shall be the same as required in the case of voters, with the addition that the candidate must be possessed of real or personal property to the amount of five hundred dollars, is not undergoing punishment for any felony and, in case of other than the first election, has no contract, either direct or indirect, with the school district;
- (6) The name of the returning officer, to whom shall be sent the writ of election.

41. This proclamation shall be printed and posted up in at least ten public and conspicuous places throughout the district, at least fourteen days before the day appointed therein for the nomination and election of trustees, and shall be in both the French and English languages.

42. At the hour of nine o'clock in the forenoon of polling day, at the place appointed for the polling, the returning officer shall, in accordance with the proclamation, announce that he will receive nominations for the office of trustee or trustees of the school district for the space of one hour.

43. Nominations may be made verbally, by any two electors present, at any time during the hour mentioned.

44. The returning officer shall record the names of the persons nominated with the names of their nominators, and at the hour of ten o'clock shall declare the nominations closed and announce the names of the candidates nominated in the order in which they were nominated.

45. Should there be only as many candidates nominated as there are trustees required, the returning officer shall then and there declare such candidates duly elected.

46. Should a less number of candidates be nominated than there are trustees required (provided that at the first election there is at least one nominated), those nominated shall be declared elected by the returning officer, and he shall, from the duly qualified persons resident within the district, appoint, with their consent, as many persons as there are trustees required.

47. Should there be more nominations than there are trustees required, the returning officer shall call for a show of hands of those present in favour of the different candidates and shall record the number of votes cast for each candidate.

48. Should a demand be made by any elector of the district present that any person voting by show of hands be sworn, the returning officer, before recording his vote, shall administer to him the oath provided in section 15 of this ordinance, and, if he take the oath, then his vote shall be counted.

49. In case of a school district having a resident population of school electors of less than twenty-five, no further vote shall be taken, and the returning officer shall take proceedings as though a vote had been taken in accordance with the provisions of sections 50, 51, 52 and 53 of this ordinance.

50. But if the population of resident school electors of any district be greater than twenty-five, and if a poll be demanded by any elector present, the returning officer shall, at the hour and in the place appointed in the notice of election, open the poll and proceed to take and record the votes cast.

51. Every elector shall be entitled to cast as many votes as there are trustees to be elected.

52. The candidates, or an agent for each candidate, to act as scrutineers, (but no others) shall be allowed inside the polling booth with the returning officer.

53. The provisions of sections 16, 17, 18, 19, 20, 21 and 23 shall, with such alterations as may reasonably and equitably be necessary, apply to all elections of trustees under this ordinance;

(1.) Provided that in addition to the provisions expressed in the subsections of section twenty, if any candidate be shown to be not properly qualified or to have used bribery or intimidation to secure his election, his election shall be declared void.

54. After all the complaints, if any, have been heard and decided upon, and the corresponding alterations duly attested and entered in the poll book by the justices of the peace, the votes (if any vote has been taken) for the different candidates shall be summed up, and the candidates declared elected as follows:—

(1.) The candidate receiving the highest number of votes, either by polling or show of hands, as the case may be, or the one first nominated, if no vote has been taken, shall be elected to serve until the third Wednesday of the third January following the election;

(2.) The one receiving the second highest number of votes, or second in the order of nomination, shall be elected to serve until the third Wednesday in the second January following the election;

(3.) The one receiving the third highest number of votes, or third in the order of nomination, shall be elected to serve until the third Wednesday in the first January following the election;

(4.) If through disqualification or resignation, it shall be found that a less number of candidates remain than there are trustees required, the returning officer shall appoint persons to fill such offices, as provided in section 46.

55. In case any two candidates are found to have received an equal number of votes, the returning officer shall give a casting vote.

56. Each candidate elect shall take the following oath of office before one of the justices of the peace before mentioned:—

I, A. B., do solemnly swear that I will to the best of my ability, honestly and faithfully discharge the duties devolving upon me as trustee of (name of school district in full) school district no. during the term for which I have been elected in accordance with the ordinances of the North-west Territories. So help me God.

57. The justices of the peace shall grant to each trustee, after he has taken the foregoing oath, a certificate of election in the following form:—

We, A.B. and C.D., two of her majesty's justices of the peace in and for the North-west Territories, having examined the poll books submitted to us by E. F., returning officer in the election of school trustee or trustees for (give name in full) school district no. , held on the day of in the year of our Lord 18 , having heard all the complaints made in regard to such election, hereby declare (give name, residence and occupation of person mentioned) elected as school trustee for the within mentioned school district, to hold office until Wednesday, the day of January, 18 , and hereby certify that he has this day taken before one of us, to wit (naming which justice) the oath of office prescribed in section 56 of the ordinance respecting schools of the North-west Territories.

Dated

A.B. and C.D., *Justices of the Peace.*

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58. A copy of each certificate so granted shall be forwarded by the returning officer to the lieutenant governor.

59. If the election has been declared void, the justices of the peace shall take charge of and forward to the lieutenant governor all the papers relating to the case, certified to by them. The lieutenant governor shall thereupon order a new election and appoint another returning officer.

60. The expense of all elections ordered by the lieutenant governor shall be defrayed out of the general revenue fund of the North-west Territories and shall be made a charge against the school district in whose behalf they were incurred, to be repaid within one year from the date of the election or voting on account of which they were incurred.

61. The regular annual election of a school trustee to fill the vacancy which occurs yearly under section 54 of this ordinance, shall be held on the third Tuesday in January in each year, if that day be not a statutory holiday, and, in case of it being a statutory holiday, then on the following day; other elections shall be held to fill vacancies that may occur in the board of trustees from time to time, from death, resignation or disqualification, and such elections shall take place within one month from the time of the occurrence of such vacancy.

62. At all such elections, the chairman of the board of trustees, or such person as he may appoint, shall act as returning officer.

63. The qualification of voters at such subsequent elections is expressed in the following oath, which shall be used in lieu of the one prescribed in section 15 of this ordinance:—

I, _____ do solemnly swear that I am a *bonâ fide* rate-payer of (give name of district in full) school district no. _____ that I have paid the taxes assessed against me on the last revised assessment roll of the district (or of the municipality for the district); that I am of the full age of twenty-one years, that I am not an alien or unenfranchised Indian, that I have not voted before at this election, and that I have not received any reward, either directly or indirectly, nor have I any hope of receiving any reward for voting at this time and place. So help me God.

64. The provisions of sections 40 to 60, both inclusive, shall, with such changes as may be reasonably and equitably necessary, apply to all elections of trustees and other votes taken under this ordinance.

BOARD OF SCHOOL TRUSTEES.

65. The ratepayers of every school district that may be established under this ordinance, and their successors, shall be a body corporate and politic under the name and number mentioned in the proclamation of its erection. It shall be represented by a board of three trustees, elected as herein provided, and bearing the name of the trustees of the (protestant or catholic) public or separate school district of (here insert the name and number). Such trustees on behalf of the corporation, shall have power to:

- (1.) Acquire real or personal property by purchase, donation, devise or otherwise, and hold and enjoy, or alienate the same, for school purposes;
- (2.) Enter into contracts, transact business, bind and oblige themselves and others within the limit of their functions;
- (3.) Sue and be sued in any cause or before any court of justice;
- (4.) Levy such taxation on the real and personal property within the district, in the manner hereinafter provided, as may be necessary for the discharge of the obligations entered into by the corporation of said school district for school purposes;
- (5.) And generally exercise all the powers vested in them, which are necessary for the maintenance of schools within the district.

TRUSTEES.

66. A majority of the board of trustees shall constitute a quorum at all meetings; provided that in case the number of trustees is reduced to one, that one shall be held to be a quorum until other members are elected.

67. That member of the board of trustees whose term of office shall on his election consist of three terms, shall in all cases be chairman of the board for the first of the three terms for which he was elected;

(1.) Should the chairman at any time from any cause fail to attend to his duties as such, then that trustee whose term of office expires next before that of the chairman, shall be acting chairman until the chairman resumes his duties, or until his successor has been elected;

(2.) In case the acting chairman fails to act, then the remaining trustee shall be acting chairman until as provided in the preceding subsection.

68. The chairman shall: 1. Call all meetings of the board and public school meetings, and preside at such meetings; 2. Have general supervision of the affairs of the district; 3. Certify all accounts against the district before such accounts be paid by the treasurer; 4. Act as returning officer, or appoint some other person to act as such, at all elections that may be held or votes that may be taken, during the period of his chairmanship.

69. The board of trustees at its first meeting in each year shall appoint a secretary, who may be one of their number, whose duty it shall be to: 1. Keep a minute of all the meetings of the board; 2. Answer all communications on school matters in such manner as he may be directed by the board; 3. Examine the records of the school kept by the teacher and see that they are correct; 4. Forward to the lieutenant governor, from time to time, the reports, provided for in this ordinance, and give such other information in regard to the school district as may be desired from time to time by the lieutenant governor, the board of trustees, or the school inspector; 5. Have charge of and keep on record all the books, papers, accounts, assessment rolls and other matters committed to his charge by the board of trustees during his term of office, and deliver the same to the chairman of the board on ceasing to hold office.

70. Should the secretary at any time be unable to attend to his duties, the chairman shall appoint some member of the board to act as secretary until the secretary resumes his duties, or until the board sees fit to appoint another secretary.

71. By motion of the board one of the members thereof may, with his consent, be appointed treasurer of the district for the whole or any part of the term for which he was elected to serve, but such treasurer shall receive no remuneration for his services, and the members of the board shall individually and collectively be held responsible by virtue of their office for the safe keeping of all sums of money placed in such treasurer's hands.

72. Should it be found inexpedient to appoint a member of the board as treasurer, then the board shall appoint a responsible resident of the district to be treasurer, or secretary-treasurer, during the pleasure of the board, at such rate of remuneration as may be agreed upon. Every such treasurer shall before entering upon his duties as such, give security to the school trustees by a bond signed and acknowledged before a magistrate, and such security shall be given by at least two solvent sureties jointly and severally to the satisfaction of the board of trustees, and to the amount of any moneys for which the treasurer may at any time be responsible, whether arising from the school fund or from any particular contribution or donation paid into his hands for the support or benefit of the school, and such security shall be renewed at the beginning of each year, or renewed at other times or changed whenever renewal or change is required by the board of trustees.

73. It shall be the duty of the treasurer to collect, receive and account for all school moneys, whether derived from the government or otherwise, for the purpose of education, within the district of which he is treasurer, and to distribute such moneys in the manner directed by the board of trustees, and he shall give and take receipts for all moneys so received and paid out by him, which he shall, when called upon, produce before the board of school trustees, as also all moneys or accounts in his charge, and shall hand over the same to the board of trustees on his ceasing to hold office.

74. Should the treasurer be at any time unable to attend to his duties the secretary, if the treasurer be a member of the board, shall attend to such duties in

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his place, but if the treasurer should not be a member of the board, then the board shall appoint some person to attend to his duties, under the necessary bonds, and in the meantime the board of trustees shall be held to be the treasurer of the district.

75. It shall be of the duties and within the powers of any board of trustees of any school district to:

- (1.) Engage a school teacher or teachers on such terms as the board may deem expedient;
- (2.) Procure a suitable building or buildings by purchase, lease or otherwise, for use as a school-room, in as central a location and of as satisfactory a character as possible with, if expedient, a play-ground attached;
- (3.) Make such assessments on the real and personal property of the district and levy such taxes as may be necessary to defray the expenses authorized to be incurred in the preceding subsections, and all necessary expenses incurred in the election of trustees, keeping the accounts or transacting the business of the district, and in furnishing the school-room with school material, furniture and firing;
- (4.) Inspect the school, see that good order is kept and proper instruction is given and dismiss the teacher or any of the pupils for misconduct or immorality, or the teacher for incapacity;
- (5.) See that true accounts both of the school and district are kept, and that the affairs of the district generally are conducted in the manner provided in this ordinance and with a due regard to efficiency and economy;
- (6.) Select all the books, maps and globes to be used in the schools under their control from the list of those authorized by the lieutenant governor in council; provided, however, that in the case of books, no other books shall be used by the trustees of any catholic school district than the books selected by the catholic section of the board of education in the province of Manitoba.
- (7.) Provide, free of cost, out of the funds of the district, books and slates for the use of children resident within the district and attending school, when parents are unable through poverty to procure the necessary books and slates for them, the right to such books and slates to rest in the school district;
- (8.) Provide, when deemed expedient, a suitable library for the school district, free of charge, making such regulations as to lending and the prevention of loss or damage to the books of such library as they may think fit;
- (9.) Provide when deemed expedient, out of the school funds, prizes to be competed for by the children at times and in manner to be agreed upon by the trustees and teacher.

DUTIES OF TRUSTEES.

76. A trustee may resign at any time by notifying the chairman of the board, or, if he be the only remaining member of the board, the lieutenant governor to that effect, in writing.

77. Any trustee who shall: 1. Be absent from the district more than three months at any time; 2. Fail to attend three consecutive meetings of the board, the same having been duly called by written notice left at his house or place of business; 3. Have become insolvent or convicted of any felony, may be declared disqualified on motion of the board and his seat as trustee declared vacant and an election to fill the vacancy shall be held as hereinbefore provided.

78. If the lieutenant governor shall at any time receive the resignation of the sole remaining member of a board of trustees of any school district, or a certificate of any two justices of the peace or of the school inspector for the school district mentioned, that the board of trustees has ceased to exist, he shall order another election of trustees, as provided in section 40 of this ordinance, or shall hold the matter over for the consideration of the lieutenant governor in council as hereinafter provided.

TEACHER.

79. As soon as possible after the first election of trustees in any school district, and at such other times as may be expedient, the trustees shall engage a suitable person as school teacher for such term, not being more than one year, and at such salary as may be mutually agreed upon.

80. It shall be the duty of the teachers to: 1. Preside over and maintain good order in the school; 2. Teach from such and only such books as may be ordered or permitted by the trustees, as provided in this ordinance; 3. Hold a public examination of the classes in the school at least once in six months, or otherwise as directed by the trustees; 4. Admit trustees, school inspectors, parents of children attending, or ratepayers of the district to the school-room at any time; 5. To report to the trustees, from time to time, on the necessities of the school and the behaviour of the children attending it; 6. Punish children for misbehaviour, inattendance or disobedience, in such manner as the trustees may permit or direct; 7. Keep a true register of the school, according to the forms supplied by the lieutenant governor, and make such returns as may be required by the trustees or the lieutenant governor or lieutenant governor in council under this ordinance.

CONDUCT OF SCHOOL.

81. School shall be held between nine o'clock and twelve o'clock in the forenoon, and one o'clock and four o'clock in the afternoon of every day in the year, not including Saturdays, Sundays, statutory holidays, the two weeks following the twenty-third day of December in each year, summer holidays (not exceeding four weeks) during the months of August or September, as may be directed by the trustees, and any other holidays that may be permitted by the board of trustees.

82. A recess of fifteen minutes in the forenoon and the same length of time in the afternoon may be allowed the children attending school, at the pleasure of the board of trustees.

83. A form of prayer, adopted by the board of trustees, may be used by the teacher at the opening of the school each day.

84. No religious instruction, such as bible reading, or reciting, or reading or reciting prayers, or asking questions or giving answers from any catechism, shall be permitted in any public or separate protestant or catholic school in the North-west Territories, from the opening of such school at nine o'clock in the forenoon until the hour of three o'clock in the afternoon after which time any such instruction as may be allowed under this ordinance and permitted or desired by the trustees of the district may be given.

85. Any child attending any school whose parent or parents or guardian is or are of the religious faith different from that expressed in the name of such school district, shall have the privilege of leaving the school-room at the hour of three o'clock in the afternoon, or of remaining without taking part in any religious instruction that may be given, if the parents or guardian so desire.

86. And it shall be unlawful for any teacher or school trustee to, in any way, attempt to deprive such child of any advantage that it might derive from the ordinary education given in such school, and such action on the part of any school trustee, inspector or teacher shall be held to be a disqualification for and voidance of the office held by him or her.

87. No fee shall be charged by any school district on account of the attendance of any children whose parents or guardians are ratepayers of such district, at the school thereof; but a rate not exceeding five cents per day, payable in advance, may be charged on any children resident outside the limits of such district, whose parents or guardians are not ratepayers of such district.

INSPECTORS.

88. The lieutenant governor may appoint from time to time school inspectors for the different districts of the country and at the time of such appointment designate the school districts which such official may inspect; provided that protestant and Roman catholic schools shall be inspected by officers of their own faith.

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89. Inspectors shall not be entitled to any remuneration for their services.

90. It shall be the duty of the inspectors to:

- (1.) Visit from time to time the schools under their charge and examine the pupils in the different classes as to proficiency in their studies;
- (2.) At the desire of the trustees of any district, examine the teacher employed or proposed to be employed by such trustees as to his proficiency in the studies he is expected to teach and as to his methods of teaching;
- (3.) Examine any candidate for the position of teacher who may apply to him for such examination and grant him such certificate of proficiency in study and method as he may think just;
- (4.) Report from time to time to the lieutenant governor as to the efficiency, methods and usefulness of the schools under his charge as he may deem advisable, and also when deemed advisable to the trustees of the different districts.

AID TO SCHOOLS.

91. Every school district organized under this ordinance shall receive aid from the general revenue fund of the Territories of the amount and in manner as follows, provided that such funds be voted for such purpose from time to time by the North-west council.

92. The teacher of such public school district shall at the close of each quarter, that is, at the ends of March, June, September and December, forward to the lieutenant governor a copy of the school register for such quarter, showing: 1. The days on which school was held during the quarter; 2. The attendance of children for each day, their denomination or religious faith, with the number of males and females; 3. The amount of the teacher's salary for that quarter.

93. This statement shall be signed by the teacher and certified as correct by the chairman of the board of trustees, and shall be accompanied by a receipt of the school teacher to the board of trustees of the district for one-half of the salary payable to the teacher for that quarter up to the amount of \$800 per year. Such receipt shall be *prima facie* evidence of payment of such salary and may be produced as such in any court of law.

94. If it shall appear from such return that the average attendance at such school for the days on which it was kept open has been ten scholars or over, then the lieutenant governor shall cause to be transmitted to the treasurer of the board of trustees for the district an amount equal to that paid by the trustees to the teacher to be paid over to the teacher, and the treasurer shall take a receipt from the teacher on payment of the amount to him, which receipt shall be transmitted to the lieutenant governor.

95. In case of a teacher becoming unfitted for duty by sickness, the trustees may, at the end of the then current quarter, discharge such teacher by paying him up in full to the end of that quarter, and on the quarterly return being forwarded to the lieutenant governor, in the manner provided in section 92 of this ordinance, with a statement of the circumstances of the case, he shall cause to be paid to such teacher the sum of money to which he would have been entitled had the school been kept open regularly and the average daily attendance been ten pupils or over.

96. If a teacher be engaged for a less term than three months or at a less salary than at the rate of \$300 a year, or if the provisions of this ordinance are not complied with by any school district, then the district employing such teacher, or otherwise not complying with the terms of this ordinance, shall not be entitled to receive aid as provided in the preceding sections of this ordinance.

ASSESSMENT.

97. When a school district is situated within a municipality, the trustees shall as soon as may be after the final revision of the assessment roll of the municipality, make a demand on the council of such municipality for the sum required for school purposes for the then current year; but such sum shall not exceed an amount equal to five mills on the dollar, according to the last revised assessment roll, on the pro-

perty liable to assessment in such school district for ordinary school purposes, with such additional amount as may be necessary to meet any debenture indebtedness that may have been incurred and becoming due.

98. When property owned by a protestant is occupied by a Roman catholic and *vice versa*, the tenant in such cases shall only be assessed for the amount of property he owns, whether real or personal, but the school taxes on such rental or leased property shall in all cases, and whether or not the same has been or is stipulated in any deed, contract or lease whatever, be paid to the trustees of the district to which belongs the owner of the property so leased or rented and to no other.

99. Whenever property is held jointly, as tenants, or tenants in common, by two or more persons, the holders of such property being protestants and Roman catholics, they shall be deemed and held accountable to the board or boards of trustees for an amount of taxes in proportion to their interest in the premises, tenancy or partnership respectively, and such taxes shall be paid to the school of the denomination to which they respectively belong.

100. If a school district be situated partly within two or more municipal corporations, then the board of trustees shall make a demand upon each of such corporations for that proportion of the amount of money required by such school district, which may justly be demanded by such school district, according to the amount of property included within the limits of the district and situated within the limits of such municipality.

(1.) In case there is a difficulty in arriving at a proper assessment of the different portions of the school district, the trustees may levy an assessment as provided in the subsequent sections of this ordinance.

101. If a school district be not situated within the limits of any municipal corporation, then the trustees of such district shall themselves, or by means of an assessor, make an assessment of the real and personal property within the district and inscribe the same upon an assessment roll in the form as hereinafter provided.

102. The trustees of any school district, or an assessor whom they shall appoint, shall, as soon as may be in each year, prepare an assessment roll for the district, in which shall be set down according to the best information to be had, a list of all the taxable property in the district, with the names of the occupants and owners, if such can be procured, and such list shall contain in one line, but in different columns, the following information:—

- (1.) Name of occupant or person in possession (if there be no occupant, a statement to that effect): (a.) Religion of occupant; (b.) Sex; (c.) Age; (d.) Occupation; (e.) Place of residence.
- (2.) Name of owner, if it can be ascertained, (if owner's name be unknown, such particulars concerning ownership of property as may be known): (a.) Religion of owner; (b.) Sex; (c.) Age; (d.) Occupation; (e.) Place of residence.
- (3.) Description of real property in occupation of each person: (a.) Part of section; number of section, township, range and meridian, or number and description of lot, in special survey, or number of lot, house or other particulars of each parcel; (b.) Improvements in cultivated land (giving area), and buildings (giving size), on each parcel; (c.) Area in acres or feet of each parcel; (d.) Value of each parcel; (e.) Total value of real property.
- (4.) Description of taxable personal property: (a.) Taxable personal property, other than income, with particulars; (b.) Value of such personal property; (c.) Taxable income; (d.) Total value of personal property, including taxable income.
- (5.) Total value of taxable real and personal property.

103. "Land," "real property" and "real estate," respectively, shall include all buildings or other things erected upon or affixed to the land, and all machinery or other things so fixed to any building as to form, in law, part of the realty, and all trees or underwood growing upon the land, and all mines, minerals, quarries, fossils in and under the same, except mines belonging to her majesty.

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- (2.) "Personal estate" and "personal property" shall include all goods, chattels, shares in incorporated companies, interest on mortgages, dividends from bank stock, money, notes, accounts and debts, at their actual value, income and all other property, except land and real estate and real property, as above defined, and except property herein expressly exempted;
- (3.) "Property" shall include both real and personal property, as above defined.

104. All real and personal property situated within the limits of any school district, or income derived by any person resident within the limits of such district, in the North-west Territories, shall be liable to taxation subject to the following exemptions:—

- (1.) Real property held or reserved by the Canadian government, or held for the public use of the Territories, or for any municipality within the Territories, or any school district within the Territories, or any tribe of Indians within the Territories; or any church, with not more than one acre of land attached, or any parsonage with not more than one acre of land attached, or any graveyard not being more than one hundred and sixty acres in extent, or any hospital, orphanage or charitable institution of any religious body within the Territories, with not more than one acre of land attached; all lands or personal property especially exempted from taxation by the parliament of Canada or of Great Britain; provided always that when such real property is not occupied by or for the direct uses of the parties mentioned in the foregoing exemptions, the occupant shall be assessed in respect of such property;
- (2.) There shall further be exempted all farm produce held by any person, not the producer, for the sole purpose of shipment out of the district; the net personal property of any person to the amount of one hundred dollars; the annual income of any person to the amount of four hundred dollars; all income derived from real property or capital liable to taxation by the district, and household effects, of whatever kind, except musical instruments.

105. A person occupying property or deriving income not liable to taxation, may compel the assessor, on written demand, to assess him for such property or income in order that he may thereby be qualified for voting or holding office.

106. Land and personal property shall be assessed against the person in occupation or possession thereof, unless when in the case of a non-resident owner, such owner shall in writing require the assessor to assess him alone for such property.

- (1.) But the person assessed shall in all cases, unless there is a stated agreement to the contrary, have summary recourse against such owner for the amount of taxes paid;
- (2.) Provided always that, if the occupant be of the religious faith different from that expressed in the name of the school district being either protestant or Roman catholic, he, upon giving the assessor notice in writing to the effect that he desires to pay his school taxes to any certain district of the faith, either protestant or catholic, to which he claims to belong, and by truly informing the assessor as to who is the owner, and where he may be found, he shall only be assessed for that part of the property, either real or personal, of which he is owner.

107. No ratepayer shall be entered for assessment more than once on the assessment roll, and the taxes may be recovered either from the owner or occupant.

108. Where more persons than one are joint tenants, or tenants in common, or holders of any property, they, or any number of them, shall be assessed for the whole of such property, subject always to the provisions of section 99 of this ordinance, and such assessment may be levied upon any one or more of them, saving always the recourse of such persons against the remaining holders, tenants or owners.

109. Real and personal property shall be estimated at their actual cash value, as they would be appraised in payment of a just debt from a solvent debtor.

110. Land held in actual use and not for purposes of sale, shall be appraised at the value which it is reasonably worth for the purposes for which it is in use.

111. Any person may be required by the assessor to deliver to him a written statement of all property for which he is liable to be assessed, with such other information as to owner, occupant, location and value, or other necessary particulars as may be demanded, and if he fails to do so or knowingly makes any false statements, such person shall, upon complaint of the assessor and upon conviction before a justice of the peace having jurisdiction within the district, forfeit and pay a fine of twenty dollars, to be recovered in like manner as other penalties upon summary conviction before a justice of the peace.

112. The assessment roll shall be completed as soon after the first of February in each year as shall be deemed expedient by the trustees, and the assessor shall, before handing the roll over to the secretary of the board of trustees, make affidavit (which shall be inscribed upon the roll) before a justice of the peace, that the statements contained therein are correct to the best of his knowledge and belief, after making due inquiry in each case.

COURT OF REVISION.

113. On receipt of the assessment roll by the secretary of the board of trustees in form as hereinbefore provided, he shall file the same, and at all convenient office hours shall keep it open to the inspection of all persons resident within the district or owning or in the possession of property, or in the receipt of incomes within the district, for at least the space of two weeks and until the sitting of the court of revision.

114. As soon as the assessment roll shall have been completed and filed as hereinbefore provided, the secretary of the board of trustees or the assessor shall notify in writing, by post or otherwise, every person whose name appears upon such roll and whose address is known, as follows:—

SIR (OR MADAM):— SCHOOL DISTRICT no. Month, day, year. }

You are hereby notified that your name appears on the assessment roll of this school district for the present year as the owner (or occupant) of the following property: (Then give description of property and assessed value.) The board of trustees for the district will sit as a court of revision, as follows: (Mention day, hour and place at which court shall be held), and if you consider that you have been wrongfully assessed as above stated you will have an opportunity to make a statement of your case before the above court.

Take notice that if you do not appear before this court of revision you will not be entitled to appeal from its decision to the district court.

..... Secretary Board of Trustees. (or..... Assessor School District No.)

To.....

115. The board of trustees shall cause to be posted up in at least ten conspicuous places within the district, a notice that the assessment roll of the district for the current year has been made up, and where it may be examined, also the times and places at which the court of revision will be held, with a notice that such parties as do not appear before the court of revision will not be entitled to appeal from the decision of the court of revision to the district court.

116. The board of trustees of any school district shall sit as a court of revision not less than fifteen or more than thirty days from the posting of the last of the notices hereinbefore mentioned, and shall hear all complaints that may be entered

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up to the end of the day so appointed, and may adjourn from day to day until such complaints have been disposed of, but complaints entered after the day mentioned may or may not be recognized by such court of revision.

117. Such court of revision shall have power to take evidence under oath, if necessary, either on behalf of the appellant or the school district, and shall alter or amend the assessment roll as to them shall seem to be in accordance with what is just and right.

118. If a person be dissatisfied with the decision of the court of revision, he may appeal therefrom by entering a notice to that effect with the clerk of the district court for the division in which the school district is situated, and by depositing with the clerk of the court the costs of such appeal. Such notice of appeal must be entered within four days after the close of the court of revision for the school district. The clerk shall forthwith issue an ordinary summons returnable at the then next court sittings in the division in which such district lies, making the trustees defendants, and cause a copy, with the notice of appeal attached, to be served on the secretary of the school board.

119. The tenant, occupant or owner of any real or personal property situated within the limits of any organized school district, may elect to pay the amount of taxes for which he is assessed on any property that he may have, to another school district, provided such school district is of the class, either protestant or catholic, different from the one in which the property of which he is the occupant or possessor, is situated, and of the class to which such person claims to belong, at any time after the assessment is made and before the last sitting of the court of revision of the district; and he shall notify the assessor of the district in which he is assessed, to that effect, and the assessor shall thereupon note in the assessment roll the fact of such notice having been received.

RATE OF ASSESSMENT.

120. The trustees of the school district shall make out an estimate of the probable expenditure of the district for the current year, and shall strike such rate of assessment on the assessed value of the property, both real and personal, within the district, as shall be sufficient to meet such probable expenditure, making due allowance for all charges and probable loss in collection.

(1.) Such rate shall not exceed five mills in each dollar of property liable to taxation for ordinary school purposes, with such additional rate per dollar as may be necessary to meet any debenture indebtedness that may have been incurred by such school district on the terms upon which it was incurred.

121. Such rate shall not be struck until after the sitting of the court of revision, but as soon thereafter as may be, and in case of any appeals having been made to the district court, the rate shall not be struck until after the sittings of the court to which such cases were appealed, provided that a sitting of the said court be held within sixty days after the close of the court of revision.

COLLECTION.

122. The board of trustees shall cause to be made out a collector's roll for the school district, on which shall be set down the name of every person assessed, the assessed value of his real and personal property and the amount with which such person is chargeable according to the rate of taxation struck in respect of sums ordered to be levied by the board of trustees, with any other particulars that may be necessary, and such roll shall be placed in the hands of the treasurer for collection.

123. As soon as the treasurer shall have received the collector's roll, he shall remit or cause to be remitted by mail or otherwise, to each person whose name appears upon it as assessed for taxes, a notice in the following form:—

School district, no. month, day, year.

SIR (or MADAM).—You are hereby notified that you are assessed on the assessment roll of this district for the following properties: (here give description and

assessed value) the taxes on which, at the rate of _____ on the dollar, amounts to _____ (here mention amount). If the above amount is not paid to the undersigned within thirty days from the date of this notice, action to recover, as provided by law, will be taken.

.....
Treasurer, School District No.

To.....

124. The treasurer shall give receipts on behalf of the school district for all taxes paid to him, and shall enter the fact of such payment having been made, with the date of payment, on the collector's roll.

125. As soon as judgment has been given in the cases of assessment appealed to the district court, the trustees shall alter, amend or erase from the assessment and collector's rolls in accordance with such decision, and the treasurer may proceed to the collection of all such taxes without notice.

126. The treasurer shall notify the board of trustees from time to time of the persons who fail to pay the taxes assessed against them, and the board of trustees shall take, or authorize to be taken, such action for the collection of such taxes as is hereinafter provided in this ordinance.

127. In case any person fails to pay the taxes assessed against him during the thirty days of notice provided in section 123 of this ordinance, the treasurer may, by himself or his agent, levy the same with costs, by distress of the goods and chattels of the person against whom the same is assessed, situated within the school district, or of any goods or chattels found upon the premises assessed, the property of or in the possession of any other occupant of the premises, and the costs chargeable shall be those payable to deputy sheriffs.

128. The treasurer shall by advertisement, posted up in at least three public places in the school district, wherein the sale of goods and chattels distrained is to be made, give at least six days' public notice of the time and place of such sale and of the name of the person in payment of whose taxes the property is to be sold, and, at the time named in the notice, the treasurer, or his agent, shall sell at public auction the goods and chattels distrained or so much thereof as may be necessary to pay the taxes assessed, with all lawful costs up to the close of sale.

129. If the property distrained has been sold for more than the amount of the taxes and costs, and if no claim to the surplus is made by any other person on the ground that the property sold belonged to him, or that he was entitled by lien or other right to the surplus, it shall be returned to the person in whose possession the property was when the distress was made.

(1.) If any such claim is made by the person for whose taxes the property was distrained and the claim is admitted, the surplus shall be paid to the claimant;

(2.) If the claim is contested, such surplus money shall be paid over by the treasurer of the district to the clerk of the division of the district court, within whose jurisdiction such school district is situated, who shall retain the same until the respective rights of the parties have been determined by action at law or otherwise.

130. If the taxes payable by any person cannot be recovered in any special manner provided by this ordinance, they may be recovered, with interest and costs, as a debt due the school district, in which case the production of the collector's roll or a copy of so much thereof as relates to the taxes payable by such person, certified as a true copy by the secretary of the school district, shall be *prima facie* evidence of the debt.

131. An abstract from the assessment and collector's rolls of the district to which such person as is mentioned in section 119 of this ordinance, has elected to pay his assessment, showing that he has been assessed in that district for the property, the assessment of which he desired to have made therein, and has paid the taxes assessed thereon, according to the rate levied by that district for the year, accompanied by

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the affidavit in regular form of the assessor and collector of such district, that the before mentioned abstract is correct, shall be held to be evidence that he has paid his taxes to that district, and he shall then not be liable for taxes to the district within the limits of which the land or property of which he is the owner or occupant is situated, but if the before-mentioned abstracts be not produced with the affidavits required within thirty days from the first demand made by the treasurer of the district within which the land occupied by him lies, he shall pay the taxes assessed against him on the assessment and collector's rolls of that district to the collector thereof, and on producing proof of such payment in the manner provided in the preceding portion of this section, he shall be relieved from paying the taxes assessed against him by the district to which he elected to pay his taxes in regard to the personal property hereinbefore mentioned, and such taxes shall on collection be paid over, less costs of collection, to the treasurer of the district to which such person desired to pay his taxes.

(1.) In no case shall a catholic be compelled to pay taxes to a protestant school or a protestant to a catholic school.

132. The treasurer shall on or before the first day of December in each year return the collector's roll to the secretary of the board of trustees, with an account of all moneys received by him, accompanied by an affidavit, made before a justice of the peace, that the collection and other proceedings have been taken in accordance with the terms of this ordinance and that all the returns contained therein are correct.

133. The treasurer shall at the same time make a return in particular, certified by affidavit as provided in the next preceding section, of all property upon which the taxes, or any portion thereof, remain unpaid, and the reason of the failure of such payment.

(1.) A copy of such return shall be kept on file by the secretary of the school district and shall be open to inspection of all ratepayers of the district or their agents.

134. The taxes accrued on any land or property shall be a special lien on such land or property, having preference over any claim, lien, privilege or encumbrance of any party, except the crown, and shall not require registration to preserve it.

135. Such accrued taxes shall be entered upon the assessment roll of the district against such property from year to year and shall be held to be payable, if not otherwise collected, at the same time and in the same manner as the ordinary taxes of the year.

136. Whenever the treasurer is satisfied, or is notified by the board of trustees, that there is sufficient distress upon any real property within the district which is in arrears for taxes, he shall proceed to levy the amount due in the same manner and under the same provisions as are contained in section 127 of this ordinance.

137. Whenever a portion of the tax on any land has been due for and in the third year, or for more than three years preceding the current year, the board of trustees may prepare a list, which shall be in duplicate, of all the lands liable to be sold for arrears of taxes under this ordinance, with the amount of arrears against each lot, parcel or subdivision, and all other lawful charges standing against such land on account of such arrears of taxes, and the chairman shall certify to the correctness of such lists. One of the said lists shall be deposited with the clerk of the division of the district court having jurisdiction within the school district, and the other placed in the hands of the treasurer, with a warrant thereto annexed, commanding him to levy at a certain date upon the land for the arrears due thereon, with the costs.

138. The proceeding for the sale of land for school taxes shall be the same, *mutatis mutandis*, as those provided by the municipal ordinance of 1884.

INCURRING DEBT.

139. Should it appear desirable to the board of trustees of any school district that a sum of money should be borrowed upon the security of the district for the erection, purchase or improvement of a school building or buildings for the district, or for the purchase or improvement of sites for such school building or buildings, or

for the purchase of suitable play grounds for the children attending the school or schools of the district, they shall, before proceeding to borrow such sum of money, receive the sanction of a majority of the ratepayers of the district, by taking a vote thereon as hereinafter provided.

140. The board of trustees shall give notice of the polling to take place by printed posters displayed in at least twenty conspicuous places throughout the district, at least twenty days before the polling, and by advertisement for the same length of time, once each week, in the newspaper published nearest the school district.

141. The notice of polling shall set forth: 1. The sum of money which it is desired to borrow; 2. The term for which it is to be borrowed; 3. The rate of interest to be paid; 4. The purpose or purposes for which the money is to be expended, and the amount to be expended upon each; 5. The rate of taxation which it will be necessary to levy on the assessable property of the district according to the last finally revised assessment roll, in order to pay the principal and interest necessary to be paid on such loan, in accordance with the terms on which it is to be contracted, such terms being within the limitations provided by section 149 of this ordinance; 6. The place, day and hours of voting, the hours in all cases being from ten o'clock a.m. until four o'clock p.m.; 7. The qualification of voters, which shall be the same as provided in section 12 of this ordinance.

142. A certified copy of the notice of polling shall be furnished to the lieutenant governor by the chairman of the board.

143. The chairman of the board of trustees shall be returning officer, and shall act as provided in sections 17 and 18 of this ordinance.

144. The method of taking the vote, administering the oath and conducting the polling shall be as provided in sections 50, 51, 52, 53, 54 and 55 of this ordinance.

145. Scrutineers shall act as provided in subsection (7) of section 17 of this ordinance.

146. The poll shall be closed and the first summing up and the final recount of votes made in accordance with subsection (8) of section 17 and section 21 of this ordinance.

147. The lieutenant governor, on satisfying himself from the information submitted to him, as hereinbefore provided, that the vote has been properly taken, shall, in writing, empower the board of trustees to borrow the sum or sums of money mentioned in the notice of polling, or the contrary, according to the expressed wish of the majority of the legally qualified voters of the district.

148. Provided that if it shall appear to the lieutenant governor that any school district desiring the power of borrowing money is not in a condition to repay such money at the time and in the manner set forth in the notice of polling, he may withhold his sanction to the borrowing of such money by such school district, although a majority of the ratepayers may have voted in favour of it, and shall refer the matter to the consideration of the lieutenant governor in council.

149. All money borrowed under this ordinance shall be borrowed by debenture:

- (1.) The total face value of the debentures issued shall not be for a greater sum than one-tenth of the total assessed value of the real and personal property within the district, according to the last finally revised assessment roll of the district.
- (2.) Debentures shall not run for a longer term than ten years, and shall be redeemable in equal annual instalments.
- (3.) Debentures shall be of the form following:—

School district no	\$		Debenture no
The trustees of		school district no	promise to pay the
bearer, at the		at	equal
the sum of		dollars of lawful money of Canada, in	equal
annual instalments from the date of the countersigning hereof, with interest at the			at the

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rate of eight per cent per annum, at the terms and in the amounts specified in the coupons appearing on the back of this debenture.

.....
Chairman (or Acting Chairman).
.....

Trustee, Secretary-Treasurer.

Countersigned this day of 188

.....
Lieutenant Governor N. W. Territory.

(Coupons.)

Coupon no.

Debenture no.

The board of school trustees of school district no. will
pay to bearer at the bank at on the day of
188 , the sum of dollars, being the payment
with the total interest at the rate of eight per cent per annum, due on that day on
school debenture no

.....
Treasurer, School District No.

Countersigned

.....
Lieutenant Governor N. W. Territory.

(4.) The treasurer of the school district shall keep a register giving the names of all persons who may have purchased any of the debentures of such district and the coupons thereof, with the time of purchase of such debentures, and on any sale of such debentures or coupons to other parties being reported to him by the buyer and seller of such debentures or coupons with a request for registration, he shall register the date and circumstances of such transfer.

150. The trustees of any school district having received notice from the lieutenant governor, authorizing them to contract a loan as hereinbefore provided, shall issue debentures therefor in the form set forth in subsection (3) of the next preceding section to secure the amount of the principal and interest of such loan upon the terms specified in the notices of polling before mentioned, and said debentures and the coupons thereof shall be sufficient, when signed by two of the trustees of the district and countersigned by the lieutenant governor, to bind such school district, and to create a charge or lien against all school property and rates in the school district for which such loan is made.

151. All debentures shall, on redemption, be transmitted to the lieutenant governor by the board of trustees for registration and cancellation by destruction.

SCHOOL MEETINGS.

152. A meeting of the ratepayers of every public school district shall be called by the chairman of the board of trustees for the first Tuesday in January in each year, or such other day, not later than the Saturday following, as may be expedient, by public notice, giving the day, place and hour of meeting, and such notice shall be posted in ten conspicuous places within the district one week before the day for which the meeting is called.

153. The chairman of the board of trustees shall be chairman of the meeting, and the meeting shall elect a secretary, who shall record the minutes thereof.

154. There shall at such meeting be submitted in writing by the board of trustees and read to the meeting:—

- (1.) By the secretary thereof, a statement by the teacher and signed by him, giving the following particulars:—(a) The number of days on which school was kept open during the year succeeding the last annual meeting; (b) The total number of children attending school during that period, specifying the number of males and females respectively; (c) The average age of the children attending school; (d) The religious faith professed by the children, or their parents on behalf of the children; (e) The average daily attendance throughout the year; (f) The branches of education taught in the school, and the number of children studying each; (g) The number of dismissals of scholars for misbehaviour or other causes; (h) Such general remarks as to the progress and well-being of the school as he may desire to make.
- (2.) By the secretary of the board of trustees and signed by him, a statement showing: (a) The names of the trustees for the year, with the term of office which each has yet to fill; (b) The vacancies created in the board during the year, if any, giving the reasons therefor and method thereof, with an account of the elections held to fill such vacancies, and the results thereof; (c) The engagements entered into during the year by the board, as well as an account of those entailed upon them by their predecessors; (d) The amount of assessable property in the district according to the last finally revised assessment roll; (e) The appeals against assessment made to the district court, and the results of such appeals; (f) The times of holding regular meetings of the board of trustees during the year, and the resolutions adopted at such meetings, with such particulars of the minutes as may be demanded by any ratepayer present; (g) Particulars of the real and personal property held by the district.
- (3.) By the treasurer of the district, and signed by himself: (a) The amount of money received by the district from all sources during the year, with particulars; (b) The amount of money due the district from all sources, with particulars; (c) The amount of money paid out by the district during the year, with the particulars of payment; (d) The amount, if any, due by the district, to whom due, and the terms and time of payment.

155. By the board of trustees, and signed by the chairman, such statement in regard to the past, present and future of the district as they may deem sufficient.

156. The board of trustees, or the members thereof, shall answer any questions that may be asked by any ratepayer present, which questions and answers shall be recorded by the secretary in the minutes of the meeting if required to do so by any ratepayer.

157. A majority of the ratepayers present at the meeting shall elect a competent person to audit the accounts of the district and the reports submitted by the board of trustees.

158. The secretary of the meeting shall, before its close, read the minutes aloud for approval or otherwise, and such minutes shall form part of the yearly report and be placed at once in the hands of the auditor with the reports submitted by the board of trustees.

159. The auditor elected as hereinbefore provided shall have access to all the records of the school district in whose hands soever they may be, and he shall compare them with the reports submitted by the board of trustees to the school meeting, and with the minutes of the school meeting taken by the secretary thereof, and if he shall find from such comparison that the reports submitted are correct, and the statements recorded in the minutes are not belied by the records, he shall proceed before a justice of the peace with the reports before mentioned and shall make affidavit as follows, before such justice, which affidavit shall be attached to the reports:—

I, A. B., make oath and say, that I was duly appointed auditor of the reports and accounts of school district no. for the year 18..... at the regular annual

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school meeting of the said district, and have examined the reports made to the said meeting and carefully compared them with the records of the school district.

I find that the reports are correct throughout, and correspond with the records of the district.

Sworn before me

C. D. }

.....
Auditor.

One of Her Majesty's Justices of the Peace in and for the N.W.T.

160. If the auditor shall find that the reports are incorrect in any particular, he shall proceed as before except that the latter paragraph of the affidavit made by him shall read: I find that the reports are incorrect in the following particulars (then specify particulars).

161. When the auditor shall have made affidavit as to the reports, he shall cause them to be posted to the lieutenant governor without delay.

162. If the report is certified to as correct, the lieutenant governor shall cause a copy thereof throughout, excepting the minutes of the school meeting which may be omitted at will, for the purpose of being kept on record and shall transmit the original to the board of trustees of the district which made the report.

163. If the report is certified to as incorrect, the lieutenant governor in council shall take such action as may be deemed advisable in the matter.

PENALTIES.

164. Any trustee who shall: (1) Knowingly falsify or cause or allow to be falsified assessment rolls, voters' lists, school returns, minutes of meetings or any of the records of the district, or who shall fail to deliver up such records when called upon by the chairman or duly appointed auditor; (2) Misappropriate or cause to be misappropriated any of the funds or real or personal property of the district; (3) Enter into or have any interest in any contract with the district for which money is to be paid or work done; shall thereby be disqualified from fulfilling the term of office for which he was elected, and shall be liable to a fine not exceeding fifty dollars.

165. Any school trustee, officer or employee of a school district, who, after his ceasing to hold office, detains any book, paper or thing belonging to the school district, shall thereby incur a penalty of not less than five dollars nor more than one hundred dollars for each day during which he wrongfully retains possession of such books, paper or thing after having received notice in writing from the chairman of the board of trustees or from the lieutenant governor, requiring him to deposit the same in the hands of some person mentioned in such notice.

166. If a trustee or any other officer or employee of a school district knowingly sign any false school report, school register, assessment or collector's roll, notice of meetings or elections, or receipts for money on account of the school district, or certificate or other statement as provided in this ordinance, or shall knowingly falsify any of the above he shall for each offence forfeit a sum not exceeding one hundred dollars.

167. Any returning officer of any school district or proposed school district, acting under the provisions of this ordinance, who shall knowingly and wilfully prejudice the result of any voting by preventing votes from being taken or taking unlawful votes or altering the returns or books in any way or by any other means, shall be liable to a fine not exceeding one hundred dollars.

168. Should the trustees of any school district wilfully contract liabilities in the name of the district greater or other than as provided in this ordinance, or appropriate any of the moneys of the school district for purposes other than is provided in this ordinance, the school district, through its proper officers or the lieutenant governor on its behalf, may recover from such trustees, jointly or severally, the sum or sums for which the district has been rendered liable through the action of such trustees over and above the amount provided in this ordinance, in addition to the total amount of any moneys that have been misappropriated by such trustees.

169. All prosecutions under the preceding sections of this ordinance may be instituted by any ratepayer of the school district affected, or by the lieutenant governor, in any court having jurisdiction within the limits of such school district, and if the defendant does not appear or if the complaint be proven, the stipendiary magistrate or justices of the peace shall forthwith declare the election of such trustee or other officer void, with such fine, not exceeding one hundred dollars and costs of court, as he or they may deem sufficient, and shall notify the chairman of the board to that effect, who shall thereupon give notice of an election to fill the vacancy thus created.

170. Any school district which fails to: (1) Employ a duly qualified teacher at a salary of not less than \$300 a year for at least three months in every full year after organization; (2) Elect and keep in office a duly qualified board of trustees; (3) Pay at the time and the manner agreed upon any debentures that may have been lawfully issued by such school district; shall upon complaint thereof being made and the fact established before a stipendiary magistrate and a certificate thereof having been received by the lieutenant governor, be proclaimed by the lieutenant governor to be disorganized.

171. Upon such proclamation being made the lieutenant governor in council shall thereupon become invested with all the powers of school trustees of such district to conduct the affairs thereof, and shall deal with, and, if necessary, wind up the affairs of such district as the lieutenant governor in council may deem just and expedient.

MISCELLANEOUS PROVISIONS.

172. The fiscal school year shall be held to commence on the first Tuesday of January in each year, and all accounts opened during the preceding fiscal year shall, if possible, be closed at that date.

173. All moneys accruing from fines under this ordinance shall belong to the general revenue fund of the North-west Territories.

174. The lieutenant governor shall cause to be kept a register book in which shall appear in regard to each school district: (1) The date at which it was erected; (2) The full name and number thereof; (3) The limits, area, situation and general description thereof, according to the plan or map of such district originally submitted to the lieutenant governor; (4) A certified copy of the original plan; (5) The alterations, if any, that have been made in its limits, with the date thereof; (6) Such alterations shown on the copy of the original plan; (7) The debenture indebtedness that may have been incurred from time to time, with the cancellation thereof when such has taken place; (8) In cases in which the affairs of the district have been dealt with directly by the lieutenant governor in council, the circumstances attendant thereon.

175. The lieutenant governor shall cause to be kept a book for the registration of debentures, in which shall appear: (1) The name and number of each school district issuing debentures; (2) The amount of debenture indebtedness incurred by such district from time to time; (3) The purposes for which the indebtedness was incurred, with particulars of the amount required for each specific purpose; (4) The date of the countersigning of each debenture by the lieutenant governor, with particulars as to amount, rate of interest, and manner, place and time of payment; (5) The date of redemption of each such debenture; (6) The date and manner of destruction of each such debenture by order of the lieutenant governor, with the name of a witness to such destruction.

176. The lieutenant governor shall cause to be printed or procured a sufficient number of blank forms, such as those requiring to be filled in case of applications for the erection of a school district, notices of elections of trustees, notices of public school meetings, notices of polling for the purpose of sanctioning the issue of debentures by a school district, or the division of a public school district into two or more school districts, quarterly registers for the use of schools, blank forms for the use of teachers and trustees sending in the reports provided for in this ordinance, assessment rolls, tax collector's rolls, assessment notices, tax notices, notices for holding

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courts of revision, blank debentures, and all other forms provided to be used in this ordinance, and shall furnish such blanks to the trustees of school districts making application therefor at as nearly cost price as may be, and shall keep supplies of all these forms, except debentures, for sale to boards of school trustees in the hands of responsible parties in each of the principal settlements throughout the territories.

177. This ordinance may be cited as the "School Ordinance of 1884."

NO. 3 OF 1885.

AN ORDINANCE TO AMEND AND CONSOLIDATE AS AMENDED, THE SCHOOL ORDINANCE OF 1884.

Passed 18th December, 1885.

Be it enacted by the lieutenant governor of the North-west Territories, in council, as follows:—

BOARD OF EDUCATION.

1. The lieutenant governor in executive council may appoint and constitute a board of education for the North-west Territories, composed of five members, two of whom shall be Roman catholics, and two shall be protestants, and the lieutenant governor, who shall be chairman.
2. The members of the board shall be paid for their services, four dollars for each day of attendance at their meetings, and their actual travelling expenses.
3. A majority of the board of education shall be a quorum.
4. Any member of the board absenting himself from the meeting of the board, or from the meeting of this section, as hereinafter defined, for six months, shall be considered to have resigned his position, and the other member of the section to which he belongs shall notify the lieutenant governor of the vacancy so caused, and the lieutenant governor shall appoint his successor.
5. It shall be the duty of the board:—
 - (1) To meet twice a year at least, at Regina;
 - (2) To appoint inspectors, who shall hold office during the pleasure of the board, and to remunerate them for their services;
 - (3) To appoint a board or boards of examiners for the examination of teachers, whose qualifications shall from time to time be prescribed by the board of education;
 - (4) To provide for the expenses of the board of examiners;
 - (5) To arrange for the proper examination, grading and licensing of teachers, and the granting of certificates; such certificates to be of three classes, viz., a first, second and third class certificate and a provisional certificate;
 - (a) Every such certificate of qualification shall have the signature of a member of the board, but no certificate shall be given to any teacher who does not furnish satisfactory proof of good moral conduct;
 - (6) To appoint a secretary to the board, and to provide for his salary;
 - (7) To make from time to time such regulations as they may think fit, for the general organization of schools;
 - (8) To make regulations for the registering and reporting of daily attendance at all schools;
 - (9) To cause to be kept a proper record of the proceedings of the board;
 - (10) To determine all appeals from the decisions of inspectors of schools, and to make such orders thereon as may be required;
 - (11) To prescribe the form of school register for all schools;
 - (12) To make regulations for the calling of their meetings from time to time, and prescribe the notices thereof to be given to members.
6. The board of education shall resolve itself into two sections, the one consisting of the protestant, and the other of the Roman catholic members thereof, and it shall be the duty of each section:

- (1) To have under its control and management the schools of its section, and to make from time to time such regulations as may be deemed fit for their general government and discipline, and the carrying out of the provisions of this ordinance;
- (2) To cancel the certificate of a teacher upon sufficient cause;
- (3) To select, adopt and prescribe a uniform series of text books, to be used in the schools of the section.

SCHOOL DISTRICTS.

7. The words "school district" shall mean any tract of land declared by the lieutenant governor, as hereinafter provided, to be such school district, and the inhabitants thereof shall be a body corporate and politic for the purposes and with the powers and liabilities hereinafter specified.

8. Every school district shall be known under the corporate name of the "School district of _____" (here insert the name chosen by the people of district, "protestant" (or "catholic") "public" (or "separate") "school district no. _____" (given by lieutenant governor or lieutenant governor in council) "of the North-west Territories."

9. A protestant or catholic, public or separate school district, shall, at its erection, comprise an area of not more than thirty-six square miles, its extreme limits being not more than nine miles apart, and shall contain not less than four resident heads of families with a population of children of school age, that is to say, between the ages of five and sixteen, of not less than ten.

10. "Elector" shall mean any man or unmarried woman of the full age of twenty-one years, not an alien or unenfranchised Indian, who has within the limits of any proposed or existing school district, possession, in his, or in right of his wife, or her own right, of any land of the value of one hundred dollars, or who is an occupant and cultivator of unpatented Dominion lands of the value of one hundred dollars, whether as a homesteader or otherwise, and any person who has as a joint tenant or tenant in common, an unexpired lease for the term of one year of any certain parcel of land, of which the yearly rental is at least twenty dollars.

FORMATION OF SCHOOL DISTRICTS.

11. Any three resident electors of any locality fulfilling the requirements of section 10 of this ordinance, may be formed, or may form themselves into a committee to procure its erection into a school district, and may petition the lieutenant governor for such erection.

12. The petition shall set forth:

- (1.) The proposed name in full, limits, definite location and approximate area of the proposed district;
- (2.) The approximate value of the taxable property within the proposed limits;
- (3.) The distance from, and the location of, the nearest school district;
- (4.) The name and address of a resident elector who shall act as returning officer;
- (5.) Approximately the total population, the adult population and the population of children of school age as defined in section 9 of this ordinance resident within the proposed district;
- (6.) By an accompanying sketch, plan or map of the proposed district, its boundaries, principal legal subdivisions, principal physical features and general location.
- (7.) The date upon and place at which a meeting of the school electors of the proposed district will be held to decide whether the majority is in favour of the locality being erected into a school district or not and elect trustees.

13. The petition must be accompanied by an affidavit of the several members of the committee, made before a justice of the peace, or a notary public, resident within the limits of the proposed district or as near thereto as may be, that the members of the committee are *bona fide* resident electors of the proposed school district, and that the statements made in the petition are correct.

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14. At least twenty-one days before the day mentioned in the petition to the lieutenant governor as the one upon which the before mentioned meeting is to be held, the committee shall cause to be posted up in at least five conspicuous and widely separated places within the district, copies of the following notice:—

NOTICE.

All parties are hereby notified that the undersigned committee have petitioned the lieutenant governor for the erection of (*give name in full*) school district within the following limits, that is to say (*define limits*) and hereby call a meeting of the school electors within these limits, to decide whether such petition shall be granted or not, to be held on the day of _____ at _____ from 12 o'clock noon till 4 p.m., and to elect three school trustees. The qualification of voters is expressed in the following oath which persons desiring to vote must take, if required:—"You do solemnly swear that your name is (*mention name given by the proposed voter*); that you are the owner (tenant or occupant) of (*describe the land voted upon*); that it is of the value of one hundred dollars (or, if tenant, of the yearly value of twenty dollars); that it is situated within the limits of the proposed school district; that you are of the full age of twenty-one years; that you are not an alien or unenfranchised Indian; that you have not received any corrupt reward and have no hope or expectation of receiving any such reward for voting at this time and place."

(Name of member of committee who is to act as returning officer.)

.....
Returning Officer.

(Name of second member of committee).....

(Name of third member of committee).....

School Committee.

(1.) Such notice may be either printed or written.

15. The lieutenant governor shall acknowledge the receipt of the petition for the proposed school district, to the returning officer named in subsection 4 of section 12, and state whether he approves of the erection of the same, or not.

16. The returning officer shall preside over the proceedings of the meeting mentioned in subsection 7 of section 12, and the electors present at such meeting shall appoint a secretary who shall record the proceedings of the meeting and perform all other such duties as may be required of him by this ordinance.

17. The returning officer shall decide all questions of order, subject to an appeal to the meeting; and in case of an equality of votes, he shall give the casting vote, but he shall have no vote except as chairman.

18. The chairman of the meeting shall take the votes in the manner desired by a majority of the electors present; but he shall, at the request of any two electors, grant a poll for recording by the secretary the names of the voters present; such poll shall close at 4 o'clock p.m.

19. If required by any person present, or of his own accord, if deemed advisable the chairman of the meeting shall administer the oath prescribed in section 14 of this ordinance.

20. If it is desired in the case of any person voting under this ordinance to appeal against the decision of the returning officer or chairman of such school district meeting, such appeal must be notified to the chairman of the meeting within three days of the meeting and must be made under oath within three days before a justice of the peace, and the appellant shall forward it to the stipendiary magistrate of the judicial district within which the school district affected is situated together with the sum of twenty-five dollars, and the stipendiary magistrate shall thereupon investigate such appeal and shall confirm the election or vote, or set it aside with costs or otherwise and appoint the time and place of holding a new meeting if necessary.

21. If the majority of votes taken at this meeting is against the erection of a school district, the chairman shall notify the lieutenant governor.

FIRST ELECTION OF TRUSTEES.

22. So soon as the majority of the electors at this first school meeting have decided in favour of the erection of the school district the electors present shall, by a majority of votes, elect from the resident electors in the school district, three trustees.

23. The qualification of persons who may be elected as trustees shall be the same as required in the case of voters, with the addition that the candidate must be possessed of real or personal property to the amount of five hundred dollars, and in case other than the first election, has no contract either direct or indirect, with the school district.

24. Every elector shall be entitled to cast as many votes as there are trustees to be elected, but in no case shall any one elector cast more than one vote for any one candidate at the same election.

25. Within seven but not before the expiration of three days after the date of their elections, the chairman of the meeting and the trustees elect shall appear before a justice of the peace and the chairman shall make an affidavit before such justice that the trustees elect were elected by a majority of the electors at the school district meeting mentioned in section 22.

(1.) Each trustee elect shall take the following oath of office before a justice of the peace:

I, A.B., do solemnly swear that I will to the best of my ability, honestly and faithfully discharge the duties devolving upon me as trustee of (name of school district in full) school district no. during the term for which I have been elected, in accordance with the ordinance of the North-west Territories. So help me God.

(2.) The justice of the peace shall grant to each trustee, after he has taken the foregoing oath, a certificate of election in the following form:

I, A.B., one of her majesty's justices of the peace in and for the North-west Territories, hereby declare that (give name, residence and occupation of person mentioned) elected school trustee for (give name of school district) to hold office until the thirty-first day of October, 18 , has this day taken before me the oath of office prescribed in subsection one of section 25 of the ordinance respecting schools of the North-west Territories.

Dated

A. B., *Justice of the Peace.*

(3.) If through any unavoidable cause, a trustee elect does not take his oath of office, as herein provided, the chairman of the meeting shall appoint another day, notifying him of the same, for taking such oath, and shall report the circumstance to the board of education.

26. A copy of each certificate so granted shall be forwarded by the returning officer to the board of education.

27. The trustees elected at a first school district meeting shall continue in office until the thirty-first day of October next ensuing the one following their election.

PROCLAMATION.

28. On receiving the report of a first school meeting, the lieutenant governor shall, if the majority of the votes at the school district meeting has been in favour of the erection of the school district, forthwith proclaim the district a school district in accordance with the terms of the petition addressed to him in that behalf with such number as he may see fit, and in manner as hereinafter provided.

29. The proclamation of the lieutenant governor erecting any district into a school district shall set forth: (1) The name in full, number, situation and limits thereof; (2) The date and place at which the meeting of electors and the election of trustees was held; (3) The names of the elected trustees.

30. If two or more petitions for the erection of school districts, the proposed boundaries of which overlap, are received before any of the districts are erected by proclamation as hereinbefore provided, the lieutenant governor shall, on receiving

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the returns of the voting in favour of their erection, before issuing the proclamation defining the boundaries, correspond with the inspector of schools for the district or districts and require him to report upon the matter. The lieutenant governor shall then alter the proposed boundary lines in such manner as shall appear to be an equal division of the territory in dispute between the said districts and shall so declare and fix the boundaries in his proclamation; provided always that, in case of such alteration of boundaries, if any district be reduced below the standard provided in section nine of this ordinance, then such district shall not be so erected into a school district on the petition sent in.

SEPARATE SCHOOLS.

31. In accordance with the provisions of "The North-west Territories Act, 1880," providing for the establishment of separate schools, it shall be lawful for any number of property holders resident within the limits of any public school district or within two or more adjoining public school districts or some of whom are within the limits of an organized school district and others on adjacent land, not included within such limits, to be erected into a separate school district by proclamation of the lieutenant governor with the same rights, powers, privileges, liabilities and method of government throughout as hereinbefore provided, in the case of public school districts.

32. Such separate school district shall be erected on petition of all those desiring to have their land set aside as a separate school district.

33. The petition for the erection of a separate school district shall state in addition to the particulars mentioned in subsections one and six of section twelve of this ordinance: (1) The description of the land held by each petitioner, its area, assessed value or probable assessable value, if outside the limits of a municipality, its situation in regard to present organized school districts as well as Dominion lands surveys and natural boundaries; (2) The number of children of school age, resident within and adjacent to the proposed district, of the religious faith of the petitioners, who would probably attend such school.

34. Each such petition shall be accompanied by an affidavit of some person competent to verify the signatures and facts therein set forth.

35. Upon the receipt of such petition, the lieutenant governor shall if there be no impediment requiring the consideration of the lieutenant governor in council issue a proclamation erecting such separate school district and order the first election of trustees, fixing the date thereof, and appoint a returning officer who shall conduct the election as is provided in sections 16, 17, 18, 19, 20, 22, 23, 24, 25 and 26, and the trustees elected shall proceed as provided in section 25.

36. The lieutenant governor shall at the same time notify, in writing, the board of trustees of any public school district that may include the whole or any part of such separate school district within its limits, of the fact of the erection of such separate school district and of the lands of such separate school district having been withdrawn from such public school district.

37. Any land and personal property therein set apart as a separate school district, shall be assessable by the public school district, within whose organized limits it is situated, for the purpose of paying off any debenture indebtedness that may have been incurred, during the time that such land was included as a part of such public school district in the same manner and time and at the same rates as the remaining portion of such public school district may be assessed to pay off such indebtedness, but for no other purpose whatever.

DIVISIONS AND ADDITIONS TO SCHOOL DISTRICTS.

38. Any public school district may be divided into two or more parts by proclamation of the lieutenant governor, on recommendation of the board of trustees of the district, after he shall have been satisfied that a vote has been taken on the question in the manner provided in the case of a school district, authorizing the issuing of debentures, and that the majority of duly qualified votes cast have been in favour of such division being made.

39. Any two or more public or separate school districts may be united in one public or separate school district by proclamation of the lieutenant governor in the same manner as that provided for the division of public school districts, and all the real and personal property held by all the districts shall thereby become the property of the united district.

40. The owner of any land situated outside the limits of any school district or included in any school district, may have it included in an adjoining or adjacent school district, whether public or separate (but of the faith, either protestant or Roman catholic, to which the petitioner belongs) on petitioning the trustees of such district to that effect; and such petition shall be accompanied by the affidavit of the petitioner that he is the owner of such land.

41. The trustees, on receiving a petition to the effect and in the form and substance mentioned in the next preceding section of this ordinance, may annex the land of the petitioner to the district of which they are trustees, and shall notify the lieutenant governor that such land has been annexed to their school district, and shall announce the additions or changes that have been made, stating in particular the ownership and assessed value of the property affected, by notice published in five public and widely separated places in the school district or districts affected, and they shall also notify in writing the petitioner and the board or boards of trustees of the district or districts that have been affected by the changes that have been made.

42. Parties petitioning for the organization of separate school districts or for any addition or change in the area or limits of any school district or districts, as hereinbefore provided, shall accompany such petition with such sum of money as may be deemed sufficient by the lieutenant governor to pay the necessary expenses connected with the changes petitioned for before they can require their petition to be considered.

ANNUAL ELECTION OF TRUSTEES.

43. A meeting of the ratepayers of the school district shall be called by the secretary of the school district by notices posted in five conspicuous and widely separated places on the second Monday of October, unless the same be a statutory holiday, and then on the ensuing day, for the purpose of nominating the trustees to serve as such for the year commencing the first day of November following.

44. A majority of the ratepayers present shall elect a chairman, and the proceedings shall be carried on as provided in sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26, except as to the election of a secretary; the secretary of the school district shall act as the secretary of this meeting. The newly elected trustees shall proceed as is provided in section 25.

45. The first meeting of the newly elected trustees shall be held on the third Monday in November in each year, unless the same be a statutory holiday, when it shall be held on the day next ensuing, and the trustees of the previous year shall be deemed to hold office up to the first meeting of the new trustees, notwithstanding that the school year shall expire on the 31st of October in each year.

46. A correct copy of the proceedings of the first, and of every annual and of every special school district meeting, signed by the chairman and secretary, shall be forthwith transmitted by the chairman of such meeting to the district inspector of schools, who shall report upon the same to the president of the board of education.

47. At the annual meeting for the election of school trustees, the ratepayers then present shall elect an auditor who shall audit the accounts of the district and report the result thereof to the annual meeting of ratepayers.

BOARD OF SCHOOL TRUSTEES.

48. The ratepayers of every school district that may be established under this ordinance, and their successors, shall be a body corporate and politic under the name and number mentioned in the proclamation of its erection. It shall be represented by a board of three trustees elected as herein provided, and bearing the names of

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the trustees of the (protestant or catholic) public or separate school district of (here insert the name and number). Such trustees on behalf of the corporation, shall have power to :

- (1.) Acquire real or personal property by purchase, donation, devise, or otherwise, and hold and enjoy, or alienate the same, for school purposes ;
- (2.) Enter into contracts, transact business, bind and oblige themselves and others within the limit of their functions ;
- (3.) Sue and be sued in any cause, or before any court of justice ;
- (4.) Levy such taxation on the real and personal property within the district, in the manner hereinafter provided, as may be necessary, for the discharge of the obligations entered into by the corporation of said school district for school purposes.

49. It shall be the duty of the new trustees at their first meeting to proceed to the election of a chairman, which shall be done by those present ; the secretary of such school district shall preside at such meeting until a chairman is elected.

50. The elected chairman shall appoint one of the remaining trustees to act at any time when the chairman fails to attend to his duties as such.

51. In case the acting chairman fails to act, then the remaining trustee shall be acting chairman until the acting chairman resumes his duties.

52. A majority of the board of trustees shall constitute a quorum at all meetings ; provided that in case the number of trustees is reduced to one, that one shall be held to be a quorum until the other members are elected.

53. The chairman shall :

- (1.) Call all meetings of the board and public school meetings and preside at such meetings ;
- (2.) Have general supervision of the affairs of the district ;
- (3.) Certify all accounts against the district before such accounts be paid by the treasurer ;
- (4.) Act as returning officer, or appoint some other person to act as such, at all elections that may be held, or votes that may be taken during the period of his chairmanship.

54. The board of trustees at its first meeting in each year shall appoint a secretary, whose duty it shall be to :

- (1.) Keep a minute of all the meetings of the board ;
- (2.) Answer all communications on school matters in such manner as he may be directed by the board ;
- (3.) Examine the records and registers of the school kept by the teacher, and see that they are correct ;
- (4.) Forward to the lieutenant governor, from time to time, the reports provided for in this ordinance, and give such other information in regard to the school district as may be desired from time to time by the lieutenant governor, the board of trustees, or school inspector ;
- (5.) Have charge of and keep on record all the books, papers, accounts, assessment rolls and other matters, committed to his charge by the board of trustees during his term of office, and deliver the same to the chairman of the board on ceasing to hold office.

55. Should the secretary at any time be unable to attend to his duties the chairman shall appoint some member of the board to act as secretary until the secretary resumes his duties, or until the board sees fit to appoint another secretary.

56. By motion of the board one of the members thereof may, with his consent, be appointed treasurer of the district for the whole or any part of the term for which he was elected to serve, but such treasurer shall receive no remuneration for his services, and the members of the board shall individually and collectively be held responsible, by virtue of their office, for the safe keeping of all sums of money placed in such treasurer's hands.

57. Should it be found inexpedient to appoint a member of the board as treasurer, then the board shall appoint a responsible resident of the district to be treasurer or secretary-treasurer, during the pleasure of the board, at such rate of

remuneration as may be agreed upon. Every treasurer shall, before entering upon his duties as such, give security to the school trustees by a bond signed and acknowledged before a magistrate, and such security shall be given by at least two solvent sureties jointly and severally to the satisfaction of the board of trustees and to the amount of any moneys for which the treasurer may at times be responsible, whether arising from the school fund or from any particular contribution or donation paid into his hands for the support or benefit of the school, and such security shall be renewed at the beginning of each year, or renewed at other times, or changed whenever renewal or change is required by the board of trustees.

58. It shall be the duty of the treasurer to collect, receive and account for all school moneys, whether derived from the government or otherwise, for the purpose of education within the district of which he is treasurer, and to distribute such moneys in the manner directed by the board of trustees, and he shall give and take receipts for all moneys so received and paid out by him, which he shall, when called upon, produce before the board of school trustees, as also all moneys or accounts in his charge, and shall hand over the same to the board of trustees on his ceasing to hold office.

59. Should the treasurer be at any time unable to attend to his duties, the secretary, if the treasurer be a member of the board, shall attend to such duties in his place, but if the treasurer should not be a member of the board, then the board shall appoint some person to attend to his duties under the necessary bonds, and in the meantime the board of trustees shall be held to be the treasurer of the district.

60. The secretary of every board of trustees shall forward to the lieutenant governor on the 30th day of May in each year a report showing the certificate of the teachers employed, the number of teachers employed and the total number of children attending the school, and stating whether the school is opened for one or both of the school terms.

61. It shall be of the duties and within the powers of any board of trustees of any school district to:

- (1.) Engage a qualified school teacher or teachers on such terms as the board may deem expedient;
- (2.) Procure a suitable building or buildings by purchase, lease or otherwise, for use as a school room, in a central location, and of as satisfactory a character as possible with a play-ground attached;
- (3.) Make such assessments on real and personal property of the district and levy such taxes as may be necessary to defray the expenses authorized to be incurred in the preceding subsections, and all necessary expenses incurred in the election of trustees, keeping the accounts or transacting the business of the district, and in furnishing the school-room with school material, furniture and firing;
- (4.) Inspect the school, see that good order is kept and proper instruction is given and dismiss the teacher or any of the pupils for misconduct or immorality, or the teacher for incapacity;
- (5.) See that true accounts both of the school and district are kept, and that the affairs of the district generally are conducted in the manner provided in this ordinance and with a due regard to efficiency and economy;
- (6.) Select all the books, maps and globes to be used in the schools under their control from the list of those authorized by the board of education;
- (7.) Provide, free of cost, out of the funds of the district, books and slates for the use of the children resident within the district and attending school, whose parents are unable, through poverty, to procure the necessary books and slates for them, the right to such books and slates to rest in the school district;
- (8.) Provide, when deemed expedient, a suitable library for the school district, free of charge, making such regulations as to lending and the prevention of loss or damage to the books of such library, as they may think fit.

62. A trustee may resign at any time by notifying the chairman of the board, or if he be the only remaining member of the board, the lieutenant governor to that effect, in writing

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63. Any trustee who shall :

- (1.) Be absent from the district more than three months at a time ;
- (2.) Fail to attend three consecutive meetings of the board, the same having been duly called by written notice left at his house or place of business ;
- (3.) Have become insolvent or convicted of any felony, may be declared disqualified on motion of the board, and his seat as trustee declared vacant and an election to fill the vacancy shall be held as hereinbefore provided.

64. If the lieutenant governor shall at any time receive the resignation of the sole remaining member of a board of trustees of any school district, or a certificate of a justice of the peace or of the school inspector for the school district mentioned, that the board of trustees has ceased to exist, he shall order an election of trustees, fixing the date thereof and appointing a returning officer, who shall conduct the election as is provided in sections 16, 17, 18, 19, 20, 22, 23, 24, 25 and 26 ; and the trustees elected shall proceed as provided in section 25, or shall hold the matter over for the consideration of the board of education.

65. Elections shall be held to fill vacancies that may occur in the board of trustees from time to time, from death, resignation or disqualification, and such elections shall take place within one month from the time of the occurrence of such vacancy.

66. The person thereupon elected to fill the vacancy so created, shall hold his seat for the residue of the term for which his predecessor was elected, or for which the office is to be filled.

67. The new election shall be conducted in the same manner as is provided in sections 16, 17, 18, 19, 20, 22, 23, 24, 25 and 26.

SELECTING SCHOOL SITES.

68. No steps shall be taken by the trustees of any school district, for procuring a school site on which to erect a school-house without calling a special meeting of the resident electors or ratepayers, as the case may be, of that school district by notices published in five conspicuous and widely separated places within the district, at least ten days before the date of the meeting, to consider the matter, and no change in the site of a school-house shall be made without the consent of the majority of such special meeting.

TEACHER.

69. As soon as possible after the first election of trustees in any school district, and at such other times as may be expedient, the trustees shall engage a qualified person as school teacher for such term, not being more than one year, and at such salary as may be agreed upon.

70. It shall be the duty of the teachers to :

- (1.) Preside over and maintain good order in the school ;
- (2.) Teach from such and only such books as may be ordered or permitted by the trustees, as provided in this ordinance ;
- (3.) Hold a public examination of the classes in the school at least once in each term ;
- (4.) Admit trustees, school inspectors, parents of children attending or ratepayers of the district to the school room at any time ;
- (5.) Report to the trustees, from time to time, on the necessities of the school and the behaviour of the children attending it ;
- (6.) Punish children for misbehaviour, inattendance or disobedience in such manner as the trustees may permit or direct ;
- (7.) Keep a true register of the school, according to the forms supplied by the board of education ;
- (8.) To keep the school registers with care and to call the roll and mark the attendance and absence of the pupils previously to beginning the regular school work each morning and afternoon ;
- (9.) To keep a time table showing the classification of the pupils, the subjects taught in each class, the hour of the day, and the day of the week, when

each subject is taught and the intervals allowed for recess during school hours;

- (10.) To keep a "visitors' book" provided by the board of education and to enter therein the visits made to the school, and to allow any visitor who so chooses to make therein any remarks suggested by the visit;
- (11.) To see that the school is kept clean and well ventilated and to observe that the closets belonging to the premises are kept in a cleanly condition;
- (12.) To report to the secretary of the school district any needful repairs to the school building or furniture;
- (13.) To keep an inventory of the school materials and furniture and to report any deficiency in the stock from time to time;
- (14.) To observe that there is no scarcity of fuel for school purposes during the winter months, and to exercise due economy in the use of the same;
- (15.) To render assistance to the secretary of the school district in making the required reports and returns to the lieutenant governor or the board of education or the inspector of schools;
- (16.) To have the custody of the school premises and to deliver up the key when required to do so by the school trustees;
- (17.) To report to the secretary of the school district immediately it comes to his knowledge the presence of any infectious or contagious disease amongst the pupils and to faithfully carry out the wishes of the trustees in respect to it.

71. If a teacher be engaged for a less term than three months, or if the provisions of this ordinance are not complied with by any school district, then the district employing such teacher, or otherwise not complying with the terms of this ordinance, may be deprived of their right to receive aid as provided in this ordinance.

CONDUCT OF SCHOOL.

72. School shall be held between nine o'clock and twelve o'clock in the forenoon and half-past one o'clock and four o'clock in the afternoon of every day, not including Saturdays, Sundays and statutory holidays, but the school trustees may shorten the school hours in the winter time.

73. The school year shall be divided into two terms, a winter term and a summer term; (1.) The winter term shall begin on the first day of November and end on the thirty-first day of March in each year. (2.) The summer term shall begin on the first day of April and end on the thirty-first day of October in each year.

74. A recess of fifteen minutes in the forenoon and in the afternoon may be allowed the children attending school at the pleasure of the board of trustees.

75. There shall be two weeks' holidays, during the summer term, in either the month of August or the month of September, at the discretion of the trustees.

76. There shall be two weeks' holidays during the winter term, viz., the two weeks following the twenty-third day of December in each year.

77. It shall be at the discretion of the trustees to permit any other holidays.

78. No religious instruction, such as bible reading or reciting, or reading or reciting prayers, or asking questions or giving answers from any catechism, shall be permitted in any public school in the North-west Territories from the opening of such school at nine o'clock in the forenoon until the hour of three o'clock in the afternoon, after which time any such instruction, permitted or desired by the trustees of the district, may be given.

79. Any child attending any school whose parent or parents, or guardian, is or are of the religious faith different from that expressed in the name of such school district, shall have the privilege of leaving the school-room at the hour of three o'clock in the afternoon, or of remaining without taking part in any religious instruction that may be given, if the parents or guardians so desire.

80. It shall be unlawful for any teacher or school trustee to in any way attempt to deprive such child of any advantage that it might derive from the ordinary education given in such school, and such action on the part of any school trustee, inspector

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or teacher shall be held to be a disqualification for and voidance of the office held by him or her.

81. No fee shall be charged by any school district on account of the attendance of any children, whose parents or guardians are ratepayers of such district, at the school thereof; but a rate not exceeding five cents per day, payable in advance, may be charged for any children resident outside the limits of such district, whose parents or guardians are not ratepayers of such district.

INSPECTOR OF SCHOOLS.

82. It shall be the duty of the inspector to :

- (1.) Visit at least once a year the schools under his charge and examine the pupils in the different classes as to proficiency in their studies;
- (2.) At the desire of the trustees of any district, examine a teacher possessing no certificate and employed, or proposed to be employed, by such trustee as to his proficiency in the subjects he is expected to teach and as to his methods of teaching;
- (3.) Report from time to time to the board of education as to the efficiency, methods and usefulness of the schools under his charge, and also when deemed advisable to the trustees of the different districts;
- (4.) To inspect another school district at the pleasure of the board of education;
- (5.) To observe that no books are used in any school but those selected from the list of books recommended by the board of education;
- (6.) To assist at the examination of teachers if requested by the board of education;
- (7.) To make a full report of his inspection of every school to the board of education not later than the month of September in each year, and to particularize in each report name of school, name of teacher, his certificate, the grant he is entitled to, number of school children on the register, number present on day of inspection, remarks on proficiency of pupils, special remarks, if any, state of school buildings and premises, state of school apparatus, general tone of school;
- (8.) Keep a diary of his inspection tour and expenses;
- (9.) Inspect and endorse, if practicable, all reports which are sent through him to the board of education;
- (10.) Grant provisional certificates to competent applicants recommended by trustees of school districts and require such applications to be in the teacher's own handwriting;
- (11.) Upon a visit to a school to inspect the school register and to write his name and the date of his visit upon the line immediately under the last name on the roll;
- (12.) To observe if the school register is systematically kept;
- (13.) To inspect the school buildings and premises and to suggest to the trustees any alterations he may deem necessary for the comfort, accommodation and health of the scholars;
- (14.) To inspect the school time table and to endorse his approval upon it, if satisfactory;
- (15.) To make the time table the basis of his examination of the classes;
- (16.) To inspect the visitors' book and to write therein a general report of the condition in which he found the school and its teacher;
- (17.) If the teacher holds a provisional certificate, to endorse it in his favour or otherwise.

83. The secretary of every school district shall within one month of the date of the opening of such school, notify the inspector of such district of the opening of such school, and the qualification of the teacher employed; enclosing the teacher's certificate or a certified copy of the same in a registered letter addressed to the inspector of schools for such district.

84. On receipt of such notification the inspector of schools shall, if he deem the report satisfactory, endorse the same and forward it to the board of education.

AID TO SCHOOLS.

85. Every school district organized under this ordinance shall receive aid from the school fund, as follows:—

- (1.) Grants on account of teachers' certificates :
 - (a) An annual grant of \$250 to every school employing a teacher, male or female, holding a provisional certificate from the inspector of schools for that district or a third class certificate from a normal school or the board of education ;
 - (b) An annual grant of \$300 to every school district employing a teacher, male or female, holding a second class certificate from a normal school or from the board of education ;
 - (c) An annual grant of \$350 to every school district employing a teacher, male or female, holding a first class certificate from a normal school or from the board of education.
- (2) Grants on account of attendance :
 - (a) An annual grant of \$2 per child, per annum, to every school whose average attendance is at least eight, for every child who has attended school one hundred school days, where the school is only open during one term ;
 - (b) An annual grant of \$2.50 per child, per annum, to every school whose average attendance is at least eight, for every child who has attended school one hundred and sixty school days, where the school is open during both the winter and summer terms ;
- (3.) Grant on account of inspector's report of school :
 - (a) An annual grant of an amount not exceeding the total amount of the capitation grant for the attendance of children to every school district of whose school the inspector of schools shall report favourably.
- (4.) Grants on account of additional teachers :
 - (a) To every school district where the average daily attendance exceeds forty, a sum of one hundred and fifty dollars for an assistant teacher ;
 - (b) To every school district where more than one assistant teacher is employed, a grant of one hundred dollars for every assistant teacher employed after the first, where the average daily attendance shall be at least twenty for each teacher, the principal teacher included.
- (5.) Grants to advanced classes :
 - (a) To every school district employing a teacher holding a first class certificate, a grant will be given to one group of pupils examined in the same subjects, not being more than two subjects, at the rate of \$1 per child, per subject. The examination to be in writing and conducted in the inspector's presence ; the examination papers to be provided by the board of education.

86. The lieutenant governor shall pay the grant on account of teacher's certificate to the treasurer of the district, quarterly, immediately after the 31st March, thirtieth June, thirtieth September and thirty-first December in each year ; and the grants on account of attendance and inspectors' reports shall be paid to the treasurer of the school district, annually, as soon as practicable after the thirty-first of October in each year.

87. When the school is only open for one term, the school district is entitled to a proportion of the grant for the teachers' certificates, calculated according to the months during which the school was open.

ASSESSMENT.

88. Where a school district is situated within a municipality, the trustees shall, as soon as may be after the final revision of the assessment roll of the municipality, make a demand on the council of such municipality for the sum required for school purposes for the then current year ; but such sum shall not exceed an amount equal to ten mills on the dollar, according to the last revised assessment roll, on the pro-

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erty liable to assessment in such school district for ordinary school purposes, with such additional amount as may be necessary to meet any debenture indebtedness that may have been incurred and becoming due.

89. When property owned by a protestant is occupied by a Roman catholic and *vice versa*, the tenant in such cases shall only be assessed for the amount of property he owns, whether real or personal, but the school taxes on such rental or leased property shall in all cases, whether or not the same has been or is stipulated in any deed, contract or lease whatever, be paid to the trustees of the district of the religious faith to which belongs the owner of the property so leased or rented and to no other.

90. Whatever property is held jointly, as tenants, or tenants in common, by two or more persons, the holders of such property being protestants and Roman catholics, they shall be deemed and held accountable to the board or boards of trustees for an amount of taxes in proportion to their interest in the premises, tenancy or partnership, respectively, and such taxes shall be paid to the school of the denomination to which they respectively belong.

91. If a school district be situated partly within two or more municipal corporations, then the board of trustees shall make a demand upon each of such corporations, for that proportion of the amount of money required by such school district, which may justly be demanded by such school district, according to the amount of property included within the limits of the district and situated within the limits of such municipality.

(1.) In case there is a difficulty in arriving at a proper assessment of the different portions of the school district, the trustees may levy an assessment as provided in the subsequent sections of this ordinance.

92. If a school district, or any portion thereof, be not situated within the limits of any municipal corporation, then the trustees of such district shall themselves or by means of an assessor, make an assessment of the real and personal property within the district or within the portions of such districts and inscribe the same upon an assessment roll in the form as hereinafter provided.

93. The trustees of any school district, or an assessor whom they shall appoint, as soon as may be in each year, shall prepare an assessment roll for the district, in which shall be set down, according to the best information to be had, a list of all the taxable property in the district, with the names of the occupants and owners, if such can be procured, and such list shall contain in one line, but in different columns, the following information:—

(1.) Name of occupant or person in possession (*if there be no occupant, a statement to that effect*); (a) religion of occupant; (b) sex; (c) age; (d) occupation; (e) place of residence.

(2.) Name of owner, if it can be ascertained (*if owner's name be unknown, such particulars concerning ownership of property as may be known*); (a) religion of owner; (b) sex; (c) age; (d) occupation; (e) place of residence.

(3.) Description of real property in occupation of each person; (a) part and number of section, township, range and meridian, or number and description of lot in special survey or number of lot, house or other particulars of each parcel; (b) Improvements in cultivated land (giving area), and buildings (giving size), on each parcel; (c) Area in acres or feet of each parcel; (d) Value of each parcel; (e) Total value of real property;

(4.) Description of taxable personal property: (a) Taxable personal property, other than income, with particulars; (b) Value of such personal property; (c) Taxable income; (d) Total value of personal property, including taxable income;

(5.) Total value of taxable real and personal property.

94. "Land," "real property" and "real estate" respectively shall include all buildings or other things erected upon or affixed to the land and all machinery or other things so fixed to any building as to form, in law, part of the realty, and all trees or underwood growing upon the land, and all mines, minerals, quarries, fossils in and under the same, except mines belonging to her majesty.

- (2.) "Personal estate" and "personal property" shall include all goods, chattels, shares in incorporated companies, interest on mortgages, dividends from bank stock, money, notes, accounts and debts, at their actual value, income and all other property, except land and real estate and real property, as above defined, and except property herein expressly exempted;
- (3.) "Property" shall include both real and personal property, as above defined;
- (4.) "Ranche" shall mean land held under a grazing lease from the Dominion government.

95. All real and personal property situated within the limits of any school district, or income derived by any person resident within the limits of such district, in the North-west Territories, and wherever any portion of a ranche and the headquarters of such ranche are within the limits of any school district, the whole of the personal property belonging to the lessee of such ranche, on the same, shall be liable to taxation, subject to the following exemptions:—

- (1.) All property held by her majesty or specially exempted by the parliament of Canada or for the public use of the government of the Territories;
- (2.) All property held by or in trust for the use of any tribe of Indians or the property of the Indian department;
- (3.) Where any property mentioned in the preceding clauses is occupied by any person otherwise than in an official capacity the occupant shall be assessed in respect thereof, but the property itself shall not be liable;
- (4.) The grounds and buildings of all public schools, universities, collegiate institutes or incorporated seminaries, being public property, so long as such property is actually used or held for educational purposes;
- (5.) All property belonging to the municipality when held and occupied or in the use of the corporation and the personal property belonging to the same;
- (6.) Jails and court houses and the necessary land attached thereto;
- (7.) Churches and the land on which they stand, not exceeding one-half acre, in towns and cities, together with the buildings thereon used for the purposes of the said church or occupied by the incumbent or priest, and, in rural municipalities one hundred and sixty acres of land in addition to the above, if the same is actually used for the support and maintenance of any church or mission, orphanages, poor-houses, houses of industry, asylums, being public institutions, and the real and personal property connected with the same;
- (8.) The property of every public library;
- (9.) The income of a farmer derived from his farm and the income of merchants, mechanics and other persons derived from capital liable to taxation;
- (10.) So much of the personal property of any person as is invested in the debentures or bonds of any municipality within the Territories;
- (11.) Personal property to the extent of three hundred dollars;
- (12.) Grain *in transitu*, household effects of every kind, books and wearing apparel;
- (13.) The increase in the value of the land by reason of the cultivation thereof together with the growing crops.

96. A person occupying property or deriving income not liable to taxation, may compel the assessor, on written demand, to assess him for such property or income in order that he may thereby be qualified for voting or holding office.

97. Land and personal property shall be assessed against the person in occupation or possession thereof, unless when in the case of a non-resident owner, such owner shall in writing require the assessor to assess him alone for such property. But the person assessed shall in all cases, unless there is a stated agreement to the contrary, have summary recourse against such owner for the amount of taxes paid:

- (1.) Provided always that, if the occupants be of the religious faith different from that expressed in the name of the school district, being either protestant or Roman catholic, he, upon giving the assessor notice in writing to the effect that he desires to pay his school taxes to any certain district of the faith, either protestant or catholic, to which he claims to belong,

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and by truly informing the assessor as to who is the owner, and where he may be found, he shall only be assessed for that part of the property, either real or personal, of which he is owner.

98. No ratepayer shall be entered for assessment more than once on the assessment roll, and the taxes may be recovered either from the owner or occupant.

99. Where more persons than one are joint tenants or tenants in common, or holders of any property, they, or any number of them, shall be assessed for the whole of such property, subject always to the provisions of section 90 of this ordinance, and such assessment may be levied upon any one or more of them, saving always the recourse of such persons against the remaining holders, tenants or owners. ✓

100. Real and personal property shall be estimated at their actual cash value, as they would be appraised in payment of a just debt from a solvent debtor.

101. Land held in actual use and not for purposes of sale, shall be appraised at the value which it is reasonably worth for the purposes for which it is in use.

102. In assessing vacant ground or ground used as a farm-garden or nursery and not in immediate demand for building purposes in cities or towns, the value of such vacant ground shall be that at which sales of it can be freely made, and where no sales of it can be reasonably expected during the current year, the assessor shall value it as if held for farming or gardening purposes, with such percentage added as the situation of the land may reasonably call for, and such vacant land, whether surveyed into lots or not, if unsold as such, may be entered on the assessment roll as so much of the original lots or sections as the case may be, and where ground is not held for purposes of sale, but *bona fide*, inclosed and used in connection with a residence or building, as a paddock, garden, park or lawn, it shall be assessed at a valuation which at six per centum would yield a sum equal to the annual rental which in the judgment of the assessor it is reasonably worth, reference being always had to its position and local advantages.

103. Any person may be required by the assessor to deliver to him a written statement of all property for which he is liable to be assessed, with such other information as to owner, occupant, location and value, or other necessary particulars as may be demanded, and if he fails to do so or knowingly makes any false statements, such person shall, upon complaint of the assessor and upon conviction before a justice of the peace having jurisdiction within the district, forfeit and pay a fine of twenty dollars, to be recovered in like manner as other penalties upon summary conviction before a justice of the peace.

104. The assessment roll shall be completed as soon after the first of February in each year as shall be deemed expedient by the trustees, and the assessor shall, before handing the roll over to the secretary of the board of trustees, make affidavit (which shall be inscribed upon the roll) before a justice of the peace, that the statements contained therein are correct to the best of his knowledge and belief, after making due enquiry in each case.

COURT OF REVISION.

105. On receipt of the assessment roll by the secretary of the board of trustees in form as hereinbefore provided, he shall file the same, and at all convenient office hours shall keep it open to the inspection of all persons resident, or owning, or in the possession of property, or in the receipt of incomes within the district, for at least the space of two weeks and until the sitting of the court of revision.

106. As soon as the assessment roll shall have been completed and filled as hereinbefore provided, the secretary of the board of trustees or the assessor shall notify in writing, by post or otherwise, every person whose name appears upon such roll and whose address is known as follows:—

SIR (OR MADAM):—

SCHOOL DISTRICT of }
day of 18 }

You are hereby notified that your name appears on the assessment roll of this school district for the present year as the owner (or occupant) of the following property:—(Then give description of property and assessed value). The board of

trustees for the district will sit as a court of revision as follows:—(Mention day, hour and place at which court shall be held), and if you consider that you have been wrongfully assessed, as above stated, you will have an opportunity to make a statement of your case before the above court.

Take notice that if you do not appear before this court of revision you will not be entitled to appeal from its decision to the district court.

.....
Secretary Board of Trustees
or.....
Assessor.

To.....

107. The board of trustees shall cause to be posted up in at least five conspicuous places within the district, a notice that the assessment roll of the district for the current year has been made up, and where it may be examined, also the time and place at which the court of revision will be held, with a notice that such parties as do not appear before the court of revision will not be entitled to appeal from the decision of the court of revision to the district court.

108. The board of trustees of any school district shall sit as a court of revision not less than fifteen or more than thirty days from the posting of the last of the notices hereinbefore mentioned, and shall hear all complaints that may be entered up to the end of the day so appointed, and may adjourn from day to day until such complaints have been disposed of, but complaints entered after the day mentioned may or may not be recognized by such court of revision.

109. Such court of revision shall have power to take evidence under oath, if necessary, either on behalf of the appellant or the school district, and shall alter or amend the assessment roll as to them shall seem to be in accordance with what is just and right.

110. If a person be dissatisfied with the decision of the court of revision he may appeal therefrom by entering a notice to that effect with the clerk of the district court in which the school district is situated, and by depositing with the clerk of the court the costs of such appeal. Such notice of appeal must be entered within fourteen days after the close of the court of revision for the school district. The clerk shall forthwith issue an ordinary summons returnable at the then next sitting of such court, making the trustees defendants, and cause a copy with the notice of appeal attached to be served on the secretary of the school board.

111. The tenant, occupant or owner of any real or personal property situated within the limits of any organized school district, may elect to pay the amount of taxes for which he is assessed on any property that he may have, to another school district, provided such school district is of the religious faith, either protestant or catholic, different from the one in which the property of which he is the occupant or possessor, is situated, and of the religious faith to which such person claims to belong, at any time after the assessment is made and before the last sitting of the court of revision of the district; and he shall notify the assessor of the district in which he is assessed to that effect, and the assessor shall thereupon note in the assessment roll the fact of such notice having been received.

RATE OF ASSESSMENT.

112. The trustees of the school district shall make out an estimate of the probable expenditure of the district for the current year, and shall strike such rate of assessment on the assessed value of the taxable property within the district as shall be sufficient to meet such probable expenditure, making due allowance for all charges and probable loss in collection.

(1.) Such rate shall not exceed ten mills in each dollar of property liable to taxation for ordinary school purposes, with such additional rate per dollar as may be necessary to meet any debenture indebtedness that may have been incurred by such school district on the terms upon which it was incurred.

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113. Such rate shall not be struck until after the sitting of the court of revision, but as soon thereafter as may be, and in case of any appeals having been made to the district court, the rate shall not be struck until after the sittings of the court to which such cases were appealed, provided that a sitting of the said court be held within sixty days after the close of the court of revision.

COLLECTION OF RATES.

114. The board of trustees shall cause to be made out a collector's roll for the school district, on which shall be set down the name of every person assessed, the assessed value of his real and personal property, and the amount with which such person is chargeable, according to the rate of taxation struck in respect of sums ordered to be levied by the board of trustees, with any other particulars that may be necessary, and such roll shall be placed in the hands of the treasurer for collection.

115. As soon as the treasurer shall have received the collector's roll he shall remit or cause to be remitted by mail or otherwise to each person whose name appears upon it as assessed for taxes a notice in the following form:—

School district of _____ day of _____ 188__

SIR (OR MADAM),—You are hereby notified that you are assessed on the assessment roll of this district for the following properties: (here give description and assessed value) the taxes on which at the rate of _____ on the dollar amounts to _____. If the above amount is not paid to the undersigned within thirty days from the date of this notice, action to recover, as provided by law, will be taken.

.....

Treasurer.

To.....

116. The treasurer shall give receipts on behalf of the school district for all taxes paid to him, and shall enter the fact of such payment, with the date, on the collector's roll.

117. As soon as judgment has been given in the case of an assessment appealed to the district court, the trustees shall alter, amend or erase from the assessment and collector's rolls in accordance with such decision.

118. The treasurer shall notify the board of trustees from time to time the names of persons who fail to pay the taxes assessed against them and the board of trustees shall take, or authorize to be taken, such action for the collection of such taxes as is hereinafter provided in this ordinance.

119. In case any person fails to pay the taxes assessed against him during the thirty days of notice provided in section 115 of this ordinance, the treasurer may, by himself or his agent, levy the same with costs, by distress of the goods and chattels of the person against whom the same is assessed, situated within the school district, or of any goods or chattels found upon the premises assessed, the property of or in the possession of any other occupant of the premises, and the costs chargeable shall be those payable to deputy sheriffs.

120. The treasurer shall by advertisement, posted up in at least three public places in the school district wherein the sale of goods and chattels distrained is to be made, give at least six days' public notice of the time and place of such sale and of the name of the person in payment of whose taxes the property is to be sold, and, at the time named in the notice, the treasurer or his agent shall sell at public auction the goods and chattels distrained or so much thereof as may be necessary to pay the taxes assessed, with all lawful costs up to the close of the sale.

121. If the property distrained has been sold for more than the amount of the taxes and costs, and if no claim to the surplus is made by any other person on the ground that the property sold belonged to him, or that he was entitled by lien or other right to the surplus, it shall be returned to the person in whose possession the property was when the distress was made.

- (1.) If any such claim is made by the person for whose taxes the property was distrained and the claim is admitted, the surplus shall be paid to the claimant;
- (2.) If the claim is contested, such surplus money shall be paid over by the treasurer of the district to the clerk of the district court within whose jurisdiction such school district is situated, who shall retain the same until the respective rights of the parties have been determined by action at law or otherwise.

122. If the taxes payable by any person cannot be recovered in any special manner provided by this ordinance, they may be recovered, with interest and costs, as a debt due to the school district, in which case the production of the collector's roll or a copy of so much thereof as relates to the taxes payable by such person, certified as a true copy by the secretary of the school district, shall be *prima facie* evidence of the debt.

123. An abstract from the assessment and collector's rolls of the district to which such person as is mentioned in section 111 of this ordinance, has elected to pay his assessment, showing that he has been assessed in that district for the property, the assessment of which he desired to have made therein, and has paid the taxes assessed thereon, according to the rate levied by that district for the year, accompanied by the affidavit in the regular form of the assessor and collector of such district, that the before mentioned abstract is correct, shall be held to be evidence that he has paid his taxes to that district, and he shall then not be liable for taxes to the district within the limits of which the land or property of which he is the owner or occupant is situated, but if the before mentioned abstracts be not produced with the affidavits required within thirty days from the first demand made by the treasurer of the district within which the land occupied by him lies, he shall pay the taxes assessed against him on the assessment and collector's rolls of that district to the collector thereof, and on producing proof of such payment in the manner provided in the preceding portion of this section, he shall be relieved from paying the taxes assessed against him by the district to which he elected to pay his taxes in regard to the personal property hereinbefore mentioned, and such taxes shall on collection be paid over, less costs of collection, to the treasurer of the district to which such person desired to pay his taxes.

124. In no case shall a Roman catholic be compelled to pay taxes to a protestant school or a protestant to a Roman catholic school.

125. The treasurer shall on or before the first day of October in each year return the collector's roll to the secretary of the board of trustees, with an account of all moneys received by him, accompanied by an affidavit, made before a justice of the peace, that the collection and other proceedings have been taken in accordance with the terms of this ordinance and that all the returns contained therein are correct.

126. The treasurer shall at the same time make a return, certified by affidavit as provided in the next preceding section, of all property upon which the taxes, or any portion thereof, remain unpaid, and the reason of the failure of such payment.

- (1.) A copy of such return shall be kept on file by the secretary of the school district and shall be open to inspection of all ratepayers of the district or their agents.

127. The taxes accrued on any land or property shall be a special lien on such land or property, having preference over any claim, lien, privilege or incumbrance of any party, except the crown, and shall not require registration to preserve it.

128. Such accrued taxes shall be entered upon the assessment roll of the district against such property from year to year and shall be held to be payable, if not otherwise collected, at the same time and in the same manner as the ordinary taxes of the year.

129. Whenever the treasurer is satisfied, or is notified by the board of trustees, that there is sufficient distress upon any real property within the district which is in arrears for taxes, he shall proceed to levy the amount due in the same manner and under the same provisions as are contained in section 119 of this ordinance.

130. Whenever a portion of the tax on any land has been due for and in the third year or for more than three years preceding the current year, the board of

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trustees may prepare a list, which shall be in duplicate, of all the lands liable to be sold for arrears of taxes under this ordinance, with the amount of arrears against each lot, parcel or subdivision, and all other lawful charges standing against such land on account of such arrears of taxes, and the chairman shall certify to the correctness of such lists. One of the said lists shall be deposited with the clerk of the district court having jurisdiction within the school district, and the other placed in the hands of the treasurer, with a warrant thereto annexed, commanding him to levy at a certain date upon the land for the arrears due thereon, with the costs.

131. The proceedings for the sale of land for school taxes shall be the same, *mutatis mutandis*, as those provided in the municipal ordinance of 1885.

INCURRING DEBT.

132. Should it appear desirable to the board of trustees of any school district that a sum of money should be borrowed upon the security of the district for the erection, purchase or improvement of a school building or buildings for the district, or for the purchase or improvement of sites for such school building or buildings, or for the purchase of suitable play-grounds for the children attending the school or schools of the district, they shall, before proceeding to borrow such sum of money, receive the sanction of a majority of the ratepayers of the district, by taking a vote thereon as hereinafter provided.

133. The board of trustees shall give notice of the polling by notices displayed in at least ten conspicuous places throughout the district, at least twenty days before the polling, and by advertisement for the same length of time, once each week, in the newspaper published nearest the school district.

134. The notice shall set forth: 1. The sum of money which it is desired to borrow; 2. The term for which it is to be borrowed; 3. The rate of interest to be paid; 4. The purpose or purposes for which the money is to be expended, and the amount to be expended upon each; 5. The place, day and hours of voting, the hours in all cases being from ten o'clock a.m. until four o'clock p.m.; 6. The qualification of voters, which shall be the same as provided in subsection (5) of section 137 of this ordinance.

135. A certified copy of the notice of polling shall be furnished to the lieutenant governor by the chairman of the board.

136. The chairman of the board of trustees shall be returning officer, and shall act as hereinafter provided.

137. The returning officer shall:

- (1.) Provide himself with a book suitably ruled and headed, for the purpose of recording the vote cast, in which shall appear, in separate columns, but in one line, the name and sex of each voter, the description of the property voted upon, remarks, whether voter sworn or refused to be sworn, and the vote cast, whether "yea" or "nay" to the purpose specified in the notice of voting;
- (2.) Keep posted in a conspicuous place at the place of polling, a copy of the notice of voting;
- (3.) Appear at the place on the day and at the hour mentioned in the notice of voting, and continue there during the hours mentioned in such notice;
- (4.) Question, either personally or by an interpreter in the voter's own language, if necessary, every person presenting him or herself to vote, as to name and location, or description of property, and record the answers given, in the poll book;
- (5.) If required by any person present or of his own accord, if deemed advisable, administer the following oath, which shall express the qualification of voters:

I do solemnly swear that I am a *bona fide* ratepayer of (give name of district in full) school district no ; that I have paid the school taxes assessed against me on the last revised assessment roll of the district (or of the municipality for the district); that I am of the full age of twenty-one years; that I am not an alien or unenfranchised Indian; that I have not voted before at this elec-

tion, and that I have not received any reward either directly or indirectly, nor have I any hope of receiving any reward for voting at this time and place. So help me God.

- (6.) If the voter is not required to be sworn, or if he takes the oath when required, ask him in an audible voice in the language spoken by him (either personally or through an interpreter) whether he votes for or against the purpose expressed in the notices of voting, and record his answer in the columns headed "yea" or "nay" according to the expressed wish of such voter;
- (7.) Admit any two persons who have respectively voted "yea" and "nay" into the polling place, to act as scrutineers, and on demand allow either or both of them to see any vote recorded in the book;
- (8.) At the hour appointed in the notice of voting, sum up the votes cast and declare the result;
- (9.) In the case of a tie after the final recount, give a casting vote;
- (10.) Announce the day, being within seven days of the day of voting, when, and the place where, he will appear before two justices of the peace for a final recount of votes, and when all complaints against the conduct or result of the voting will be heard.

138. On appearing before the justices of the peace at the time and place appointed, the returning officer shall place in the hands of such justices the poll book used by him at the poll, and shall make an affidavit before the justices, which shall be inscribed upon such book, that the election has been conducted throughout in the manner provided by this ordinance (or with such exceptions as he shall mention) and that the returns contained therein are correct.

- (1.) The justices shall then receive and record in writing any complaint that may be made under oath by any parties relative to the conduct of the voting, and shall examine into and decide such complaints by taking evidence under oath.

139. Before proceeding to the hearing of any complaint, the justices shall require the complainant to deposit with the clerk of the court such sum, not being less than twenty-five nor more than one hundred dollars, as may seem necessary to them to cover the costs of the hearing of the complaint, which costs shall be paid according to the decision of such justices.

140. The decisions of the justices shall be as follows:—

- (1.) If it be found that the proceedings in taking the vote have been irregular in any essential particulars and that injustice has thereby been done, it shall be declared of no effect, and the justices shall forthwith forward to the lieutenant governor a full report to that effect;
- (2.) If it be found that any vote has been cast by a person not duly qualified to vote, or on account of bribery or intimidation, it shall be struck off the poll book.

141. When all complaints have been heard and decided upon and the corresponding alterations duly made in the poll book, the justices shall finally sum up the votes cast and shall forward to the lieutenant governor a return showing the total number of votes taken, and the number remaining on each side after the recount.

142. If it is desired to appeal from the decision of the justices, such appeal must be made under oath within thirty days from the rendering of the decision of the justices as hereinbefore provided, before the stipendiary magistrate of the judicial district within which the school district affected is situated, and the stipendiary magistrate shall thereupon investigate such appeal and shall confirm the vote, or set it aside, with costs, and appoint the time and place of holding a new election.

143. The lieutenant governor shall, in writing, empower the board of trustees to borrow the sum or sums of money mentioned in the notice of polling, or notify the contrary to them, and shall publish the same in the *Official Gazette*.

144. All money borrowed under this ordinance shall be borrowed by debenture.

- (1.) The total face value of the debentures issued shall not be for a greater sum than one-tenth of the total assessed value of the real and personal property

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within the district, according to the last finally revised assessment roll of the district;

- (2.) Debentures shall not run for a longer term than fifteen years if the school buildings be built of brick or stone, and shall not run for a longer term than ten years if the buildings be of frame or log;
- (3.) Debentures shall be of the form following:—

School district of (give full corporate name). \$ Debenture no.

The trustees of (give full corporate name) promise to pay the bearer, at the
of at the sum
dollars of lawful money of Canada, in equal
annual instalments from the date hereof, with interest at the rate of eight per cent
per annum, on the terms and in the amounts specified in the coupons attached
hereto.

.....
Chairman (or Acting Chairman).
.....

Trustee.

Dated this day of 188

.....
(Coupons.)

Coupon no.

Debenture no.

The board of school trustees of school district no. will
pay to bearer at the bank at on the day of
188, the sum of dollars, being the
payment with the total interest at the rate of eight per cent per annum, due on that
day on school debenture no.

.....
Chairman (or Acting Chairman).
.....

Trustee school district no.

- (4.) The treasurer of the school district shall keep a register giving the names of all persons who may have purchased any of the debentures of such district and the coupons thereof, with the time of purchase of such debentures, and on any sale of such debentures or coupons to other parties being reported to him by the buyer and seller of such debentures or coupons, with a request for registration, he shall register the date of such transfer.

145. The trustees of any school district having received notice from the lieutenant governor, authorizing them to contract a loan as hereinbefore provided, shall issue debentures therefor in the form set forth in subsection 3 of the next preceding section to secure the amount of the principal and interest of such loan upon the terms specified in the notices of polling before mentioned, and said debentures and the coupons thereof shall be sufficient, when signed by two of the trustees of the district to bind such school district, and to create a charge or lien against all school property and rates in the school district for which such loan is made.

146. All debentures shall, on redemption, be marked "cancelled," and signed by the secretary of the board of trustees, across the face thereof.

SCHOOL MEETINGS.

147. An annual meeting of the ratepayers of every public school district shall be called by the chairman of the board of trustees for the first Tuesday in November in each year, or such other day not later than the Saturday following, as may be expedient, by public notice, giving the day, place and hour of meeting, and such notice shall be posted in five conspicuous places within the district one week before the day for which the meeting was called.

148. The chairman of the board of trustees going out of office shall be chairman of the meeting, and the secretary of the school district shall record the minutes thereof.

149. There shall at such meeting be submitted in writing by the board of trustees and read to the meeting:

- (1.) By the secretary thereof, a statement of the teacher and signed by him, giving the following particulars: (a) The number of days on which school was kept open during the year succeeding the last annual meeting; (b) The total number of children attending school during that period, specifying the number of males and females respectively; (c) The religious faith professed by the children, or their parents on behalf of the children; (d) The average daily attendance throughout the year; (e) The number of children who have attended 100 days during the year; (f) The number of children who have attended 160 days during the year; (g) The branches of education taught in the school and the number of children studying each; (h) The number of dismissals of scholars for misbehaviour or other causes; (i) The report of the inspector on the occasion of his last inspection of the school.
- (2) By the secretary of the board of trustees and signed by him, a statement showing: (a) The names of the trustees for the year; (b) The vacancies created in the board during the year, if any, giving the reasons therefor, with an account of the elections held to fill such vacancies and the results thereof; (c) The engagements entered into during the year by the board, as well as an account of those entailed upon them by their predecessors; (d.) The amount of assessable property in the district according to the last finally revised assessment roll; (e.) The appeals against assessment made to the district court, and the result of such appeals; (f.) The times of holding regular meetings of the board of trustees during the year, and the resolutions adopted at such meetings, with such particulars of the minutes as may be demanded by any ratepayer present; (g) Particulars of the real and personal property held by the district;
- (3.) By the treasurer of the district, and signed by him, a statement showing: (a.) The amount of money received by the district from all sources during the year, with particulars; (b.) The amounts accruing to the school district funds of the past year on account of: teacher's certificate; capitation grants for attendance of children; inspector's report of schools; assistant teachers employed. (c.) The amount of money due the district from all sources with particulars; (d.) The amount of money paid out by the district during the year, with the particulars of payment; (e.) The amount, if any, due by the district, to whom due and the terms and time of payment.
- (4.) By the board of trustees, and signed by the chairman, such statement in regard to the past, present and future of the district as they may deem sufficient.

DEFERRED SCHOOL MEETINGS.

150. In case, from the want of proper notice or other cause, any first or annual school meeting, required to be held for the election of trustees was not held at the proper time, the district inspector of schools or any two resident electors in the school district may, within twenty days after the time at which the meeting should

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have been held, call a school meeting, by giving six days' notice, to be posted in at least three of the most public places in the school district, and the meeting thus called shall possess all the powers and perform all the duties of the meeting in the place of which it is called.

PENALTIES.

151. Any trustee who shall: (1.) Knowingly falsify or cause or allow to be falsified assessment rolls, voters' lists, school returns, school registers and minutes of meetings or any of the records of the district, or who shall fail to deliver up such records when called upon by the chairman or duly appointed auditor; (2.) Misappropriate or cause to be misappropriated any of the funds or real or personal property of the district; (3.) Enter into or have any interest in any contract with the district, for which money is to be paid or work done; shall therefore be disqualified for fulfilling the term of office for which he was elected and shall be liable to a fine not exceeding fifty dollars.

152. Any school trustee, officer or employee of a school district who after his ceasing to hold office, detains any book, paper or thing belonging to the school district, shall thereby incur a penalty of not less than five dollars nor more than one hundred dollars for each day during which he wrongfully retains possession of such books, paper or thing after having received notice in writing from the chairman of the board of trustees or from the board of education requiring him to deposit the same in the hands of some person mentioned in such notice.

153. If a trustee or any other officer or employee of a school district knowingly sign any false school report, school register, assessment or collector's roll, notice of meetings or elections, or receipts for money on account of the school district, or certificate or other statement as provided in this ordinance, or shall knowingly falsify any of the above, he shall for each offence forfeit a sum not exceeding one hundred dollars.

154. Any returning officer of any school district or proposed school district, acting under the provisions of this ordinance, who shall knowingly and wilfully prejudice the result of any voting by preventing votes from being taken or taking unlawful votes or altering the returns or books in any way or by any other means, shall be liable to a fine not exceeding one hundred dollars.

155. Should the trustees of any school district wilfully contract liabilities in the name of the district greater or other than as provided in this ordinance, or appropriate any of the moneys of the school district for the purposes other than are provided in this ordinance, the school district through its proper officers, or the board of education, on its behalf, may recover from such trustees, jointly or severally, the sum or sums for which the district has been rendered liable through the action of such trustees over and above the amount provided in this ordinance, in addition to the total amount of any moneys that have been misappropriated by such trustees.

156. All prosecutions under the preceding sections of this ordinance may be instituted by any ratepayer of the school district affected, or by the board of education in any court having jurisdiction within the limits of such school district, and if the defendant does not appear or if the complaint be proven, the stipendiary magistrate or two justices of the peace shall forthwith declare the election of such trustee or other officer void, with such fine, not exceeding one hundred dollars and costs of court, as he or they may deem sufficient, and shall notify the chairman of the board to that effect, who shall thereupon give notice of an election to fill the vacancy thus created.

157. Any school district which fails to: (1.) Employ a duly qualified teacher for at least three months in every full year after organization; (2.) Elect and keep in office a duly qualified board of trustees; (3.) Pay at the time and the manner agreed upon, any debentures that may have been lawfully issued by such school district; may, upon complaint thereof being made and the fact established before a stipendiary magistrate and a certificate thereof having been received by the board of education, be proclaimed by the lieutenant governor to be disorganized.

158. Upon such proclamation being made the chairman of the board of education shall thereupon become invested with all the powers of the school trustees of such district to conduct the affairs thereof, and shall deal with, and, if necessary, wind up the affairs of such district as he may deem just and expedient.

MISCELLANEOUS.

159. The fiscal school year shall commence on the first day of November in each year, and all accounts opened during the preceding fiscal year shall, if possible, be closed at that date.

160. All moneys accruing from fines under this ordinance shall belong to the general revenue fund of the North-west Territories.

161. The board of education shall cause to be kept a register in which shall appear in regard to each school district: (1.) The date at which it was erected; (2.) The full name and number thereof; (3.) The limits, area, situation and general description thereof, according to the plan or map of such district originally submitted to the board of education; (4.) The alterations, if any, that have been made in its limits, with the date thereof; (5.) In cases in which the affairs of the district have been dealt with directly by the board of education, and the circumstances attendant thereon.

162. The board of education shall cause to be kept a book for the registration of debentures in which shall appear: (1.) The name and number of each school district issuing debentures; (2.) The amount of debenture indebtedness incurred by such district from time to time; (3.) The purposes for which the indebtedness was incurred, with particulars of the amount for each specific purpose; (4.) The date of redemption of each debenture.

163. The board of education shall cause to be printed and kept on hand such forms as they may deem necessary in the carrying out of this ordinance, and supply the same to parties interested, upon application at cost price.

164. Public notices put up in accordance with this ordinance may be either printed or written.

165. The expense of all elections ordered by the lieutenant governor shall be defrayed out of the general revenue fund of the North-west Territories and shall be made a charge against the school district in whose behalf they were incurred, to be repaid within one year from the date of the election or voting on account of which they were incurred.

166. In any school district where there are at least fifteen children of school age, within a radius of one mile and a half from the school-house, the public school for such district must be open during both the summer and the winter terms.

167. In cases where the school is only open for the summer term, such term shall constitute the school year for the purposes of the attendance of the children and the report of the inspector.

168. This ordinance shall come into force on the 1st day of February, 1886, from and after which date the school ordinance of 1884 shall be repealed.

169. This ordinance may be cited as "The School Ordinance of 1885."

No. 4. OF 1885.

AN ORDINANCE RESPECTING SCHOOLS.

[*Passed 18th December, 1885.*]

Be it enacted by the Lieutenant Governor of the North-west Territories, in Council, as follows:—

1. The lieutenant governor shall be, ex-officio, a member and chairman of the board of education formed and constituted by the lieutenant governor in council, sitting as an executive council under the provisions of the school ordinance of 1884.

2. All school trustees holding office at the date of the passing of this ordinance shall hold office until their successors are elected under any ordinance in force in the Territories.

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3. The following described areas of territory are hereby erected into school districts, under the school ordinance of 1884, as fully and effectually as if the proclamation of the lieutenant governor had issued proclaiming such districts, and the lieutenant governor shall appoint a returning officer for each such district for the purpose of electing a board of trustees for the same, viz. :—

- (1.) The "school district of Poplar Grove, protestant public school district no. 31 of the North-west Territories," comprising sections 20, 21, 22, 27, 28, 29, 30, 31, 32, 33 and 34, in township 17, range 9, section 25, in township 17, range 10, and sections 3, 4, 5, 6, 7, 8, 9 and 10, in township 18, range 9, all west of the second principal meridian ;
- (2.) "School district of Thistle, protestant public school district no. 32, of the North-west Territories," comprising sections 31, 32 and 33 and the north halves of sections 29 and 30, in township 17, range 8 ; sections 35 and 36, the east half of section 25, and the north half of section 26, in township 17, range 9, sections 4, 5, 6, 7, 8, 9, 16, 17 and 18, in township 18, range 8, and sections 1, 2, 11, 12, 13 and 14, in township 18, range 9, all west of the 2nd principal meridian ;
- (3.) "School district of Summerberry, protestant public school district no. 33, of the North-west Territories," comprising sections 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27 and 28, the north halves of sections 3, 4, 5, 6, and the south halves of sections 29 and 30, in township 17, range 8 ; sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 23 and 24, the west half of section 25 and the south half of section 26, in township 17, range 9, all west of the 2nd principal meridian ;
- (4.) "School district of Summerhill, protestant public school district no. 34, of the North-west Territories," comprising sections 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34 and 35, in township 16, range 8, and the south halves of sections 2, 3, 4, 5 and 6, in township 17, range 8, all west of the 2nd principal meridian ;
- (5.) "School district of Westfield, protestant public school district no. 35, of the North-west Territories," comprising township 16, range 9, west of the 2nd principal meridian ;
- (6.) "School district of Greenville, protestant public school district no. 36 of the North-west Territories," comprising sections 1 to 30 inclusive, in township 15, range 10, west of the 2nd principal meridian ;
- (7.) "School district of Abbotsford, protestant public school district no. 37 of the North-west Territories," comprising sections 31 to 36 inclusive, in township 15, range 10, and sections 1 to 24 inclusive, in township 16, range 10, all west of the 2nd principal meridian ;
- (8.) "School district of Sunnymead, protestant public school district no. 38 of the North-west Territories," comprising sections 18, 19, 30 and 31, and the west halves of sections 17, 20, 29 and 32, in township 14, range 2, and sections 13, 14, 23, 24, 25, 26, 35 and 36, and the east halves of sections 15, 22, 27 and 34, in township 14, range 3, all west of the 2nd principal meridian ;
- (9.) "School district of Mount Pleasant, protestant public school district no. 39 of the North-west Territories," comprising sections 7, 18, 19, 30 and 31, in township 19, range 14 ; section 6, in township 20, range 14 ; sections 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35 and 36, in township 19, range 15, and sections 1, 2, 3 and 4, in township 20, range 15, all west of the 2nd principal meridian ;
- (10.) "School district of Bonnycastle, protestant public school district no. 40 of the North-west Territories," comprising all that portion of township 20, in range 12, west of the 2nd principal meridian, lying north of the Fishing lake in said township ;
- (11.) "School district of Lindsay, protestant public school district no. 41 of the North-west Territories," comprising sections 30, 31 and 32, in township 46, range 27, sections 25, 26, 35 and 36 in township 46, range 28 ; sections 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19, 20 and the north-west quarter of section 3 in

- township 47, range 27; sections 1, 12, 13 and 24 in township 47, range 28, all west of the 2nd principal meridian; also sections 25 and 26 in township 46, range 1, and sections 1, 12, 13 and 24 in township 47, range 1, west of the 3rd principal meridian;
- (12.) "School district of Kinisteno, protestant public school district no. 42 of the North-west Territories," comprising sections 3, 4, 5, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, 34, 35, and the east halves of sections 2 and 14 in township 45, range 21; sections 10, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35 and 36 in township 45, range 22, and section 2 in township 46, range 22, all west of 2nd principal meridian;
 - (13.) "School district of Hillburn, protestant public school district no. 43 of the North-west Territories," comprising sections 19, 20, 21, 28, 29, 30, 31, 32 and 33 in township 15, range 31; sections 4, 5, 6, 7, 8, 9, 16, 17 and 18 in township 16, range 31; sections 22, 23, 24, 25, 26, 27, 34, 35 and 36 in township 15, range 32; and sections 1, 2, 3, 10, 11, 12, 13, 14 and 15 in township 16, range 32, all west of the 1st principal meridian;
 - (14.) "School district of Island Lake, protestant public school district no. 44 of the North-west Territories," comprising township 47, range 25, west of 2nd principal meridian;
 - (15.) "School district of Fleming, protestant public school district no. 45 of the North-west Territories," comprising sections 30 to 36, inclusive, in township 12, range 30, and sections 1 to 24, inclusive, in township 13, range 30, west of 1st principal meridian;
 - (16.) "School district of Fairfield, protestant public school district no. 46 of the North-west Territories," comprising sections 1 to 39, inclusive, in township 12, range 30, west of the 1st principal meridian;
 - (17.) "School district of Macleod, protestant public school district no. 47 of the North-west Territories," comprising from the point where the Old Man's river crosses the western side of section 5, in township 9, range 26, continuing two miles on each side down stream of the said river to the point where said river crosses the northern side of section 10, township 10, range 25, west of the 4th principal meridian;
 - (18.) "School district of Pheasant Forks, protestant public school district no. 48 of the North-west Territories," comprising township 21, range 9, west of the 2nd principal meridian;
 - (19.) "School district of Saint Laurent, catholic public school district no. 9 of the North-west Territories," comprising sections 3 to 36, inclusive, in township 44, range 1, and sections 25 and 36 in township 44, range 2, west of the 3rd principal meridian;
 - (20.) "School district of Lourdes, catholic public school district no. 10 of the North-west Territories," comprising that portion of township 45, range 1, west of the 3rd principal meridian, and also that portion of township 45, range 28, west of the 2nd principal meridian, lying south of the south branch of the Saskatchewan river;
 - (21.) "School district of Lacombe, catholic separate school district no. 1 of the North-west Territories," comprising sections 25 to 36, inclusive, in township 23, and sections 1 to 24, inclusive, in township 24, range 1, west of the 5th principal meridian.
4. The following persons are hereby declared to be the trustees of the "school district of Park, protestant public school district no. 20 of the North-west Territories," viz., Daniel Campbell, Joseph Callin and George Vigar.
 5. The following persons are hereby declared to be the trustees of the "school district of Bellerose, catholic public school district no. 6 of the North-west Territories," viz., Octave Bellerose, Julien Savard and Charles Dumas.
 6. The following persons are hereby declared to be the trustees of the "school district of Saskatoon, protestant public school district no. 13 of the North-west Territories," viz., Henry Trounce, Robert M. Dalmage and Thomas Copland.

Schools in the North-west Territories.

No. 10 OF 1886.

AN ORDINANCE TO AMEND THE SCHOOL ORDINANCE OF 1885.

[*Passed 16th November, 1886.*]

Be it enacted by the Lieutenant Governor of the North-west Territories, in Council, as follows:—

1. That sections 5 and 6 of the school ordinance of 1885 be repealed, and the following substituted therefor:

5. It shall be the duty of the board:

- (1.) To meet twice a year at least, at Regina;
- (2.) To pay the salaries and expenses of the officers of the board, as directed by the lieutenant governor in council;
- (3.) To appoint a secretary to the board;
- (4.) To make, from time to time, such regulations as they may think fit for the general organization of schools;
- (5.) To make regulations for the registering and reporting of the daily attendance at all schools;
- (6.) To cause to be kept a proper record of the proceedings of the board;
- (7.) To determine all appeals from the decisions of inspectors of schools, and to make such orders thereon as may be required;
- (8.) To prescribe the form of school register for all schools;
- (9.) To make regulations for the calling of their meetings, from time to time, and prescribe the notices thereof to be given to members.

And for such schools as are not designated protestant or Roman catholic:

- (10.) To appoint inspectors who shall hold office during the pleasure of the board;
- (11.) To appoint a board or boards of examiners for the examination of teachers whose qualifications shall, from time to time, be prescribed by the board of education;
- (12.) To arrange for the proper examination, grading and licensing of teachers, and the granting of certificates, such certificates to be of four classes, viz., first, second, third and provisional;
- (13.) To select, adopt and prescribe a uniform series of text-books to be used in such schools;
- (14.) To cancel the certificate of a teacher upon sufficient cause.

6. The board of education shall resolve itself into two sections, the one consisting of the protestant, and the other of the Roman catholic members thereof, and it shall be the duty of each section, for the schools of its section:

- (1.) To have under its control and management the schools of its sections, and to make, from time to time, such regulations as may be deemed fit for their general government and discipline, and the carrying out of the provisions of this ordinance;
- (2.) To cancel the certificate of a teacher upon sufficient cause;
- (3.) To select, adopt and prescribe a uniform series of text-books;
- (4.) To appoint inspectors, who shall hold office during the pleasure of the section;
- (5.) To appoint a board or boards of examiners, for the examination of teachers, whose qualifications shall, from time to time, be prescribed by the section;
- (6.) To arrange for the proper examination, grading and licensing of teachers, and the granting of certificates, such certificates to be of four classes, viz., first, second, third and provisional.

2. Every teacher's certificate of qualification shall have the signature of a member of the board of education, and no certificate shall be given to any teacher who does not furnish satisfactory proof of good moral conduct.

3. That section 7 of the said ordinance be amended by striking out all the words after the words "such school district" in the said section.

4. That section 8 of the said ordinance be repealed, and the following substituted therefor:—

"8. Every school district shall be known under the corporate name of the school district no. (here insert the name chosen by the people of the district) (given by the lieutenant governor) of the North-west Territories; and the lieutenant governor may, from time to time, alter the corporate name of any school district, upon the petition of the majority of the ratepayers of such district, by proclamation in the *Official Gazette*."

5. That section 9 of the said ordinance be amended by striking out the words "protestant or catholic, public or separate."

6. That the words "alien or," in section 10 of the said ordinance, be struck out.

7. That the words "alien or," in the "notice" in section 14 of the said ordinance, be struck out.

8. That section 23 of the said ordinance be repealed, and the following clause substituted therefor:—

"23. Trustees shall be resident electors."

9. That sections 25 and 26 of the said ordinance be repealed, and the following provisions substituted therefor:—

25. That the returning officer shall not be eligible for the officer of trustee.

(1.) That the trustees elect shall forthwith make the following declaration before the returning officer:—

I, A.B., do hereby accept the office of trustee, to which I have been elected, in (name of school district in full), and I will, to the best of my ability, honestly and faithfully discharge the duties devolving on me as such, during the term for which I have been elected, in accordance with the ordinance of the North-west Territories.

(2.) The returning officer shall thereupon grant him a certificate of election in the following form:—

I, A.B., do hereby declare that (give name, residence and occupation of person mentioned) elected trustee for (give name of school district), to hold office until the thirty-first day of October, 18 , has this day made before me the declaration of office, as prescribed by the ordinance in that behalf.

Dated,

A.B.,
Returning Officer.

26. The returning officer shall, within ten days after the date of the election, send to the lieutenant governor a copy of the minutes of the meeting, and a declaration made before a justice of the peace, stating the names and addresses of the trustees elected, and that they have fulfilled the requirements of the foregoing section."

10. That section 27 of the said ordinance be repealed, and the following provisions substituted therefor:

27. The trustees elected at a first school district meeting shall be declared to hold office as follows:—

- (1.) The candidate receiving the highest number of votes, either by polling or show of hands, as the case may be, or the first one nominated, if no vote has been taken, shall be elected to serve until the thirty-first day of the third October following the election;
- (2.) The candidate receiving the second highest number of votes, or second in the order of nomination, shall be elected to serve until the thirty-first day of the second October following the election;
- (3.) The candidate receiving the third highest number of votes, or the third in order of nomination, shall be elected to serve until the thirty-first day of the first October following the election;
- (4.) Provided always, that when the election takes place between the thirtieth day of April and the thirtieth day of September, in any year, the third trustee shall continue in office until the thirty-first day of October next ensuing the one following the election; the second trustee shall continue in office until the thirty-first day of the third October following the election;

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and the first trustee shall continue in office until the thirty-first day of the fourth October following the election;

- (5.) In school districts organized before the date of the passing of this ordinance, the foregoing regulations shall take effect at the election of trustees, to be held on the first Tuesday in November, 1887.

11. That in section 28 of the said ordinance, after the words "first school meeting" the words "and the declaration of the returning officer" be inserted.

12. That in section 31 of the said ordinance, the words "any number of property holders, resident within the limits of any public school district or within two or more adjoining public school districts, or some of whom are within the limits of an organized school district and others on adjacent land not included within such limits," be struck out, and the following words be inserted in lieu thereof: "A number of the ratepayers, whether protestant or Roman catholic, the same being a minority of the ratepayers resident within the limits of an organized public school district to establish a separate school district therein, the same."

13. That in section 35 of the said ordinance, after the words "such petition," there be inserted the following words: "And upon its being made to appear to the satisfaction of the lieutenant governor that the petitioners are of a faith, either protestant or Roman catholic, different from the majority of the ratepayers of the school district affected."

14. That in section 40 of the said ordinance, after the words "petitioning the" the words "trustee of such district to that effect," be struck out, and the following words inserted in lieu thereof: "Board of education to that effect, and giving the assessed value of the property affected."

15. That section 41 of the said ordinance be repealed, and the following clause substituted therefor: "41. The board of education, on receiving a petition to the effect and in the form and substance mentioned in the next preceding section, shall have power to deal with the matter as they may see fit, and shall notify, in writing, the district or districts affected, their decision thereon."

16. That sections 43, 44 and 45 of the said ordinance be repealed, and the following clause substituted therefor: "The regular annual election of a school trustee to fill the vacancy, which occurs yearly under the provisions of section 10 of this ordinance, shall take place after the reports required by section 149 of ordinance no. 3 of 1885 have been submitted and approved at the annual meeting of ratepayers on the first Tuesday in November in each year."

17. That in section 46 of the said ordinance, after the words "such meeting to the," the words "district inspector of school, who shall report upon the same to the president of the board of education," be struck out, and the following words substituted therefor: "Secretary of the board of education."

18. That section 47 of the said ordinance be repealed, and the following clause substituted therefor: "47. At the annual meeting an auditor shall be elected by the ratepayers to audit the accounts of the district and report the result thereof to the meeting."

19. That the following clause be added to section 54 of the said ordinance, as subsection 6: "The teacher of a school may be the secretary of the school district, but not the treasurer."

20. That in section 56 of the said ordinance, after the words "elected to serve," the words "but such treasurer shall receive no remuneration for his services," be struck out, and the following words inserted in lieu thereof, "and may be remunerated for his services by a sum not exceeding two and a half per cent on all monies passing through his hands on account of the district, the proceeds of school debentures excepted."

21. That in subsection (2) of section 61 of the said ordinance, after the words "central location," there be inserted in parentheses, the words "(subject to the decision of the meeting called under section 68 of this ordinance)."

22. That the following subsections be added to section 61 of the said ordinance: "(9.) Enter into a contract to have a school-house built, payment for which may be made in a term of years (not exceeding five years), in annual or semi-annual pay-

ments. The whole cost of such building not to exceed \$500. (10.) Procure a corporate seal for the use of the district."

23. That after the words "in writing," in section 62 of the said ordinance, the following words be added: "provided he pays into the funds of the school district the sum of twenty dollars."

24. That in section 68 of the said ordinance, the words "change in" be struck out, and the words "decision upon" substituted therefor.

25. That in section 72 of the said ordinance, after the words "school hours," the words "or recess," be inserted.

26. That section 75 of the said ordinance be repealed, and the following clause substituted therefor: "75. There may be one month's holidays during the summer term, in either the months of July or August, at the discretion of the trustees; but before the 1st July in each year the trustees shall notify the inspector of their district the date and duration of the holidays."

27. That the following words be added to section 77 of the said ordinance: "not exceeding one day at a time."

28. That the following words be struck out of section 81 of the said ordinance: "resident outside the limits of such district."

29. That subsection (a) and (b) of subsection (2) of section 85 of the said ordinance be repealed, and the following clauses be substituted therefor:

"(a.) A grant of \$2 per child to every school whose average attendance is at least eight, for every child who has attended school ninety school days, where the school is open during the summer term."

"(b.) A grant of \$1.50 per child to every school whose average attendance is at least eight, for every child who has attended school fifty school days, where the school is open during the winter term."

30. That the following words in section 104 of the said ordinance be struck out: "as soon after the first of February in each year as shall be deemed expedient by the trustees," and the following words, "by the first of April in each year," inserted in lieu thereof.

31. That the following words in section 108 of the said ordinance be struck out: "posting of the last of the notices hereinbefore mentioned," and the following words, "filing of the roll," inserted in lieu thereof.

32. That the following clause be added to section 111 of the said ordinance: "and upon the production of a receipt from the treasurer of the school district to which such ratepayer has elected to pay his taxes as aforesaid, showing that the same have been duly paid, such person shall be relieved from payment of any taxes to the school district within which he resides."

33. That section 124 of the said ordinance be repealed.

34. That after the words "they shall," in section 132 of the said ordinance, there be inserted the words "pass a by-law to that effect, as per form A in schedule annexed hereto, or to the like effect;" and after the words "majority of the" there be inserted the words "votes of the."

35. That after the word "notice," in section 133 of the said ordinance, there be inserted the words "as per form B in schedule annexed hereto, or to the like effect."

36. That section 134 of the said ordinance be repealed.

37. That the words "two justices," in subsection (10) of section 137 of the said ordinance, be struck out, and the words "a justice" substituted therefor.

38. That wherever the word "justices" occurs in sections 138, 139, 140 and 141, or in any subsection of such sections of the said ordinance, it be struck out, and the word "justice" inserted in lieu thereof.

39. That the words "alien or" in the oath in subsection (5) of section 137 of the said ordinance be struck out.

40. That the words "the clerk of the court," in section 139 of the said ordinance be struck out, and the word "him" substituted therefor.

41. That after the word "return," in section 141 of the said ordinance, the following words be inserted: "as per form C in schedule annexed hereto, or to the like effect."

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42. That section 142 of the said ordinance be repealed, and the following clause substituted therefor: "142. If it is desired to appeal from the decision of the justice, such appeal must be made in the manner provided in the act 32 and 33 Victoria, chap. 31, sec. 65, intituled "An Act respecting the duties of Justices of the Peace out of Sessions, in relation to summary convictions and orders."

43. That section 143 of the said ordinance be repealed, and the following clause substituted therefor:

"143. Upon receipt of the return mentioned in section 141, and upon being satisfied that the several conditions, required by this ordinance, have been complied with, the lieutenant governor shall, in writing, empower the trustees to borrow the sum or sums of money mentioned in the by-law, and shall publish the same in the *Official Gazette* of the North-west Territories; and the assent of the lieutenant governor, published as aforesaid, to any such loan, shall be conclusive evidence that all the necessary formalities have been complied with, and that such loan is one which such school district may lawfully make."

44. That the following words be added to section 144 of the said ordinance: "except as hereinbefore provided by this ordinance."

45. That in subsection (2) of section 144 of the said ordinance the word "fifteen" be struck out, and the word "twenty" substituted therefor.

46. That the following words be added to subsection 3 of section 144 of the said ordinance: "or to the like effect."

47. That subsection (4) of section 144 of the said ordinance be hereby repealed, and the following clause substituted therefor:

(4.) Debentures shall not carry interest at a greater rate than eight per centum per annum.

48. That in section 145 of the said ordinance, the words "notices of polling" be struck out, and the word "by-law" substituted therefor.

49. That subsection (2) of section 151 of the said ordinance be repealed.

50. That the following words be added to section 164 of the said ordinance: "and, unless otherwise provided, the trustees shall post up, within the district, at least five such notices, not less than eight days prior to the holding of all public meetings."

51. All declarations and affidavits provided by this ordinance, or the school ordinance of 1885, may be made either before a justice of the peace or a notary public.

52. Whereas the trustees of the school district of Lethbridge, protestant public school district no. 51 of the North-west Territories, being desirous of borrowing by debentures, under the provisions of the school ordinance of 1885, the sum of \$2,500, did, on the 29th day of July, 1886, as provided by said ordinance, duly submit the matter to a vote;

And whereas it is provided by the said ordinance that the returning officer who took such vote shall, within seven days after the taking of such vote, appear before two justices of the peace, for the purpose of procuring from them a return to the lieutenant governor, showing the total number of votes taken, and the number remaining on each side, after a recount;

And whereas, owing to the fact that there were not two justices of the peace available, the returning officer was unable to appear before the two justices, as required by law, but did, on the 23rd day of September, 1886, appear before two justices, who made the necessary return:

Be it enacted by the authority aforesaid, that notwithstanding the fact that the said returning officer did not appear before two justices as required by law, the lieutenant governor may proceed under the provisions of this ordinance, and empower the board of school trustees of the "school district of Lethbridge, protestant public school district no. 51 of the North-west Territories," to borrow the sum of \$2,500, as hereinbefore provided.

SCHEDULE.

FORM A

Vide Section 34.

BY-LAW No.

A by-law relating to the issue of debentures of the (*give full corporate name of school district*).

Whereas it is necessary and desirable that the sum of _____ dollars should be borrowed on the security of the (*give full name of district*), for the purpose of repayable to the bearer, with interest at _____ per centum per annum, in _____ equal consecutive annual instalments;

Now, therefore, the board of trustees of the said school district enact as follows:

1. That the necessary notices be given, advertisements published and proceedings had, under "The School Ordinance of 1885 and amendments thereto," for receiving the sanction of the ratepayers of the school district to the loan and the issue of debentures therefor, and that the voting thereon shall take place at _____ on the _____ day of _____ 18____, pursuant to the provisions of said ordinance and amendments thereto.

2. That if the said sanction be obtained, and the lieutenant governor shall empower, in writing, the said board of trustees to borrow the said sum pursuant to said ordinance and amendments thereto, then debentures of said district shall be issued, payable to the bearer, in _____ equal consecutive annual instalments, with interest at _____ per centum per annum, and shall be executed by the chairman and one member of this board of trustees.

Done and passed at _____ in the provisional district of _____ this day of _____ A.D. 18____

Chairman.

(Seal.)

} Trustees.

FORM B.

Vide Section 35.

PUBLIC NOTICE.

By the trustees of the (*give full corporate name of school district*).

Whereas it is deemed expedient by the trustees of the (*give full name of district*), that the sum of _____ dollars should be borrowed on the security of the said school district by the issue of debentures repayable to the bearer in _____ equal consecutive annual instalments, from the issue thereof, with interest at the rate of _____ per centum per annum, for the following purposes, namely:—

Therefore, notice is hereby given, by the trustees of said district, that a poll will be opened by the undersigned, chairman of the said trustees, at the _____ on the _____ day of _____ 18____, at the hour of ten o'clock a.m., and will continue open until four o'clock p.m. of the same day, when the votes of those duly qualified to vote thereon will be taken for or against raising the said sum of _____ dollars by way of a loan on the security of the said school district as hereinbefore set forth.

The qualification of voters is expressed in the following oath, which persons desiring to vote must take, if required:—"I, A.B., do solemnly swear that I am a *bona fide* resident ratepayer of the (*name of school district*); that I have paid the school taxes assessed against me on the last revised assessment roll of the _____

; that I am of the full age of twenty-one years; that I am not an unfranchised Indian; that I have not voted before at this election, and I have not received any reward, either directly or indirectly, nor have I any hope of receiving any reward for voting at this time and place. So help me God."

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Of which all persons interested are hereby notified, and are required to govern themselves accordingly.

Chairman.
} Trustees.

Dated at this day of 18

FORM C.

Vide Section 41.

I, the undersigned justice of the peace (*or notary public, as the case may be*), in and for the North-west Territories, having received the poll book used to record the votes taken at the meeting held in the (*give name of school district in full*) on the day of 18 , in connection with the issue of debentures on the security of the said district, and having heard all complaints relative to the conduct of the voting, beg leave to submit the following return of the vote:—

Total No. of Votes taken.		No. of Votes on each side after the recount.	
FOR.	AGAINST.	FOR.	AGAINST.

J. P. or N. P.

Dated at this day of 18 .

No. 2 OF 1887.

AN ORDINANCE RESPECTING SCHOOLS.

[*Passed 18th November, 1887.*]

Be it enacted by the Lieutenant Governor of the North-west Territories, in Council, as follows:—

BOARD OF EDUCATION.

1. The lieutenant governor in executive council may appoint and constitute a board of education for the North-west Territories, composed of eight members, to hold office for two years and until their successors are appointed, five of whom shall be protestants and three shall be Roman catholics.

2. The board shall meet at Regina on the second Tuesday in March, June, September and December in each year, and at such other times as the lieutenant governor may direct.

3. A majority of the board shall be a quorum.

4. The members of the board shall be paid for their services four dollars for each day of attendance at their meetings, and their actual travelling expenses.

5. Any member of the board absenting himself from the meetings of the board, or from the meetings of his section as hereinafter defined, for six months, shall forfeit his seat, and the other members of the section to which the member so absenting himself belongs, shall notify the lieutenant governor of the vacancy so caused, and the lieutenant governor shall appoint his successor, subject to confirmation by the lieutenant governor in executive council; and in the event of any member dying, or resigning his seat, or leaving the Territories, another member shall be so appointed in his place, subject to like confirmation.

6. At the first meeting of the board, after the passing of this ordinance, the board shall appoint one of their number as chairman, who may vote with the other members of the board on all questions, and any question on which there is an equality of votes shall be deemed to be negatived.

(1.) In case of absence of the chairman from any meeting of the board, the then assembled members shall elect one of their number to act in that capacity, who shall for the time being possess the same powers and privileges as the chairman.

7. It shall be the duty of the board:—

(1.) To prescribe the duties of the secretary to the board;

(2.) To make regulations for the registering and reporting of the daily attendance at all schools, and to prescribe the form of school register;

(3.) To cause a proper record to be made of the proceedings of the board;

(4.) To determine all appeals from the decisions of inspectors of schools, and to make such orders thereon as may be required;

(5.) To provide for an uniform system of inspection of all schools and the payment of inspectors, and to make, from time to time, such regulations as may be deemed necessary with respect to the duties of inspectors;

(6.) To arrange for the proper examination, grading and licensing of teachers and the granting of certificates, which shall be of six classes, viz., first class (two grades), second class (two grades), third class and provisional;

And for such schools as are not designated protestant or Roman catholic:

(7.) To take charge of all schools organized under this or any previous ordinance, and to make, from time to time, such regulations as may be deemed fit for their general government and discipline, and the carrying out of the provisions of this ordinance;

(8.) To appoint inspectors, who shall hold office during the pleasure of the board;

(9.) To select, adopt and prescribe an uniform series of text books to be used in such schools;

(10.) To cancel the certificate of a teacher upon sufficient cause.

8. The board of education shall resolve itself into two sections, the one consisting of the protestant, and the other of the Roman catholic members thereof, and it shall be the duty of each section for the schools of its section:

(1.) To have under its control and management the schools of its section, and to make, from time to time, such regulations as may be deemed fit for their general government and discipline, and the carrying out of the provisions of this ordinance;

(2.) To select, adopt and prescribe an uniform series of text books;

(3.) To appoint inspectors, who shall hold office during the pleasure of the section appointing them;

(4.) To cancel the certificate of a teacher upon sufficient cause.

9. There shall be a general board of examiners for teachers' certificates, whose number and remuneration shall be fixed by the board of education, one half of which board of examiners shall be nominated by each section of the board.

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10. Each section of the board shall have the selection of text books for the examination of teachers in history and science, and it shall have power to prescribe any additional subjects of examination for the teachers of schools of its section, and in all examinations on such subjects the examiners of each section shall respectively have exclusive jurisdiction.

SECRETARY TO THE BOARD.

11. The lieutenant governor in executive council shall appoint a secretary to the board of education and provide for his salary, whose duties, except as hereinafter provided, shall be such as imposed by the board.

12. It shall be the duty of the secretary to call all meetings of the board of education, and of the sections thereof, in accordance with the provisions of this ordinance, and also to call any school meeting required to be held under this ordinance, when the parties, who are otherwise invested with the power to do so, either neglect or refuse to exercise it.

13. In the event of the resignation or death of the secretary the lieutenant governor shall appoint his successor, subject to confirmation by the lieutenant governor in council.

SCHOOL DISTRICTS.

14. The expression "school district" means any tract of land declared by the lieutenant governor, as hereinafter provided, to be a school district.

15. The name of every school district created under this ordinance shall be "The (here insert the name chosen as hereinafter provided) school district no. (given by the lieutenant governor) of the North-west Territories."

16. A school district shall comprise an area of not more than twenty-five square miles, not more than five miles in breadth or length, exclusive of road allowances, and shall contain not less than four resident heads of families, and ten children of "school age," which shall mean between the ages of five and sixteen, inclusive.

RATEPAYERS.

17. The expression "ratepayer," when used in this ordinance, means any person liable to pay rates for school purposes, or who may become so.

FORMATION OF SCHOOL DISTRICTS.

18. Any three ratepayers resident in any district, fulfilling the requirements of section 16 of this ordinance, may be formed, or may form themselves into a committee to procure its erection into a school district, and may petition the lieutenant governor for such erection.

19. The petition shall set forth:

- (1.) The proposed name, limits, definite location and approximate area of the proposed school district;
- (2.) The total population, and the number of adults and children (from five to sixteen years of age, inclusive) resident within the proposed district;
- (3.) The total number of ratepayers in the district, and the number of protestant and Roman catholic ratepayers respectively; and such petition shall be accompanied by a sketch, plan or map of the proposed district, showing its boundaries, principal legal subdivisions, physical features and general location; and in case of rural school districts, the sections, half or quarter sections on which the children of school age reside.

20. The petition must be accompanied by an affidavit of the several members of the committee, that said members are *bona fide* resident ratepayers of the proposed school district, and that the statements made in the petition are correct.

21. On the receipt of a petition for the erection of a school district, the lieutenant governor shall take such steps as he may think advisable to determine whether

or not there are any objections to the limits of the proposed district, and shall notify the petitioners of his determination.

22. On receiving the approval of the lieutenant governor to the limits of any proposed district, a notice, in form A, in schedule annexed hereto, calling a meeting of the ratepayers, shall be posted up by the petitioners in at least five widely separate places within such limits, one of which shall be the post office therein, or nearest thereto, at least two weeks next preceding the date of said meeting:

(1.) A certified copy of such notice, together with an affidavit by a member of the committee, that at least five such notices have been posted, as hereinbefore provided, shall be forwarded to the lieutenant governor.

FIRST SCHOOL MEETING.

23. At the hour appointed in the notice of the committee calling the first school meeting, the ratepayers present shall organize the meeting by appointing a chairman and secretary.

24. The chairman shall decide all questions of order, subject to an appeal to the meeting, and in case of an equality of votes, he shall give the casting vote, but he shall have no vote except as chairman.

25. The chairman shall take the votes in the manner desired by a majority of the ratepayers present; but he shall, at the request of any two ratepayers, grant a poll for recording by the secretary, the names of the voters present; such poll shall close at 4 o'clock p.m.

26. If required by any person present, or of his own accord, if deemed advisable, the chairman shall administer the oath prescribed in notice in form A in schedule annexed hereto.

27. If the majority of votes taken at this meeting is against the erection of a school district, the chairman shall notify the same to the lieutenant governor.

FIRST ELECTION OF TRUSTEES.

28. So soon as the majority of the ratepayers at this first school meeting have decided in favour of the erection of the school district, the ratepayers present shall, by a majority of votes, elect from the resident ratepayers in the district, three trustees.

29. The chairman at the first election of trustees shall not be eligible for the office of trustee.

30. Every ratepayer shall have as many votes as there are trustees to be elected, but shall in no case vote more than once for any one candidate at the same election.

31. The trustees elected at a first school district meeting shall be declared to hold office as follows:—

- (1.) The candidate receiving the highest number of votes, either by polling or show of hands, as the case may be, or the first one nominated, if no vote has been taken, shall be elected to serve until the first Tuesday in the third November following the election;
- (2.) The candidate receiving the second highest number of votes, or second in the order of nomination, shall be elected to serve until the first Tuesday in the second November following the election;
- (3.) The candidate receiving the third highest number of votes, or the third in order of nomination, shall be elected to serve until the first Tuesday in the first November following the election;
- (4.) Provided always, that when the election takes place between the thirtieth day of April and the first Tuesday in November in any year, the third trustee shall continue in office until the first Tuesday in November next ensuing the one following the election; the second trustee shall continue in office until the first Tuesday in the third November following the election; and the first trustee shall continue in office until the first Tuesday in the fourth November following the election;
- (5.) Provided always, that when the annual meeting is not held on the first Tuesday in November, the trustee going out of office shall remain in office until his successor is elected.

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32. Every trustee shall, before taking office, make the following declaration before the chairman :

I, A.B., do hereby accept the office of trustee, to which I have been elected, in (name of school district in full), and I will, to the best of my ability, honestly and faithfully discharge the duties devolving on me as such, during the term for which I have been elected in accordance with the ordinance of the North-west Territories.

(1.) The chairman shall thereupon grant him a certificate of election in the following form :

I, A.B., do hereby declare that (give name, residence and occupation of person mentioned) elected trustee for (give name of school district) has this day made before me the declaration of office, as prescribed by the ordinance in that behalf.

A.B.,
Chairman.

Dated,

33. The chairman shall, within ten days after the date of the election, send to the lieutenant governor a certified copy of the minutes of the meeting, and a declaration made before a justice of the peace, stating the names and addresses of the trustees elected, and that they have fulfilled the requirements of the next preceding section.

PROCLAMATION.

34. On receiving the report of a first school meeting and the declaration of the chairman, the lieutenant governor shall, if the majority of the votes at the school district meeting has been in favour of the erection of the school district, forthwith proclaim the district a school district in accordance with the terms of the petition addressed to him in that behalf with such number as he may see fit, and in manner as hereinafter provided.

35. The proclamation of the lieutenant governor erecting any school district shall set forth :

- (1.) The name in full, number, situation and limits thereof;
- (2.) The date and place at which the meeting of ratepayers and the election of trustees was held;
- (3.) The names of the elected trustees.

SEPARATE SCHOOLS.

36. In accordance with the provisions of "The North-west Territories Act," providing for the establishment of separate schools, it shall be lawful for any number of the ratepayers, whether protestant or Roman catholic, the same being a minority of the ratepayers resident within the limits of an organized public school district, to establish a separate school therein, by proclamation of the lieutenant governor, with the same rights, powers, privileges, liabilities and method of government as herein provided in the case of public school districts.

37. The petition for the erection of a separate school shall show :—

- (1.) The name of the school district;
- (2.) The number of children of school age resident within such district, of the religious faith of the petitioners.

38. Each such petition shall be accompanied by an affidavit of some competent person verifying the signatures and facts therein set forth.

39. Upon the receipt of such petition, and upon its being made to appear to the satisfaction of the lieutenant governor that the petitioners are of a faith, either protestant or Roman catholic, different from the majority of the ratepayers of the school district affected, the lieutenant governor shall issue his proclamation declaring such separate school established.

40. The lieutenant governor shall at the same time notify, in writing, the board of trustees of such school district, of the establishment of such separate school.

41. After the establishment of a separate school, the ratepayers thereto shall not be assessable by the public school district within whose limits the separate school is situated, except for the purpose of paying off any indebtedness that may have been incurred previous to the establishment of such separate school.

ALTERATIONS IN LIMITS OF SCHOOL DISTRICTS.

42. The lieutenant governor shall have power to alter the boundaries of a school district, or divide one or more existing school districts into two or more districts, or to unite portions of an existing district with another district, or with any new district, in case it has been satisfactorily shown before him that the rights of ratepayers under section 14 of the "North-west Territories Act" to be affected thereby, will not be prejudiced.

ANNUAL ELECTION OF TRUSTEES.

43. The regular annual election of a school trustee to fill the vacancy which occurs yearly under the provisions of section 31 shall take place after the reports required by section 171 of this ordinance have been submitted at the annual meeting of ratepayers to be held on the first Tuesday in November in each year.

44. Trustees shall be resident ratepayers.

ELECTION OF AUDITOR.

45. At the annual meeting an auditor shall be elected by the ratepayers to audit the accounts of the district and report the result thereof to the meeting.

MINUTES OF MEETINGS.

46. A correct copy of the proceedings of every school meeting, signed by the chairman and secretary, shall be forthwith transmitted by the secretary of such meeting to the secretary of the board of education.

TRUSTEES OF EVERY SCHOOL SHALL BE A CORPORATION.

47. The trustees of every public school district and the trustees of every separate school, shall be a body corporate, and as such body corporate shall have all rights and be subject to all liabilities of a corporation at common law, and shall have full power to acquire, hold and alienate both real and personal estate for all school purposes, and by the same name, they and their successors shall have perpetual succession, and they shall have full power to sue and be sued, implead and be impleaded, answer and be answered unto, in all courts and in all actions, causes and suits at law and in equity whatsoever, and they shall have a common seal, with power to alter and modify the same at their will and pleasure, and they shall be in law capable of receiving by donation, acquiring, holding, disposing of and conveying any property, real or movable, for the use of the said school district, or separate school, as the case may be, and of becoming parties to any contracts or agreements in the management of the affairs of the said school district, or separate school, as the case may be, and of negotiating loans and borrowing money, upon the credit of such corporation, for the purpose of defraying any expenses necessary for the carrying on of the business of such corporation, subject always to the regulations and requirements of this ordinance.

BOARD OF SCHOOL TRUSTEES.

48. It shall be the duty of the board of trustees of every school to:—

- (1.) Select a school site, which shall be in the centre of the district, or as near thereto as the securing of a dry, healthy and suitable location will permit;
- (2.) Engage a qualified teacher, or teachers, on such terms as the board may deem expedient: The contract shall be in writing, and may be in form B in the schedule annexed hereto;
- (3.) To take possession and have the custody and safe keeping of all school property, which has been acquired or given for school purposes to their district;

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- (4.) To do whatever they may judge expedient with regard to building, repairing, renting, warming, furnishing, and keeping in order, the school house or school houses in their district, its or their furniture and appendages, and the school lands and enclosures held by them, and for procuring apparatus and school books for their school;
- (5.) Make such assessments on real and personal property of the district, and levy such taxes as may be necessary to defray the expenses authorized to be incurred by this ordinance, and all necessary expenses incurred in the election of trustees, paying the teacher, keeping the accounts or transacting the business of the district, and in furnishing the school-room with school material, furniture and firing;
- (6.) Inspect the school, see that good order is kept and proper instruction is given and dismiss the teacher or any of the pupils for misconduct or immorality, or the teacher for incapacity;
- (7.) To keep a record of their proceedings, signed for each sitting by the chairman and secretary, and to see that true accounts both of the school and district are kept, and that the affairs of the district generally are conducted in the manner provided by this ordinance, and with a due regard to efficiency and economy; the accounts shall at all reasonable hours be open to the inspection of the ratepayers of the school district;
- (8.) Select all the books, maps and globes to be used in the schools under their control from the list of those authorized by the board of education or section thereof;
- (9.) Provide, free of cost, out of the funds of the district, books and slates for the use of the children resident within the district and attending school, whose parents are unable, through poverty, to procure the necessary books and slates for them, the right to such books and slates to rest in the school district;
- (10.) Provide, when deemed expedient, a suitable library for the school district, making such regulations as to lending and the prevention of loss or damage to the books of such library, as they may think fit;
- (11.) Enter into a contract to have a school house built, payment for which may be made in a term of years (not exceeding five years) in annual or semi-annual payments. Such indebtedness not to exceed \$500 nor the rate of interest to be more than eight per centum per annum;
- (12.) Procure a corporate seal for the district;
- (13.) To see that all reports required by this ordinance, or by the regulations of the board of education, are transmitted without delay to the secretary of the board of education;
- (14.) To call special meetings for any purpose whatever whenever required to do so by the majority of the ratepayers or the board of education;
- (15.) To appoint a returning officer to preside at all elections that may be held or votes that may be taken except as otherwise provided in this ordinance.

OUTHOUSES.

- (16.) There shall be separate buildings for privies for boys and girls respectively. The buildings shall be erected in the rear of the school house, at least ten feet apart, their entrances facing in opposite directions, or otherwise effectually screened from each other.

49. The board of trustees of any school may authorize the chairman and treasurer thereof, to borrow from any person or bank, or corporation, such sum of money as may be required to meet the expenditure of the school until such time as the taxes levied therein can be collected; or, in the case of school districts situated within a municipality, until such time as the municipal council can pay the school taxes to the trustees; such authorization shall be by by-law of the board of trustees, and shall be under the seal of the corporation.

50. A majority of the board of trustees shall constitute a quorum at all meetings; provided that in case the number of trustees is reduced to one, that one shall be held to be a quorum until other members are elected.

51. Any person eligible and elected to the office of school trustee, who refuses to serve as such, shall forfeit the sum of twenty dollars, and his neglect or refusal to take the declaration of office within eight days after his election, if resident at the time within the district, shall be construed as such refusal, after which another person shall be elected to fill the place; but no school trustee shall be re-elected, except by his own consent, during the four years next after his going out of office.

52. Any person chosen as trustee may resign with the consent expressed in writing of his colleagues in office, but such resignation shall only take effect upon the election of his successor (see form C in schedule annexed hereto), and a continuous non-residence of three months, or conviction of any felony, shall cause the vacation of his office.

53. In all cases of vacancy, another trustee shall be elected at a meeting called by the trustees or trustee remaining in office, and the person so elected shall hold office for the unexpired term of the trustee whom he replaces; provided that if the vacancy is not filled within one month, the lieutenant governor may appoint some qualified person to fill it.

ELECTION OF CHAIRMAN.

54. The school trustees shall meet within ten days after their election for the purpose of choosing a chairman, secretary and treasurer, and transacting such other business as may be required.

- (1.) In case of absence of the chairman from any meeting of the board, the then assembled school trustees shall elect one of their number to act in that capacity for the time being, who shall then be vested with the same powers and privileges as the ordinary chairman.

55. In the meetings of the school trustees, all questions shall be decided by the majority of votes and the chairman shall have the right to vote, but in case of an equality of votes, the question shall be decided in the negative.

MEETINGS ILLEGAL UNLESS PROPERLY CALLED.

56. No act or proceeding of a board of trustees shall be deemed valid or binding on any party which is not adopted at a regular or special meeting of the corporation, of which notice shall have been given by either one of their body, or the person chosen by them to act as secretary, to all the trustees, and a majority of the trustees at such meeting shall have full authority to perform any lawful business.

DUTIES OF CHAIRMAN.

57. The chairman shall:—

- (1.) Have general supervision of the affairs of the district;
- (2.) Certify all accounts against the district before such accounts be paid by the treasurer;
- (3.) In default of the board of trustees appointing a returning officer, act as returning officer, or appoint some other person to act as such, at all elections or votes that may be taken during the period of his chairmanship.

SECRETARY.

58. The board of trustees, at its first meeting in each year, shall appoint a secretary, whose duty it shall be to:—

- (1.) Keep a minute of all the meetings of the board;
- (2.) Answer all communications on school matters in such manner as he may be directed by the board;
- (3.) Examine the records and register of the school kept by the teacher, and see that they are correct;
- (4.) Forward to the secretary of the board of education, from time to time, the reports provided for in sections 46, 59, 60 and 165 of this ordinance, and give such other information in regard to the school district as may be desired from time to time by the lieutenant governor, or the board of trustees, or the secretary of the board of education;

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- (5.) Have charge of and keep on record all the books, papers, accounts, assessment rolls and other matters, committed to his charge by the board of trustees during his term of office, and deliver the same to the chairman of the board on ceasing to hold office.

59. The secretary of every school shall, within one month of the date of the opening of such school, notify the inspector of such district of the opening of such school and the qualification of the teacher employed; and at same time transmit the teacher's certificate, or a certified copy of the same, in a registered letter, addressed to the secretary of the board of education.

60. The secretary of every board of trustees shall forward to the secretary of the board of education, on the 30th day of May in each year, a report giving the following information, namely:—

- (1.) Name of each teacher;
- (2.) Class of certificate held by each teacher, and date thereof;
- (3.) Salary paid each teacher, per month;
- (4.) Number of children attending school, per register;
- (5.) If school open for one or two terms;
- (6.) Date when school opened for summer term.

TREASURER.

61. By motion of the board, one of the members thereof may, with his consent, be appointed treasurer of the district for the whole or any part of the term for which he was elected to serve, and may be remunerated for his services by a sum not exceeding $2\frac{1}{2}$ per cent on all moneys passing through his hands on account of the district, the proceeds of school debentures excepted.

62. Should it be found inexpedient to appoint a member of the board as treasurer, then the board shall appoint a responsible resident of the district to be treasurer or secretary-treasurer, during the pleasure of the board, at such rate of remuneration as may be agreed upon.

63. Every treasurer shall, before entering upon his duties as such, give security to the school trustees by a bond signed and acknowledged before a magistrate, and such security shall be given by at least two solvent sureties jointly and severally to the satisfaction of the board of trustees and to the amount of any moneys for which the treasurer may at times be responsible, whether arising from the school fund or from any particular contribution or donation paid into his hands for the support or benefit of the school, and such security shall be renewed at the beginning of each year, or renewed at other times or changed whenever renewal or change is required by the board of trustees. Such bond may be in form D, in schedule annexed hereto.

- (1.) The chairman of the board of trustees shall obtain from the magistrate a certificate in form E, in schedule annexed hereto, and forward the same to the secretary of the board of education;
- (2.) No grant shall be paid without production of such certificate.

64. It shall be the duty of the treasurer to collect, receive and account for all school moneys, whether derived from the government or otherwise, for the purpose of education within the district of which he is treasurer, and to distribute such moneys in the manner directed by the board of trustees, and to keep a record of the same in a book provided for the purpose by the board of trustees, and he shall give and take receipts for all moneys so received and paid out by him, which he shall, when called upon by the auditor appointed under this ordinance or by the board of trustees, produce before said board of trustees or auditor, as also all moneys or accounts in his charge, and shall hand over the same to the board of trustees on his ceasing to hold office.

PENALTIES.

65. If any trustee or other official of a school knowingly signs a false report, or if any teacher keeps a false register, or makes a false return with a view of obtaining a larger sum than the just proportion of school moneys coming to such school, such

trustee, official or teacher shall, for each offence, be liable to a fine of not less than fifty dollars.

66. Any trustee, officer or employee of a school neglecting or refusing to discharge any duty assigned to him by this ordinance, shall, for each offence, be liable to a fine not exceeding fifty dollars.

67. Any trustee, officer or employee of a school who, after his ceasing to hold office, detains any money, book, paper or thing belonging to the school, shall thereby incur a penalty of not less than five dollars nor more than one hundred dollars for each day during which he wrongfully retains possession of such money, book, paper or thing, after having received notice in writing from the chairman of the board of trustees or from the board of education, requiring him to deposit the same in the hands of some person mentioned in such notice.

68. Any returning officer of any school or proposed school, acting under the provisions of this ordinance, who shall knowingly and wilfully prejudice the result of any voting, by preventing votes from being taken or taking unlawful votes, or altering the returns or books in any way or by any other means, shall be liable to a fine of not less than one hundred dollars.

69. Should the trustees of any school wilfully contract liabilities in the name of the district greater or other than as provided in this ordinance, or appropriate any of the moneys of the school for purposes other than are provided in this ordinance, the school, through its proper officers, or the board of education, on its behalf, may recover from such trustees, jointly or severally, the sum or sums for which the district has been rendered liable through the action of such trustees over and above the amount provided in this ordinance, in addition to the total amount of any moneys that have been misappropriated by such trustees.

70. Any person entrusted in any manner with the carrying out of any of the provisions of this ordinance, or qualified to vote at the election of school trustees, shall be competent to institute proceedings under this ordinance, except in cases where it is specially provided to the contrary.

71. All fines, penalties and forfeitures mentioned in this ordinance may be sued for, recovered, and enforced, with costs, by and before a justice of the peace; and if any such fine or penalty and costs be not forthwith paid, after conviction or order made, the same shall, by and under the warrant of the convicting justice, be enforced, levied and collected, with costs of distress, and sale of the goods and chattels of the offender, and in default of such distress, such justice shall, by his warrant, cause the offender to be imprisoned for any time not exceeding thirty days, unless the fine and costs, and the reasonable expenses of endeavouring to collect the same, be sooner paid.

(1.) Such imprisonment shall not discharge the personal liability of the defendant.

72. All moneys accruing from fines or penalties under this ordinance shall belong to the general revenue fund of the North-west Territories.

SCHOOL DISTRICT MAY BE DISORGANIZED.

73. On receipt of a report from the board of education that any organized school has failed to open and keep open a school for at least six months, and advising that the same be disorganized, the lieutenant governor may by proclamation, declare that, on and after a day therein to be named, such school district shall be disorganized, and thereupon the same shall cease to have or enjoy any of the rights, powers or privileges vested in such corporations by this ordinance; and in the event of any debts having been incurred by such corporation prior to its disorganization, and which remain unpaid, the lieutenant governor shall appoint one or more persons, who shall have full power and authority to adjust and settle all claims against such school and to assess, levy and collect, in the same manner as assessors and collectors are authorized to do by this ordinance, such sum or sums of money as may be required to pay off such indebtedness and all expenses connected therewith, including his or their remuneration as fixed by the lieutenant governor.

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TEACHER.

74. Within two months after the election of trustees in a newly organized school, they shall engage a qualified person as school teacher for such term, not being more than one year, and at such salary as may be agreed upon.

75. It shall be the duty of the teacher to:—

- (1.) Preside over and maintain good order in the school ;
- (2.) Teach from such books as may be ordered or permitted by the trustees, from list of books authorized by the board of education, or sections thereof, and only such ;
- (3.) Hold a public examination of the classes in the school at least once in each term ;
- (4.) Admit trustees, school inspectors, parents of children attending, or rate-payers of the district to the school room at any time ;
- (5.) Report to the trustees, from time to time, on the necessities of the school and the behaviour of the children attending it ;
- (6.) Punish children for misbehaviour, inattendance or disobedience, in such manner as the trustees may permit or direct ;
- (7.) Keep a true register of the school, according to the forms supplied by the board of education, make affidavit required by regulations of the board, and inquire into and record all cases of tardiness and absence of pupils ;
- (8.) To keep the school registers with care, and to call the roll and mark the attendance and absence of the pupils, previously to beginning the regular school work, each morning and afternoon ;
- (9.) To keep a time table, showing the classification of the pupils, the subjects taught in each class, the hour of the day, and the day of the week, when each subject is taught, and the intervals allowed for recess during school hours ;
- (10.) To keep a "visitor's book," provided by the board of education, and to enter therein the visits made to the school, and to allow any visitor who so chooses to make therein any remarks suggested by the visit ;
- (11.) To see that the school room is kept clean and well ventilated, and to observe that the closets belonging to the premises are kept in a cleanly condition ;
- (12.) To report to the secretary of the trustees any needful repairs to the school building or furniture ;
- (13.) To keep an inventory of the school materials and furniture, and to report any deficiency in the stock from time to time ;
- (14.) To observe that there is no scarcity of fuel for school purposes during the winter months, and to exercise due economy in the use of the same ;
- (15.) To render assistance to the secretary of the trustees in making the required reports and returns to the lieutenant governor or the board of education or the inspector of schools ;
- (16.) To have the custody of the school premises, and to deliver up the key when required to do so by the school trustees ;
- (17.) To report to the secretary of the trustees, immediately it comes to his knowledge, the presence of any infectious or contagious disease among the pupils and to faithfully carry out the wishes of the trustees in respect to it ;
- (18.) The teacher of a school may be secretary of the trustees, but not treasurer.

76. In case of sickness, certified by a medical man, every teacher shall be entitled to his salary during such sickness for a period not to exceed four weeks for the entire year, which period may be increased by the board of school trustees, provided that such trustees employ a legally qualified person to supply his place during sickness.

CONDUCT OF SCHOOL.

77. School shall be held between nine o'clock and twelve o'clock in the forenoon, and half-past one o'clock and four o'clock in the afternoon of every day, not including Saturdays, Sundays, and statutory holidays, but the school trustees may shorten the school hours, or recess, in the winter time.

78. The school year shall be divided into two terms, a winter term and a summer term:—

- (1.) The winter term shall begin on the first day of November and end on the thirty-first day of March in each year;
- (2.) The summer term shall begin on the first day of April and end on the thirty-first day of October in each year.

79. A recess of fifteen minutes in the forenoon and in the afternoon may be allowed the children attending school, at the pleasure of the board of trustees.

80. There may be one month's holidays during the summer term, in either the months of July or August, at the discretion of the trustees; but before the 1st of July in each year the trustees shall notify the inspector of their school of the date and duration of the holidays.

81. There shall be two weeks' holidays during the winter term, viz., the two weeks following the 23rd day of December in each year.

82. Good Friday, Easter Monday, Arbor Day, the Birthday of the reigning Sovereign, Dominion Day, Thanksgiving Day, and any day specially appointed as a holiday by the governor general, the lieutenant governor of the North-west Territories, the mayor of a city or town, or the chairman or mayor of a municipality, shall be holidays; and it shall be at the discretion of the trustees to permit any other holidays, not exceeding one day at a time.

83. All schools shall be taught and instruction given in the following branches, viz.: Reading, writing, orthography, arithmetic, geography, grammar, history of England and Canada, English literature, and such other studies as may be deemed necessary, may be authorized by the trustees of the district. Instructions shall be given during the entire school course in manners and morals and the laws of health, and due attention shall be given to such physical exercises for the pupils as may be conducive to health and vigour of body, as well as mind, and to the ventilation and temperature of school rooms.

84. No person shall be admitted into, or continue in, any school as a pupil, if he be afflicted with, or have been exposed to, any contagious disease, until all danger of contagion shall have passed away, as certified in writing by a medical man, or other authority satisfactory to the teacher.

GRANTS MAY BE WITHHELD.

85. Any school, the officers of which shall knowingly allow such school to be taught or conducted in violation of the provisions of this ordinance or of the regulations of the board of education, or sections thereof, shall forfeit all right to participate in any of the grants provided by this ordinance to aid the schools of the Territories, and, upon satisfactory evidence of such violation, the board shall withhold all such grants.

RELIGIOUS INSTRUCTION.

86. No religious instruction, such as bible reading, or reciting, or reading or reciting prayers, (except as hereinafter provided), or asking questions or giving answers from any catechism, shall be permitted in any public school in the North-west Territories, from the opening of such school at nine o'clock in the forenoon, until the hour of three o'clock in the afternoon, after which time any such instruction, permitted or desired by the trustees, may be given.

- (1.) Schools may be opened each morning with prayer with the consent of the trustees, who shall approve of the form of prayer to be used.

87. Any child attending any school whose parent or parents or guardian is or are of the religious faith different from that expressed in the name of such school district, shall have the privilege of leaving the school room at the hour of three o'clock in the afternoon, or of remaining without taking part in any religious instruction that may be given, if the parents or guardian so desire.

88. It shall be unlawful for any teacher or school trustee to, in any way, attempt to deprive such child of any advantage that it might derive from the ordinary education given in such school, and such action on the part of any school trustee,

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inspector or teacher, shall be held to be a disqualification for and voidance of the office held by him or her.

NO FEES CAN BE CHARGED RATEPAYERS.

89. No fee shall be charged by the trustees of any school on account of the attendance of any children, whose parents or guardians are ratepayers of such school, at the school thereof; but a rate not exceeding five cents per day, payable in advance, may be charged for any children whose parents or guardians are not ratepayers to such school.

INSPECTOR OF SCHOOLS.

90. It shall be the duty of the inspector to—

- (1.) Visit at least once in each term the schools under his charge, and examine the pupils in the different classes as to proficiency in their studies;
- (2.) At the desire of the trustees of any school, examine a teacher possessing no certificate, and employed or proposed to be employed by such trustees as to his proficiency in the subjects he is expected to teach, and as to his methods of teaching;
- (3.) Report from time to time to the board of education as to the efficiency, methods and usefulness of the schools under his charge, and also, when deemed advisable, to the trustees of the different schools;
- (4.) To inspect other schools at the pleasure of the board of education;
- (5.) To observe that no books are used in any school but those selected from the list of books authorized by the board of education or sections thereof;
- (6.) To assist at the examination of teachers if requested by the board of education;
- (7.) At the close of each inspection tour to make a full report of his inspection of every school to the board of education, and to particularize in each report, name of school, name of teacher, his certificate, number of school children on the register, number present on day of inspection, remarks on proficiency of pupils, special remarks, if any, state of school buildings and premises, state of school apparatus, general tone of school;
- (8.) Keep a diary of his inspection tour and expenses;
- (9.) Inspect and endorse, if practicable, all reports which are sent through him to the board of education;
- (10.) Grant provisional certificates to competent applicants recommended by trustees of schools and require such applications to be in the applicant's own handwriting;
- (11.) Upon a visit to a school to inspect the school register, and to write his name and the date of his visit upon the line immediately after the last name on the roll;
- (12.) To observe if the school register is systematically kept;
- (13.) To inspect the school buildings and premises, and to suggest to the trustees any alterations he may deem necessary for the comfort, accommodation and health of the scholars;
- (14.) To inspect the school time-table, and to endorse his approval upon it if satisfactory;
- (15.) To make the time-table the basis of his examination of the classes;
- (16.) To inspect the visitors' book, and to write therein a general report of the condition in which he found the school;
- (17.) To endorse all teachers' certificates in accordance with the regulations of the board.

AID TO SCHOOLS.

91. Every school organized or continued under this ordinance, shall receive aid from the school fund, as follows:—

- (1.) Grants on account of teachers' certificates to all schools having a daily average attendance of at least six pupils: (a) An annual grant of \$200 to

- every school employing a teacher, male or female, holding a provisional certificate from the board of education; (b) An annual grant of \$250 to every school employing a teacher, male or female, holding a third class certificate from a normal school or from the board of education; (c) An annual grant of \$300 to every school employing a teacher, male or female, holding a second class certificate from a normal school or from the board of education; (d) An annual grant of \$350 to every school employing a teacher, male or female, holding a first class certificate from a normal school or from the board of education.
- (2.) Grants on account attendance: (a) A grant of \$2 per child to every school whose average attendance is at least six, for every child who has attended school ninety school days, where the school is open during the summer term. This grant not to exceed \$100 to any school; (b) A grant of \$1.50 per child to every school whose average attendance is at least six, for every child who has attended school fifty school days, where the school is open during the winter term. This grant not to exceed \$75 to any school.
- (3.) Grant on account of inspector's report on school; (a) An annual grant of an amount, not exceeding the total amount of the capitation grant for the attendance of children, to every school upon which the inspector reports favourably.
- (4.) Grants on account of additional teachers: (a) To every school where the average daily attendance exceeds thirty, a grant on account of the teacher's certificate as provided in subsection (1) of this section, for an assistant teacher; (b) To every school where more than one assistant teacher is employed, a grant on account of the teacher's certificate as provided in subsection (1) of this section, for every assistant teacher employed after the first, where the average daily attendance shall be at least twenty for each teacher, the principal teacher included.

PAYMENT OF GRANTS.

92. The lieutenant governor, on receipt of a return as per form F, in schedule annexed hereto, shall pay the grant on account of teacher's certificate to the treasurer of the district, quarterly, immediately after the thirty-first March, thirtieth June, thirtieth September and thirty-first December, in each year; and the grants on account of attendance and inspector's reports shall be paid to the treasurer of the school district, annually, as soon as practicable after the thirty-first day of October in each year.

93. When the school is only open for one term, the school is entitled to a proportion of the grant for the teachers' certificates, calculated according to the months during which the school was open.

ASSESSMENT.

94. Where a school is situated within a municipality, the trustees may, as soon as may be after the final revision of the assessment roll of the municipality, make a demand on the council of such municipality for the sum required for school purposes for the then current year; but such sum shall not exceed an amount equal to ten mills on the dollar, according to the last revised assessment roll, on the property liable to assessment in such school district for ordinary school purposes, with such additional amount as may be necessary to meet any debenture indebtedness that may have been incurred and becoming due.

95. When property owned by a protestant is occupied by a Roman catholic and *vice versa*, the tenant in such cases shall only be assessed for the amount of property he owns, whether real or personal, but the school taxes on such property shall in all cases, whether or not the same has been or is stipulated to the contrary, in any deed, contract or lease whatever, be paid to the school to which such owner is a ratepayer.

96. Whenever property is held jointly, as tenants, or tenants in common, by two or more persons, the holders of such property being protestants and Roman

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catholics, they shall be deemed and held accountable to the board or boards of trustees for an amount of taxes in proportion to their interest in the premises, tenancy or partnership respectively and such taxes shall be paid to the school to which they respectively are ratepayers.

97. If a school be situated partly within two or more municipal corporations, then the board of trustees may make a demand upon each of such corporations, for that proportion of the amount of money required by such school which may justly be demanded by such school according to the amount of property included within the limits of the district, and situated within the limits of such municipality; or the trustees may themselves, or by means of an assessor, levy an assessment as provided in this ordinance.

98. The trustees of any school or an assessor whom they may appoint, as soon as may be in each year shall prepare an assessment roll for the school, in which shall be set down, according to the best information to be had, a list of all the taxable property for their school in the district, with the names of the occupants and owners, if such can be procured, and such list shall contain in one line, but in different columns, the following information:

- (1.) Name of occupant or person in possession, (If there be no occupant, a statement to that effect); (a) Religion of occupant; (b) Sex; (c) Age; (d) Occupation; (e) Place of residence;
- (2.) Name of the owner, if it can be ascertained. (If owner's name be unknown, such particulars concerning ownership of property as may be known); (a) Religion of owner; (b) Sex; (c) Age; (d) Occupation; (e) Place of residence.
- (3.) Description of real property in occupation of each person: (a) Part and number of section, township, range and meridian, or number and description of lot in special survey, or number of lot, house or other particulars of each parcel; (b) Improvements in cultivated land (*giving area*), and buildings (*giving size*), on each parcel; (c) Area in acres or feet of each parcel; (d) Value of each parcel; (e) Total value of real property.
- (4.) Description of taxable personal property: (a) Taxable personal property, other than income, with particulars; (b) Value of such personal property; (c) Taxable income; (d) Total value of personal property, including taxable income.
- (5.) Total value of taxable real and personal property.

99. "Land," "real property" and "real estate," respectively, shall include all buildings or other things erected upon or affixed to the land, and all machinery or other things so fixed to any building as to form, in law, part of the reality, and all trees or underwood growing upon the land, and all mines, minerals, quarries, fossils in and under the same, except mines belonging to her majesty.

- (1.) "Personal estate" and "personal property" shall include all goods, chattels, shares in incorporated companies, interest on mortgages, dividends from bank stock, money, notes, accounts and debts, at their actual value, income and all other property, except land and real estate and real property, as above defined, and except property herein expressly exempted;
- (2.) "Property" shall include both real and personal property, as above defined;
- (3.) "Ranche" shall mean land held under a grazing lease from the Dominion government.

PROPERTY LIABLE TO TAXATION, WITH EXEMPTIONS.

100. All real and personal property situated within the limits of any school district, or income derived by any person resident within the limits of such district, and wherever any portion of a ranche and the headquarters of such ranche are within the limits of any school district, the whole of the personal property belonging to the lessee of such ranche, on the same, shall be liable to taxation, subject to the following exemptions:—

- (1.) All property held by her majesty or specially exempted by the parliament of Canada or for the public use of the government of the Territories;

- (2.) All property held by or in trust for the use of any tribe of Indians or the property of the Indian department ;
 - (3.) Where any property mentioned in the preceding clauses is occupied by any person otherwise than in an official capacity, the occupant shall be assessed in respect thereof, but the property itself shall not be liable ;
 - (4.) The grounds and buildings of all public schools, universities, collegiate institutes or incorporated seminaries, being public property, so long as such property is actually used or held for educational purposes ;
 - (5.) All property belonging to the school when held and occupied or in the use of the corporation and the personal property belonging to the same ;
 - (6.) Jails and court houses and the necessary land attached thereto ;
 - (7.) Churches and the land on which they stand, not exceeding one acre ;
 - (8.) The property of every public library ;
 - (9.) The income of a farmer derived from his farm and the income of merchants, mechanics and other persons derived from capital liable to taxation ;
 - (10.) So much of the personal property of any person as is invested in the debentures or bonds of any municipality or school district within the territories ;
 - (11.) Personal property to the extent of three hundred dollars ;
 - (12.) Grain *in transitu*, household effects of every kind, books and wearing apparel ;
 - (13.) The increase in the value of the land by reason of the cultivation thereof, together with the growing crops ;
101. A person occupying property or deriving income not liable to taxation, may compel the assessor, on written demand, to assess him for such property or income in order that he may thereby be qualified for voting or holding office.

ASSESSMENT OF REAL AND PERSONAL PROPERTY.

102. Land and personal property shall be assessed against the person in occupation or possession thereof, unless when in the case of a non-resident owner, such owner shall in writing require the assessor to assess him alone for such property. But the person assessed shall in all cases, unless there is a stated agreement to the contrary, have summary recourse against such owner for the amount of taxes paid.

103. Taxes may be recovered either from the owner or occupant.

104. Where more persons than one are joint tenants or tenants in common, or holders of any property, they, or any number of them, shall be assessed for the whole of such property, subject always to the provisions of section 96 of this ordinance, and such assessments may be levied upon any one or more of them, saving always the recourse of such persons against the remaining holders, tenants or owners.

105. Real and personal property shall be estimated at their actual cash value, as they would be appraised in payment of a just debt from a solvent debtor.

106. Land held in actual use and not for purposes of sale, shall be appraised at the value which it is reasonably worth for the purposes for which it is in use.

107. Any person may be required by the assessor to deliver to him a written statement of all property for which he is liable to be assessed, with such other information as to owner, occupant, location and value, or other necessary particulars as may be demanded, and if he fails to do so or knowingly makes any false statements, such person shall, upon complaint of the assessor and upon conviction before a justice of the peace forfeit and pay a fine of twenty dollars, to be recovered in like manner as other penalties upon summary conviction before a justice of the peace.

108. The assessment roll shall be completed by the first day of April in each year, and the assessor shall, before handing the roll over to the secretary of the board of trustees, make affidavit (which shall be inscribed upon the roll) before a justice of the peace, that the statements contained therein are correct to the best of his knowledge and belief, after making due inquiry in each case.

COURT OF REVISION.

109. On receipt of the assessment roll by the secretary of the board of trustees, in form as hereinbefore provided, he shall file the same, and at all convenient office

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hours shall keep it open to the inspection of all persons resident, or owning, or in the possession of property, or in the receipt of incomes within the district, for at least the space of two weeks and until the sitting of the court of revision.

110. As soon as the assessment roll shall have been completed and filed as hereinbefore provided, the secretary of the board of trustees or the assessor shall notify in writing, by post or otherwise, every person whose name appears upon such roll and whose address is known, as follows:—

SIR (OR MADAM):—

SCHOOL DISTRICT OF

day of

18

}

You are hereby notified that your name appears on the assessment roll of this school district for the present year as the owner (or occupant) of the following property: (*Then give description of property and assessed value.*) The board of trustees for the district will sit as a court of revision, as follows: (*Mention day, hour and place at which court shall be held*), and if you consider that you have been wrongfully assessed as above stated, you will have an opportunity to make a statement of your case before the above court.

Take notice that if you do not appear before this court of revision you will not be entitled to appeal from its decision to the supreme court of the judicial district in which said school district is situated.

.....
Secretary Board of Trustees.

(or.....
Assessor.

To.....

111. The board of trustees shall cause to be posted up in at least five conspicuous places within the district, a notice that the assessment roll of the district for the current year has been made up, and where it may be examined, also the time and place at which the court of revision will be held, with a notice that such parties as do not appear before the court of revision will not be entitled to appeal from the decision of the court of revision to the supreme court of the judicial district in which such school district is situated.

112. The board of trustees of any school shall sit as a court of revision not less than fifteen or more than thirty days from the filing of the roll, and shall hear all complaints that may be entered up to the end of the day so appointed, and may adjourn from day to day until such complaints have been disposed of, but complaints entered after the day mentioned may or may not be recognized by such court of revision.

113. Such court of revision shall have power to take evidence under oath, if necessary, either on behalf of the appellant or the school district, and shall alter or amend the assessment roll as to them shall seem to be in accordance with what is just and right.

114. If a person be dissatisfied with the decision of the court of revision, he may appeal therefrom to a judge of the supreme court, and the provisions, with respect to similar appeals in municipal matters, as provided by "The Municipal Ordinance of 1885," and amendments thereto, are hereby incorporated and form part of this ordinance.

RATE OF ASSESSMENT.

115. So soon as the assessment roll has been finally revised by the board of trustees, as aforesaid, they shall make an estimate of the probable expenditure of the school for the current year, and shall strike such a rate of assessment on the assessed value of the taxable property within the district, for the school they represent, as shall be sufficient to meet such probable expenditure, making due allowance for charges and probable loss in collection:—

- (1.) Such rate shall not exceed ten mills in each dollar of property liable to taxation for ordinary school purposes, with such additional rate per dollar as may be necessary to meet any debenture indebtedness that may have been incurred by such school district on the terms upon which it was incurred.

COLLECTION OF RATES.

116. The board of trustees shall cause to be made out a collector's roll for the school, on which shall be set down the name of every person assessed, the assessed value of his real and personal property, and the amount with which such person is chargeable, according to the rate of taxation struck in respect of sums ordered to be levied by the board of trustees, with any other particulars that may be necessary, and such roll shall be placed in the hands of the treasurer for collection.

117. As soon as the treasurer shall have received the collector's roll he shall remit or cause to be remitted, by mail or otherwise, to each person whose name appears upon it as assessed for taxes, a notice in the following form:

School district of _____ day of _____ 188

SIR (OR MADAM).—You are hereby notified that you are assessed on the assessment roll of this district for the following properties: (here give description and assessed value) the taxes on which, at the rate of _____ on the dollar, amounts to _____

If the above amount is not paid to the undersigned within thirty days from the date of this notice, action to recover, as provided by law, will be taken.

.....
Treasurer.

To.....

118. The treasurer shall give receipts on behalf of the school district for all taxes paid to him, and shall enter the fact of such payment, with the date, on the collector's roll.

119. As soon as judgment has been given in the case of an assessment appealed to the supreme court, the trustees shall alter, amend or erase from the assessment and collector's rolls in accordance with such decision.

120. The treasurer shall notify the board of trustees from time to time, the names of persons who fail to pay the taxes assessed against them, and the board of trustees shall take, or authorize to be taken, such action for the collection of such taxes as is hereinafter provided in this ordinance.

121. In case any person fails to pay the taxes assessed against him, during the thirty days notice, provided in section 117 of this ordinance, the treasurer may, by himself or his agent, levy the same with costs, by distress of the goods and chattels of the person against whom the same is assessed, situated within the school district, or of any goods or chattels found upon the premises assessed, the property of or in the possession of any other occupant of the premises, and the costs chargeable shall be those payable to sheriffs.

122. The treasurer shall by advertisement, posted up in at least three public places in the school district, wherein the sale of goods and chattels distrained is to be made, give at least six days' public notice of the time and place of such sale and of the name of the person in payment of whose taxes the property is to be sold, and, at the time named in the notice, the treasurer or his agent shall sell at public auction the goods and chattels distrained or so much thereof as may be necessary to pay the taxes assessed with all lawful costs up to the close of sale.

123. If the property distrained has been sold for more than the amount of the taxes and costs, and if no claim to the surplus is made by any other person on the ground that the property sold belonged to him, or that he was entitled by lien or other right to the surplus, it shall be returned to the person in whose possession the property was when the distress was made.

- (1.) If any such claim is made by the person for whose taxes the property was distrained, and the claim is admitted, the surplus shall be paid to the claimant;

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- (2.) If the claim is contested, such surplus money shall be paid over by the treasurer of the district to the clerk of the supreme court within whose jurisdiction such school is situated; who shall retain the same until the respective rights of the parties have been determined by action at law or otherwise.

124. If the taxes payable by any persons cannot be recovered in any special manner provided by this ordinance, they may be recovered, with interest and costs as a debt due to the school, in which case the production of the collector's roll or a copy of so much thereof as relates to the taxes payable by such person, certified as a true copy by the secretary of the school, shall be *prima facie* evidence of the debt.

125. The treasurer shall, on or before the first day of October in each year return the collector's roll to the secretary of the board of trustees, with an account of all moneys received by him, accompanied by an affidavit, made before a justice of the peace, that the collection and other proceedings have been taken in accordance with the terms of this ordinance, and that all the returns contained therein are correct.

126. The treasurer shall at the same time make a return, certified by affidavit, as provided in the next preceding section, of all property upon which the taxes, or any portion thereof, remain unpaid, and the reason of the failure of such payment.

- (1.) A copy of such return shall be kept on file by the secretary of the school district, and shall be open to inspection of the ratepayers of the district or their agents.

127. The taxes accrued on any land or property shall be a special lien upon such land or property, having preference over any claim, lien, privilege or incumbrance of any party, except the crown, and shall not require registration to preserve it, and shall bear interest at the rate of 5 per cent, from the time of the return of the collector's roll to the secretary.

128. Such accrued taxes shall be entered upon the assessment roll of the district against such property, from year to year, and shall be held to be payable, if not otherwise collected, at the same time and in the same manner as the ordinary taxes of the year.

129. Whenever the treasurer is satisfied, or is notified by the board of trustees that there is sufficient distress upon any real property within the district which is in arrears for taxes, he shall proceed to levy the amount due in the manner and under the same provisions as are contained in section 121 of this ordinance.

130. When a portion of the tax on any land has been due for more than two years preceding the current year, the secretary shall prepare a list, to be headed "List of lands to be sold for taxes," which shall be in duplicate, of all the lands against which arrears of taxes remain unpaid, showing the amount of such arrears against each lot, parcel or subdivision, and all other lawful charges standing against such land on account of such arrears of taxes, and the secretary shall certify to the correctness of such lists. One of the said lists shall be delivered to the sheriff of the judicial district, within which the school is situated, with a warrant thereto annexed, signed by the chairman, commanding such sheriff to levy and collect such arrears with costs.

131. The sheriff shall endorse on such list the date of the receipt thereof by him, and give a receipt therefor to the secretary; and thereafter the collection of such arrears shall belong to the sheriff alone, and he shall receive payment of such arrears in whole; in no case shall he receive a part thereof unless satisfactory proof be produced of previous payment, or that an erroneous charge has been made in whole or in part, and a resolution of the trustees authorizing him so to do, and he shall give a receipt for such payment, specifying the amount, for what years the description of the lot or parcel of land, and the date of payment.

PROCEEDINGS FOR SALE OF LANDS FOR TAXES.

132. The sheriff shall cause to be published for eight consecutive weeks, in a weekly newspaper, published in or nearest to the district, a copy of the said list, with a notice stating when and where the said lands are to be sold, and shall cause

to be posted up in at least five conspicuous places in the school district (one of which shall be the post office in or nearest to the district) similar copies of said list and notice.

133. The sheriff shall, within one month after the last publication of the sale, as hereinbefore provided, proceed to sell the lands by public auction, and the lands shall be offered for sale in lots or parcels, as the case may be, against which the arrears of taxes, together with costs and charges, stand.

134. Where the title to any land sold for arrears of taxes is in the crown, the deed therefor, in whatever form given, shall be held to convey only such interest as the crown may have given or parted with, or may be willing to recognize or admit that any person possesses under any colour of right whatever; and the school district on whose behalf any land shall be sold for arrears of taxes as aforesaid, shall, in case of any such sale being declared invalid, be liable only for the purchase money actually paid therefor to the school district, and interest thereon as for damages or otherwise.

135. It shall not be the duty of the sheriff to make enquiry before effecting the sale of land for taxes, to ascertain whether or not there is any distress on the land, nor shall he be bound to enquire into nor form any opinion of the value of the land.

136. The sheriff shall offer each lot or parcel of land separately, and shall state the whole amount due on said lot or parcel, and shall sell the whole or so much as is necessary to the party who pays the whole of the amount due on account of said arrears, costs and charges.

137. The land adjudged to be sold by the sheriff under this ordinance shall be, commencing at the southeast corner, and shall conform as nearly as may be to the shape and number of acres in the lot or parcel of land offered for sale, and shall include the buildings or other improvements thereon, and when the land has been subdivided into lots, if the whole lot is not sold the amount adjudged to be sold shall be a strip off the whole southerly side of said lot, and shall include the buildings or other improvements thereon.

138. All sales of lands for taxes shall take place and be holden within the limits of the school district, where the land to be sold is situated, unless otherwise directed by the lieutenant governor in council.

139. The owner or agent of any land may pay the arrears with costs and charges against the same, at any time before the same are sold.

140. The sheriff may adjourn the sale from time to time, but at the time of such adjournment shall publicly state at what time the sale shall be resumed.

141. If the purchaser of any land fails immediately to pay the arrears, costs and charges against any land, the sheriff shall forthwith put up the property for sale.

142. The sheriff, after selling any lands for taxes shall give a certificate under his hand to the purchaser, stating what part of the land has been sold, describing the same as in notice of sale, the quantity sold, the sum for which it has been sold, and further stating that the land so sold will be conveyed by the sheriff to the purchaser or his assigns, on his or their demand, at any time after two years if the same be not previously redeemed.

143. The purchaser shall, on receipt of the sheriff's certificate, become the owner of the land, so far as to have all the necessary rights of action and powers for protecting the same from spoliation or waste until the expiration of the term during which the land may be redeemed; but he shall not knowingly permit any person to cut timber upon the land or otherwise injure the land, nor shall he do so himself, but he may use the land himself without deteriorating its value, provided that the purchaser shall not be liable for damage done to the property without his knowledge.

144. The owner, or his agent appointed by him in writing, may redeem any land sold by the sheriff for arrears of taxes at any time after the sale thereof, and before the expiration of two years, by paying to him the full amount for which the land was sold and interest thereon at the rate of twenty per centum per annum, to be computed from the date of sale, and an additional commission to the sheriff of two and one-half per cent.

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145. From and after the payment to the sheriff of the amount of redemption money as aforesaid, the purchaser shall cease to have any further rights in or to the lands in question.

146. The purchaser shall be entitled to receive the full amount of purchase money from the sheriff for the land so redeemed, together with interest to be computed at the rate of twenty per cent per annum, from the date of the certificate, given to him by the sheriff, to the date of the redemption.

147. If the land be not redeemed within the period allowed for its redemption, being two years from the date of sale, exclusive of that day, then on demand of the purchaser or his assigns or other legal representatives, at any time afterwards and on payment of two dollars, the sheriff shall prepare and execute and deliver to him or them a deed in duplicate of the land sold.

148. Such deed shall be in the form, or to the same effect, as in form G, in schedule annexed hereto, and shall state the date and cause of sale and the price, and shall describe the land according to the description in the certificate, and such deed shall have the effect of vesting the land in the purchaser or his heirs and assigns or other legal representatives in fee simple, and no such deed shall be invalid for any error or miscalculation in the amount of taxes or interest thereon in arrears or any error in describing the land.

149. The sheriff shall, within one month after the receipt of any money on account of arrears of taxes, pay the same to the treasurer of the school on whose account the money was received.

150. The sheriff, in addition to the fees, commissions and charges for selling, shall be entitled to receive a commission from the school of two and one-half per cent on all moneys collected on account of arrears of taxes, and may deduct the same from any money remaining in his hands to the credit of the school.

INCURRING DEBT.

151. Should it appear desirable to the board of trustees of any school that a sum of money should be borrowed upon security of the district for the erection, purchase or improvement of a school building or buildings, or for the purchase of suitable play grounds for the children attending the school or schools of the district, they shall pass a by-law to that effect, as per form H in schedule annexed hereto, or to the like effect, and before proceeding to borrow such sum of money, shall receive the sanction of a majority of the votes of the ratepayers of the school or schools by taking a vote thereon as hereinafter provided.

152. The board of trustees shall give notice, as per form I in schedule annexed hereto, or to the like effect, of the polling, by notices displayed in at least ten conspicuous places throughout the district, at least twenty days before the polling, and by advertisement for the same length of time, once each week, in the newspaper published nearest the school district.

153. A certified copy of the notice of polling shall be forwarded forthwith to the lieutenant governor by the secretary of the board of trustees.

154. The chairman of the board of trustees shall be returning officer, and shall act as hereinafter provided.

155. The returning officer shall:—

- (1.) Provide himself with a book, suitably ruled and headed, for the purpose of recording the vote cast, in which shall appear, in separate columns, but in one line, the name and sex of each voter, the description of the property voted upon, remarks, whether voter sworn or refused to be sworn, and the vote cast, whether "yea" or "nay" to the purpose specified in the notice of voting;
- (2.) Keep posted in a conspicuous place at the place of polling, a copy of the notice of voting;
- (3.) Appear at the place on the day and at the hour mentioned in the notice of voting, and continue there during the hours mentioned in such notice;
- (4.) Question, either personally or by an interpreter, in the voter's own language, if necessary, every person presenting him or herself to vote, as to

name and location, or description of property, and record the answers given in the poll book ;

- (5.) If required by any person present or of his own accord, if deemed advisable, administer the following oath, which shall express the qualification of voters :

I do solemnly swear that I am a *bona fide* ratepayer of (give name of district in full) ; that I am of the full age of twenty-one years ; that I am not an unenfranchised Indian ; that I have not voted before at this election, and that I have not received any reward, either directly or indirectly, nor have I any hope of receiving any reward for voting at this time and place. So help me God.

- (6.) If the voter is not required to be sworn, or if he takes the oath when required, ask him in an audible voice in the language spoken by him (either personally or through an interpreter) whether he votes for or against the purpose expressed in the notices of voting, and record his answer in the column headed "yea" or "nay" according to the expressed wish of such voter ;
- (7.) Admit any two persons who have respectively voted "yea" and "nay" into the polling place, to act as scrutineers, and on demand, allow either or both of them to see any vote recorded in the book ;
- (8.) At the hour appointed in the notice of voting, sum up the votes cast and declare the result ;
- (9.) In the case of a tie after the final recount, give a casting vote ;
- (10.) Announce the day, being within seven days of the day of voting, when, and the place where, he will appear before a justice of the peace for a final recount of votes, and when all complaints against the conduct or result of the voting will be heard.

156. On appearing before the justice of the peace at the time and place appointed, the returning officer shall place in the hands of such justice the poll-book used by him at the poll, and shall make an affidavit before the justice, which shall be inscribed upon such book, that the election has been conducted throughout in the manner provided by this ordinance (or with such exceptions as he shall mention) and that the returns contained therein are correct.

- (1.) The justice shall then receive and record in writing any complaint that may be made under oath by any parties relative to the conduct of the voting, and shall examine into and decide such complaints by taking evidence under oath.

157. Before proceeding to the hearing of any complaint, the justice shall require the complainant to deposit with him such sum, not being less than twenty-five nor more than one hundred dollars, as may seem necessary to him to cover the costs of the hearing of the complaint, which costs shall be paid according to the decision of such justice.

158. The decisions of the justice shall be as follows:—

- (1.) If it be found that the proceedings in taking the vote have been irregular in any essential particulars and that injustice has thereby been done, it shall be declared of no effect, and the justice shall forthwith forward to the lieutenant governor a full report to that effect ;
- (2.) If it be found that any vote has been cast by any person not duly qualified to vote, or on account of bribery or intimidation, it shall be struck off the poll book.

159. When all complaints have been heard and decided upon and the corresponding alterations duly made in the poll book, the justice shall finally sum up the votes cast and shall forward to the lieutenant governor a return as per form K in schedule annexed thereto, or to the like effect, showing the total number of votes taken, and the number remaining on each side after the recount.

160. If it is desired to appeal from the decision of the justice, such appeal must be made in the manner provided in chapter 178 of the Revised Statutes of Canada, sec. 77.

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161. Upon receipt of the return mentioned in section 159, and upon being satisfied that the several conditions, required by this ordinance, have been complied with, the lieutenant governor shall, in writing, empower the trustees to borrow the sum or sums of money mentioned in the by-law, and shall publish the same in the *Official Gazette* of the North-west Territories; and the assent of the lieutenant governor, published as aforesaid, to any such loan, shall be conclusive evidence that all the necessary formalities have been complied with, and that such loan is one which such school may lawfully make.

162. All money borrowed under this ordinance shall be borrowed by debenture, except as hereinbefore provided by this ordinance.

- (1.) The total face value of the debentures issued shall not be for a greater sum than one-tenth of the total assessed value of the real and personal property within the district, according to the last finally revised assessment roll of the district;
- (2.) Debentures shall not run for a longer term than twenty years if the school buildings be built of brick or stone, and shall not run for a longer term than ten years if the buildings be of frame or log;
- (3.) Debentures shall be of the form following, or to the like effect:

(Give full corporate name of school) \$ Debenture no.
 The trustees of (give full corporate name) promise to pay the bearer, at the
 of at the sum
 dollars of lawful money of Canada, in equal annual
 instalments from the date hereof, with interest at the rate of.....percent per annum
 on the terms and in the amounts specified in the coupons attached hereto.

.....
Chairman or Acting Chairman.

Trustee.

Dated this day of 18 .

.....
 (Coupons.)

Coupon no.

Debenture no.

The board of school trustees of will pay to the bearer at
 the bank at on the day of 188 , the sum
 of dollars, being the payment
 with the total interest at the rate of per cent per annum, due on that day on
 school debenture no.

.....
Chairman (or Acting Chairman.)

Trustee.

- (4.) Debentures shall not carry interest at a greater rate than eight per centum per annum.

163. The trustees of any school having received notice from the lieutenant governor, authorizing them to contract a loan as hereinbefore provided, shall issue debentures therefor in the form set forth in subsection 3 of the next preceding section to secure the amount of the principal and interest of such loan, upon the terms specified in the by-law before mentioned, and said debentures and the coupons thereof shall be sufficient, when signed by two of the trustees of the school to bind such school, and to create a charge or lien against all school property and rates in the school for which such loan is made.

164. All debentures shall, on redemption, be marked "cancelled" and signed by the secretary of the board of trustees, across the face thereof.

165. All debentures, before being issued, shall be sent for registration to the secretary of the board of education, who shall keep a book in which shall appear:

- (1.) The name and number of each school district issuing debentures;
- (2.) The amount of debenture indebtedness incurred by such district from time to time;
- (3.) The purposes for which the indebtedness was incurred, with particulars of the amount for each specific purpose;
- (4.) The date of redemption of each debenture.

TEACHERS' CERTIFICATES.

166. No certificate shall be given to any person as a teacher who does not furnish satisfactory proof of good moral character.

167. Every teacher's certificate of qualification shall have the signature of a member of the board of education, and be registered by the secretary of the board.

PROVISIONAL CERTIFICATES.

168. Provisional certificates will be granted to teachers not holding normal school or any class of certificates, on their sending the following information to the inspector of schools for the district in which they desire to teach, viz. :—

- (1.) A recommendation from the board of trustees of the school;
- (2.) Evidence of good moral character;
- (3.) Satisfactory evidence as to competency;
- (4.) An application for the certificate in the applicant's own handwriting;
- (5.) Provisional certificates shall only remain in force for one year from the date of issue, but shall lapse sooner if the holder shall fail to pass the examination for a 3rd class certificate held during the year;
- (6.) No provisional certificate shall be issued after the first day of January, 1889.

ANNUAL SCHOOL MEETING.

169. An annual meeting of the ratepayers of every school district shall be called by the chairman of the board of trustees for the first Tuesday in November in each year, or such other day not later than the Saturday following, as may be expedient, by public notice, giving the day, place and hour of meeting, and such notice shall be posted in five conspicuous places within the district, one week before the day for which the meeting is called.

170. The chairman of the board of trustees shall be chairman of the meeting, and the secretary of the school district shall record the minutes thereof.

171. There shall at such meeting be submitted in writing by the board of trustees and read to the meeting: (1.) By the secretary thereof, a statement of the teacher and signed by him, giving the following particulars: (a) The number of days on which school was kept open during each term, succeeding the last annual meeting; (b) The total number of children attending school during that period, specifying the number of males and females respectively; (c) The religious faith professed by the children or their parents on behalf of the children; (d) The average daily attendance during each term; (e) The branches of education taught in the school and the number of children studying each; (f) The number of dismissals of scholars for misbehaviour or other causes; (g) The report of the inspector on the occasion of his last inspection of the school.

(2.) By the secretary of the board of trustees and signed by him, a statement showing: (a) The names of the trustees; (b) The vacancies created in the board during the year, if any, giving the reasons therefor with an account of the elections held to fill such vacancies and the results thereof; (c) The engagements entered into during the year by the board as well as an account of those entailed upon them by their predecessors; (d) The amount of assessable property in the district according to the last finally revised assessment roll; (e) Rate of school tax per dollar; (f) Rate of tax per dollar to pay off debenture indebtedness; (g) The appeals against

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assessment made to the supreme court and the result of such appeals; (h) The times of holding regular meetings of the board of trustees during the year, and the resolutions adopted at such meetings, with such particulars of the minutes as may be demanded by any ratepayer present; (i) Particulars of the real and personal property held in the district;

(3.) By the treasurer of the school, and signed by him, a statement showing: (a) The amount of money received by the district from all sources during the year, with particulars; (b) The amounts accruing to the school funds of the past year on account of: Teacher's certificate; Capitation grants for attendance of children; Inspector's report of schools; Assistant teachers employed; (c) The amount of money due the district from all sources with particulars; (d) The amount of money paid out by the district during the year with the particulars of payment; (e) The amount, if any, due by the school, to whom due, and the terms and time of payment;

(4.) By the board of trustees, and signed by the chairman, such statement in regard to the past, present and future of the district, as they may deem sufficient.

DEFERRED SCHOOL MEETINGS.

172. In case, from the want of proper notice or other cause, any first or other school meeting, required to be held under this ordinance, was not held at the proper time, the secretary of the board of education or any two resident ratepayers to the school, may, within thirty days after the time at which the meeting should have been held, call a school meeting, by giving six days' notice, to be posted in at least three of the most public places in the school district, and the meeting thus called shall possess all the powers and perform all the duties of the meeting in the place of which it is called.

MISCELLANEOUS.

173. The fiscal school year shall commence on the first day of November in each year, and all accounts opened during the preceding fiscal year shall, if possible, be closed at that date.

174. All schools hereinbefore established are hereby continued under and subject to the provisions of the ordinance.

175. The board of education shall cause to be printed and kept on hand such forms as they may deem necessary in the carrying out of this ordinance, and supply the same to the parties interested, upon application, at cost price.

176. Public notice put up in accordance with this ordinance may be either printed or written, and unless otherwise provided, the trustees shall post up within the district, at least five such notices, not less than eight days prior to the holding of all public meetings.

177. All declarations and affidavits provided by this ordinance may be made either before a justice of the peace or a notary public.

178. All school meetings, after the first, shall be called by the respective boards of trustees, except as otherwise provided by this ordinance.

179. The lieutenant governor may, whenever he thinks it desirable in the public interest to do so, appoint a commissioner to examine into and report to him upon the condition of any one or more schools, and such commissioner shall have the powers of a school inspector for such purpose. Pending any such investigation, no public money shall be paid to such school or schools.

180. In cases where it is provided in this ordinance that forms in the schedule annexed hereto are to be used, such forms shall be followed as near as may be, or as the circumstances will admit.

181. All forms or notices required under this ordinance may be either printed or written.

182. Ordinance no. 3, of 1885, intituled "An Ordinance to Amend and Consolidate, as Amended, the School Ordinance of 1884," and ordinance no. 10, of 1866, intituled, "An Ordinance to Amend the School Ordinance of 1885," are hereby repealed.

183. This ordinance may be cited as "The School Ordinance of 1887."

APPENDIX.

FORM A.

(See Sections 22 and 26.)

NOTICE.

All parties are hereby notified that the undersigned committee have petitioned the lieutenant governor for the erection of (give name in full) school district within the following limits, that is to say (define limits) and the lieutenant governor having approved of said limits, we hereby call a meeting of the school ratepayers within these limits to decide whether such petition shall be granted or not, to be held on the _____ day of _____ at _____ from 12 o'clock noon till 4 p.m., and to elect three school trustees. The qualification of voters is expressed in the following oath, which persons desiring to vote must take, if required:—' You do solemnly swear that your name is (mention name given by proposed voter); that you are the owner, (tenant or occupant) of (describe the land voted upon); that it is of the value of one hundred dollars (or, if a tenant, of the yearly value of twenty dollars); that it is situated within the limits of the proposed school district; that you are of the full age of twenty-one years; that you are not an unenfranchised Indian; that you have not received any corrupt reward and have no hope or expectation of receiving any such reward for voting at this time and place.'

Of which all persons interested are hereby required to take notice and govern themselves accordingly.

A. B. }
 C. D. } School Committee.
 E. F. }

FORM B.

(Subsection (2) of Section 48.)

FORM OF AGREEMENT BETWEEN TRUSTEES AND TEACHER.

We, the undersigned trustees of (here insert name of school district or separate school, in full), have chosen _____ who holds a _____ class certificate of qualification, to be a teacher in the said school; and we do hereby contract with and employ such teacher at the rate of _____ per annum (or as the case may be), from and after the date hereof, and we do further bind and oblige ourselves and our successors in office faithfully to collect and pay the teacher, during the continuance of this agreement, the sum or sums for which we hereby become bound; the said sum or sums to be paid to the said teacher. And the said teacher hereby contracts with the trustees hereinafter named and their successors in office, and binds himself to teach and conduct the school of said district (or separate school as the case may be), according to the provisions of the school ordinance of 1887 and the regulations of the board of education in force under its authority.

This agreement shall continue in force _____ from the date hereof, unless the certificate of the said teacher should in the meantime be revoked, and shall not include any teaching on Saturdays or on other lawful holidays or vacations decided on, e.g.

All such holidays and vacations being at the absolute disposal of the teacher, without any deduction from his salary whatever.

} Trustees.

Dated this

day of

1894

Teacher.
 , A.D. 18

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FORM C.

(Section 52)

FORM OF CONCURRENCE IN RESIGNATION OF TRUSTEES.

A. B., our colleague, as trustee of (here insert name of school in full), having intimated his desire to us to resign his office as such trustee, we the undersigned remaining trustees of said school do hereby consent to his resignation, as authorized by section 52 of the school ordinance of 1887, such resignation to take effect on the election of his successor at a meeting of the ratepayers of said school called by us and to be held on the _____ day of _____ 18__

Dated this _____

day of _____

C. D. } Remaining Trustees.
E. F. }
18 .

NOTE.—To be given to the retiring trustee for presentation to the chairman of the school meeting, called as above.

FORM D.

(Section 63.)

FORM OF BOND TO BE GIVEN BY TREASURER.

Know all men by these presents:

That A. B., treasurer of (here insert name of school in full), C. D., of _____ and E. T., of _____ are held and firmly bound unto the trustees of the said school or to their successors, in the penal sum of _____ dollars, to be well and truly paid to the said trustees, or their successors, for which payment we bind ourselves and each of us respectively binds himself and his respective heirs, executors and administrators, firmly by these presents.

Witness my hand and seal, and dated this _____

day of _____

18__

~~NOTE~~ The condition of the above bond or obligation is such that if the above bounden his heirs, executors, or administrators, do and shall well and truly account for and remit all moneys belonging to such corporation coming into his hands to the corporation of the school trustees of (here insert name of school in full), without any deduction, defalcation or abatement whatsoever, then the said bond or obligation to be void, otherwise to be, and to remain in full force and virtue.

Signed, sealed, etc., etc.

FORM E.

(See Subsection 1 of 63.)

I hereby certify that _____ has this day, as treasurer of (give name and number of school) for the term ending _____ day of _____ entered into a bond in the sum of _____ dollars, with _____ and _____, as his sureties, in the sum of _____ dollars each.

Dated at _____

this _____

day of _____

J.P.

FORM F.

(See Section 92.)

I, A.B., treasurer of (give name and number of school), do hereby declare as follows:—

1. That the school has been kept open _____ days during the quarter ending _____

2. That the number of pupils in attendance during said quarter was
 3. That the daily average attendance of pupils during said quarter was
 4. That the classes of certificates held by the teachers (as the case may be),
 and approved by the board of education, are:—

Principal	Class
1st Assistant	"
2nd Assistant	"
3rd Assistant	"

And I make this solemn declaration conscientiously believing the same to be true,
 and by virtue of the "Act respecting Extra-Judicial Oaths."

Treasurer.

P.O. Address.

Declared before me at

this

day of

J.P.

FORM G.

(See Section 148.)

To all to whom these presents shall come, I _____, of _____,
 in the North-west Territories, sheriff, send greeting.

Whereas, by virtue of authority vested in me by the school ordinance of 1887,
 I did on the _____ day of _____ in the year of our Lord
 one thousand eight hundred and _____, sell by public auction, the land
 hereinafter mentioned for arrears of taxes and costs and charges thereon
 _____, of _____, in the _____ at and for the price
 and sum of _____ lawful money of Canada, on account of the arrears
 of taxes alleged to be due thereon, up to the _____ day
 eighty _____ together with costs.

Now know ye, that I, _____, the said sheriff in pursuance of
 such sale and of the school ordinance of 1887, and for the consideration aforesaid,
 do hereby grant, bargain and sell unto the said _____ of _____
 in the _____ his heirs and assigns all that
 certain parcel and tract of land and premises, containing
 being composed (describe the land so that the same can be readily identified).

In witness whereof I, the said sheriff, have hereto set my hand and affixed my
 seal this the _____ day of _____ in the year of our Lord
 one thousand eight hundred and _____

Sheriff.

[Seal.]

FORM H.

(Vide Section 151.)

BY-LAW No.

A by-law relating to the issue of debentures of the (give full corporate name of
 the school district).

Whereas it is necessary and desirable that the sum of _____ dollars
 should be borrowed on the security of (give full name of district,) for the purpose
 of _____ repayable to the bearer, with interest
 at _____ per centum per annum, in _____ equal consecutive annual
 instalments;

Now, therefore, the board of trustees of the said school district enact as
 follows:—

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1. That the necessary notices be given, advertisements published, and proceedings had, under "The School Ordinance of 1887," for receiving the sanction of the ratepayers of the school district to the loan and the issue of debentures therefor, and that the voting thereon shall take place at
 on the day of 18 ,
 pursuant to the provisions of said ordinance.

2. That if the said sanction be obtained, and the lieutenant governor shall empower, in writing, the said board of trustees to borrow the said sum, pursuant to said ordinance, then debentures of the said district will be issued, payable to the bearer, in
 equal consecutive annual instalments, with interest at per centum per annum, and shall be executed by the chairman and one member of this board of trustees.

Done and passed at this day in the provisional district
 of A.D. 18

Chairman.

} Trustees.

(Seal.)

FORM I.

(Vide Section 152.)

PUBLIC NOTICE.

By the trustees of the (give full corporate name of school district.)

Whereas it is deemed expedient by the trustees of the (give full name of the district), that the sum of dollars should be borrowed on the security of the said school district by the issue of debentures repayable to the bearer in equal consecutive annual instalments, from the issue thereof, with interest at the rate of per centum per annum, for the following purposes, namely:—

Therefore, notice is hereby given, by the trustees of said district, that a poll will be opened by the undersigned, chairman of the said trustees, at the
 on the day of 18 , at the
 hour of ten o'clock, a.m., and will continue open until four o'clock p.m. of the same day, when the votes of those duly qualified to vote thereon will be taken for or against raising the said sum of dollars by way of a loan on the security of the said school district as hereinbefore set forth.

The qualification of voters is expressed in the following oath, which persons desiring to vote, must take, if required:—"I, A.B., do solemnly swear that I am a *bona fide* resident ratepayer of the (name of school district); that I am of the full age of twenty-one years; that I am not an unenfranchised Indian, that I have not voted before at this election, and I have not received any reward, either directly or indirectly, nor have I any hope of receiving any reward at this time and place. So help me God."

Of which all persons interested are hereby notified, and are required to govern themselves accordingly.

Chairman.

} Trustees.

Dated at this day of 18

FORM K.

(Vide Section 159.)

I, the undersigned justice of the peace (or notary public, as the case may be,) in and for the North-west Territories, having received the poll book used to record the votes taken at the meeting held in the (give name of school district in full) on the day of 18 , in connection

with the issue of debentures on the security of the said district, and having heard all complaints relative to the conduct of the voting, beg leave to submit the following return of the vote:—

Total No. of Votes Taken.		No. of Votes on Each Side After the Recount.	
For.	Against.	For.	Against.

J.P. or N.P.

Dated at
this day of 18

No. 20 of 1889.

AN ORDINANCE TO AMEND CHAPTER 59 OF THE REVISED ORDINANCES OF THE NORTH-WEST TERRITORIES, INTITLED "THE SCHOOL ORDINANCE."

[Assented to November 22nd, 1889.]

The Lieutenant Governor, by and with the advice and consent of the Legislative Assembly of the Territories, enacts as follows:—

1. Subsection (d) of section 38 of the said ordinance is hereby amended by adding thereto the following words:—

"Together with the total assessed value of their real and personal property, according to the last revised assessment roll of the district."

2. Section 48 of the said ordinance is hereby amended by adding thereto the following subsection:—

(17.) To provide wholesome and pure drinking water for the use of the children during school hours.

3. Subsection 6 of section 60 of the said ordinance is hereby amended by adding thereto the following words:—

"And such report shall be accompanied by an affidavit, stating the facts contained therein to be true."

4. Section 74 of the said ordinance is hereby amended by adding thereto the following sub-section:—

(19.) To produce all registers, time-tables and other books used in connection with their school, when demanded by any member of the board of education, inspector of schools, or justice of the peace in and for the Territories.

5. Section 79 of the said ordinance is hereby amended by striking out the words "six weeks," where it occurs in the second line thereof, and substituting therefor the words "two months," and by striking out the word "two" in the third line thereof, and substituting therefor the word "one."

6. Subdivision (e) of subsection (2) of section 96 of the said ordinance is hereby amended by striking out the words "place of residence," and substituting therefor the words "post office address."

7. Section 126 of the said ordinance is hereby amended by striking out the word "assessment" in the first and second lines thereof, and substituting therefor the word "collector's."

8. Section 147 of the said ordinance is hereby amended by striking out the words "a majority," in the tenth and eleventh lines thereof, and substituting therefor

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the words "two-thirds," and by inserting after the word "ratepayers" in the eleventh line the words "voting thereon."

9. Subsection (5) of section 151 of the said ordinance is hereby amended by striking out the word "resident," in the first line of the oath appended thereto.

10. Section 175 of the said ordinance is hereby amended by inserting the words "in council" after the words "lieutenant governor" in the first line thereof, and by adding thereto the following subsection:

(1.) The lieutenant governor in council may at any time appoint a commissioner to inspect the financial arrangements of any school district.

11. Section 177 of the said ordinance is hereby amended by striking out the words "pupils, in regular attendance at any one such school," in the third and fourth lines thereof and substituting therefor the words "children of resident ratepayers;" and by inserting after the word "education" in the tenth line of said section, the following words, "and the daily average attendance at the high school branch of such schools is at least ten."

12. The lieutenant governor may from time to time alter the corporate name of any school district, upon the petition of the majority of the ratepayers of such district, by proclamation in the *Official Gazette*.

13. In the school districts, situated either wholly or in part within the limits of a town municipality, the board of trustees shall be increased to five in number, and the election of the additional number of such trustees shall be in the manner following:

(1.) At the first annual school meeting held after the passing of this ordinance to fill the vacancy which occurs yearly under the provisions of section 32 of "The School Ordinance," the ratepayers present shall elect three trustees who shall be declared to hold office as provided by said section 32;

(2.) At subsequent annual elections of trustees in such school districts, the provisions of section 43 of "The School Ordinance" shall, *mutatis mutandis*, apply.

14. In organized school districts no person shall be entitled to vote at any school meeting or for the election of a trustee or trustees (*as the case may be*) who has not paid all taxes in arrear, due by him to such school district.

No. 15 OF 1890.

AN ORDINANCE TO FURTHER AMEND "THE REVISED ORDINANCE RESPECTING SCHOOLS," AND TO AMEND ORDINANCE NO. 20 OF 1889, AMENDING SAID ORDINANCE.

[Assented to November 29th, 1890.]

The Lieutenant Governor, by and with the advice and consent of the Legislative Assembly of the Territories, enacts as follows:—

1. Section 33 of the said revised school ordinance is hereby amended by striking out the words "before taking office" and inserting the following in lieu thereof: "within eight days after his election."

2. Subsection (4) of section 48 of the said revised school ordinance is hereby amended by adding thereto the following words: "and may erect and keep in order stabling accommodation."

3. Section 51 of the said revised school ordinance is hereby amended by striking out the words "within eight days after his election," and inserting the following in lieu thereof: "before the first regular meeting of the school trustees."

4. Section 72 of the said revised school ordinance is hereby amended by striking out all the words after the word "ordinance," where it occurs in the ninth line of said section, and inserting the following in lieu thereof:—

"And upon any such disorganization of a school district, the lieutenant governor may appoint one or more persons as commissioners to adjust and settle the assets and liabilities of such district, and such commissioner or commissioners so appointed shall have full power and authority to sell and dispose of and convert into money all the assets and property of said district, and apply the same, so far as the same will extend, first, in payment of the liabilities of said district, and secondly in payment

of his or their remuneration, as hereinafter mentioned, and divide the surplus, if any, *pro rata* among the ratepayers of said district entitled to share therein, and in case the amount so realized shall be insufficient to pay and satisfy the liabilities of said district and his or their remuneration, then such commissioner or commissioners shall have full power and authority to assess, levy and collect, in the same manner as assessors and collectors are authorized to do by this ordinance, such sum or sums of money as may be required to pay and satisfy such indebtedness or any balance thereof remaining unpaid, and all expenses connected therewith, including his or their remuneration, which shall be fixed by the lieutenant governor."

5. Section 79 of the said revised school ordinance, and section 5 of the said ordinance no. 20 of 1889, are hereby repealed and the following substituted therefor:—

79. In all schools open during the whole year, there shall be seven weeks' holidays, of which not less than two nor more than six weeks shall be given in summer, and not less than one nor more than five in winter, to be apportioned at the discretion of the various boards of school trustees. The summer holidays shall fall between the 2nd day of July and the 31st day of August, and the winter holidays shall commence on December 24th.

(1.) When a school is only open during certain months in summer, the trustees of such school may give holidays, not to exceed two weeks, between the 2nd day of July and the 31st day of August, at their discretion.

6. Section 171 of the said revised school ordinance is hereby amended by striking out the last three words in said section.

7. Section 11 of the said ordinance no. 20 of 1889 is hereby repealed.

8. Section 177 of the said revised school ordinance is hereby repealed and the following substituted therefor:—

177. To schools in which the daily average attendance is not less than sixty pupils, when not less than three teachers are employed, and when not less than fifteen pupils, in regular attendance at any one such school, have passed the examination prescribed by the board of education for entrance to the high school branch of such schools, a grant of \$350 in addition to the grants to which the school is otherwise entitled, may be made annually to such school for a high school teacher, provided the certificates held by such teacher are approved by the board of education, and the daily average attendance at the high school branch of such school is at least ten.

Provided always that in any two adjacent school districts, jointly fulfilling the above requirements, a "union school" may be established in either district, at the discretion and under the management of the trustees of both districts.

9. Subsection (1) of section 48 of the said revised school ordinance is hereby amended by adding thereto the following words:—"In the event of it not being found convenient to have the school house located exactly in the centre of the school district the trustees may locate it elsewhere, within the district, upon receiving the consent of the board of education to such location."

10. At the annual election of school trustees, the returning officer shall, if required by any person present, or may of his own accord, if deemed advisable, administer the following oath, which shall express the qualification of voters:—

I do solemnly swear that I am a *bona fide* resident ratepayer of (give name of district in full); that I am of the full age of twenty-one years; that I am not an unfranchised Indian; that I have not before voted at this election; and that I have not received any reward, either directly or indirectly, nor have I any hope of receiving any reward for voting at this time and place. So help me God.

11. No grant for the quarter ending 30th June, in each year, shall be paid to any school, which is open during the whole year, until a return in form A appended to this ordinance has been sent in by the trustees of the school district to the lieutenant governor.

12. No grant for the quarter ending 31st December, in each year, shall be paid to any school until a return in form B, appended to this ordinance, has been sent in by the trustees of the school district to the lieutenant governor.

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FORM A—(For schools open the whole year.) TRUSTEES' RETURN.

For the first term ending... June, 189..., for the... Department in the school in

school district no. of the N.W.T.

Teacher's name..... Class of certificate.....
 Length of service in this school..... Salary.....
 Date school opened this term..... Date school closed.....
 No. of days school was held during the term..... Boys..... girls.....
 Pupils enrolled..... Average daily attendance.....
 Total days' attendance..... Date and duration of holidays during the year.....
 Percentage of attendance.....

NUMBER OF PUPILS RECEIVING INSTRUCTION.

STANDARD.	Reading.	Spelling and Dictation.	Composition.	Writing.	Arithmetic.	Ethics.	Drill and Calisthenics.	Grammar.	Geography.	History (Canadian).	History (British).	Literature.	Book-keeping.	Object lessons.	Drawing.	Music.	Algebra.	Geometry.	Latin.	French.	Physiology and hygiene.	Chemistry.	Botany.	Agriculture.	Kindergarten.	Needle work, etc.
I.....
II.....
III.....
IV.....
V.....
VI.....
VII.....
VIII.....

HALF-YEARLY EXAMINATION.

No. of pupils present..... No. of parents and visitors present..... School officers present.....
 Subjects on which pupils were examined.....
 Comments by trustees and others.....

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TEACHER'S AFFIDAVIT.

(All the blanks of this return should be filled before the affidavit is taken.)

I, _____, holding a valid _____ class certificate from the board of education for the North-west Territories, do solemnly declare that I have taught and conducted the school (or the _____ department of the school) in _____ school district no. _____ of the North-west Territories, in accordance with the requirements of "The School Ordinance" and the regulations of the board of education, for the period of _____ legally authorized days, during the school term ending _____ June, 18 _____; that only the text-books authorized by the Board of Education have been used; that the school register has been faithfully and impartially kept; that to the best of my knowledge and belief all the statements in this return are correct; that my agreement is in accordance with the ordinance and the regulations in that behalf, and that there is no collusive understanding by which any portion of the agreement is to be made of no effect; and I make this solemn declaration conscientiously believing the same to be true, and by virtue of "The Act respecting Extra-judicial Oaths."

Declared before me at _____ }
 this _____ day of _____, 18 _____ }
 J.P. } Teacher.

AFFIDAVIT OF TRUSTEES.

(The signatures of two trustees to the following affidavit will be sufficient.)

The undersigned do hereby solemnly declare that the school (respecting which the Teacher has declared to specific statements made in this, our return) has been supported and controlled in accordance with the provisions of "The School Ordinance," and the regulations thereunder made by the board of education, and that we have faithfully sought to procure and return herein accurate answers to each and every enquiry; and that, to the best of our knowledge and belief, this our return is correct in every particular.

Declared before me at _____ }
 this _____ day of _____, 18 _____ }
 J.P. } } Trustees.
 Countersigned, _____ }
 Secretary of Trustees.

FORM B.

(For all Schools.)

TRUSTEES' ANNUAL RETURN

For the school year ending 31st December, 18 _____ for the _____ department in the school in " _____ school district no. _____ of the North-west Territories."

Teacher's name _____ class of certificate _____

Length of service in this school _____ salary _____

Date school opened for the year _____ date school closed _____

Number of days school was held during the year _____

Number of pupils enrolled _____ boys _____ girls _____

Total days' attendance _____ average daily attendance _____

Percentage of attendance _____

Date and duration of holidays during the year _____

NUMBER OF PUPILS RECEIVING INSTRUCTION WHEN SCHOOL CLOSED.

STANDARDS.	Reading.	Spelling and Dictation.	Composition.	Writing.	Arithmetic.	Ethics.	Drill and Callisthenics.	Grammar.	Geography.	History (Canadian).	History (British).	Literature.	Book-keeping.	Object Lessons.	Drawing.	Music.	Algebra.	Geometry.	Latin.	French.	Physiology and Hygiene.	Chemistry.	Botany.	Agriculture.	Kindergarten.	Needlework, etc., etc.
	I.....																									
II.....																										
III.....																										
IV.....																										
V.....																										
VI.....																										
VII.....																										
VIII.....																										

HALF-YEARLY EXAMINATION.

Number of pupils present.....no. of parents and visitors present.....
 School officers present.....
 Subjects upon which pupils were examined.....
 Comments by trustees and others.....

AFFIDAVIT OF TRUSTEES.

(The signature of two trustees to the following affidavit will be sufficient.)

The undersigned do hereby solemnly declare that the school (respecting which the teacher has declared to specific statements in this our return) has been supported and controlled in accordance with the provisions of "The School Ordinance," and the regulations thereunder made by the board of education, and that we have faithfully sought to procure and return herein accurate answers to each and every inquiry; and that, to the best of our knowledge and belief, this our return is correct in every particular.

Declared before me at
 this day of

18 }
 J.P. }

} Trustees.

Countersigned

Secretary of Trustees.

TEACHER'S AFFIDAVIT.

(All the blanks in this return should be filled up before the affidavits are made.)

I, _____ holding a valid _____ class certificate from the board of education of the North-west Territories, do solemnly declare that I have taught and conducted the school (or the _____ department of the school) in "_____ school district no _____ of the North-west Territories," in accordance with the requirements of "The School Ordinance," and the regulations of the board of education, for the period of _____ legally authorized days during the school year ending _____ December, 18 _____; that only the text books authorized by the board of education have been used in said school; that the school register has been faithfully and impartially kept; that, to the best of my knowledge and belief, all the statements in this return are correct; that my agreement with the trustees is in accordance with the ordinance and regulations in that behalf, and there is no collusive understanding by which any portion of the said agreement is to be made of no effect; and I make this solemn declaration conscientiously believing the same to be true, and by virtue of "The Act respecting Extrajudicial Oaths."

Declared before me at _____ this _____ day of _____ 18 _____ }
 J.P. }
 Teacher.

TREASURER'S STATEMENT.

CASH Account for.....school district no.....N.W.T., for the year ending 31st December, 18....

RECEIPTS.			EXPENDITURES.		
	\$	cts.		\$	cts.
Govt. grant for quarter ending			For teachers' salaries		
do do			On account of debenture indebtedness.....		
do do			For rent of buildings.....		
do do			For school apparatus.....		
Taxes collected during the year.....			For caretaker and fuel.....		
Received for fees from pupils.....			On school buildings.....		
Proceeds of sales of debentures.....					

AMOUNTS DUE TO AND BY THE DISTRICT.

Arrears of taxes due to district....			Balance due on—		
Fees from pupils.....			Teachers' salaries		
			Outstanding accounts.....		
			Buildings and land.....		

PARTICULARS OF ASSESSMENT.

Amount of assessable property from last revised assessment roll.....			Estimated value of—		
Rate of school tax per \$.....			Real estate		
do do to pay debenture indebtedness.....			School buildings.....		
			Furniture		

ASSETS OF DISTRICT.

AUDITOR'S REPORT.

I hereby certify that I have compared above statement with the books kept by the district, and find the same correct.

.....
 Auditor.

COST OF LAND AND BUILDINGS.

Amount paid for—
 School site

do buildings.....		
do furniture, etc.....		

.....
 Treasurer.

Schools in the North-west Territories.

No. 28 OF 1891-92.

AN ORDINANCE TO FURTHER AMEND CHAPTER 59 OF THE REVISED ORDINANCE, 1888, INTITULED "THE SCHOOL ORDINANCE."

[Assented to January 25th, 1892.]

The Lieutenant Governor, by and with the advice and consent of the Legislative Assembly of the Territories, enacts as follows:—

1. Section 4 of the said ordinance is hereby amended by striking out the words, "for two years and until their successors are appointed," and inserting in lieu thereof the words, "during pleasure."

2. Section 5 of the said ordinance is hereby repealed, and the following substituted in lieu thereof:—

(5.) "The board shall meet at Regina at such times as the lieutenant governor in council may direct."

3. Sub-division (a) of subsection 5, and subsection 8 of section 10 of the said ordinance are hereby repealed.

4. Subsection 3 of section 11 of the said ordinance is hereby repealed.

5. The lieutenant governor in council may appoint inspectors of schools in the Territories, and fix their salaries and travelling allowances, and such inspectors shall severally hold office during pleasure, and in addition to the duties imposed upon them under subsection 5 of section 10 of the said ordinance, shall perform such other duties as may be imposed upon them from time to time by the lieutenant governor in council.

6. Section 12 of the said ordinance is hereby repealed and the following substituted in lieu thereof:—

(12.) "There shall be a general board of examiners for teachers' certificates, who shall be appointed, and whose remuneration shall be fixed by the lieutenant governor in council."

7. Section 13 of the said ordinance is hereby repealed and the following substituted in lieu thereof:—

(13.) Each section of the board shall have the selection of text books for the examination of teachers in history and science, and it shall have power to prescribe any additional subjects of examination for the teachers of schools of its section, and for all examinations on such subject the examiners may be appointed by each section, and shall if so appointed, respectively have jurisdiction. The number of such examiners shall be fixed by the lieutenant governor in council.

8. Section 15 of the said ordinance is hereby amended by striking out the following words: "to call all meetings of the board of education, and of the sections thereof, in accordance with the provisions of this ordinance, and also."

9. Section 35 of the said ordinance is hereby amended by striking out the word "forthwith," and by adding the following subsection:—

a. A school district shall be proclaimed in the month of June or December, as the case may be, immediately following the receipt by the lieutenant governor of the report and the declaration of the chairman of a first school meeting; and new districts shall only become entitled to government aid on, from and after the first day of the school term following such proclamation.

10. Section 52 of the said ordinance is hereby amended by inserting after the word "month" the following words: "or neglect or refusal to attend the meetings of the board of trustees during a period of three months."

11. Section 90 of the said ordinance is hereby repealed.

12. The following section is hereby substituted for section 90 of the said ordinance:—

(90) There shall be paid from the general revenue fund of the Territories in aid of schools organized under and conducted according to the provisions of this ordinance, 70 per cent of the salary paid by the trustees to the teacher or teachers employed;

Provided that the annual salary upon which such per centage is payable shall not exceed the amount hereinafter provided, to be made up as follows:—

a. To schools having an average attendance of from six to ten pupils, graded in standard iii or under, where a teacher holding a 3rd class or provisional certificate is employed, \$360;

b. For every pupil in daily average attendance over ten pupils, an additional amount of \$5;

c. For every pupil in daily average attendance in all standards above iii according to the last examination as provided for in the next following section, an additional amount of \$25;

d. For each teacher employed, holding a 2nd class certificate an additional \$25, and for each teacher employed holding a first class certificate, an additional amount of \$50;

Provided that in schools where more than one teacher is employed, each department shall rank as a school under the provisions of subsection (a), when each teacher employed has a daily average attendance of not less than twenty pupils;

e. Upon the recommendation of an inspector, the lieutenant governor in council may make a special grant to any school, whether organized according to law or not, out of the general revenue fund of the Territories.

13. There shall be regular annual promotion examinations held in each school, in the months of June and July in each year, in accordance with regulations to be issued by the board of education, in all standards, from standard iii upwards.

a. In order to be promoted from standard iii to standard iv, pupils must pass the examination to be held in the month of June, in the following subjects, viz.:—Reading, dictation, composition and language, arithmetic, geography and history, as prescribed in standard iii of the programme of studies;

b. To be promoted from standard iv to standard v, a pupil must pass the entrance examination to be held in the month of June to the high school branch of union schools;

c. To be promoted from standard v to standard vi, a pupil must pass the examination to be held in July for a third class certificate.

d. To be promoted from standard vi to standard vii, a pupil must pass the examination to be held in July for a 2nd class certificate.

14. Notice of the intended appointment of an additional teacher or teachers shall be given in writing by trustees to the secretary of the board of education at least three months previously to the date at which the services of such teacher or teachers, in respect of which government aid is claimed, have begun.

15. The provisions of section 12 of this ordinance shall not come into force until the first day of July, A.D. 1892.

REGULATIONS OF THE BOARD OF EDUCATION OF THE NORTH-WEST TERRITORIES.

[Adopted 22nd April, 1886.]

Examinations of candidates for certificates shall be held on the second Tuesday of August, and on the second Tuesday of January in each year, at such places as may be decided upon by the school inspectors, of which due notice will be given.

Two month's notice of their intention to attend the examination shall be given by candidates to the inspector of schools for the district in which they intend to be present for examination.

One month's notice of the number of candidates for each grade of certificate who purpose attending the examination, shall be given by the inspectors to the board of examiners.

The certificates granted by the board of education shall be graduated as follows: First-class, two grades, A and B. Second-class, two grades, A and B. Third-class, one grade.

RULES TO BE OBSERVED BY CANDIDATES.

1. Candidates in preparing their answers, shall write on one side only of each sheet, placing the number of each page at the top, in the right hand corner. Having

Schools in the North-west Territories.

written his name at the bottom of each page, and having arranged his answer papers in the order of the questions, each candidate shall fold his papers once across from the bottom upward, and write on the outside, on separate lines (1) the name of the place of examination, (2) his name, (3) the class of certificate for which he is a candidate, and (4) the name of the subject.

2. Candidates shall be in their places punctually at the appointed time, and shall, when the order to stop writing is given, obey it immediately. No candidate shall be permitted to make any alterations in his answers after they are once handed in, or to put in supplementary answers, and no extra time shall be given those who arrive late.

3. In the event of a candidate copying from another, or allowing another to copy from him, or taking into the room in which the examination is held any books, notes, or anything from which he can derive assistance in the examination, it shall be the duty of the presiding inspector, if he obtains clear evidence of the fact, at the time of its occurrence, to cause such candidate at once to leave the room; neither shall such candidate be permitted to enter during the remaining part of the examination, and his name shall be struck off the list of candidates. If, however, the evidence of such copying be not clear at the time, or if it be obtained after the conclusion of the examination, the inspector must report the case to the board of education.

4. Each candidate shall, upon the first day of examination, hand to the presiding inspector, a slip of paper containing the following information: (1.) Age on last birthday. (2.) Kind of certificate last held (if any), and where obtained. (3.) Name of normal school (if any), where trained. (4.) Length of experience in teaching. (5.) Name and address of person signing certificate of moral character. (6.) Candidate's name in full. (7.) Candidate's postoffice address.

SUBJECTS OF EXAMINATION.

First Class.

The subjects of examination for first-class certificates shall be as follows:

Reading.—To be able to read intelligently and expressively any extract in prose or verse.

Spelling.—To be able to write correctly from dictation an extract from any author; the papers written on the other subjects must also be free from orthographical errors.

Writing.—To be thoroughly acquainted with the principles of penmanship and to be able to write a good running hand.

English Literature.—To have a general acquaintance with English literature and its history, and to be able to give a critical analysis of a play from Shakespere, or a work of some other author assigned for examination from time to time by the board.

Grammar.—To be thoroughly acquainted with the origin and construction of the English language and to show familiarity with its correct use in speaking and writing.

Composition.—In addition to the work for second class, to show, by passing an examination on this subject and by the character of their answers on other subjects, an acquaintance with the rules of rhetoric and a habit of writing English with clearness, force and taste.

Geography.—To have a thorough knowledge of the mathematical, physical and political geography of the world.

History.—As for second class, together with Green's Shorter History of the English People.

Book-keeping.—To be acquainted with single and double entry.

Arithmetic and Mensuration.—To have a thorough knowledge of arithmetic and the mensuration of surfaces and solids.

Algebra.—To the binomial theorem, inclusive, in Todhunter's large algebra.

Eucld.—Books I, II, III, IV and VI and the definitions of book V; with deductions.

Statics, Hydrostatics and Physics.—As contained in the prescribed text books.

Physiology and Hygiene.—As for second class, with a knowledge of the brain and the nervous system.

Chemistry and Botany.—As contained in the prescribed text-books.

Books prescribed and recommended for the use of candidates for first-class certificates:

Spalding's History of English Literature; Mason's English Grammar; Bain's Rhetoric and Composition; Green's Shorter History of the English People; Withrow's Canadian History; Kirkland's Elementary Statics; Hamblin Smith's Elementary Hydrostatics; Balfour Stewart's Elementary Physics; Gray's How Plants Grow; Huxley's Elementary Physiology; Buckton's Health in the House, Roscoe's Elementary Chemistry; Todhunter's Algebra, McLellan's Teachers' Handbook of Algebra; Page's Physical Geography; Potts' Euclid.

For Roman catholic candidates in place of Green's Shorter History of the English People, Lingard's History of England, and Catechism of Perseverance.

Books for French candidates.

Littérature Française et Anglaise; Grammaire Française de l'Académie; Rhétorique et Composition; Histoire d'Angleterre (Drioux); Histoire du Canada (Garnéau); Eléments de Physique; Eléments de Botanique (Provancher); Algèbre, Géométrie et Trigonométrie; Arithmétique en toutes ses parties (Frères des Ecoles Chrétiennes); Analyse grammaticale et logique; Tenue des livres en partie double et en partie simple; Géographie mathématique, physique et politique (Holmes); Histoire Sainte; Catéchisme de Persévérance.

SECOND CLASS.

The subjects of examination for second class certificates shall be as follows:

Reading.—As for first class.

Spelling.—As for first class.

Writing.—As for first class.

English Literature.—To be acquainted with the outlines of the history of English literature and to be familiar with the work or works of some English author, assigned from time to time for special preparation.

Grammar.—To be acquainted with grammatical forms and the rules of syntax, and their correct application to the use of language in speaking and writing.

Composition.—In addition to the work for third class, to show by the composition of abstracts, paraphrases or essays an acquaintance with the rules of punctuation, and a fair mastery of the art of writing good English.

Geography.—Mathematical, physical and political.

History.—To be thoroughly acquainted with the history of England and Canada.

Book-keeping.—By single and double entry.

Arithmetic.—A thorough acquaintance with the subject.

Algebra.—To the end of quadratic equations.

Euclid.—Books i and ii with deductions.

Physiology and Hygiene.—To be acquainted with the processes of digestion, circulation and respiration, and to be familiar with the ordinary laws of health.

Books prescribed and recommended for the use of candidates for second class certificates.

Stopford Brooke's English Literature; Mason's Outlines of English Grammar; Abbott's How to Write Clearly; Huxley's Elementary Physiology; Catherine Buckton's Health in the House; Page's Physical Geography; Collier's History of the British Empire; Jeffers' History of Canada; Beatty & Clare's Book-keeping; Todhunter's Algebra for Beginners; Potts' Euclid.

For Roman catholic candidates in place of Collier's History of the British Empire and Jeffers' History of Canada, Lingard's History of England, A.D. 1066–1272, Christian Brothers' of Montreal History of Canada and Butler's Catechism.

Books for French candidates.

Lecture raisonnée; Ecriture; Grammaire; Géographie, Eléments d'Algèbre, Eléments de Géométrie (Frères des Ecoles Chrétiennes); Histoire d'Angleterre

Schools in the North-west Territories.

(Drioux); Histoire Sainte (Drioux); Histoire du Canada (Garneau); Catéchisme de Persévérance.

THIRD CLASS.

The subjects of examination for third class certificates shall be as follows:—

Reading.—To be able to read any passage selected from the authorized reading books intelligently and expressively.

Spelling.—To be able to write correctly any passage that may be dictated from the authorized readers.

Writing.—To be able to write legibly and neatly.

Grammar.—To be acquainted with the elements of English grammar, and to be able to analyze and parse any ordinary prose sentence.

Composition.—To be acquainted with the construction of sentences, the rendering of poetry into prose, the forms of business and general correspondence, and the writing of themes.

Geography.—To be acquainted with the general geography of the world, and of America and Europe in particular; and to have a good general knowledge of the form and motions of the earth, and their connection with climate, the seasons and the divisions of time.

History.—To have a good general knowledge of the history of England and Canada.

Arithmetic.—To be thoroughly acquainted with the subject as far as per centage, including interest and discount.

Books prescribed and recommended for study by candidates for third class certificates:

Mason's Outlines of English Grammar; Morrison's English Composition; Campbell's Geography; Collier's School History of the British Empire; Jeffers' History of Canada (primer); Hughes' Topical Histories of England and Canada; Hamblin Smith's Arithmetic.

For Roman catholic candidates in place of Collier's History of the British Empire and Jeffers' History of Canada, Lingard's History of England, A.D. 1066-1215, Christian Brothers of Montreal History of Canada and Butler's Catechism.

Books for French candidates.

Livres de lecture, 1er, 2e, 3e, 4e et 5e (J. B. Rolland, Montreal); Grammaire Française et Analyse (Frères des Écoles Chrétiennes); Exercices orthographiques; Grammaire avec exercices; Géographie primaire (Frères des Écoles Chrétiennes); Arithmétique (F. X. Toussaint); Histoire Sainte (Drioux); Histoire du Canada (Laverdière); Écriture.

PERSONS ELIGIBLE TO RECEIVE THE VARIOUS GRADES OF CERTIFICATES.

A first class certificate will be granted by the board of education of the North-west Territories, as follows:

(1.) To any candidate producing a first class certificate from any normal school or a first-class professional certificate.

(2.) To any candidate producing a second class certificate from any normal school and passing the examination of the board of examiners of the North-west Territories for a first class certificate.

(3.) To any candidate holding a second class certificate from the board of education of the North-west Territories and passing the examination of the board of examiners for a first class certificate and producing the inspector's report of the candidates' school showing that his method of teaching has been graded "excellent."

(4.) To any candidate who is a graduate of a British or Canadian university and who furnishes evidence to the satisfaction of the board of examiners of having taught a school for at least two years.

A second class certificate will be granted as follows:

(1.) To any candidate producing a second class certificate from any normal school or a second-class professional certificate.

(2.) To any candidate producing a third class certificate from any normal school and passing the examination of the board of examiners for a second class certificate.

(3.) To any candidate holding a third class certificate of the board of education of the North-west Territories and passing the examination of the board of examiners for a second class certificate and producing the inspector of school's report of the candidate's school showing that his method of teaching has been graded "very good" or "good."

(4.) To any candidate who is a graduate of a British or Canadian university and who furnishes evidence to the satisfaction of the board of examiners of having taught a school for at least one year.

A third class certificate will be granted as follows :

(1.) To any candidate producing a third class certificate from any normal school or a third class non-professional certificate.

(2.) To any candidate producing a provisional certificate and passing the examination of the board of examiners for a third class certificate and producing the inspector of school report of the candidate's school showing that his method of teaching has been graded "very fair" or "fair."

(3.) To any candidate who is a graduate of a British or Canadian university.

REGULATIONS OF THE BOARD OF EDUCATION OF THE NORTH-WEST TERRITORIES.

[Adopted 15th March, 1888.]

Clauses from 1 to 9 inclusive of the following regulations of the board of education refer to schools not designated protestant or Roman catholic and have been adopted by the two sections of the board for the schools under their respective control; and the subjects of clauses 10 to 47, being within the sole jurisdiction of the board, such clauses apply to all schools in the territories.

SCHOOL PREMISES.

SCHOOL SITE.

1. School trustees are required to obtain a title to their school site and register the same. When a title cannot be immediately secured, the case must be reported to the secretary of the board of education, and the sanction of the board, or the section thereof interested, shall be obtained before a building is erected or expense incurred in the purchase of the ground.

2. When practicable, especially in cities or towns, school grounds should be enclosed with a substantial fence; the planting of shade trees in school grounds is recommended.

SCHOOL HOUSE.

3. Before letting any contract for the erection of a school house, or obtaining a loan by the issue of debentures for the same, school trustees shall submit a copy of the plans and specifications to the secretary of the board of education for approval; and no school house shall be erected, or furniture provided, except upon a plan duly approved by the board or section thereof interested.

4. It shall be the duty of the local inspector, at his first official visit, to examine the school house and report to the secretary any departure from the approved plans in its erection and furnishing, in addition to the report required by the ordinance.

5. It is recommended that all school houses be kept insured.

6. It is essential that every school district should have a school house adequate to the requirements of the school district, and in order to insure the health, comfort and convenience of the children attending school, the board of education requires that all school houses shall be erected and furnished with due regard to the following conditions:—

(1.) The dimensions of each school shall not be less than twenty-four feet long by eighteen feet wide, and the side walls shall be at least ten feet in height

Schools in the North-west Territories.

from floor to ceiling. School houses at which there will be an average attendance of over twenty-five pupils shall be erected so as to afford one hundred and fifty cubic feet of air space for each pupil;

- (2.) The entrance door or doors shall open outwards and be protected by a weather-tight porch or shall open from an inner vestibule. An embankment of earth shall be placed around the house to at least the height of the floor level;
- (3.) Where practicable the chimney shall be constructed of brick or cement, and shall contain two flues, one for the escape of smoke and one for foul air, each flue to have a capacity of not less than five by eight inches in the clear. The ventilating flue shall be continued from the chimney down to the floor of the room, by means of a wooden or metal pipe of the same capacity as the chimney flue; this pipe shall contain two openings, not less than eight inches square, one at the floor and one near the ceiling, regulated by valves;
- (4.) The windows shall light the room from the sides of the building only, and shall be arranged to open easily;
- (5.) The seats and desks shall be arranged so that the pupils may sit facing the teacher, and it is recommended that they shall not be longer than is requisite to seat two pupils each;
- (6.) The seats shall be so regulated as to height, that pupils of different ages may be seated with their feet squarely upon the floor, and it is desirable that the backs should slope backward two or three inches from the perpendicular;
- (7.) Where practicable, the seats and desks shall be fastened to the floor in rows, with aisles of suitable width between the rows; a passage, at least two feet wide, shall be left between the outside rows and the side and rear walls of the building, and a space, from three to five feet wide, between the teacher's platform and the front desks;
- (8.) A sufficient number of seats and desks shall be provided for the accommodation of all the pupils ordinarily in attendance at the school. Each desk shall be provided with a shelf for pupils' books, etc.

N.B.—Trustees purchasing desks are recommended to procure at least three different sizes, suited to the ages of the pupils. For the convenience of those who may choose to have them made, by a local mechanic, the following table of dimensions is given :—

AGE OF PUPILS.	CHAIRS OR SEATS.			DESKS.			
	Height.		Slope of Back.	Height.		Width.	Height next Pupil.
	Front.	Rear.		Double.	Single.		
	Inches.	Inches.	Inches.	Inches.	Inches.	Inches.	Inches.
Five to eight years	12	11½	2	36	18	12	22
Eight to ten years	13	12½	2	36	18	12	23
Ten to thirteen years	14	13½	2½	36	20	13	24
Thirteen to sixteen years	16	15½	3	40	22	13	26

BLACKBOARD.

- (9.) Each school-house shall be provided with a blackboard, at least four feet wide and ten feet long, extending across the room in the rear of the teacher's desk, its lower edge not over two and a half feet above the floor or platform, or, if this is not practicable, with blackboard cloth, or a move-

able blackboard. It is recommended that the blackboard should extend the whole width of the room, and that there should be an additional blackboard on each side of the room.

N.B.—The following suggestions will be found useful to those desiring information as to the materials, etc., that are necessary to make a good blackboard: (a.) The plaster upon which the colouring is to be spread should be composed largely of plaster of Paris. (b.) Before and after receiving the first coat of colour, it should be thoroughly rubbed with fine sand paper. (c.) The colouring matter should be laid on with a wide, flat varnish brush. (d.) The liquid colouring matter may be either purchased ready to be laid on, or made by any painter as follows: Dissolve gum shellac in alcohol, four ounces to the quart, the alcohol being at least 95 per cent strong; the dissolving process will require about twelve hours. Fine flour of emery, with enough lampblack or chrome green to give it a colour, is then to be added, until the mixture has the consistency of thin paint. It may then be applied in long, even strokes, up and down, the liquid being kept constantly stirred.

MAPS AND APPARATUS.

- (10.) Each school shall be supplied with the necessary maps and apparatus, which shall be under the care of the teacher, who shall be responsible for their preservation from injury.
- (11.) The following articles, in addition to those already mentioned, shall be considered necessary to the equipment of every school: (a) One or more sets of reading charts. (b) Maps of the world, Canada, and the North-west Territories. (c) A supply of chalk or crayons for blackboard use.

N.B.—In choosing maps, trustees are required to procure only those of Canada and North-west Territories that have the latest divisions properly marked.

POWERS AND DUTIES OF TEACHERS.

7. In addition to the duties specified in the school ordinance, teachers are empowered and required: (1.) In the maintenance of discipline, to avoid unnecessary harshness or the use of punishments degrading in their tendency or of a nature to cause serious bodily injury, and to endeavour to govern their pupils with such mild firmness as a judicious parent would employ. (2.) To enforce by precept, and example, habits of punctuality, neatness, cleanliness, regularity and order; to observe and impress upon the pupils the principles and morals of the Christian religion, especially those of truth, honesty, piety and humanity; and the duty of respect and obedience to parents and to all persons placed in authority over them. (3.) To classify the pupils according to their attainments, and to teach the subjects as laid down in the programme of studies authorized by the board or the respective sections thereof. (4.) To suspend pupils from school for gross offences or for persistence in any fault calculated to exercise an injurious influence on the other pupils; but all such suspensions shall be reported at once in writing to the parents or guardians of the pupils suspended, and to the trustees: and the trustees shall confirm or annul the action of the teacher, as they may think proper, provided that an appeal shall lie to the board or to the section thereof, as the case may be. (5.) To be at the school-room each day before the hour of opening and to teach diligently and faithfully during the whole period assigned for school work.

DUTIES OF PUPILS.

8. It is required of each and every pupil: (1.) To come to school clean and tidy in person and clothes; to avoid idleness, profanity, falsehood, deceit, quarrelling and fighting; to be obedient to his instructors and to the rules of the school, diligent in study and courteous to all. (2.) To furnish the teacher with an excuse from his parent or guardian for tardiness or absence from school. (3.) To be present at each examination of his school, or, if absent, to furnish a satisfactory excuse. (4.) Not

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to depart, without the teacher's consent, before the time appointed for closing the school. (5.) To be amenable to the teacher for any misconduct on the school premises, or in going to and returning from school. (6.) To come to school with the prescribed school books and school requisites.

TEXT BOOKS.

9. The trustees of schools which are not designated protestant or Roman catholic shall select for use therein either the list of books authorized by the protestant or Roman catholic section of the board, for use in the schools of its section, and shall at once notify the secretary of the board of education of the selection made. The inspectors for such schools shall be the inspectors of the section of the board whose list of books the trustees have selected for use therein.

SCHOOL REGISTER.

10. All teachers shall mark the attendance of pupils, previously to beginning the regular school-work, each morning and afternoon, in the register supplied by the board of education for that purpose.

11. Teachers shall keep the register in duplicate, one copy to be retained as part of the records of the school.

12. A separate school register must be used for each term.

13. The register must be made up at the close of each term so as to show: (1.) The daily attendance of each pupil. (2.) The number of days each pupil attended school during the term. (3.) The greatest number of days attended by any pupil. (4.) The average daily attendance of pupils. (5.) The number of days the school was open during the term.

14. The declaration on back of register must be made by each teacher before sending in the register at the close of the term.

TEACHERS' CERTIFICATES.

15. No person can lawfully be employed as a teacher in any school in the North-west Territories, unless such person holds a certificate granted as prescribed by the school ordinance.

16. Any board of school trustees, employing a teacher who does not hold a certificate from this board forfeits its rights to any of the grants provided by the school ordinance.

17. The certificates granted by the board of education shall be graded as follows: First class—two grades, A and B. Second class—two grades, A and B. Third class—one grade;

18. Each of these certificates shall be termed professional or non-professional, as the case may be, and shall be obtainable as hereinafter provided.

NON-PROFESSIONAL CERTIFICATES.

19. Non-professional certificates may be obtained by persons presenting satisfactory evidence of good moral character, proof of being eighteen years of age in the case of males, and sixteen years of age in the case of females, and passing the examination of teachers held annually, or producing evidence satisfactory to the board of having passed an equivalent examination elsewhere.

20. To pass the examination a candidate must obtain the following percentage of marks: (1.) For grade A of first and second class—fifty per cent of the marks attached to each of the subjects of examination and 70 per cent of the total number of marks. (2.) For grade B of first and second class, and for third class—thirty-five per cent of the marks attached to each of the subjects of examination and fifty per cent of the total number of marks.

21. A third-class non-professional certificate shall be valid for one year from the date of issue; a first or second class non-professional certificate shall be valid for two years.

PROFESSIONAL CERTIFICATES.

22. A third class professional certificate, valid for three years from the date of issue, will be granted by the board of education, as follows: (1.) To any person producing a third class non-professional certificate bearing the inspector's endorsement approved by the board. (2.) To any person producing a normal or other certificate, which, in the opinion of the board, may entitle such person to a third class professional certificate.

23. A second class professional certificate, graded A or B, as the case may be, will be granted to any person presenting a second class non-professional certificate, or something which is its equivalent in the opinion of the board, and one of the following three things: (a) A certificate of normal school training. (b) Any other certificate approved by the board indicating training in the art of teaching. (c) Evidence, attested by inspector's endorsements, of having taught successfully for at least two years.

24. A first class professional certificate, graded A or B, as the case may be, will be granted to any person presenting a first class non-professional certificate, or something which is its equivalent in the opinion of the board, and one of the following three things: (a) A certificate of normal school training. (b) Any other certificate approved by the board indicating training in the art of teaching. (c) Evidence, attested by inspector's endorsements, of having taught school successfully for at least two years.

ANNUAL EXAMINATION.

25. The annual examination of candidates for certificates shall commence on the first Tuesday of August in each year, at such places as may be decided upon by the school inspectors, of which due notice shall be given by them.

26. Two months' notice of their intention to attend the examination shall be given by candidates to the inspector of schools for the district in which they intend to be present for examination.

27. One month's notice of the number of candidates for each grade of certificate who purpose attending the examination shall be given by the inspectors to the secretary of the board of education.

BOARD OF EXAMINERS.

28. The general board of examiners for teachers' certificates shall consist of four members, and it shall be the duty of such board to: (1.) Prepare the examination questions. (2.) Adopt a time table showing the hours at which the examination shall be opened and closed each day; the hours for the presentation to the candidates of each set of questions and the time allowed for the answering of questions in each subject. (3.) Determine the number of marks to be attached to the different subjects of examination and the respective value of the questions. (4.) Cause all questions to be copied or printed under the supervision of the secretary of the board of education, in such number and form as may be deemed necessary. (5.) Examine and estimate the value of the answers of the candidates. (6.) With all convenient speed make a full report of the examination to the board of education. (7.) And generally perform all duties necessary for the proper examination of the candidates.

29. For preparing the questions of examination the board of examiners shall meet at Regina on the second Monday of June, and for examining the candidates' papers on the second Monday of September.

30. Two members, one from each section of the board of examiners, shall constitute a quorum at any fixed or regularly called meeting of said board; and the secretary of the board of education shall be, *ex-officio*, secretary of the board of examiners and keep minutes of its proceedings.

GENERAL RULES.

31. The necessary papers shall be sent by the secretary of the board of education, by registered letter, to the officer presiding at the examination, under seal, so as to be received by him in time for the examination.

Schools in the North-west Territories.

32. All examinations shall be held in the most convenient school house, to be selected by the inspector, who shall make all suitable arrangements for holding the examination. It shall be obligatory on the trustees of any school district, upon application of the inspector, to place the school house, or suitable room in it, at his disposal for the purpose of holding examinations therein.

33. Upon the examination day, the candidates being all seated in their places, the presiding officer shall break the seal of the packet containing the questions in the presence of the candidates, and shall proceed to deliver a proper copy of the questions to each candidate. Blank paper, for answering the questions, shall be furnished to each candidate by the presiding officer. No book or means of reference whatever shall be allowed to be within the reach of any candidate, and any candidate availing himself of any means of reference, by whatever way obtained, or having any communication, during the hours of examination, with any one, except the officer in charge of the examination, will not be allowed to continue his examination.

34. Any such case shall be reported by the presiding officer to the board of education.

35. The presiding officer shall not leave the examination room during the hours of examination.

36. If any candidate desires to leave the examination room, he must be requested to deliver up to the presiding officer the paper at which he was working, before he leaves, and be told at the same time he will not be allowed to resume the examination upon the subject of that particular paper which he had then given up.

37. One set of questions upon one subject only will be permitted to a candidate at one time, as specified in the time-table furnished by the board of examiners.

38. At the close of the examination the presiding officer shall collect the examination papers of the candidates and forward them, together with a report of any special circumstances that may have arisen during the examination, under seal to the secretary of the board of education.

39. The presiding officer shall forward a memorandum of his charges and the expenses incident to the conduct of the examination to the secretary of the board of education.

RULES TO BE OBSERVED BY CANDIDATES.

40. Each candidate shall, upon the first day of examination, hand to the presiding officer, a slip of paper containing the following information: (1.) Age or last birthday. (2.) Kind of certificate last held (if any) and where obtained. (3.) Name of normal school (if any) where trained. (4.) Length of experience in teaching. (5.) Name and address of person signing certificate of moral character. (6.) Candidate's name in full. (7.) Candidate's post office address.

41. Candidates shall be in their places punctually at the appointed time, and shall, when the order to stop writing is given, obey it immediately. No candidate shall be permitted to make any alterations in his answers after they are once handed in, or to put in supplementary answers, and no extra time shall be given those who arrive late.

42. Candidates in preparing their answers, shall write on one side only of each sheet, placing the number of each page at the top in the right hand corner. Having written his name at the bottom of each page, and having arranged his answer papers in the order of the questions, each candidate shall fold his papers once across from the bottom upward, and write on the outside, on separate lines (1) the name of the place of examination, (2) his name, (3) the class of certificate for which he is a candidate, and (4) the name of the subject.

43. In the event of a candidate copying from another, or allowing another to copy from him, or taking into the room in which the examination is held anything from which he can derive assistance in the examination, it shall be the duty of the presiding officer, if he obtains clear evidence of the fact, at the time of its occurrence, to cause such candidate at once to leave the room; neither shall such candidate be permitted to enter during the remaining part of the examination, and his name shall be struck off the list of candidates. If, how-

ever, the evidence of such copying be not clear at the time, or if it be obtained after the conclusion of the examination, the presiding officer must report the case to the board of education.

SUBJECTS OF EXAMINATION.

Third Class.

44. The subjects of examination for third class certificates shall be as follows:

Reading.—To be able to read any passage selected from the authorized reading books intelligibly and expressively.

Spelling.—To be able to write correctly any passage that may be dictated from the authorized readers.

Writing.—To be able to write legibly and neatly.

Grammar.—To be acquainted with the elements of English Grammar, and be able to parse any ordinary prose sentence.

Composition.—To be acquainted with the construction of sentences, the rendering of poetry into prose, the forms of business and general correspondence, and the writing of themes.

Geography.—To be acquainted with the general geography of the world, and of America and Europe in particular; and to have a good general knowledge of the form and motions of the earth, and their connection with climate, the seasons and the divisions of time.

History.—To have a good general knowledge of the history of England and Canada.

Arithmetic.—To be thoroughly acquainted with the subject as far as per centage, including interest and discount.

Science and Art of Teaching.—As contained in the prescribed text-books.

N.B.—Books prescribed for the use of candidates for third class certificates.

By the protestant section:

Mason's Outlines of English Grammar; Morrison's English Composition; Campbell's Geography; Collier's School History of the British Empire; Jeffers' History of Canada (primer); Hughes's Topical Histories of England and Canada; Hamblin Smith's Arithmetic; Baldwin's Art of School Management; Browning's Educational Theories; Hughes' Drill and Calisthenics.

By the Roman catholic section:

(a.) For English candidates:

Lessons in English, Elementary Course, by Christian Brothers; Geography, Elementary Course by Christian Brothers; History of Canada (compendium of) by Christian Brothers; History of England, A.D. 1066—1215, Lingard; Introduction to Commercial Arithmetic, by Christian Brothers; Baldwin's Art of School Management; Hughes' Drill and Calisthenics.

(b.) For French candidates:

“Leçons en Français, cours élémentaire, par les Frères; Géographie, cours élémentaire, par les Frères; Abrégé de l'Histoire du Canada, par les Frères; Précis, Histoire d'Angleterre, par Drioux; Introduction à l'arithmétique, par les Frères.”

SECOND CLASS.

45. The subjects of examination for second class certificates shall be as follows:

Reading.—As for first class.

Spelling.—As for first class.

Writing.—As for first class.

English Literature.—To be acquainted with the outlines of the history of English literature, and to be familiar with the work or works of some English author, assigned from time to time for special preparation.

Grammar.—To be acquainted with grammatical forms and the rules of syntax, and their correct application to the use of language in speaking and writing.

Composition.—In addition to the work for third class, to show by the composition of abstracts, paraphrases or essays, an acquaintance with the rules of punctuation, and a fair mastery of the art of writing good English.

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Geography.—As for first class.

History.—To be thoroughly acquainted with the history of England and Canada.

Book-keeping.—To be acquainted with book-keeping by single and double entry.

Arithmetic.—A thorough acquaintance with the subject.

Algebra.—To the end of quadratic equations.

Geometry.—Euclid, books i and ii, with deductions.

Physiology and Hygiene.—To be acquainted with the processes of digestion, circulation and respiration, and to be familiar with the ordinary laws of health.

School Law.—Respecting the duties of trustees and teachers, as prescribed by the school ordinances and regulations.

Science and Art of Teaching.—As contained in the prescribed text-books.

N.B.—Books prescribed for the use of candidates for second class certificates:

By the protestant section:

Stopford Brooke's English Literature; Mason's Outlines of English Grammar; Abbott's How to Write Clearly; Huxley's Elementary Physiology; Catherine Buckton's Health in the House; Page's Physical Geography; Collier's History of the British Empire; Jeffers' History of Canada; Beatty & Clare's Book-keeping; Todhunter's Algebra for Beginners; Potts' Euclid; Baldwin's Art of School Management; Browning's Educational Theories; Hughes' Drill and Calisthenics.

By the Roman catholic section:

(a.) For English candidates:

Lessons in English, Intermediate Course, by Christian Brothers; Geography, Intermediate Course, by Christian Brothers; Compendium of History of Canada, by Christian Brothers; History of England, 1215-1509, by Lingard; Commercial Arithmetic, Intermediate Course, by Christian Brothers; Todhunter's Algebra for Beginners; Potts' Euclid; Huxley's Elementary Physiology; Catherine Buckton's Health in the House; Book-keeping from Commercial Arithmetic by Christian Brothers; Baldwin's Art of School Management; Hughes' Drill and Calisthenics.

(b.) For French candidates:

Leçons en Français, Cours Intermédiaire, par les Frères; Géographie, Cours Intermédiaire, par les Frères; Abrégé de l'Histoire du Canada, par les Frères; Histoire d'Angleterre, par Drioux; Arithmétique Commercial, Cours Intermédiaire, par les Frères; Algèbre, par Eysséric et Pascal; Géométrie, par Eysséric et Pascal; Tenue des Livres de l'Arithmétique Commercial des Frères."

FIRST CLASS.

46. The subjects of examination for first class certificates shall be as follows:—

Reading.—To be able to read intelligibly and expressively any extract in prose or verse.

Spelling.—To be able to write correctly from dictation an extract from any author; the papers written on the other subjects must also be free from orthographical errors.

Writing.—To be thoroughly acquainted with the principles of penmanship and to be able to write a good running hand.

English Literature.—To have a thorough acquaintance with English literature and its history, and to be able to give a critical analysis of a play from Shakespeare, or a work of some other author assigned for examination from time to time by the board.

Grammar.—To be thoroughly acquainted with the origin and construction of the English language and to show familiarity with its correct use in speaking and writing.

Composition.—In addition to the work for second class, to show, by passing an examination on this subject and by the character of their answers on other subjects, an acquaintance with the rules of rhetoric, and a habit of writing English with clearness, force and taste.

Geography.—To have a thorough knowledge of the mathematical, physical and political geography of the world.

History.—To be thoroughly acquainted with the history of England and Canada.

Book-keeping.—To be acquainted with single and double entry.

Arithmetic and Mensuration.—To have a thorough knowledge of arithmetic and the mensuration of surfaces and solids.

Algebra.—To the binomial theorem, inclusive, in Todhunter's large algebra.

Geometry.—Euclid, books i, ii, iii, iv and vi, and the definitions of book v : with deductions.

Statics, Hydrostatics and Physics.—As contained in the prescribed text-books.

Physiology and Hygiene.—As for second class, with a knowledge of the brain and the nervous system.

Chemistry and Botany.—As contained in the prescribed text books.

School Law.—Respecting the duties of trustees and teachers, as prescribed by the school ordinance and regulations.

Science and Art of Teaching.—As contained in the prescribed text books.

N.B.—Books prescribed and recommended for the use of candidates for first class certificates.

By the protestant section :

Spalding's History of English Literature; Mason's English Grammar; Bain's Rhetoric and Composition; Green's Shorter History of the English People; Withrow's Canadian History; Kirkland's Elementary Statics; Hamblin Smith's Elementary Hydrostatics; Balfour Stewart's Elementary Physics; Gray's How Plants Grow; Huxley's Elementary Physiology; Buckton's Health in the House; Roscoe's Elementary Chemistry; Todhunter's Algebra; McLellan's Teacher's Handbook of Algebra; Page's Physical Geography; Potts' Euclid; Baldwin's Art of School Management; Browning's Educational Theories; Hughes' Drill and Calisthenics.

By the Roman catholic section :

(a.) For English candidates :

History of English Literature, by Chateaubriand; Lessons in English, Superior Course, by Christian Brothers; Geography, Superior Course, by Christian Brothers; History of Canada, by Christian Brothers; History of England, by Lingard; Commercial Arithmetic, Superior Course, by Christian Brothers; Todhunter's Algebra; Potts' Euclid; Hamblin Smith's Elementary Hydrostatics; Balfour Stewart's Elementary Physics; Gray's How Plants Grow; Huxley's Elementary Physiology; Buckton's Health in the House; Roscoe's Elementary Chemistry; Baldwin's Art of School Management; Hughes' Drill and Calisthenics."

(b.) For French candidates :

Histoire de la Littérature Anglaise, par Chateaubriand; Leçons en Français, cours supérieur, par les Frères; Géographie, cours supérieur, par les Frères; Histoire du Canada, par les Frères; Histoire d'Angleterre, par Drioux; Arithmétique commerciale, cours supérieur, par les Frères; Algèbre, par Eysséric et Pascal; Géométrie, par Eysséric et Pascal; Précis de Physique et de Chimie, par Drioux; Traité élémentaire de Botanique, par l'abbé Provencher."

SECRETARIES OF SCHOOL DISTRICTS.

47. In addition to the duties prescribed by the school ordinance, they are required to send information immediately to the secretary of the board of education in the event of: (a) Any change taking place in the trustees of the district. (b) Any change of secretary or treasurer. (c) Any change of teacher. (d) The school being closed from any cause.

REGULATIONS OF THE PROTESTANT SECTION OF THE BOARD OF EDUCATION.

[Passed 15th March, 1888.]

PROGRAMME OF STUDIES.

1. The following programme of studies, with the percentage of time to be devoted weekly to the teaching of each subject, is authorized for the protestant schools of the territories; but its use may be subject to such modifications as the circumstances of each school may render advisable. These modifications must, however, before they are acted upon by the teachers, be submitted to the local school inspector and receive his assent.

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2. The subjects of reading, writing, spelling, composition, arithmetic and moral training being essential, shall not be omitted from the time table of any school.

3. The time table of each rural school, not kept in operation the whole school year, shall assign at least seventy-five per cent of the time each week to the teaching of the subjects declared to be essential, the remainder of the time being occupied with such instruction in grammar, history, geography, object lessons, etc., as may be found practicable, by familiar oral lessons or by combining them with the teaching of composition and writing.

4. Besides using the time for moral training definitely set apart in the programme, the teacher is expected to take advantage of such occasions as arise during the whole course of study for the inculcation of these matters, and he is expected also to support his instructions by his personal example and authority. The religious exercises of the school should be conducted without haste and with the utmost reverence and decorum.

5. Each teacher shall make out a time table for his school and submit it for approval to the local inspector at his next regular visit. It shall then be posted up, with the inspector's approval marked upon it, in a conspicuous place in the school room.

PROGRAMME OF STUDIES.

SUBJECT.	Standard I.	Standard II.	Standard III.	Standard IV.	Standard V.	Full Course.	
						Partial Course.	
READING.....	Tablets, First Book, parts i and ii.	Second Reader..	Third Reader...	Fourth Reader..	Fifth Reader,...	0	1618
SPELLING....	From reading lessons on slates and orally.	From reading lessons on slates and orally.	From reading lessons on slates and orally.	From reading lessons, oral and written.	From reading lessons and dictation.	8	810
COMPOSITION.	New words in reading lessons used in original sentences; reproduction of simple stories, and of the substance of the reading lessons.	Reproduction of the substance of the reading lessons; simple letter writing.	Reproduction of the substance of the reading lessons; short historical tales; letter writing.	Further extension of the subject.	Exercises in narration and description; themes; essays.	10	1010
WRITING.....	On slates.....	Copy-books, nos. 1 and 2.	Copy-books, nos. 3, 4 and 5.	Copy-books, nos. 6, 7 and 8.	The subject continued.		1011
ARITHMETIC..	Part 1. Ideas of nos. 1 to 20 developed; operations in addition, subtraction, multiplication and division, — results not to exceed 20. Part 2. From 20 to 1000; operations in 4 simple rules—results not to exceed 1000. Roman numerals to XII. Mental arithmetic.	Simple rules completed. Notation and numeration to 1,000,000. Roman numerals to C. Mental arithmetic.	Notation completed. Practical problems in simple rules. Measures and multiples. Vulgar fractions. Mental arithmetic.	Vulgar and decimal fractions, elementary percentage and interest. Mental arithmetic.	The subject completed.		1418

PROGRAMME OF STUDIES—*Concluded*

SUBJECT.	Standard I.	Standard II.	Standard III.	Standard IV.	Standard V.	Full Course. Partial Course.
ETHICS	Conversations on the duty of believing in, fearing and loving God; cleanliness and neatness; honesty, truthfulness and obedience.	Subject continued; avoidance of impure and profane language.	Subject continued; respect to parents and persons in authority, cultivation of courteous and modest behaviour at all times; how to be useful and honourable. Lessons on temperance; how to play in such a way as to promote health.	Subject continued; reverence for all sacred things; integrity, manliness, unselfishness, self-control, forgiveness of injuries, thrift, perseverance. The laws of health, including the nature and effects of alcohol on the system.	Subject continued; self-denial, self-respect, courteous behaviour to the opposite sex; the avoidance of bad habits; the cultivation of a cheerful disposition; the duty of doing to others as we would be done by. Loyalty to queen and country.	6 0 5 5
GRAMMAR	Correction of common mistakes.	Correction of common mistakes. Division of sentences into subject and predicate.	Analysis of easy, simple sentences. Recognition of parts of speech.	Analysis; inflections of the parts of speech; parsing.	The subject completed.	7
GEOGRAPHY	Conversations about the earth; ideas of places; points of the compass.	Elementary definitions; local geography; boundaries; leading physical features of the North-west Territories.	Definitions; map of the world in outline; North America; map drawing.	Subject continued, with Europe, Canada, United States.	General geography.	7
HISTORY			Stories from Readers.	Principal events in English and Canadian history.	English and Canadian history. Literature.	5
BOOK-KEEPING			Simple accounts, receipts.	Subject continued, with orders, notes, cheques, drafts.	Simple and double entry.	5
OBJECT LESSONS	Form, size, colour, weight, common objects (parts and qualities).	The subject continued.	Common objects; (source, manufacture, uses, etc.) Animals, birds, plants.	Animal life; wild and domestic.	The subject continued.	4
DRAWING	Straight lines and their simpler combinations. Elementary figures.	The subject continued.	Drawing of objects.	The subject continued.		4
MUSIC	Simple songs	The subject continued.	Simple songs. Elementary ideas of written music, where possible.	Singing. Musical notation, where possible.	Sacred music; musical notation where possible.	2
CALISTHENICS	Simple exercises. Kindergarten songs.	The subject continued.	The subject continued, with drill, including fire drill.	The subject continued.	The subject continued.	3 3
ALGEBRA AND GEOMETRY					Elementary algebra; Euclid, books 1 and 2, with deductions.	

o Percentage of time per week for each subject, suggested for the guidance of teachers.

Schools in the North-west Territories.

LIST OF BOOKS AUTHORIZED FOR USE IN THE PROTESTANT SCHOOLS.

ENGLISH.

Canadian Readers published by W. J. Gage, & Co., Toronto :

1st Primer.....	6 cents.
2nd Primer.....	10 "
2nd Book.....	25 "
3rd Book.....	40 "
4th Book.....	50 "
5th Book.....	60 "
6th Book.....	90 "
Gage's Practical Speller.....	30 "
Morrison's English Composition.....	45 "
Miller's Swinton's Language Lessons.....	25 "
Mason's Outlines of English Grammar.....	45 "
Mason's Advanced Grammar.....	75 "
Spalding's English Literature.....	90 "

GEOGRAPHY AND HISTORY.

Geikies' Physical Geography.....	30 "
Canada Publishing Co's. Map Geography.....	75 "
Creighton's Epoch Primer of English History.....	30 "
Creighton's Epoch Series of English History.....	90 "
(or in parts, 20 and 50 cents.)	
Withrow's Canadian History.....	
Freeman's Europe (History Primer).....	

MATHEMATICS.

Kirkland & Scott's Elementary Arithmetic.....	25 "
Hamblin Smith's Arithmetic.....	75 "
McLellan's Mental Arithmetic:	
Part 1.....	30 "
Part 2.....	45 "
Hamblin Smith's Elementary Algebra.....	90 "
Potts' Euclid:	
Books 1 and 2.....	30 "
Complete Edition.....	50 "
Hamblin Smith's Geometry:	
Books 1 and 2.....	30 "
Books 2 and 3.....	30 "
Complete Edition.....	60 "
Gage's Standard Book-keeping.....	70 "

WRITING AND DRAWING

McMillan's N.W.T. Copy Books.....	10 "
Walter Smith's Primary Drawing Cards, (per set).....	15 "
Do do Intermediate Drawing Books.....	10 "

BOOKS RECOMMENDED FOR TEACHERS' USE.

Baldwin's Art of School Management.....	\$ 1 50
McLellan's Teachers' Handbook of Algebra.....	1 25
McLellan & Kirkland's Examination papers in Arithmetic.....	75
Hughes' Mistakes in Teaching.....	50
Do How to Secure and Retain Attention.....	25
Do Drill and Calisthenics.....	40

Walter Smith's Primary Drawing Manual.....	\$ 50
Do do Intermediate Manual.....	1 25
Buckton's Health in the House.....	90
Browning's Educational Theories.....	1 00
Kindergarten Song Book.....	
Spotton's or Gray's Botany.....	

N.B.—Teachers are recommended to subscribe for a least one leading educational magazine.

GENERAL MANAGEMENT.

6. The regulations of the board of education referring to the general management and discipline of schools under its control shall be the regulations for the general management and discipline of all protestant schools.

REGULATIONS OF THE ROMAN CATHOLIC SECTION OF THE BOARD OF EDUCATION.

[Passed 15th March, 1888.]

1. The programme hereinafter given shall be the programme of studies, in both English and French, for the Roman catholic schools in the North-west Territories, and the teaching shall be made from the books named in connection with each subject of study.

2. A time-table, showing the percentage of time to be devoted per week on each subject, shall be prepared by the teacher of every school, subject to the approval of the local inspector, and shall, with such approval written thereon, be posted in a conspicuous place in the school room; provided always that in schools, open during part of the year only, at least seventy-five per cent of the time each week shall be assigned to the teaching of reading, writing, spelling, composition, arithmetic and religious instruction.

PROGRAMME OF STUDIES AND LIST OF BOOKS.

SUBJECT.	ELEMENTARY COURSE.	INTERMEDIATE COURSE.	SUPERIOR COURSE.
READING.....	<i>English course.</i> —Metropolitan Readers. Dominion catholic series—to the 3rd Reader, inclusive.	<i>English course.</i> —Same book as for elementary course, to the 4th Reader, inclusive, or David's Psalm Book.	<i>English course.</i> —Same books as for intermediate course, 5th Book, and reading of manuscript.
LECTURE.....	<i>Cours Français.</i> —Monpetit ou Frères des Ecoles Chrétiennes. Jusqu'au 3me livre inclusivement.	<i>Cours Français.</i> —Mêmes livres que pour le cours élémentaire. Jusqu'au 4e livre inclusivement.	<i>Cours Français.</i> —Mêmes livres, 5e livre et lecture du manuscrit.
SPELLING.....	<i>English course.</i> —Same book as for reading to 3rd Reader, inclusive.	<i>English course.</i> —Same books as for reading to the 4th Reader, inclusive.	<i>English course.</i> —Same books as for reading. 5th Book.
EPELLATION.....	<i>Cours Français.</i> —Mêmes livres que pour lecture. Jusqu'au 3e livre inclusivement.	<i>Cours Français.</i> —Mêmes livres que pour lecture. Jusqu'au 4e livre.	<i>Cours Français.</i> —Mêmes livres que pour lecture, 5e livre.
GRAMMAR.....	<i>English course.</i> —Lessons in English, by Christian Brothers, elementary course; or Masson's Elementary to participle, inclusive.	<i>English course.</i> —Lessons in English, by Christian Brothers, intermediate course; or Masson's intermediate, to syntax of participles, inclusive.	<i>English course.</i> —Lessons in English, by Christian Brothers, superior course, or Masson's superior course. Complete knowledge.
GRAMMAIRE.....	<i>Cours Français.</i> —Leçons en Français, par les Frères des Ecoles Chrétiennes, Cours élémentaire; Grammaire Française, mêmes auteurs. Jusqu'aux participes inclusivement.	<i>Cours Français.</i> —Leçons en Français, par les Frères des Ecoles Chrétiennes, cours intermédiaire; Grammaire Française, mêmes auteurs. Jusqu'à la syntaxe des participes inclusivement.	<i>Cours Français.</i> —Leçons en Français, par les Frères des Ecoles Chrétiennes, cours supérieur; Grammaire Française, mêmes auteurs. Toute la grammaire.

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PROGRAMME OF STUDIES AND LIST OF BOOKS—Continued.

SUBJECT.	ELEMENTARY COURSE.	INTERMEDIATE COURSE.	SUPERIOR COURSE.
COMPOSITION.....	<i>English course.</i> —Narrations on easy and usual subjects; correspondence	<i>English course.</i> —On given subjects and analysis of selected passages.	<i>English course.</i> —Narrations, discourses, logical analysis.
COMPOSITION.....	<i>Cours Français.</i> —Narrations sur sujets faciles et usuels; correspondance.	<i>Cours Français.</i> —Sursujets donnés et analyse de morceaux choisis.	<i>Cours Français.</i> —Narrations, discours, analyse logique.
GEOGRAPHY.....	<i>English course.</i> —Christian Brothers, elementary course.	<i>English course.</i> —Christian Brothers, intermediate course.	<i>English course.</i> —Christian Brothers, superior course.
GÉOGRAPHIE.....	<i>Cours Français.</i> —Frères des Ecoles Chrétiennes, Cours élémentaire.	<i>Cours Français.</i> —Frères des Ecoles Chrétiennes, cours intermédiaire.	<i>Cours Français.</i> —Frères des Ecoles Chrétiennes, cours supérieur.
HISTORY.....	<i>English course.</i> —Sacred history (compendium of, by Christian Brothers) the whole book. History of Canada (compendium of, by Christian Brothers) under the French rule. History of England by Lingard, to the Conquest	<i>English course.</i> —History of Canada (compendium of), by Christian Brothers, under the English rule. History of England, by Lingard, from the Conquest to Henry VII., inclusive.	<i>English course.</i> —History of Canada (compendium of), by Christian Brothers, the whole. History of England, by Lingard, the whole.
HISTOIRE.....	<i>Cours Français.</i> —Histoire Sainte, abrégée par les Frères des Ecoles Chrétiennes, tout le volume. Abrégé de l'Histoire du Canada, par les Frères des Ecoles Chrétiennes, sous la domination française. Précis, Histoire d'Angleterre par Drioux, jusqu'à la conquête.	<i>Cours Français.</i> —Histoire du Canada, abrégée par les Frères des Ecoles Chrétiennes, sous la domination Anglaise. Histoire d'Angleterre, Précis, par Drioux, depuis la conquête jusqu'à Henri VII inclusivement.	<i>Cours Français.</i> —Histoire du Canada, des Frères des Ecoles Chrétiennes, tout le volume. Histoire d'Angleterre, Précis par Drioux, tout le volume.
ARITHMETIC.....	<i>English course.</i> —Introduction to commercial Arithmetic, by Christian Brothers, to fractions, inclusive.	<i>English course.</i> —Commercial arithmetic, by Christian Brothers, percentage, interests, discount, book-keeping, by single entry, inclusive, and elements of double entry.	<i>English course.</i> —Commercial Arithmetic, by Christian Brothers, superior course, to the mensuration, inclusive.
ARITHMÉTIQUE.....	<i>Cours Français.</i> —Introduction de l'Arithmétique Commerciale, par les Frères des Ecoles Chrétiennes. Jusqu'aux fractions inclusivement.	<i>Cours Français.</i> —Arithmétique commerciale, par les Frères des Ecoles Chrétiennes; pourcentage, intérêt, escompte, tenue des livres par entrée simple, inclusivement, et éléments par entrée double.	<i>Cours Français.</i> —Arithmétique commerciale, des Frères des Ecoles Chrétiennes, cours supérieur. Jusqu'à la mensuration inclusivement.
RELIGIOUS INSTRUCTION	<i>English course.</i> —Butler's Catechism, the whole book.	<i>English course.</i> —Butler's Catechism, the whole book, History of the Bible, first part.	<i>English course.</i> —History of the Bible, the whole book.
INSTRUCTION RELIGIEUSE.....	<i>Cours Français.</i> —Catéchisme de Québec, en entier.	<i>Cours Français.</i> —Catéchisme de Québec, en entier; Abrégé du Catéchisme de Persévérance (Gaume), première moitié.	<i>Cours Français.</i> —Abrégé du Catéchisme de Persévérance (Gaume), tout l'ouvrage.

PROGRAMME OF STUDIES AND LIST OF BOOKS—*Concluded.*

STBJECT.	ELEMENTARY COURSE.	INTERMEDIATE COURSE.	SUPERIOR COURSE.
WRITING.....	<i>English course.</i> —Canadian Calligraphy to No. 4, inclusive.	<i>English course.</i> —Canadian Calligraphy, to No. 6, inclusive.	<i>English course.</i> —Canadian Calligraphy, end of the series.
ECRITURE.....	<i>Cours Français.</i> —Calligraphie canadienne, jusqu'au no. 4, inclusivement.	<i>Cours Français.</i> —Calligraphie canadienne, jusqu'au no. 6 inclusivement.	<i>Cours Français.</i> —Calligraphie canadienne, fin de la serie.
VOCAL MUSIC.....	<i>English course.</i> —Tonic Solfa Method, elementary part.	<i>English course.</i> —Tonic Solfa Method, intermediate course.	<i>English course.</i> —Tonic Solfa Method, superior course.
MUSIQUE VOCALE.....	<i>Cours Français.</i> —Même que dans le cours anglais.	<i>Cours Français.</i> —Même que dans le cours anglais, partie intermédiaire.	<i>Cours Français.</i> —Même que dans le cours anglais, partie supérieure.
DRAWING.....	<i>English course.</i> —Colling's Progressing Drawing Books, from no. 1 to no. 5, inclusive; National Method, by E. M. Temple, elementary course.	<i>English course.</i> —Colling's Progressing Drawing Books, to no. 13, inclusive; National Method by E. M. Temple, intermediate course.	<i>English course.</i> —Colling's Progressing Drawing Books, to end of the series; National Method, by E. M. Temple, superior course.
DESSIN.....	<i>Cours Français.</i> —Même que dans le cours anglais.	<i>Cours Français.</i> —Même que dans le cours anglais.	<i>Cours Français.</i> —Comme dans le cours anglais.
HYGIENE.....		<i>English course.</i> —Health in the House, by Catherine M. Burton.	
LITERATURE.....			<i>English course.</i> —History of English Literature, by Chateaubriand.
LITTÉRATURE.....			<i>Cours Français.</i> —Histoire de la Littérature Anglaise, par Chateaubriand.
ALGEBRA.....			<i>English course.</i> —Tedhunter's Algebra, to the quadratic equation, inclusive.
ALGÈBRE.....			<i>Cours Français.</i> —Eysséric et Pascal, jusqu'au 4e degré, inclusivement.
GEOMETRY.....			<i>English course.</i> —Pott's Euclid, 1st and 2nd book.
GÉOMÉTRIE.....			<i>Cours Français.</i> —Eysséric et Pascal, 1er et 2e livres.
CHEMISTRY.....			<i>English course.</i> —H. E. Roscoe, 2nd Book.
CHIMIE.....			<i>Cours Français.</i> —Précis de Physique et de Chimie, par Drioux.
BOTANY.....			<i>English course.</i> —Gray's how plants grow.
BOTANIQUE.....			<i>Cours Français.</i> —Drioux, Élémentaire, L'abbé Moyen (sulpicien).

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GENERAL MANAGEMENT.

3. The regulations of the board of education referring to the general management and discipline of schools under its control shall be the regulations for the general management and discipline of all Roman catholic schools.

AMENDMENTS TO THE REGULATIONS OF THE BOARD OF EDUCATION OF THE NORTH-WEST TERRITORIES, AND OF THE SECTIONS THEREOF.

[Adopted 10th September, 1890.]

Section 19 is hereby amended by striking out all the words after "annually" in the fifth line.

Section 21 is hereby amended by substituting the word "three" for the word "two," where it occurs in the third line of said section, and by adding the following words, "but the time in each case may be extended at the discretion of the board."

Sections 22, 23 and 24 are hereby repealed and the following substituted in lieu thereof:

Section 22. Teachers' certificates are granted as follows:—

- (1.) A third class professional certificate, valid for three years from the date of issue, to any person who has passed the required examination, and either holds a normal school diploma or the inspector's endorsements approved by the board.
- (2.) A first or second class professional certificate, graded A or B, as the case may be, and valid during the pleasure of the board, to any person who has passed the required examination, and either holds a normal school diploma or the inspector's endorsements, approved by the board, of three years' successful teaching.
- (3.) A first class professional certificate, valid during the pleasure of the board, to graduates in arts of any university in her majesty's dominions who furnish evidence of having had normal training, or of having taught school successively for five years within the ten years immediately preceding their application to this board for a certificate.
- (4.) A first class license to teach, good for five years, to any graduate in arts of any university in her majesty's dominions who has had no normal training and has not taught for five years, to enable such graduate to take any position except that of principal of a union school.
- (5.) A license to teach, good until the next examination of teachers, to any person who produces a professional certificate obtained in any part of her majesty's dominions, and valid where obtained.

Section 25 is hereby amended by striking out the word "August" in the second line thereof, and substituting therefor the word "July."

Section 26 is hereby amended by adding thereto the following words: "and a fee of two dollars shall be sent with such application."

Section 27 is hereby amended by adding thereto the following words: "The fees received shall be forwarded with such notification, and the secretary shall account therefor."

Section 29 is hereby amended by striking out the word "June" in the third line thereof, and substituting therefor the word "May;" and by striking out the word "September" in the fourth line thereof, and substituting therefor the word "August."

Section 44 is hereby repealed and the following substituted therefor:—44. The subjects of examination for third class certificates shall be the subjects prescribed in standard v of the programme of studies for schools under the control of the protestant section of the board, or in the intermediate course of the programme of studies for schools under the control of the Roman catholic section of the board.

The following books are prescribed for the use of candidates for third class certificates:—By the protestant section: Ontario Public School English Grammar; Morrison's English Composition; Canada Publishing Co's. Geography; Collier's

School History of the British Empire; Withrow and Adam's History of Canada; Hamblin Smith's Arithmetic; Ontario High School Algebra (pt. 1.); MacKay's Euclid; McLean's Book-keeping; Literature, selections prescribed in High School Reader; Ontario Public School Agriculture; Baldwin's Art of School Management; Browning's Educational Theories; Hughes' Drill and Calisthenics; By the Roman catholic section: As published, and amend by adding to the list of books for English candidates the Ontario Public School Agriculture.

Section 45 is hereby repealed and the following substituted therefor:—45. The subjects of examination for second class certificates shall be the subjects prescribed in standard vi of the programme of studies for schools under the control of the protestant section of the board, or in the superior course of the programme of studies for schools under the control of the Roman catholic section of the board.

The following books are prescribed for the use of candidates for second class certificates:—By the protestant section: Stopford Brooke's English Literature; Ontario High School English Grammar; Williams' Composition; Huxley's Elementary Physiology; Catherine Buckton's Health in the House; Geikie's Physical Geography; Collier's School History of the British Empire; Withrow & Adam's History of Canada; McLean's Book-keeping; Ontario High School Algebra (pt. 1); MacKay's Euclid; Baldwin's Art of School Management; Browning's Educational Theories; Hughes' Drill and Calisthenics. Ontario Public School Agriculture. By the Roman catholic section: As published, and amend by adding to the list of books for English candidates the Ontario Public School Agriculture.

Section 46 is hereby amended by substituting the following for the list of books prescribed for the use of candidates for first class certificates by the protestant section, in lieu of the list published: Spalding's History of English Literature; Ontario High School English Grammar; Bain's Rhetoric and Composition; Green's Shorter History of the English People; Withrow's Canadian History (Large Edition); Kirkland's Elementary Statics; Hamblin Smith's Elementary Hydrostatics; Balfour Sewart's Elementary Physics; Spotton's Botany; Huxley's Elementary Physiology; Buckton's Health in the House; Roscoe's Elementary Chemistry; Todhunter's Advanced Algebra; Ontario High School Algebra (pts. I. and II.); Geikie's Physical Geography; MacKays Euclid; Baldwin's Art of School Management; Browning's Educational Theories; Hughes' Drill and Calisthenics.

THE FOLLOWING AMENDMENTS HAVE BEEN MADE IN THE PROGRAMME OF STUDIES FOR SCHOOLS UNDER THE CONTROL OF THE PROTESTANT SECTION OF THE BOARD:—

Under the subject "reading" in standard v strike out the words, "Fifth Reader," and substitute therefor the words, "Ontario High School Reader."

Under the subject "arithmetic," in standard i, after the word "division" in the 6th line, add the following words: "mentally, and in addition and subtraction on slates;" and after the word "rules" in the 10th line, add the following words: "mentally, and in addition, subtraction and multiplication on slates."

Under the subject "geography," in standard iv, strike out all the words, and substitute the following: "Subject continued, with Canada particularly, and general geography," and in standard v, add the words, "subject continued."

Under the subject "history," in standard iv, read "principal events in Canadian history," and in standard v, read "English and Canadian history."

After the subject "history," add the subject "literature:" and in standard iv, for this new subject, read "subject commenced, with selections from the Fourth Reader." And in standard v, read "subject continued, with selections from the High School Reader."

Under the subject "book-keeping," in standard iv, after the word "drafts" read "single entry."

Under the subject "drawing," in standard v, read "the subject continued; high school course commenced."

Under the subject "algebra," in standard v, read "elementary algebra, to the end of simple equations, in the prescribed text book."

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Under the subject "geometry," in standard v, read "Euclid, book i, with easy deductions."

After the subject "geometry," add the subject "agriculture," and in standard iv, read "subject commenced." And in standard v, read "the subject continued."

Add also the following as an optional subject, "needlework, etc.;" and read, "one hour per week may be devoted to teaching needlework, etc., at the discretion of the trustees."

AMENDMENTS TO THE PROGRAMME OF STUDIES FOR SCHOOLS UNDER THE CONTROL OF THE ROMAN CATHOLIC SECTION OF THE BOARD:—

In the intermediate course and in the superior course, add the subject "agriculture; Ontario Public School Agriculture."

REGULATIONS WITH RESPECT TO UNION SCHOOLS.

1. The head teacher of every high school branch of a union school shall be styled the principal of such school.

2. The principal shall be a graduate in arts of some university in her majesty's dominions, or have attainments which, in the opinion of the board, are equivalent thereto, and must also be able to satisfy the board as to his knowledge and ability to conduct such a school, and to train teachers according to the most approved methods of teaching.

3. The maximum salary for the principal of any union school shall not exceed eighteen hundred dollars per annum.

4. The following books and apparatus shall be provided for each union school by the trustees thereof:—*An Encyclopædia*—Britannica, Chambers, International or Appleton's. *An Unabridged Dictionary*—Webster, Worcester or imperial. *A Gazetteer*—Lippincott. *A Biographical Dictionary*—Lippincott. *English History*—Green and Knight's History of the English People, or Lingard. *General History*—E. A. Freeman, Merivale's General history of Rome, from the Foundation of the City to the Fall of Augustus. *Natural Science*—Deschanel; Fowne's and Roscoe's Chemistry; Gray's New Manual of Botany; Physiological Charts. *English Literature*—Chamber's Encyclopædia of English Literature; Spalding or Taine; Minto's Manual of Prose Literature; Characteristics of English Poets—Minto; Shakespeare's Life, Art and Characters—Hudson; Dowden's Art of Shakespeare; Rolfe's Shakespeare; Victorian Poets—Stedman. *Classics*—Andrew's Lexicon (Lat.-Eng.); Liddell and Scott's Lexicon (Greek-Eng.); (larger editions); Smith's Classical Dictionary; Butler's Classical Atlas and Sketch of Ancient Geography. *Geography*—Ritter; Guyot's Earth and Man; Guyot's Physical Geography; Guyot's Common School Geography; King's Aims and Methods in Geography. *Maps*—Classical Maps of Italia, Græcia, Asia Minor and Gallia. The necessary apparatus for teaching botany, chemistry and physics.

ENTRANCE EXAMINATION.

5. (1) The regular entrance examination for pupils for the high school branch shall be in writing, and shall be held yearly before the close of the first term.

(2) There shall be papers set on reading, spelling, composition, writing, arithmetic, grammar, history, elementary English literature, book-keeping (single entry) and drawing, all as prescribed in standard iv of the programme of studies for protestant schools, and in the intermediate course in the programme of studies for Roman catholic schools.

(3) The papers shall be prepared, and the results declared by the board of examiners. The examination shall be conducted by the head teacher or principal of the school. When the examination is over and the results have been ascertained, the papers, together with the marks obtained, shall be sent to the secretary of the board of education, to be filed, and the secretary shall notify the head teacher or principal of the results.

- (4) In order to pass the examination a candidate must obtain twenty-five per cent of the marks attached to each of the subjects of examination, and forty per cent of the total number of marks.
- (5) Pupils, who come into the district after the regular examination has been held, and who are thought to be qualified for admission, may be placed by the principal in the high school branch until the ensuing entrance examination, when they shall be required to pass such examination.
- (6) Teachers holding all classes of certificates, except provisional, shall be eligible for entrance to the high school branch of union schools.

PROGRAMME OF STUDIES.

6. The following shall be the course of studies in the high school branch of union schools:—For protestant schools: (a) Standard v., as amended, in programme of studies. (b) Standard vi. *Reading*—High school reader, with recitations. *Spelling*—From reading lessons and dictation. *Composition*—Further extension of the subject from standard v. *Writing*—The subject continued, *Arithmetic*—The whole of Hamblin Smith's Arithmetic. *Calisthenics and Drill*—The subject continued. *Grammar*—A thorough knowledge of the Ontario High School English Grammar. *Geography*—Map geography generally, with Canada and the British empire more particularly; map drawing. *History*—A review of English and Canadian history. *Literature*—English and Canadian. *Book-keeping*—Single and double entry. *Drawing*—Ontario high school course continued. *Algebra*—To the end of quadratic equations. *Geometry*—Euclid, definitions and books 1 and 2, with deductions. *Physiology and Hygiene*—Buckton's "Health in the House," and Huxley's Elementary Physiology. *Latin*—Smith's Principia Latina (pt. I); or Harkness' Introductory Latin Book; Cæsar de Bello Gallico. *French*—Fasquell's Lessons in French. *Chemistry*—Theoretical. *Botany*—Spotton's. *Agriculture*—Ontario Public School Agriculture. (c) Standard vii, will be prescribed early in 1891. For Roman catholic schools: (d) Review of the intermediate course. Superior course commenced and continued. *Geography*—General; Canada and the British empire more particularly; map drawing. *Literature*—English and Canadian; Withrow and Adam, and Stopford Brooke. *Calisthenics and Drill*—continued. *French*—Fasquell's Lessons in French. *Latin*—Smith's Principia Latina, (pt. I.); or Harkness' Introductory Latin Book; Cæsar de Bello Gallico. *Agriculture*—Ontario Public School Agriculture.

NORMAL SESSIONS IN UNION SCHOOLS.

7. Every union school shall have, when required by the board of education, a normal school department, in which one session shall be held in each year, to be conducted by the inspector for the district, when directed to do so, or by such other competent person as the board may approve of. Every such session of the normal school shall open on the first Monday in November, and close on the 24th December for third class teachers, and on the last Friday in March for first and second class teachers.

8. The course of instruction during such session shall include: The history, science and art of education; methodology; school organization and management; school hygiene; school law drill and calisthenics; and practical teaching.

Text-books prescribed for the use of teachers: (a) For first and second class teachers: McLellan's Applied Psychology; Bain's Education as a Science; Fitch's Lectures on Teaching; White's Elements of Pedagogy; Quick's Educational Reformers; Janet's Elements of Morals; Knight's Chemistry; Baldwin's Art of School Management; The School Law of the Territories; Hughes' Drill and Calisthenics. (b) For third-class teachers: Quick's Educational Reformers; Fitch's Lectures on Teaching; Janet's Elements of Morals; Baldwin's Art of School Management; The School Law of the Territories; Hughes' Drill and Calisthenics.

9. All students in attendance at any normal department shall provide themselves with such books as they are required to use.

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10. Such persons as desire to attend the normal department of any union school shall notify the secretary of the board of education of their intention, not later than the 15th day of September in each year; and shall state: (a) Age last birthday; (b) Class of certificate held; (c) The name of the union school they desire to attend. Each such notification shall be accompanied by a certificate of good moral character.

11. All persons who have passed the non-professional examinations for first, second or third class teachers' certificates, shall be eligible for admission to the normal department of any union school.

12. Students admitted to any normal department shall be required to present themselves at the opening of the session, to be punctual and regular in their attendance, and to perform faithfully the duties assigned them.

13. Any student whose conduct or deportment during any session is not satisfactory, shall be reported to the board of education, and his name shall be taken off the roll, or his case otherwise dealt with, as the board may determine.

14. Students who, at the close of each session, have passed a written examination in the subjects included in the course of instruction, and whose aptitude in teaching is found satisfactory, shall be entitled to have their non-professional certificates exchanged for professional certificates of the same class and grade.

15. Any student whose aptitude in teaching is reported, at the close of a normal school session, to be superior, shall be entitled to receive a professional certificate of grade A of the class he then holds.

16. No person who has obtained a third class professional certificate shall be entitled to a professional certificate of a higher class, without a further attendance at the normal department, for the additional time required for such certificate, or unless certified as an efficient teacher by the inspector.

17. Any student attending a normal session shall be obliged to attend such classes, in standard vi, in the programme of studies of the protestant section, or in the superior course of the Roman catholic section, as the inspector may, in his judgment, deem necessary.

18. The examinations, at the close of a normal session, shall be conducted by the teacher thereof, and when the examination is over and the results have been declared, the papers, together with the marks obtained, shall be sent to the secretary of the board of education.

GENERAL REGULATIONS.

Inspectors of schools are empowered to grant permission to teachers to attend teachers' conventions, and to visit schools for the purpose of gaining knowledge in the methods and art of teaching. Such permission shall be given to applicants in writing by the inspector.

The time allowed for visiting schools shall not exceed one day at a time, and not more than two days in any one term. Inspectors shall recommend the most desirable schools in the inspectorates for teachers to visit.

No deduction shall be made from a teacher's salary for the time he is absent attending a teachers' convention or visiting schools, when he has obtained permission as above provided.

Teachers are recommended to subscribe for at least one leading educational magazine.

AUTHORIZED LIST OF TEXT-BOOKS.

List of Books authorized for use in schools under the control and management of the protestant section of the board of education:—

ENGLISH.

The Ontario Readers, published by the Canada Publishing Co., (Ld.), Toronto:

First Reader, (part i).....	\$ 10
First Reader, (part ii).....	15
Second Reader.....	25
Third Reader.....	35

Fourth Reader.....	\$ 50
High School Reader, published by Rose Publishing Co.....	60
Gage's Practical Speller.....	30
Morrison's English Composition.....	45
Williams' Composition.....	60
Bain's Rhetoric and Composition.....	1 75
Stopford Brooke's English Literature.....	30
Spalding's English Literature.....	1 00
Connor & Adam's High School English Word Book.....	50
Ontario Public School Grammar.....	25
Ontario High School Grammar.....	75

GEOGRAPHY AND HISTORY.

Geikie's Physical Geography.....	\$ 1 75
Canada Publishing Co's Public School Geography.....	75
Withrow & Adam's Canadian History and Literature.....	75
Collier's School History of the British Empire.....	50
Withrow's Canadian History, (larger edition).....	
Green's Shorter History of the English people.....	1 50

MATHEMATICS.

Ontario Public School Arithmetic.....	\$ 25
Hamblin Smith's Arithmetic.....	75
McLellan's Mental Arithmetic, (parts i and ii).....	30 & 45
Ontario High School Algebra, (parts i and ii).....	65
Todhunter's Advanced Algebra.....	1 75
MacKay's Euclid.....	75
McLean's High School Book-keeping.....	65

WRITING AND DRAWING.

McMillan's N.W.T. Copy Books.....	\$ 10 each
Walter Smith's Primary Drawing Cards.....	15 set
do Intermediate Drawing Books.....	10 each
Ontario High School Series of Drawing Books.....	20 each

MISCELLANEOUS

Ontario Public School Agriculture.....	\$ 40
Roscoe's Elementary Chemistry.....	1 60
Knight's High School Chemistry.....	75
The Canadian Music Course, in 3 books.....	15, 20 & 25
Buckton's "Health in the House".....	90
Huxley's Elementary Physiology.....	1 60
Kirkland's Elementary Statics.....	1 10
Hamblin Smith's Elementary Hydrostatics.....	80
Balfour Stewart's Elementary Physics (Primer).....	30
Balfour Stewart on Heat, etc.....	2 50
Smith's Principia Latina (part I).....	1 00
Harkness' Introductory Latin Book.....	50
Cæsar de Bello Gallico.....	75
Fasquell's Lessons in French.....	65
Spotton's Botany.....	1 00

BOOKS RECOMMENDED FOR TEACHERS' USE.

McLellan's Applied Psychology.....	1 00
Bain's Education as a Science.....	1 75
White's Elements of Pedagogy.....	1 75
Fitch's Lectures on Teaching.....	1 00

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Quick's Educational Reformers.....	\$ 1 50
Janet's Elements of Morals.....	1 75
Baldwin's Art of School Management.....	1 50
Browning's Educational Theories.....	1 00
McLellan's Teacher's Handbook of Algebra.....	1 25
McLellan & Kirkland's Examination Papers in Arithmetic.....	75
Hughes' Mistakes in Teaching.....	50
Hughes' How to Secure and Retain Attention.....	25
Hughes' Drill and Calisthenics.....	40
Walter Smith's Primary Drawing Manual.....	50
Walter Smith's Intermediate Manual.....	1 25
Catherine Buckton's Health in the House.....	90
Teachers' Handbook "Canadian Music Course".....	50
Kindergarten Song Book.....	

REGULATIONS WITH RESPECT TO TEACHERS' EXAMINATIONS AND ENTRANCE EXAMINATIONS TO UNION SCHOOLS.

Regina, 3rd September, 1891.

GENERAL RULES.

1. The necessary papers shall be sent by the secretary of the board of education, by registered letter, to the officer presiding at the examination, under seal, so as to be received by him in time for the examination.
2. All examinations shall be held in the most convenient school house, to be selected by the inspector, who shall make all suitable arrangements for holding the examination. It shall be obligatory on the trustees of any school district, upon application of the inspector, to place the school house, or suitable room in it, at his disposal for the purpose of holding examinations therein.
3. Upon the examination day the candidates being all seated in their places, the presiding officer shall break the seal of the packet containing the questions in the presence of the candidates, and shall proceed to deliver a proper copy of the questions to each candidate. Blank paper for answering the questions, shall be furnished to each candidate by the presiding officer. No book or means of reference whatever shall be allowed to be within the reach of any candidate, and any candidate availing himself of any means of reference, by whatever way obtained, or having any communication, during the hours of examination, with any one, except the officer in charge of the examination, will not be allowed to continue his examination.
4. Any such case shall be reported by the presiding officer to the board of education.
5. The presiding officer shall not leave the examination room during the hours of examination.
6. If any candidate desires to leave the examination room, he must be requested to deliver up to the presiding officer the paper at which he was working, before he leaves, and be told at the same time he will not be allowed to resume the examination upon the subject of that particular paper which he had then given up.
7. One set of questions upon one subject only will be permitted to a candidate at one time, specified in the time-table furnished by the board of examiners.
8. At the close of the examination the presiding officer shall collect the examination papers of the candidates and forward them, together with a report of any special circumstances that may have arisen during the examination, under seal to the secretary of the board of education.

RULES TO BE OBSERVED BY CANDIDATES.

9. Each candidate shall, upon the first day of examination, hand to the presiding officer, a slip of paper containing the following information: 1. Age on last birthday. 2. Kind of certificate last held (if any,) and where obtained. 3. Name of normal school (if any) where trained. 4. Length of experience in teaching. 5.

Name and address of person signing certificate of moral character. 6. Candidate's name in full. 7. Candidate's post-office address.

10. Candidates shall be in their places punctually at the appointed time, and shall, when the order to stop writing is given, obey it immediately. No candidate shall be permitted to make any alterations in his answers, after they are once handed in, or put in supplementary answers, and no extra time shall be given those who arrive late.

11. Candidates in preparing their answers shall write on one side only of each sheet, placing the number of each page at the top in the right hand corner. Having written his name at the bottom of each page, and having arranged his answer papers in the order of the questions, each candidate shall fold his paper once across from the bottom upward, and write on the outside, on separate lines, (1) the name of the place of examination, (2) his name, (3) the class of certificates for which he is a candidate, and (4) the name of the subject.

12. In the event of a candidate copying from another, or allowing another to copy from him, or taking into the room in which the examination is held anything from which he can derive assistance in the examination, it shall be the duty of the presiding officer, if he obtains clear evidence of the fact at the time of its occurrence, to cause such candidates at once to leave the room: neither shall such candidate be permitted to enter during the remaining part of the examination, and his name shall be struck off the list of candidates. If, however, the evidence of such copying be not clear at the time, or if it be obtained after the conclusion of the examination, the presiding officer must report the case to the board of education.

TEACHERS' ANNUAL EXAMINATION.

13. The annual examination of candidates for certificates shall commence on the first Tuesday of July in each year, at such places as may be decided upon by the school inspectors, of which due notice shall be given by them.

14. Two months' notice of their intention to attend the examination shall be given by candidates to the inspector of schools for the district in which they intend to be present for examination, and a fee of two dollars shall be sent with such application.

15. One month's notice of the number of candidates for each grade of certificate who purpose attending the examination shall be given by the inspectors to the secretary of the board of education. The fees received shall be forwarded with such notification, and the secretary shall account therefor.

16. No male, under seventeen years of age, nor female, under fifteen, shall be allowed to write at the examination.

17. For the purposes of examination the subjects shall be grouped as follows:—

(a) THIRD CLASS.

Group I.—Geography and history.

“ II.—Grammar, composition and literature.

“ III.—Arithmetic, algebra, geometry and book-keeping.

“ IV.—Science and art of teaching.

“ V.—Reading, writing and dictation.

“ VI.—Agriculture and drawing, (optional.)

(b) FIRST AND SECOND CLASSES.

Group I.—Geography and history.

“ II.—Grammar, composition and literature.

“ III.—Arithmetic, algebra, geometry and book-keeping.

“ IV.—Science and art of teaching, school law and physiology and hygiene.

“ V.—Reading, writing and dictation.

“ VI.—Botany, chemistry, statics, hydrostatics and physics.

“ VII.—Drawing, (optional for second class).

“ VIII.—Agriculture, Latin and French, (optional).

18. In order to pass the examination a candidate must obtain the following percentage of marks:—

Schools in the North-west Territories.

(a) THIRD CLASS.

Twenty per cent of the marks attached to each of the subjects of examination; thirty-five per cent of the marks attached to each group of subjects; and fifty per cent of the total number of marks.

(b) FIRST OR SECOND CLASS (GRADE B.)

Twenty per cent of the marks attached to each of the subjects of examination; thirty-five per cent of the marks attached to each group of subjects; and fifty per cent of the total number of marks.

(c) FIRST OR SECOND CLASS (GRADE A.)

Thirty-five per cent of the marks attached to each of the subjects of examination; fifty per cent of the marks attached to each group of subjects; and seventy per cent of the total number of marks.

19. SUBJECTS OF EXAMINATION FOR THIRD CLASS CANDIDATES, WITH PRESCRIBED TEXT-BOOKS.

Reading.—To be able to read any passage selected from the reader with proper pronunciation, expression, emphasis, inflection and force. Text-books.—Protestant candidates, High School Reader. Roman catholic candidates, Metropolitan Fifth Reader.

Dictation.—To be able to write correctly any passage from the reader; the papers written on the other subjects must also be free from orthographical errors. Text-book.—As for Reading.

Composition and Prose Literature.—To be acquainted with the construction of sentences, the rendering of poetry into prose, the forms of business and general correspondence, the writing of themes and the rules of punctuation. Text-books.—For all candidates—Williams' Composition. Literature—Selections to be prescribed.

Writing.—To be able to write legibly and neatly.

Arithmetic.—To be thoroughly acquainted with the subject as far as percentage, including interest and discount. Text-book.—For all candidates—Hamblin Smith's Arithmetic.

Grammar.—To be acquainted with the elements of English grammar; etymology and syntax; exercises; correction of false syntax. Text-book.—For all candidates—Ontario Public School Grammar.

Geography.—To be acquainted with the general geography of the world, and of North America and the British empire in particular; and to have a good general knowledge of the form and motions of the earth, and their connection with climate, the seasons and the divisions of time. Text-book.—For all candidates—The Canada Publishing Co.'s Geography.

History.—To have a good general knowledge of the history of England and Canada. Text-book.—For all candidates—Buckley & Robertson's High School History of England and Canada. English History—chapter xix to xxvi inclusive; Canadian—chapters i to viii inclusive.

History of Literature and Poetical Selections.—To be familiar with the selections prescribed for study and to have a knowledge of the life and works of their authors. Text-books.—For protestant candidates—High School Reader. For Roman catholic candidates—Metropolitan Fifth Reader.

Book-keeping.—To have an elementary knowledge of book-keeping, and to be familiar with the chief commercial forms and terms. Text-book.—For all candidates—McLean's High School Book-keeping, pages 1 to 134.

Drawing.—To have a knowledge of freehand drawing, and to be familiar with the books of the high school course. Text-book.—For all candidates—Walter Smith's Intermediate Freehand Drawing Book, pages 1 to 70.

Algebra.—To have a knowledge of the subject to the end of simple equations. Text-book.—For all candidates—Ontario High School Algebra (pt. I), pages 1 to 240.

Geometry.—Euclid, book I, with easy deductions. Text-book.—For all candidates—McKay's Elements of Euclid.

Agriculture.—Chapters I to XI inclusive. Text-book.—For all candidates—Ontario Public School Agriculture.

Science and Art of Teaching.—As contained in the prescribed text-books. Text-books.—For all candidates—Baldwin's Art of School Management; Browning's Educational Theories; Hughes' Drill and Calisthenics.

N.B.—Agriculture and Drawing shall be optional "bonus" subjects for candidates for third-class certificates.

20. SUBJECTS OF EXAMINATION FOR SECOND CLASS CANDIDATES, WITH PRESCRIBED TEXT-BOOKS.

Reading.—To be able to read any extract in prose or verse with proper pronunciation, expression, emphasis, inflection and force. Text-books.—Protestant candidates—High School Reader. Roman catholic candidates—Metropolitan Fifth Reader.

Dictation.—To be able to write correctly an extract from any author. The papers written on other subjects must also be free from orthographical errors.

Composition and Prose Literature.—In addition to the work for third class, to show by the composition of abstracts, paraphrases or essays an acquaintance with the rules of punctuation, and a fair mastery of the art of writing good English. Themes based upon the prose literature prescribed. Text-book.—For all candidates—Williams' Composition and Practical English. Literature—Selections to be prescribed.

Writing.—To be thoroughly acquainted with the principles of penmanship, and to be able to write a good running hand.

Arithmetic.—To have a thorough knowledge of the subject. Text-book.—For all candidates—Hamblin Smith's Arithmetic.

Grammar.—To have an elementary knowledge of the High School Grammar. Text-book.—For all candidates—Ontario High School Grammar, the larger text in the book.

Geography.—To have a thorough knowledge of map geography generally, with Canada and the British empire more particularly. Map drawing. Text-book.—For all candidates—The Canada Publishing Co's. Geography:

History.—To be thoroughly acquainted with the history of England and Canada. Text-book.—For all candidates—Buckley and Robertson's High School History of England and Canada.

History of Literature and Poetical Selections.—To be acquainted with the outlines of the history of English literature from the time of Queen Anne to the present and to be familiar with the works prescribed for study. Text book.—For all candidates—Stopford Brook's History of English Literature. Poetical selections to be prescribed.

Book-keeping.—To be acquainted with book-keeping by single and double entry. Text-book.—For all candidates—McLean's High School Book-keeping.

Drawing.—To be acquainted with freehand drawing, practical geometry, perspective and object drawing. Text-book.—For all candidates—Walter Smith's Intermediate Freehand Drawing Book, pages 1 to 238.

Algebra.—To be thoroughly acquainted with the subject to the end of quadratic equations in the prescribed text-book. Text-book.—For all candidates—Ontario High School Algebra, part i.

Geometry.—Euclid, books i and ii, with deductions. Text-book.—For all candidates—MacKay's Elements of Euclid.

Agriculture.—Chapters i to xiv, inclusive. Text-book.—For all candidates—Ontario Public School Agriculture.

Physiology and Hygiene.—Elementary; to be acquainted with the processes of digestion, circulation and respiration and to be familiar with the ordinary laws of health. Text-books.—For all candidates—Huxley's Elementary Physiology; Buckton's Health in the House.

Schools in the North-west Territories.

School Law.—To be familiar with the provisions of the school ordinance and the regulations of the board of education.

Science and Art of Teaching.—To have a thorough knowledge of the subject as treated in the prescribed text-books. Text-books—For all candidates—Baldwin's Art of School Management; Browning's Educational Theories, Hughes' Drill and Calisthenics.

N.B.—Agriculture and Drawing shall be optional "bonus" subjects for candidates for second class certificates.

21. SUBJECTS OF EXAMINATION FOR FIRST CLASS CANDIDATES, WITH PRESCRIBED TEXT-BOOKS.

Reading.—To be able to read an extract, in prose or verse, from any author with proper pronunciation, expression, emphasis, inflection and force.

Dictation.—To be able to write correctly an extract from any author. The papers written on other subjects must also be free from orthographical errors.

Composition and Prose Literature.—In addition to the work for second class, to show, by passing an examination on this subject and by the character of the answers on other subjects, an acquaintance with the rules of rhetoric and a habit of writing English with clearness, force and taste. Themes based upon the prose literature prescribed. Text-book—For all candidates—Williams' Composition and practical English. Literature—Selections to be prescribed.

Writing.—To be thoroughly acquainted with the principles of penmanship, and to be able to write a good running hand.

Arithmetic and Mensuration.—To have a thorough knowledge of arithmetic and the mensuration of surfaces and solids. Text-book—For all candidates—Hamblin Smith's Arithmetic.

Grammar.—To have a thorough knowledge of the High School Grammar and to be acquainted with the origin and construction of the English language, and to show familiarity with its correct use in speaking and writing. Text-book—For all candidates—Ontario High School Grammar.

Geography.—To have a thorough knowledge of the mathematical, physical and political geography of the world. Text-books—For all candidates—The Canada Publishing Co.'s Geography; Geikie's Physical Geography.

History.—To be thoroughly acquainted with the history of England and Canada. Text-book—For all candidates—Buckley & Robertson's High School History of England and Canada.

History and Literature and Poetical Selections.—To have a thorough acquaintance with English literature and its history, and to be able to give a critical analysis of a play from Shakespeare, or a work of some other author prescribed for examination. Text-book—For all candidates—Stopford Brook's history of English literature. Poetical selections to be prescribed.

Book-keeping.—To be thoroughly acquainted with book-keeping by single and double entry. Text-book—For all candidates—McLean's high school book-keeping.

Drawing.—To have a thorough knowledge of freehand drawing, practical geometry, perspective, object drawing and industrial designs, and to have an acquaintance with the general directions, principles and methods of teaching this subject. Text-book—For all candidates—Walter Smith's Intermediate Freehand Drawing Book.

Algebra.—To have a thorough knowledge of the subject to the end of the binomial theorem. Text-book—For all candidates—Ontario High School Algebra, parts I and II.

Geometry.—Euclid, books i, ii, iii, iv and vi, with deductions, and the definitions of book v. Text-book—For all candidates—MacKay's Elements of Euclid.

Physiology and Hygiene.—To have a thorough knowledge of the subject as treated in the prescribed text-books. Text-books—For all candidates—Huxley's Elementary Physiology; Buckton's Health in the House.

Agriculture.—To have a thorough knowledge of the subject as treated in the prescribed text-book. Text-book—For all candidates—Ontario Public School Agriculture.

Statics, Hydrostatics and Physics—To have a thorough knowledge of these subjects as treated in the prescribed text-books. Text-books—For all candidates—Kirkland's Elementary Statics; Hamblin Smith's Elementary Hydrostatics; Balfour Stewart's Elementary Physics.

Chemistry and Botany—To have a thorough knowledge of these subjects as treated in the prescribed text-books. Text-books—For all candidates—Roscoe's Chemistry; Spotton's Botany.

Latin—Cæsar de Bello Gallico*; Virgil*; Latin Prose Composition (Arnold), exercises i to xxiv, inclusive.

French—Grammar, Fasquelle-Sykes; composition; translation into French of short English sentences, and translation of easy passages from French into English; translation of passages from easy French authors*.

School Law—To be familiar with the provisions of the school ordinance and the regulations of the board of education.

Science and Art of Teaching—To have a thorough knowledge of the subject as treated in the prescribed text-books. Text-books—For all candidates—Baldwin's Art of School Management; Browning's Educational Theories; Hughes' Drill and Calisthenics.

N.B.—Agriculture, Latin and French shall be optional "bonus" subjects for candidates for first-class certificates.

ENTRANCE EXAMINATION TO UNION SCHOOLS.

22. The regular entrance examination for pupils to the high school branch of union schools shall be held annually before the close of the first term, and shall be conducted by the head teacher or principal of the school, unless otherwise directed. The general rules for conducting teachers' examinations, both with respect to presiding officers and candidates, shall apply, as far as applicable, to entrance examinations.

23. Examination papers shall be set on the several subjects, as prescribed in standard iv of the programme of studies for protestant schools, and in the intermediate course of the programme of studies for Roman catholic schools.

24. For the purpose of examination, the subjects shall be grouped as follows:—
Group I.—Geography and history.

" II.—Composition, grammar and literature.

" III.—Arithmetic and book-keeping.

" IV.—Reading, writing and dictation.

" V.—Agriculture and drawing. (Optional.)

25. In order to pass the examination, a candidate must obtain twenty per cent of the marks attached to each of the subjects of examination; thirty-five per cent of the marks attached to each group of subjects; and fifty per cent of the total number of marks.

26. Pupils who come into the district after the regular examination has been held, and who are thought to be qualified for admission, may be placed by the principal in the high school branch until the ensuing entrance examination, when they shall be required to pass such examination.

27. Teachers holding all classes of certificates except provisional, shall be eligible for admission to the high school branch of union schools.

28. SUBJECTS OF EXAMINATION FOR ENTRANCE EXAMINATION.

Reading—To be able to read any selection from the Fourth Reader intelligibly and expressively. *Dictation*—To be able to write correctly any passage selected from the Fourth Reader. *Composition*—Reproduction of the substance of the reading lessons; short historical tales; letter-writing. *Writing*—Based on copy-books. *Arithmetic*—To be acquainted with the subject as far as vulgar and decimal fractions, elementary percentage and interest. *Grammar*—To have a knowledge of the parts of speech and their inflections, the construc-

*Special books or works to be prescribed.

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tion of sentences and the correction of grammatical errors; easy exercises in analysis and parsing. *Geography*.—To have a general knowledge of the map of the world, with Canada particularly, and general geography. Map drawing. *History*.—To be familiar with the principal events in Canadian history. *Literature*.—To be familiar with the selections prescribed for study from the Fourth Reader. *Book-keeping*.—To have an elementary knowledge of book-keeping, and to be familiar with the chief commercial forms and terms. *Drawing*.—To have a knowledge of freehand drawing, and to be familiar with the drawing books. *Agriculture*.—To be acquainted with the subject as far as chapter vii in the authorized text-book.

N.B.—Agriculture and drawing shall be optional “bonus” subjects for candidates at the entrance examination.

REGULATIONS OF THE COUNCIL OF PUBLIC INSTRUCTION GOVERNING TEACHERS’ CERTIFICATES, 1894.

CERTIFICATES.

1. The classes of certificates named in subsection E, of section 7, of the school ordinance of 1892, may be obtained by fulfilling the following conditions;—(a) Furnishing a certificate of moral character of recent date. (b) Passing the prescribed non-professional examination. (c) Passing the prescribed professional examination. (d) Receiving a satisfactory report from an inspector after having taught one year in these Territories.

2. Certificates of the third class shall be valid for three years. All other certificates shall be valid during the pleasure of the council.

NON-PROFESSIONAL EXAMINATION.

THIRD CLASS.

1. *Reading*—The principles of orthoepy and elocution: oral reading. Text-book—The introductory chapters in the readers.

2. *Spelling and Writing*—Judged on all papers.

3. *English Grammar*—Etymology and syntax; exercises. Text-book—The Public School Grammar.

4. *Composition and Prose Literature*—(a) The structure of sentences and paragraphs; expansion and contraction of prose passages; synonyms; correction of errors; critical study of the prescribed prose literature in connection with the study of the principles of composition; letter writing; punctuation. (b) An essay from thirty to sixty lines in length, on one of a number of assigned subjects based upon the prescribed prose literature. This essay will be considered a test of the candidate’s power to write English, rather than a proof of his knowledge of the subject written upon. Legible writing and correct spelling and punctuation will be regarded as indispensable. Text-book. Welsh’s English Composition, or Williams’ Composition and Practical English. Prose Literature—The Vicar of Wakefield (Classics for Children—Ginn & Co.)

5. *Poetical Literature*—Intelligent comprehension of and familiarity with the prescribed selections; memorization of the finest passages: oral reading. Prescribed selections—The following lessons in the High School Reader: xvii, xviii, xxviii, xxxi, xxxiii, xxxv, xli, xlii, xliii, xlvi, liv, lvi, lxvii, lxix, lxxi, lxxiii, lxxv, lxxx, xc, ci, cv, cviii.

6. *History*—The leading events in Canadian and English history. Text-book.—Buckley & Robertson’s High School History.

7. *Geography*—The general geography—physical, commercial and mathematical—of the world; geography of Canada and the British empire more particularly. Text-books.—The Public School Geography; Geography of the British Colonies by Dawson and Sutherland—McMillan & Co.

8. *Arithmetic*—Pure arithmetic; commercial arithmetic. Text-books—Hamblin Smith's Arithmetic to the end of chap. xxvi; also chaps. xxxiii and xxxiv. (Measurement of area and solidity.)

9. *Algebra*—Definitions, elementary rules, simple equations of one, two and three unknown quantities, problems. Text-book—C. Smith's Elementary Algebra, (Copp Clark), chaps. i to viii inclusive; or till mid-summer, 1894, The High School Algebra, chaps. i, ii, iii, iv, vi, x.

10. *Geometry*—Euclid, book i, with easy deductions. Text-book—MacKay's Elements of Euclid.

11. *Book-keeping*—McLean's High School Book-keeping, chapters 1 to 5 inclusive and chapters 8 and 10.

12. *Physiology and Hygiene*—Text-book—Manual of Hygiene, Ontario series, chaps. 1, 2, 3, 4, 5, 10, 11, 12, 13, 14, 15, 22.

13. *Agriculture*—Definitions, plants, soil, tillage, crops, weeds, insects. Text-book—Ontario Public School Agriculture, chaps. i to xii inclusive.

14. *Physics*—The elements of Physics. Text-book—Gage's Introduction to Physical Science, chaps. i, ii, iii and iv.

SECOND CLASS.

1. *Reading*—The principles of elocution, oral reading.

2. *Spelling and Writing*—Judged on all papers.

3. *English Grammar*—A general knowledge of the High School Grammar.

4. *Composition and Prose Literature*—(a) The structure of sentences and paragraphs, expansion and contraction of prose passages, choice of words, figures of speech, punctuation, critical study of the prescribed prose literature in connection with the study of the principles of composition, rhetorical analysis of passages from prose authors not prescribed. (b) An essay, about sixty lines in length, on one of a number of assigned subjects based upon the prescribed prose literature. (See third class.) Text-books—Welsh's English Composition or Williams' Composition and Practical English. Prose Literature—Scott,—Quentin Durward; Black, Goldsmith (English Men of Letters series.)

5. *Poetical Literature*—Intelligent comprehension of and familiarity with the prescribed selections, memorization of the finest passages; oral reading. Scott,—The Lady of the Lake.

6. *History*—(a) English and Canadian history. (b) General history. Text-books—Buckley & Robertson's High School History. Swinton's Outlines of the World's History, sections i, ii and iii.

7. *Geography*—The general geography of the world, commercial and physical, geography of America and Europe, geography of the British empire. Text-book—The High School Geography, Geography of the British Colonies by Dawson and Sutherland—McMillan & Co.

8. *Arithmetic and Mensuration*.—Arithmetic in theory and practice. Areas of rectilinear figures; circle, sphere, cylinder, cone. Text-book.—Hamblin Smith's Arithmetic.

9. *Algebra*.—Definitions, elementary rules, simple equations of one, two and three unknown quantities, problems, factoring, highest common factors, lowest common multiples, fractions, equations with fractions, quadratic equations, simultaneous equations of the second degree, powers and roots, indices, surds. Text-books.—C. Smith's Elementary Algebra, chaps. i to xix, inclusive; or for 1894 corresponding topics in the High School Algebra.

10. *Geometry*.—Euclid, books i, ii and iii; deductions. Text-book.—MacKay's Elements of Euclid.

11. *Book-keeping*.—High School Book-keeping, chapters i to v, inclusive; chapters viii and x, précis-writing, indexing.

12. *Physics*.—The elements of physics. Text-book.—Gage's Introduction to Physical Science—Ginn & Co.

13. *Agriculture*.—The Public School Agriculture.

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FIRST CLASS.

1. *Spelling and Writing*.—Judged on all papers.
2. *History of the English Language and Literature*. Text-books.—Lounsbury's *History of the English Language*—Henry Holt & Co. Stopford Brooke's *English Literature* (primer).
3. *Rhetoric and Composition*.—(a) Style, invention; the reading of prescribed prose selections in connection with the study of rhetoric. (b) An essay of about ninety lines in length on one of a number of assigned subjects based upon the prescribed prose selections. Text-book.—Genung's *Practical Elements of Rhetoric*—Ginn & Co. *Prose Selections*.—Selections i, ii, iii, iv, v, vii, ix, x, xi, xii, xiv, xvi, xviii, xxi, xxiii, xxiv, xxvi, in *Handbook of Rhetorical Analysis* by Genung. Scott's *Quentin Durward*.
4. *Poetical Literature*.—Critical reading of Shakespeare—*The Merchant of Venice*, *Julius Cæsar*.
5. *History*. Swinton.—*Outlines of the World's History*—American Book Company. Bagehot.—*The English Constitution*—Kegan Paul, Trench & Co. Bourinot.—*Constitutional History of Canada*—Dawson Bros., Montreal.
6. *Geography*.—*The Eclectic Physical Geography*—American Book Company.
7. *Algebra*.—C. Smith's *Elementary Algebra*.
8. *Geometry*.—Books i, ii, iii, iv; definition of book v; propositions 1, 2, 3 A, 4, 33 of book vi; deductions. Text-book.—MacKay or Todhunter.
9. *Trigonometry*.—Up to and inclusive of the solution of plane triangles. Text-book.—Hamblin Smith.
10. *Chemistry*. Text-book.—Kirkland's *Experimental Chemistry*.—Gage & Co.
11. *Botany*.—*Elements of structural botany*. Text-book.—Spotton's *High School Botany*.
12. *Physics*.—The elements of physics. Text-book—Gage's *Introduction to Physical Science*.

MARKS REQUIRED TO PASS.

Candidates must obtain at least 34 per cent on each subject and 50 per cent on the total number of marks.

HIGH SCHOOL.

PRINCIPAL'S CERTIFICATE.

1. To have the degree of bachelor of arts from some university in her majesty's dominions.
2. To have a professional certificate of the first-class.

ASSISTANT'S CERTIFICATE.

To have a professional certificate of the first-class.

NOTE.—A certificate from a school of pedagogy is not valid as a license to teach.

SPECIALIST'S CERTIFICATE.

Specialists in drawing, music, elocution, calisthenics, etc., may secure certificates on such conditions, and for such periods as the council of public instruction may from time to time determine.

GENERAL.

The examination of candidates for teachers' non-professional certificates shall commence on the first Tuesday of July in each year at such places as the council of public instruction may announce.

Each candidate shall notify the superintendent of education, not later than June 1st, of the class of certificate for which he is an applicant and the place at which he desires to write. Such notice shall be accompanied by a fee of two dollars.

No male, under eighteen years of age nor female under sixteen, shall be allowed to write at these examinations.

A non-professional certificate shall not be valid as a license to teach.

PERSONS ELIGIBLE WITHOUT EXAMINATION.

1. A person holding a professional certificate of the first or second class, issued in Ontario or Manitoba since 1886, may receive a certificate of equal standing upon presenting: (a) A statement from the department of education in his own province that his certificate is still valid. (b) A certificate of moral character of recent date. (c) A certificate from his last inspector, of having taught successfully.

2. Persons holding non-professional certificates of the first or second class, issued in Ontario or Manitoba since 1886, may receive certificates of equal standing upon presenting proof of character and age.

3. Persons holding certificates from other provinces of the Dominion or from the British islands may receive certificates of such class as the council of public instruction may deem them entitled to.

4. Graduates of any university in her majesty's dominions may, on the presentation of proofs of scholarship, character and age, receive non-professional certificates of the first class.

5. Persons holding certificates of educational value from institutions other than those mentioned may receive such certificates as the council of public instruction may deem them entitled to.

PROMOTION.

In order to be promoted from standard iii to standard iv, pupils attending yearly schools must pass the examination to be held in the month of June in the following subjects, namely:—Reading, dictation, composition and language, arithmetic, geography and history, as prescribed in standard iii of the programme of studies.

In order to be promoted from standard iii to standard iv, pupils attending summer schools must pass the examination to be held in the month of September in the following subjects, namely:—Reading, dictation, composition and language, arithmetic, geography and history, as prescribed in standard iii of the programme of studies.

To be promoted from standard iv to standard v, a pupil must pass the entrance examination to the high school branch of union schools to be held in the month of June.

ALL CANDIDATES.

LITERATURE.

The pupil is expected to have an intelligent comprehension of all the lessons in the reader, but the following selections are proscribed for somewhat fuller study. Three-fifths of the paper in literature will be based on these selections and two-fifths on the remaining lessons.

IV to V.

The Ontario Fourth Reader.—Lessons i, v, vii, viii, x, xii, xv, xvi, xviii, xix, xx, xxiv, xxxiii, xxxiv, xxxv, xxxvii, xl, xli, xlii, xliv, l, lii, liii, lv, lvi, lviii, lx, lxi, lxx, lxxi, lxxiv, lxxvi, lxxx, lxxxi, lxxxix.

III to IV.

The Ontario Third Reader.—Lessons v, vi, vii, ix, x, xiv, xvii, xix, xx, xxii, xxiii, xxv, xxvi, xxx, xxxvi, xxxviii, xliii, xlvi, xlvi, xlix, li, lii, lviii, lix, lxii, lxiv, lxviii, lxxi, lxxii, lxxv, lxxx, lxxxi, lxxxiii, lxxxv, xc.

MARKS REQUIRED TO PASS.

Candidates must obtain at least 34 per cent on each subject and 50 per cent on the total number of marks.

Schools in the North-west Territories.

REGINA, 30th September, 1893.

CIRCULAR TO TEACHERS OF ROMAN CATHOLIC SCHOOLS IN THE TERRITORIES.

In reply to inquiries respecting "Readers" and examinations for promotion in Roman catholic schools, I am directed to forward the following minute, passed by the council of public instruction, 13th September, 1893 :—

"The regulations of the council of public instruction mailed to all schools on or about 16th August last, govern all examinations held under the direction of the council.

"The following readers are authorized for use in Roman catholic schools, in standards i and ii, and become compulsory after 1st January, 1894, viz. :—

"'The Dominion series' (Sadler's Catholic Readers), parts i and ii, and the Second Reader; or, 'The Ontario Readers,' parts i, ii and the Second Reader."

In school districts where French is the vernacular, the school trustees may, upon obtaining the consent of an inspector in writing, use the Ontario series of Bi-lingual Readers, parts i, ii and the Second Reader, instead of the Dominion series or the Ontario Readers.

In all standards above the second, the Ontario Readers are prescribed after 1st January, 1894.

By order.

JAMES BROWN,

Secy., Council of Public Instruction.

RETURN

(40d.)

To an ADDRESS of the HOUSE of COMMONS, dated the 21st March, 1894, for copies of all petitions, memorials and correspondence, in reference to the appeal made in the name of the Roman catholic minority of the province of Manitoba, in reference to the School Laws of that province; also copies of reports to and orders in council in reference to the same; also copies of the case submitted to the Supreme Court of Canada respecting aforesaid appeal, and including factums and all materials in connection therewith, and copies of all judgments rendered and answers given by said court on or to the question referred to them.

JOHN COSTIGAN,
Secretary of State.

GOVERNMENT HOUSE, WINNIPEG, 25th February, 1893.

The Hon. the SECRETARY OF STATE,
Ottawa.

SIR,—Referring to the following telegram:

“ LIEUT.-GOVERNOR OF MANITOBA, WINNIPEG.

“ OTTAWA, 22nd February, 1893.

“ The following order in council has been passed to-day:—

“ The committee of the privy council having considered the arguments advanced by Mr. Ewart on behalf of the petitioners in Manitoba, who have requested redress from your excellency with respect to certain statutes of the province relating to education, are of opinion that the important questions of law which were suggested in the report of the sub-committee to whom said petitions were referred, should be authoritatively settled before the appeal which has been asserted by said petitions be further proceeded with. The committee therefore advise that a case be prepared on this subject, in accordance with the provisions of the Act 54-55 Vict., chapter 25, and they recommend that if this report be approved, a copy thereof be transmitted by telegraph to his honour the lieutenant-governor of Manitoba, and to John S. Ewart, counsel for the petitioners, in order that if they be so disposed, the government of Manitoba and the said counsel may offer suggestions as to the preparation of such case and as to the questions which should be embraced therein.

“ W. B. IVES,

“ *President of the Privy Council.*”

Received by me from the honourable the president of the privy council, and transmitted by me upon the same day for the information and action of my government, I have been advised by my government with reference thereto, as follows:—

“WINNIPEG, February 24th, 1893.

“WALTER ROBERT BROWN, Esq.,
“Private Secretary to His Honour the
“Lieutenant-Governor.

“SIR,—In further answer to the communication received from you, dated 22nd instant, transmitting a copy of a telegram from the Honourable W. B. Ives, president of the privy council of Canada, relating to the order in council providing for a case with reference to certain statutes of this province relating to education, under the provisions of the Act 54-55 Vict., chapter 25, I am instructed to say that his honour's government does not deem it incumbent upon them to take any action in reference to the framing of such a case.

“His honour's government desires, however, to be put in possession of a copy of such case when settled, and of the date fixed for the argument thereof, in order to be in a position to consider in due time the advisability of being represented thereon.

“I have, etc.,

“J. D. CAMERON,
“Provincial Secretary.”

I have the honour to be, sir,
Your obedient servant,

JOHN SCHULTZ,
Lieutenant-Governor.

CERTIFIED COPY of a report of a Committee of the Honourable the Privy Council,
approved by His Excellency the Governor General in Council on the 22nd April,
1893.

On a report dated 20th April, 1893, from the acting minister of justice, submitting in conformity with the order of your excellency in council, dated 22nd February, 1893, and under the provisions of the Act 54-55 Vict., cap. 25, a draft which he has had prepared of a case for reference to the supreme court of Canada for hearing and consideration touching certain statutes of the province of Manitoba relating to education, and the memorials of certain petitioners in Manitoba complaining thereof.

The committee on the recommendation of the acting minister of justice advised that certified copies of the draft be transmitted, respectively, to the lieutenant-governor of Manitoba and to Mr. John T. Ewart, counsel for the petitioners, in order that if they be so disposed, the government of Manitoba and the said counsel for the petitioners may offer any suggestions or observations which they desire to make with respect to such case, and the questions which should be embraced therein, all which is respectfully submitted for your excellency's approval.

JOHN J. MCGEE,
Clerk of the Privy Council.

OTTAWA, 20th April, 1893.

Case submitted to the supreme court of Canada by his excellency the governor general in council, pursuant to the authority of the revised statutes, chapter 135, intituled “An Act respecting the Supreme and Exchequer Courts,” as amended by section 4, of chapter 25, of the acts of the parliament of Canada, passed in 54th and 55th year of her majesty's reign, intituled “An Act to amend chapter 135 of the revised statutes of Canada,” intituled “An Act respecting the Supreme and Exchequer Courts.”

Annexed hereto is an order of his excellency the governor general in council, made on the 29th of December, 1892, approving of a report of a sub-committee of council thereto annexed, upon certain memorials complaining of two statutes of the legislature of Manitoba, relating to education, passed in the session of 1890. The

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memorials therein referred to and all correspondence in connection therewith are hereby made part of this case, together with all statutes, whether provincial, dominion or imperial, in any wise dealing with, or affecting the subject of education in Manitoba, and all proceedings had or taken before the court of queen's bench, Manitoba, the supreme court of Canada and the judicial committee of the privy council in the causes of *Barrett vs. the City of Winnipeg*, and *Logan vs. the City of Winnipeg*; and all decisions or judgments in such cases are to be considered as part of this case and are to be referred to accordingly.

The questions for hearing and consideration by the supreme court of Canada being the same as those indicated in the report of the subcommittee of council above referred to, are as follows:—

1. Is the appeal referred to in the said memorials and petitions and asserted thereby, such an appeal as is admissible by subsection 3 of section 93 of "The British North America Act, 1867," or by subsection 22 of "The Manitoba Act, 33 Victoria (1870) chapter 3 (Canada)?"

2. Are the grounds set forth in the petitions and memorials such as may be the subject of appeal under the authority of the subsections above referred to?

3. Does the decision of the judicial committee of the privy council in the cases of *Barrett vs. the City of Winnipeg*, and *Logan vs. the City of Winnipeg* dispose of or conclude the application for redress based on the contention that the rights of the Roman catholic minority which accrued to them after the union under the statutes of the province have been interfered with by the two statutes of 1890 complained of in the said petitions and memorials?

4. Does subsection 3 of section 93 of "The British North America Act, 1867," apply to Manitoba?

5. Has his excellency the governor general in council power to make the remedial orders which are asked for in said memorials and petitions, assuming the material facts to be as stated therein?

6. Did the acts of Manitoba relating to education, passed prior to the session of 1890, confer on the minority a "right or privilege with respect to education" within the meaning of subsection 2 of section 32 of "The Manitoba Act," or establish a "system of separate or dissentient schools" within the meaning of subsection 3 of section 93 of "The British North America Act, 1867," if said section ninety-three be found to be applicable to Manitoba, and if so, did the two Acts of 1890 complained of affect the right or privilege of the minority in such a manner as to warrant an appeal thereunder to the governor general in council?

WINNIPEG, MAN., 4th May, 1893.

JOHN J. MCGEE, Esq.,

Clerk of the Privy Council, Ottawa, Ont.

DEAR SIR,—I have to acknowledge the receipt of your letter of the 22nd April, together with the documents to which it refers. In reply, I beg to repeat my previous suggestion to the effect that there should be referred to the supreme court all questions upon which, in the opinion of his excellency in council, there may be such doubt as to interfere with the granting of the prayers of the petitions filed on behalf of my clients. I can, of course, be of no assistance in ascertaining what such questions are. I may, however, be allowed to suggest with reference to the questions formulated in the draft case sent to me, the following for the consideration of his excellency in council:—

1. In the caption, the title of the statutes 54 and 55 Vict., 25, should be correctly stated.

2. The word "as" should be substituted for the word "of" in the sentence commencing "The questions for hearing."

3. In paragraph i, instead of "subsection 22," read "subsection 2 of section 22."

4. Add to the end of paragraph 2 the words "or either of them."

5. For paragraph 5, substitute the following:—

"(5.) Has his excellency the governor general in council power to make the declarations or remedial orders which are asked for in said memorials and petitions,

assuming the material facts to be as stated in the memorials and petitions, or has his excellency the governor general in council any other jurisdiction in the premises?"

In support of this suggestion, I beg to refer to the 4th and 5th paragraphs of the prayer of the petition which I had the honour to forward to you on the 31st day of October, 1892. It will be observed that while we there indicated the general nature of the relief to which we deem ourselves entitled, yet we ask "that such further or other declaration or order may be made as to your excellency the governor general in council shall, under the circumstances, seem proper; and that such directions may be given, provision made, and all things done in the premises for the purpose of affording relief to the said Roman catholic minority in the said province, as to your excellency in council may seem meet."

6. For paragraph 6 substitute the following:—

(6.) Did the acts of Manitoba relating to education, passed prior to the session of 1890, confer on or continue to the minority a "right or privilege in relation to education," within the meaning of subsection 2 of section 22 of the Manitoba Act; or establish a "system of separate or dissentient schools," within the meaning of subsection 3 of section 93 of "The British North America Act, 1867," (if said section 93 be found to be applicable to Manitoba), and if yea, in either case, did the two acts of 1890 complained of, or either of them, affect any right or privilege of the minority?

The principal amendment here suggested is the omission of the words which follow the above, viz.: "in such a manner as to warrant an appeal thereunder to the governor general in council." I beg to suggest that the question for the courts is whether any right or privilege has been affected; not whether it has been so affected as to warrant an appeal, which probably means an appeal which ought to be granted, for if an appeal is warranted it ought to be granted.

The question as I put it involves a mere question of law. As now framed it involves the further question whether some right or privilege having been interfered with, his excellency in council ought to entertain the appeal—ought to hold that the appeal was warranted.

I have the honour to be, sir,

Your obedient servant,

JOHN S. EWART.

CERTIFIED COPY of a report of a Committee of the Honourable the Privy Council, approved by his Excellency the Governor General in Council on the 8th July, 1893.

On a report dated 7th July, 1893, from the acting minister of justice, submitting that, in conformity with an order of your excellency in council, dated 22nd April, 1893, a draft case prepared for reference to the supreme court of Canada, touching certain statutes of the province of Manitoba relating to education, and the memorials of certain petitioners in Manitoba complaining thereof, was communicated to the lieutenant governor of Manitoba, and to Mr. John S. Ewart, Q.C., counsel for the petitioners, for such suggestions and observations as they might respectively desire to make in relation to such case and the questions which should be embraced therein.

No reply has been received from the lieutenant governor of Manitoba. Mr. Ewart, under date 4th May, 1893, has made certain observations and suggestions which he, the minister, has had under consideration. The minister upon such consideration has made some amendments to the draft case which he submits for your excellency's approval.

The minister recommends that the case, as amended, copy of which is herewith submitted, be approved by your excellency, and that copies thereof be transmitted to the lieutenant governor of Manitoba and to Mr. Ewart, with the information that the same is the case which it is proposed to be referred to the supreme court of Canada, touching the statutes and memorials above referred to.

The committee submit the same for your excellency's approval.

JOHN J. MCGEE,

Clerk of the Privy Council.

School Laws of Manitoba.

OTTAWA, 7th July, 1893.

Case submitted to the supreme court of Canada, by his excellency the governor general in council, pursuant to the authority of the Revised Statutes of Canada, chapter 135, intituled "An Act respecting the Supreme and Exchequer Courts," as amended by section 4, of chapter 25, of the acts of the parliament of Canada, passed in 54th and 55th year of her majesty's reign, intituled "An Act to amend chapter 135 of the Revised Statutes, intituled 'An Act respecting the Supreme and Exchequer Courts.'"

Annexed hereto is an order of his excellency the governor general in council, made on the 29th of December, 1892, approving of a report of a sub-committee of council thereto annexed upon certain memorials complaining of two statutes of the legislature of Manitoba, relating to education, passed in the session of 1890. The memorial therein referred to and all correspondence in connection therewith are hereby made part of this case, together with all statutes, whether provincial, dominion or imperial, in anywise dealing with, or affecting the subject of education in Manitoba, and all proceedings had or taken before the court of queen's bench, Manitoba, the supreme court of Canada and the judicial committee of the privy council, in the causes of *Barrett vs. the City of Winnipeg*, and *Logan vs. the City of Winnipeg*; and all decisions or judgments in such cases are to be considered as part of this case and are to be referred to accordingly.

The questions for hearing and consideration, by the supreme court of Canada being the same as those indicated in the report of the sub-committee of council above referred to, are as follows:—

1. Is the appeal referred to in the said memorials and petitions and asserted there by such an appeal as is admissible by subsection 3, of section 93, of "The British North America Act, 1867" or by subsection 2, of section 22, of "Manitoba Act" 33 Victoria, 1870, chapter 3, (Canada) ?
2. Are the grounds set forth in the petitions and memorials such as may be the subject of appeal under the authority of the subsections above referred to or either of them ?
3. Does the decision of the judicial committee of the privy council in the cases of *Barrett vs. the City of Winnipeg*, and *Logan vs. the City of Winnipeg*, dispose of or conclude the application for redress based on the contention that the rights of the Roman catholic minority which accrued to them after the union under the statutes of the province have been interfered with by the two statutes of 1890, complained of in the said petitions and memorials ?
4. Does subsection 3 of section 93 of "The British North America Act, 1867," apply to Manitoba ?
5. Has his excellency the governor general in council power to make the declarations or remedial orders which are asked for in the said memorials and petitions, assuming the material facts to be as stated therein, or has his excellency the governor general in council any other jurisdiction in the premises ?
6. Did the acts of Manitoba relating to education, passed prior to the session of 1890, confer on or continue to the minority a "right or privilege in relation to education" within the meaning of subsection 2 of section 22 of "The Manitoba Act" or establish a "system of separate or dissentient schools," within the meaning of sub-section 3 of section 93 of "The British North America Act, 1867," if said section ninety-three be found to be applicable to Manitoba, and if so did the two acts of 1890 complained of, or either of them, affect any right or privilege of the minority in such a manner that an appeal will lie thereunder to the governor general in council ?

CERTIFIED COPY of a report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor General in Council on the 31st July, 1893.

On a report dated 20th of July, 1893, from the acting minister of justice, submitting with reference to his report of the 7th July instant, which was approved on the 8th July, 1893, submitting a case for reference to the supreme court of

Canada, touching certain statutes of the province of Manitoba, relating to education, and the memorials of certain persons complaining thereof: The minister recommends that the case, copy of which is appended to the above mentioned order in council, be referred to the supreme court of Canada for hearing and consideration, pursuant to the provisions of an act respecting the supreme and exchequer courts, Revised Statutes of Canada, chap. 135, as amended by 54 and 55 Victoria; chapter 25, section 4. The committee submit the same for your excellency's approval.

JOHN J. MCGEE,

Clerk of the Privy Council.

CERTIFIED COPY of a report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor General in Council on the 15th August, 1893.

The committee on the recommendation of the acting minister of justice advise that pursuant to the provisions of the Act 54-55 Victoria, chapter 25, the attorney general of the province of Manitoba be notified that in accordance with an order of his excellency the governor general in council, dated the 31st day of July, 1893, a case touching certain statutes of the said province relating to education and the memorial of certain petitioners complaining thereof, was referred to the supreme court of Canada for hearing and consideration, and that such case will be heard at the next ensuing sittings of the said court, to wit, on the third day of October next, or so soon thereafter as may be. The committee further advise that a like notice be sent to Mr. John S. Ewart, Q.C., of Winnipeg, council for the petitioners. The committee advise that the attorney general for the province of Manitoba and Mr. Ewart be requested to acknowledge the receipt of such notice respectively.

The committee submit the same for your excellency's approval.

JOHN J. MCGEE,

Clerk of Privy Council.

GOVERNMENT HOUSE, WINNIPEG, 20th February, 1894.

The Under Secretary of State, Ottawa.

SIR,—I have the honour to enclose herewith a copy of a letter this morning received from His Grace Archbishop Taché, of St. Boniface, together with a certified copy of the bill intituled "An Act to amend the Public Schools Act," which was read a third time on the 15th instant, to which it refers.

I have, etc.,

JOHN SCHULTZ,

Lieutenant Governor.

ST. BONIFACE, 16th February, 1894.

To His Honour the Lieutenant Governor of Manitoba,
Government House, Winnipeg.

Your honour is aware that the amendments proposed to the school laws have passed their third reading by a unanimous vote of all the protestant members of the legislative assembly, the four catholic members voting unanimously against. This circumstance alone proves that the school question is merely and simply a question of religion, and that catholics are perfectly justified when they say that they are victims to a religious persecution. Should your honour give the royal sanction to such an injustice it would become law, and all the catholic schools of the country would be forced to close their doors or to submit to dispositions contrary to the convic-

School Laws of Manitoba.

tions of true children of the church. Now, our fate is in the hands of your honour and our misfortune cannot be delayed except by the reserving of this new enactment for the good pleasure of his excellency the governor general.

With profound respect,

I remain your obedient servant,

ALEX.,

Arch. of St. Boniface, O.M.I.

I, Elias George Conklin, clerk of the legislative assembly and custodian of the statutes of the province of Manitoba, certify the subjoined to be a true copy of the original enactment passed in the legislative assembly of Manitoba in the second session of the eighth legislature, held in the fifty-seventh year of her majesty's reign.

Given under my hand and the seal of the legislative assembly of the province of Manitoba, at Winnipeg, the twentieth day of February, in the year of our Lord one thousand eight hundred and ninety-four.

E. G. CONKLIN,

Clerk of the Legislative Assembly of Manitoba.

Said act is hereby further amended by inserting therein immediately after section 88 the following section:—

88a. In every case in which the organization of a school district fails to be continued by reason of the non-election of trustees or the abandonment of the performance of their duties by trustees who have been duly elected or by reason of the resignation, death or removal of trustees and non-election of their successors, the council of the municipality in which such school district lies shall have full power and authority, and it shall be the duty of the said council to take charge of all the property of such school district, real and personal, and to administer the same for the benefit of the creditors of such school district, if any.

Any funds which arise from the administration of the said property shall after payment of liabilities be kept in a special account to the credit of such school district and disposed as nearly as may be in accordance with the provisions of section 89 of this act.

In case such school district is situated in more than one municipality the inspector in whose jurisdiction such school district is, shall direct the council of one of the municipalities in which such school district lies, to exercise the functions mentioned in the next preceding paragraph, and said council shall thereupon have all the authority and powers therein mentioned and set forth in reference to such school district.

[No.

BILL.

1894.]

An Act to amend the Public Schools Act.

Her Majesty, by and with the advice and consent of the Legislative Assembly of the province of Manitoba, enacts as follows:—

1. Section 32 of chapter 127 of the Revised Statutes of Manitoba, is hereby amended by adding thereto the following subsection:

2. The inspector, when he investigates any complaint made under this section, shall have the same power and authority to administer oaths, summon witnesses, enforce their attendance and compel them to produce documents, and to give evidence on oath, as any court has in civic matters.

3. Section 115 of said chapter 127, is hereby amended by adding thereto the following subsections:

2. In computing the number of months for which school has been kept open in each school district during the current year every school which has been kept open in all during the year for one hundred and two teaching days shall be held to have been kept open for six months, and every school which has been kept open in all

during the year for two hundred and four teaching days shall be held to have been kept open for twelve months.

3. When any school has been closed in pursuance of the provisions of "The Public Health Act," the period during which such school has been closed, or in case such period exceeds thirty days, then thirty days of such period shall be computed as teaching days during which such school has been kept open.

4. Section 151 of said chapter 127 is hereby amended by adding thereto the following words "nor in the municipal grant under sections 115 and 116 of this act, nor shall any school assessment be levied or school taxes be collected for the benefit of such school."

5. Section 151 of said chapter 127 is hereby further amended by adding thereto the following subsection:

(2) In any case in which the department of education is of the opinion that a school has been conducted substantially according to the requirements of this section, and that any departure therefrom is of an unimportant character, and has been caused *bona fide* by mistake or inadvertence, the department may cause the usual porportion of the legislative grant to be paid to such school as in ordinary cases. This subsection shall not apply to the case of any school the conduct of which has been in violation of section 194 of this act.

6. Section 161 of said chapter 127 is hereby repealed and the following section substituted therefor:

161. The members of every board of rural school trustees shall hold their first meeting on the first Wednesday in January following the election, at the hour of two o'clock in the afternoon, at the usual place of meeting of such board. In cities, towns and villages the first meeting shall be held at such last place of meeting on the first Wednesday in January, at the hour of eight o'clock in the evening. Organization and any other business of the board may be proceeded with at such meeting.

THE SUPREME COURT OF CANADA, 1875.

OTTAWA, 26th February, 1894.

E. L. NEWCOMBE, Esq., Q.C.,
Deputy Minister of Justice, Ottawa.

SIR,—In the matter of certain statutes of the province of Manitoba relating to education and of the case referred to the supreme court of Canada for hearing and consideration by order in council bearing date the 31st day of July, 1893.

I have the honour to send herewith, for the purpose of being laid before his excellency the governor general in council, the answers to the questions submitted in the above matter and the reasons therefor, duly certified under the seal of the supreme court of Canada.

I have the honour to be, sir, your obedient servant,

ROBERT CASSELS, *Registrar.*

IN THE SUPREME COURT OF CANADA.

TUESDAY, the twentieth day of February, A.D. 1894.

Present :

The Honourable Sir HENRY STRONG, Knight, Chief Justice.

" Mr. Justice FOURNIER,
" Mr. Justice TASCHEREAU,
" Mr. Justice GWYNNE,
" Mr. Justice KING.

In the matter of certain Statutes of the province of Manitoba relating to Education.

The governor in council, by order in council bearing date the thirty-first day of July, one thousand eight hundred and ninety-three, numbered 2103 and passed pursuant to the provisions of "An Act respecting the Supreme and Exchequer

School Laws of Manitoba.

Courts, Revised Statutes of Canada, chapter 135, as amended by 54-55 Victoria, chapter 25, section 4, having referred to the supreme court of Canada for hearing and consideration a case touching certain statutes of the province of Manitoba relating to education, and the memorials of certain persons complaining thereof, the questions so referred for hearing and consideration being as follows :

1. Is the appeal referred to in the said memorials and petitions, and asserted thereby, such an appeal as is admissible by subsection 3 of section 93 of the British North America Act, 1867, or by subsection 2 of section 22 of the Manitoba Act, 33 Victoria (1870), chapter 3, (Canada) ?

2. Are the grounds set forth in the petitions and memorials such as may be the subject of appeal under the authority of the subsections above referred to, or either of them ?

3. Does the decision of the judicial committee of the privy council in the cases of *Barrett vs. the City of Winnipeg*, and *Logan vs. the City of Winnipeg*, dispose of or conclude the application for redress based on the contention that the rights of the Roman catholic minority which accrued to them after the union under the statutes of the province have been interfered with by the two statutes of 1890 complained of in the said petitions and memorials ?

4. Does subsection 3 of section 93 of the British North America Act, 1867, apply to Manitoba ?

5. Has his excellency the governor general in council power to make the declarations or remedial orders which are asked for in the said memorials and petitions, assuming the material facts to be as stated therein, or has his excellency the governor general in council any other jurisdiction in the premises ?

6. Did the Acts of Manitoba relating to education, passed prior to the session of 1890, confer on or continue to the minority a "right or privilege in relation to education" within the meaning of subsection 2 of section 22 of the Manitoba Act, or establish a "system of separate or dissentient schools" within the meaning of subsection 3 of section 93 of the British North America Act, 1867, if said section 93 be found to be applicable to Manitoba, and if so, did the two acts of 1890, complained of, or either of them, affect any right or privilege of the minority in such a manner that an appeal will lie thereunder to the governor general in council ?

And the said case having come before this court on the fourth day of October, in the year of our Lord one thousand eight hundred and ninety-three, the Honourable J. J. Curran, Q.C., her majesty's solicitor general for the dominion of Canada appeared to submit the said case on behalf of the crown, Mr. Ewart, Q.C., appeared to argue the said case on behalf of the said petitioners and memorialists, and Mr. Wade, Q.C., appeared on behalf of the province of Manitoba, but not to argue the said case in the interest of the said province, whereupon this court directed the hearing of the said case to stand over, and in the exercise of the powers conferred by 54-55 Victoria, chapter 25, section 4, substituted for the Revised Statutes of Canada, chapter 135, section 37, appointed Mr. Christopher Robinson, Q.C., to argue the said case in the interest of the said province of Manitoba, and the said case coming on for hearing before this court on the seventeenth day of October, in the year of our Lord one thousand eight hundred and ninety-three, in the presence of counsel aforesaid, whereupon and upon hearing Mr. Ewart, Q.C., for the said petitioners and memorialists and Mr. Robinson, Q.C., who appeared pursuant to the direction of the court, in the interest of the said province of Manitoba, the honourable the solicitor general and Mr. Wade, Q.C., not desiring to be heard, this court was pleased to direct that the said case should stand over for consideration, and the same having come before this court this day, this court did state its opinion on the said questions so submitted as aforesaid, and the opinion of the said court, and the answers to the said questions, and the reasons therefor, will appear from the judgments delivered by their lordships, a true copy of which said judgments is hereunto annexed.

All which is respectfully certified under the seal of the supreme court of Canada.

ROBERT CASSELS,

Registrar.

In the matter of certain Statutes of the province of Manitoba relating to Education.

SIR HENRY STRONG, C.J.—This case has been referred to the court for its opinion by his excellency the governor general in council pursuant to the provisions of "An Act respecting the Supreme and Exchequer Courts," Revised Statutes of Canada, chapter 135, as amended by 54 and 55 Victoria, chapter 25, section 4.

Six questions are propounded, which are as follows:

"1. Is the appeal referred to in the said memorials and petitions (referring to certain petitions and memorials presented to the governor general in council) and asserted thereby, such an appeal as is admissible by subsection 3 of section 93 of the British North America Act, 1867, or by subsection 2 of section 22 of the Manitoba Act, 33 Victoria (1870), chapter 3, (Canada)?"

"2. Are the grounds set forth in the petitions and memorials such as may be the subject of appeal under the authority of subsections above referred to or either of them?"

"3. Does the decision of the judicial committee of the privy council in the cases of *Barrett vs. Winnipeg* and *Logan vs. Winnipeg* dispose of or conclude the application for redress based on the contention that the rights of the Roman catholic minority which accrued to them after the union under the statutes of the province have been interfered with by the two statutes of 1890 complained of in the said petitions and memorials?"

"4. Does subsection 3 of section 93 of the British North America Act, 1867, apply to Manitoba?"

"5. Has his excellency the governor general in council power to make the declarations or remedial orders which are asked for in the said memorials and petitions, assuming the material facts to be as stated therein, or has his excellency the governor general in council any other jurisdiction in the premises?"

"6. Did the acts of Manitoba passed prior to the session of 1890 confer on or continue to the minority a right or privilege in relation to education within the meaning of subsection 2 of section 22 of the Manitoba Act, or establish a system of 'separate or dissentient schools' within the meaning of subsection 2 of section 93 of the British North America Act, 1867, if said section 93 be found to be applicable to Manitoba; and, if so, did the two acts of 1890 complained of, or either of them, affect any right or privilege of the minority in such a manner that an appeal will lie thereunder to the governor general in council?"

To put it in a concise form, the questions which we are called upon to answer are whether an appeal lies to the governor general in council either under the British North America Act, 1867, or under the Dominion act establishing the province of Manitoba, against an act or acts of the legislature of Manitoba, passed in 1890, whereby certain acts or parts of acts of the same legislature, previously passed, which had conferred certain rights on the Roman catholic minority in Manitoba in respect of separate or denominational schools were repealed.

The matter was brought before the court by the solicitor general on behalf of the crown, but was not argued by him. On behalf of the petitioners and memorialists who had sought the intervention of the governor general, Mr. Ewart, Q.C., appeared. Mr. Wade, Q.C., appeared as counsel on behalf of the province of Manitoba when the matter first came on, but declined to argue the case, and the court then, in exercise of the powers conferred by 54 and 55 Vict., chap. 25, section 4, substituted for the Revised Statutes of Canada, chapter 135, section 37, requested Mr. Christopher Robinson, Q.C., the senior member of the bar practising before this court, to argue the case in the interest of the province of Manitoba, and on a subsequent day the matter was fully and ably argued by Mr. Ewart and Mr. Robinson.

The proper answer to be given to the questions propounded depends principally on the meaning to be attached to the words "any right or privilege of the protestant or Roman catholic minority of the queen's subjects in relation to education" in subsection 2 of section 22 of the Manitoba Act. Do these words include rights and privileges in relation to education which did not exist at the union, but (in the words of section 93, subsection 3 of the British North America Act) have been "thereafter established by the legislature of the province" or is this right or privilege

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mentioned in subsection 2, section 22 of the Manitoba Act the same right or privilege which is previously referred to in sub-section 1, section 22 of the Manitoba Act, viz.: one which any class of persons had by law or practice in the province at the union, or a right or privilege other than one which the legislature of Manitoba had itself created? Section 93, subsection 3 of the British North America Act, 1867, is as follows: "Where in any province a system of separate or dissentient schools exists by law at the union or is thereafter established by the legislature of the province, an appeal shall lie to the governor general in council from any act or decision of any provincial authority affecting any right or privilege of the protestant or Roman catholic minority of the queen's subjects in relation to education."

It is important to contrast these two clauses of the acts in question, inasmuch as there is intrinsic evidence in the later act, that it was generally modelled on the imperial statute, the original Confederation Act, and the divergence in the language of the two statutes is therefore significant of an intention to make some change as regards Manitoba by the provisions of the later act.

It will be observed that the British North America Act, section 93, subsection 3, contains the words, "or is thereafter established by the legislature of the province," which words are entirely omitted in the corresponding section (section 22, subsection 2) of the Manitoba Act. Again the same subsection of the Manitoba Act gives a right of appeal to the governor general in council from the legislation of the province, as well as from any provincial authority, whilst by the British North America Act the right of appeal to the governor general is only to be from the act or decision of a provincial authority. I can refer this difference of expression in the two acts to nothing but to a deliberate intention to make some change in the operation of the respective clauses. I do not see why there should have been any departure in the Manitoba Act from the language of the British North America Act, unless it was intended that the meaning should be different. On the one hand it may well be urged that there was no reason why the provinces admitted to confederation should have been treated differently, why a different rule should prevail as regards Manitoba from that which by express words applied to the other provinces. On the other hand, there is, it seems to me, much force in the consideration that whilst it was reasonable that the organic law should preserve vested rights existing at the union from spoliation or interference, yet every presumption must be made in favour of the constitutional right of a legislative body to repeal the laws which it has itself enacted. No doubt this right may be controlled by a written constitution which confers legislative powers, and which may restrict those powers and make them subject to any condition which the constituent legislators may think fit to impose. A notable instance of this is, as my brother King has pointed out, afforded by the constitution of the United States, according to the construction which the supreme court, in the well known "Dartmouth College Case," put upon the provision prohibiting the state legislatures from passing laws impairing the obligation of contracts. It was there held, with a result which has been found most inconvenient, that a legislature which had created a private corporation could not repeal their own enactment, granting the franchise, the reason assigned being that the grant of the right of franchise of a corporation was a contract. This has in practice been got over by inserting in such acts an express reservation of the right of the legislature to repeal its own act. But as it is a *prima facie* presumption that every legislative enactment is subject to repeal by the same body which enacts it, every statute may be said to contain an implied provision that it may be revoked by the authority which has passed it unless the right of appeal is taken away by the fundamental law, the over-riding constitution which has created the legislature itself. The point is a new one, but having regard to the strength and universality of the presumption that every legislative body has power to repeal its own laws, and that this power is almost indispensable to the useful exercise of legislative authority since a great deal of legislation is of necessity tentative and experimental, would it be arbitrary or unreasonable or altogether unsupported by analogy to hold as a canon of constitutional construction that such an inherent right to repeal its own acts cannot be deemed to be withheld from a legislative body, having its origin in a

written constitution, unless the constitution itself by express words takes away the right.

I am of opinion that in construing the Manitoba Act, we ought to proceed upon this principle and hold the legislature of that province to have absolute powers over its own legislation untrammelled by any appeal to federal authority unless we find some restriction of its rights in this respect in express terms in the constitutional act.

Then keeping the rule of construction just adverted to in view, is there anything in the terms of subsection 2 of section 22 of the Manitoba Act by which the right of appeal is enlarged and an appeal from the legislature is expressly added to that from any provincial authority, whilst in the British North America Act, section 93, subsection 3, the appeal is confined to one from a provincial authority only, which expressly or necessarily implies that it was the intention of those who framed the constitution of Manitoba, to impose upon its legislature any disability to exercise the ordinary powers of a legislature to repeal its own enactments? I cannot see that it does, and I will endeavour to demonstrate the correctness of this opinion. It might well have been considered by the parliament of the Dominion in passing the Manitoba Act that the words "any provincial authority" did not include the legislature. Then, assuming it to have been intended to conserve all vested rights, "rights or privileges" existing by law or practice at the time of "the union" and to exclude or subject to federal control, even legislative interference with such pre-existent rights or privileges, this prohibition or control would be provided for by making any act or decision of the legislature so interfering the subject of appeal to the governor general in council.

If, however, the words of section 93, subsection 3, "or is thereafter established by the legislature" had been repeated in section 22, the legislature would have been in express and unequivocal terms restrained from repealing laws of the kind in question which they had themselves enacted, except upon the condition of a right to appeal to the governor general. If it was intended not to do this, but only to restrain the legislature of Manitoba from interfering with "rights and privileges" of the kind in question existing at the union, this end would have been attained by just omitting altogether from the clause the words "or shall have been thereafter established by the legislature of the province." This was done. Next, it is clear that in interpreting the Manitoba Act the words "any provincial authority" do not include the legislature, for that expression is there used as an alternative to the "legislature of the province."

It is not to be presumed that Manitoba was intended to be admitted to the union upon any different terms from the other provinces, or with rights of any greater or less degree than the other provinces. Some difference may have been inevitable owing to the difference in the pre-existing conditions of the several provinces. It would be reasonable to attribute any difference in the terms of union and in the rights of the province as far as possible to this, and by interpretation to confine any variation in legislative powers and other matters to such requirements as were rendered necessary by the circumstances and condition of Manitoba at the time of the union.

Now, let us see what would be the effect of the construction which I have suggested of both acts, the British North America Act, section 93, and the Manitoba Act, section 22, in their practical application to the different provinces as regards the right of provincial legislatures to interfere with separate or denominational schools to the prejudice of a Roman catholic or protestant minority.

First, then, let us consider the cases of Ontario and Quebec, the two provinces which had by law denominational schools at the union. In these provinces any law passed by a provincial legislature impairing any right or privilege in respect of such denominational schools, would, by force of the prohibition contained in subsection 3 of section 93 of the British North America Act, be *ultra vires* of the legislature and of no constitutional validity.

Should the legislatures of these provinces (Ontario and Quebec) after confederation have conferred increased rights or privileges in relation to education on

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minorities, I see nothing to hinder them from repealing such acts to the extent of doing away with the additional rights and privileges so conferred by their own legislation without being subject to any condition of appeal to federal authority.

What is meant by the term "provincial authority"? The parliament of the Dominion, as shown by the Manitoba Act, holds that it does not include the legislature, for in subsection 2 of section 22 they use it as an alternative expression and so expressly distinguish it from the legislature. It is true the British North America Act did not emanate from the Dominion parliament, but nevertheless the construction which that parliament has put on the British North America Act if not binding on judicial interpreters is at least entitled to the highest respect and consideration. Secondly, the words "provincial authority" are not apt words to describe the legislature, and in order that a provincial legislature should be subjected to an appeal when it merely attempts to recall its own acts, the terms used should be apt, clear and unambiguous. To return, then, to the cases of Ontario and Quebec, should any "provincial authority" not including in these words the legislature, but interpreting the expression as restricted to administrative authorities (without at present going so far as to say it included courts of justice) by any act or decision affect any right or privilege, whether derived under a law or practice existing at the time of confederation, or conferred by a provincial statute since the union, still remaining unrepealed and in force, that would be subject to an appeal to the governor general.

Secondly, as regards the provinces of Nova Scotia and New Brunswick, those provinces not having had any denominational schools at the time of the union, there is nothing in their case for subsection 1 of section 93 to operate upon. Should either of these provinces by after-confederation legislation create rights or privileges in favour of protestant or catholic minorities in relation to education, then so long as these statutes remained unrepealed and in force an appeal would lie to the governor general from any act or decision of a provincial administrative authority affecting any of such rights or privileges of a minority, but there would be nothing to prevent the legislatures of the provinces now under consideration from repealing any law which they had themselves enacted conferring such rights and privileges, nor would any act so repealing their own enactments be subject to appeal to the governor general in council.

Thirdly, we have the case of the province of Manitoba. Here, applying the construction before mentioned, the provincial powers in relation to education would be not further restricted but somewhat enlarged in comparison with those of the other provinces. Acting upon the presumption that in the absence of express words in the act of the Dominion parliament which embodies the constitution of the provinces withholding from the legislature of the province the normal right of altering or repealing its own acts, we must hold that it was not the intention of parliament so to limit the legislature by the organic law of the province. What, then, is the result of the legislation of the Dominion as regards Manitoba? What effect is to be given to section 22 of the Manitoba Act? By the first subsection any law of the province prejudicing any right or privilege with respect to denominational schools in the province existing at the union is *ultra vires* and void. This clause was the subject and the only subject of interpretation in *Barrett vs. Winnipeg*, and the point there decided was, that there was no such right or privilege as was claimed in that case existing at the time of the admission of the province. Had any such right or privilege been found to exist, there is nothing in the judgment of the privy council against the inference that legislation impairing it would have been unconstitutional and void. That decision has, in my opinion, but a very remote application to the present case. The second subsection of section 22 of the Manitoba Act is as follows: "An appeal shall lie to the governor general in council from any act or decision of the legislature of the province or of any provincial authority affecting any right or privilege of the protestant or Roman catholic minority of the queen's subjects in relation to education." I put aside as entirely irrelevant here the question whether it was or was not intended by this subsection 2 to confer on the privy council of the Dominion appellate jurisdiction from the provincial judiciary, a question, the decision of which I may say in passing might

well be influenced by the consideration that the power given to parliament by the British North America Act to create federal courts had not at the time of the passage of the Manitoba Act been exercised. The first subject of appeal is then any act or decision of the legislature of the province affecting any right or privilege of the minority in respect of the matters in question. Now, if we are to hold, as I am of opinion we must hold, that it was not the intention of parliament by these words so to circumscribe the legislative rights conferred by them on Manitoba as to incapacitate that legislature from absolutely and without any subjection to federal control repealing its own enactments and thus taking away rights which it had itself conferred, the right of appeal to the governor general against legislative acts must be limited to a particular class of such acts, viz., to such as might prejudice rights and privileges not conferred by the legislature itself, but rights and privileges which could only have arisen before confederation, being those described in the first subsection of section 22. That we must assume in the absence of express words that it was not the intention of parliament to impose upon the Manitoba legislature a disability so anomalous as an incapacity to repeal its own enactments, except subject to an appeal to the governor general in council, and possibly the intervention of the Dominion parliament, as a paramount legislature, is a proposition I have before stated. Therefore the right of appeal to the governor general in council must be confined to acts of the legislature affecting such rights and privileges as are mentioned in the first subsection, viz., those existing at the union when belonging to a minority, either protestant or catholic. Then there would also be the right of appeal from any provincial authority.

I will assume that the description "provincial authority" does not apply to the courts of justice. Then these words "provincial authority" could not, as used in this subsection 2 of section 22 of the Manitoba Act, have been intended to include the provincial legislature, for it is expressly distinguished from it, being mentioned alternatively with the legislature: "An appeal shall lie from any act or decision of the legislature or of any provincial authority" is the language of the section. It must, then, apply to the provincial executive or administrative authorities. No doubt an appeal would lie from their acts or decisions upon the ground that some right or privilege existing at the date of the admission of the province to the federal union was thereby prejudiced. In this respect Manitoba would be in the same position as Ontario and Quebec. Unlike the cases of those provinces and also unlike the case of the two maritime provinces, Nova Scotia and New Brunswick, there would not, however, in the case of Manitoba, be an appeal to the governor general in council from the act or decision of any "provincial authority" upon the ground that some right or privilege not existent at the time of the union, but conferred subsequently by legislation, had been violated. This construction must necessarily result from the right of appeal against acts or decisions of provincial authorities and against acts or decisions of the legislature being limited to such as prejudiced the same class of rights or privileges. The wording of this subsection 2 shows clearly that only one class of rights or privileges could have been meant, and that the right of appeal was, therefore, to arise upon an invasion of these, either by the legislature or by a provincial authority. Then, as the impossibility of holding that it could have been intended to impose fetters on the legislature and to incapacitate it from absolutely repealing its own acts requires us to limit the appeal against its enactments to acts affecting rights and privileges existing at the union, it must follow that the right of appeal must be, in like manner, limited as regards acts or decisions of provincial authorities. This, however, although it makes a difference between Manitoba and the other provinces, is not a very material one. The provincial authorities would, of course, be under the control of the courts. They could, therefore, be compelled by the exercise of judicial authority to conform themselves to the law. Much greater would have been the difference between Manitoba and the other provinces if we were to hold that whilst, as regards the provinces of Nova Scotia and New Brunswick, their legislatures could enact a separate school law one session and repeal it the next, without having their repealing legislation called in question by appeal; and whilst, as regards Ontario and Quebec, although rights and privileges existing

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at confederation were made intangible by their legislatures, yet any increase or addition to such rights and privileges which these legislatures might grant could be withdrawn by them at their own pleasure subject to no federal revision, yet that the legislation of Manitoba on the same subject should be only revocable subject to the revisory power of the governor general in council.

I have thus endeavoured to show that the construction I adopt has the effect of placing all the provinces virtually in the same position, with an immaterial exception, in favour of Manitoba, and it for the purpose of demonstrating this, that I have referred to appeals from the acts and decisions of provincial authorities which are not otherwise in question in the case before us.

That the words "any provincial authority" in the third subsection of section 93 of the British North America Act do not include the legislature is a conclusion which I have reached, not without difficulty. In interpreting the Manitoba Act, however, what we have to do is to ascertain in what sense the Dominion parliament, adopting the same expression in the Manitoba Act, understood it to have been used in the British North America Act.

That they understood these words not to include the provincial legislature, is apparent from section 22, subsection 2 of the Manitoba Act, wherein the two expressions "provincial authority" and "legislature of the province" are used in the alternative, thus indicating that in the intendment of parliament, they meant different subjects of appeal.

Again, why were the words contained in the third subsection of section 93 of the British North America Act "or is thereafter established by the legislature of the province" omitted when that section was, in other respects, transcribed in the Manitoba Act? The reason, it appears to me, is plain. So long as these words stood with the context they had in the British North America Act they did not in any way tie the hands of the provincial legislatures as regards the undoing, alteration or amendment of their own work, for the words "any provincial authority" did not include the legislature. But when, in the Manitoba Act, the Dominion parliament thought it advisable for the better protection of vested rights, "rights and privileges" existing at the union to give a right of appeal from the legislature to the governor general in council, it omitted the words "or is thereafter established by the legislature of the province" with the intent to avoid placing the provincial legislature under any disability or subjecting it to any appeal as regards the repeal of its own legislation, which would have been the effect if the third subsection of section 93 of the British North America Act had been literally re-enacted in the Manitoba Act with the words "of the legislature of the province" interpolated as we now find them in subsection 2 of the latter act.

This seems to me to show conclusively that the words "rights or privileges" in subsection 2 of section 22 were not intended to include rights and privileges originating under provincial legislature since the union, and that the legislature of Manitoba is not debarred from exercising the common legislative right of abrogating laws which it has itself passed relating to denominational or separate schools or educational privileges, nor is such repealing legislation made subject to any appeal to the governor general in council.

In my opinion, all the questions propounded for our opinion must be answered in the negative.

Certified a true copy.

C. H. MASTERS, *Asst. Rep. S.C.C.*

In the matter of certain Statutes of the province of Manitoba relating to Education.

FOURNIER, J.—By the statute 33 Vict., chapter 3, section 2, the provisions of the British North America Act, except so far as the same may be varied by the said act, are made applicable to the province of Manitoba in the same way and to the like extent as they apply to the several provinces of Canada, and as if the province of Manitoba had been one of the provinces united by the British North America Act. This act was imperialized, so to speak, by 34 Vict., chapter 38 (imp.), which declares

that 32 and 33 Vict., chapter 3 (D.), shall be deemed to have been valid and effectual for all purposes whatsoever.

If we are now called upon to construe certain provisions of this statute, it seems to me that the same consideration will apply as if these sections appeared in the British North America Act itself under the heading "Manitoba," and therefore, as stated by the late chief justice of this court, Sir W. Richards, in the case of *Severn vs. The Queen* (2 Can., S.C.R., 70): "In deciding important questions arising under the act passed by the imperial parliament for federally uniting the provinces of Canada, Nova Scotia and New Brunswick, we must consider the circumstances under which that statute was passed, the condition of the different provinces, their relation to one another, as well as the system of government which prevailed in those provinces and countries.

For convenience, therefore, I will place in parallel columns the sections of the Manitoba school act and the corresponding sections of the British North America Act, upon which we are required to give an answer.

British North America Act.

Section 93.—In and for the province the legislature may exclusively make laws in relation to education, subject and according to the following provisions:

1. Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the union.

2. All powers, privileges and duties at the union, by law conferred and imposed in Upper Canada on the separate schools and school trustees of the queen's Roman catholic subjects, shall be and the same are hereby extended to the dissentient schools of the queen's protestant and Roman catholic subjects in Quebec.

3. Where in any province a system of separate or dissentient schools exists by law at the union, or it is thereafter established by the legislature of the province, an appeal shall lie to the governor general in council from any act or decision of any provincial authority affecting any right or privilege of the protestant or Roman catholic minority of the queen's subjects in relation to education.

4. In case any such provincial law as from time to time seems to the governor general in council requisite for the due execution of the provisions of this section is not made, or in case any decision of the governor general in council on any appeal under this section is not duly executed by the proper provincial authority in that behalf, then, and in every such case, and as far only as the circumstances of each case require, the parliament of Canada may make remedial laws

Manitoba Act.

Section 22.—In and for the province the said legislature may exclusively make laws in relation to education, subject and according to the following provisions:

1. Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have, by law or practice, in the province at the union.

2. An appeal shall lie to the governor general in council from any act or decision of the legislature of the province, or of any provincial authority, affecting any right or privilege of the protestant or Roman catholic minority of the queen's subjects in relation to education.

3. In case any such provincial law as from time to time seems to the governor general in council requisite for the due execution of the provisions of this section is not made, or in case any decision of the governor general in council on any appeal under this section is not duly executed by the proper authority in that behalf, then, and in every such case, and as far only as the circumstances of each case may require, the parliament of Canada may make remedial laws for the due execution of

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for the due execution of the provisions of this section and of any decision of the governor general in council under this section.

What was the existing state of things in the territory then being formed into the province of Manitoba? A rebellion, as I have already stated in the case of *Barret vs Winnipeg*, had thrown the people into a strong and fierce agitation, inflamed religious and national passions, caused the greatest disorder, which rendered necessary the intervention of the federal government.

As matters then stood, on the 2nd March, 1870, the government of Assiniboia, in order to pacify the inhabitants, appointed the Rev. Mr. Ritchot and Messrs. Black and Scott as joint delegates to confer with the government at Ottawa and negotiate the terms and conditions upon which the inhabitants of Assiniboia would consent to enter confederation with the provinces of Canada.

Mr. Ritchot was instructed to immediately leave with Messrs. Black and Scott for Ottawa in view of opening negotiations on the subject of their mission with the government at Ottawa.

When they arrived at Ottawa, the three delegates, Messrs. Ritchot, Black and Scott received, on the 25th April, 1870, from the Hon. Mr. Howe, the then secretary of state for the dominion of Canada, a letter informing them that the Hon. Sir John A. Macdonald and Sir George Cartier had been authorized by the government of Canada to confer with them on the subject of their mission, and that they were ready to meet them.

The Rev. Mr. Ritchot was the bearer of the conditions upon which they were authorized to consent for the inhabitants of Assiniboia to enter confederation as a separate province. These facts appear in exhibit L, Sessional Papers of Canada, 1893, 33*d*, and in exhibit N of the same Sessional Paper we see that the following conditions, articles 5 and 7, read as follows:—

5. That all properties, all rights and privileges possessed be respected, and the establishing and settlement of the customs, usages and privileges to be left to the sole decision of the local legislature.

7. That the schools shall be separate, and that the moneys for schools shall be divided between the several denominations *pro rata* of their respective populations.

Now, after negotiations had been going on and despatches and instructions from the imperial government to the government of Canada on the subject of the entrance of the province of Manitoba into the confederation had been received, the Manitoba Constitutional Act was prepared and section 22 inserted as a satisfactory guarantee for their rights and privileges in relation to matters of education as claimed by the above articles 5 and 7. And, until 1890, the inhabitants of the province of Manitoba enjoyed these rights and privileges under the authority of this section and local statutes passed in conformity therewith.

Now, it seems by the decision of the judicial committee of the privy council in the case of *Barrett vs. Winnipeg*, that the delegates of the North-west and the parliament of Canada, although believing that the inhabitants of Assiniboia had before the union "by law or practice" certain rights and privileges with respect to denominational schools, for the words used in subsection 1 of this section 22 are "which any class have by law or practice in the province at the union," had in point of fact no such right or privilege by law with respect to denominational schools, and therefore that section 1 is, so to speak, wiped out of the Manitoba Constitutional Act.

But if the parties agreeing to these terms of union were in error in supposing they had by law or practice, prior to the union, certain rights or privileges they certainly were not in error in trusting that the provincial legislature which was being created would forthwith secure, by law and in accordance with article 5 of the bill of rights, separate schools, and that the moneys would be divided between the protestant and catholic denominations *pro rata* to their respective populations, as claimed by the above articles 5 and 7, and that once established, such rights and privileges so secured by an act of the legislature would at least be in the same position as rights secured to minorities in the provinces of Quebec and Ontario under

section 93 of the British North America Act, and subsections 2 and 3 were inserted in the act so that they might be protected by the governor general against any subsequent legislation by either a protestant or catholic majority in after years.

In the present reference, being again called upon to construe this same section 22, but as if subsection 1 was repealed or wiped out by judicial authority, we must, I think, take into consideration the historical fact that the Manitoba Act of 1870 was the result of the negotiations with parties who agreed to join and form part of the confederation as if they were the inhabitants of one of the provinces originally united by the British North America Act, and we must credit the parliament of Canada with having intended that the words "an appeal shall lie to the governor general in council from any act or decision of the legislature of the province or of any provincial authority affecting any right or privilege of the protestant or Roman catholic minority of the queen's subjects in relation to education" (which are also the words used in the 93rd section of the British North America Act) should have some effect. The only meaning and effect I can give them is that they were intended as an additional guarantee or protection to the minority, either protestant or catholic, whichever it might happen to be, that the laws which they knew would be enacted immediately after the union by their own legislature in reference to education would be in accordance with the terms and conditions upon which they were entering the union; this guarantee was given so as to prevent later on interference with their rights and privileges by subsequent legislation without being subject to an appeal to the governor general in council, should such subsequent act of the legislature affect any right or privilege thus secured to the protestant or catholic minority by their own legislature. In my opinion, the words used in subsection 2, "an appeal shall lie from any act of the legislature" necessarily mean from any statute which the legislature has power to pass in relation to education. There is no necessity of appealing from statutes which are *ultra vires*, for the assumption of any unauthorized power by any local legislature under our system of government is not remedied by appeals to the governor general in council, but by courts of justice. Then, as to the words "right or privilege" in this subsection 2, they refer to some right or privilege in relation to education to be created by the legislature which was being brought into existence and which when once established might thereafter be interfered with at the hand of a local majority so as to affect the protestant or catholic minority in relation to education. It is clear, therefore, that the governor general in council has the right of entertaining an appeal by the British North America Act as well as by subsection 2 of section 22 of the Manitoba Act. He has also the power of considering the application upon its merits. When the application has been considered by him upon its merits, if the local legislature refuses to execute any decision to which the governor general in council has arrived in the premises, the Dominion government may then, under subsection 3, section 22 of the Manitoba Act, pass remedial legislation for the due execution of his decision.

In construing as I have done the words of subsection 2 of the Manitoba Constitutional Act, which is, as regards an appeal to the governor general in council, but a reproduction of subsection 3 of section 93 of the British North America Act, that the clear unequivocal and comprehensive words "from any act or decision of the legislature of the province" are added, I am pleased to see that I am but concurring in the view expressed by Lord Carnarvon in the house of lords on the 19th February, 1867, when speaking of this right of appeal to be granted to minorities when a local act might affect rights or privileges in matters of education, as the following extract from Hansard's Parliamentary Debates, 3rd series, February 19th, 1867, shows: "LORD CARNARVON.—Lastly, in the 93rd clause, which contains the exceptional provisions to which I referred, your lordships will observe some rather complicated arrangements in reference to education. I need hardly say that the great question gives rise to nearly as much earnestness and division of opinion on that as on this side of the Atlantic. This clause has been framed after long and anxious controversy, in which all parties have been represented, and on conditions to which all have given their consent. It is an understanding which, as it only concerns the local interests affected, is not one that parliament would be willing to

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disturb, even if in the opinion of parliament it were susceptible of amendment; but I am bound to add, as the expression of my own opinion, that the terms of the agreement appear to me to be equitable and judicious. For the object of the clause is to secure to the religious minority of one province the same rights, privileges and protection which the religious minority of another province may enjoy. The Roman catholic minority of Upper Canada, the protestant minority of Lower Canada, and the Roman catholic minority of the maritime provinces will thus stand on a footing of entire equality. But in the event of any wrong at the hand of the local majority, the minority have a right of appeal to the governor general in council, and may claim the application of any remedial laws that may be necessary from the central parliament of the confederation."

This being so, the next point of inquiry is whether the acts of 1890, of Manitoba, affect any right or privilege secured to the catholic minority in matters of education after the union, for we have now nothing to do with the inquiry whether the catholic minority had at the time of the union any right by law, that point having been decided adversely to their contention by the decision of the privy council in the case of *Barrett vs. Winnipeg*.

By referring to the legislation from the date of the union to 1890, it is evident that the catholics enjoyed the immunity of being taxed for other schools than their own, the right of organization, the right of self government, in this school matter, the right of taxation of their own people, the right of sharing in government grants for education, and many other rights under the statute of a most material kind. All these rights were swept away by the act of 1890, as well as the properties they had acquired under these acts with their taxes and their share of the public grants for education. Could the prejudice caused by the act of 1890 be greater than it has been? The scheme that runs through the acts of 1871 and 1881 up to 1890, as Lord Watson, of the privy council, is reported to have so concisely stated on the argument of the case of *Barrett vs. Winnipeg*, which is printed in the Sessional Papers of Canada, 1893, appears to have been that: "no ratepayers shall be taxed for contribution towards any school except one of his own denomination," and I will add that this scheme is clearly pointed out in articles 5 and 7 of the conditions above already referred to, which were the basis of the constitutional act.

Now, is this a legal right or privilege enjoyed by a class of persons? In this case the immunity from contributing to any schools other than one of its own denomination was acquired by the catholic minority qua-catholics by statute. Catholics certainly at the time the legislation was passed represented a class of persons comprising at least one-third of the inhabitants of the province of Manitoba.

After reading the able judgment delivered in the case of *Barrett vs. Winnipeg*, it is unnecessary for me to show by authority that the right so acquired by the catholic minority after the union by the act of 1871, was a legal right, and that if it is shown by subsequent legislation enacted by the legislature of the province of Manitoba that there has been any interference with such right, then I am of opinion that such interference would come within the very words of this section 22 of the Manitoba Constitutional Act, which gives a right of appeal to the governor general in council from an act of the legislature (words which are not in section 93 of the British North America Act, but are in subsection 2 of section 22 of the Manitoba Act), affecting a right acquired by the Roman catholic minority of the queen's subjects in relation to education.

The only other question submitted that I need refer to is the fourth question: Does subsection 3 of section 93 of the British North America Act, 1867, apply to Manitoba? The answer to this question is to be found in the second section of the Manitoba Act (33 Vict.) which says, from and after the said date "the provision of the British North America Act shall apply, except those parts thereof, which are in terms made, or by reasonable intendment, may be held to be, specially applicable to, or only to affect one or more but not the whole of the provinces now composing the Dominion, and except so far as the same may be varied by this act and be applicable to the province of Manitoba in the same way, and to the like extent as they apply to the several provinces of Canada, and as if the province of Manitoba had been one of the provinces originally united by the said act."

The Manitoba Act has not varied the British North America Act though subsection 2 of section 22 has a somewhat more comprehensive wording than the subsection 3 of section 93 of the British North America Act, in relation to appeal in educational matters. A statute does not vary or alter if it merely makes further provision; it is simply an addition to it. The second subsection is wider, but does not vary at all from the third subsection of the British North America Act, save in this: that there is addition to it, that it is exclusive, and goes beyond it by adding the words "and from any act of the legislature." The third subsection of the British North America Act provides that in two cases there is to be an appeal.

There is nothing inconsistent in the Manitoba Act, which says that in all cases there shall be an appeal; it goes beyond the British North America Act, it does not vary it, it leaves it as it is and adds to it.

We see by the opinion expressed by some of the lords of the privy council how far the right of appeal extended under the section 2 of the Manitoba Act, for in the argument on that question before the privy council, Sessional Papers, Nos. 33a, 33b, 1893, p. 134, I find that:

Mr. RAM, (counsel on behalf of Mr. Logan in the case of *Winnipeg vs. Logan*) said: "I venture to think that under subsection 2 what was contemplated was this: that, apart from any question of *ultra vires* or not, if a minority said 'I am oppressed' that was the party who had to come under that subsection 2 and appeal to the government."

Lord HANNAN added: "It has a right to appeal against any act of the legislature."

Lord SHAND.—"Even *intra vires*."

This being also my opinion, I will only add that, having already stated that I think that we should read the Manitoba Constitutional Act in the light of the British North America Act, and that it was intended, as regards all civil rights in educational matters, to place the province of Manitoba on the same footing as the provinces of Quebec and Ontario, and that subsection 1 of section 22 having been enacted for the purpose of protecting rights held by law prior to the union, but which have been declared not to exist, I am of opinion that subsection 2 provides for an appeal to the governor general in council, by memorial or otherwise, on the part of the Roman catholic minority, contending that the two acts of the legislative assembly of Manitoba, passed in 1890, on the subject of education are subversive to the right and privilege of Roman catholic ratepayers not to be taxed for contribution towards schools, except one of their own denomination, and that such right had been acquired by statute subsequent to the union.

For the above reasons, I answer the questions submitted by his excellency the governor general in council, as follows:

1. Is the appeal referred to in the said memorials and petitions, and asserted thereby, such an appeal as is admissible by subsection 3 of section 93 of the British North America Act, 1867, or by subsection 2 of section 22 of the Manitoba Act, 33 Victoria (1870), chapter 3 (Canada)? Yes.

2. Are the grounds set forth in the petitions and memorials such as may be the subject of appeal under the authority of the subsections above referred to, either of them? Yes.

3. Does the decision of the judicial committee of the privy council in the cases of *Barrett vs. the City of Winnipeg* and *Logan vs. the City of Winnipeg*, dispose of or conclude the application for redress based on the contention that the rights of the Roman catholic minority, which accrued to them after the union under the statutes of the province, have been interfered with by the two statutes of 1890, complained of in the said petitions and memorials? No.

4. Does subsection 3 of section 93 of the British North America Act, 1867, apply to Manitoba? Yes.

5. Has his excellency the governor general in council power to make the declarations or remedial orders which are asked for in the said memorials and petitions, assuming the material facts to be as stated therein, or has his excellency the governor general in council any other jurisdiction in the premises? Yes.

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6. Did the acts of Manitoba relating to education, passed prior to the session of 1890, confer on or continue to the minority a "right or privilege in relation to education" within the meaning of sub-section 2 of section 22 of the Manitoba Act, or establish a system of separate or dissentient schools "within the meaning of sub-section 3 of section 93 of the British North America Act, 1867, if said section 93 be found to be applicable to Manitoba; and, if so, did the two acts of 1890 complained of, or either of them, affect any right or privilege of the minority in such a manner that an appeal will lie thereunder to the governor general in council? Yes.

Certified true copy.

G. DUVAL,
Reporter, S. C. C.

In the matter of certain Statutes of the province of Manitoba relating to Education.

TASCHEREAU, J.—I doubt our jurisdiction on this reference or consultation. Is section 4 of 54-55 Vict., c. 25, which purports to authorize such a reference to this court for hearing "or" consideration, *intra vires* of parliament? By which section of the British North America Act is parliament empowered to confer on this statutory court any other jurisdiction than that of a court of appeal under section 101 thereof? This court is evidently made, in the matter, a court of first instance, or rather, I should say, an advisory board of the federal executive substituted *pro hac vice*, to the law officers of the crown, and not performing any of the usual functions of a court of appeal, nay, of any court of justice whatever. However, I need not at present further investigate this point. It has not been raised and a similar enactment to the same import has already been acted upon. That is not conclusive, it is true, but our answers to the questions submitted will bind no one, not even those who put them; nay, not even those who give them; no court of justice, not even this court. We give no judgment, we determine nothing, we end no controversy, and, whatever our answers may be, should it be deemed expedient at any time by the Manitoba executive to impugn the constitutionality of any measure that might hereafter be taken by the federal authorities against the provincial legislation, whether such measure is in accordance with or in opposition to the answers to this consultation, the recourse, in the usual way, to the courts of the country, remains open to them. That is, I presume, the consideration and a very legitimate one, I should say, upon which the Manitoba executive acted by refraining to take part in the argument on the reference, a course that I would have not been surprised to see followed by the petitioners, unless indeed they are assured of the interference of the federal authorities, should it eventually result from this reference that constitutionally the power to interfere with the provincial legislation as prayed for exists. For, if, as a matter of policy, in the public interest, no action is to be taken upon the petitioners' application, even if the appeal lies, the futility of these proceedings is apparent.

Assuming, then, that we have jurisdiction, I will try to give as concisely as possible the reasons upon which I have based my answers to the questions submitted.

In the view I take of the application made to his excellency the governor general in council by the catholics of Manitoba, I think it better to introvert the order of the questions put to us, and to answer first the fourth of these questions, that is: whether subsection 3 of section 93 of the British North America Act applies to Manitoba. To that question, the answer, in my opinion, must be in the negative. That section of the British North America Act applies to every one of the provinces of the Dominion, with the exception, however, of Manitoba, for the reason that, for Manitoba in its special charter, the subject is specifically provided for by section 22 thereof. The maxims *lex posterior derogat priori*, and *specialia generalibus derogant*, have both here, it seems to me, their application. If it had been intended to purely and simply extend the operation of that section 93 of the British North America Act to Manitoba, section 22 of its charter would not have been enacted. The course since pursued for British Columbia and Prince Edward Island would have been followed. But here we see a different course pursued, we have to assume that a

difference in the law was intended. I cannot see any other reason for it, and none has been suggested. True it is that the words "or practice" in subsection 1 of section 22 are an addition in the Manitoba charter that the Dominion parliament desired to specially make to the analogous provision of the British North America Act, but that was no reason to word subsection 2 thereof so differently as it is from subsection 3 of section 93 of the British North America Act.

Then, this difference may be easily explained, though its consequences may not have been foreseen. I speak cautiously and mindful that I am not here allowed to controvert or even doubt anything that has been said on the subject by the privy council. It is evident, to my mind, that it was simply because it was assumed by the Dominion parliament that separate or denominational schools had previously been in that region, and were then, at the union, the basis and principle of the educational system, and with the intention of adapting such system to the new province, or rather of continuing it as found to exist, that, in the Union Act of 1870, the words of subsection 3 of section 93 of the British North America Act "where in any province a system of separate or dissentient schools exists by law, at the union, or is thereafter established by the legislature of the province" were stricken out as unnecessary and inapplicable to the new province. And I do not understand that the privy council denies to the petitioners their right to separate schools.

However, the reason of this difference between the constitution of the province and the British North America Act cannot, in my view of the question, bring much assistance in the present investigation; the fact remains whatever may have been the reason for it, that no appeal is given to the minority, in Manitoba, in relation to the rights and privileges conceded to them since the union as distinguished from those in existence at the union. They have no rights but what is left to them by the judgment in the Barrett case; and if I do not misunderstand that judgment, the appeal they now lay claim to is not, as a logical inference, thereby left to them.

And in vain now, to support their appeal, would they urge that the statute so construed is unreasonable, unjust, inconsistent and contrary to the intentions of the law giver; uselessly would they contend that to force them to contribute pecuniarily to the maintenance of the public, non-catholic schools, is to so shake the exercise of their rights as to render them illusory and fruitless, or that to tax, not only the property of each and every one of them individually but even their school buildings for the support of the public schools, is almost ironical; uselessly would they demonstrate the utter impossibility for them to efficaciously provide for the organization, maintenance and management of separate schools and the essential requirements of a separate school system without statutory powers and the necessary legal machinery; ineffectively would they argue that to concede their right to separate schools, and withal deprive them of the means to exercise that right, is virtually to abolish it, or to leave them nothing of it but a barren theory. With all these and kindred considerations, we, here, in answering this consultation, are not concerned. The law has authoritatively been declared to be so, and with its consequences we have nothing to do. *Dura lex, sed lex. Judex non constituter ad leges reformandas. Non licet judicibus de eligibus judicare, sed secundum ipsas.* The Manitoba legislation is constitutional, therefore it has not affected any of the rights or privileges of the minority, therefore the minority has no appeal to the federal authority. The Manitoba legislature had the right and power to pass that legislation, therefore any interference with that legislation by the federal authority would be *ultra vires* and unconstitutional.

By an express provision of the British North America Act of 1871, it must not be lost sight of, the Dominion parliament has not the power to, in any way, alter the Manitoba Union Act of 1870.

For these reasons I would answer negatively the fourth of the questions submitted, and say that, in my opinion, subsection 3 of section 93 of the British North America Act does not apply to Manitoba.

I take up now the first of these questions: does the right of appeal claimed by the petitioners exist under section 22 of the Manitoba Act? and here, again, in my opinion, the answer must be in the negative, for the reason that it is conclusively

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determined by the judgment of the privy council that the Manitoba legislation does not prejudicially affect any right or privilege that the catholics had by law or practice at the union, and if their rights and privileges are not affected, there is no appeal. The rights or privileges mentioned in subsection 2 of section 22 are the same rights and privileges that are mentioned in subsection 1, that is to say, those existing at the union, upon which subsection 3 provides for the interference, in certain cases, of his excellency the governor general in council, and it is as to such rights or privileges only that an appeal is given. The appeal given in the other provinces, by section 93 of the British North America Act, as to the rights or privileges conferred on a minority, after the union, is, as I have remarked, left out of the Manitoba constitution. Assuming, however, that the Manitoba constitution is wide enough to cover an appeal by the minority, upon the infringement of any of their rights or privileges created since the union, or assuming that section 93 of the British North America Act, subsection 3, applies to Manitoba, I would be inclined to think that, by the *ratio decidendi* of the privy council, there are no rights or privileges of the catholic minority that are infringed by the Manitoba legislation so as to allow of the exercise of the powers of the governor general in council in the matter, as the Manitoba statutes must now be taken not to prejudicially affect any right or privilege whatever enjoyed by the catholic community. It would seem, no doubt, by the language of both section 93 of the British North America Act and of section 22 of the Manitoba charter, that there may be provincial legislation which, though *intra vires*, yet might affect the rights or privileges of the minority so as to give them the right to appeal to the governor in council. For it cannot be of *ultra vires* legislation that an appeal is given. And the petitioners, properly disclaiming any intention to base their application on the unconstitutionality of the Manitoba statutes, even for infringement of rights conferred upon them since the union, urge that, though the privy council has determined that the legislation in question does not affect their rights existing at the union so as to render it *ultra vires*, yet that it does affect the rights conferred upon them by the provincial legislature since the union so as to give them, though *intra vires*, an appeal to the governor in council. I fail to see, however, how this ingenious distinction, for which I am free to admit both the British North America Act and the Manitoba special charter give room, can help the petitioners. I assume, here, that the petitioners have an appeal upon rights or privileges conferred upon them since the union as contradistinguished from their rights previously in existence. The case is precisely the same as if the present appeal was as to their rights existing at the union. They might argue that though the privy council has held this legislation to have been *intra vires*, yet their right to appeal subsists, and, in fact, exists because it is *intra vires*. But what would be their ground of appeal? Because the legislation affects the rights and privileges they had at the union. And the answer would be one fatal to their appeal as it was to their contentions in the Barrett case, that none of these rights and privileges have been illegally affected. Now, the rights and privileges they lay claim to under the provincial legislation anterior to 1890 are, with the additions rendered necessary by the political organization of the country, to enable them to exercise these rights the same in principle that they had by practice at and before the union, and which were held by the privy council not to be illegally affected by the legislation of 1890.

And I am unable to see how, on the one hand, this legislation might be said to affect those rights so as to support an appeal, and on the other hand not to affect the same rights so as to render it *ultra vires*.

The petitioners, it seems to me, would virtually renew their impeachment of the constitutionality of the Manitoba legislation of 1890 upon another ground than the one taken in the Barrett case, namely, upon the rights conferred upon them since the union, whilst the controversy in the Barrett case was limited to their rights as they existed at the union. But that legislation, as I have said, is irrevocably held to have been *intra vires*, and it is not open to the petitioners to argue the contrary, even upon a new ground. And if it is *intra vires*, it cannot be that it has illegally affected any of the rights or privileges of the catholic minority, though it may be

prejudicial to such rights. And if it has not illegally affected any of those rights or privileges, they have no appeal to the governor general in council.

It has been earnestly urged on the part of the petitioners in their attempt to distinguish the two cases that, in the Barrett case, it was only their liability to assessment for the public schools that was in issue, and consequently that the decision of the privy council, binding though it be, does not preclude them from now taking, on appeal from the provincial legislation of 1890, the ground that this legislation sweeps away the statutory powers conceded to them under the previous statutes and without which their establishment and administration of a separate school system is impracticable. But here, again, it must necessarily be on the ground that their rights and privileges, or some of their rights and privileges, have been prejudicially affected, that they have to rest their case, and from that ground they are irrevocably ousted by the judgment of the privy council, where not only the assessment clauses thereof, more directly in issue, but each and every one of the enactments of the statute impugned were, as I read that judgment, held to have been and to be *intra vires*.

Were it otherwise, and could the question be treated as *res integra*, it might have been possible for the petitioners to establish that they are entitled to the appeal claimed on that ground, namely, that the statutes of 1890, by taking away the rights and privileges of a corporate body vested with the powers essential to the organization and maintenance of a school system that had been granted to them by the previous statutes, are subversive of those rights and privileges and prejudicially affect them.

They might cogently urge in support of that proposition, and might, perhaps, have succeeded to convince me that to take away a right, to cancel a grant, to repeal the grant of a right to revoke a privilege, prejudicially affects that grant, prejudicially, injuriously affects that privilege. They might also perhaps have been able to convince me that the license to own real estate, the authorization to issue debentures, to levy assessments, the powers of a corporation, that had been granted to them, constituted for them rights and privileges.

And to the objection that no appeal lies under section 22 of the Manitoba charter, but upon rights existing at the union, they might perhaps have successfully answered either that section 93 of the British North America Act extends to Manitoba, or, if not, that the legislation of Manitoba in the matter, since the union, prior to 1890, should be construed as declaratory of their right to separate schools, or a legislative admission of it, a legislation required merely to secure to them the means whereby to exercise that right, and that, consequently, their appeal relates back to a right existing at the union, so as to bring it, if necessary, under the terms of section 22 of the Manitoba Union Act.

However, from these reasons the petitioners are now precluded. If any of their rights and privileges had been prejudicially affected, this legislation would be *ultra vires*, and it is settled that it is not *ultra vires*.

And the argument against their contention is very strong that, it being determined that it would have been in the power of the Manitoba legislature to establish in 1871, at the outset of the political organization of the province, the system of schools that they adopted in 1890, by the statutes which the petitioners now complain of, it cannot be that by then adopting and regulating a system of separate schools, though not obliged to do so, they for ever bound the future generations of the province to that policy, so that as long at least as there would be even only one Roman catholic left in the province, the legislature should be, for all time to come, deprived of the power to alter it, though the constitution vests them with the jurisdiction over education in the province. To deny to a legislative body the right to repeal its own laws, it may be said, is so to curtail its powers that an express article of its constitution must be shown to support the proposition; it is not one that can be deductively admitted.

If this legislation of 1890, it may be still further argued against the petitioners' contentions, had been adopted in 1871, it would, it must now be conceded, have been constitutional, and that being so, would the catholic minority then, in 1871, have had

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a right of appeal to the governor general in council? Certainly, that is partly the same question in a different form. But it demonstrates, put in that shape, that the petitioners have now no right of appeal. The answer to their claim would then have been: that they had no appeal, because none of their rights and privileges have been prejudicially affected. Now, in my opinion, they have no other rights and privileges, in the construction that these words bear in the Manitoba charter, than the rights and privileges they had in 1870. And, if they would have had no appeal then, on a legislation in 1871 similar to that of 1890, they have none now, if none of their rights and privileges have been prejudicially affected.

I would answer the first question in the negative. This conclusion determines my answers to the other questions submitted to the court, and, consequently, as at present advised, I would answer the six of them as follows:—

To no. 1.—Is the appeal referred to in the said memorials and petitions, and asserted thereby, such an appeal as is admissible by subsection 3 of section 93 of the British North America Act, 1867, or by subsection 2 of section 22 of the Manitoba Act, 33 Victoria (1870), chapter 3, (Canada)? I would answer—No.

To no. 2.—Are the grounds set forth in the petitions and memorials such as may be the subject of appeal under the authority of the subsections above referred to, or either of them? I would answer—No.

To no. 3.—Does the decision of the judicial committee of the privy council in the cases of *Barrett vs. the City of Winnipeg* and *Logan vs. the City of Winnipeg*, dispose of or conclude the application for redress based on the contention that the rights of the Roman catholic minority, which accrued to them after the union under the statutes of the province, have been interfered with by the two statutes of 1890, complained of in the said petitions and memorials? I would answer—Yes.

To no. 4.—Does subsection 3 of section 93 of the British North America Act, 1867, apply to Manitoba? I would answer—No.

To no. 5.—Has his excellency the governor general in council power to make the declarations or remedial orders which are asked for in the said memorials and petitions, assuming the material facts to be as stated therein, or has his excellency the governor general in council any other jurisdiction in the premises? I would answer—No.

To no. 6.—Did the acts of Manitoba relating to education, passed prior to the session of 1890, confer on or continue to the minority a "right or privilege in relation to education" within the meaning of subsection 2 of section 22 of the Manitoba Act, or establish a system of separate or dissentient schools within the meaning of subsection 3 of section 93 of the British North America Act, 1867, if said section 93 be found applicable to Manitoba; and, if so, did the two acts of 1890 complained of, or either of them, affect any right or privilege of the minority in such a manner that an appeal will lie thereunder to the governor general in council?—I would answer—No.

Certified true copy.

G. DUVAL,
Reporter S.C.C.

In the matter of certain Statutes of the province of Manitoba relating to Education.

GWYNNE, J.—The questions submitted in the case stated by the order of his excellency the governor general in council for the opinion of this court, are as follows:—

1. Is the appeal referred to in the memorials and petitions stated in, and made part of, the case and asserted thereby such an appeal as is admissible by subsection 3 of section 93 of the British North America Act of 1867, or by subsection 2 of section 22 of the Manitoba Act, 33 Victoria (1870), chapter 3, (Canada)?

2. Are the grounds set forth in the petitions and memorials such as may be the subject of appeal under the authority of the subsections above referred to or either of them?

3. Does the decision of the judicial committee of the privy council in the cases of *Barrett vs. the City of Winnipeg* and *Logan vs. the City of Winnipeg*, dispose of

or conclude the application for redress based on the contention that the rights of the Roman catholic minority, which accrued to them after the union under the statutes of the province, have been interfered with by the two statutes of 1890, complained of in the said petitions and memorials ?

4. Does subsection 3 of section 93 of the British North America Act, 1867, apply to Manitoba ?

5. Has his excellency the governor general in council power to make the declarations or remedial orders which are asked for in the said memorials and petitions, assuming the material facts to be as stated therein, or has his excellency the governor general in council any other jurisdiction in the premises ?

6. Did the acts of Manitoba relating to education, passed prior to the session of 1890, confer or continue a "right or privilege in relation to education" within the meaning of subsection 2 of section 22 of the Manitoba act, or establish a system of separate or dissentient schools within the meaning of subsection 3 of section 93 of the British North America Act, 1867, if said section be found to be applicable to Manitoba; and, if so, did the two acts of 1890 complained of, or either of them, affect any right or privilege of the minority in such a manner that an appeal will lie thereunder to the governor general in council ?

The memorials and petitions referred to in and made part of the case were presented to his excellency the governor general in council in April, 1890, and in September and October, 1892. That of April, 1890, was signed by his grace the archbishop and 4266 other members of the Roman catholic church.

It is alleged: 1. That "prior to the creation of the province of Manitoba there existed in the territory now constituting that province a number of effective schools for children.

"2. That these schools were denominational schools, some of them being regulated and controlled by the Roman catholic church, and others by various protestant denominations.

"3. That the means necessary for the support of the Roman catholic schools were supplied to some extent by school fees paid by some of the parents of the children who attended the schools, and the rest was paid out of the funds of the church, contributed by its members.

"4. That during the period referred to, Roman catholics had no interest in or control over the schools of the protestant denominations, and the protestant denominations had no interest in or control over the schools of the Roman catholics. There was no public schools in the sense of state schools. The members of the Roman catholic church supported the school of their own church for the benefit of the Roman catholic children, and were not under obligation to, and did not contribute to the support of any other schools.

"5. That in the matter of education, therefore, during the period referred to, Roman catholics were, as a matter of custom and practice, separate from the rest of the community."

The petition then set forth the 22nd section of the Manitoba Act (33 Vict., ch. 3), and proceeded as follows in paragraph 7 and following paragraphs:

"7. During the first session of the legislative assembly of the province of Manitoba, an act was passed relating to education, the effect of which was to continue to the Roman catholics that separate condition with reference to education which they had previous to the erection of the province.

"8. The effect of the statute so far as Roman catholics were concerned was merely to organize the efforts which Roman catholics had previously voluntarily made for the education of their own children. It provided for the continuance of schools under the sole control and management of Roman catholics, and of the education of their children according to the methods by which alone they believe children should be instructed.

"9. Ever since the said legislation and until the last session of the legislative assembly, no attempt was made to encroach upon the rights of the Roman catholics so confirmed to them as above mentioned, but, during said session, statutes were passed, 53 Vict., chaps. 37 and 38, the effect of which was to deprive the Roman

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catholics altogether of their separate condition in regard to education, to merge their schools with those of the protestant denominations, and to require all members of the community, whether Roman catholic or protestant, to contribute through taxation to the support of what are therein called public schools, but which are in reality a continuation of the protestant schools.

"10. There is a provision in the said act for the appointment and election of an advisory board and also for the election in each municipality of school trustees; there is also a provision that the said advisory board may prescribe religious exercises for use in schools and that the said school trustees may, if they think fit, direct such religious exercises to be adopted in the schools in their respective districts. No further or other provision is made with reference to religious exercises and there is none with reference to religious training.

"11. Roman catholics regard such schools as unfit for the purposes of education, and the children of Roman catholic parents cannot and will not attend any such schools. Rather than countenance such schools, Roman catholics will resort to the voluntary system in operation previous to the Manitoba Act, and will at their own private expense establish, support and maintain schools in accordance with their principles and their faith, although by so doing they will have in addition thereto to contribute to the expense of the so called public schools.

"12. Your petitioners submit that the said act of the legislative assembly of Manitoba is subversive of the rights of Roman catholics guaranteed and confirmed to them by the statute erecting the province of Manitoba, and prejudicially affects the rights and privileges with respect to Roman catholic schools which Roman catholics had in the province at the time of its union with the dominion of Canada.

"13. That the Roman catholics are in minority in said province.

"14. The Roman catholics of the province of Manitoba therefore appeal from the said act of the legislative assembly of Manitoba."

The petitioners therefore prayed: "1st. That his excellency the governor general in council may entertain the said appeal and may consider the same and may make such provisions and give such directions for the hearing and consideration of the said appeal as might be thought proper.

"2. That it might be declared that such provincial law does prejudicially affect the rights and privileges with regard to denominational schools which Roman catholics had by law or practice in the province at the union.

"3. That such directions might be given and provisions made for the relief of the Roman catholics of the province as to his excellency in council might seem fit."

A report of the minister of justice, dated the 21st March, 1891, upon the two acts of the legislature of the province of Manitoba, 53 Vict., chap. 37 and 38, has also been made part of the case submitted to us, in which reference is made to the cases of Barrett vs. Winnipeg and Logan vs. Winnipeg, then pending in appeal to the supreme court of Canada, and also to the said petition of his grace the archbishop of St. Boniface and others in the following terms: "If the appeal should be successful these acts will be annulled by judicial decision. The Roman catholic minority of Manitoba will receive protection and redress. The acts purporting to be repealed will remain in operation and those whose views have been represented by a majority of the legislature cannot but recognize that the matter has been disposed of with due regard to the constitutional rights of the province.

"If the controversy should result in the decision of the court of queen's bench (of Manitoba) being sustained, the time will come for your excellency to consider the petitions which have been presented by and on behalf of the Roman catholics of Manitoba for redress under subsections 2 and 3 of section 22 of the Manitoba Act."

The petitions of September, 1892, were two, the one of T. A. Bernier, representing himself to be acting president of a body called the national congress, and of eleven others, members of the executive committee of the said body; and the other, dated the 22nd September, 1892, was the petition of his grace the archbishop of St. Boniface.

In the former the petitioners set out at large the above petition of April, 1890, and the report of the minister of justice, from which the above extract is taken and concluded as follows :

"That a recent decision of the judicial committee of the privy council in England having sustained the judgment of the court of queen's bench of Manitoba, upholding the validity of the acts aforesaid, your petitioners most respectfully represent that, as intimated in the said report of the minister of justice, the time has now come for your excellency to consider the petitions which have been presented by and on behalf of the Roman catholics of Manitoba for redress under subsections 2 and 3 of section 22 of the Manitoba Act.

"That your petitioners, notwithstanding such decision of the judicial committee of the privy council in England, still believe that their rights and privileges in relation to education have been prejudicially affected by said acts of the provincial legislature.

"Therefore, your petitioners most respectfully and most earnestly pray that it may please your excellency in council to take into consideration the petitions above referred to and to grant the conclusions of said petitions and the relief and protection sought by the same."

The petition of his grace the archbishop of St. Boniface sets forth the matter, as alleged in the petition signed by him and others, in the petition of April, 1890, and certain extracts from the said report of the minister of justice of March, 1891, including that above extracted, and concluded as follows:—

"8. That the judicial committee of her majesty's privy council has sustained the decision of the court of queen's bench.

"9. That your petitioner believes that the time has now come for your excellency to consider the petitions which have been presented by and on behalf of the Roman catholics of Manitoba for redress, under subsections 2 and 3 of section 22 of the Manitoba Act, as it has become necessary that the federal power should be resorted to for the protection of the Roman catholic minority, and the petition prayed that his excellency the governor general in council might entertain the appeal of the Roman catholics of Manitoba, and might consider the same, and might make such provisions and give such directions for the hearing and consideration of the said appeal as might be thought proper, and that such directions might be given and provisions made for the relief of the Roman catholics of the province of Manitoba as to his excellency in council might seem fit."

These petitions are framed upon the contention and assumption that the facts as stated in the petitions as to the rights and privileges of Roman catholics in Manitoba in relation to education at the time of the creation of the province entitled them to procure by appeal to his excellency in council, under section 22 of the Manitoba Act, the amendment and repeal of the provincial acts 53 Victoria, chaps. 37 and 38, notwithstanding that these acts had been declared by the judgment of the judicial committee of the privy council in England to have been and to be acts quite within the jurisdiction of the legislature of Manitoba to enact.

The petition of October, 1892, is, however, framed with a further contention. It is signed by his grace the archbishop of St. Boniface, T. A. Bernier, as president of the body called the national congress, James E. P. Prendergast, as mayor of St. Boniface, I. Allard, O.M.I., V.G., John S. Ewart, and 137 others. This petition sets out, *verbatim*, the matters alleged in the first twelve paragraphs of the above petition of April, 1890, and it then proceeds: (13.) "Your petitioners further submit that the said acts of the legislative assembly of Manitoba are subversive of the rights and privileges of Roman catholics provided for by the various statutes of the said legislative assembly prior to the passing of the said acts and affect the rights and privileges of the Roman catholic minority of the queen's subjects in the said province in relation to education, so provided for as aforesaid, thereby offending both against the British North America Act and the Manitoba Act," and the petition prayed as follows: "Your petitioners therefore pray, 1. That your excellency the governor general in council may entertain the said appeal and may consider the same and may make such provisions and give such direction for the hearing and consideration of the said appeal as may be thought proper.

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"2. That it may be declared that the said Acts 53 Vict., chaps. 37 and 38, do prejudicially affect the rights and privileges with regard to denominational schools which Roman catholics had by law or practice in the province at the union.

"3. That it may be declared that the said last mentioned acts do affect the rights and privileges of the Roman catholic minority of the queen's subjects in relation to education.

"4. That it may be declared that, to your excellency the governor general in council, it seems requisite that the provisions of the statutes in force in the province of Manitoba prior to the passing of the said Acts should be re-enacted, in so far at least as may be necessary to secure to the Roman catholics in the said province the right to build, maintain, equip, manage and conduct these schools in the manner provided for by the said statutes, to secure to them their proportionate share of any grant made out of the public funds for the purposes of education and to relieve such members of the Roman catholic church as contribute to such Roman catholic schools from all payment or contribution to the support of any other schools, or that the said Acts of 1890 should be so modified or amended as to effect such purpose.

"5. And that such further or other declaration or order may be made as to your excellency the governor general in council shall under the circumstances seem proper and that such directions may be given, provisions made and all things done in the premises for the purpose of affording relief to the said Roman catholic minority in the said province as to your excellency in council may seem meet.

"And your petitioners will ever pray, etc."

The pretension of the petitioners therefore appears to be that the 22nd section of the Manitoba Act entitles the petitioners, notwithstanding the judgment of the privy council in England, in *Barrett vs. Winnipeg*, and *Logan vs. Winnipeg*, to invoke and to obtain the interference of his excellency the governor general in council to compel, in effect, a repeal by the provincial legislature of the said acts of 53 Victoria and the re-enactment of the statutes in force in the province in relation to education at the time of the passing of the acts 53 Vict., upon the grounds following:—

1. That the acts of 53 Vict. prejudicially affect the rights and privileges with regard to denominational schools which Roman catholics had enjoyed previous to the erection of the province, and

2. That the said acts, 53 Vict., prejudicially affect the rights and privileges of Roman catholics in the province, provided for by various statutes of the provincial legislature enacted prior to the passing of the acts 53 Vict. Under these circumstances, the case which has been submitted to us has been framed in the shape in which it has been for the purpose of presenting to us purely abstract questions of law.

The learned members of the judicial committee of the privy council who advised her majesty upon the appeals in the cases of *Barrett vs. Winnipeg* and *Logan vs. Winnipeg*, adopting the evidence of the archbishop of St. Boniface as to the rights and privileges in relation to denominational schools enjoyed by Roman catholics before the passing of the Manitoba Act in the territory by that act erected into the province of Manitoba, say in their report: "Now, if the state of things which the archbishop describes as existing before the union had been a system established by law, what would have been the rights and privileges of the Roman catholics with respect to denominational schools? They would have had by law the right to establish schools at their own expense, to maintain their schools by school fees, or voluntary contributions, and to conduct them in accordance with their own religious tenets. Every other religious body which was engaged in a similar work at the time of the union would have had precisely the same right with respect to their denominational schools. Possibly the right, if it had been defined or recognized by positive enactment, might have had attached to it as a necessary or appropriate incident, the right of exemption from and contribution under any circumstances, to a school of a different denomination. But in their lordships' opinion it would be going much too far to hold that the establishment of a national system of education upon a nonsectarian basis is so inconsistent with the right to set up and maintain denominational schools that the two things cannot exist together, or that the existence of one neces-

sarily implies or involves immunity from taxation for the purpose of the other." They then minutely review the provisions of the provincial statutes enacted prior to the passing of the acts of 1890, and of the acts of 1890 themselves, and proceed as follows: "Notwithstanding the public school acts, 1890, Roman catholics and members of every other religious body in Manitoba are free to establish schools throughout the province; they are free to maintain their schools by school fees or voluntary contributions; they are free to conduct their schools according to their own religious tenets, without molestation or interference; no child is compelled to attend a public school, no special advantage other than the advantage of a free education in schools conducted under public management is held out to those who do attend."

To this it may be added that Roman catholics are not excluded from the advisory board created by the acts. They are equally eligible as protestants to such board, and, as members thereof, can, equally with protestants, exert their influence upon the board with regard to religious exercises in the public schools. And, in short, Roman catholics and protestants of every denomination are in every respect placed by the acts in precisely the same position. The judgment of the privy council then proceeds as follows:—

"But, then, it is said that it is impossible for Roman catholics or for members of the church of England (if their views are correctly represented by the bishop of Rupert's Land who has given evidence in Logan's case) to send their children to public schools where the education is not superintended and directed by the authorities of their church, and that therefore Roman catholics and members of the church of England who are taxed for public schools and at the same time feel themselves compelled to support their own schools are in a less favourable position than those who can take advantage of the free education provided by the act of 1890; that may be so, but what right or privilege is violated or prejudicially affected by the law? It is not the law that is in fault. It is owing to religious convictions which everybody must respect and to the teaching of their church that Roman catholics and members of the church of England find themselves unable to partake of advantages which the law offers to all alike. The judgment then summarily rejects the contention that the public schools created by the acts of 1890 are in reality "protestant schools," and concludes in declaring and adjudging that those acts do not prejudicially affect the rights and privileges enjoyed by Roman catholics in the territory now constituting the province of Manitoba, prior to the passing of the Manitoba Act, taking these rights and privileges to have been as represented by the archbishop of St. Boniface, and even assuming them to have been secured or conferred by positive law, and so that they are not enacted in violation of section 22 of the Manitoba Act, but are within the exclusive jurisdiction of the provincial legislature to enact. Their lordships of the privy council, in *Barrett vs. Winnipeg*, and *Logan vs. Winnipeg*, put a construction upon this section 22 which, independently, is to my mind sufficiently apparent, but which I quote as a judicial enunciation of their lordships' opinion; they say:—"Their lordships are convinced that it must have been the intention of the legislature to preserve every legal right or privilege with respect to denominational schools which any class of persons practically enjoyed at the time of the union." The language of the section is, I think, sufficiently clear upon that point, and all its subsections are enacted for the purpose of securing the single object, namely, the preservation of existing rights. The section enacts: "22. In and for the province the said legislature may exclusively make laws in relation to education subject and according to the following provisions:—

"1. Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law or practice in the province at the union.

"2. An appeal shall lie to the governor general in council from any act or decision of the legislature of the province or of any provincial authority affecting any right or privilege of the protestant or Roman catholic minority of the queen's subjects in relation to education.

"3. In case any such provincial law as from time to time seems to the governor general in council requisite for the due execution of the provisions of this section is

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not made, or in case any decision of the governor general in council on any appeal under this section is not duly executed by the proper provincial authority, in that behalf, then and in every such case, and as far only as the circumstances of each case require, the parliament of Canada may make remedial laws for the due execution of the provisions of this section and of any decision of the governor general in council under this section."

If any law should be passed in violation of the qualification contained in the first subsection upon the general jurisdiction conferred by the section to make laws in relation to education; that is to say, in case any act should be passed by the provincial legislature prejudicially affecting any right or privilege with respect to denominational schools which any class of persons had by law or practice in the province at the union, such an act would be *ultra vires* of the provincial legislature to enact and would therefore have no force and as it was to preserve those rights and privileges with regard to denominational schools, whatsoever they were which existed at the time of the union, that the 22nd section was enacted, it is obvious, I think, that it is against such an act of the legislature and against any decision of any provincial authority acting in an administrative capacity prejudicially affecting any such right that the appeal is given by the 2nd subsection. And so, likewise, the remedies provided in the 3rd subsection relate to the same rights and privileges and to the better securing the enjoyment of them. The 2nd and 3rd subsections are designed as means to redress any violation of the rights preserved by the section. To subject any act of the legislature to the appeal provided in the 2nd subsection and to remedies provided in the 3rd subsection it is obvious that such an act must be passed in violation of the condition subject to which any jurisdiction is conferred upon the provincial legislature to make laws in relation to education, and must therefore be *ultra vires* of the provincial legislature; for the language of the section expressly excludes from the provincial legislature all jurisdiction to pass such an act. Jurisdiction, whatever its extent may be, which the provincial legislature has over education being declared to be exclusive, there can be no appeal to any other authority against an act passed by the legislature with such jurisdiction, and any act of the legislature passed in violation of any of the provisions in section 22, subject to which the jurisdiction of the legislature is restricted, is not within that jurisdiction and is therefore *ultra vires*. The appeal, therefore, which is given by the 2nd subsection must be only concurrent with the right of all persons injuriously affected by such an act to raise in the ordinary courts of justice the question of its constitutionality. If any doubt could be entertained upon this point it is concluded in my opinion by their lordships of the privy council in *Barrett vs. Winnipeg and Logan vs. Winnipeg* in the following language: "At the commencement of the argument a doubt was suggested as to the competency of the present appeal in consequence of the so called appeal to the governor in council, provided by the act, but their lordships are satisfied that the provisions of subsections 2 and 3 do not operate to withdraw such a question as that involved in the present case from the jurisdiction of the ordinary 'tribunals of the country.'" If an act of the provincial legislature which is impeached upon the suggestion of its prejudicially affecting such rights and privileges as aforesaid, is not made by the 22nd section of the Manitoba Act *ultra vires* of the provincial legislature, it cannot be open to appeal under subsection 2 of that section. The section does not profess to confer upon the executive of the Dominion or the Dominion parliament any power of interference whatever with any act in relation to education passed by the provincial legislature of Manitoba, which is not open to the objection of prejudicially affecting some right or privilege with respect to denominational schools which some class of persons had by law or practice in the province at the union; all acts of the provincial legislature not open to such objection are declared by the section to be within the exclusive jurisdiction of the provincial legislature; and as the acts of 1890 are declared by their lordships not to be open to such objection, and to have therefore been within the jurisdiction of the provincial legislature to pass, those acts cannot nor can either of them, be open to an appeal under the 2nd subsection of the section. It has been suggested, however, that the rights and privileges, whether conferred or recognized by the acts of the legislature of Manitoba in force prior to

and at the time of the passing of the acts of 1890 and which were thereby repealed were within the protection of the 22nd section and that this was a matter not under consideration in *Barrett vs. Winnipeg* and *Logan vs. Winnipeg*, and that therefore the right of appeal under subsection 2 of the 22nd section against such repeal does exist, notwithstanding the decision of the privy council in *Barrett vs. Winnipeg* and *Logan vs. Winnipeg*. This contention appears to have been first raised expressly in the petition presented in October, 1892, although it is impliedly comprehended in the paragraph of the petition of April, 1890, which is repeated, *verbatim*, in that of October, 1892, wherein the act of the provincial legislature of 1871 is relied upon as having had "the effect to continue to the Roman catholics that separate condition with reference to education which they had enjoyed previous to the erection of the province, made, in so far as Roman catholics were concerned, merely to organize the efforts which the Roman catholics had previously voluntarily made for the continuance of schools under the sole control and management of Roman catholics, and of the education of their children according to the methods by which alone they believe children should be instructed." But this statute of 1871 and all the statutes passed by the legislature of Manitoba in relation to education prior to 1890, were specially brought under the notice of their lordships of the privy council, and were fully considered by them in their judgment, as already pointed out, and if the repeal by the act of 1890 of the acts of the provincial legislature, then in force in relation to education, constituted a violation of the condition contained in section 22, subject to which alone the jurisdiction of the provincial legislature to make laws in relation to education was restricted, it is inconceivable to my mind that their lordships, having all these statutes before them, could have pronounced the acts of 1890 to be within the jurisdiction of the provincial legislature to pass. But, however this may be, there is nothing, in my opinion, in the Manitoba Act which imposed any obligation upon the legislature of Manitoba to pass the acts which are repealed by the acts of 1890, or which placed those acts when passed in any different position from that of all acts of a legislature which constitute the will of the legislature for the time being and only until repealed. And nothing which warrants the contention that the repeal of those acts by the acts of 1890 constituted a violation of the condition in the 22nd section, subject to which the jurisdiction of the legislature was restricted; and nothing, therefore, which gives any appeal against such repeal. Whether or not the third subsection of section 93 of the British North America Act of 1867, assuming that section to apply to the province of Manitoba, would have the effect of restraining the power of the provincial legislature in such a manner as to deprive them of jurisdiction to repeal the said acts, it is unnecessary to inquire, for that section does not, in my opinion, apply to the province of Manitoba, special provision upon the subject of education being made by the 22nd section of the Manitoba Act. For the above reasons, therefore, the questions submitted in the case must, in my opinion, be answered as follows:—The 1st, 2nd, 4th and 5th in the negative, the 3rd in the affirmative, and the 6th, which is a complex question, as follows: The acts of 1890 do not, nor does either of them, affect any right or privilege of a minority in relation to education within the meaning of subsection 2 of section 22 of the Manitoba Act in such manner that an appeal will lie thereunder to the governor general in council. The residue of the question is answered by the answer to question no. 4.

Certified true copy.

G. DUVAL,
Reporter S.C.C.

In the matter of certain Statutes of the province of Manitoba relating to Education.

KING, J.—It may be convenient, first, to regard the constitutional provisions respecting education as they affect the original provinces of the confederation. By section 93 of the British North America Act, it is provided that in and for each province the legislature may exclusively make laws in relation to education, subject and according to the provisions of four subsections.

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The first subsection provided that nothing in any such law should prejudicially affect any right or privilege with respect to denominational schools which any class of persons had, by law, in the province at the union.

The second subsection extended to the dissentient schools of the queen's protestant and Roman catholic subjects in Quebec all the powers, privileges and duties which were at the union conferred and imposed by law in Upper Canada (Ontario) on the separate schools and school trustees of the queen's Roman catholic subjects there.

The third subsection gave to the governor general in council the right on appeal to decide whether or not an act or decision of any provincial authority affects any right or privilege of the protestant or Roman catholic minority in relation to education enjoyed by them under a system of separate or dissentient schools in the province, whether such system of separate or dissentient schools shall have existed, by law, at the union or shall have been thereafter established by the legislature of the province.

The fourth subsection provided that if, upon the appeal, the governor general in council shall decide that the educational right or privilege of the protestant or Roman catholic minority has been so affected, then, if the provincial legislature shall not pass such laws as from time to time seem to the governor general in council requisite for the due execution of the provisions of the section, or if the proper provincial authority shall not duly execute the decision of the governor general in council on the appeal, then in every such case, but only so far as the circumstances of each case require, the parliament of Canada may make remedial laws for the due execution of the provisions of this section and of any decision of the governor general in council under the section. In other words: If the requisite remedy, either by act of the legislature or act or decision of the proper provincial authority in that behalf is not applied, then concurrent legislative authority, to the requisite extent, is given to the Dominion parliament, and to this extent the legislative authority of the provincial legislature ceases to be exclusive.

The terms "separate" and "dissentient" schools, used in the above subsections, were derived from the school systems of Upper and Lower Canada. At the union, the two larger confederating provinces, Upper Canada (Ontario) and Lower Canada (Quebec), had each a system of separate or dissentient schools, the Canadian method of dealing with the question of religion (as between protestants and Roman catholics) in the public school system.

In Upper Canada the Roman catholics were in the minority and in Lower Canada the protestants were in a still smaller minority. In Upper Canada there was a non-denominational public system, with a right in the Roman catholics to a separate denominational system. In Lower Canada the general public system was markedly Roman catholic with a right to the protestant minority to schools of their own. In Upper Canada the minority schools were called "separate" schools; in Lower Canada "dissentient" schools. It was because the powers and privileges of the Upper Canada minority in relation to their schools were greater than those of the Lower Canada minority, that by the terms of union these were agreed to be assimilated by adopting for Quebec the more enlarged liberties of the Upper Canada law; and this was given effect to by subsection 2 of section 93, already cited.

In the case of the two other of the original confederating provinces, Nova Scotia and New Brunswick, there was not, in either, a system of separate or dissentient schools.

The bounds of the Dominion have been since enlarged. In 1870, by the admission of the North-west Territory and Rupert's Land; in 1871, by the admission of British Columbia, and in 1873, by the admission of Prince Edward Island. In the case of British Columbia and Prince Edward Island (these being established and independent provinces) the terms of union were agreed upon by the governments and legislatures of Canada and the provinces respectively. In each case the above recited provisions of the British North America Act respecting education were adopted and made applicable without change. In neither of these newly added provinces was there a system of separate or dissentient schools.

With regard to the North-west Territories and Rupert's Land, there was no established government and legislature representing the people, and after the acquisition of the North-west Territories and Rupert's Land the parliament of Canada, after listening to representations of representative bodies of the people, passed an act for the creation and establishment of the new province of Manitoba out of and over a portion of the newly acquired territory, and it is with regard to this Act, (33 Vict. c. 3) that the present questions arise.

By section 2 it is declared that "The provisions of the British North America Act shall, except those parts thereof which are in terms made, or by reasonable intendment may be held to be specially applicable to or only to affect one or more, but not the whole, of the provinces now composing the Dominion, and except so far as the same may be varied by this act, be applicable to the province of Manitoba in the same way and to the like extent as they apply to the several provinces of Canada, and as if the province of Manitoba had been one of the provinces originally united by the said act."

The act then deals specially with a number of matters, as for instance the constitution of the executive and legislative authority, the use of both the English and French languages in legislative and judicial proceedings, financial arrangements and territorial revenues, etc., and by section 22 makes the following provision respecting education:—

"22. In and for the province the said legislature may exclusively make laws in relation to educational subjects, and according to the following provisions:

"(1.) Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law or practice at the union.

"(2.) An appeal shall lie to the governor general in council from any act or decision of the legislature of the province, or of any provincial authority affecting any right or privilege of the protestant or Roman catholic minority of the queen's subjects in relation to education.

"(3.) In case any such provincial law as from time to time seems to the governor general in council requisite for the due execution of the provisions of this section is not made, or in case any decision of the governor general in council on any appeal under this section is not duly executed by the proper provincial authority in that behalf, then, and in every such case, and as far only as the circumstances of each case require, the parliament of Canada may make remedial laws for the due execution of the provisions of this section, and of any decision of the governor general in council under this section."

Subsection 1 of section 22 of the Manitoba Act differs from subsection 1 of section 93 of the British North America Act of 1867, in the addition of the words "or practice" after the words "which any class of persons have by law."

In *Winnipeg vs. Barrett*, the judicial committee of the privy council held that the Manitoba Education Act of 1890 did not prejudicially affect any right or privilege or any benefit or advantage in the nature of a right or privilege with respect to denominational schools which the Roman catholics practically enjoyed at the time of the establishment of the province.

The second subsection of section 93 (British North America Act) has, of course, no counterpart in any of the subsections of section 22 (Manitoba Act) because subsection 2, section 93 (British North America Act) is a clause specially applicable to and affecting only the province of Quebec.

The third subsection of section 93 (British North America Act) and the second subsection of section 22 (Manitoba Act) deal with the like subject, viz, the right of the religious minority to appeal to the governor general in council in case of their educational rights or privileges being affected; but here again there are differences.

One difference is that whereas by the clause in the British North America Act the appeal lies from an "act or decision of any provincial authority" affecting any right or privilege of the protestant or Roman catholic minority in relation to education; in the Manitoba Act the appeal lies from "any act or decision of the legislature of the province" as well as from that of any provincial authority. This

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was either an extension of the right of appeal or the getting rid of an ambiguity according as the words "any provincial authority" as used in the British North America Act did not or did extend to cover "acts of the provincial legislature."

The addition in the first subsection of the Manitoba Act of the words "or practice" and the addition in subsection 2 of the words "of the legislature of the province," would (so far as the context of these words is concerned) seem to show an intention on the part of parliament to extend the constitutional protection accorded to minorities by the British North America Act, or, at all events, to make no abatement therein.

Then there is another difference between the language of the 3rd subsection of the British North America Act and that of the 2nd subsection of the Manitoba Act. The former begins as follows: "Where in any province a system of separate and dissentient schools exists by law at the union or is thereafter established by the legislature of the province, an appeal shall lie," etc., while in the Manitoba Act the introductory part is omitted and the clause begins with the words "an appeal shall lie," etc., the two clauses being thereafter identical with the exception that in the Manitoba Act (as already mentioned) the appeal in terms extends to complaints against the effect of acts of the legislature as well as of acts or decisions of any provincial authority.

After this reference to points of distinction, I cite subsection 2 of the Manitoba Act again in full for sake of clearness.

"An appeal shall lie to the governor general in council from any act or decision of the legislature of the province or of any provincial authority affecting any right or privilege of the protestant or Roman catholic minority of the queen's subjects in relation to education."

On the one side it is contended that in order to give the appeal the rights or privileges of the religious minority need to have been acquired and to have existed prior to and at the time of the passage of the act. On the other side it is contended that it is sufficient if the rights and privileges exist at the time of their alleged violation irrespective of the time when they were acquired.

In the argument before the judicial committee of *Winnipeg vs. Barrett*, a shorthand report of which was submitted to parliament last session (Sessional Paper, No. 33a), Sir Horace Davey, council for the city of Winnipeg, argued that subsection 2 does not relate to anything but what is *ultra vires* under subsection 1. He says: (p. 43) "I cannot for myself frame the proposition which would lead to the inference that subsection 2 was intended to deal with cases which were *intra vires*, and I beg leave to observe that it would be contrary to the whole scope and spirit of this legislation to provide for parliament intervening, not where the provincial parliament has acted beyond its powers—that I could conceive—that I could follow—there would be nothing inconsistent with the general course of legislation in that—but to allow the Dominion parliament to intervene, not to correct mistakes where the provincial legislature had gone wrong and exceeded their powers."—In an interruption at this point by their lordships, Lord MacNaughton asks: "Supposing some rights were created after the union, and then legislation had taken those rights away?" This question is not directly answered, but afterwards (p. 44) Sir Horace thus continues: It all comes back to the same point, that the protestant and catholic minority have a right to come with a grievance to the governor general. What is that grievance? Why, that they are deprived of some right or privilege which they ought to have and are entitled to enjoy. If they are not entitled by law to enjoy it they are not deprived of anything, and it would be an extraordinary system of legislation, having regard to the nature of this act, to say that the Dominion parliament has in certain cases to sit by way of a court of appeal from the provincial parliament, not to correct mistakes where the provincial parliament has erroneously legislated on matters not within its jurisdiction, but on matters of policy. * * * If that be the effect to be given to these subsections, I venture to submit to your lordships that it will have the rather startling consequences, and it will for the first time make the legislature of the Dominion parliament a court of appeal or give them an appeal from the exercise of the discretion of the provincial parliament, or, in other words,

it will place the provincial parliament in the position that it will be liable to have its decisions overruled by the Dominion parliament, and therefore in a position of inferiority."

I have quoted at great length, because of the strong presentation by eminent counsel of that view, and to show that the attention of their lordships was powerfully drawn to the provisions of subsection 2. The full report shows that all the subsections of the two sections of the two acts were exhaustively discussed.

In the judgment, their lordships say that:—"Subsections 1; 2 and 3 of section 22 of the Manitoba Act, 1870, differ but slightly from the corresponding sections of section 93 of the British North America Act, 1867. The only important difference is that in the Manitoba Act, in subsection 1, the words 'by law' are followed by the words 'or practice' which do not occur in the corresponding passage in the British North America Act, 1867."

There would be a marked and very considerable difference between the corresponding clauses if in the one case rights and privileges of the religious minority were recognized as subjects of protection whenever acquired, while in the other case they were not recognized as subjects of protection unless they existed at the time of the passing of the constitutional act.

Not wanting to put undue stress upon this, let us look at the clauses for ourselves. In subsection 1 (Manitoba Act) there is an express limitation as to time: the rights and privileges in denominational schools that are saved are such as existed (by law or practice) at the union. But in subsection 2 nothing is said about time at all; and the natural conclusion upon a reading of the two clauses together is that with regard to the rights and privileges referred to in the latter clause, the time of their origin is immaterial. Such also is the ordinary and natural meaning of subsection 2 regarded by itself. Read by itself, it extends to cover rights and privileges existent at the time of the act or thing complained of. The existence of the right, and not the time of its creation, is the operative and material fact. And this agrees with the corresponding provisions of the British North America Act, where subsection 1 refers to rights, etc., acquired before or at union; while subsection 3 in terms covers rights, etc., acquired at any time. In any other view there was clearly no necessity to add the words "or any act of the legislature" in the remedial provision of the Manitoba Act, for such act would be wholly null and void under subsection 1.

There is, however, an undeniable objection to treating as an appealable thing the repeal by a legislature of an act passed by itself. Ordinarily all rights and privileges given by act of parliament are to be enjoyed *sub modo* and are subject to the implied right of the same legislature to repeal or alter if it chooses to do so. But the fundamental law may make it otherwise. An illustration of this is afforded by the constitution of the United States, which prohibits the states (but not congress) from passing any law impairing the obligation of contract; and this has been held to prevent state legislatures from repealing or materially altering their own acts conferring private rights when such rights have been accepted. It does not extend to acts relating to government as, for instance, to public officers, municipal incorporations, etc., but it extends to private and other corporations, educational or otherwise, and also to acts exempting incorporated bodies, by special act, from rates or taxes. These are irrevocable, and the constitutional provision has been found onerous.

It is certainly anomalous under our system and theory of parliamentary powers that a legislature may not repeal or alter in any way an act passed by itself.

Still, weighty as this consideration is, I can give no other reasonable interpretation to the act in question than that, under the constitution of Manitoba, as under the constitution of the Dominion, the exercise by the provincial legislature of its undoubted powers in a way so as to give rights and privileges by law to the minority in respect of education lets in the Dominion parliament to concurrent legislative authority for the purpose of preserving and continuing such rights and privileges, if it sees fit to do so. By the British North America Act it was not clear whether the words "act or decision of any provincial authority" covered the case of an act of the provincial legislature, or was confined to administrative acts, but in the Manitoba Act the words explicitly extend to an act of that legislature.

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Any ambiguity in subsection 2 of the Manitoba Act is, I conceive, to be resolved in the light of the corresponding provisions of the British North America Act. As the provisions of the British North America Act are to be applicable, unless varied, I think it reasonable that ambiguous provisions in the special act should be construed in conformity with the general act. Passing, however, from it as a matter of construction, it does not seem reasonable that parliament, in forming, in 1870, a constitution for Manitoba, intended to disregard entirely constitutional limitations such as were three years before established as binding upon the original members of the confederation. On the contrary, by the addition of the words "or by practice" in 1st subsection, and of the words "or any act of the legislature" in 2nd subsection, and by the provision of section 23, providing for the use of the French and English languages in the courts and legislature, there is manifested a greater tenderness for racial and denominational differences. Further, unless subsection 2 has the meaning suggested, the entire series of limitations imposed by subsections 1, 2 and 3 are entirely inoperative, for the judicial committee has in effect declared that no right or privilege in respect of denominational schools existed prior to the union, either by law or practice, and therefore there was nothing on which subsection 1 could practically operate, and as there was clearly no system of separate or dissentient schools established in Manitoba by law prior to the union, the provision of subsections 2 and 3 are inoperative if the rights and privileges in relation to education are to be limited to rights and privileges before the union.

I also think that where there appears an ambiguity we might well resort to the facts before the government and parliament when they were engaged in settling a constitution for Manitoba.

There is no doubt that this construction limits the powers of the legislature and restrains the exercise of its discretion, but the same thing may be said of the effect of an appeal against "any act or decision of any provincial authority" in Nova Scotia or New Brunswick, in case either of such provinces were to adopt a system of separate schools. The legislature might not choose to pass the remedial legislation necessary to execute the decision of the governor general in council, and the Dominion parliament could then exercise its concurrent power of legislation in effect overriding the legislative determination of the provincial legislature. The provision may be weak, one-sided, as giving finality to a chance legislative vote in favour of separate schools, inconsistent with a proper autonomy, and without elements of permanence, but, if it is in the constitutional system, it must receive recognition in a court of law.

Assuming, then, that clause 2 covers rights and privileges whensoever acquired, the next question is as to the meaning of the words "rights and privileges of the protestant or Roman catholic minority in relation to education?" Here, again, I think we are to go to clause 3 of section 93 British North America Act. I think that the reference is to minority rights under a system of separate schools, and that it is essential that the complaining minority should have had rights or privileges under a system of separate or dissentient schools existing by law at the union or thereafter established by the legislature of the province. The generality of the words under clause 2 of the Manitoba Act is to be explained by clause 3, section 93, British North America Act, and to have the same meaning as the corresponding words in this act.

The two remaining questions then, are: Was a system of separate or dissentient schools established in Manitoba prior to the passage of the Manitoba education act of 1890? And, have any rights or privileges of the Roman catholic minority in relation thereto been prejudicially affected?

One of the learned judges of the queen's bench of Manitoba thus succinctly summarizes the school legislation of Manitoba in force at the time of the passing of the act of 1890.

"Under the school acts in force in the province previous to the passing of the Public School Act of 1890, there were two distinct sets of public or common schools, the one set protestant and the other Roman catholic. The board of education which had the general management of the public schools was divided into two sections,

one composed of the protestant members and one of the Roman catholic members, and each section had its own superintendent. The school districts were designated protestant or Roman catholic, as the case might be. The protestant schools were under the immediate control of trustees elected by the protestant ratepayers of the district and the catholic schools in the same way were under the control of trustees elected by the Roman catholic ratepayers; and it was provided that the ratepayers of a district should pay the assessments that were required to supplement the legislative grant to the schools of their own denomination and that in no case should protestant ratepayers be obliged to pay for a Roman catholic school, or a catholic ratepayer for a protestant school."

I would only add that the assessments were to be ordered by the ratepayers (catholics or protestants, as the case might be) of the school district, and that the trustees were empowered in many cases to collect the rates themselves instead of making use of the public collectors. The trustees were empowered to employ teachers exclusively who should hold certificates from the section of the board of education of their own faith. By the act of 1871, the board of education was composed equally of protestants and Roman catholics. But by the act of 1881, the proportion was twelve protestants to nine Roman catholics.

Now, the system of education established by the act of 1881 was not in terms and *eo nomine* a system of separate or dissentient schools, and if the constitutional provision requires that they should be such in order to come within the act, then the minority did not have the requisite rights and privileges in respect of education. As to this, I have had doubts arising from the opinion that, where rights and privileges have no other foundation than the legislative authority whose subsequent act in effecting them is impeached, the restraint upon the general grant of legislative authority should be applied only where the case is brought clearly within the limitation. At the same time, we are to give fair and reasonable construction to a remedial provision of the constitution and are to regard the substance of the thing. Now, the Roman catholics were in the minority in 1881, and are still, and a system of schools was established, by law, under which they had the right to their own schools—catholic in name and fact—under the control of trustees elected by themselves, taught by teachers of their own faith, and supported (in part) by an assessment ordered by themselves upon the persons and property of Roman catholics, and imposed, levied and collected as a portion of the public rates, the persons and property liable to such rate being at the same time exempt from contribution to the schools of the majority, *i.e.*, the protestant schools. This, although not such in name, seems to me to have been essentially a system of separate or dissentient schools of the same general type as the separate school system of Ontario, and giving, therefore, to the minority rights and privileges, in relation to education, in the sense of subsection 2, section 22 (Manitoba Act) and subsection 3, section 93 (British North America Act).

It is true that the schools of the majority were protestant schools, and that the majority had the same kind of right as the minority, but I do not think that this renders the minority schools any the less essentially separate schools of the Roman catholics. In Quebec the majority schools are distinctly denominational.

Then, was the right and privilege of the Roman catholic minority in this system of separate schools prejudicially affected by the act of 1890; and, if so, to what extent?

In the judgment of the judicial committee in the city of Winnipeg *vs.* Barrett, speaking of the right there claimed on behalf of the Roman catholics that the act of 1890 had prejudicially affected the rights and privileges which they had by practice at the time of the union, their lordships say:

"Now, if the state of things which the archbishop describes as existing before the union had been established by law, what would have been the rights and privileges of the Roman catholics with respect to denominational schools? They would have had by law the right to establish schools at their own expense, to maintain their schools by school fees or voluntary contributions, and to conduct them in accordance with their own religious tenets. Every other religious body which was

School Laws of Manitoba.

engaged in a similar work at the time of the union would have had precisely the same right with respect to their denominational schools. Possibly this right, if it had been defined or recognized by positive enactment, might have had attached to it, as a necessary or appropriate incident, the right of exemption from any contribution under any circumstances to schools of a different denomination. But, in their lordships' opinion, it would be going much too far to hold that the establishment of a national system of education upon an unsectarian basis is so inconsistent with the right to set up and maintain denominational schools that the two things cannot exist together, or that the existence of one necessarily implies or involves immunity from taxation for the purpose of the other."

The rights and privileges of the denominational minority under the act of 1881 and amending acts, were different from the assumed rights in denominational schools which the same class had by practice at the time of the union. It could not be said to be merely "the right to establish schools at their own expense, to maintain their schools by school fees or voluntary contributions and to conduct them in accordance with their own religious tenets"; it was a right, as Roman catholics, by law to establish schools and to maintain them through the exercise by them of the state power of taxation, by the imposition, levying and collecting of rates upon the persons and property of all Roman catholics, such persons and property being at the same time exempted from liability to be rated for the support of the public schools of the majority, then denominated and being protestant schools. By the act of 1890 the protestant schools are abolished equally with the Roman catholic schools, and a system of public schools set up which is neither protestant nor Roman catholic, but unsectarian. The question then is whether the language of their lordships is applicable to this state of things, and whether or not it can be said (changing their lordships' language to suit the facts) that the establishment of the national system of education upon an unsectarian basis is so inconsistent with the right to set up and maintain by the aid of public taxation upon the denominational minority a system of denominational schools that the two cannot co-exist; or that the existence of the system of denominational minority schools (supposing it still in existence) necessarily implies or involves immunity from taxation for the purpose of the other. It rather seems to me that no reasonable system of legislation could consistently seek to embrace these two things, viz.: 1st, the support of a system of separate denominational schools for the minority, maintainable through compulsory rating of the persons and property of the minority; and, 2nd, the support of a general system of unsectarian schools, through the compulsory rating of all persons and property, both of the majority and minority. The effect of such a scheme would be to impose a double rate upon a part of the community for educational purposes. The logical result of this view would be that by the establishment of a general non-sectarian system (as well as by the abrogation of the separate school system) the rights and privileges as previously given by law to the denominational minority in respect of education were necessarily affected. Of course the minority could attain equality by giving up their schools, but the present inquiry at this point is whether a right acquired by law to maintain a system of separate schools has been affected by an act which takes away the legal organization and status of such schools, and their means of maintenance by the repeal of the law giving these things, and which subjects the persons and property of the denominational minority to an educational rate for general nonsectarian schools, instead of leaving them subjected to an educational rate for the support of the separate and denominational schools. It is true that by the act of 1881 and amending acts, the exemption was an exemption from contribution to the protestant schools, and the schools under the act of 1890 are not protestant schools; but the substantial thing involved in the exemption under the acts of 1881 and amending acts was, that the ratepayer to the support of the catholic schools should not have to pay rates for support of the schools established by the rest of the community, but should have their educational rates appropriated solely to the support of their own schools. This was an educational right or privilege accorded to the denominational minority, or in other words, a right or privilege accorded to them in relation to education under a system of separate schools established by law,

which the legislature, if possessing absolute or exclusive authority to legislate on the subject of education, without limitation or restraint, might very well withdraw, abrogate or materially alter; but which, under the constitutional limitations of the Manitoba Act can be done only subject to the rights of the minority, to seek the intervention of the Dominion parliament, through the exercise of the concurrent legislative authority that thereupon become vested in such parliament upon resort being first had to the tribunal of the governor general in council. Although there are points of difference between this case and what would have been the case if the prior legislation of Manitoba had established a system of separate schools, following precisely the Ontario system, I cannot regard the difference as other than nominal, and I treat this case as though the act of 1881 and amending acts distinctly established a system of separate schools giving for the general public a system of undenominational public schools, and to the catholic minority the right to a system of separate schools. In such case, I do not see how the passing of such an act as the act of 1890 could fail to be said (by abolishing the separate schools) to affect the rights and privileges of the minority in respect of education. With some change of phraseology, and some change of method, I think that what has been done in the case before us is essentially the same. If the clauses of the Manitoba Act are to have any meaning at all they must apply to save rights and privileges which have no other foundation originally than a statute of the Manitoba legislature. The constitutional provision protects the separate educational status given by an act of the legislature to the denominational minority. The view that the effect of this is to restrain the proper exercise by the legislature of its power to alter its own legislation is met by the opposite view that there is no improper restraint if it is a constitutional provision, and that in establishing a system of separate schools, the legislature may well have borne in mind the possibly irrevocable character of its legislation in thereby creating rights and privileges in relation to education. I, therefore, answer the questions of the case as follows:

1. Is the appeal referred to in the said memorials and petitions, and asserted thereby, such an appeal as is admissible by subsection 3 of section 93 of the British North America Act, 1867, or by subsection 2 of section 22 of the Manitoba Act, 33 Victoria (1870), chapter 3, (Canada)? Yes.

2. Are the grounds set forth in the petitions and memorials such as may be the subject of appeal under the authority of the subsections above referred to, or either of them? Yes.

3. Does the decision of the judicial committee of the privy council in the cases of *Barrett vs. the City of Winnipeg*, and *Logan vs. the City of Winnipeg*, dispose of or conclude the application for redress based on the contention that the rights of the Roman catholic minority which accrued to them after the union under the statutes of the province have been interfered with by the two statutes of 1890, complained of in the said petitions and memorials? No.

4. Does subsection 3 of section 93 of the British North America Act, 1867, apply to Manitoba? Yes, to the extent as explained by the above reasons for my opinion.

5. Has his excellency the governor general in council power to make the declarations or remedial orders which are asked for in the said memorials and petitions, assuming the material facts to be as stated therein, or has his excellency the governor general in council any other jurisdiction in the premises? Yes.

6. Did the acts of Manitoba relating to education, passed prior to the session of 1890, confer on or continue to the minority a "right or privilege in relation to education" within the meaning of subsection 2 of section 22 of the Manitoba Act, or establish a system of separate or dissentient schools within the meaning of subsection 3 of section 93 of the British North America Act, 1867, if said section 93 be found applicable to Manitoba; and, if so, did the two acts of 1890 complained of, or either of them, affect any right or privilege of the minority in such a manner that an appeal will lie thereunder to the governor general in council? Yes.

Certified true copy.

G. DUVAL,
Reporter S. C. C.

RETURN

(46)

To an ORDER of the HOUSE OF COMMONS, dated the 30th March, 1894, for a statement showing the various amounts paid by way of bounty on pig iron produced in Canada, the quantities produced, and the parties to whom the bounty was paid, and the province in which their works are situated since the date of the last return.

JOHN COSTIGAN,
Secretary of State.

	Tons.	Amount paid.
		\$ cts.
New Glasgow Iron and Coal Ry. Co., situated at New Glasgow, N.S....	26,056·1300	52,113 30
Pictou Charcoal Iron Co., situated at Pictou, N.S.	710·0000	1,420 00
Canada Iron Furnace Co., (Limited), situated at Three Rivers, Que.	7,612·1210	15,225 21
Londonderry Iron Co., (Limited), situated at Londonderry, N.S.	23,601·1184	47,203 17
John McDougall & Co., situated at Drummondville, Que.	2,054·1280	4,109 28
	60,035·0974	120,070 96

DETAILS OF PAYMENTS.

STATEMENT of amounts paid for claims for bounty on pig iron manufactured in the Dominion, showing quantities claimed upon, names of claimants and province in which their works are situated, as well as amounts paid in each case, from 3rd February, 1893, to 8th March, 1894.

Date.	Tons.	Amount paid.	To whom paid.
1893.		\$ cts.	
Feb. 11....	1,603·1510	3,207 51	New Glasgow Iron and Coal Railway Co.
do 27....	462·0000	924 00	Pictou Charcoal Iron Co.
March 2....	531·0590	1,062 59	Canada Iron Furnace Co. (Limited).
do 3....	2,221·1936	4,443 94	Londonderry Iron Co. (Limited).
April 4....	361·1520	723 52	John McDougall & Co.
do 4....	601·1790	1,203 79	Canada Iron Furnace Co. (Limited).
do 4....	2,117·1892	4,235 39	Londonderry Iron Co. (Limited).
do 7....	248·0000	496 00	Pictou Charcoal Iron Co.
do 22....	1,082·0810	2,164 81	New Glasgow Iron and Coal Railway Co.
May 3....	666·1900	1,333 90	Canada Iron Furnace Co.
do 4....	1,064·0784	2,128 78	Londonderry Iron Co. (Limited).
do 5....	1,899·1980	3,799 98	New Glasgow Iron and Coal Railway Co.
June 3....	695·1720	1,391 72	Canada Iron Furnace Co. (Limited).
do 3....	2,194·0720	4,388 72	Londonderry Iron Co. (Limited).
do 8....	2,219·1000	4,439 00	New Glasgow Iron and Coal Railway Co.

DETAILS OF PAYMENTS—*Concluded.*STATEMENT of amounts paid for claims for bounty on pig iron, &c.—*Concluded.*

Date.	Tons.	Amount paid.	To whom paid.
1893.		\$ cts.	
July 5....	605·1460	1,211 46	Canada Iron Furnace Co. (Limited).
do 5....	2,103·0944	4,206 94	Londonderry Iron Co. (Limited).
do 6....	544·0640	1,088 64	John McDougall & Co.
do 10....	2,061·1900	4,123 90	New Glasgow Iron and Coal Railway Co.
Aug. 4....	587·1000	1,175 00	Canada Iron Furnace Co. (Limited).
do 4....	1,806·1456	3,613 46	Londonderry Iron Co. (Limited).
do 16....	1,983·1500	3 967 50	New Glasgow Iron and Coal Railway Co.
Sept. 11....	1,932·0000	3,864 00	do do
do 15....	1,647·1600	3,295 60	Londonderry Iron Co. (Limited).
do 15 ...	584·1230	1,169 23	Canada Iron Furnace Co. (Limited).
Oct. 3	662·0230	1,324 23	do do
do 4	2,207·1600	4,415 60	Londonderry Iron Co. (Limited.)
do 5	548·1600	1,097 60	John McDougall & Co.
do 13....	2,151·1300	4,303 30	New Glasgow Iron and Coal Railway Co.
Nov. 3....	666·1472	1,333 47	Londonderry Iron Co. (Limited).
do 3....	747·0130	1,494 13	Canada Iron Furnace Co. (Limited).
do 6....	2,501·0500	5,002 50	New Glasgow Iron and Coal Railway Co.
Dec. 4....	726·1830	1,453 83	Canada Iron Furnace Co. (Limited).
do 4....	2,595·0976	5,190 97	Londonderry Iron Co. (Limited).
do 27....	2,755·0800	5,510 80	New Glasgow Iron and Coal Railway Co.
1894.			
Jan. 3....	499·0110	998 11	Canada Iron Furnace Co. (Limited).
do 4....	2,583·0896	5,166 89	Londonderry Iron Co. (Limited).
do 4....	599·1520	1,199 52	John McDougall & Co.
do 8....	1,768·1400	3,537 40	New Glasgow Iron and Coal Railway Co.
Feb. 3	276·1570	553 57	Canada Iron Furnace Co. (Limited).
do 3....	993·1440	1,987 44	Londonderry Iron Co. (Limited).
do 8....	2,009·0100	4,018 10	New Glasgow Iron and Coal Railway Co.
March 5....	426·1650	853 65	Canada Iron Furnace Co. (Limited).
do 7....	1,397·1968	2,795 97	Londonderry Iron Co. (Limited).
do 8....	2,087·0500	4,174 50	New Glasgow Iron and Coal Railway Co.
	60,035·0974	120,070 96	

RETURN

(48)

To an ORDER of the HOUSE OF COMMONS dated the 29th March, 1894, for a return of:—1. The number of students who have graduated from the royal military college since its establishment. 2. Number of these graduates who are now in the public service of Canada, and the number in the service of the imperial government. 4. Amount expended on capital account and on income since the college was established. 4. Number of students graduated in 1893. 5. Number of students now in attendance. 6. Total amount of salaries paid each year, to the different persons employed in connection with the college. 7. Name of the commandant of the college; his salary; perquisites, if any, in the way of free residence, maintenance thereof, supplies, servants, etc. 8. The cost of the residence for the use of commandant, if purchased, and amount expended thereon by the government since the purchase.

JOHN COSTIGAN.

Secretary of State.

DEPARTMENT OF MILITIA AND DEFENCE, OTTAWA, 10th April, 1894.

Reply to an address of the house of commons, dated 29th March, 1894, containing eight questions relative to the students of the royal military college of Canada, the expenditure, the commandant, etc.

1. How many students have graduated from the royal military college since its establishment?—A. Cadets authorized to join since June, 1876, 379; number graduated since June, 1880, 195.

2. How many of these graduates are now in the public service of Canada, and how many in the service of the imperial government?—A. No reliable information can be obtained on these two points. There is no record in this department to show how many of the graduates of the royal military college are now in the above named services.

3. How much has been expended on capital account, and how much on income, since the college was established?—A. See accompanying statement marked "A."

4. How many students graduated in 1893?—A. Number of cadets graduated in 1893, 13.

5. How many students are now in attendance?—A. Number of students now in attendance, 58.

6. What is the total amount of salaries paid, each year, of all persons employed in connection with such college?—A. See accompanying statement, marked "B."

7. Who is the commandant of the college? What is his salary; what perquisites, if any, in the way of free residence, maintenance thereof, supplies, servants or otherwise, does he enjoy?—A. The commandant is major general D. R. Cameron, late royal artillery. Salary, \$3,163.32, or £650 sterling; residence free, with fuel, light and water. No other allowance is made for his maintenance in the way of supplies, servants, or otherwise.

8. Was a residence for the use of the commandant purchased? If so, what was the purchase money, and what amount has been expended thereon by the government since the purchase?—A. A residence for the commandant, in lieu of an \$800 rent allowance, was purchased, at a cost of \$12,892, in 1889. Amount expended by the government on the residence since purchase was: 1890, \$1,808.55; 1891, \$56.25; 1893, \$77.46—total, \$1,942.26.

STATEMENT "A."

STATEMENT of Expenditure by the Department of Militia and Defence, on the Royal Military College at Kingston since its establishment in 1876, up to 30th June, 1893.

Total expenditure for pay and maintenance.....	\$1,140,763.76
LESS—Repayments by cadets.....	279,917.80
Net cost of college.....	\$ 860,845.96
ADD—Paid for repairs to buildings.....	69,058.72
Total cost.....	\$ 929,904.68

STATEMENT "B."

STATEMENT of Salaries, Royal Military College, paid each year to all persons employed in connection with the college since its establishment in 1876 up to 30th June, 1893.

YEAR.	Pay.	Pay.	Total.
	Superior Staff.	Subordinate Staff.	
	\$ cts.	\$ cts.	\$ cts.
1876..	3,384 65	80 50	
1877..	10,395 49	1,787 00	
1878..	13,946 83	2,591 16	
1879..	16,989 95	3,939 94	
1880..	26,680 80	5,130 14	
1881..	30,571 11	5,579 88	
1882..	30,601 53	6,368 68	
1883..	30,679 57	6,362 88	
1884..	30,938 25	7,166 21	
1885..	31,203 59	7,798 86	
1886..	32,864 06	7,796 87	
1887..	30,989 04	7,977 42	
1888..	31,998 83	8,306 65	
1889..	29,740 21	8,261 75	
1890..	28,552 00	8,307 25	
1891..	28,215 42	8,235 25	
1892..	26,306 36	8,507 65	
1893..	29,075 31	8,280 85	
	463,133 09	112,478 94	575,612 03

C. EUG. PANET,

Colonel, Deputy Minister of Militia and Defence.

(48a)

SUPPLEMENTARY RETURN TO No. 48.

SUPPLEMENTARY FINANCIAL STATEMENT.—KINGSTON MILITARY COLLEGE.

DEPARTMENT OF PUBLIC WORKS.

No expenditure made on account Capital.

The whole of the expenditure amounting to \$110,321.88 was charged to Income.

O. DIONNE, *Accountant.*

Public Works Department, Ottawa, 5th May, 1894.

The above return is furnished by the department of public works, supplementary to statement "A" of department of militia and defence, already furnished in answer to question no. 3.

It has shown in that statement that the total net expenditure for royal military college, to date (all chargeable to Income) was	\$ 929,904.68
To that, add the above expenditure by public works department (also chargeable to Income).....	110,321.88
	<hr/>
Total chargeable to Income.....	\$1,040,226.56
Chargeable to Capital— <i>Nil.</i>	

C. EUG. PANET,

Colonel, Deputy Minister of Militia and Defence.

Department of Militia and Defence, Ottawa, 7th May, 1894.

STATEMENT SHOWING NUMBER OF GENTLEMEN WHO HAVE ATTENDED THE ROYAL MILITARY COLLEGE OF CANADA, AS CADETS, AND WHO HAVE SERVED IN THE IMPERIAL AND CANADIAN SERVICE.

DIVIDED INTO THREE CLASSES.

- Class A.—Graduates.
- Class B.—Formerly Gentlemen Cadets. (Not graduates) :—
- Class C.—Resigned or deceased officers.

IMPERIAL SERVICE.

Cavalry.

- Class A.—Graduate :—
 - No. 1. Lieut. Hamilton, E.C. 3rd Hussars.
- Class B.—Formerly Gentleman Cadet. (Not a graduate) :—
 - No. 1. Lieut. Campbell, K. J. R. 6th Dragoon Guards.
- Class C.—Resigned :—
 - No. 1. Lieut. Carruthers, W. B. 21st Hussars.

Royal Artillery.

Class A.—Graduates:—

- No. 1. Lieut. Baker, G. H. M.
- No. 2. Lieut. Barker, F. E. L.
- No. 3. Capt. Campbell, H. M.
- No. 4. Lieut. Cayley, A. M.
- No. 5. 2nd Lieut. DeBury, H. R. V.
- No. 6. Lieut. Duffus, E. J.
- No. 7. Capt. Duffus, G. S.
- No. 8. Capt. Gray, P. E.
- No. 9. Lieut. Hodgins, C. R.
- No. 10. 2nd. Lieut. Hollingshead, H. M.
- No. 11. Lieut. Johnston, G. N.
- No. 12. Lieut. Macdonald, R. J.
- No. 13. Lieut. Moren, J. A.
- No. 14. Lieut. Morris, R. C.
- No. 15. 2nd Lieut. Scott, R. K.
- No. 16. Lieut. Strzange, H. B.

Royal Artillery.

Class B.—Formerly Gentlemen Cadets. (Not graduates):—

- No. 1. Lieut. VanStraubenzee, C. C.
- No. 2. Lieut. Worsley, G. S.

Class C.—Resigned and deceased officers:—

- Resigned.—No. 1. Lieut. Fairbanks, C. O.
- No. 2. Lieut. Maxwell, C. M.
- Deceased.—No. 1. Lieut. Almon, C. F.
- No. 2. Lieut. VonIffland, W. A.

Royal Engineers.

Class A.—Graduates:—

- No. 1. Lieut. Adams, A.
- No. 2. 2nd Lieut. Armstrong, B. H. O.
- No. 3. Lieut. Bremner, A. G.
- No. 4. Lieut. Campbell, H. B. D.
- No. 5. Capt. Carey, H. C.
- No. 6. Lieut. Casgrain, P. H.
- No. 7. Lieut. Duff, G. M.
- No. 8. 2nd Lieut. Dumble, W. C.
- No. 9. Lieut. Farwell, C. B.
- No. 10. Lieut. Girouard, E. P. C.
- No. 11. Lieut. Joly de Lotbiniere, A.
- No. 12. Lieut. Joly de Lotbiniere, H.
- No. 13. Lieut. Kennedy, J. N. C.
- No. 14. Capt. Lang, J. I.
- No. 15. Lieut. Lesslie, W. B.
- No. 16. Lieut. McElhinney, W. J.
- No. 17. 2nd Lieut. MacInnes, D. S.
- No. 18. Lieut. Nanton, H. C.
- No. 19. Lieut. Panet, A. E.
- No. 20. Lieut. Ridout, D. H.
- No. 21. Lieut. Rogers, H. S.
- No. 22. Lieut. Skinner, T. C.
- No. 23. Lieut. Tilley, W. F.

Royal Military College.

- No. 24. Lieut. Twining, P. G.
- No. 25. Capt. VanStraubenzee, A.
- No. 26. Lieut. VonHugel, N. G.

Class C.—Formerly Gentlemen Cadets. (Not graduates):—

- No. 1. Lieut. Cartwright, G. S.
- No. 2. Lieut. Kirkpatrick, G. M.
- No. 3. Lieut. Sloggett, H.

Class C.—Resigned and deceased officers:—

- Resigned—No. 1. Lieut. Bremner, A. P.
- No. 2. Lieut. Perry, A. B.
- Deceased—No. 1. Capt. MacKay, H. B.
- No. 2. Capt. Robinson, W. H.
- No. 3. Capt. Stairs, W. G.

Infantry.

Class A. Graduates:—

- No. 1. Capt. Cameron, K. B., Argyll & Sutherland Highlanders.
- No. 2. 2nd Lieut. Clinch, H. W., Royal Inniskilling Fusiliers.
- No. 3. Lieut. Dobell, C. M., Royal Welsh Fusiliers.
- No. 4. 2nd Lieut. Duffus, F. F., Cheshire Regiment.
- No. 5. 2nd Lieut. Farley, J. J. B., Prince of Wales Regiment.
- No. 6. Lieut. Hamilton, W. A., Connaught Rangers.
- No. 7. Lieut. Heneker, W. C. G., Connaught Rangers.
- No. 8. Lieut. Mitchell, W. J., Royal North Lancashire Regiment.
- No. 9. Lieut. Morris, E. M., Devonshire Regiment.
- No. 10. 2nd Lieut. Paterson, S. L., Royal Dublin Fusiliers.
- No. 11. Capt. Sears, J. W., South Staffordshire Regiment.
- No. 12. Capt. Skinner, F. St. D., Royal Sussex Regiment.
- No. 13. Capt. Smith, E. O., Northamptonshire Regiment.
- No. 14. 2nd Lieut. Swony, W. F., Royal Fusiliers.
- No. 15. Capt. Taylor, E. T., Cheshire Regiment.
- No. 16. Capt. VanStraubenzee, B., South Wales Borderers.
- No. 17. Capt. Wise, H. E., Derbyshire Regiment.

Class B.—Formerly Gentlemen Cadets. (Not graduates):—

- No. 1. Lieut. Cowie, C. S., Royal Scots Regiment.
- No. 2. Lieut. Hensley, C. A., Royal Dublin Fusiliers.
- No. 3. Lieut. Hewett, E. V. O., Queen's Own Regiment.
- No. 4. Capt. Laurie, G. B., Royal Irish Rifles.
- No. 5. Lieut. Laurie, J. H., King's Own Regiment.
- No. 6. Lieut. Leader, H. P., Suffolk Regiment.
- No. 7. Lieut. Luard, C. C., Durham Light Infantry.
- No. 8. Lieut. Luard, G. D., The Cameronians.
- No. 9. 2nd Lieut. Middleton, C. de C., Queen's Own Regiment.
- No. 10. Lieut. Smith, H. C., Royal Dublin Fusiliers.

Class C.—Resigned and deceased officers:—

- Resigned—No. 1. Capt. Freer, H. C., South Staffordshire Regiment.
- No. 2. Lieut. Hogan, H. H., Seaforth Highlanders.
- Deceased—Lieut. C. G. Murray, Connaught Rangers.

CANADIAN SERVICE.

Canadian Mounted Infantry.

Class A.—Graduate:—

- Resigned—No. 1. Lieut. Doucet, A. E.

Royal Canadian Artillery.

Class A—Graduates :—

- No. 1. Capt. Benson, T.
- No. 2. Lieut. Cooke, W. E.
- No. 3. Capt. Gaudet, F. M.
- No. 4. Capt. Ogilvie, G. H.
- No. 5. Capt. Rivers, V. B.
- No. 6. Lieut. Thacker, H. C.
- No. 7. Lieut. Panet, H. A.

Class B—Formerly Gentleman Cadet. (Not a graduate) :—

- No. 1. Lieut. Burstall, H. E.

Royal Regiment Canadian Infantry.

Class A—Graduate :—

- No. 1. Capt. Cartwright, R.

Class B—Formerly Gentlemen Cadets. (Not graduates) :—

- No. 1. Major Denison, S. J. A.
- No. 2. Capt. MacDougall, C. J.

Royal Canadian Dragoons.

Class B—Formerly Gentleman Cadet. (Not a graduate) :—

- No. 1. Lieut. Williams, V. A. S.

Royal Military College Staff.

Class A—Graduates :—

- No. 1. Capt. Wurtele, A. G. G.
- No. 2. Capt. Cochrane, J. B.

STATEMENT *Re* CIVIL EMPLOYMENT.*North West Mounted Police.*

Class A—Graduates :—

- No. 1. Macdonell, A. C.
- No. 2. Perry, A. B.
- No. 3. Primrose, P. C. H.
- No. 4. Sanders, G. E.
- No. 5. Wood, Z. T.

Class B—Formerly Gentleman Cadet. (Not a graduate) :—

- No. 1—Scarth, W. H.

Class C—Resigned. (Graduates) :—

- No. 1. Chalmers, T. W.
- No. 2. Drayner, F.
- No. 3. Powell, Dr. F. (Not a graduate.)

EMPLOYED BY THE DOMINION GOVERNMENT.

- No. 1. Johnston, J. F. E., Geological Survey.
- No. 2. Lambe, L. M., do
- No. 3. White, J., do
- No. 4. Campbell, D. C., Fishery Department.
- No. 5. Stewart, W. J., Hydrographic Survey.
- No. 6. Anderson, F., do
- No. 7. Fraser, J. F., do

Royal Military College.

- No. 8. Fraser, B. H., Marine Department.
- No. 9. Anderson, F. C., Post Office Department.
- No. 10. White, F. W., Department of Militia and Defence.
- No. 11. Gillmore, E. T. B., Department of the Interior.
- No. 12. Hearn, J. G., Government Cartridge Factory.
- No. 13. Greenwood, H. S., Cornwall Canal Works.
- No. 14. Weller, J. L. do do
- No. 15. Clark, W. N., Soulanges do
- No. 16. Coutlee, C. R. F. do do
- No. 17. McLean, N. B. do do
- No. 18. Matheson, A. J. do do
- No. 19. Sullivan, W. H. do do
- No. 20. Courtney, R. M., Alaska Boundary.
- No. 21. Baker, J. H., H. M. Collector, Frelighsburg. P.Q.
- No. 22. Evans, A. T. K., Harbour Works, Toronto.
- No. 23. Hubbell, E. W., Dominion Lands, Ottawa (Interior).
- No. 24. Emery, F. W., Census Staff, Ottawa (resigned).

Employed by Ontario Government.

- No. 1. Irving, L. H., Provincial Secretary's Office.

RECAPITULATION.

IN MILITARY EMPLOYMENT.

Imperial Service :

Cavalry.....	Graduate.....	1	
	Formerly Cadet.....	1	
		2	
Royal Artillery....	Graduates.....	16	
	Formerly Cadets.....	2	
		18	
Royal Engineers...	Graduates.....	26	
	Formerly Cadets.....	3	
		29	
Infantry.....	Graduates.....	17	
	Formerly Cadets.....	10	
		27	
		76	

Canadian Service :

Royal Canadian Dragoons.	Formerly Cadet....	1	
		1	
Royal Canadian Artillery.....	Graduates.....	7	
	Formerly Cadet....	1	
		8	
Royal Regt. Canadian Infantry...	Graduate.....	1	
	Formerly Cadets..	2	
		3	
Royal Military College Staff.....	Graduates.....	2	
		12	

IN CIVIL EMPLOYMENT.

North-west Mounted Police.....	Graduates.....	5	
	Formerly Cadet....	1	
		6	
Departmental and otherwise.....	Graduates.....	24	
		30	

Total graduates and former cadets employed this date
(30th April, 1894)..... 120

NUMBER OF GRADUATES, &c., RESIGNED AND DECEASED.

Imperial Service :

Cavalry.....	Resigned—Graduate.....	1	
Royal Artillery....	Resigned—Graduate.....	1	
	Formerly Cadet.....	1	
			2
Royal Engineers...	Deceased—Graduates.....		2
	Resigned—Graduates.....	2	
	Deceased—Graduates.	3	
			5
Infantry.....	Resigned—Graduates.....	2	
	Deceased—Graduate.....	1	
			3
			13

Canadian Service :

Mounted Infantry.	Resigned—Graduate.....	1	
N.-W. M. Police....	Resigned—Graduates.....	3	
			4
Total resigned and deceased.....			17
	Resigned.....	11	
	Deceased.....	6	
			17
			17

Recapitulation.

Total number, as shown in detail above, of graduates and ex-cadets who have received employment in the imperial forces, and under Dominion and provincial governments, to the present date..... 137

NOTE.—As the official records of cadets of the Royal Military College of Canada necessarily cease upon their leaving the institution, the department of militia and defence is largely indebted, for the above detailed information, to Captain Ernest F. Wurtele, R. M. C., honorary secretary to the royal military college club, which is composed of the ex-cadets, for the purpose of keeping up their association with the college and with each other.

Ottawa, 2nd May, 1894.

Royal Military College

NAMES (and present occupation, so far as known) of Gentlemen who have attended,
and those who are now attending the Royal Military College as Cadets.

NAME.	Date of joining College.	Date of leaving College.	Occupation.
Abbott, F. W.	9 Sept. '80	26 June '84	Unknown.
Adams, A.	5 do '83	29 do '87	Lieut. Royal Engineers.
Allan, F. G. B.	1 do '87	2 Sept. '89	Clerk.
Almon, C. F.	7 do '81	30 June '85	Late Lieut. Royal Artillery. Died in 1892.
Almon, M. B.	5 Feb. '80	26 do '83	Civil Engineer.
Amos, L. J. A.	4 Sept. '86	26 do '90	With Perrault & Tunesard, Architects, Montreal.
Amos, M. C. E.	1 do '87	25 do '91	Unknown.
Anderson, F.	4 do '86	26 do '90	Civil Engineer.
Anderson, F. C.	5 do '78	27 do '82	Civil Service.
Armstrong, B. H.	3 do '85	1 Oct. '87	Unknown.
Armstrong, B. H. O.	31 Aug. '89	27 June '93	Lieut. Royal Engineers.
Armstrong, C. J.	31 do '89	27 do '93	With C. N. Armstrong, Contractor.
Avery, R. D.	5 Sept. '78	24 Sept. '80	
Alexander, R. C. F.	— do '92	.....
Anderson, W. B.	— do '93	.....
Baker, G. H. M.	3 do '85	27 June '89	Lieut. Royal Artillery.
Baker, H. C.	31 Aug. '89	5 Aug. '92	
Baker, J. H.	5 Feb. '80	26 June '83	Collector of H. M. Customs.
Baker, F. E. L.	1 Sept. '84	28 do '88	Lieut. Royal Artillery.
Barlee, G. T.	4 do '86	28 March '88	Deceased, May, 1888.
Bayfield, A. H.	30 Aug. '90	— Nov. '96	
Beatty, J. E.	30 do '90	.....
Beer, V. L.	30 do '90	.....
Bell, P. W. W.	31 do '89	6 Nov. '92	
Benn, F. H.	3 Sept. '85	1 Oct. '87	
Benson, T.	8 Feb. '79	26 June '83	Lieut. and Capt. Regt. Canadian Artillery.
Birmingham, C. W.	3 Sept. '85	27 do '89	Civil Engineering.
Blackburn, R.	29 Aug. '91	.....
Bowie, G. S.	5 Sept. '83	29 June '87	Student at law.
Branscombe, C. H.	1 do '88	28 do '92	
Bremner, A. G.	1 do '84	28 do '88	Lieut. Royal Engineers.
Bremner, A. P.	9 do '80	30 do '85	do do
Bridges, W. T.	10 April '77	27 do '79	Capt. New South Wales Regular Artillery.
Brizstocke, R. W.	30 Aug. '90	.....
Brock, R. A.	4 Sept. '86	26 June '90	With W. R. Brock & Co., Wholesale Dry Goods.
Brough, W. C.	5 Feb. '80	8 Feb. '82	Engineer Toronto Water Works.
Brown, E. P.	29 Aug. '91	.....
Brown, R. C.	30 do '90	.....
Browne, T. H.	4 Sept. '86	26 June '90	Real Estate Broker.
Burnham, A. W.	31 Aug. '89	27 do '93	
Blake, Dennis	— Sept. '93	.....
Burstall, H. E.	1 Sept. '92	15 July '89	Lieut. Regt. Canadian Artillery.
Baldwin, K. J. M.	— do '92	.....
Bickford, H. C.	— do '93	.....
Bogart, J. L. H.	— do '93	.....
Brown, G. B.	— do '93	.....
Cameron, K. B.	9 do '80	2 Oct. '84	Lieut. 2nd Batt. Argyll and Sutherland Highlanders.
Campbell, D. C.	5 do '79	26 June '83	Hydrographical Survey Office.
Campbell, H. B. D.	4 do '86	26 do '90	Lieut. Royal Engineers.
Campbell, H. M.	8 do '77	25 do '81	Capt. Royal Artillery.
Campbell, K. J. R.	30 do '79	16 Nov. '81	Lieut. 6th Dragoon Guards.
Carey, H. C.	7 Oct. '80	26 June '84	Lieut. Royal Engineers.
Carruthers, W. B.	5 Sept. '79	26 do '83	Late Lieut. 21 Hussars.
Cartwright, C. E.	9 do '80	26 do '84	Civil Engineer.
Cartwright, G. S.	5 do '82	30 do '85	Lieut. Royal Engineers.
Cartwright, R.	1 Feb. '78	25 do '81	Lieut. and Capt. No. 1 Co. Canadian Reg. of Infy.
Casgrain, P. H. Du P.	5 do '80	26 do '83	Lieut. Royal Engineers.
Caley, A. M.	1 Sept. '84	28 do '88	Lieut. Royal Artillery.
Chalmers, T. W.	5 Feb. '80	26 do '83	Inspector, North-west Mounted Police.
Clapp, J. M.	5 Sept. '83	29 do '87	Engineer.
Clark, G. C.	2 April '77	23 Dec. '80	Oil producer and Broker.
Clarke, H.	5 Sept. '78	27 June '82	Civil Engineer.
Clarke, W. N.	1 do '88	28 do '92	Soulanges Canal Work.
Cleghorn, A. F.	4 do '86	19 July '88	
Clinch, H. W.	1 do '88	28 June '92	2nd Lt. R. Innsk. Frs.
Cochrane, J. B.	1 June '76	30 do '80	Assistant Instructor Royal Military College Staff.
Cochrane, K. C.	1 Sept. '88	15 July '89	

NAMES, etc., of Gentlemen who have attended the Royal Military College as Cadets
—Continued.

NAMES.	Date of joining College.	Date of leaving College.	Occupation.
Cooke, W. E.	4 Sept. '86	26 June '90	Civil Engineer.
Cory, G. N.	29 Aug. '91		
Coryell, J. A.	10 April '77	25 June '81	Civil Engineer.
Courtney, R. M.	1 Sept. '87	25 do '91	Assistant Engineer Canadian Pacific Ry.
Coutlee, C. R. F.	5 do '82	29 do '86	Civil Engineer.
Cowie, C. S.	5 do '83	30 do '86	1st Batt. Royal Scots Lothian Regiment.
Crawford, A. L.	1 do '84	28 do '88	Bank Clerk.
Crawford, F. L.	9 do '80	26 do '84	Bank of Commerce.
Cantlie, W. H. N.	— do '92		
Caldwell, A. C.	— do '92		
Cosby, N. W.	— do '92	30 Sept. '93	
Cantlie, J. A.	— do '93		
Courtney, F. H.	— do '93		
Cassels, R. C. H.	— do '93		
Daniel, A. W.	8 do '77	25 June '81	Min. Church of England.
Davidson, R.	9 do '80	15 Feb. '83	Supt. North British and Mercantile Insurance Co.
Davis, A. L. P.	5 do '83	29 June '87	Civil Engineer.
Davis, F.	1 June '76	30 do '80	Supt. Track, Bridges, &c.
Davis, W. M.	1 do '76	30 do '80	Town and Water Works Engineer.
DeBoucherville, C. F. J. B.	31 Aug. '89	27 do '93	Civil Engineering.
DeBury, H. R. V.	1 Sept. '88	28 June '92	2nd Lieut., Royal Artillery.
Denison, E. E. A.	8 Feb. '79	31 Jan. '81	Capt. Houssa Police Force. Died July, 1886.
Denison, S. J. A.	1 June '76	5 Sept. '78	Lieut. and Capt. No. 1 Co. Can. Regt. of Infantry ; Capt. S. Staff Regt. (Militia.)
Desbrisay, C. A.	1 do '76	30 June '80	Civil Engineer.
Dixon, F. J.	1 do '76	30 do '80	General Superintendent's Office, C.P.R., Toronto, Ont.
Dobell, C. M.	4 Sept. '86	26 do '90	2nd Lieut., Royal Welsh Fusiliers.
Domville, J. W.	4 do '86	26 do '90	West End Electrical Railway.
Doucet, A. E.	2 Feb. '77	23 Dec. '80	Civil Engineer.
Douglas, W.	1 Sept. '87	15 Sept. '90	Studying Mining Engineering.
Doull, J. D.	30 Aug. '90		
Drayner, F.	9 Sept. '80	18 Sept. '84	Inspector, N.W.M. Police.
Drury, E. H.	8 do '77	25 June '81	Civil Engineer.
Duff, G. M.	5 do '78	27 do '82	Lieut., Royal Engineers.
Duffus, E. J.	7 do '81	30 do '85	Lieut., Royal Artillery.
Duffus, E. F.	1 do '88	28 do '92	2nd Lieut., Cheshire Regt.
Duffus, G. S.	5 do '78	27 do '82	Capt., Royal Artillery.
Dumble, W. C.	1 do '88	28 do '92	2nd Lieut., Royal Engineers.
Dunscombe, W. G. B.	10 Apr. '77	25 do '81	Mercantile business.
DuPlessie, J. E. L.	1 Sept. '88	28 do '92	
Doucet, C. deB.	— do '93		
Emery, F. B.	4 do '86	26 June '90	Temporary Clerk, Census Staff, Ottawa.
Evans, A. T. K.	5 do '79	26 do '83	Assistant Engineer, Toronto Harbour Works.
Evans, A. S.	— do '92		
English, W. J.	1 do '92	27 April '93	
Fairbank, C. O.	1 June '76	30 June '80	Oil Merchant and Operator ; late Lt. Royal Artillery.
Farley, J. J. B.	31 Aug. '89	27 do '93	2nd Lieut., Staffordshire Regt.
Farwell, C. B.	1 Sept. '84	28 do '88	Lieut., Royal Engineers.
Fleming, W. A.	4 do '86	30 Sept. '87	
Ford, E.	8 do '77	25 June '81	Roadmaster, Central R.R.
Francklyn, G. E.	29 Aug. '91		
Fraser, B. H.	3 Sept. '85	27 June '89	Marine Department.
Fraser, J. F.	1 do '88	28 do '92	Dept. of Marine, Ottawa.
Freer, H. C.	1 June '76	30 do '80	Late Capt., South Staffordshire Regiment.
Frith, G. R.	29 Aug. '91		
Gaudet, F. M.	5 Sept. '83	29 June '87	Lieut. and Capt., Regt. Canadian Artillery.
Gibbs, F. N.	30 Aug. '90		
Gibson, J. G.	2 Feb. '77	23 Dec. '80	Farming.
Gilmore, E. T. B.	3 Sept. '85	27 June '89	Interior Department.
Girouard, E. P. C.	5 do '82	29 do '86	Lieut., Royal Engineers.
Gordon, H. D. L.	30 Aug. '90		
Gordon, S. F.	5 Sept. '78	9 Feb. '80	Constable, N.W.M. Police.
Graham, W. J.	10 Sept. '77	13 Feb. '80	Patent Solicitor.
Grant, W. W.	1 do '84	28 June '88	Electrical Engineer.
Gray, P. E.	5 Feb. '80	26 do '83	Capt. Royal Artillery.
Greenwood, H. S.	5 Sept. '78	27 do '82	Civil Engineer, Cornwall Canal Works.
Greig, W. R.	8 do '77	25 do '81	Constable North West Mounted Police.

Royal Military College.

NAMES, etc., of Gentlemen who have attended the Royal Military College as Cadets
—Continued.

NAME.	Date of joining College.	Date of leaving College.	Occupation.
Gunn, J. A	1 June '84	1 Feb. '88	
Gordon, F. M. L.	— do '92		
Hamilton, E. C.	1 do '84	28 June '88	Lieut. 3rd Hussars.
Hamilton, G. A. S.	1 do '88	10 do '90	
Hamilton, W. A.	3 do '8	27 do '89	Lieut. Connaught Rangers.
Hampson, R.	4 do '86	15 July '89	
Harris, G. H. R.	30 Aug. '90		
Hayter, R. J. F.	29 do '91		
Hearn, J. G.	9 Sept. '80	26 June '84	Assistant Superint. Government Cartridge Factory.
Henker, F. C.	30 Aug. '90		
Heneker, W. C. G.	1 Sept. '84	28 June '88	Lieut. Connaught Rangers.
Hensley, C. A.	5 do '82	30 do '85	Lieut. 2nd Battalion Royal Dublin Fusiliers.
Hesketh, J. A.	5 do '79	28 April '82	Civil Engineer.
Hewett, F. V. O.	5 do '83	30 June '85	Lieut. 1st Battalion Royal West Kent Regiment.
Hodgins, A. E.	5 do '8	27 do '82	Civil Engineer.
Hodgins, C. R.	7 do '81	30 do '85	Lieut. Royal Artillery.
Hogan, H. H.	1 Feb. '78	25 do '81	Late Lieut. Seaforth Highlanders, Civil Engineer.
Hollinshead, H. N. B.	31 Aug. '89	27 do '93	2nd Lieut. Royal Artillery.
Holmes, W. J. H.	1 Sept. '87	25 do '91	Civil Engineer.
Hooper, G. R.	8 Feb. '79	27 do '82	Brewer.
Houliston, J.	4 Sept. '86	26 do '90	
Hubbell, E. W.	8 do '77	25 do '81	Dominion Land Surveyor.
Hudon, M. L. E.	3 do '85	1 Feb. '87	
Hayne, G. O.	— do '92		
Holden, J. C.	— do '92		
Hendrie, M.	1 do '92	30 Sept. '93	
Hardie, G. E.	— do '92		
Harris, F. F. C.	— do '93		
Inksetter, G. A.	29 Aug. '91		
Irving, L. H.	1 June '76	13 Feb. '80	Civil Service Clerk Ontario Government.
Jack, R. B.	5 Sept. '83	29 June '87	Civil Engineer.
Jameson, W. A.	1 do '88	30 do '90	
Johnston, G. N.	1 do '84	28 do '88	Lieut. Royal Artillery.
Johnston, H. W.	1 do '84	28 do '88	Civil Engineer.
Johnston, J. F. E.	1 do '87	25 do '91	Geological Survey.
Joly de Lotbinière, A. C.	8 Feb. '79	26 do '83	Lieut. Royal Engineers.
Joly de Lotbinière, H. G.	1 Sept. '84	28 do '88	do do
Jones, D. F.	1 do '87	25 do '91	
Jones, F. P.	4 do '86	9 Aug. '88	
Jones, W. G.	5 do '78	10 Oct. '79	
Jones, A. McD.	1 do '92	27 June '93	
Keefe, H. W.	1 June '76	30 do '80	Civil Engineer. Accidentally killed in 1887.
Kennedy, A. H. N.	1 Sept. '88	11 July '90	
Kennedy, J. N. C.	5 do '82	29 June '86	Lieut. Royal Engineers.
Kenny, G. W.	1 Sept. '87	28 Oct. '90	
Kent, R. E.	8 do '77	28 Feb. '80	Banker.
Kerr, W. A. H.	3 do '85	27 June '89	Student-at law.
Kirby, F. M.	5 do '79	26 do '83	Engineer and Surveyor.
Kirkpatrick, A. K.	5 do '78	27 do '82	Resid. Engineer C. P. R.
Kirkpatrick, G. M.	5 do '82	30 do '85	Lieut. Royal Engineers.
Knight, M. S.	1 do '84	28 do '88	Mining Engineer.
Kirkpatrick, G. H.	— do '92		
Laidlaw, G. E.	8 Feb. '79	27 June '82	Farmer.
Laidlaw, J. W.	9 Sept. '80	20 Sept. '81	
Lamb, H. J.	31 Aug. '89	27 June '93	
Lambe, L. M.	5 Feb. '80	26 do '83	Artist, Geological Survey.
Lang, J. I.	5 Sept. '79	26 do '83	Capt. Royal Engineers.
Latimer, F. H.	8 Feb. '79	27 do '82	Civil Engineer.
Laurie, G. B.	5 Sept. '83	30 do '85	Lieut. Royal Irish Rifles.
Laurie, J. H.	7 do '81	30 do '85	Lieut. Royal Lancaster Regt., Lieut. No. 2 Coy. Can. Regt. of Infantry.
Laurie, R. C.	8 Feb. '77	23 Dec. '80	Dominion Land Surveyor.
Lawson, E. C.	7 Sept. '81	30 Apr. '83	
Leader, H. P.	5 do '83	30 June '85	Lieut. 2nd Battalion Suffolk Regt.
Leckie, J. E.	31 Aug. '89	27 do '93	Engineering and Mining
Leckie, R. E.	4 Sept. '86	26 do '90	Manager Torbrook Iron Mine
Lefevre, A. G. T.	30 Aug. '90		

NAMES, etc., of Gentlemen who have attended the Royal Military College as Cadets
—Continued.

NAME.	Date of joining College.	Date of leaving College.	Occupation.
Leonard, R. W.	5 Feb. '80	26 June '83	Railway Contractor.
Leslie, W. B.	1 Sept. '84	28 do '88	Lieut. Royal Engineers.
Luard, C. C.	5 do '83	30 do '85	Lieut. 1st Battalion Durham Light Infantry.
Luard, G. D.	5 do '83	30 do '85	Lieut. 2nd Battalion Cameronians (Scottish Rifles).
LaRocque, H. P. M. J. A.	— do '92	.....
Leach, F. E.	— do '92	.....
Lafferty, F. D.	— do '92	.....
McColl, R.	5 do '82	29 June '86	Civil Engineer.
McDougall, E. M.	4 do '86	16 July '88	
McDowell, J. S.	4 do '86	30 Sept. '87	
McElhinney, W. J.	1 Feb. '78	25 June '81	Lieut. Royal Engineers.
McLaren, W. F.	1 Sept. '88	10 July '90	Student Cornell University.
McLean, N. B.	1 do '88	28 June '92	Soulanges Canal Works.
McLennan, B.	3 do '85	27 do '89	Assistant Resident Engineer C. P. Ry.
McLeod, G. B.	1 do '87	25 do '91	
McVicar, J. M.	3 May '77	6 Feb. '79	Civil Engineer.
Macaulay, W. K.	3 Sept. '85	31 Dec. '87	
MacDonald, A. C.	7 do '81	30 June '85	Civil Engineer.
MacDonald, R. J.	5 do '83	29 do '87	Lieut. Royal Artillery.
Macdonell, A. C.	5 do '82	29 do '86	Inspector N. W. M. Police.
MacDougall, J. C.	5 Feb. '80	30 Apr. '81	Lieut. and Capt. No. 2 Coy., Can. Reg. of Infantry.
MacInnes, D. S.	1 Sept. '87	25 June '91	2nd Lieut. Royal Engineers.
Mackay, H. B.	2 Feb. '78	25 do '81	Capt. Royal Engineers. Died, 1891.
Mackay, J. D.	1 Sept. '84	1 Oct. '87	
Mackenzie, A.	1 do '84	28 Aug. '85	
Mackenzie, Wm.	1 Sept. '88	28 June '92	
MacPherson, D.	1 June '76	30 do '80	Civil Engineer, C. P. Ry.
MacPherson, O. C.	1 Sept. '87	25 July '91	
Magee, R. H. B.	30 Aug. '90	.....
Matheson, A. J.	4 Sept. '86	26 June '90	
Mattice, G. L.	1 do '88	.....
Maunsell, E. St. J.	31 Aug. '89	27 June '93	
Maxwell, C. M.	5 Sept. '82	30 do '85	Lieut., Royal Artillery.
Middleton, C. deC.	1 do '88	30 do '90	
Mitchell, W. J.	1 do '87	28 do '91	2nd Lieut., L. N. Lancashire Regiment.
Moren, J. A.	7 do '81	30 do '85	Lieut., Royal Artillery; Assistant Instructor Royal Military College Staff.
Morris, E. M.	4 do '86	26 do '90	2nd Lieut., Devonshire Regiment.
Morris, R. C.	4 do '86	26 do '90	2nd Lieut., Royal Artillery.
Morrison, L. P.	1 do '87	25 do '91	
Morrow, H. A.	5 do '83	29 do '87	Civil Engineer.
Muckleston, H. M.	30 Aug. '90	.....
Murphy, M. J.	1 Sept. '84	1 Oct. '87	
Murray, C. G.	3 do '85	27 June '89	2nd Lieut., Connaught Rangers.
Musgrave, E. C.	31 Aug. '89	27 do '93	
Mylne, J. M.	1 Sept. '84	28 do '88	
Muckleston, P. N.	— do '93	.....
Moore, W.	— do '93	.....
Nanton, H. C.	5 do '79	26 June '83	Lieut., Royal Engineers.
Newcomb, J. N.	5 do '82	29 do '86	Civil Engineer.
Newman, C. P.	5 do '82	29 do '86	Farmer.
Newman, P. J.	4 do '86	6 Oct. '88	British South African Co.'s Police.
Neyland, M. W.	4 Oct. '79	26 June '83	Civil Engineer.
O'Brian, D.	3 Sept. '85	15 Oct. '87	
O'Connor, J. F.	— do '93	.....
Ogilvie, G. H.	8 Feb. '79	27 June '82	Lieut. and Capt., Regt. Canadian Artillery.
Osborne, G. F. F.	30 Aug. '90	.....
Osborne, J. W.	29 do '91	.....
Osburn, H. W.	8 Feb. '79	23 Jan. '82	
Osler, F. B.	30 Aug. '90	.....
Panet, A. E.	1 Sept. '84	28 June '88	Lieut., Royal Engineers.
Panet, H. A.	1 do '87	25 do '91	Lieut., Royal Canadian Artillery.
Paterson, S. L.	1 do '87	25 do '91	2nd Lieut., Royal Dublin Fusiliers.
Patterson, G. B.	3 do '85	— Oct. '88	Bank Clerk.
Perley, G. E.	1 June '76	13 Feb. '80	Civil Engineer.
Perry, A. B.	1 do '76	30 June '80	Late Lieut. R. E. Superintendent N.W.M. Police.
Perry, C. N.	5 Sept. '82	15 Sept. '85	Civil Engineer.

Royal Military College.

NAMES, etc., of Gentlemen who have attended the Royal Military College as Cadets
—Continued.

NAMES.	Date of joining College.	Date of leaving College.	Occupation.
Poussett, H. R.	31 Aug. '89	— do '91	
Powell, F. H.	5 Sept. '78	15 do '80	Doctor of Medicine.
Powell, W. F.	5 Feb. '80	21 Oct. '81	
Primrose, P. C. H.	7 Sept. '81	30 June '85	Inspector, N.W.M. Police.
Pruyn, D. B.	31 Aug. '89	— Sept. '91	
Pitcaithly, W. L.	— Sept. '92		
Parks, J. H.	— do '92		
Reed, T. L.	1 June '76	30 June '80	
Reid, F. D.	1 Sept. '88	28 do '92	
Ridout, D. H.	7 do '81	30 do '85	Lieut. (Local Captain) Royal Engineers.
Ridout, N. S.	29 Aug. '91		
Ritchie, H.	3 Sept. '85	27 June '89	
Rivers, V. B.	1 June '76	30 do '80	Lieut. and Capt. Regiment Canadian Artillery.
Robinson, W. H.	8 Feb. '79	27 do '82	Capt. Royal Engineers. Killed in 1892.
Roe, R. L.	5 Sept. '82	29 do '86	Civil Engineer.
Rogers, H. S.	3 do '85	27 do '89	Lieut. Royal Engineers.
Rogers, R. P.	1 do '88	28 do '92	
Rose, G. G.	4 do '86	26 do '90	Civil Engineer.
Rose, W. H.	3 do '85	27 do '89	Farmer.
Rosenburg, V.	5 do '79	30 do '82	Deceased.
Ross, A. B.	2 Feb. '77	23 Dec. '80	Civil Engineer.
Ryan, M.	5 do '80	20 April '81	Deceased, November 1891.
Russel, A. M.	— Sept. '92		
Sanders, G. E.	9 do '80	26 June '84	Inspector, North West Mounted Police.
Scadding, F. M.	1 do '87	30 Sept. '90	Bank Clerk.
Scarth, W. H.	1 do '87	15 July '89	Inspector, North West Mounted Police.
Scott, R. K.	1 do '87	25 June '91	Lieut. Royal Artillery.
Sears, J. W.	1 Feb. '78	25 do '81	Capt. 2nd Battalion, South Staffordshire Regiment.
Shanley, C. W.	8 Sept. '77	4 Jan. '81	Deceased in 1882.
Shaw, G. W.	8 do '77	25 June '81	Engineer. Accidentally killed in 1891.
Simpson, R. W.	3 do '85	27 do '89	Chief Engineer's Office, Intercolonial Railway.
Skae, F. A.	1 do '88	30 do '90	
Skinner, F. St. D.	8 Feb. '79	27 do '82	Capt. 2nd Battalion Royal Sussex Regiment.
Skinner, T. C.	7 Sept. '81	30 do '85	Lieut. Royal Engineers.
Sloggett, H.	5 do '82	30 do '85	do do
Smart, J. A. N.	3 do '85	27 do '89	Architect.
Smith, E. O.	9 do '80	26 do '84	Lieut. 2nd Battalion, Northamptonshire Regiment.
Smith, H. C.	5 do '82	30 do '85	Lieut. 2nd Battalion, Royal Dublin Fusiliers.
Smith, J. E.	1 do '87	15 July '89	
Spelman, J.	1 June '76	30 June '80	
Stairs, W. G.	5 Sept. '78	27 do '82	Capt. Welsh Regiment. Died in 1892.
Stewart, W. J.	5 Feb. '80	26 do '83	Hydrographical Survey.
Strange, H. B.	5 Sept. '79	26 do '83	Lieut. Royal Artillery.
Strickland, D. E.	3 do '85	17 March '88	
Strickland, R. H.	31 Aug. '89	27 June '93	
Sullivan, W. H.	1 Sept. '88	28 do '92	Soulanges Canal Works.
Sweny, W. F.	31 Aug. '89	27 do '93	2nd Lieut. Royal Fusiliers.
Stephen, C. M.	— Sept. '92		
Stewart, C. J. T.	— do '92		
Sawyer, H. E.	1 do '92	16 Dec. '92	
Sheffield, C.	1 do '93	29 Jan. '94	
Stairs, J. A.	— do '93		
Syer, H. H.	— do '93		
Tate, E. F. R.	29 Aug. '91	27 June '93	
Taylor, E. T.	5 Sept. '78	27 June '82	Capt. 1st Battalion Cheshire Regiment.
Taylor, J. B. F.	1 do '87	25 do '91	Edison General Electric Co.
Thacker, H. C.	1 do '87	25 do '91	Lieut. Royal Canadian Artillery.
Thacke, P. E.	30 Aug. '90		
Thomas, C. F. W.	1 Sept. '88	11 July '90	
Tilley, W. F.	7 do '81	30 June '85	Lieut. Royal Engineers.
Tomlinson, A. T.	8 Feb. '79	27 do '82	Civil Engineer.
Twining, P. G.	5 do '80	26 do '83	Lieut. Royal Engineers.
Tyrwhitt, R. E.	30 Aug. '90		
Umacke, C. D. W.	— Sept. '93		
VanBuskirk, W. F.	9 do '80	26 June '84	Civil Engineer.
VanStraubenzee, A. H.	2 Apr. '77	23 Dec. '80	Capt. Royal Engineers, Instructor, Royal Military College Staff.

NAMES, etc., of Gentlemen who have attended the Royal Military College as Cadets
—Concluded.

NAME.	Date of joining College.	Date of leaving College.	Occupation.
VanStraubensee, B. W. S.	5 Feb. '80	26 June '83	Capt. 1st Battalion, South Wales Borderers, Instructor in Topography Royal Military College, Sandhurst.
VanStraubensee, C. C.	5 Sept. '83	12 Apr. '87	Lieut. Royal Artillery.
VanTuyl, T. W.	1 do '87	25 June '91	Electrical Engineer.
Veroce, F. H.	1 do '88	28 do '92	
VonHugel, N. G.	7 do '81	30 do '85	Lieut. Royal Engineers.
VonInfland, W. A. F.	9 do '80	26 do '84	Lieut. Royal Artillery. Died, 1885.
Walkem, W. C. A.	1 do '88	29 Oct. '90	Died, 1890.
Warner, J. T.	31 Aug. '89	27 June '93	Engineering.
Warner, W. G.	9 Sept. '80	26 do '84	Civil Engineer.
Weatherbe, P.	1 do '87	25 do '91	Assistant Supervisor Northern Central Railway Co.
Weller, J. L.	5 Feb. '80	26 do '83	Civil Engineer.
Wetmore, A. R.	8 do '79	27 do '82	Civil Engineer.
White, J.	5 do '80	26 do '83	Geological Survey.
White, F. W.	9 Sept. '80	26 do '84	Acting Architect M. & D.
Whitehead, E. A.	3 do '85	27 do '89	Leather Merchant.
Wilkes, G. S.	29 Aug. '91		
Williams, A. V. S.	1 Sept. '84	13 July '86	Lieut. Canadian Mounted Rifle Corps.
Williams, H. H.	3 do '85	27 June '89	Manager of Williams Mining Co.
Williams, L. T. W.	4 do '86	1 Apr. '88	Student-at-law.
Wilson, F. B.	1 do '87	25 June '91	
Wise, H. E.	1 June '76	30 do '80	Capt. 2nd Battalion Derbyshire Regiment.
Wood, G. E.	8 Feb. '79	23 Feb. '80	
Wood, Z. T.	8 do '79	27 June '82	Inspector N. W. M. Police.
Woodman, J.	5 do '80	26 do '83	Civil Engineer.
Worsley, G. S.	5 Sept. '82	30 do '85	Lieut. Royal Artillery.
Wurtele, A. G. G.	1 June '76	30 do '80	Assistant Instructor Royal Military College Staff.
Wurtele, E. F.	5 Sept. '78	27 do '82	Treasurer, Quebec, Montmorency & Charlevoix Ry. Co.
Wilby, A. W. R.	— do '92		
Weatherbe, D.	— do '92		
Wood, C. C.	— do '92		
Yates, B. W.	1 Feb. '78	25 June '81	Civil Engineer.
Yorston, W. G.	5 Sept. '82	29 do '86	Civil Engineer.

Total number of gentlemen who have attended the Royal Military College as above mentioned. 363.

NOTE.—As the official record of cadets of the Royal Military College of Canada necessarily cease upon their leaving the institution the department of militia and defence is largely indebted, for the above detailed information, to Captain Ernest Wurtele, R.M.C., honorary secretary of the royal military college club, which is composed of the ex-cadets, for the purpose of keeping up their association with the college and with each other.

C. EUG. PANET,

Colonel, Deputy Minister of Militia and Defence.

Ottawa, 4th May, 1894.

RETURN

(50)

To an ADDRESS of the HOUSE OF COMMONS, dated the 20th March, 1894, for copies of all correspondence and other papers relating to the Copyright Question which have not already been brought down.

JOHN COSTIGAN,
Secretary of State.

Lord Knutsford to Lord Stanley of Preston.

DOWNING STREET, 30th June, 1892.

The Right Honourable
The LORD STANLEY OF PRESTON,
&c., &c., &c.

MY LORD,—I have to express my regret that it has not been possible for me to reply at an earlier date to your despatch no. 274, of the 19th October, 1891, in which you transmitted the address to her majesty from the senate and commons of Canada in parliament assembled, praying, in effect, for imperial legislation which should explicitly confer upon the parliament of Canada the power to legislate on all matters relating to copyright, without regard to the statutes in force when the parliament of Canada was established, and further, that notice might be given of the withdrawal of Canada from the Berne copyright convention.

2. I duly laid the petition before her majesty, who was pleased to receive it very graciously and to command that it should be taken into consideration by those of her ministers whose departments were more immediately concerned in the subject.

3. I communicated copies of the petition to the secretary of state for foreign affairs and to the president of the board of trade and, after some discussion, it was agreed to appoint a committee of leading officials of the three departments who should, with the assistance of one of the parliamentary counsel, consider the whole question of Canadian copyright and report thereupon to her majesty's government.

The report of this committee was, unfortunately, delayed by the illness of one of the members, but by the end of May it was in the hands of myself and my colleagues.

4. This paper will satisfy your lordship and the parliament of Canada that, though her majesty's government have not as yet tendered advice to her majesty in respect of this petition, they have not failed to submit the question to a complete and exhaustive examination. It appears to them desirable, before any action is taken upon this report, that an opportunity should be given to the dominion of Canada of once more considering the whole subject in the light thrown upon it by the researches of the committee.

5. I, therefore have the honour to transmit to you a copy of the committee's report and to request you to communicate it to your ministers and invite them to favour me with their views upon it.

I have, etc.,
KNUTSFORD.

(Confidential.)

CANADIAN COPYRIGHT.

REPORT of the departmental representatives (of the colonial office, foreign office, board of trade, and parliamentary counsel's office) appointed to consider the Canadian copyright act of 1889.

To the Right Honourable

Sir MICHAEL HICKS BEACH, Bart., M.P., &c., &c.

SIR,—The departmental representatives appointed to consider the Canadian copyright act of 1889, have agreed to the following report :—

1. The question which the representatives have to consider is, what action should be taken with respect to the recent Canadian copyright act. For the sake of simplicity, the question is here considered with reference only to books.

2. The copyright act of 1842 gives copyright in a book first published in the United Kingdom for a term of forty-two years from first publication or seven years from the author's death, whichever is longer. The copyright extends to the whole of the queen's dominions. It is not necessary that the book should be printed in the United Kingdom, and in the opinion of the law officers of the crown it is not necessary that the author should be a British subject or domiciled or resident in the queen's dominions. First publication in the United Kingdom is consistent with concurrent publication elsewhere.

3. The act of 1842 was satisfactory from the point of view of the British author and publisher, because it secured copyright throughout the queen's dominions. But it was disadvantageous from the point of view of the colonial author and publisher, because it gave no protection to works first published in his own colony. Within his own colony he might obtain protection by a colonial copyright act, but that act could not operate elsewhere. It was also disadvantageous from the point of view of the colonial reader, because it tended to raise the price of copyright books. In the United Kingdom this disadvantage is lessened by the facilities for reading afforded by clubs, book societies and circulating libraries, but in a sparsely populated country such facilities do not exist, and those who want to read have to buy.

4. Complaints of the operation of the act of 1842 were urged soon after it was passed, and from the North American provinces urgent representations were made in favour of admitting into those provinces cheap United States reprints of English works. In 1846, the colonial office and the board of trade admitted the justice and force of the considerations which had been pressed upon the home government "as tending to show the injurious effects produced upon our more distant colonies by the operation of the imperial law of copyright."*

5. On November 5, 1846, Earl Grey, then secretary of state for the colonies, sent the following circular despatch to all the governors of the North American colonies :—

“ DOWNING STREET, November 5, 1846.

“ SIR,—Her majesty's government, having had under their consideration the representations which have been received from the governors of some of the British North American provinces, complaining of the effect in those colonies of the imperial copyright law, have decided on proposing measures to parliament in the ensuing session, which, if sanctioned by the legislature, will, they hope, tend to remove the dissatisfaction which has been expressed on this subject, and place the literature of this country within the reach of the colonies on easier terms than it is at present. With this view, relying upon the disposition of the colonies to protect the authors of this country from the fraudulent appropriation of the fruits of labours upon which they are often entirely dependent, her majesty's government propose to leave to the local legislatures the duty and responsibility

* Report of copyright commission, par. 187.

Copyright Question.

of passing such enactment as they may deem proper for securing both the rights of authors and the interests of the public. Her majesty's government will, accordingly, submit to parliament a bill authorizing the queen in council to confirm and finally enact any colonial law or ordinance respecting copyright, notwithstanding any repugnancy of any such law or ordinance to the copyright law of this country, it being provided by the proposed act of parliament that no such law or ordinance shall be of any force or effect until so confirmed and finally enacted by the queen in council; but that from the confirmation and final enactment thereof the copyright law of this country shall cease to be of any force or effect within the colony in which any such colonial law or ordinance has been made, in so far as it may be repugnant to, or inconsistent with, the operation of any such colonial law or ordinance.

"I have, etc.,

"GREY."

6. It was, however, eventually determined not to legislate in accordance with the terms of Lord Grey's despatch, but instead to pass the imperial act which bears the short title of the Colonial Copyright Act, 1847, but it is commonly known as the Foreign Reprints Act. This act provided that if her majesty was satisfied that a colonial act made sufficient provision for securing to British authors reasonable protection within the colony, she might, by order in council, declare that so long as the provisions of the colonial act were in force, the prohibitions contained in the copyright act of 1842 and in the customs acts, or in any other imperial act, against importing, selling or otherwise dealing in books copyrighted in the United Kingdom, should be suspended as to that colony.

7. The act of 1847, though general in its terms, was intended specially for the benefit of Canada. At that time British copyright was not in any way recognized in the United States, and it was the practice of the United States publishers to reprint in their own country British copyright books at very cheap rates. These cheap copies, owing to various difficulties in giving practical effect to the provisions of the law prohibiting their importation, were largely introduced into Canada.*

8. Canada (amongst other colonies) made what was at the time accepted by the queen in council as sufficient provision for securing the rights of British authors, and thus brought herself under the act of 1847. The provision made by the Canadian legislature was that American reprints of British copyright works might be imported into the colony on payment of a customs duty of 12½ per cent, which was to be collected by the Canadian government and paid to the British government for the benefit of the authors interested.†

9. The act of 1847 was satisfactory from the point of view of the Canadian reader, because it enabled him to obtain cheap reprints of British copyright books.

10. But, from the point of view of British copyright owners, the act of 1847 was very unsatisfactory, and strong efforts were made to procure its repeal. In March, 1870, at a meeting of the leading authors and publishers over which the late Earl Stanhope presided, the following resolution was passed: "That a representation be made to the right honourable the first lord of the treasury, pointing out the great hardships sustained by British authors and publishers from the operation of the imperial copyright act of 1847, and stating the earnest desire they feel that her majesty's government may deem it right to propose its prompt repeal."

"Foreign reprints," say the copyright commission of 1876, "have been largely introduced into the colonies and notably American reprints into the dominion of Canada, but no returns, or returns of an absurdly small amount have been made to the authors and owners. It appears from official reports that during the 10 years ending 1876, the amount received from the whole of the 19 colonies which have taken advantage of the act was only £1,155 13s. 2½d., of which £1,084 13s. 3½d. was received from Canada, and that of those colonies seven paid nothing whatever to the authors, whilst six, now and then, paid small sums amounting to a few shillings. ‡

*Report, par. 190.

†Report, pars. 191, 192.

‡Report, par. 193.

11. The Canadian publishers had also their grievance. They complained that the effect of the act of 1847 was to throw the whole of the cheap reprinting business into the hands of the United States publishers and printers.

12. In the meantime imperial legislation took place, which bears on the power of Canada to legislate for herself on the subject of copyright. In 1865 was passed the Colonial Laws Validity Act of that year, which declared by section 2 that:

“Any colonial law which is or shall be in any respect repugnant to the provisions of any act of parliament extending to the colony to which such law may relate, or repugnant to any order or regulation made under authority of such act of parliament, or having in the colony the force and effect of such act, shall be read subject to such act, order or regulation, and shall, to the extent of such repugnancy, but not otherwise, be and remain absolutely void and inoperative.” This enactment merely declared the previous law.

13. In 1867 was passed the British North America Act of that year, which provided for the union of Canada, Nova Scotia and New Brunswick, and the government thereof. Section 91 of this act specifies copyright among the subjects which are to be within the exclusive legislative authority of the parliament of Canada as distinguished from the legislatures of the several provinces.

14. To return to the complaints of the Canadian publishers. On the 15th of May, 1868, the senate of Canada passed a resolution urging “the justice and expediency of extending the privileges granted by the act of 1847, so that whenever reasonable provision and protection shall, in her majesty’s opinion, be secured to the authors, colonial reprints of British copyright works shall be placed on the same footing as foreign reprints in Canada, by which means British authors will be more effectually protected in their rights, and a material benefit will be conferred on the printing industry of the Dominion.” This address was supported by the finance minister, the late Sir John Rose, in a memorandum addressed to the secretary of state on the 1st July, 1868, in which he pointed out that the Canadian public was entirely dependent for its supply of reprints on the United States, to the serious injury of the British author, as not one-tenth part of the reprints entering Canada paid duty; that if Canadian publishers were allowed to reprint they would supply not only their own market, but part of the United States market, to the great advantage of the author, as the royalty could be more easily and effectually collected than the import duty.

15. In 1869 the Canadian government proposed that Canadian publishers should be allowed to reprint the books of English authors without their consent, on paying them a royalty of 12½ per cent on the published price.

It was alleged that by this means the Canadians would be able to undersell the Americans, and so effectually to check smuggling; and further, that the British author would be secured his remuneration, as the money would be certain to be collected in the form of an excise duty, though it could not be collected by means of the customs. Objections, however, were made to the proposal and it was not carried out.*

16. On 29th July, 1873, Lord Kimberley sent a circular despatch to the governors of the colonies, together with a copy of a despatch which he had addressed to the governor general of Canada on the question of copyright and the draft of a bill to amend the copyright act of 1842, and asked for suggestions on the bill. Clause 7 of this bill contained provisions for republication of copyright books in a colony under a license. The clause is set out in full in appendix A.

17. In January, 1874, the late Mr. Mackenzie, then premier of Canada, submitted, with the concurrence of the Canadian privy council, the following report on the draft bill accompanying Lord Kimberley’s circular letter:—

“1. As regards the extending to colonial authors the privileges enjoyed by authors under the imperial copyright act, there seems to be no difficulty in the way. The Canadian copyright act of 1868, now in force, gives to English authors all the privileges granted to Canadian authors upon the simple condition of publishing in Canada, and an alteration in the English copyright act in the same sense would be accepted as a boon.

* Report, par. 196.

Copyright Question.

"2. As to the question of reprints of copyrights, there ought to be four different interests at stake which are somewhat in conflict, namely, the author's interest, the public interest, the publisher's interest, and the book trade interest.

"3. The authors contend that they have an undeniable and inalienable right to dispose of their property as they please; the public seems to be satisfied with the supply of books which it now gets; and the book trade also appears disposed to be in favour of things as they are.

"4. These three interests are not advocating, at least for the present, any material change beyond extending to Canadian authors the privileges of the imperial copyright act, as before stated.

"5. The publishers, however, although not unanimous in their opinions, are advocating the changes which were embodied in the Canadian act of 1872, intituled: an Act to Amend the Act Respecting Copyrights, which act has been disallowed in England.

"6. As to the draft submitted, of a bill to amend the law of copyright, the undersigned is of opinion that, owing to the intricacy of proceedings therein provided, the operation of such a measure would be attended by difficulties likely to lead to litigation.

"The undersigned, therefore, is of opinion that any change, beyond the extending of the privileges of copyright to Canadian authors, is not urgent, and that a postponement of the final solution of this complicated question would not be likely to cause detriment to the public interest."

18. In 1875 the Canadian legislature passed a copyright act giving power to any person domiciled either in Canada or in any part of the British dominions, or in any country having a copyright treaty with the United Kingdom, to obtain copyright in Canada for 28 years, with a second term of 14 years. The condition for obtaining such a copyright was to be that the book should be printed and published or reprinted and *republished, in Canada. There is a saving (s. 6) for the importation of books lawfully printed in the United Kingdom.

The Canadian copyright thus secured was, so far as it related to books first published in the United Kingdom, in addition to and concurrent, though not conterminous, with the copyright throughout the queen's dominions existing by virtue of the imperial copyright act of 1842. The practical effect of the Canadian act was to exclude, during the term of Canadian copyright, foreign reprints of such books if they obtained the benefit of the special Canadian copyright by being published and printed in Canada. Under this act, certain works of British authors were published with their consent in Canada at a price not only far lower than that of the British copyright edition, but also lower than that of the competing reprints from the United States, which were thus practically, as well as legally, excluded from Canada. §

19. Doubts arose whether the Canadian act was not repugnant to the order in council of 1868 for admitting foreign reprints into Canada, and in order to remove those doubts an imperial act (38 & 39 Vict. c. 53) was passed to confirm the Canadian act. In this imperial act a section was inserted at the instance of British copyright owners prohibiting the importation into the United Kingdom of cheap Canadian reprints having Canadian copyright under the Canadian act, and thus placing such reprints in the same position as the familiar Tauchnitz editions.

20. The Canadian copyright act of 1875 is still in force. It now appears in the Canadian statute-book as chapter 62 of the acts of 1886, but it seems to have been re-enacted in that year, as part of a scheme of statute law revision, in a form which was intended not to affect the validity given to the previous Canadian act of 1875 by the imperial act of the same year.

21. The discussions connected with the passing of the Canadian act of 1875, and the imperial confirming act of the same year, were the principal grounds for the appointment of the copyright commission of 1876. The copyright commission by their report of 1879, dealt at great length with the question of colonial, and especially Canadian, copyright.

*In the copy scheduled to the imperial act of 1875 this runs "reprinted or republished," §Report, par. 201.

22. They admitted that it was highly desirable that the literature of this country should be placed within easy reach of the colonies, and that, with this view, the imperial act should be modified so as to meet the requirements of colonial readers.† They did not propose to interfere with the Canadian copyright act of 1875, or with the principle of that law. They recommended that the difficulty of securing a supply of English literature at cheap prices for colonial readers should be met in two ways, first by the introduction of a licensing system in the colonies, and secondly, by continuing, though with alterations, the provisions of the Foreign Reprints Act.‡

23. In proposing the introduction of a licensing system they did not intend to interfere with the power possessed by the colonial legislatures of dealing with the subject of copyright so far as their own colonies are concerned. They recommended that in case the owner of a copyright work should not avail himself of the provisions of the copyright law (if any) in a colony, and in case no adequate provision should be made, by a republication in the colony or otherwise within a reasonable time after publication elsewhere, for a supply of the work sufficient for general sale and circulation in the colony, a license might, on application, be granted to republish the work in the colony, subject to a royalty in favour of the copyright owner of not less than a specified sum per cent on the retail price, as might be settled by any local law. Effective provision for the due collection and transmission to the copyright owner of such royalty should, they said, be made by such a law. They did not feel that they could be more definite in their recommendation than this, nor indeed did they think that the details of such a law could be settled by the imperial legislature. They would prefer to leave the settlement of such details to special legislation in each colony.§

24. As to the Foreign Reprints Act, on careful consideration of the subject, and of the peculiar position of many of the colonies, and after reference to the answers returned by the colonies to Lord Kimberley's circular despatch of the 29th of July, 1873, they were not prepared to recommend the simple repeal of the act of 1847, and the consequent determination of the power, now vested in the queen, of allowing the introduction of foreign reprints into colonies which have made due provision for securing the rights of British authors. They believed that, though the system of republication under license might be well adapted to some of the larger colonies which have printing and publishing firms of their own, and which could reprint and republish for themselves with every prospect of fair remuneration, it would be practically inapplicable in the case of many of the smaller colonies. These latter, they remarked, now depend almost wholly on foreign reprints for a supply of literature, and to sweep away the Foreign Reprints Act, without establishing some other system of supply, would be to deprive them in a great measure of English books. They, however, thought that it had been proved necessary to amend the existing law, and as the provisions theretofore made in different colonies to which the Foreign Reprints Act had been applied by orders in council had failed to secure remuneration to copyright owners, they recommended that there should be power to repeal these orders, and that no future order in council should be made under the act of 1847 till sufficient provision had been made by local law for better securing payment of the duty on foreign reprints to the owners of copyright works. As to what should be considered sufficient security for this purpose they did not go into detail, but merely threw out general suggestions. They recommended that where an order in council had been made for the admission of foreign reprints into a colony, such reprints should not, unless with the consent of the copyright owner, be imported into the colony :

- (1) Where the owner has availed himself of the local copyright law (if any) : or
- (2) Where an adequate provision has been made for his remuneration by royalty : or
- (3) After there had been a republication under the licensing system.

25. As to the admission of colonial reprints into the United Kingdom, after stating the arguments for and against, they were not prepared to recommend the

†Report, par. 184.

‡Report, paras. 205, 206.

§Report, paras. 207, 208.

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repeal of the section of the act of 1875 prohibiting that admission. They thought that colonial reprints of copyright works first published in the United Kingdom should not be admitted into the United Kingdom without the consent of the copyright owners, and conversely that reprints in the United Kingdom of copyright works first published in any colony should not be admitted into that colony without the consent of the copyright owners.

26. A consolidation bill to give effect to the recommendation of the copyright commission was introduced in 1881, but did not become law, and has not since been re-introduced by the government, although consolidation bills have been introduced from time to time by private members.

27. At various times her majesty's government have negotiated treaties with continental states for giving copyright in her majesty's dominions to books published in those states, and a series of acts, known as the International Copyright Acts, and orders in council under them, have been passed and made for giving effect to those treaties.

28. In 1885 her majesty's government were engaged in negotiations for the convention of Berne, the object of which was to create an international union for the protection of literary and artistic works.

29. In the following year was passed the International Copyright Act, 1886, of which the main object was to authorize her majesty to accede to the Berne convention, and to give effect to the convention by passing the requisite orders in council. But the act also made important amendments of the law with respect to colonial copyright. By section A it provided that the British copyright act should, subject to certain exceptions as to registration and delivery of copies, apply to a literary work first produced in a British possession in like manner as they apply to a work first published in the United Kingdom. By virtue of this section the author of a book first published in a colony, such as Canada, has copyright throughout the whole of the queen's dominions. The same section contains a saving (subs. 4) for the power to pass in any British possession any act or ordinance respecting the copyright within that possession of books first published in that possession. Under section 9 the queen has power by order in council to declare that the act of 1886, and any order in council made under it, shall cease to apply to any British possession.

On the 5th January, 1889, the law officers advised that in their opinion the then existing powers of colonial legislatures to pass local laws on the subject of copyright in books were probably limited to enactments for registration and for the imposition of penalties with a view to the more effectual prevention of piracy, and to enactments within subsection 4 of section 8 of the International Copyright Act, 1896, with reference to works first produced in a colony.

30. The Berne convention was signed at Berne on the 9th of September, 1886. Under this convention the states who were parties to it constituted into a union for the protection of the rights of authors over their literary works, and authors in any of the countries of the union, or their lawful representatives, were to enjoy in the countries for their works, whether published in one of those countries, or unpublished, the rights which the respective laws of those countries granted, or might thereafter grant, to natives. The enjoyment of these rights was to be subject to the accomplishment of the conditions and formalities prescribed by law in the country of origin of the work, and was not to exceed in the other countries the term of protection granted in the country of origin.

31. By a protocol attached to the convention, her majesty's plenipotentiaries stated that the accession of Great Britain comprised the United Kingdom and also the colonies and foreign possessions of her majesty. At the same time, they reserved to her majesty the power of announcing at any time the separate denunciation of the convention by India or Canada, or any of the other self-governing colonies. Under article xx of the convention, a denunciation does not take effect until after the expiration of 12 months from its date.

32. On the 28th of November, 1887, an order in council was made adopting the Berne convention with respect to the foreign countries, parties to the convention. These foreign countries are in the order referred to as the foreign countries of the

copyright union, and are, with her majesty's dominions, referred to as the countries of the copyright union. The order came into force on the 6th of December, 1887.

33. Canada expressly assented to the passing of the imperial act of 1886, and to the order in council of 1887, adopting the Berne convention.

34. The imperial act of 1886, and the order in council of 1887, embodied two important principles, the principle of imperial copyright, namely, that the author of a book first published in any part of the queen's dominions thereby obtains copyright throughout the queen's dominions; and the principle of international copyright, namely, that the author of a book first published in any country of the copyright union thereby obtains copyright in all the countries of the copyright union.

35. By virtue of the British law, as completed by the International Copyright Act, 1886, and by the order in council of 1887:—

(a) The author of a book first published in any part of the queen's dominions, say at London or at Quebec, whether the author is an Englishman, Canadian, Frenchman, or American, has a copyright in the book throughout the queen's dominions, for the term allowed by English law, that is to say, for 42 years from first publication, or 7 years from the death of the author, whichever is longer:

(b) The author of a book first published in any foreign country belonging to the copyright union, say at Paris, has a copyright throughout the queen's dominions for the same term, or any less term allowed by the law of the foreign country for copyright under that law.

36. By virtue of the Berne convention, and of the foreign laws made in accordance with it, the author of a book first published in any part of the queen's dominions, say at London or at Quebec, has a copyright in every country belonging to the copyright union for the term allowed by English law, or any less term allowed by the law of the foreign country for copyright under that law. No further registration or formality is required in the foreign country; there is no obligation to reprint or republish; but the mere fact that the work has copyright in her majesty's dominions gives it copyright throughout the union. Copyright includes the exclusive right of translation, if exercised within ten years from publication. The obligation and advantage under the convention are strictly reciprocal, and it consequently follows that any country which imposes an obligation to print or reprint locally as a condition of obtaining copyright in a book first published in any country of the copyright union must withdraw from the union, such a condition being inconsistent with the terms of the convention.

37. In 1889 Canada passed an act repealing sections 4 and 5 of the previous Canadian copyright act (which sections embodied the conditions for obtaining the special Canadian copyright), and providing that:

(a) Any person domiciled in Canada or in any part of the British possessions (an expression which presumably includes the United Kingdom): or

(b) Any citizen of any country which has an international copyright treaty with the United Kingdom in which Canada is included (an expression which would under existing circumstances include France, but not the United States, and would cease to include France or any other foreign country if Canada ceased to be a party to the Berne convention) may obtain exclusive copyright for his book in Canada for 28 years subject to the following conditions.

(1) That the book is before, or simultaneously with, first publication registered in Canada: and

(2) That it is printed and published, or reprinted and republished, in Canada, within one month after first publication elsewhere.

The act goes on to provide that if a person entitled to obtain copyright in a book under these provisions does not avail himself of them, any person domiciled in Canada may obtain from the minister of agriculture a license (which is not to be exclusive) to publish the book in Canada on paying the author a royalty of 10 per cent on the retail price of each book published under the license.

Where a license is so issued for a book, and the governor in council is satisfied that the book is being published under the license in such a manner as to meet the Canadian demand for it, the governor general may by proclamation prohibit the im

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portation of copies of the book while the author's copyright is in force. But the act (a) is not to prohibit the importation from the United Kingdom of books copyrighted there, or lawfully printed and published there: and (b) is not to apply to any book in which before the date at which the act comes into force, copyright has been obtained in the United Kingdom, or in any country of the copyright union.

The object of saving (a) is apparently to let in books published in England, whilst keeping out books published in the United States. The object of saving (b) is to protect existing rights. The Canadian act of 1889 was to come into force on a day to be named by a proclamation of the governor general. Such a proclamation has not yet been made.

The act relates to other subjects of copyright besides books.

38. On August 3rd, 1889, Sir John Thompson, minister of justice to the dominion of Canada, submitted to the privy council of Canada a report containing arguments in support of the Canadian act on its merits, and in support of the competency of the Canadian legislature to pass the act. He referred to the provision that the act was not to come into force until proclaimed by the governor general, and stated that there was not any intention on the part of the Canadian government to advise the issue of a proclamation bringing it into force until it had been submitted to her majesty's government with the explanations which the governor general's advisers can present, and until her majesty's government should concur in the issue of the proclamation. As to the merits he argued that the copyright system previously in force, under imperial and Canadian legislation, had been found to be most unsuitable to Canada, and that the Berne convention was found to increase the cause of complaint which existed under the previous law. Under that law, he observed, every work copyrighted in Great Britain has copyright protection without the requirement of publication in Canada. Under the protection of this law United States authors secure copyright in Great Britain and her possessions by publishing in England (sometimes by publishing a limited edition not intended to supply the market, and not sufficient therefor) and thus secure control of the Canadian market, while a Canadian cannot obtain such copyright privileges in the United States.

"The rights which British authors and publishers have in British possessions under this condition of the law have been greatly abused by the sale of their copyright privileges to American publishers, and their refusal to sell to Canadian publishers on like terms. By this means United States publishers have been enabled to command the Canadian market under the provisions of legislation which were not intended for their benefit, but for the benefit of the British author and publisher. The prices of American reprints are so low that the British publications have no chance of competing with them in Canada, and Canadian reprints being prohibited by the copyright law, the business of reprinting for Canadian readers is thus to a great extent thrown into the hands of American publishing houses to the very great detriment of the publishing interests of Canada.

"These evils," he went on to say, "would be augmented by the provisions of the Berne convention, which extends the copyright privileges without publication in British possessions to authors of any country which has joined, or may join, the copyright union formed by that convention.

"For the benefit conferred on Canadian authors (who are comparatively a very limited class) of copyright in the countries comprised in the Berne convention union, the business of publishing in Canada will be repressed as to works published in all these countries, and the United States publishers will be free from any restrictions of that kind, not only as to the vast markets of their own country but to Canada as well."

He submitted that the royalty provision of the act in favour of the holder of British copyright was reasonable and afforded ample facilities for collection. The government of Canada would, he said, be prepared to submit to her majesty's government the regulations which might be adopted under the act for securing the collection of the royalty and the payment thereof to the proper parties.

He observed as regards the policy of permitting republication in Canada in consideration of such a royalty in favour of the holders of the copyright out of Canada,

that, under existing legislation, the importation of foreign reprints into Canada is permitted on the imposition of a customs duty in favour of the copyright holder.

The act of last session, he said, would make the same provision in favour of the Canadian publisher, but under regulations which will restrain the influx of foreign reprints and afford a better means of collecting the compensation to the copyright holder.

On the question of competency of the Dominion parliament to pass the act, he argued at some length that such a power existed under the British North America Act, 1867.

He did not contend that the Canadian legislation would be consistent with the Berne convention, and he admitted that before the proclamation bringing the act into operation could be issued her majesty's government must be asked to give the requisite notice of denunciation on behalf of Canada, and that a year's delay must elapse after that notice, and that an order of the queen in council must be obtained for releasing Canada from the operation of the statute which makes the Berne convention operative throughout the empire.

39. Sir John Thompson's report received the concurrence of the committee of the Canadian privy council, and was forwarded with the act of 1889 to the colonial office by a despatch dated 26th August, 1889.

40. On the question of the competency of the Canadian parliament to pass the act of 1889, Lord Knutsford took the opinion of the law officers of the crown, who reported on 31st December, 1889, that in their opinion the powers of legislation conferred on the dominion parliament by the British North America Act, 1867, do not authorize that parliament to amend or repeal, so far as relates to Canada, an imperial act referring privileges within Canada, and that in their opinion her majesty should withhold her assent to the Canadian act of 1889.

41. On the 25th of March, 1890, Lord Knutsford sent a despatch to Lord Stanley of Preston, the governor general of Canada, in which he expressed his regrets that he was unable to authorize the governor general to issue a proclamation to bring the Canadian act of 1889 into force. Lord Knutsford referred to the advice of the law officers as to the competency of the Dominion parliament to pass the act. With respect to the merits of the act he called attention to two provisions to which special objection was felt by British copyright owners. These two provisions were the limitation of one month for reprinting and republication, and the power to print and publish under colonial licenses.

42. Meanwhile Newfoundland had been legislating on somewhat similar lines to Canada. In 1888, Newfoundland passed a copyright act which was held to exceed its legislative powers, and was on that ground disallowed. In 1890 it passed a similar act more limited in its terms, giving Newfoundland copyright for 28 years to an author domiciled in Newfoundland on condition that his book is printed or published in Newfoundland. This act was referred to the law officers for their opinion, and they reported on 4th March, 1891, that they had examined the act, and being of opinion that its provisions ought to be construed as relating to works first published in Newfoundland, they thought her majesty's assent need not be withheld, but that the act might be permitted to come into operation. They suggested, however, that it should be pointed out to the Newfoundland authorities that if section 5 (which contained the printing condition) should be judicially interpreted to include works other than these first printed and published in Newfoundland the act would be inconsistent with the imperial statutes, and further legislation would be necessary.

43. On 14th July, 1890, Sir John Thompson, being then in London, wrote a long letter to Lord Knutsford, in which he recapitulated the history of copyright legislation with respect to Canada, and the arguments in support of the Canadian proposals, expressed little hope of any satisfactory copyright arrangement being made with the United States, and concluded by asking that a final decision on the case of Canada should no longer be postponed to await the action of the United States. In connection with this point he urged:

"(1) That the present policy of making Canada a market for American reprints, and closing the Canadian press for the benefit of the American press in regard to

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British copyright works, has a direct tendency to induce the United States to refuse any international arrangement.

"(2) That inasmuch as the existing Canadian copyright law affords protection to the copyright holder in every country which may make a treaty with Great Britain, it cannot be suggested, as it once was, that self-government in Canada on this subject would in the least impede negotiations with the United States for an international arrangement."

44. In March, 1891, the legislature of the United States passed an act which gave American copyright in a book to an author being a citizen or subject of a foreign state or nation, on condition that two printed copies of the book printed from type set within the limits of the United States, must be delivered or deposited in accordance with the requirements of the act on or before the publication of the book. Section 13 provides that the act is only to apply to a citizen or subject of a foreign state or nation :

(a) If such foreign state or nation permits to citizens of the United States of America the benefit of copyright on substantially the same basis as to its own citizens ; or

(b) When such foreign state or nation is party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States may, at its pleasure, become a party to the agreement. The existence of either of these conditions was to be determined by the president of the United States by a proclamation issued from time to time, as the purposes of the act might require. The act was to come into force on the 1st July, 1891.

45. In reply to an inquiry from the United States minister, Mr. Lincoln, the Marquis of Salisbury on 16th June, 1891, wrote as follows :—

"Her majesty's government are advised that under existing English law an alien by first publication in any part of her majesty's dominions can obtain the benefit of English copyright, and that the contemporaneous publication in a foreign country does not prevent the author from obtaining English copyright.

"That residence in some part of her majesty's dominions is not a necessary condition to an alien obtaining copyright under the English copyright law ; and

"That the law of copyright in force in all British possessions permits to citizens of the United States of America the benefit of copyright on substantially the same basis as to British subjects."

46. On the 1st July, 1891, the president of the United States proclaimed that the first of the conditions specified in sec. 13 of the act of congress was fulfilled in respect to the citizens or subjects of (amongst other countries) Great Britain.

47. Accordingly, by virtue of the American copyright act and of the president's proclamation, which, however, is revocable, the author of a book first published in any part of the queen's dominions, say at London or Quebec, and printed in the United States, has, on compliance with the requirements of the act as to delivery or deposit, copyright in the United States for the term recognized by the law of the United States.

48. On 19th December, 1891, Mr Blaine wrote to Sir Julian Pauncefote stating that the government of the dominion of Canada refuses to admit citizens of the United States to the privilege of registration of copyright in Canada on their complying with the conditions of printing and publishing in Canada under the assurance given by her majesty's government and under the proclamation of the president, the ground of refusal appearing from the letter of the registrar of the department of agriculture at Ottawa to be that the United States act and the president's proclamation do not constitute an international copyright treaty, and that therefore citizens of the United States cannot register under the Canadian act. Mr. Blaine asks for "an explanation of this important discrepancy between the assurances given by her majesty's government and the course of the Dominion government in the matter of the copyright privilege of citizens of the United States. The declaration of Lord Salisbury," he observes, "and its acceptance by the United States government constituted an international arrangement which this government desires to observe and

maintain in its entirety, and I should much regret if any untoward circumstances should constrain its abandonment or essential qualification."

49. We are now in a position to consider how far the Canadian act of 1889 is consistent (a) with the Berne convention; (b) with the arrangement with the United States; and (c) with imperial legislation; and how far the grievances which it proposes to meet are substantial, and the proposals which it embodies are satisfactory on their merits.

50. Sir John Thompson admits, as has been seen, that the Canadian act is inconsistent with the Berne convention, and that consequently a necessary condition precedent of its obtaining the force of law is the withdrawal of Canada from that convention.

Under sec. 9 of the act of 1886, the queen has power, by order in council, to declare that the act of 1886 and the order of 1887 shall cease to apply to any British possession.

The queen can, therefore, on the application of Canada, make an order directing that the act of 1886 and the order of 1887 shall cease to apply to Canada. But the act and order stand or fall together, and if Canada excepts herself from the act she must except herself from the order also, and *vice versa*. If, therefore, such an excepting order is made for Canada the effect will be as follows:

The author of a book first published in London will still, by virtue of the imperial acts before 1886, have copyright in Canada.

*But the author of a book first published in Canada will cease to have copyright in the United Kingdom or in Australia, or in any country belonging to the copyright union.

†And the author of a book first published in Australia, or in any other British possession, except Canada, or in France, or in any other foreign country belonging to the copyright union, will cease to have copyright in Canada.

If Canada presses for withdrawal from the Berne convention her request can not well be refused. But her withdrawal would be a matter for much regret, since it would strike a serious blow at the policy of imperial and international copyright embodied in the legislation of 1886. It would be a retrograde measure which would commit Canada to a policy of isolation and of antagonism to the community of civilized states who have become parties to the treaty of Berne. Deprivation of Canadian copyright might be seriously detrimental to the interests of Australian authors, say, for instance, of a Melbourne novelist whose works are likely to obtain extensive circulation in Canada. If, however, the interests of publishers or printers were allowed to prevail over those of authors, the lead given by Canada would not improbably be followed by other colonies, and thus the whole system of imperial copyright would be broken up.

As has been seen, § even if Canada were to denounce the Berne convention, a year must elapse before any Canadian legislation inconsistent with the convention could take effect.

51. The grounds of the Canadian contention that United States authors and publishers are not entitled to the benefit of the Canadian copyright under the Canadian act of 1875 are not fully before us, but the contention seems to be technically correct. Moreover the inconsistency between the Canadian action and the assurance given by her majesty's government to the president of the United States is perhaps more apparent than real, for refusal to register under the Canadian act apparently does not deprive a book first published in any part of her majesty's dominions (including Canada) of the copyright to which it is entitled in Canada as well as in the United Kingdom under the imperial acts of 1842 and 1886. Under the act of 1842 a book first published in the United Kingdom has copyright in Canada, and Canadian legislation is not needed to give, and cannot take away that copyright. But under that act a book first published in Canada had no copyright, and colonial legislation was required to give such copyright. Consequently for the protection of such books the Canadian copyright act was necessary, though it

*Par. 6.

†Par. 7.

§Pars. 31, 38.

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could not operate beyond the limits of the colony. But since the passing of the act of 1886, which gives copyright to books first published in any part of the queen's dominions, a Canadian copyright act is no longer necessary, and the only effect of the Canadian act of 1875 appears to be to prevent the importation of unauthorized reprints under the Foreign Reprints Act. *The Canadian act of 1875 is so worded as to give rise to misconception on this point, and the act of 1889, if confirmed by her majesty's government after the assurance given to the government of the United States in 1891, would give rise to similar misconception and misunderstanding. Of course, if Canada were to withdraw from the operation of the act of 1886, and, still more, if she were allowed to withdraw from the operation of the act of 1842, there would be not merely a formal but a substantial inconsistency between her legislation and Lord Salisbury's declaration.

52. The Canadian act of 1889 is, as has been seen, inconsistent with imperial legislation, apart from the effect of the imperial act of 1886 and therefore could not obtain the force of law without an imperial confirming act.†

53. To the passing of an imperial act to the confirming the Canadian act in its present form there are obvious objections.

It would involve abandonment of the policy of international and imperial copyright which her majesty's government adopted, and to which Canada assented only six years ago.

It would at least be open to the charge of being inconsistent with the declaration as to the law of the United Kingdom and the British possessions which was made to the United States last year, and on the faith of which the United States admitted British authors to the benefit of their copyright law.

It would be inconsistent with the policy of making copyright independent of the place of printing which her majesty's government have for many years been urging the United States to adopt.

It would impair the rights in Canada of British authors by whom the Canadian market is principally supplied.

On these grounds, amongst others, a bill for such an act, if introduced into the British parliament, would, we apprehend, be vehemently opposed, and would have very little chance of becoming law.

54. The Canadian case may be looked at from the point of view of the Canadian reader, of the Canadian author, and of the Canadian publisher and printer.

It is doubtful whether the Canadian reader has under existing circumstances any ground of complaint at all. Under the operation of the Foreign Reprints Act he is abundantly supplied with cheap reprints, and it cannot matter to him, as a reader, whether these reprints are produced in Canada or in the United States. It is the British author and publisher who have to complain of the Foreign Reprints Act, and the reality of their grievances was admitted by the copyright commission of 1876.

The Canadian author may perhaps be treated as belonging rather to the future than to the present. But nothing can be more detrimental to his interests than legislation, which, like the Canadian act of 1889, would isolate Canada from the civilized communities which have adopted the principles of the Berne convention, and would deprive their authors of copyright in every country outside their own borders.

The present demand for legislation on the lines of the Canadian act of 1889 appears to come, not from the Canadian reader or author, but from the Canadian publisher and printer, who feel severely the competition of their rivals over the United States border, and wish to protect themselves by excluding their rival's wares. The arguments in their behalf are to be found in Sir John Thompson's report of 1889 and letter of 1890.‡

It may be doubted whether there is any foundation for his suggestion that the grievances of the Canadian publishers have been augmented by the Berne conven-

*If registration is required before proceedings can be taken for infringement of this right, and if the Canadian act does not provide for registration by a United States author, he can entitle himself to the remedy by registering at Stationers' Hall in London (see 49 & 50 Vict., c. 33, s. 8).

†Par. 40.

‡Pars. 38 and 43.

tion. Before that convention, countries like France, which had copyright treaties with the United Kingdom, were entitled, under those treaties and the international copyright acts, to copyright in Canada.

Nor does it appear that the effect of the recent American act will be to increase the inducement to American publishers to reprint British books. Before the act they could reprint any such book freely; since the act they must make arrangements with such authors to take advantage of the provisions of United States legislation. What the act really does is to increase the inducements to British authors to enter into such arrangements.

And the real grievance of the Canadian publishers is that they are undersold by competitors who have the advantage of larger capital and a larger market, and in whose favour protective legislation is enforced against their weaker rivals.

The restrictive conditions attached to United States copyright by United States legislation make the demand for the imposition of corresponding restrictions on Canadian copyright, and the grant of countervailing facilities for Canadian reprints at least intelligible.

It must, however, be remembered that there is the same difficulty here as in other cases in reconciling the rival policies of cheapening wares to the consumer and protecting the producers. What the Canadian reader wants is to get cheap books wherever printed. What the Canadian publisher and printer want is to keep out books, cheap or otherwise, not printed or published at their own establishments. The legislation for which they ask could hardly lower, and might possibly raise, the price of books to the Canadian reader. The simplest and most effectual mode of lowering the price of Canadian books would be to remove or reduce the Canadian import duty of 15 per cent on books.

55. Is it not, however, possible to devise some form of legislation which would meet Canadian grievances without running counter to the policy affirmed in 1886, or imperilling the arrangement with the United States? Admitting, as we must, that the present state of the Canadian law is unsatisfactory, and that her majesty's government may fairly be asked to consider whether any means can be found for meeting the Canadian demands, the course which seems open to the least objection would be that which would follow most closely the lines indicated by the report of the copyright commission.

56. It might be conceded that on proof of a book first published in the United Kingdom, and by reason of such publication having copyright in Canada, not being produced within a reasonable time either in the United Kingdom or in Canada, at such a price as to meet the Canadian demand, there should be power to grant a license for its publication in Canada on the terms of paying a royalty to the copyright owner. But this power should be checked by more effective safeguards than are provided by the Canadian act of 1889, and should be made subject to conditions corresponding as closely as practicable to the suggestions of the copyright commission.* Twelve months might be allowed as a reasonable time for cheap reproduction, and during that time the imperial copyright should remain unimpaired. The amount of the royalty might perhaps be 15 per cent, so as to correspond with the amount of the existing import duty on books. The royalty might be levied by means of a stamp on each copy, and if unstamped books are offered for sale they should be liable to seizure. These provisions should be embodied in the act itself, and not in regulations made under it.

Provisions to this effect would require imperial legislation to confirm them. They would be open to objection from the point of view of the copyright owner. They would possibly be inconsistent with the views of the signatories of the Berne convention as to the rights which copyright should involve. But they would apparently not be in conflict with the terms of the convention itself, for the convention merely stipulates that foreign copyright owners are to be entitled to the same rights and privileges as British copyright owners, and if the rights of British copyright owners are cut down by such licenses, foreign copyright owners are not entitled to

* See appendix B.

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complain of their rights being cut down to a similar extent. Nor would they conflict with the arrangement with the United States.

57. It is suggested that such Canadian legislation as is required should be confined to books. Copyright in musical, dramatic and artistic work raises other and very difficult questions.

58. If any further legislation is required for the benefit of Canadian publishers and printers, perhaps Canadian statesmen may suggest it. Several suggestions made to us are open to objection on the ground of conflicting either with the treaty of Berne or with the declaration made to the United States. But possibly something might be done by an amendment of the Canadian customs acts, following the lines of section 42 of the Customs Laws Consolidation Act, 1876 (39-40 Vict., c. 36.)* The policy of that section has been much criticised† and is open to serious objection, but so long as it is maintained in the United Kingdom, it is a ground for defending an enactment of similar principle in a colony.

59. If Canada is allowed to grant licenses for the reprinting of British copyright books, either the Foreign Reprints Act should cease to apply to Canada or at least she ought, in accordance with the recommendations of the copyright commission,§ to make better provisions by law for securing to the owners of copyright works the payment of the duty upon such foreign reprints as would be still admitted into the colony, and there should be power in the event of such provision not being made to revoke the existing orders in council under which foreign reprints are so admitted.

We have the honour to be, sir, your obedient servants,

BALFOUR OF BURLEIGH.
H. G. BERGNE.
JOHN BRAMSTON.
C. P. ILBERT.

20th May, 1892.

APPENDIX A.

Extract from draft bill accompanying circular letter of 1873:—

“7. Where it appears to her majesty in council that in any British possession effectual and reasonable provision has been made by an act of such British possession for all the following objects, namely,—

“(a.) For the registration and protection in such British possession of books first published out of such British possession, and entitled to copyright therein:

“(b.) For collecting and remitting the percentage payable under this act upon reprints of such books sold in pursuance of a license under this act in such British possession:

“(c.) For making to one of her majesty’s principal secretaries of state to be laid before parliament returns of the numbers and prices of reprints of the said books sold in such British possession and such other particulars with respect to those reprints as the secretary of state may require:

“(d.) For preventing the importation into such British possession of foreign reprints except according to this act:

“(e.) For imposing, collecting and remitting a reasonable percentage upon all foreign reprints imported into such British possession according to this act:

“(f.) For the periods directed by this section to be provided by an act of the British possession and the otherwise carrying into effect of this section: and

“(g.) For any other objects for which, in the opinion of her majesty in council, provision ought for the purposes of this act to be made:

* Extended by 52 and 53 Vic., c. 42, s. 1.

† See report of copyright commission, pars. 217-226.

§ Report, par. 213.

“Her majesty may, by order in council, direct that from and after the day of the date of the order, or such later day as may be specified in the order (which day is in this act referred to as the commencement of the order), this section shall apply to such British possessions and thereupon, so long as the said order remains in force, the following provisions of this section shall apply in such British possession to every book first published out of such British possession after the commencement of the order and entitled to copyright therein (that is to say):—

“(1.) If within such reasonable period after the first publication of the book as may be provided by the said act of the British possession the book is not published in such British possession in such manner and number as are suitable for general circulation therein, any person may apply to such court in the British possession as may be fixed by the last mentioned act, for a license to publish such book, and the court may, if it seems just, grant such license, subject to the provisions of this act, upon such terms and subject to such conditions as the court thinks just:

“(2.) The application shall be made and the proceedings upon such application shall be conducted in such a manner as may be from time to time directed by the law of such British possession, or, if there is no such law, as the court by general orders or rules from time to time directs.

“(3.) An appeal to her majesty in council shall be from an order made by the court in pursuance of this section :

“(4.) Every such appeal shall be referred to the judicial committee of the privy council, and shall be dealt with by them as other appeals from courts in such British possession :

“(5.) An order granting a license shall not be suspended by such appeal, but the person in whose favour the order is made shall be liable to account for profits, or to pay damages as may be directed by her majesty in council when the appeal is decided :

“(6.) After the expiration of such reasonable period, not being less than six months from the first publication of the book, as may be provided by the said act of the British possession, if the book is not then published in such British possession, in such number and manner as are suitable for general circulation therein, any person may, notwithstanding anything in this act, import into such British possession foreign reprints of such book, subject to the provisions of this act and of the said act of the British possession.

“Where the last mentioned act is altered by any subsequent act of the said possession, the order in council shall not be affected by such alteration, unless it seem fit to her majesty in council to revoke or alter such order.”

APPENDIX B.

Extracts from report of copyright commission :—

“206. We recommend that the difficulty of securing a supply of English literature at cheap prices for colonial readers be met in two ways: 1st, By the introduction of a licensing system in the colonies, and 2nd, by continuing, though with alterations, the provisions of the Foreign Reprints Act.

“207. In proposing the introduction of the licensing system it is not intended to interfere with the power now possessed by the colonial legislatures of dealing with the subjects of copyright, so far as their own colonies are concerned. We recommend that in case the owner of a copyright work should not avail himself of the provisions of the copyright law (if any) in a colony, and in case no adequate provision be made by republication in the colony or otherwise within a reasonable time after publication elsewhere, for a supply of the work sufficient for general sale and circulation in the colony, a license may, upon an application, be granted to republish the work in the colony, subject to a royalty in favour of the copyright owner of not less than a specified sum per cent on the retail price, as may be settled

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by any local law. Effective provision for the due collection and transmission to the copyright owner of such royalty should be made by such law.

"208. We do not feel that we can be more definite in our recommendation than this, nor indeed do we think that the details of such a law could be settled by the imperial legislature. We should prefer to leave the settlement of such details to special legislation in each colony.

"209. With regard to the continuance of the Foreign Reprints Act, we have already stated that strong efforts have been made to procure its repeal. In March, 1870, at a meeting of the leading authors and publishers over which the late Earl Stanhope presided, the following resolution was passed: 'That a representation be made to the right honourable the first lord of the treasury, pointing out the great hardships sustained by British authors and publishers from the operation of the imperial copyright act of 1847, and stating the earnest desire they feel that her majesty's government may deem it right to propose its prompt repeal.'

"210. We are fully sensible of the weight that must attach to the opinions of persons so qualified to form a judgment on this matter, but upon careful consideration of the subject and of the peculiar position of many of your majesty's colonies, and upon this point we would refer to the answers returned by the colonies to Lord Kimberley's circular despatch of the 29th July, 1873, we are not prepared to recommend the simple repeal of the act of 1847, and the consequent determination of the power now vested in your majesty, of allowing the introduction of foreign reprints into colonies which have made due provision for securing the rights of British authors.

"211. We believe that, although the system of republication under a license may be well adapted to some of the larger colonies which have printing and publishing firms of their own, and which could reprint and republish for themselves with every prospect of fair remuneration, it would be practically inapplicable in the case of many of the smaller colonies. These latter now depend almost wholly on foreign reprints for a supply of literature, and, to sweep away the Foreign Reprints Act without establishing some other system of supply, would be to deprive them in a great measure of English books.

"212. But we are of opinion that it has been proved necessary to amend the existing law, for the purpose of more effectually protecting the rights of owners of copyright, whilst affording to colonial readers the means of making themselves acquainted with the literature of the day.

"213. As the provisions hereto made in the different colonies to which orders in council have been applied have failed to secure remuneration to proprietors of copyright, we recommend that power shall be given to your majesty to repeal the existing orders in council, and that no future order in council should be made under that act until sufficient provision has been made by local law for better securing the payment of the duty upon foreign reprints to the owners of copyright works.

"214. Probably it would be desirable to grant a certain period to the colonies, for the purpose of enabling them to propose further and better provisions before such revocation actually takes place. In that case, however, it should be clearly understood that your majesty is in no way pledged, by the grant of such delay, to issue any fresh order in council; and power should be given to your majesty in council, should the provisions of the colonial law prove practically insufficient, to revoke at any time any future order in council.

"215. It is perhaps hardly within the scope of this commission to suggest what provisions your majesty should be advised to consider sufficient, within the meaning of the act, to secure the rights of the proprietors of copyright, but it appears to us that possibly such arrangement might be effected by which all foreign reprints should be sent to certain specified places in the colony, and should be there stamped with date of admission upon payment of the duty, which could then be transmitted here to the treasury or board of trade for the author. All copies of foreign reprints not so stamped should be liable to seizure, and it is worthy of consideration whether some penalty might not also be affixed to the dealing with unstamped copies.

"216. And having regard to the power which we have contemplated for authors to obtain colonial copyright by republication in the colonies, and to the licensing

system which we have suggested, we recommend that where an order in council for the admission of foreign reprints has been made, such reprints should not, unless with the consent of the owner of the copyright, be imported into a colony:

1. Where the owner has availed himself of the local copyright law, if any;
2. Where an adequate provision, as pointed out in paragraph 207, has been made; or
3. After there has been a republication under the licensing system."

TO HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

The undersigned has the honour to report upon a despatch from Lord Knutsford to your excellency's predecessor, dated 30th June, 1892, which was a reply to a despatch of Lord Stanley of Preston (no. 274), dated 19th October, 1891, with which his excellency had transmitted an address to her majesty from the senate and commons of Canada praying for imperial legislation which should explicitly confer upon the parliament of Canada the power to legislate on all matters relating to copyright, without regard to statutes in force when the parliament of Canada was established; and praying further that notice might be given of the withdrawal of Canada from the Berne copyright convention.

The despatch now under consideration states that the petition was ordered by her majesty to be taken into consideration by those of her majesty's ministers whose departments were more immediately concerned in the subject, and that a committee had been appointed, of leading officials of the department of foreign affairs, of the department of the colonial office and of the board of trade, to consider, with the assistance of one of the parliamentary counsel, the whole question of Canadian copyright, and to report thereon.

The despatch further stated that, in the view of the secretary of state for foreign affairs, it appeared to be desirable, before any action should be taken upon this report, that an opportunity should be given to the dominion of Canada once more to consider the whole subject in the light thrown upon it by the researches of the committee, and the report was transmitted to his excellency along with the despatch.

The undersigned begs to observe that, having carefully perused the report of the committee referred to, he is of opinion that nothing contained therein is likely to change the opinion of your excellency's advisers as to the propriety of the request which they have pressed on several occasions and which the parliament of Canada has, on more than one occasion, unanimously endorsed, namely, the request that notice should be given with the least possible delay of the withdrawal of Canada from the Berne convention.

The undersigned deems it unnecessary to remind your excellency that Canada has been repeatedly assured that her continuance in any treaty arrangement of this kind would be subject to her desire to withdraw at any time, on giving the prescribed notice. And now that the policy of Canada has been so firmly established—and repeatedly pressed upon her majesty's government, both by parliament and by your excellency's advisers,—he has the honour to recommend that your excellency be requested to move her majesty's secretary of state for the colonies to cause such notice to be given without further delay.

On the other subject embodied in the address of the Canadian parliament to her majesty, namely, the adoption of legislation in the parliament of the United Kingdom, giving greater freedom to the parliament of Canada in dealing with the subject of copyright, the undersigned will respectfully submit some observations upon the report of the committee before referred to, but he submits in the meantime the notice of withdrawal from the Berne convention should, in any case, be given.

Respectfully submitted,

JNO. S. D. THOMPSON.

Department of Justice, Ottawa, 18th January, 1894.

Copyright Question.

CERTIFIED COPY of a Report of a Committee of the Honourable the Privy Council approved by His Excellency the Governor General in Council on the 23rd January, 1894.

The committee of the privy council have had under consideration a despatch, hereto attached, dated 30th June, 1892, from the right honourable the principal secretary of state for the colonies, relating to the address to her majesty, from the senate and commons of Canada, praying for imperial legislation which should explicitly confer upon the parliament of Canada the power to legislate on all matters relating to copyright, without regard to statutes in force when the parliament of Canada was established; and praying further that notice might be given of the withdrawal of Canada from the Berne copyright convention.

The minister of justice, to whom the matter was referred, observes that the despatch now under consideration states that the petition was ordered by her majesty to be taken into consideration by those of her majesty's ministers whose departments were more immediately concerned in the subject, and that a committee had been appointed of leading officials of the department of foreign affairs, of the department of the colonial office, and of the board of trade, to consider, with the assistance of one of the parliamentary counsel, the whole question of Canadian copyright and report thereon.

The minister also observes that the despatch further stated that, in the view of her majesty's government, it appeared to be desirable, before any action should be taken upon this report, that an opportunity should be given to the dominion of Canada once more to consider the whole subject in the light thrown upon it by the researches of the committee, and the report was transmitted to his excellency along with the despatch.

The minister further observes that, having carefully perused the report of the committee referred to, he is of opinion that nothing contained therein is likely to change the opinion of your excellency's advisers as to the propriety of the request which they have pressed on several occasions and which the parliament of Canada has, on more than one occasion, unanimately endorsed, namely, the request that notice should be given, with the least possible delay, of the withdrawal of Canada from the Berne convention.

The minister deems it unnecessary to remind your excellency that Canada has been repeatedly assured that her continuance in any treaty arrangement of this kind would be subject to her desire to withdraw at any time on giving the prescribed notice, and now that the policy of Canada has been so firmly established and repeatedly pressed upon her majesty's government, both by parliament and by your excellency's advisers, he, the minister, recommends that your excellency be requested to move her majesty's secretary of state for the colonies to cause such notice to be given without further delay.

The minister states that he will respectfully submit some observations upon the report of the committee before referred to on the other subject embodied in the address of the Canadian parliament to her majesty, namely, the adoption of legislation in the parliament of the United Kingdom giving greater freedom to the parliament of Canada in dealing with the subject of copyright, but he submits that in the meantime the notice of withdrawal from the Berne convention should, in any case, be given.

The committee advise that your excellency be moved to forward a certified copy of this minute, if approved, to the right honourable the principal secretary of state for the colonies.

All of which is respectfully submitted for your excellency's approval.

JOHN J. MCGEE,

Clerk of the Privy Council.

CERTIFIED COPY of a Report of a Committee of the Honourable the Privy Council approved by His Excellency the Governor General in Council on the 7th February, 1894.

The committee of the privy council have had under consideration the annexed report of the minister of justice, relating to copyright in Canada.

The committee concurring therein, advise that your excellency be moved to forward a certified copy of this minute, if approved, and the appended report and annex to the right honourable the principal secretary of state for the colonies.

All of which is respectfully submitted for your excellency's approval.

JOHN J. MCGEE,

Clerk of the Privy Council.

TO HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

The undersigned, having had under consideration a despatch from Lord Knutsford to your excellency's predecessor, dated 30th June, 1892, in reply to a despatch of His Excellency Lord Stanley of Preston of the 19th October, 1891, in which his excellency transmitted an address to her majesty from the senate and commons of Canada, praying for imperial legislation which should explicitly confer upon the parliament of Canada the power to legislate on all matters relating to copyright in Canada, without regard to statutes in force when the parliament of Canada was established, etc., etc., has the honour to submit the following observations upon the report which accompanied the despatch of Lord Knutsford, and which had been made by departmental representatives of the colonial office, foreign office, board of trade and parliamentary counsel's office to the Right Honourable Sir Michael Hicks-Beach on the subject of Canadian copyright.

It is, no doubt, true, as stated in the third paragraph of the report of the committee, that from the point of view of British authors and publishers, the imperial statute of 1842 was satisfactory to those authors and publishers, because it gave the British author and publisher a monopoly by copyright extending over the sovereign's dominions for forty-two years from the first publication, or seven years from the author's death. It may be regarded, indeed, as a continuance, for their benefit, of the system which was based on the idea that the colonies were to be preserved only for the benefit of the producers in the British islands, and that the inhabitants of those colonies had no rights of self-government or otherwise which were inconsistent with the interests of British producers.

The colonial publisher and the colonial reader, however, had every reason to be dissatisfied with the enactment of 1842, and it is not to be wondered at that their representatives made very emphatic protests. Those protests are enumerated and referred to in the letter of the undersigned to Lord Knutsford, dated 14th July, 1890, which forms an appendix to this report.

The protests and the agitation for redress continued until 1846, when Mr. Gladstone gave warning to the publishing trade in England that they must be induced "to modify any exclusive view which might still prevail in regard to this important subject;" and shortly afterwards a report was made from the colonial office to the board of trade, intimating the decision of the secretary of state for the colonies, Earl Grey, that "after the repeated remonstrances which had been received from the North American colonies on the subject of the circulation there of literary works of the United Kingdom, he proposed to leave to colonial legislatures the duty and responsibility of enacting laws which they should deem proper for securing the rights of authors and the interests of the public."

Earl Grey requested that the board of trade should be moved to take "such measures as might be expedient for submitting to parliament, at the ensuing session, a bill authorizing the queen to extend the royal sanction to any colonial law or

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ordinance which might be passed respecting copyright, notwithstanding the repugnancy of any such law or ordinance to the copyright law of the United Kingdom.”

The circular of Earl Grey to the governors of the North American colonies, which followed, dated November, 1846, announced that this was settled as the policy of her majesty's government, and the governors were informed that a measure to carry out that suggestion would be introduced at the ensuing session. The full text of this circular will be found in the appendix, and it is remarkable that the assurance thus given, of the policy of her majesty's government towards the North American colonies, remains unfulfilled to this day, in consequence, it must be assumed, of the influence which two classes—the authors and the publishers in the United Kingdom—were and have been able to exercise with regard to the legislation which had been promised in relation to a matter so important to her majesty's colonies.

In paragraph 6 of the report, the committee thus refer to the pledge given by her majesty's government to the colonies :

“It was, however, eventually determined not to legislate in accordance with the terms of Lord Grey's despatch, but, instead, to pass the imperial act which bears the short title of the ‘Colonial Copyright Act of 1847’ but is commonly known as ‘The Foreign Reprints Act.’”

It might be supposed, from this mode of stating the case, that the “determination not to legislate in accordance with the terms of Lord Grey's despatch” was a determination arrived at as the result of an understanding with the colonies, that this measure should be accepted as a substitute for the concession which Lord Grey had promised. This, however, does not appear to have been the case. It was a measure of temporary and partial relief and it can hardly be supposed that a determination was arrived at by her majesty's government to abandon or repudiate the pledge which had been so formally given, or even to substitute for what had been promised, a measure which, while it might satisfy present wants, fell vastly short of what had been promised. The Foreign Reprints Act was, no doubt, adopted merely as a measure of temporary relief and until the wider measure could be obtained.

Paragraph 6 of the committee's report states that the act “was satisfactory from the point of view of the Canadian reader, because it enabled him to obtain cheap reprints of British copyright books.” It is true that the Foreign Reprints Act was, as stated above, a measure of relief to the Canadian reader, for the reason given in the paragraph quoted. The legislatures of the colonies were willing to wait a reasonable time for the fulfilment of Earl Grey's promise, and in the meantime to accept the temporary expedient by which the monopoly which excluded British literature from the borders of the colonies was relaxed in favour of an impost for the benefit of those who had a (statutory) right to that monopoly. In short, the imperial parliament, finding the monopoly so great a grievance, obliged the holders of it to compound for money compensation which the colonist would pay without much expression of discontent, even if it involved the denial to his country, for a time, of the rights of self-government which should have been considered at least as important as the (statutory) rights of copyright holders, and which had been promised in the plainest terms.

It was quite obvious, however, that the colonies would not long rest satisfied with such a system. The growth and development of their publishing interest would have soon put an end to acquiescence in the scheme, even if the legislatures had been willing to continue to be denied their proper powers and to be tax-gatherers for a privileged class outside the country.

In March, 1870, the British copyright owners, not being satisfied with the proceeds of the taxation on foreign reprints, and desiring their monopoly restored to its full vigour, demanded the repeal of the Foreign Reprints Act.

The copyright commission of 1876 followed, and in their report of 1879 it was stated that copyright holders had only received, as the result of their taxing scheme, from nineteen colonies which had taken advantage of the act, £1,155 13s. 2½d. ; but it is to be observed that of this sum £1,084 13s. 3½d. was received from Canada, leaving

about £71 as the contribution from the other eighteen colonies. Probably the same proportion has been continued since. Great pains have been taken to collect the tax for the benefit of copyright holders, notwithstanding the belief has been growing, from year to year, that the present state of the law is odious and unjust. The copyright holders of the United Kingdom have made suggestions from time to time for improvements of the method of collecting this tax, in order that the proceeds may be augmented, and the government of the Dominion has always made the collections vigilantly and in good faith. They are willing even to adopt improved methods of collection, but they can only offer to do so as part of an improved scheme of copyright, such as that embodied in the Canadian act of 1889 and by way of an amendment to some such enactment as that, to come into force concurrently with such act.

While, as has been stated, the Foreign Reprints Act gave a measure of relief to the Canadian reading public, it had the effect of creating a monopoly for the publishers of the United States and of preventing the publishing business of Canada from attaining dimensions such as might reasonably have been expected in a country where the whole population is a reading population, and where the practice has always been, with few exceptions, compared with European countries, for the people to buy the books which they read. In spite of this disadvantage the publishing interest has grown very considerably. It has been represented in some former discussions on this subject as being small and unimportant. All that seems necessary to be said upon that subject, for the present, is that it is small in comparison with what it should be, and in comparison with what it would be under a proper adjustment of the copyright laws.

It is noted in paragraph 14 of the committee's report that the senate of Canada adopted an address to her majesty in 1868, urging the change which Lord Grey had promised, that the answer thereto, on the 22nd of July, 1868, was merely that the question was too important, and involved too many questions of imperial policy for legislation at that session of parliament, and it was then intimated that negotiations with the United States on the subject of copyright required some delay in dealing with the colonies with regard to that interest.

The part which negotiations with the United States have played in this discussion with Canada will be referred to hereafter, but it is apparent that for more than twenty years these negotiations have been made use of as a reason for postponing the requests, admitted to have been reasonable, which were presented by the dominion of Canada, and that when an arrangement was eventually made with the United States, the publishers of that country received the benefit of the British copyright monopoly of the colonies, with rights reserved in their favour which were refused to Canada, and the conclusion of that arrangement with the United States is now suggested by the committee, whose report is under review, as a new reason why the demands of Canada should not prevail, because it would interfere with the United States copyright holders who have been presented with the monopoly of Canada for the sale of their publications.

Pursuing the narrative, however, it is important to note that the assurances which have been received by Canada, from time to time, express sympathy with the colonial interests; and that, after more than twenty years of inquiry, consideration, discussion, sympathy and promises, it was stated by the lords of trade, with reference to that address of the senate, that the subject was "a matter that called for inquiry" and that "an endeavour should be made to place the general law on copyright, especially that part of it which concerned the whole continent of America, on a more satisfactory footing."

It may be observed here that by the arrangement with the United States "the general law of copyright, in so far as it concerned the * * * continent of America," was indeed put on a footing more satisfactory as regards the British author and publisher and the United States publisher, but that that part of the continent of North America which bears allegiance to her majesty has received no consideration in the improvement of the law.

The Duke of Buckingham and Chandos, on the 31st July, 1868, sending his formal reply to the despatch accompanying the address of the senate, made the admission,

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which was not very remarkable, at that stage of the discussion, that "the law of copyright generally might be a very fit subject for future consideration."

The Canadian government were of the same opinion, and on 9th April, 1869, they transmitted another representation on the subject, but the board of trade considered that the Canadian proposal should not be adopted immediately, because nothing could be done for Canada unless the United States were a party to the arrangement, and that "whatever protection should be given to authors on one side the St. Lawrence must, in order to be effectual, be extended to the other." The equivalent proposition would seem also to be implied, viz., that whatever protection might be given to publishers on one side the St. Lawrence must be extended to the other. Her majesty's government, however, have not yet carried out those propositions because they have agreed to an arrangement by which the British author or publisher, in order to get the benefit of copyright protection in the United States, is obliged to print his book from type set in the United States, and it yet withholds from Canada the concession of allowing a Canadian publisher to reprint at all, even from plates imported from Great Britain, and on payment of a tax levied in favour of the copyright holder on every copy of the publication.

Canada was assured, however, by Earl Granville's despatch of the 20th October, 1869, that at the ensuing session of parliament copyright would be permitted on publication in the colonies, a concession of very slight and doubtful importance. When, under the Berne convention, a concession in that direction was given, the colonial author or publisher received his slight privilege only in common with the authors and publishers of all the other countries included in that convention.

Attention is again called to the report of the minister of finance of Canada in 1870, followed by the request of Lord Kimberley on the 29th of July, 1870, that the views of the Canadian government might be again forwarded in order that her majesty's government might give them consideration before the ensuing session—and to the report from the ministers of finance and of agriculture, dated 30th November, 1870, in which those views were once more set forth. Consideration seems not to have been given to the information thus asked for and obtained, and on the 14th of May, 1872, the views of the Canadian government were again set forth in a report of the same ministers, which was adopted and transmitted on the 14th of the same month.

After thirty years of reiterated complaints, the Canadian government felt called upon to declare the existing system "wholly indefensible," and to state that the Canadian publishers were being "treated with the greatest injustice." The report of the ministers stated that it had "long been the custom of owners of British copyright to sell to American publishers advance sheets of their works, and when Canadian publishers had "offered to acquire copyright in Canada by purchase, they had been told that the arrangements made between the British and American publishers were such as to prevent negotiations with Canadians."

In the same year a copyright act was passed by the Canadian parliament and forwarded for her majesty's assent. It was based on the same principles as the Canadian copyright act of 1889. The assent was withheld.

The undersigned does not propose, in the course of these observations, to detail at length the various negotiations which have taken place. They will be found more fully stated in the appendix hereto. Attention is called to them in this place chiefly because many, which seem to the undersigned to be of importance, are not mentioned in the report of the committee, and because it seems important to notice that from the commencement of the agitation in 1842 down to the present year, the representations from the North American colonies have met with the same response from her majesty's government, namely, an admission that grievances existed as stated, promise of redress, followed by expressions of determination to consider the subject and a declaration that the measure proposed by the parliament of Canada to lessen the grievance, was beyond the powers of that parliament and must be authorized by an act of the imperial parliament in order to be effectual.

The despatch of Lord Carnarvon, dated 15th June, 1874, is an illustration of the progress which the agitation had made since her majesty's government, in 1846,

with a full knowledge of the whole subject, had promised to confer full legislative powers at the ensuing session. His lordship stated then, (twenty-eight years after Lord Grey's circular despatch), that he was aware "that the subject of colonial copyright had long been under consideration," that he was ready "to co-operate" and that he had "a confident hope" that her majesty's government might, "without difficulty be able to agree on the provisions of a measure which, while preserving the rights of owners of copyright works" in the United Kingdom "under the imperial act, would give effect to the views of the Canadian government and parliament."

One of the most important points in the narrative is that mentioned in paragraph 21 of the committee's report, namely, the appointment of a royal commission on copyright in 1876, and also the report of that commission in 1879. It appears necessary to point out that the report of that commission recommends the adoption of the principle on which is based the Canadian copyright act of 1889, namely, the establishment of a licensing system for republications of copyright works in the colonies and the collection of a tax in favour of the copyright holder as a compensation.

In pursuing the course of discussion followed by the committee, whose report is under review, it seems proper to make some reference to that branch of the subject which refers to copyright arrangement with other countries; and, first, to notice the position of your excellency's government on the subject of the Berne copyright convention.

At the outset, however, it may be well to state the ground upon which the Canadian government base their request for the withdrawal of Canada from that convention. When assent was given, on the part of the Canadian government, to be included in that convention, one of the considerations which prevailed was the confidence in the assurances given by her majesty's government with regard to the amelioration of the law of copyright as it affected Canada, notwithstanding the great delay which had occurred. But the principal consideration was the fact that Canada could withdraw from the convention on a year's notice to that effect being given to the countries included in the convention.

The Canadian government afterwards formally requested her majesty's government to give notice of the withdrawal of Canada. That request not having been complied with, an address of both houses of parliament to her majesty was unanimously passed in the session of 1891, requesting that the notice be given. Recently your excellency's government has forwarded a renewed request that the notice be given without further delay. The undersigned respectfully submits that the reasons which induce persistence in this determination to withdraw from the convention are in the judgment of the parliament and government of Canada:

Parliament has complete cognizance of Canadian interests in such matters and has unanimously endorsed the request of your excellency's advisers that notice should be given.

The statement was made by the undersigned, in a previous report, that the condition of the publishing interest in Canada was made worse by the Berne convention. That statement is adhered to. The monopoly which was, in former years, complained of in regard to British copyright holders is now to be complained of, not only as regards British copyright holders, but as to the same class in all countries included in the Berne copyright union. Canada is made a close market for their benefit, and the single compensation given by the convention for a market of five millions of reading people is the possible benefit to the Canadian author, whose interests seem not to have been thus cared for on account of a very high estimate of their value, because the committee, whose report is under review, describe the Canadian author as "belonging rather to the future than to the present." Without accepting this estimate as quite accurate, it may at least be said that the Canadian parliament may be trusted to care for the interests of Canadian authors. The Berne convention had in view considerations of society which are widely different from those prevailing in Canada. In Europe the reading population in the various countries is comparatively dense; in Canada a population considerably less than that of London is dispersed over an area nearly as large as that of Europe. In the cities of

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Europe, especially in Great Britain, the reading public is largely supplied from the libraries, while in Canada, as a general rule, he who reads must buy. In European countries the reading class forms but a fraction of the whole population, while in Canada it comprises nearly the whole population.

If reasons against the continuance of Canada in the convention were called for, many would suggest themselves, but the undersigned does not understand that your excellency's government is called upon to give those reasons or to present an argument to justify the determination of Canada to withdraw from the convention.

No enactment in Canada to give effect to the Berne convention has ever been passed, although some enactment would be necessary in order to make the system operative and effectual here.

As regards what is called the "arrangement" made between her majesty's government and the United States, some observations seem specially called for, in view of the position taken by the committee whose report is being considered. In March, 1891, Congress passed the present copyright law. That law gives copyright in the United States to any author, whether a citizen of the United States or a subject of a foreign state, on condition that two printed copies of the book printed from type set within the limits of the United States, be deposited, (in accordance with regulations prescribed), on or before the publication of the book. It is necessary, however, in the case of the subject of a foreign state, to show that his state permits citizens of the United States to have the benefit of copyright on the same terms as her own citizens. That requirement, of course, is easy of fulfilment in the case of Great Britain, for the copyright act of 1842 permitted foreigners to obtain copyright, running not only in the United Kingdom but throughout her majesty's dominions, on mere publication in Great Britain, without any condition as to the type being set within the queen's dominions.

It seems, from the committee's report, to be considered that Lord Salisbury, on the 15th June, 1891, made an agreement with the United States which is an obstacle in the way of the Canadian request for improved copyright legislation being granted. If such could be supposed to be the case the contention of Canada in this respect would present a far more serious ground of complaint than has been yet stated. The contention would be that, after promises of redress had for many years remained unfulfilled and at last fulfilment postponed on the explanation that such redress would be considered in negotiations for an international arrangement with the United States, Canada would now have to be informed that her request cannot be entertained or considered any longer, because the international arrangement with the United States precludes any consideration of her interests.

The undersigned submits, however, that such is not a correct statement of the facts, or a reasonable conclusion from them. Mr. Lincoln, the United States minister at London, appears to have asked information from Lord Salisbury as to the state of the copyright law in the United Kingdom. The reply of Lord Salisbury was, that an alien, by first publication in any part of her majesty's dominions, could obtain the benefit of British copyright and that contemporaneous publication in a foreign country did not prevent the author from obtaining copyright in Great Britain, that residence in her majesty's dominions was not a necessary condition, and that the law of copyright in force in all British possessions permits citizens of the United States of America to have the benefit of copyright on the same basis as British subjects.

It is submitted that in making this statement Lord Salisbury was merely stating what he believed to be the condition of the law of copyright at that time. He was not making any treaty nor any arrangement with regard to copyright, although, probably, for convenience of expression, the term, "arrangement with the United States" has been used in the report of committee, and also in course of these observations. The committee in their report seem to treat Lord Salisbury's answer (as to the condition of the existing law), as an agreement and almost as equivalent to an undertaking that the law should never be changed. Otherwise it is difficult to understand such expressions as are contained in paragraph 51: "The act of 1889" (meaning the Canadian act), "if confirmed by her majesty's government, after the assurance given to the government of the United States in 1891, would give rise to

misconception and misunderstanding." "Of course, if Canada were to withdraw from the operation of the act of 1886, and still more if she were allowed to withdraw from the act of 1842, there would not be merely a formal, but a substantial inconsistency between her legislation and Lord Salisbury's declaration."

It is not suggested that Lord Salisbury's declaration was that the law should not be changed, but that seems to be implied. If such is indeed to be inferred from Lord Salisbury's reply to Mr. Lincoln, it would be well to inquire how long his declaration was intended to continue in force or is to be construed as being in force? Is it possible that the convention of Berne, which was to endure until a year after denunciation, in so far as Canada was concerned, was intended by Lord Salisbury to be made perpetual in its application to Canada, by his making a statement of the law of the United Kingdom to Mr. Lincoln?

It seems perfectly obvious, notwithstanding the contrary view suggested by the report of the committee, that Lord Salisbury merely informed Mr. Lincoln that on the 16th of June, 1891, the first condition above set forth, in the United States copyright law, was complied with by the state of British law at the time. Lord Salisbury's object was to show Mr. Lincoln that Great Britain permitted citizens of the United States the benefits of copyright on substantially the same basis as to her own citizens. The Canadian government and parliament ask for no other condition of affairs; and Lord Salisbury's statement to Mr. Lincoln will still be good, and the reasonable requirements of the United States government will still be satisfied if the Canadian act of 1889 be ratified, because American holders of copyright in Great Britain will still be on the same footing as British copyright holders.

Before the so-called "arrangement with the United States" was made, in a letter which the undersigned had the honour to write to Lord Knutsford, on the 14th of July, 1890, it was suggested, as is quoted in paragraph 43 of the committee's report:

"(1.) That the present policy of making Canada a market for American reprints and closing the Canadian press for the benefit of the American press, in regard to British copyright works, has a direct tendency to induce the United States to refuse any international arrangement.

"(2.) That inasmuch as the existing Canadian copyright law affords protection to the copyright holder in every country which may make a treaty with Great Britain, it cannot be suggested, as it once was, that self-government in Canada on this subject would in the least impede negotiations with the United States for an international arrangement."

This prediction has been abundantly fulfilled since the passage of the United States copyright act. The United States publishers now insist, in making their arrangements with British authors and publishers, on a condition that Canada be included in the territory disposed of. Furthermore, the American purchasers of British rights refuse to Canadian publishers any arrangement for the publication of reprints in Canada. In this way the copyright holder outside of Canada not only enjoys, in Canada, a monopoly which the copyright act of 1842 gave him, but can and does sell to foreigners that monopoly in Canada, and the foreign purchaser thus acquires the right, under the statute of 1842 and the Berne convention act of 1886, to lock the Canadian presses in order that his own may be kept in operation to supply Canadian readers.

It should be observed that, by the Canadian copyright act of 1889, Canada asks less than the United States has obtained. The Congress of the United States has demanded that, before a British subject can obtain copyright in the United States, his book shall be printed from type set within the limits of the United States. Great Britain not only accedes to this demand, but permits a citizen of the United States to obtain copyright of his work in England, on production of his work there, printed on the type set in the United States and thus the United States publisher at the same time secures copyright in both countries for a book produced from American type. The Canadian act would permit type to be set in England and the plates imported, and on printing therefrom, copyright would be granted in Canada, if the printing were done within one month of the original publication elsewhere; but, failing such publication, the British copyright holder would be secure in his ten per cent royalty if the book should be republished (under license) in Canada.

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In view of this state of affairs it is not accurate to say, as seems to be suggested in paragraph 54, section 4, of the report under review, that "The present demand for legislation on the lines of the Canadian act of 1889, appears to come, not from the Canadian reader or author, but from the Canadian publisher and printer, who feel severely the competition of rivals in the United States, and wish to protect themselves by excluding their rivals' wares."

What the Canadian publishers principally complain of, under the present state of affairs, is that they are not allowed to compete with the publishers of the United States, inasmuch as the British copyright holders dispose of their rights to American publishers on condition that the latter shall have a monopoly of the Canadian market.

Another statement contained in the same paragraph of the report (section 6), indicates a want of information as to the facts, viz., the statement "that the effect of the recent American act would not be to increase the inducement to American publishers to reprint British books. Before the act, they could reprint any such books freely; since the act they must make arrangements with such authors as take advantage of the provisions of the United States legislation." The fact is that English books are eagerly sought for by United States publishers. They can afford to pay high prices, in view of the fact that the market of Canada is included in their purchases. The English authors are induced, also, to seek purchasers in the United States, in order to obtain copyright there and to get their books printed from United States type, which is a condition imposed there, although not imposed in Britain on the United States author when he seeks copyright protection throughout the British empire.

It is this enormous disadvantage, and not the competition of publishers in the United States, that Canada complains of, and it cannot correctly be alleged that the Canadian publishers "are undersold by competitors who have the advantage of larger capital and a larger market."

The committee have devoted a considerable portion of their report to a statement of the objections to the confirmation of the Canadian act of 1889. The undersigned forbears, at the present time, from entering into a discussion of the legal views on which the necessity for an imperial statute to confirm the Canadian act, depend. They have been fully set out in a report which he made in August, 1889. To the arguments therein stated he still adheres, but when it was made apparent, in the reply which was received to that report, that the colonial office had adopted a different opinion and held that an imperial statute was necessary, the attention of the Canadian government and parliament were immediately applied to the task of showing her majesty's government that, for every reason which could be drawn from the assurances of the past, such an enactment should be speedily given. It was this branch of the subject that the undersigned had the honour to present, in his letter of the 14th July, 1890, written at Lord Knutsford's suggestion, and it is to this branch of the case that the present observations are intended principally to be applied.

It is proposed, therefore, to consider the various objections which are stated by the committee in their report.

The first objection is this: "It would involve abandonment of the policy of international and imperial copyright which her majesty's government adopted, and to which Canada assented only six years ago."

It is denied that the provision of the Canadian act would involve the abandonment of that policy, even in so far as Canada is concerned, because the copyright holder would still be compensated, by the royalty instead of the customs duty. As regards the assent of Canada of six years ago to the Berne convention, Canada's right to withdraw from the convention on a year's notice was placed on the face of the treaty and she would not have consented to enter without that condition. The right has never been questioned, and a request that her majesty's government should give notice of Canada's withdrawal has been most distinctly and emphatically made. With a knowledge of these facts, the committee's report in paragraph 50 uses these words: "If Canada presses for withdrawal from the Berne convention, her request cannot well be refused."

The undersigned ventures to express the hope that no doubt will be entertained on this point. By an order in council, Canada, years ago, asked for the notice to be given. By an address of both houses of parliament she repeated that request in the most formal manner to her majesty. By a despatch of recent date, your excellency's government urged that the notice be given without any further delay; and, in case there should be any uncertainty on the subject, it is now asserted that "Canada presses for withdrawal from the Berne convention."

The next objection stated is that "It would be at least open to the charge of being inconsistent with the declaration as to the law of the United Kingdom and the British possessions which was made to the United States by Lord Salisbury, on the faith of which the United States admitted British authors to the benefit of their copyright law." This seems so fallacious as to call for no further comment than has been made upon it in an earlier portion of this report. It is impossible, in the view of the undersigned, that Lord Salisbury's statement of the law should be construed as a promise for all time, or for any time. But if, by this statement, it is intended to be inferred that the United States will hold at such high value the market of Canada, which they are now able to control, as to refuse copyright to British authors if that market be not continued to them, the demand for redress on the part of Canada will be more emphatic than ever, because the inquiry will arise whether it is proposed to place an important commercial interest of Canada at the disposal of a privileged class in Great Britain to be bartered for privileges to that class in a foreign country. It will be necessary to consider at once how long the market of Canada is to be thus controlled, and whether it is to be finally settled that Canada is to be placed at a disadvantage as compared with other countries in her neighbourhood, because her people have retained connection with the empire which they have so long done from very different motives than those of self-interest.

The next objection is that the confirmation of the Canadian act "would be inconsistent with the policy of making copyright independent of the place of printing"—a policy which her majesty's government have for many years been urging the United States to adopt.

It is well known that the United States have never shown a disposition to adopt any such policy. It is difficult to suppose that any well-informed person entertains any expectation that they will do so. Her majesty's government evidently had no such view when, by Lord Salisbury's "arrangement" with Mr. Lincoln, they conceded to United States citizens copyright privileges throughout the British Empire, without that policy being adopted on the part of the United States, but when, on the contrary, the United States emphatically refused to adopt it. After that arrangement, it is difficult to understand what reason could be suggested to congress for abrogating a condition (printing in that country) which protects the labour of the United States, to the manifest disadvantage of British labour of the same kind, and yet results in no denial to United States citizens of the privileges which British subjects have. Surely it would not now be urged that Canada should any longer have the granting of her request postponed for the imaginary reason that some better arrangement may be made with the United States, of which there is not the slightest probability, and which would be of very doubtful value, even if obtained, as far as Canada is concerned.

A further objection alleged against the Canadian act of 1889 is that "it would impair the right in Canada, of British authors" (meaning, of course, British copy-right holders), by whom the Canadian market is principally supplied.

This is a statement of the most doubtful accuracy. The Canadian act would secure to British copyright holders revenues which would be a hundredfold that now received from Canada, by reason of the collection of the stamp duties on Canadian reprints being substituted for customs collections on foreign reprints. If the British author would sell his copyright in Canada (which he rarely does now, because the purchaser in the United States demands of him that Canada shall be thrown into the bargain), he would find the product of his copyright greatly enhanced under the act of 1889. It is doubtful, at the present time, whether the United States purchaser pays anything additional to the British author in consideration of the market of

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Canada, but, certainly, if the market of Canada were purchased by those understanding the trade of this country, the price which the author would receive for the Canadian market would be greater than it now is. If the holder of copyright did not sell the Canadian market he would receive the price from the United States purchaser plus the additional revenue collected under the license in Canada.

One widely read author is known to have sold his right to a great publishing house in the United States. He refused to sell, at that time, the Canadian market to a Canadian purchaser. That condition was exacted of him by the publishing house in the United States which became his purchaser. Subsequently an arrangement was made with the author by a Canadian publisher, by which the latter secured the Canadian market by paying a larger sum for the Canadian right than the United States publishing house had paid for the same privilege in the United States and Canada together.

In any event, her majesty's government should be asked to consider whether the rights of British copyright holders, created under the statute of 1842, are to continue to be set up as a bar to the rights of the Canadian parliament and Canadian people, after so repeated a recognition of the fact that the creation of these privileges had become a grievance in Canada, and so long after promises and assurances had been given that that grievance would be redressed. If so it is exceedingly difficult to understand many of the expressions which have been continually made use of in imperial despatches for the last fifty years.

The report of the committee goes on to state an opinion that "It is doubtful whether the Canadian reader has, under existing circumstances, any ground of complaint at all." That opinion the undersigned cannot concur in. Even when foreign reprints were abundantly produced, that is to say before the passage of the American copyright law, the Canadian reader was obliged to pay a tax for the benefit of the copyright holder which was collected by the customs officers in Canada. That tax was not very burdensome, because the reprints were published at a very low price and the duty was an *ad valorem* impost on the wholesale importation. The Canadian reader is not now in so good a position, because of the generosity of her majesty's government towards the United States citizens which has given the citizens of that country a monopoly of the Canadian market, not only for reprints of the British works which they continually acquire the copyright of, and which the Canadian publisher cannot acquire, but for all United States publications as well. The result of this is that new books have doubled in price in Canada, within the last three or four years, and there is a prospect of further advance.

The report of the committee goes on to say that "It is the British author and publisher who have a right to complain of the Foreign Reprints Act." On behalf of Canada it is denied that the British author and publisher have reason to complain because they are not permitted, besides locking the Canadian press, to banish British literature from Canada by seizing it in the customs houses, unless it shall come in the form of a British edition which could not be sold in Canada, save in very small numbers. The British author would have no right to complain of the Canadian act of 1889, for, as has been shown, his position would be materially improved thereby.

The committee go on to state that the reality of the grievances of the British author and publisher "was admitted by the copyright commission of 1876." The reality of those grievances is not admitted in Canada, but if such grievances ever really existed they are less now, because the effect of the legislation of the United States is to curtail very largely the publication of foreign reprints, and they would be less still under the Canadian act of 1889, because the trade in foreign reprints would be almost, if not quite, abolished.

It is difficult to understand why this suggestion is made, with regard to the Foreign Reprints Act, unless it were intended as a suggestion in favour of greater restrictions as to copyright than those existing at present, by the repeal of the Foreign Reprints Act. If that were the object of the suggestion, it hardly calls for any remark, in view of the past history of this subject, and in view of the fact that the collection of customs duties in favour of British copyright holders is a matter of increasing inconvenience in Canada and must eventually be abandoned, for reasons which it is not now necessary to state at large.

Another suggestion in the report under review is that "Deprivation of Canadian copyright might be seriously detrimental to the interests of Australian authors, say, for instance, of a Melbourne novelist whose works are likely to obtain extensive circulation in Canada." The case is not a very probable one. In the words of the committee, applied to Canadian authors, it may be "treated as belonging rather to the future than to the present." It seems sufficient to say, for the present, that Australians are and, doubtless, always will be placed on the same footing as other British subjects in all Canadian legislation, but that if it should become, at any time, a question what rights should be enjoyed in Canada by any class of Australians it surely cannot be contended that that question should be decided by the parliament of the United Kingdom or by the parliament of Australia, rather than by the parliament of Canada.

The report under review devotes a paragraph to the interests of the Canadian author, of whom it is said that under the Canadian act of 1889, he would be deprived copyright in every country outside of Canada. This would be by no means the case unless imperial legislation were adopted to withdraw from Canadians not only the rights, within the empire, conceded to all British subjects, but the rights conceded to the people of most foreign countries, under the Berne convention, which seems a suggestion quite unworthy of a place in this controversy.

The Canadian parliament has not overlooked the interests of its authors or of any other class. When it speaks, as it has done on the subject, it speaks after full consideration of all the interests involved, and which it is well able to weigh.

The report under review proceeds to discuss at some length the question whether indeed the Canadian publishers have any grievance, and whether such grievance has been enhanced by the Berne convention. If the committee had obtained information upon this subject in Canada, where alone the facts are to be found, they could hardly have arrived at the conclusion which they state. The Canadian publisher has never had an opportunity of competing with his rivals in the United States, except in rare cases, as where a Canadian has bought a copyright from the United States publishers to whom the markets of Canada had been sold by the British copyright holder, and sometimes directly from a British copyright holder.

The effects of the Berne convention have already been discussed, but the committee could have found abundant evidence in Canada that the grievance of the Canadian publisher has been greatly augmented by every change in the copyright law of the United Kingdom in recent years. His condition has been made distinctly worse by the Berne convention and the grievance has been greatly enhanced by the concessions made by her majesty's government to the United States, under the "arrangement" for which this government was for many years asked to wait as a measure which would give the relief desired.

The report suggests, as has already been remarked, that "the real grievance of the Canadian publishers is that they are undersold by competitors who have the advantage of larger capital and a larger market and in whose favour protective legislation is enforced, against their weaker rivals." In considering this view of the case, too much stress ought not to be laid on the weakness of the Canadian publisher. The fact is that he has not been allowed to compete with his United States rival.

In exceptional cases, where a Canadian publisher has secured a right to his own market, it has been found that books have been produced in Canada at lower rates than in the United States. Numerous instances can be cited of books which were printed in the United States and reprinted in Canada to prove that these books have been sold in Canada at a price eighty per cent below the price of the United States editions. The real grievance of the Canadian publisher, the Canadian type-setter and every other Canadian workman engaged in the production of books, as already stated, is that he is not allowed to compete with his United States rivals, by reason of his being a British subject and, therefore, bound by the copyright legislation of the United Kingdom. It is true, as stated by the committee, that the United States competitor has a larger market, because the United States publisher of books controls the market of the United States plus the market of Canada; while the Canadian producer has not even the market of Canada, except in the rare cases before

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referred to, and then he can supply only Canada, being debarred from the United States markets because his book is not printed in the United States.

It is also true that the Canadian publisher is handicapped by the protective legislation of the United States, in favour of the publishing interest of that country, and especially by the obligation on the applicant for copyright to print from type set in the United States, while the citizens of the country imposing that condition are allowed all the advantages of British subjects, and Canadians are denied the right to impose any such conditions as to Canada.

The report under review again makes this statement with regard to the Canadian publishing interest, evidently from erroneous information: "What the Canadian publisher and printer want is to keep out books, cheap or otherwise, not printed or published at their own establishments." As a matter of fact, what the Canadian publisher and printer desire to do is to supply the cheap books which the Canadian reader desires. Under the Canadian act of 1889, a publisher could have no monopoly in republishing copyright books, because the government would have the right to grant any number of licenses to reprint. Furthermore, the British publisher would still have the opportunity to send his books from Great Britain to Canada.

It must, therefore, be repeated that it is desired that the Canadian publisher be permitted to sell in his own market; a market which, under present conditions, is reserved for the benefit of persons outside of Canada.

The committee has suggested that "the simplest and most effectual mode of lessening the price of Canadian books would be to remove or reduce the Canadian import duty of fifteen per cent on books."

The undersigned cannot agree with this view. The experience of the past has proved that the simplest and most effectual mode of lowering the price of Canadian books would be to have the Canadian press unlocked and the Canadian publisher and printer permitted to produce books.

The removal of the Canadian import duty would undoubtedly be an additional boon to the publishers and printers of the United States, but the undersigned ventures to think that the interests of that class have been, already, sufficiently cared for and do not require additional advantages from the government of Canada.

The argument in favour of reducing the Canadian import duty in order to cheapen books is somewhat in contrast with another statement in the report under review, viz., the declaration that the royalty to copyright holders proposed by the act of 1889 should be greatly increased and that more stringent methods of taxation should be adopted in order to secure the collection of the tax.

In paragraph 56, the committee suggest that "the amount of royalty might perhaps be fixed at fifteen per cent, so as to correspond with the amount of the existing import duty on books; and that the royalty might be levied by means of a stamp on each copy, so that if unstamped books were offered for sale they should be liable to seizure."

It seems to be implied from this that the import duty and the tax in favour of the copyright holder should be equal and it would then follow that a reduction of the import duty, as advised by the committee, would at any time be accompanied by a reduction of the copyright holder's royalty.

The intimation, contained in paragraph 57 of the committee's report, that such Canadian legislation as is required should be confined to books, is not acquiesced in by the undersigned. It is true, as stated in the report of the committee, that copyright in musical, dramatic and artistic works raises a very difficult question, but the right of the Canadian parliament to receive the power of self-government with respect to those matters is surely as plain as it is in relation to books. The demand to have that right conceded is surely not too difficult to be understood by statesmen of a country which has granted that right, freely, in relation to all other commodities.

The committee, in their report under review, have stated various objections to the details of the Canadian act of 1889. These objections, in the view of the undersigned, are not maintainable. They say: "That twelve months might be allowed as a reasonable time" (to the copyright holder) "for cheap reproduction, and during that time the imperial copyright should remain unimpaired." In reply to this

it must be said that in less than twelve months the Canadian market would be flooded with American reprints and the sale of the book would be over. The report then says that "the royalty might perhaps be fifteen per cent, so as to correspond with the amount of the existing import duty on books." In the view of the undersigned, the Canadian proposition of ten per cent royalty on each copy would yield much larger returns than the one proposed, which would be fifteen per cent *ad valorem* on the quantity imported, at wholesale rates. Such is obviously the meaning of the proposition of the committee, as is seen by reference to the import duty which is an *ad valorem* duty on the wholesale rates.

The ten per cent royalty proposed by the Canadian parliament would be imposed on the retail price of each book and would take the place of the twelve and a half per cent now collected by customs on wholesale rates, *ad valorem*, for the benefit of the copyright holder. An example may be taken to illustrate. A book issued last year, cost, when imported from the United States, \$22 for one hundred copies. The duty at twelve and a-half per cent was \$2.75. The retail price of the book being fifty cents, the royalty therefrom at ten per cent (as it would be if the book were republished in Canada), would be \$1. Thus securing a gain to the copyright holder of nearly one hundred per cent.

The undersigned, however, does not deem this a proper place to discuss the details of the Canadian act, as he does not deem it the proper place to discuss the legal rights of the Canadian parliament to pass that act. What the Canadian parliament and government desire is that the right of the parliament of Canada to legislate on this subject shall be relieved of all doubt, and there would still be left to her majesty's government the same constitutional right which it has with regard to all legislation in Canada, and which, it is submitted, is sufficient to secure every reasonable requirement for the security of imperial interests.

The undersigned stated, in his letter to Lord Knutsford in 1890,* that a most respectful consideration would be given to any suggestions for the improvement of the Canadian act of 1889 which his lordship might think proper to make, after hearing all that might be advanced on both sides. It would seem only reasonable, at the present time, however, that after all that has taken place some step in advance should be taken towards removing Canadian grievances beyond the mere routine of inquiries, reports and suggestions. It was hoped that that stage had been reached when the report of the royal commission of 1876 was made, especially in view of the fact that the report of that commission was so favourable to Canadian claims.

Respectfully submitted,

JNO. S. D. THOMPSON,
Minister of Justice.

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on the 28th March, 1894.

On a report dated 24th March, 1894, from the minister of trade and commerce upon the provisions of the Canadian tariff about to be introduced in the house of commons of Canada, affecting the subject of copyright, stating that hitherto at great expense and trouble, a duty of 12½ per cent has been collected on foreign reprints of British copyright works, for the benefit of copyright holders, over and above the duty payable for the benefit of the revenue of Canada, and calling attention to the fact that in the tariff now proposed this collection of 12½ per cent. will cease to be made after the expiration of the next session of parliament in view of the changes which are expected in the imperial copyright laws in so far as they apply to Canada.

The committee, on the recommendation of the minister of trade and commerce, advise that your excellency be moved to forward a certified copy hereof to the right honourable the secretary of state for the colonies.

JOHN J. MCGEE,
Clerk of the Privy Council.

* For copy of this letter see Sessional Paper no. 81, in volume 12 of the year 1892.

French Treaty.

RETURN

(56)

To an ORDER of the HOUSE OF COMMONS, dated the 10th April, 1894, for a Statement in the form of Table C in the blue-book already published on the French Treaty, for the years ending 30th June, 1892 and 1893.

JOHN COSTIGAN,
Secretary of State.

STATEMENT of the values of the following articles imported into Canada (and entered for consumption) from France during years ended 30th June, 1892 and 1893.

	1892.	1893.
	\$	\$
Gloves and mitts	111,132	133,442
Calf, kid, lamb and sheep skins, dressed, waxed or glazed	23,318	28,102
All other leather, n. e. s	29,219	21,449
Silk and manufactures of	86,766	127,809
Spirits, brandy, including artificial brandy and imitation brandy	298,828	319,240
do cordials and liqueurs of all kinds, n. e. s.	16,606	17,320
do alcoholic perfumes in flasks, not over 4 oz.	14,019	16,526
do do do over 4 oz	12,770	15,198
do wines of all kinds, except sparkling wines, containing 26 p. c. or less of spirits	101,665	100,780
do wines of all kinds, except sparkling wines, containing between 26 and 40 p. c. of spirits	21,200	19,028
do champagne and all sparkling wines	138,830	137,711
Tobacco pipes of all kinds	39,197	36,394
Wool fabrics composed wholly or in part of wool, costing 10 cts. per yard or less. do do do do over ten, but less than 14 cents per yard ...	1,936	1,058
do do do do 14 cents per yard or over	7,456	23,540
Wool, not further prepared than washed	210,153	275,335
Cream of tartar in crystals	102,064	117,493
Brushes	39,783	38,711
Books printed: periodicals, pamphlets, n. e. s.	23,730	36,874
Bibles, prayer-books, psalm and hymn-books	44,058	56,824
Brass and manufactures of, n. e. s.	18,096	20,251
Buttons, n. e. s.	18,478	18,672
Glue sheet, broken or ground	17,155	12,905
Glycerine	14,089	15,386
Braids, bracelets, cords, fringes, tassels, etc.	6,721	10,456
Artificial flowers	24,555	31,468
Laces, lace collars, etc.	20,531	27,235
Toys and dolls	41,612	42,230
Anchovies and sardines in $\frac{1}{4}$ boxes	10,047	9,541
Almonds, not shelled	12,572	25,658
Filberts and walnuts	12,295	12,909
Tomatoes and other vegetables canned in tins, weighing not over one pound.	20,532	31,611
Hides, raw	20,954	17,529
	29,237	87,030
	1,594,604	1,885,715

The Canadian and United States tariff upon the above articles are as given in Table C of the return brought down last session.

FINANCE DEPARTMENT, OTTAWA, 15th April, 1894.

SUPPLEMENTARY RETURN

(56A)

To an ORDER of the HOUSE OF COMMONS, dated 10th April, 1894, containing correspondence and other matter relating to the French Treaty.

JOHN COSTIGAN,
Secretary of State.

VICTORIA CHAMBERS, 17 VICTORIA STREET, S.W., 10th April, 1893.
The Hon. R. H. Meade, Colonial Office.

DEAR MR. MEADE,—In continuation of my recent correspondence from Paris with reference to the Franco-Canadian treaty, I beg to enclose, for the information of Lord Ripon and of the foreign office a copy of a letter signed by Sir Joseph Crowe and myself containing the result of an interview with M. Hanotaux, the gentleman in charge of the negotiations on the French side, which fully confirms my previous statement that the objections taken by Mr. Foster to the treaty were entirely unfounded.

I may add that I am satisfied that the following Dalziel telegram from Ottawa of the 29th March—

“Sir John Thompson, the Canadian premier, has cabled from Paris to Mr. Foster, the minister of finance, asking that the new treaty with France shall not be ratified by parliament this session. Sir John Thompson is hopeful that before another session a better treaty can be negotiated,”
is not only untrue, but the very reverse of the fact.

I remain etc.,

CHARLES TUPPER.

HOTEL DE LILLE ET D'ALBION, PARIS, 29th March, 1893.

DEAR SIR JOHN THOMPSON,—His Excellency the Marquis of Dufferin and Ava having been informed by the French minister for foreign affairs that he would instruct M. Hanotaux, director of consulates and of commercial affairs, at the foreign office, to confer with the undersigned on some points that had been raised as to the interpretation of the treaty recently arranged between Great Britain and France, we met that gentleman at the Quai d'Orsay to-day at four o'clock, for that purpose.

M. Hanotaux stated in the clearest and most emphatic terms that *poissons conservés au naturel* and *homards et langoustes conservés au naturel* included all canned fish and lobsters known to commerce, and he referred to the French tariff to show that unless this was the case they actually had no duties in regard to the great volume of trade in these articles. M. Hanotaux stated equally emphatically that the terms used in the treaty covered all building timber rough or sawn, including lumber of all dimensions whatsoever, precisely in the same way as they were covered by the arrangement made between the United States of America and France. He also said that *savons de Marseilles* was the only kind of soap included in the treaty.

M. Hanotaux further assured us that as the treaty was intended for the extension of trade between Canada and France, the term *importés directement* did not in any way limit the importation of Canadian products in bond through the United States in the manner in which it has been carried on up to the present time, without subjecting articles so imported to the *surtaxe d'entrepot*, an impost which applies only to importation through a European port.

M. Hanotaux also said that he was not himself aware of the legislation recently adopted in regard to ships or he would have mentioned it, but that the change had been carried in opposition to the wishes of the government, as it is shown by the debates of the chambers reported in the *Journal Officiel*. He explained also that the word *anguilles* was added to *poissons d'eau douce* because it was not specifically mentioned in the tariff. This includes all fresh water fish. These statements were made in the most frank and unreserved manner, and practically cover all the points upon which any doubt seems to have been entertained by the minister of finance, when submitting the treaty to the house of commons.

I am, etc.,

CHARLES TUPPER.
J. A. CROWE.

17 VICTORIA STREET, LONDON, S.W., May 25th, 1894.

DEAR MR. BOWELL,—I am transmitting by this mail, under separate cover, copies in duplicate of the consular reports of 1893, on the trade of Rouen and Cherbourg, and their respective districts, and of the ports of Marseilles and Brest, which have just been issued by the foreign office.

I would specially draw your attention to the conclusions presented by her majesty's consul at Rouen, on the subject of the decrease of the exports of wines from France during the past year, and to the increase of the lumber imports at that port from Russia and Sweden, matters to which I have referred in previous correspondence.

A further point of much interest to Canadian trade in this report is the question of the imports of wood pulp, both mechanical and chemical, but mainly the former, from Russia and Norway. Rouen is the chief port of entry for the supplies of wood pulp which France draws from abroad. You will observe that the imports of this article have practically recovered the position they occupied in 1891, which were then unusually heavy in anticipation of the present tariff going into operation, and I am in a position to state, moreover, that there is every likelihood of these figures being exceeded in the present year. Wood pulp, as you are aware, is included in our treaty, and I have no doubt whatever as to Canada being able to participate largely in this trade, under the minimum tariff, in competition with Russia and Norway, after the successful manner in which heavy direct and indirect shipments of Canadian wood pulp have been made to the English market during the last nine months.

The report in question concludes with a useful and interesting summary of what has been accomplished during 1893, to improve the navigation of the lower Seine, to increase the accommodation of the harbour, and to add to the many advantages which Rouen already possesses as an important distributing centre.

I am, etc.,

CHARLES TUPPER,

FRANCE.

PARIS.

The Marquis of Dufferin and Ava to the Earl of Rosebery.

PARIS, 28th January, 1894.

MY LORD,—I have the honour, to transmit herewith to your lordship a very interesting and carefully prepared report for the year 1893 upon the general trade of France which I have received from Sir Joseph Crowe, commercial attaché in her majesty's embassy.

I have, etc.

DUFFERIN AND AVA.

French Treaty.

Sir J. Crowe to the Marquis of Dufferin and Ava.

PARIS, 27th January, 1894.

MY LORD,—I have the honour to enclose my report for the year 1893 on the general trade of France.

I have, etc.

J. A. CROWE.

The summary returns of French imports and exports in 1893 which have just been published confirm the fears of those who expected an unfavourable balance of trade. They do not confirm the predictions of those who assumed that France had not suffered more than Great Britain. It is already known that British imports were $4\frac{1}{2}$ per cent less, and British exports 4 per cent less in 1893 than in 1892. French imports in 1893 fell off $6\frac{1}{2}$ per cent; exports, $7\frac{1}{2}$ per cent, but these are not the only proofs of depression. The revenue from direct and indirect taxation is less than the estimate by £1,312,000, and less than the previous year by £1,120,000. The Paris clearing-house accounts show a considerable contraction of business in spite of the cheapness of capital, which was to be had from any banking establishment at unusually low rates. A drought brought on a serious depreciation in the price of cattle, and sent up the quotations of hay and forage to exorbitant rates. Nothing has occurred in compensation for these evils, except an abundant yield of wine, which opens a prospect to the country of a revenue of £50,000,000, unhappily not realisable at once, and an extension of railway traffic, which show how much the public tried to make up their losses on international trade by developing business at home.

But before entering into details of French trade in 1893 some remarks must be made on that of 1892. The general returns for that year, which appeared in November last, differ materially from those which were published in the previous January; and this difference is due to the changes of price which were introduced by the commission of values. In my last report I gave the imports of 1892 at 4,400,000,000 fr., the export at 3,500,000,000 fr. The real figures according to the last valuation are, imports, 4,100,000,000 fr.; exports, 3,400,000,000 fr., and the decrease in comparison with 1891 is not £14,492,640, but £27,544,160. Taking the returns by weight, as well as by price, it becomes clear that in both cases the volume of trade diminished, though in different proportion. Thus, in a summary of imports by weight in all the custom houses of France, the total quantities entered for consumption in 1892 are given at 22,551,950 tons, as against 24,188,616 tons in 1891. These figures give a striking additional proof of the effect of the new tariff of 1892 in contracting imports and exports alike. A closer examination of them in detail reveals that the decrease in imports was chiefly in yarns and stuffs of wool, cotton, linen, hemp, jute, and silk, the total weight of which fell from 51,063,429 kilos. in 1892, to 28,649,206 kilos. in 1891.

The decline in exports is manifested by a loss of 57,000,000 kilos. on sugar, 17,000,000 kilos. on metal wares, 26,000,000 kilos. on wood wares, and 1,000,000 kilos. each on paper and skins.

Obviously enough the theory that protection was necessary to give home products in France a better price was not realized.

In 1892, as compared with 1891, the prices of several classes of goods fell—Skins and hides, 38·5 per cent; poultry, 22 per cent; hair, 30·5 per cent; bristles, 75 per cent; milk, 10 per cent; honey, 26 per cent; cattle and sheep, 2 to 4 per cent.

In other articles the depreciation was:—Silk, 5 per cent; gums and resins, 20 per cent; cotton, $3\frac{1}{2}$ per cent; woollens, 10 per cent.

We shall presently see that this decline in prices continued throughout 1893, when it extended particularly to two great articles of French production, wheat and wine. And yet, in the face of facts which prove that commerce in France has declined, and that prices have fallen, there is still a majority in the country which asks for more protection as a remedy for every evil.

The statistics of 1893 give total imports at 3,936,720,000 fr. (£157,468,800), as against 4,188,059,000 fr. (£167,522,360). The total exports were 3,209,619,000 fr.

(£128,384,760) in 1893, as against 3,460,735,000 fr. (£138,429,400) in 1892. The whole decrease is £20,000,000. The imports and exports of food were lower; the imports of raw material for manufacture higher, by more than £3,000,000 (81,018,000 fr.) The exports of the same fell off by more than £4,000,000 (105,591,000 fr.) For manufactured articles the decrease of imports is shown thus:—1893, 568,953,000 fr.; 1892, 614,936,000 fr.; difference, 45,983,000 fr., equal in sterling to a fall of about £1,839,320.

The decrease of exports comes out thus:—1893, 1,660,252,000 fr.; 1892, 1,820,713,000; difference, 160,461,000, a difference in sterling of £6,418,440.

All the principal states, Belgium and Italy excepted, did less business with France in 1893 than in 1892. Belgium has coal to sell, which France is all the more bound to buy when English miners are on strike. Italy forces on the French market its silks and cocoons without fear of competition. Where the relations of neighbour states with France are not complicated by exceptionally hostile tariffs, international relations are only affected by the ordinary consequences of general depression and protectionist duties. Between France and England, and France and Germany, the exchanges tend, as they have long done, to decrease.

Imports.

Imports from Great Britain have fallen 3·8 per cent, from Germany 1 per cent; Turkey sends less by 9 per cent, Brazil by 16 per cent, Spain by 19 per cent, Switzerland by 20 per cent, the United States by 37 per cent.

Exports.

French exports have fallen off all round, if we except Brazil. The decreases amount to:—Great Britain, 6·3 per cent; Germany, 5 per cent; Italy, 7 per cent; Turkey, 8 per cent; United States, 15 per cent; Spain, 22 per cent; Switzerland, 34 per cent.

There is nothing very startling in the situation of British imports to France. Exceptional circumstances have here and there altered the ordinary current of business. It was to have been expected that the repeal of the bounties hitherto paid to British-built ships owned by Frenchmen would prevent our sale of such vessels in future; but experience has shown that there is still profit to be made on these purchases, and the consequence has been that the import of iron and steel-built ships in 1893 exceeded that of 1892 in the proportion of 20,000 to 36,000 tons. The imports of plain cottons in 1893 exceeded the imports of the same stuffs in 1892. We sold 1,000,000 kilos. last year, as against 680,000 kilos. in the year preceding. But this result is due to the complete stoppage of the Swiss import of the same commodities in consequence of the tariff war now waged between France and Switzerland. For less apparent causes our trade in linens increased by 300,000 kilos. France also took from us more jute, cotton, and wool; but this was counterbalanced by equivalent losses in coal, copper, and lead.

RETURN of French Imports from England during the years 1893-92.

Articles.	Quantity.	
	1893.	1892.
	Kilos.	Kilos.
Wool	42,208,151	40,769,230
Cotton	6,191,045	5,337,045
Hemp	873,531	1,024,215
Jute	37,551,452	31,634,623
Coal	39,595,889	43,876,986
Copper	5,842,943	14,861,677
Lead	6,868,091	12,611,722

French Treaty.

Our losses in coals are no doubt due to the effects of the strike which lasted so long in certain British colliery districts. Other decreases show how continually the effects of the hostile French customs dues are felt by English manufacturers. Continuous decline is apparent in the imports of cotton and linen yarns, woollens, cotten prints, velvets, oilcloth and mixed stuffs.

Articles.	Quantity.	
	1893.	1892.
	Kilos.	Kilos.
Linen yarns.....	116,475	119,229
Cotton do.....	951,441	1,092,423
do prints.....	285,551	349,869
do velvets.....	161,669	210,711
Mixed cottons.....	91,734	111,983
Woollen cloth.....	3,313,633	4,020,601
do stuffs.....	40,783	12,375

German imports have chiefly decreased under the heads of feathers, paper, cotton tissues, machinery and tools, meat, starch, and beer. The sale of meat has fallen off, in consequence of recent legislation, by 75 per cent, that of starch by 50 per cent. But the Germans almost recouped themselves on molasses, the sale of which over the French border rose from 72,000,000 kilos. in 1892 to 106,000,000 kilos. in 1893.

Turkey loses her custom in France in respect only of natural produce. She imported, for instance, less corn into France in 1893 than in 1892 by £400,000.

Brazil sent to France less coffee, hides, gutta-percha, cocoa, fibre and tobacco. But coffee alone accounts for a loss of £400,000.

Spain increased her business to France in lead, cork, skins, wool, and iron ore; but her imports of sulphur fell from 14,000,000 kilos. to 2,000,000 kilos., of copper from 5,000,000 kilos. to 1,500,000 kilos., and her loss on 2,000,000 hectolitres less export of wines makes a difference to her of £2,500,000.

Switzerland and France have a serious commercial quarrel on hand, in consequence of which France imposes the maximum tariff on Swiss goods, and Switzerland lays on a differential tariff as a special burden on French products. The result as to Swiss imports into France has been that in 1893, as compared with 1892, Switzerland loses 1,500,000 fr. on her imports of cheese, 11,000,000 fr. on silks, 3,500,000 fr. on cotton tissues, and 2,500,000 fr. on yarns.

The decline of United States imports into France is due to a falling off in the French demand for cotton of 32,700,000 kilos. (34,900,000 fr.); in 700,000 tons of corn (161,900,000 fr.); and 4,000,000 fr. of tobacco. The balance is but partially compensated by an increase in the imports of petroleum.

And here I may give some account of recent legislation in France which has made this change in the American oil trade possible.

There has been a powerful agitation for some years in France for the reduction of the mineral oil duties. This agitation ended in the enactment of a law which came into force on July 1st last, under which the duties on petroleum were reduced as follows:—

Raw petroleum, from 18 fr. per 100 kilos. net, to 9 fr. in the direct trade, and to 14 fr. in the indirect trade.

Refined petroleum, from 25 fr. to 12 fr. 50 c. in the direct trade, and to 17 fr. 50 c. in the indirect trade.

Heavy oil, from 12 fr. to 9 fr. in the direct trade, and to 14 fr. in the indirect trade.

The result has been an increase of the mineral oil import into France from 35,459,000 fr. to 43,026,000 fr., that is, of 7,600,000 fr., all of which has gone to American importers.

French export trade to England would leave a much more unfavourable balance for France had it not been that two very important articles came into Great Britain in much increased quantities. In both cases a good climatic season was the cause of improvement. The export of raw and refined sugar to Great Britain rose from 117,540,808 kilos. in 1892 to 175,004,500 kilos. in 1893, a difference in money of 21,500,000 fr. (£860,000) in favour of 1893. The export of table fruit increased from 48,475,721 kilos. in 1892 to 76,021,500 kilos. in 1893, equal to an increase of 10,000,000 fr. (£400,000) But these gains were much more than balanced by losses on silks. Losses on silks, £1,166,480; woollens, £544,000; modes and artificial flowers, £56,000; yarns, £56,000; machinery, £52,000; hay, £108,000; butter, £440,000; wine, £48,000 and small wares, £76,000.

French exports to Germany have fallen off in dribbles on numerous articles. The heaviest decline is in copper, hides and skins, seeds, oilcake, silks, wine, metal ware, chemicals, and pig-iron. But none of the decreases much exceed £100,000, most are about £50,000.

Italy now refuses more and more to consume French silks and woollens. The contraction of French export in these goods causes a loss to France of 9,000,000 fr. on the first and 2,000,000 fr. on the second.

Spain in ordinary times has been one of the best markets of France for woollens, oils, chemicals, and codfish. In 1893 the commercial disputes of the two countries and their enhanced tariffs produced a change to the disadvantage of both. We saw that Spain suffered in the sale of her wines. Retaliation came to France on articles more precious even than wine. The amount of exports from France to Spain of woollens in 1892 had been as high as 987,232 kilos., worth 11,500,000 fr. The Spaniards in 1893 only took 578,900 kilos., worth 6,818,000 fr. The exports of French oil fell from 11,250,000 kilos. to 5,700,000 kilos., with a loss of 4,000,000 fr. Equivalent losses are recorded in exports of playthings, chemicals, cod, and metal ware.

The United States took from France a larger quantity of silks, but a smaller quantity of woollens. Their demand for wool, hides and skins, wine, dress-feathers, gloves, artificial flowers, pottery, and glass was very slack.

Switzerland abstained from taking the usual supply of wine from France. From 250,875 hectolitres (5,500,000 gallons) the French export fell to 25,908 hectolitres (599,976 gallons). The loss in money is not less than 14,000,000 fr. (£560,000). Proportional decreases of 5,500,000 fr. on woollens, 2,000,000 fr. on leather ware, 3,000,000 fr. on silks, 4,000,000 fr. on clothing, 7,000,000 fr. on sugar, 1,500,000 fr. on skins, 1,000,000 fr. on books, 2,000,000 fr. on metal wares, 2,000,000 fr. on watch ware, 2,000,000 fr. on goldsmith's ware, and 10,000,000 fr. on miscellaneous articles, testify to the profound hostility which animates the Swiss, and their determination to avoid as much as possible all that is French.

Without going further into details of the French decreases on exports, I may sum up by saying that in her exchanges her greatest losses in 1893 were, in million francs, on silks, 37; on woollens, 38; cottons, 4; linens, 2; skins, 16; machines and engines, 3; tools, 12; furniture, 6; modes and artificial flowers, 2; under clothes, 1½; women's dress, 10. Nothing compensates her for these losses in manufactures.

The natural effect of this state of thing in France was prostration of the home markets, especially for silks. The year which has just expired is considered to have been the most calamitous as regards silks within the memory of the present generation. It began well, but ended in a complete break up, as shown in the following quotations for May and December :—

French Treaty.

PRICES of Silk at Lyons.

Description.	May.		December.	
	From	To	From	To
	Francs.	Francs.	Francs.	Francs.
Raw Cevennes	79	80	49	50
do Italy	77	78	46	..
do Syria	70	72	41	42
	38	38·50	28	28·50
Japan	72	73	42	43
Canton	70	71	33	34

It appears that early in the year measures were taken by manufacturers generally to secure large supplies of raw material, both by immediate purchase and under contracts of delivery. But the silk crop in Europe and in Asia proved to be exceptionally abundant, and just as this occurred the South American republics became seriously disturbed; a financial crisis paralyzed the market of the United States, and Europe was crippled as a customer by the effect of tariffs on one hand, and depression on the other. Never was such a falling off as was witnessed in the demand for silk tissues. In England the market for plain stuff declined from 607,000 kilos. to 374,000 kilos., in Germany from 64,500 kilos. to 55,000 kilos., in Switzerland from 50,000 kilos. to 34,000 kilos. Similar decreases occurred went on manufacturing as before, and the conditioning house in respect of gauze and crape, and net and ribbons. Yet Lyons tested 6,000,000 kilos. in 1893 as it had done in 1892.

The woollen trade suffered almost as much as the silk trade. The markets for broadcloth of all kinds became extremely contracted in England, Germany, Spain, Italy, and Switzerland, and on this class of goods alone the deficiency in French exports for 1893 as compared with 1892 was 25,900,000 fr., or over £1,000,000, and as the United States reduced their purchases of other woollen stuff by one-half, nothing occurred to counterbalance the loss on broadcloth. It would be easy, but not of paramount interest, to trace the depression of French industry further into other branches of manufacture. We may now proceed to other fields where French enterprise is hampered at once by the effects of the season and by protection.

Of all the interests which appear at this moment to be in jeopardy in France, none is more powerful or more sure of sympathy than the agricultural. The class of agriculturists is undoubtedly much depressed, and the great landlords whose acres have lost one-third or more of their value in course of years, are in no better situation than the small owners of one or more acres or a fraction of an acre, whose produce is quoted at extraordinary low figures. It is not quite certain whether the discontent which is at present most clearly manifested amongst the poorer classes in France is due to political agitation or to the depreciation in value of land and its produce. Frenchmen are known for their thrift. They are more frequently owners of small holdings in land than earners of other nations. Their thrift has been so great that they have saved when others have hardly been able to live. Yet the time seems to be very near when the limits at which a man can save have been reached; and I am told on fair authority that it has been found that France is now suffering more than it has done for a long time past from general poverty.

It is equally curious and interesting to observe that depression and poverty are contemporary with low prices of corn; that wheat which was worth 24 fr. 15 c. per 100 kilos., or 5s. 9d. a bushel, in January, 1893, had fallen to 15 fr. 83 c. per 100 kilos., or 3s. 7½d. a bushel, in the following December. The prices here quoted give, however, no just measure of the situation; they are the prices at which wheat in bond could be purchased at the outports, and really equal to those which rule in Liverpool. The true

figures for the consumer in France are those above quoted, with a customs duty of 5 fr. superadded, which means 10s. a quarter more for wheat in France than for wheat in England.

The consequence is that, though the French labourer, who has no stake in the land, gets his bread at a comparatively cheap rate, he gets it less cheap than his colleagues in England, or wherever else there are no corn duties, whilst the owners of fields and small allotments are depressed on account of low prices.

The preponderant influence, politically, of the class last mentioned is shown by the fact that France has just elected the most protectionist parliament that has been known since the restoration. The cry is not for cheap bread but for protection.

It is affirmed that the cost of producing 100 kilos. of wheat is 25 fr. to 26 fr., and that any price below that is ruin, whilst none but a price above that can yield a profit. Therefore the sole remedy is more protection ; and the most recent form in which that protection is supposed to be attainable is that of the sliding scale, by means of which wheat, if quoted at 30 fr. per 100 kilos. in the market, would have to pay but a duty of 3 fr., whereas if it fell to 20 fr. it would be chargeable with a tax of 8 fr. Of course the present decay of wheat values has been attributed to many causes. One of them is said to be the temporary reduction of duty from 5 fr. to 3 fr. per 100 kilos. in 1891, which caused a speculative import and overstock at the time immediately preceding the re-imposition of the duty of 5 fr. on June 1, 1892. It is assumed that this overstock was stored and still weighs on the market. Another alleged cause is a fraud committed by the importers of wheat declared for re-export as flour and groats. It is affirmed that during the 6 months allowed as the limit of time for re-export, certain manipulations take place which leave a stock of flour duty-free on the country. But it is doubtful whether these causes are the right ones. There seems to be no reason to doubt that France produces more than she can consume. She imports to a certain extent because in order to make bread suitable for sale in France French wheat must be mixed with foreign ; but she grows more than the millers can use.

It is matter of speculation in what way over-production occurs. Economists are inclined to think the area under wheat in France has been increasing instead of diminishing, as it has done in England, and that the increase has not been taken into account in statistics. They also think that the yield per acre has not been accurately given, and is more than statistics show ; and that the export of wheat is not correctly returned.

The average annual yield of wheat in France in the 10 years 1881-91 has been given at 81,816,000 metric quintals or about 8,000,000 tons ; the average import at 12,500,000 metric quintals or about 1,225,000 tons. The consumption, independent of seed wheat, at 76,000,000 metric quintals or about 7,448,000 tons. These figures leave a margin of overstock of 1,777,000 tons. But is this overstock the cause of the depression of price? The French seem to think they are alone in their suffering from low values of wheat. But they will find, on examination, that they get higher prices even than those quoted at Liverpool ; and they must attribute the distress they complain of to causes influencing the markets of the whole world.

The tendency of Frenchmen, since wages have improved, and railway carriage has brought commodities to every man's door, has been to eat less bread and more meat than in past times. Perfected machinery brings more flour out of wheat. These are real factors in French agricultural depression. Meanwhile there is no sign in statistics that yields of wheat have been excessive of late.

The area under wheat in 1893, 6,900,000 hectares, equal to 16,500,000 acres, was little short of that registered in 1889-90, which was 7,000,000 hectares or about 17,000,000 acres. The yield of wheat in 1893 was 75,000,000 metric quintals, or about 7,448,000 tons, as against 84,500,000 metric quintals, 8,281,000 tons, in 1892.

If there be, as affirmed, an overstock of wheat, it must be reduced shortly, for the import decreases in increasing proportions.

In 1891 France took of foreign wheat 19,600,000 metric quintals ; in 1892, 18,000,000 metric quintals. It has taken in 1893 but 10,000,000 metric quintals.

French Treaty.

All other cereals harvested here in 1893 show a decrease of yield as compared with 1892. Rye from 17,000,000 metric quintals to 16,000,000 metric quintals ; barley from 16,000,000 hectolitres to 13,000,000 hectolitres ; oats from 48,000,000 hectolitres to 64,000,000 hectolitres.

The depression caused by low prices of wheat was seriously aggravated by a drought. It has been calculated that the effects of the drought were to reduce the crop of meadow hay in France by 150,000,000 quintals, or about 15,000,000 tons, and the weight of the crop of straw in proportion.

In several departments of France, the Côte d'Or, Haute Saone, Doubs, Jura, and Nièvre, farmers were forced to kill or sell their cattle because they had no means of keeping them from starving. Butchers in several villages of the department of the Loire were selling beef at 6*d.* per lb. 300 miners in the suburbs of St. Etienne formed themselves into a co-operative society for the slaughter of oxen, and got their beef for 3*d.* per lb. The owner of an ox drove him in the streets and cried his meat at 3*d.* per lb. It was in the Pas de Calais that most cattle were observed to die of starvation. In the Orne cows bought for £16 were sold for £2.15*s.* In Brittany no money could be had for stock of any kind. In the Vosges horses changed hands at 5 fr. and 10 fr. (4*s.* and 8*s.*).

There was an overstock of butchers' meat, and yet people complained that butchers took no account of the low price of stock, but sold their wares at the old rates. In Paris newspapers eagerly ventilated the question. Comparisons were made between the value of the stock at dead net weight in the slaughter houses of La Villette, and the charges made by butchers to their customers. In June quotations at La Villette were found to be 5*d.* to 9½*d.* per lb. for beef, and 5½*d.* to 10*d.* per lb. for sheep. The retail price on the same day were 8½*d.* to 1*s.* 3*d.* per lb. for beef, and 11½*d.* to 1*s.* 7*d.* per lb. for mutton. The difference was not much under 100 per cent. But the agitation had small results in the capital, because butchers affirmed that prime meat was still very dear, and poor meat unsaleable. In the departments butchers lowered their price at several points. Where they procrastinated the municipalities interfered ; and under the provisions of a decree of July 20th, 1791, set up lists of official prices ; and this was successfully accomplished at Dijon, Reims, Rouen, Lille, Valenciennes, Avignon, Poitiers, Dôle, Besançon, and Clermont-Ferrand.

Meantime parliament took up the question ; an agitation was got up for the repeal of the duties on maize and barley. But the cabinet and the majority at their back protested that wheat was low enough in price, and ought not to be subjected to the competition of maize. Besides, maize would never compete with home-grown grain and potatoes in distilleries and manufactures of *fecula*. The duty on maize remained unaltered ; but the duty on forage of 50*c.* per 100 kilos. was taken off and suspended till January ; and an extraordinary credit of 5,000,000 fr. (£200,000) was voted for the relief of the sufferers from drought. Other measures of a similar kind followed. The 14 per cent reduction of duty conceded to importers of molasses for distilling was extended to importers of molasses for cattle feeding for two months. Forests belonging to the state and communes were opened for the benefit of owners of starving cattle ; and railway companies were induced to consent to lower the carriage rates for hay, straw, bran, refuse corn, oil-cake, brewers' grains, beans, and turf and heath litter.

There was a class of people who made money out of this calamity. These were the people who had straw or hay to sell. The stock was small, but the profits on it were great, and the average price of hay and straw in 1893 exceeded the average price of the same commodities in 1892 by more than 45 per cent. Hay worth 106 fr. to 112 fr. per 1,000 kilos. early in 1892 was quoted at 160 fr. in spring of 1893, and as much as 200 fr. in July. Weight for weight hay was almost as dear as wheat. Of course this state of things gave a fillip to imports. The French market, which only took 21,000 tons of forage from abroad in 1892 was supplied in 1893 with over 159,000 tons, and the army for which a special additional credit was required, was able to complete its supplies.

Quite another fortune attended the wine growers. Wine is one of the great staples of French production. The manufacturers of it have been suffering for years

from various calamities ; and the annual yields have been falling gradually from 70,000,000 hectolitres to 24,000,000 hectolitres, In 1892 the wine harvest had gone up to 29,000,000 hectolitres (638,000,000 gallons). Suddenly a favourable season, such as had not been seen for years, supervened. The area under vine had only increased from 1,782,588 hectares to 1,793,299 hectares in 1893 (233,245 acres) ; but the sun shone so persistently that the grapes ripened early, and the vintage took place in August, a phenomenon which only occurred twice in this century. The yield rose to 50,069,000 hectolitres, to which we may add 4,000,000 hectolitres from Algeria, and the result was a harvest of 1,189,000,000 gallons—nearly double that for the previous year.

What the growers now realized was that they were so rich that they did not know what to do with their wealth. They were not alone in the world, the vineyards of Italy and Spain, and of Germany and Switzerland, had been as much favoured as their own. The annual consumption of wine in France being 770,000,000 gallons, they had 374,000,000 gallons to dispose of abroad, and the cry soon went up that foreign wine was coming in, and artificial wine was being made, and that both these evils should be abated—the first by more protection, the second by prohibition. Meanwhile prices went down, and the joy of all growers in some places at having large crops was turned into grieving, because they could get no customers. It is to be feared that a remedy for all this can only be found in patience. Wine of common sorts can now be had on the spot from 11 fr. to 15 fr. per hectolitre, which is equivalent to 5d. or 6d. per gallon. But it may become dearer.

The French government put a duty on foreign wine in 1892, when it was not required, and they roused the protectionists of other countries to reprisals. Now that French growers want to export, they find their old markets closed. The Macon chamber of commerce complains that the Swiss wine trade worth 20,000,000 fr. (£800,000) a year is lost. Others observe that mixing wines for Germany and Austria are obtained from Italy and Spain. In Switzerland, in Germany, and in Italy, wine is cheap and abundant, and there is no demand for a French supply.

The very remedies which are being tried to relieve the holders of stock that cannot at present be sold appear to make matters worse rather than better. Hitherto the carriage of wine from the south to Paris was divided between the railways and the shipping companies of Marseilles and Cette. Spanish and Italian wines were taken to the French ports of the Mediterranean, and there either put on board of steamers plying to Havre and Rouen, or on the lines running straight to Paris, and thence to the north. The carriage rates by sea were cheap ; those by rail were equally dear for foreign or for home wine. The chamber of commerce of Bourges reports to the government that railway rates for wine are frequently between 40 per cent and 50 per cent of the price of the wine itself. A fair wine of 100 fr. to 150 fr. a barrel sent to Bourges from the south costs 45 fr. carriage, and to Paris 55 fr. It is therefore desirable that the railway rates should be reduced. The railway companies, pressed by the government, have declared themselves ready to establish through rates from the extremes of their net of lines to Paris for 28 fr. per ton. Bordeaux approves, but Marseilles and Cette object, saying that their shipping lines will be ruined ; that under present arrangements they can take rough and coloured wines from Roussillon and the Cerdagne, that is from Perpignan and Narbonne, send them to Béziers, Montpellier, and Nimes, there to be mixed with light southern wines, and thence to Paris and the north. But if the new cheap tariff of 28 fr. is enforced, their mixing business and the sale of southern wines in the north will be stopped. Perpignan and Narbonne complain that the wines of the Pyrenees frontier will be handicapped, and they ask for more protection as against Spain, and prohibition as against the makers of sugar wine. They go so far as to affirm that the customs duty on Spanish wine is neutralised by the state of the exchange, and there are people who actually believe this to be the case, when it is clear that a loss of 21 per cent on Spanish exchange will only represent 21 per cent off the customs duty, and the duty being 11 fr. 68c. to 16 fr. 68c., 21 per cent off this would only be 3 fr. 15 c.

The central wine districts of France again are distressed to think that the new carriage rates should not be proportional, and they ask for a lowering of the inter-

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mediate railway charges. Meanwhile the director general of indirect taxes informs the public, that the total value of the wine crop of 1893 is 1,107,009,083 fr. (£44,000,000) for ordinary wines, and 149,518,446 fr. (£5,975,573) for wines of high quality, the total of £50,000,000 representing an average price per hectolitre of 25 fr. 10 c. (£1), lower by 6 fr. 30 c. (5s.) than the average price of 1892. By wines of high quality, as above described, are meant all wines of which the price on the spot exceeds 50 fr. (£2).

It is not consoling to the vendors of wine to know that the harvest of cider has been 32,000,000 hectolitres or 704,000,000 gallons in 1893, as against 15,000,000 hectolitres or 330,000,000 gallons in 1892.

But on the other hand, the production of raisin wine has fallen to 834,236 hectolitres, or 18,353,192 gallons, and that of sugared wines has gone down from 1,853,146 hectolitres, or 3,706,292 gallons in 1892. to 1,210,017 hectolitres, or 26,620,374 gallons in 1893.

As to imports of wine, French growers have little cause to complain, since for many years past there has never been so small a supply. The quantity taken from Spain fell off from 5,300,000 hectolitres in 1892 to 3,400,000 hectolitres in 1893. The imports from Italy are small, and France has spent but £7,869,908 for foreign wine in 1893, instead of £12,225,000 in 1892.

But a great fall in exports explains the heavy complaints of growers. In 1892 the Gironde exported 769,000 hectolitres. This year it only exported 687,000 hectolitres. Of other vintages the exports in 1893 and 1892 respectively were 751,000 hectolitres and 565,000 hectolitres. The money decrease of all wine exported is £1,000,000 for 1893.

In the time of prosperity when France produced much more wine than it could consume or export, French brandy was renowned for its excellence and taste. Under the influence of the various plagues from which vines had to suffer the harvest diminished, and little or nothing was left for the use of distillers but potatoes and grain. We may expect to see the distilling of brandy from wine increase if the coming year's produce has an equal yield to that of 1893.

For the present we have to note that such spirits as are made in France are chiefly derived from farinæ of various kinds or from beet-root and molasses. The season of 1892-3 which closed on the 30th of last September, yielded but 2,877,787 hectolitres, equal 63,311,314 gallons, as against 2,941,767 hectolitres, or 64,718,874 gallons in 1892. About 56,000 hectolitres (1,232,000 gallons) of this quantity were distilled from wine and cider. The import chiefly of rum from the French colonies is given for 1893 at 160,283 hectolitres (3,526,226 gallons) as against 136,722 hectolitres (3,007,884 gallons) in 1892.

The sugar crop of 1893 shows a decrease of nearly 200,000,000 kilos., as compared with that of 1892. The number of factories remained unchanged at 368. But the beet harvest fell off from 5,600,000 kilos. to 5,400,000 kilos., and the amount of sugar produced from 588,740,378 kilos. in 1892 to 528,501,485 kilos. in 1893. The consequent decrease of revenue is 9,994,000 fr. or about £400,000. Excess yields are calculated at 19.47 per cent, which is the amount to be deducted from the duty on sugar imported from the French colonies.

Navigation.

French navigation has not had much better fortune than French trade in 1893. The number and tonnage of French ships entering and clearing at French ports has decreased. The number and tonnage of French ships has diminished, whilst that of foreign ships has increased; and all this in spite of a new law changing the bounties payable to French shipping and a stringent application of the rule excluding foreign vessels from the trade between Algeria and French ports.

The number of vessels of all nationalities which entered and cleared at French ports in 1892 was 25,732, gauging 13,161,061 tons. The decrease in 1893 is to 25,419 ships, of 13,187,394 tons. In tonnage there has thus been no material alteration. But this is due to an increased participation of foreign ships in French navigation and a rise in their number from 17,568 to 17,830. French ships and tonnage fell off from 8,164 and 4,323,588 in 1892 to 7,589 and 3,961,910.

Under the old mercantile marine act bounties were given to French-built ships and half bounties to foreign-built ships transferred to French owners. The bounties were only payable to vessels engaged in the long sea trade, which was defined to be a navigation to the south beyond the 30th degree of latitude north; to the north beyond the 72nd degree of latitude north; to the west beyond the 15th degree of longitude, meridian of Paris; to the east beyond the 44th degree of longitude.

Coasting was defined as navigation within the above limits and between French ports only.

Bounties on long sea voyages were given at the rate of 1 fr. 50 c. (1s. 2 $\frac{3}{4}$ d.) per ton per 1,000 miles for the first year of the ship's service, and an annually decreasing scale of payments for the following years, the decrease being 7 $\frac{1}{2}$ c. ($\frac{3}{4}$ d.) per ton for wooden ships and 5 c. ($\frac{1}{2}$ d.) per ton for iron ships. Half bounties only were given to foreign-built ships registered as French. A second form of bounty was that conceded for the building of ships at the rate of 60 fr. (£2 8s.) per gross ton for iron and steel ships, and 20 fr. (16s.) per gross ton for wooden ships above 200 tons burthen.

The new law which altered the incidence of the bounties was put in force on January 30, 1893, and enacted that the bounty on building should be raised for steam and sailing ships of iron and steel to 65 fr. (£2 12s.) per gross ton, and for wooden ships of over 150 tons burthen to 40 fr. (£1 12s.) per gross ton. The navigation bounty was reduced from 1 fr. 50 c. (1s. 2 $\frac{3}{4}$ d.) to 1 fr. 10 c. (10 $\frac{1}{2}$ d.) for steamers with an annual decrease of 6 c. ($\frac{6}{10}$ d.) per ton for wooden ships, and 4 c. ($\frac{4}{10}$ d.) for iron and steel ships. For sailing vessels the bounty was raised to 1 fr. 70 c. (1s. 4 $\frac{3}{4}$ d.), with an annual decrease of 8 c. ($\frac{8}{10}$ d.) for wooden ships, and 6 c. ($\frac{6}{10}$ d.) for iron and steel ships. But a new feature was introduced which was quite an innovation. It was enacted that there should be two sorts of coasting in future, one including vessels trading from port to port locally, another comprising all voyages inside the limits of the "long cours" were to be called international coasting, that is, voyages between French and Algerian and foreign ports, and voyages between foreign ports provided the distance run in each case exceeded 120 miles. To international coasters a bounty of three-fourths the amount of the ordinary premium was granted.

On October 24 the law affecting navigation between French and Algerian ports also came into force. It might have been expected that these arrangements would give a new impulse to French navigation. The cost to the state of all the bounties combined is 10,500,000 fr. (£420,000) a year, and there is no doubt that that amount went out of the treasury for that special purpose; but one is surprised to find that the French people consent to give so much money without any return, since the efforts of the country have not succeeded in arresting the decline of navigation.

In order to favour ship-building the new mercantile marine law expressly enacted that the half bounty hitherto given to foreign-built ships should be repealed.

The result has not been, as I have already shown, to put a stop to the purchase of foreign vessels, and I have a list before me of more than 12 steamers bought or launched in England on account of French shipowners of Havre, Bordeaux, and Marseilles in 1893.

French inland navigation is not much more prosperous than ocean navigation. The returns for the last three-quarters of 1893, which have just been published, show a falling off of 500,000 tons in the tonnage of boats plying on canals and rivers, and this would seem to indicate that since railway carriage rates were reduced water carriage has decreased.

Mr. Felix Faure, chairman of a committee of the chamber of deputies, appointed to report upon inland navigation, has drawn up an exhaustive statement on the subject. Comparing the returns for 1881 with those of 1891, he states that in the first of these years the amount of goods carried on canals and rivers was 18.8 per cent of the total transport by rail* and water, whereas in 1891 the proportion was 22 per cent. During the same period of 10 years the weight of merchandise taken by rail increased from 16 per cent to 17 per cent, whilst that of goods by water increased 27 per cent. The total carried in 1881 being 104,800,000 tons, the share of inland navigation was 19,740,000 tons. In 1891 the total carried was 124,800,000 tons, and the share of rivers and canals 25,200,000 tons.

French Treaty.

This increase is due to legislation. A law of 1879 enacted that all locks should be rebuilt to a common size, so as to admit of the passage of boats of 300 tons, 125 feet long, 16½ feet broad, and 5 feet 10 inches in depth. Improvements were also made in the course of the Seine, the Saone, and the Rhone, so that the navigable inland waters of France, which were 11,968 kiloms. (7,450 miles) in length in 1881, increased to 12,327 kiloms. (7,654 miles) in 1891.

It would have been impossible to take a boat of 120 feet through more than 906 miles of canals in the earlier of the two periods.

In 1891 there were 4,014 kiloms. (2,492 miles) so open; and this improvement was attained by the enlargement of the locks and consequent opening-up of long distances for the carriage of heavy goods.

It is now possible to haul a boat of 300 tons direct from Havre to the frontiers of Alsace and from Dunkirk to Lyons. But there is much still to be done to complete the network. Between the Marne and the Saone, the Saone and Besançon, the Rhone and Marseilles, large gaps still exist.

Mr. Faure's report contains interesting details as to the shipping on canals and rivers. A census in 1887 and 1891 shows that the number of boats has increased about 1 per cent, whilst the burden of tonnage increased 10 per cent, and the crews 6 per cent. The number of vessels was 15,925 in 1891, their tonnage 2,996,583 tons. The cabins sheltered 40,468 persons, of which one-half were men, the rest women and children. During the day of the last census (May 16, 1891) there were 7,540 of the boats in motion, and 8,385 at rest, either emptying or loading. In addition to these 691 steamers, fitted to carry 43,583 tons, ply on the rivers, and many of them do a good business between Havre, Paris, and Lyons, whilst some constructed for sea voyages run with goods between London and Paris, or Paris and French Atlantic ports.

Drawbacks to the expansion of canal navigation are defective arrangements as to traction and want of organization as regards freight. Vessels are in some instances owned by companies, and these no doubt do a fair amount of continuous business. But fully one-half (exactly 8,460) of the boats are navigated by their owners, who live on board with their families, to the number of about 7,706. The usual career of these owners is this: They start as bargemen at monthly wages, and being thrifty, generally save enough after years to buy a boat of 300 tons, worth about £480 to £600 which they navigate themselves.

The price of freight has varied since 1880 from 1½ c. to 3½ c. per ton and kilometre, and is at present little above 1 c. ($\frac{1}{10}$ d.).

Most of the hauling is done by horse traction on canals, on rivers by steam tugs. In the east of France the horses belong to the boatowner.

Elsewhere hauling is done by cattle hired from the farmers along the canals, and the charge rises and falls according as the demands of agricultural labour at harvest or sowing time are more or less pressing. The cost is given at 3 to 6 thousandths of a franc per ton and kilometre.

In 1880 all inland navigation dues in France were abolished, and this, no doubt, was one of the causes which gave an impulse to the carriage of heavy goods by water; but the necessity for some sort of tolls leviable locally for the repair and use of canals has lately been felt, and an agitation has been set on foot for their enactment. I said that inland navigation had fallen off 500,000 tons in the first three quarters of 1893, as compared with the same period of 1892. The returns issued by the minister of public works show that the tonnage on canals fell—in 1892, 16,614,860 tons; in 1893, 12,235,108 tons; whilst the tonnage on rivers fell—in 1892, 8,692,354 tons; in 1893, 8,536,692.

The decrease is, therefore, exactly 535,414 tons, and represents a fall of 3 per cent on canal and 2 per cent on river traffic.

On railways, though the annual statistics are not yet forthcoming to distinguish goods from passenger traffic, a different state of things is apparent according to the latest returns. The gross receipts of the seven great lines of French railways for the year ending 31st December, 1893, were 1,159,546,347 fr. (£46,381,852), as against 1,137,

* Express traffic not included.

776,565 fr. (£45,511,060) in 1892, showing an increase of £870,792. The statistics of the first half-year, 1893, as compared with the same period of 1892, give results in more detail:—

Description.	Amount.	
	1892.	1893.
	Francs.	Francs.
Passengers	197,019,000	204,579,000
Goods	436,172,000	438,285,000

This shows an increased revenue for two quarters of £302,400 on passengers, and £84,520 on goods. It was to have been expected that the increase of passenger receipts would be much larger, as passenger fares were reduced in 1892—on first class, 10 per cent; second class, 20 per cent; third class, 30 per cent.

The advance in goods traffic should have also been much larger, as goods rates were also reduced by 27 to 33 per cent for slow trains, and as much as 50 per cent for express trains. On heavy slow carriage the receipts fell, for the half-year, from 383,504,000 fr. in 1892 to 379,682,000 fr. in 1893. On express carriage there was an increase; in 1892, 52,668,000 fr.; in 1893, 58,603,000.

That depression has been severely felt in France during 1893 is further amply shown by the returns of the revenue, which are not only below the estimates but actually below the figures of 1892.

The total decline of receipts from all sources is about 29,000,000 fr. (£1,160,000); but the revenue is below the estimates by 30,358,400 fr. (£1,214,336). Indirect taxes yielded 2,691,818,800 fr. (£107,672,752) in 1893, as against 2,720,536,400 fr. (£108,821,456) in 1892. There are three items of increase; on stamps, £340,000; drinks, £284,880; monopolies, £108,608. The heavy decreases are: on registration £1,171,460; customs, £865,440; spirits, £560,000; sugar, £427,760.

Depression is also shown by the reduction of business at the Bank of France. The transactions of the Paris clearing-house, which were given at 6,000,000,000 fr. in 1889-90, are stated to have fallen in 1892-93 to 4,715,000,000 fr.

The returns of the ordinary savings banks show a remarkable contraction of savings and a large withdrawal of money already saved. The deposits of 1893 were 785,924,992 fr., as against 879,862,096 fr. in 1892. There were withdrawals to the amount of 947,617,632 fr. which is more by 20 per cent than was withdrawn the previous year; but the capital due to depositors still remains at the figure of 3,143,370,266 fr. (£125,734,808).

The octroi of Paris, which was estimated to yield 149,577,936 fr., gave 150,577,936 fr., which is 1,380,105 fr. less than the revenue of last year.

One of the facts of the year is the change which has taken place in French investments in foreign securities. They bought Russian securities and sold Italian ones. It is difficult to say what the profit and loss on these transactions may have been, equally difficult to ascertain whether there was or was not a speculative basis to the change. It is a fact that Italians fell from 90 fr. 30 c. on February 1, 1893, to 78 fr. 75 c. on December 31, whilst Russians rose from 95 fr. 90 c. to 99 fr. 15 c. On the face of things, French investors must have incurred a serious loss.

A law which passed the chamber last year was put in force on April 29, imposing a duty of 10 fr. on bicycles. The tax has been paid on 132,276 of these vehicles, of which 20,000 are owned in the department of the Seine. It yielded in 1893 but 800,000 fr.

Another tax, from which much revenue was expected, was that imposed by a finance resolution of May 20, and put in force on June 1, under which all operations

French Treaty.

carried on by stockbrokers or outsiders are subjected to a payment of 5 c., or $\frac{1}{2}$ d., per 1,000 fr. negotiated. The yield of this tax is reported to have been 4,000,000 fr. for the half-year ending December 31—that is, £160,000, or £26,500 a month. There is a general impression that this is a very paltry result obtained at much cost and trouble.

We have had the usual number of strikes in France during the year that has just expired.

One of unusual magnitude occurred in autumn (September, October) in the mining district of the department of the Nord and Pas de Calais. No complaints were made as to the rates of wages. But the miners thought that their example would be followed elsewhere, that the strike would become general, and that they would then be able to dictate terms to the public as well as to their employers. The result was not such as they expected. They remained out seven weeks, and in the first month 40,000 men on the strike inflicted on the mining companies a loss of profits of £100,000, and on themselves a loss of wages of £140,000.

No strikes occurred in the collieries of central France nor in Germany. No loss accrued to the works of manufacturers dependent on coal, as at Lille, where it was thought 122,000 hands would stop work for want of fuel. The only profit was to the Belgian coal owners, who exported more than usual. Not a single one of the alleged grievances was redressed; not an advance of wages was made; but the effect on mining shares was depressing:—

QUOTATIONS, 1893.

	January 1.	October 31.
Nord—		
Aniche	12,480	10,850
Anzin	4,600	4,535
D'Ouchy	3,700	2,820
Escarpelle	2,395	1,990
Pas de Calais—		
Bruay	13,875	13,000
Bully Grenay	3,050	3,006
Courier	4,020	4,055
Liéven	10,170	9,900

The mining population which incurred losses of their own selection have not met with reprisals from the masters. It is reported that all but 1 per cent of the hands have been reinstated; 540 men out of 43,144 lost their employment; chiefly those who, as delegates or members of municipalities, took a specially active part in the strike. The rest will have much to do to pay their debts and make up to the shopkeepers for the support which they got during the period in which they earned nothing.

The leading cause of several other strikes was a recent enactment (November 2, 1892) reducing hours of work for women to 11 hours.

Many masters, employers of women, had been in the habit of keeping them 12 hours at work. After the enforcement of the act, on January 1, they reduced the wages in proportion to the reduction of time. The result was that 45 strikes took place during the year, involving stoppages of work in 154 factories by 13,153 hands.

The great majority of these strikes took place in spinning and weaving mills; 18 ended to the satisfaction of the operatives, 14 to that of the masters, 13 were settled amicably.

A new law of arbitration having been enacted on December 27, 1892, the number of strikes referred to it during the year rose to 104. In 53 cases arbitration was claimed by the workmen, in six cases by the masters, in two cases by both sides in common.

In 43 cases arbitration was entered upon at the call of the *juge de paix*. The masters in 41 cases refused to meet the workmen: 15 times when called upon by the *juge de paix*, 26 times when invited by the men.

Nine times the men refused to constitute a committee of conciliation. Twice both sides refused the intervention of the juge de paix.

In 53 cases committees of conciliation were constituted in accordance with the act, and in 23 of them no agreement was come to. Proposals of arbitration resulting from the action of the committees were refused nine times by masters and three times by workingmen.

FRANCE.

CALAIS.

Consul Bonham to the Earl of Kimberley.

CALAIS, 16th March, 1894.

MY LORD,—I have the honour to transmit to your lordship herewith my report for the year 1893 on the trade and agriculture of my consular district, which comprises the departments of the Nord (except the town of Dunkirk), the Pas de Calais, and the Somme.

I have, etc.,

E. W. BONHAM.

Trade and Commerce.

The trade of this part of France has not failed to suffer from the general slackness which has affected business everywhere.

The imports last year show a slight increase in weight at both Calais and Boulogne; this is not surprising, indeed, one would have expected it to have been much larger. They rose considerably in 1891, as importers and others laid in stocks in anticipation of the new French customs tariff, which came into operation on February 1, 1892; although no doubt the imports in January of that year were abnormally large, for the whole year there was a very great decrease, and one might have fairly anticipated that there would have been a considerable recovery in 1893, as though both merchants and consumers may have laid in large stocks under the lower tariff, there was more than time for these to have been exhausted, so that the slender rise in the weight of imports clearly indicates how slack trade has been.

Imports.

The weight of the imports at Calais shows a recovery in 1893, the figures for the last five years have been as follows :—

YEAR.	Quantity.	Value.
	Tons.	£
1889	170,414	3,077,240
1890	274,505	3,979,207
1891	368,271	4,632,863
1892	299,884	3,891,321
1893	333,665	*

*Not yet published.

I give in annex no. 1 particulars for the last year of the weights of the principal imports; but they are so lumped together that I fear they can be of but little interest. There was a decrease of 2,000 tons in the quantity of raw wool imported, the import of

French Treaty.

cereals increased considerably, the weight recorded being very nearly double that of 1892. Timber was 139,645 tons against 109,996 tons, this was owing, no doubt, to the gradual absorption of the stock imported before the increased duty.

I have before referred to the steady decrease in the quantity of coal imported from Great Britain, caused principally by the increased use of French coal, the weight is given as 51,951 tons in 1893 against 63,795 tons and 121,947 tons in the two previous years.

In pig iron which comes from Great Britain there is also a heavy decrease, the weight last year being given as 4,257 tons against 15,860 tons and 19,954 tons in the two previous years. Iron ore is imported from Spain (Bilbao) and increased to 45,970 tons from 35,489 in 1892.

Petroleum is imported from Philadelphia; there is one tank steamer under the French flag which runs to and fro regularly.

With regard to manufactured goods, tissues, yarns, etc., as the returns only give weights and not values, it is impossible to say much.

The increase in the weight of the imports at Boulogne during the past year was very small, the following are the weights and values during the past years:—

YEAR.	Quantity.	Value.
	Tons.	£
1889.....	199,971	7,110,783
1890.....	256,542	7,331,543
1891.....	274,740	11,134,924
1892.....	220,286	7,261,986
1893.....	222,566	*

* Not yet published.

Of the rise in value in 1891, £3,000,000 is caused by the repayment of the loan of that amount by the Bank of England to the Bank of France.

The return of the principal articles of import at Boulogne in 1893, furnished me by Vice-Consul Surplice, forms annex no. 2 to this report, the weight of the coals imported shows a fall of 31,651 tons as compared with the previous year, whereas timber shows an increase of 18,887 tons, being more than double that of the previous year, and jute, which arrives from British India, also shows a very heavy increase; there is a slight increase in wool, and a small quantity of grain was imported.

Exports.

The weight of the exports from Calais in 1893 remained exactly the same as in the previous year, as is shown by the following figures:—

YEAR.	Quantity.	Value.
	Tons.	£
1889.....	48,806	3,353,915
1890.....	60,534	3,662,525
1891.....	57,530	3,791,509
1892.....	64,433	3,846,625
1893.....	64,452	*

* Not yet published.

In annex no. 3 I give details of the weight of articles of export in 1893, but like those of the imports they are so lumped together as to lose much interest; for instance, coals are included under the heading of stones and combustibles and given as 20,796

tons against 5,093 tons in 1892, in which year, for the first time, I believe, a very small quantity of French coal was sent to Russia, whereas last year, owing to the strikes in Great Britain and the consequent high price of coal, several cargoes of French coal were exported, two large British steamers took cargoes to Malta, several cargoes went to Russia and Norway, and two Swedish sailing vessels are even returned as having left with it for England.

All this shows that our colliers should remember that although British coal is better in quality, still if prices rise too high, the public, especially abroad, will take to using foreign coal, and when once they get used to it may continue doing so and not revert to the British; French coal can compete with British in the market, as I have shown was actually the case, and if the strike had continued more of it would have been exported and steamers would have come here to coal; as it was, some steamers running between this and Dover did coal here during its continuance.

There is no doubt, as I have mentioned under imports, that less British coal is imported than formerly, the slackness of trade alone is not sufficient to account for this, and it is well known the principal reason for it is more French coal is now being used than was the case formerly.

This increase in the quantity of coal exported ought to have caused a rise in the total weights of exports; but since this is not the case, it is evident that other and, judging by the weight, probably more valuable articles of export decreased. Metal work and machinery show a heavy increase in weight, 11,557 tons against 2,426 tons, but even so are not up to their weight in 1891.

Tissues and yarns both show an increase, but with such a general description one cannot say much.

Poultry used to be largely exported, but owing to the rise in price there is no export of poultry raised in this vicinity, except of turkeys at Christmas.

A fair quantity of French beet-root sugar was exported, as the shippers obtained the benefit of the French bounty, but the trade of Calais and Boulogne is such a really miscellaneous transit one that it is impossible to discuss the various articles in detail.

The particulars as to the weight of exports from Boulogne in 1893, as furnished me by Vice-Consul Surplice, will be found in annex no. 4, but the following résumé on the subject may be of equal interest.

YEAR.	Quantity,	Value.
	Tons.	£
1889	114,411	10,541,022
1890	134,809	12,769,361
1891	122,680	8,968,502
1892	127,524	10,492,436
1893	133,977	*

* Not yet published.

The exceptional value in 1890 is accounted for by the loan of £3,000,000 in specie made to the Bank of England by that of France. I have asked Vice-Consul Surplice if he can explain the large rise in the value which occurred in 1892, but he is at a loss to account for it.

There was an increase for the year 1893 in the total weight: we find that Portland cement, the staple article of exports, alone accounts for 4,684 tons of this increase; fresh sea fish, which seems to be sent to England in larger quantities than formerly, shows an increase of nearly 2,500 tons, which is immense, the figure being 2,900 tons against 433 in 1892; and the weight of fresh fruit and prepared skins are both given as double what they were in the previous year, yet in spite of this the total weight only shows an increase of 6,453 tons.

French Treaty.

Shipping and Navigation.

From information kindly furnished me by the customs I have been enabled to compile the return as to the shipping visiting Calais in 1893 which forms annex 5 to this report. There was a falling off of 121 in the number of ships arriving from abroad, 100 of these being steamers. This is to a great extent accounted for by the abolition, since October 1st last, of the club passenger service between this and Dover, which alone accounts for a diminution of 92 steamers. Of steamers other than British or French there were 52 against 71 in the previous year. The decrease is, therefore, more than accounted for. There is an increase of 70 in British steamers, and a decrease of 151 in French. Of these latter, 92 may be put down to the stoppage of the club service, and the remainder to more of the passenger boats run having been those flying the British flag, which is borne out by the fact that 636 are returned as mail packets, against 771 in the previous year; and of the British steamers 792 are classed as mail boats, against 754 in the previous year; 454 are down as general cargo steamers belonging to three cargo lines running between this and Dover, London, and Goole respectively, 21 as coming from Spain with iron ore, 20 with pig-iron, and 57 with coals from Great Britain, 59 from the north of Europe with timber, against 26 in the previous year, and nine from different parts of the world with grain. Five large British sailing vessels also arrived with grain. The decrease in the sailing vessels is accounted for by the cessation of the export of straw, etc. Two British and one Norwegian steamer left this for Great Britain, and one French left for Italy with cargoes of sugar. Two British steamers left for Malta, and one British and two foreign steamers left for Russia, all with French coal. Of sailing vessels, three Norwegian cleared for Norway, and two Swedish for Great Britain, also with French coal.

The returns relative to shipping at the port of Boulogne-sur-Mer during the year 1893, which have been furnished by Vice-Consul Surplice, and form annex 6 to this report, show little variation. There was an increase of only 13 in the number of vessels entering that port. This is apart from the coasting trade, from which foreign vessels are excluded.

There was an increase of 24 in the number of British sailing vessels entering. Five of these were large vessels from India with jute, but there was a decrease of five in the steamers; 16 came from the Baltic with timber, against only one last year; two from India with jute, one from Belgium, one from the Philippine islands, and the remainder all came from Great Britain. Amongst these latter are included the two daily steamers of the South-eastern Railway Company, being the packets running in the through midday passenger service between London and Paris, and in the cargo service, also taking passengers, the regular lines to London and Goole, excursion steamers during the summer, and steamers with coal and other merchandise. Of the Dutch steamers, 64 arrived from Holland, and 54 from the United States.

On leaving this port 1,508 of the British steamers cleared for Great Britain, and four for Cochin China, cement forming a chief portion of the latter's cargo.

Of the Dutch steamers, 60 left for Holland, and 59 for the United States. Some vessels, both steam and sail, succeeded as usual in obtaining cargoes of Portland cement for various parts.

Population and Industries.

In the departments of the Nord and the Pas-de-Calais there is always an excess of births over deaths, which is far from being generally the case in France, and may be attributed to the population being largely of Flemish origin. Throughout the department of the Nord, as also in some parts of the Pas-de-Calais, the peasants still speak Flemish amongst themselves, and towards the Belgian frontier there are many who speak very little French.

The movement of the population in the two departments during the past few years has been as follows :—

Department of the Nord (population 1,736,341).

Year.	Births.	Marriages.	Deaths.	Excess of Births over Deaths.	Divorces.
1889	50,257	13,112	35,574	14,683	214
1890	49,214	13,346	39,207	10,007	201
1891	51,036	14,284	38,213	12,823	236
1892	49,884	14,130	39,816	10,068	222

Department of the Pas-de-Calais (population 874,364).

Year.	Births.	Marriages.	Deaths.	Excess of Births over Deaths.	Divorces.
1889	25,391	6,578	16,764	8,627	89
1890	25,141	6,762	18,979	6,162	76
1891	26,705	7,036	18,998	7,707	92
1892	25,747	7,240	20,101	5,646	105

With regard to the sea fishing at Calais, I have been furnished, from the same source as last year, with some information as to its results in 1893 :—

Kinds of Fish.	Quantity		Value.	
	1892.	1893.	1892.	1893.
	Kilos.	Kilos.	£.	£.
Fresh fish taken in the trawl, comprising turbot, brill, soles, skate, plaice, red mullet, dabs, etc.	1,062,850	880,000	29,760	26,400
Mackerel (fresh) in nets or with lines	108,200	64,000	1,948	1,280
Herrings (fresh)	360,000	195,000	2,888	1,560
Fish taken with lines, such as whiting, cod, conger, etc	62,500	63,500	2,125	2,280
Coast fishing on foot, shrimps, etc.	35,000	27,000	1,400	1,120
Total	1,628,550	1,229,500	38,121	32,640

It will be seen from the above that, although in 1893 there was a considerable fall in weight of fish taken, and in the total value, still the prices realized show an improvement. The decrease in quantity arose from several causes, firstly, the number of boats at Calais is not so large as formerly, and then the quantity of fish taken in the trawl was less, fish being scarcer.

Mackerel fishing was not extensively carried on, only a few small boats being engaged in it during the months of April, May, and part of June. The pursuit of this fish by the line during the season in October and November was almost *nil*. The herring fishery was likewise a failure; at first the results were good, but about the middle of November herrings appeared in large numbers, when all of a sudden came the hurricane of the 19th of that month, which was followed by a continuance of bad weather that obliged the fisherman to dismantle. It should be remarked that at Calais only about 30 small boats are engaged in the herring fishery, which is carried on close to the coast. Fishing with deep sea lines is on the increase, but always with boats of small tonnage.

French Treaty.

With regard to the fishing industry at Boulogne-sur-Mer, Vice-Consul Surplice reports as follows :—

“The fisheries form a very important industry at Boulogne, affording employment to many seamen and others connected with the trade.

“The number of fishing boats in 1892 was 396, measuring 15,900 tons, and employing 4,260 hands, in 1893 the number was 390, measuring 15,600 tons, employing 5,200 hands.

“The prices realized for fresh herrings caught off the coast were about the same as last year.

“The duty of 20 fr. per 100 kilos. (net) has almost put a stop to the importation of fresh sea fish, but this has not caused prices to rise.

“Ten boats have given a trial to a new system, they have taken on board supplies of empty boxes and ice, and have packed the catch in ice at sea with good results.

“There are now about 100 trawlers working from Boulogne, and their average gross gains amount to from 30,000 fr. to 35,000 fr. per annum per boat.

“Quantities of plaice have for months past been daily consigned to Billingsgate.

“The following table gives the result of the Boulogne fishery in 1893 :—

Articles.	Quantity.	Value.
	Kilogrammes.	£.
In boats—		
Cod, Doggerbank.....	1,320,000	20,080
Herrings, salted on board.....	14,210,000	155,208
do fresh.....	10,660,200	186,412
Mackerel, salted on board.....	8,960,300	37,208
do fresh.....	1,100,000	21,224
Other fresh fish.....	5,775,600	115,512
Oysters.....	12,000	88
Crustacea, lobsters, etc.....	70,200	868
Shrimps.....	51,300	1,404
On foot—		
Fish and shell fish.....	865,100	24,948
Total.....	43,024,700	562,952
do 1892.....	41,525,660	469,766
do 1891.....	44,720,760	569,572

“It appears from this table that the weight of the fish taken is an increase on that of the previous year, as also the value of the catch.

“No vessels were fitted out for Newfoundland or Iceland in 1893.

“In 1892, two vessels measuring 199 tons were employed in the Iceland cod fishery, and 27 vessels measuring 1,415 tons, were employed in that fishery on the Doggerbank in 1893.

“The above figures refer to the maritime district of Boulogne, but are divided as follows :—

District.	Quantity.	Value.
	Kilogrammes.	£
Boulogne.....	40,246,700	507,392
Audresselles.....	81,000	1,620
Le Portel.....	342,800	6,856
Equihen.....	674,200	13,484
Etaples.....	1,680,000	33,600
Total.....	43,024,700	562,952

The 49 sugar mills in the Pas-de-Calais during the season 1892-93 dealt with 605,402,640 kilos. of beet, or 77,690,000 kilos. more than during the previous season.

But if the crop of 1892 was abundant, the saccharine richness of the roots generally left much to be desired, the yield falling from 9.83 per cent in 1891-92 to 9.28 per cent. for 1892-93, up to the date of the report of the director of indirect taxes (July, 1893) the quantity of refined sugar had been as follows : Minimum legal yield, 46,263,981 kilos.; excess, 9,282,081 kilos.; total 55,546,062 kilos.

The distillery business in the Pas-de-Calais continues to flourish, seven new distilleries were opened in the season 1892-93 bringing the number up to 51, and the quantity of spirits obtained was 293,550 hectolitres, or 6,461,035 gallons, against 266,559 hectolitres, or 5,869,963 gallons, during the previous season.

The following were the various substances from which spirits were distilled :—

Articles.	Quantity.	
	1891-92.	1892-93.
	Kilos.	Kilos.
Barley.....	320,410	311,556
Oats.....	27,160	19,440
Rye.....	978,126	1,037,390
Other grain.....	2,047,100	1,894,300
Beet-juice.....	4,342,221	5,275,813
Molasses, native.....	34,267,194	23,112,496
do foreign.....	10,329,934	23,278,612
Wine.....		67

It is stated that the reason for the decrease in the use of grain and native molasses, whilst that of beet and foreign molasses increased, is due to the abundance of the beet-root crop of 1892, and to the superior yield of imported over native molasses.

The number of breweries at work in 1892 in the Pas-de-Calais was 530, or three less than in the previous year, nevertheless, there was a larger quantity of beer brewed ; during the first half of 1893 the number of breweries fell to 526 against 529 in the first half of 1892, but again there was an increased quantity of beer brewed ; the figures for these periods are as follows :—

Year.	Strong Beer.	Light Beer.	Total.
	Gallons.	Gallons.	Imp. gallons.
1891.....	13,209,059	12,853,642	26,062,701
1892.....	14,036,547	13,662,333	27,698,880
First half of 1892.....	7,060,588	6,874,537	13,935,125
do 1893.....	7,183,623	6,996,671	14,180,294

In addition to the submarine cable, made at the factory of the Société Générale des Téléphones, which adjoins the docks here, and which was sent out to Cayenne in January, 1893, as stated in my last year's report, a considerable length of submarine cable was, last summer, put on board the company's cable ship and taken out to New Caledonia to be laid between that island and Australia ; since then I believe little work has been carried on and no cable sent away.

When I wrote my remarks on the lace trade just a year ago things were looking up, for a short time orders came in freely and manufacturers began to think they were on the eve of a boom of prosperity, but the illusion was of short duration ; however, no doubt, some manufacturers were fully occupied, although the demand slackened as the year advanced and towards its close trade was bad ; still, many firms had a very good

French Treaty.

year, and all did better than for some time past. As I said the closing months were more than dull, but with the new year orders always come in, and many are coming this year, whether they will continue is doubtful. The lace made at Plauen in Saxony seems to be much in vogue.

The gentleman who always kindly gives me information on the course of the lace trade, with which he is thoroughly acquainted and as to which he is able to speak with authority, has been good enough to give me the following memorandum on the subject :—

“ Since my last report the lace trade has not been exempt from the severe trials which all industries have had to bear.

“ Whilst the first 4 or 5 months of last year fulfilled all expectations, the crisis in America, together with the reduced prices of raw silk, have had a most fatal effect upon our trade.

“ Our production depends, since some years, so largely upon America, especially North America, that the unsettled monetary state of the United States, coupled with the expected reduction of duty, made buyers very careful, and consequently the generality of orders ever since have been very small in proportion to former years. Since about a month, confidence, I am glad to say, having been restored and the date for the new tariff being postponed apparently for some months to come, orders arrive more freely, and most makers are well occupied, and, after all, the spring season will not be the failure which many feared. Certainly the continual lowering of the prices of silk tends to keep prices of all kinds of silk laces cheaper than ever, and profits must in consequence suffer, the turn over becoming naturally smaller.

“ The English market for our production is fairly good, seemingly even better than that of late years. Paris, on the contrary, has not yet opened out.

“ Germany and Austria are buying moderately, all other European countries are about the same as usual, with the exception of Italy, where business relations have become very onerous.

“ The South American trade, which is chiefly done through Paris, and is, as a rule, of no small importance, has become a dead letter.

“ The articles principally ‘ *en vogue* ’ are of course in silk or in cotton and silk mixed, and especially in heavy makes.

“ Chantilly laces in all cheap kinds are more or less a staple trade and sell pretty well. The demand for Bourdon laces and insertions continues to be very large, but here again prices have gone down considerably. Silk fancy laces with novel effects as Dentelle de Luceuil, Vieille Guipure, etc., have all been well taken up and repeat orders are beginning to come in.

“ Certainly our principal makers, who cater for the extreme novelties in fine qualities, are again profitably occupied.

“ Except Vals laces and a few extreme novelties, all kinds of cotton goods for export are very dull. The Plauen competition is again enormous in cotton goods. It is surprising how this make is just now in favour, not only for the United States but also in Paris, where, after all, fashions are created and make the law for the whole world.

“ I know on good authority that very large orders have been placed in Plauen, and that prices there have advanced from 25 to 30 per cent. This shows plainly how much lace is in favour, and how busy Calais and Nottingham would be if this strong competition had not arisen.

“ To conclude, all our makers have well weathered the ups and downs of last year, and no failures of any consequence have been registered. Had business only continued as it began in the first months, 1893 would have been a very prosperous year for Calais lace trade, and as it turned out nobody has much reason to complain.

“ The differences between makers and workmen have been smoothed over, and they work harmoniously together.

“ The statistics concerning the amount of the production and the raw material used are too unreliable to be mentioned.”

There are deposits of iron ore in the department of the Pas-de-Calais as well as in the Nord, but the quality of the ore is poor, and apparently it no longer pays to work them ; large quantities of iron ore are annually imported from Bilbao.

The following table gives the usual information as to the production of the ironworks in the Nord.

Articles.	1890.		1891.		1892.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
	Tons.	£ s. d.	Tons.	£ s. d.	Tons.	£ s. d.
Refined iron*.....	233,162	2 0 10	209,248	2 4 0	229,978	2 1 7
Merchant and special iron.....	272,360	5 19 5	268,813	5 19 8	273,778	5 17 2
Pig iron†.....	34,419	1 14 6				
Sheet iron.....	55,224	7 11 8	55,003	7 5 10	49,977	7 5 2
Rails.....			20	5 12 0		
Steel.....	99,837	6 3 6	104,917	6 5 0	107,530	6 0 3

*Font d'affinage et du moulage en 2° fusion.

†Fonte de 2° fusion (Fonderie).

These figures show little variation in production, but prices were slightly lower.

The foundry of Trith is still the only one producing phosphoric residue (*scories de déphosphoration*); the quantity produced and sold in 1892 was 14,960 tons, against 13,740 tons in the previous year.

The quantity of zinc produced at the works of D'Auby-lez-Douai shows a very slight decrease, having been 12,838 tons in 1892 against 12,996 tons in the preceding year; the average price realized was £19 7s. 6d. per ton, against £19 19s. 3d. in 1891 and £20 1s. 2d. in 1890, which was by far the highest price touched for many years past.

The upward figures in the coal production of the north of France received a check in 1891 owing to a serious and prolonged strike in the Pas-de-Calais and to partial ones in the Nord, but in the Pas-de-Calais the output in 1892 sprung up again, and was very considerably higher than it had ever been before. In the Nord, on the other hand, there was again a slight fall, but in 1893 the output of the Nord showed a slight increase, whereas in the Pas-de-Calais, owing as usual to strikes, there is a considerable fall.

Year.	Quantity.	
	Pas-de-Calais.	Nord.
	Tons.	Tons.
1880.....	4,844,323	3,701,589
1885.....	6,131,358	3,582,760
1889.....	8,614,119	4,831,843
1890.....	9,076,579	5,134,772
1891.....	8,619,021	4,973,522
1892.....	9,835,645	4,663,122
1893*.....	8,971,305	4,759,521

* Approximate.

PAS-DE-CALAIS.

The coal mines of the department of the Pas-de-Calais are found in two distinct basins; the most important contains 18 concessions, with a superficial area of 138,325 acres (55,976 hectares), and lies between Douai and Bethune. This is the coal basin of the Pas-de-Calais properly so-called; the second comprises only three concessions, having an area of 12,914 acres (5,226 hectares), which constitutes the basin of the Boulonnais; of these but one is worked, and it produced only 2,530 tons last year.

The united concessions of Escarpelle and Courcelles-lez-Lens, which form a part of the mining basin of the department of the Nord, encroach, however, on that of the Pas-de-Calais.

French Treaty.

I have, as usual, put the information as to hands employed, wages, accidents, etc., into a tabular form.

—	1890.	1891.	1892.
Employed underground—			
Men	25,360	27,949	29,900
Children	3,075	3,048	2,814
Average daily wages	4 fr. 75 c.	4 fr. 86 c.	4 fr. 89 c.
Days worked underground	8,109,396	8,251,969	9,299,012
Employed above ground—			
Men	6,656	7,281	7,697
Women	691	764	754
Children	980	1,125	1,224
Average daily wages	3 fr. 26 c.	3 fr. 34 c.	3 fr. 36 c.
Days worked above ground	3,173,713	2,840,446	3,102,887
Accidents	138	144	222
Persons killed	52	35	39
do injured	111	121	199
Total wages paid	1,899,242	1,982,873	2,236,904
do coal raised	9,076,579	8,619,021	9,835,645

The increase in the number of hands employed, to which I called attention last year, still continues. The government engineer, in his last report to the préfet on the working of the mines in 1892, states that the number of accidents given does not include a large number of minor accidents which were also inquired into, but which, as in former years, are not included in the figures given.

The following table gives details as to how the coal raised in 1892 was disposed of. It is taken from the official report to the conseil général, but the total of the coal raised does not exactly tally with the definite figures officially published, and which have been courteously furnished me by the government mining engineers:—Sold in the Pas-de-Calais, 1,578,649 tons; sold in the Nord, 2,736,649; sold to other parts of France, 4,419,961; sold to foreign countries, 237,354; total sales, 8,972,613; used at the mines, 742,020; stock, December 31, 1892, 195,339; total 9,909,972; stock, December 31 1891, 83,348; raised in 1892, 9,826,624; total, 9,909,972 tons.

The conveyances by which it left the mines were as follows:—Despatched by rail, 5,472,493 tons; despatched by canal, 3,374,206; despatched by carts, 125,914; total, 8,972,613 tons.

NORD.

In the following table will be found details as to hands employed, wages, and accidents in the mines in the department of the Nord for the years 1890-92:—

—	1890.	1891.	1892.
Hands employed underground	15,251	15,873	16,112
Hands employed above ground	4,323	4,729	4,697
Wages paid	1,014,996	1,069,760	1,028,441
Deaths through accident	13	26	23

The following table gives the estimated quantity of coal consumed in the department of the Nord, and the mines from whence it was obtained during the past three

years. The quantity is on the decrease ; probably this is attributable to slack trade, but I would call attention to the rapid and marked decrease in the quantity of British coal used :—

Mines whence Obtained.	Quantity.		
	1890.	1891.	1892.
	Tons.	Tons.	Tons.
Department of the Nord.....	2,362,760	2,349,675	2,213,711
do do Pas-de-Calais.....	2,511,112	2,419,070	2,705,146
Belgium.....	1,214,994	1,312,966	1,135,493
Great Britain.....	91,006	33,048	5,399
Germany.....	5,790	3,280	4,330
Total.....	6,185,662	6,118,039	6,064,379

The communal and private turf bogs in the Pas-de-Calais are situate in the district of Montreuil, along the valley of the Canche, in the plain of Airon, and on the right bank of the Authie, except those of Condette and Ponchel, the former of which is in the valley of the Becque in the district of Boulogne, and the latter in the valley of Authie in the district of San Pol.

The summer of 1892 was favourable for the cutting of turf: at Condette 1,080 cubic metres were cut, against 556 cubic metres in the previous year; at Ponchel, as in 1891, only some 26 cubic metres were cut.

In the district of Montreuil 16 communes asked and obtained permission to cut turf in 1892; but it seems two communes—those of Marles and Madeleine—did so without first complying with this formality, the engineer consequently reported their misdoings to the préfet. The total yield of these communal bogs was about 9,510 tons.

In the department of the Pas-de-Calais during the year 1892 there were about 70 underground quarries in work, affording occupation, on an average, to 280 workmen, and 260 open quarries employing 1,200 workmen.

The most important quarries are those for phosphates. Amongst those the most numerous and the most productive are those in the commune of Orville, which yield sand rich in phosphates, and occasionally an underlayer of phosphatic chalk.

In 1892 this group comprised 250 open quarries employing 520 workpeople, and an underground one, employing 24 workpeople.

The deposit of phosphates which was discovered at the beginning of the year 1891 to the north-west of Auxi-le-Chateau was more extensively worked; six open quarries, giving employment to 105 workmen, were opened in the course of the year 1892.

The group of phosphate quarries at Pernes-en-Artois now consists of only one underground affording employment to 15 men, and three open ones employing 14 men; finally in the Boulonnais group there were 70 workings by small shafts, employing 206 workmen, and 20 open workings, with 165 workmen.

About 133,000 tons of phosphates were extracted in 1892, against 157,000 tons in the previous year.

The most important quarries, besides those for phosphates, are those for sand or gravel at Labeuvrière, Berquette, and Arques; those for marble and limestone in the valley Heureuse, and those for cement at Devres, Neufchatel, etc.

Some rather important quarries for stone for metalling have been opened in the communes of Bengin, Rebrevue, and La Comte.

During 1892 four accidents in quarries formed the subject of investigation by the mining department; by these accidents one person was killed and four wounded.

French Treaty.

The following table gives statistics relating to the quarries in the department of the Nord during the year 1892 :—

Description of Quarry.	Underground Workings.		Open Workings.	
	Number.	Workman.	Number.	Workmen.
Marble.....			56	140
Sand.....			233	458
Limestone.....	35	128	172	547
Stone for paving and building.....	4	13	205	624
Flint.....			51	88
Marl and clay.....	2	9	71	212
Total.....	41	150	788	2,069

The phosphate deposits at Quiévy, Viesly, Briastre, and Neuville were not worked in 1892.

Four accidents were reported in 1892 ; these caused the deaths of two workmen and injury to two others.

The underground quarries are mostly situated in the vicinity of Lille, at Faches, Haubourdin, Hellemmes, Lesquin, Lezennes, Loos, Phalempin, Seclin, and in the vicinity of Valenciennes at Ribécourt, Vendegies-sur-Ecaillon, Petite Forêt de Raismes, La Sentinelle, St. Saulve, Hordain, and Avesnes-le-Sec.

Public Works.

With regard to the interior of Calais harbour, I have only to supplement my report of last year by stating that the quay walls have been completed, and the inside of the harbour itself deepened and cleared.

With regard to the entrance, which is of such vital importance, I regret having nothing satisfactory to report. The progress made last year with the foundations of the new east pier was by no means what it might have been. A plan of the pier, as it is to be, accompanied the report I made in March, 1891, when I gave full particulars, and stated it was expected to be completed this spring. For some time past the repairing of the woodwork of the old east pier has been much neglected, presumably because it was considered sufficiently strong to last until the new one was completed. This calculation has proved erroneous, since on the morning of November 19th last, during a heavy gale from the north-east, the sea carried away the platform forming the end or head of the east pier, with the small lighthouse, signal masts, sheds, etc., which were erected thereon, together with some length of the pier itself, leaving the stone foundations and remains of the piles as a danger to ships entering the port. It needs no words of mine to show that the loss of the protection to the entrance which was afforded by the end of the east pier cannot render the entrance safer, nor improve the accessibility of the port, and in the interest of the harbour it is to be hoped that something will be done. It is now again affirmed that the works of the new east pier will be pushed on ; contracts have been made, and it is to be completed in three years. There is no doubt it could be completed and the wreckage of the old pier removed within that period, and even sooner, but all depends on how the works are pushed on and the number of hands employed.

More vessels now avail themselves of the dry dock, and the mail packets continue to use it.

Vice-Consul Surplice has furnished me with the following observations on the port of Boulogne :—

“Dredging has been carried on regularly during the past year in the deep sea harbour, over a surface of about 33 acres. There is actually an anchorage of a depth of

29 feet at low water spring tides. The surface sheltered by the south-west breakwater from the westerly winds extends to about 85 acres, and over 30 acres of this there is a depth of 33 feet low-water spring tide.

“ The new quay wall on the Quai Gambetta side of the inner harbour is now completed as far as the bridge ‘ Marquet,’ the length originally proposed—that is, 1,200 feet—and the obnoxious mud bank that previously existed in front of the fish market (‘ Halle au Poisson ’) has been entirely dredged away.”

General Remarks.

I have commented so fully in previous reports on the channel passenger service that there remains little more for me to say, further than to record the number of passengers at Calais and Boulogne during the past year, which I do in the following table :—

Year.	Calais.	Boulogne.	Remarks.	The Boulogne figures include the following number of Passengers by Dutch-American Line.
	No.	No.		
1887	235,695	128,148	....	....
1888	248,001	120,021	....	....
1889	346,934	127,430	Paris Exhibition.	2,581
1890	262,364	106,604	....	6,733
1891	258,465	109,285	....	10,347
1892	248,347	113,765	....	8,512
1893	228,229	113,436	....	6,737

As regards Calais, it will be seen that the number of passengers who availed themselves of that route again shows a falling off ; in fact, the numbers have been steadily decreasing since 1890. Some say that this is owing to the financial difficulties of the last few years having rendered it necessary for many to economize and forego their continental trip. This, no doubt, may be, and probably is, the cause for a portion of the decrease, but I am inclined to think that the increased facilities and cheaper fares offered by the rival routes have much to do with the decrease. There is no doubt that passengers for Germany and the north-east of Europe no longer use this route to the same extent as formerly. This can be seen by the much smaller number arriving and leaving by the Brussels express trains.

There are now three services each way daily, instead of four, as the club service was discontinued on October 1 last. The numbers availing themselves of it having decreased rather than increased, the companies very wisely gave it up. I believe it never paid. That it was not more patronized may be explained—firstly, by the extra charge ; and, secondly, by the fact that the largest steamers were not run in connection with this service.

When the entrance to the port is finally completed it may then be safe to run such vessels at the hour fixed for the club service in all weather, which is not the case at present.

I may say that all passengers landing and embarking at Calais are to and from England ; but this is not the case at Boulogne, and in the following table I give particulars of the passengers at that port in 1893 :—

Description of Steamers.	Landed.	Embarked.	Total.
	No.	No.	No.
South-Eastern Railway Company from Folkestone.....	39,641	45,131	84,772
Various, chiefly excursionists.....	10,990	10,937	21,927
Dutch-American line.....	2,117	4,620	6,737
Total.....	52,748	60,688	113,436

French Treaty.

The number credited to the South-Eastern Railway Company again shows a decrease of 1,652 for the last year, clearly showing that the Folkestone-Boulogne and Dover-Calais routes to the continent are not for some reason patronized as much as formerly. The number of passengers using the Dutch-American line shows a decrease again, which is not surprising, as most of these were emigrants, but the total number of passengers is brought up to very near the total of the previous year by the increase in the number of excursionists. It was, no doubt, the fine summer which tempted more of the holiday-makers on our southern coasts to avail themselves of the facilities offered by the excursion steamers for a trip across the channel, and of the opportunity of indulging in a visit to foreign parts, though of very limited duration.

In annex 7 I give a table showing the result of four daily observations as to the direction of the wind last year.

The tons given in this report are all of 1,000 kilos. (equal to 2,204 lbs. avoirdupois), and exchange is taken at the rate of 25 fr. to the £1.

P.S.—Since writing the above I have been furnished with some particulars respecting the jute trade in the north of France which may not be devoid of interest.

As far as I can ascertain, the spinning of jute dates, for France, from 1845-46, when a firm at Ailly-sur-Somme joined it to their other spinning. This new trade was inaugurated by a Scotch gentleman who eventually took up the concern. About the same time (1847) an English firm began to spin this fibre in Dunkirk, and the industry has gradually increased up to the present time, when the consumption for France reaches about 310,000 bales per annum at the least and possibly is rather more.

The consumption of the principal European centres is about as follows:—Dundee, 1,100,000 bales; France, 310,000 bales; Germany, Austria and Bohemia, 550,000 bales; Belgium, 75,000 bales; Russia, 50,000 bales; Italy, 60,000 bales; Spain, 40,000 bales; total, 2,185,000, bales, to which must be added Sweden, Norway, Switzerland, etc. The French consumption of 310,000 bales (minimum), at 5½ bales per ton, gives a total yearly consumption of 56,500 tons, which, valued at £13 per ton, as a mean, represents £734,500 for the raw material.

Taken on an average season, jute varies in price, according to quality, from £9 to £18 per ton; but although this represents the extremes of value the great bulk of the crop consists of marks called "first natives," and these would stand at about £13 per ton on the above supposition.

It would be difficult to state the position of the trade for 1893, taking the year from January 1 to December 31, because the "jute year" is generally looked upon as extending from the middle of August of one year to the same date of the following year, the latter half of August being the time when the new crop arrives on the Indian markets.

The available supply for the European markets for the last four years was as follows:—Crop of 1890-81, 2,636,000 bales; 1891-92, 1,622,000 bales; 1892-93, 2,443,000 bales.

For the first 7 months of the present crop (1893-94) ending February 28, 1894, the exports to Europe have reached 1,922,000 bales, whereas for the same period of the previous crop (1892-93) they amounted to 2,188,000 bales. So far, therefore, the present crop is less than the previous one by 266,000 bales, and to all appearance the crop is exhausted.

The crop of 1892-93, which was 2,443,000 bales, was looked upon as just sufficient for the consumption, and I think this was the case, because although I make out the European consumption to be 2,185,000 bales, there are other countries besides those mentioned that consume this article, so that the crop of 1892-93 may really be looked upon as leaving no excess.

Crop 1890-91 was in excess of the requirements and left a surplus at its close.

Crop 1891-92 was considerably below the needs, and prices rose high as it was supposed there would be a dearth before the arrival of the following crop, but with rising prices the consumption was restricted and machinery was stopped so that prices of "first natives" which rose to £19 in May, 1892, fell in June, July and August until they reached £13. This tremendous fall was most ruinous to manufacturers who had

bought largely, expecting prices would maintain themselves until the arrival of the new crop in Europe in the first half of October. The fact of a surplus having been left from crop 1890-91 appears to have been lost sight of in the excitement, and this, along with the reduced consumption, owing to high prices and the rumours of a good crop for 1892-93, caused this unexpected and unprecedented collapse of prices. Nevertheless, the crops of 1890-91 and 1891-92 together were barely sufficient for the consumption, and there certainly was no visible stock left to begin the year 1892-93.

This 1892-93 crop, which was to be such an immense one, proved after all to be only a normal one, and as stocks were *nil*, the prices kept pretty steady, rather higher in fact than usual, the close of the year was looked forward to with some anxiety as to how the present crop would turn out, it was announced in July last that floods had occasioned serious damage, and that the 1893-94 crop would turn out below the average; these adverse reports were not looked upon as trustworthy, but only as "canards" got up with the object of raising prices. As time went on, however, there could hardly be a doubt that matters were serious, and that the crop would prove inadequate to the demand which had been steadily increasing, and such has proved the case. The supplies arriving from India are not only smaller than they ought to be, but quality has fallen considerably. This coupled with the reduced demand, which is a consequence of high prices, makes profits next to impossible. "First natives" which stood at £13 in September, 1893, gradually rose until December last when they reached £16 5s. or more. Since then, owing to the rapid fall in silver and the reduced consumption, prices have fallen rapidly, and at present "first natives" stand at £13 15s.

The Dundee trade has for the last two years been bad. The American markets both north and south are practically closed. The prohibitive duties of the north, the financial difficulties of the south and their constant state of warfare have completely paralyzed the Dundee trade. On the other hand the producing powers of Calcutta, from a manufacturing point of view, have become so great that they virtually command the export trade. The mills there enjoy such immense advantages from cheap labour and long hours that they have sprung up like mushrooms, and already their consumption exceeds that of the mother country by several hundreds of thousands of bales per annum.

But to come back to France, the trade there during the last twelve months has certainly not been as bad as I am led to believe it has been in Scotland; but although the former is protected by her tariff and safe from importation, the state of affairs in Dundee does react upon France to a very marked extent. It is hardly possible for business to be profitable here when it is bad in Dundee. When yarn is being "given away" in Scotland, the trade cannot pay remunerative prices in France, and it must not be forgotten that although France is protected by customs duties, French production is, if anything, in excess of the demand so that it becomes necessary to export part of the produce in order to keep prices remunerative. This is done by sending to Dundee and other places fine yarn, which can be placed on those markets with advantage, although the same could never be said of the coarser numbers in the production of which they are by far the masters.

The distressing state of Scotch trade has to a fair extent reduced this export of French fine yarn, and the consumption in France, owing to high price of raw material, having become restricted, spinners are now producing more than the demand, and as a consequence prices are lower than is compatible with a profit to them.

It may be said, as a rule, that during the last two years profits have been *nil*. The fluctuations in the prices of the raw material have been so sudden and unexpected that buyers of yarn have become very cautious, and spinners who cannot stop their mills have often had to buy dear jute, which, turned into yarn, has been sold later on at ruinous prices. The trade during the last three or four years appears to have lost the steadiness it formerly enjoyed, and has become a kind of speculative business wherein those who succeed in buying at the right moment make money, whereas others less fortunate lose heavily. In trying to form a sober judgment as to the prospects of the trade, even the most experienced and trustworthy men have been at fault in spite of their large experience. Two months ago it was positively asserted that before next June "first

French Treaty.

natives" must stand at £18 and possibly at £20, whereas the recent fall renders such an idea untenable at present. There is no doubt that the present crop will be considerably below an average one, but bad trade and a reduced output will probably allow spinners to eke out what they have until the next crop makes its appearance.

As regards the uses to which jute is applied, these are so numerous as to defy enumeration. Undoubtedly its most extensive use is the production of bags of all description and for all purposes. Then it is largely used in upholstery, the making of cordage, carpets, and for packing goods. In fact it is difficult to say where its use ceases as it is employed in the manufacture of all manner of goods.

ANNEX I.—RETURN showing the Principal Articles of Import at the Port of Calais during the year 1893.

Articles.	Quantity.
	Kilogrammes.
Fresh meat.....	334,952
Wool, raw.....	20,230,281
Silk.....	86,467
Cereals.....	39,813,047
Sugar etc.....	22,175
Condensed milk.....	730,620
Coffee, tea and spices.....	244,080
Oils, various.....	128,515
Timber.....	139,645,335
Vegetable fibres.....	6,444,865
Yeast.....	462,958
Rags.....	554,317
Wood-pulp.....	2,224,066
Slates.....	280,458
Ice.....	2,397,849
Coal.....	51,951,838
Mineral tar and bitumen.....	437,079
Petroleum.....	12,673,065
Iron ore.....	45,970,600
Pig iron.....	4,257,420
Iron, plates, wire, etc.....	590,188
Chemical products.....	442,315
Yarns of flax, cotton and wool.....	480,589
Tissues of flax and cotton.....	271,089
do wool.....	216,729
do silk and hair.....	87,186
Machines, etc.....	977,860
Works in metal, various.....	259,713
Beer.....	178,421

Annex II.—RETURN showing the Principal Articles of Import at the Port of Boulogne during the years 1892-93.

Description of Goods.	Tons	Quantity.	
		1892.	1893.
Waste silk, spun.....	13		
Sea fish other than cod.....	686		365
Mother-of-pearl, a natural shell.....	1,174		1,226
Wheat.....	55		6
Sugar.....	5		4
Preserves and sweet biscuits.....	110		85
Coffee.....	196		474
Tea.....	26		28
Fixed oils, pure and others.....	6		9
Coals.....	130,211		98,560
Pig iron.....	54		95
Iron of all sorts.....	122		124
Steel, in bars.....	43		28
56—3	33		

Annex II—RETURN showing the Principal Articles of Import at the Port of Boulogne during the years 1892-93—*Concluded.*

Description of Goods.	Quantity.	
	1892.	1893.
Steel, rolled, in plates..... Tons.	301	293
Beer..... Gallons	33,374	33,652
Yarns (fils de)—		
Flax or hemp..... Tons	73	108
Cotton, pure or mixed (by weight).....	573	538
Cotton, pure or mixed (by measure)..... 1,000 metres	5,229,950	3,266,677
Alpaca wool, pure or mixed..... Tons	590	545
Goats' hair..... "	397	456
Tissues of wool—		
Carpets..... "	178	148
Other tissues..... "	2,418	1,983
Tissues of cotton—		
Tulles (lace)..... "	8	8
Other tissues..... "	943	798
Machines and machinery..... "	2,073	1,826
Articles in iron or wire..... "	475	373
Gold in ingots..... Ounces (troy)		1,394
Wool of all kinds..... Tons	8,135	9,139
Silk, raw or thrown..... "	44	17
Cereals, other than wheat..... "	2	2,096
Wood for building..... "	17,228	36,115
Jute..... "	11,468	19,280
Manilla hemp..... "	266	
Ice..... "	5,185	6,800
Iron ore..... "	2	
Total tons.....	220,286	222,566

Annex III.—RETURN showing the Principal Articles of Export at the Port of Calais during the year 1893.

Articles.	Quantity.
	Kilogrammes.
Meat, poultry and preserves.....	914,326
Farinaceous substances.....	150,200
Stones and combustibles.....	20,796,940
Animal products.....	518,394
Fish, fresh and preserved.....	47,966
Flour, bread, biscuits, etc.....	47,767
Potatoes.....	28,870
Fruit, fresh and dried.....	722,797
Sugar, molasses and glucose.....	8,776,546
Milk, condensed.....	730,610
Vegetables, fresh and dry.....	2,671,114
Rags.....	641,540
Plants and trees.....	215,076
Wine, vinegar, cider, etc.....	2,303,757
Spirits and liqueurs.....	20,831
Mineral waters.....	420,059
Metals, various.....	725,280
Chemical products.....	208,790
Glass and porcelain.....	4,411,973
Tulle, lace and embroidery.....	65,429
Yarns.....	500,103
Tissues.....	5,221,133
Skins and leather goods.....	232,842
Machines and metal ware.....	11,557,771
Esparto and basketmakers' wares.....	256,281
Yeast.....	263,094

French Treaty.

Annex IV.—RETURN showing the Principal Articles of Export at the Port of Boulogne during the year 1892-93.

Description of Goods.		Quantity.	
		1892.	1893.
Portland cement	Tons	31,963	36,647
Eggs	“	1,033	1,099
Herrings, dried, smoked, salted	“	697	824
Fresh sea fish	“	433	2,900
Potatoes	“	2,969	3,800
Dried vegetables	“	84	13
Fresh fruits, of all kinds	“	7,802	15,628
Seeds for sowing	“	126	152
Rags	“	1,228	2,834
Wine and liqueurs	Gallons	1,409,782	1,417,576
Brandy and other spirits	“	16,214	13,415
Pottery and porcelain	Tons	1,469	805
Glass, bottles, etc.	“	8,702	8,842
Tissues—	“	“	“
Silk (tulle)	“	154	169
“ others	“	64	13
Linen or hemp	“	8,053	6,244
Wool	“	1	1
Cotton (tulle)	“	72	194
“ others	“	112	37
Silk in cocoons, raw or thrown	“	78	42
Silk of all kinds	“	444	470
Paper	“	882	1,559
Prepared skins	“	136	370
Articles in skin or leather	“	“	“
Works in metal—	“	“	“
Cast iron	“	75	26
Copper, pure or alloyed	“	98	156
Other than above named	“	384	843
Articles in india-rubber (caoutchouc)	“	13	26
Haberdashery and fancy articles	“	1,772	2,995
Gold coin	Ounces (troy)	“	1,518
Silver	“	18,936	11,147
Total tons	“	127,524	132,977

Annex V.—RETURN of all Shipping at the Port of Calais during the year 1893.

ENTERED.

Nationality.	Sailing.		Steam.		Total.	
	Number of Vessels.	Tons.	Number of Vessels.	Tons.	Number of Vessels.	Tons.
British	27	6,261	1,459	353,968	1,486	360,229
French	12	1,085	662	174,375	674	175,460
Russian	18	7,736	“	“	18	7,736
Swedish	8	3,243	10	3,728	18	6,971
Norwegian	42	17,200	21	11,705	63	28,905
Danish	2	388	6	5,299	8	5,687
German	3	3,268	12	6,612	15	9,880
Italian	1	492	“	“	1	492
Belgian	“	“	1	465	1	465
Spanish	“	“	1	838	1	838
Chilian	“	“	1	7	1	7
Total	113	39,673	2,173	556,997	2,286	596,670
Coasting	34	3,002	2	2,620	36	5,622
Grand total	147	42,675	2,175	559,617	2,322	602,292
Total for the year preceding	169	32,998	2,277	581,533	2,446	614,531

Annex V.—RETURN of all Shipping at the Port of Calais during the year 1893.—*Con.*

CLEARED.

Nationality.	Sailing.		Steam.		Total.	
	Number of Vessels.	Tons.	Number of Vessels.	Tons.	Number of Vessels	Tons.
British	31	3,950	1,457	344,601	1,488	348,551
French	11	1,199	663	180,052	674	181,251
Russian	17	7,324	2	471	19	7,795
Swedish	8	2,883	10	3,788	18	6,671
Norwegian	41	16,605	18	10,385	59	26,990
Danish	3	1,063	7	5,978	10	7,041
German	3	2,908	12	6,612	15	9,520
Belgian	1	14	1	465	2	479
Dutch	1	26			1	26
Italian	1	492			1	492
Spanish			1	838	1	838
Total	117	36,464	2,171	553,190	2,288	589,654
Coasting	34	2,961			24	2,961
Grand total	151	39,425	2,171	553,190	2,322	592,615
Total for the year preceding...	175	36,047	2,239	572,880	2,414	608,927

Annex VI.—RETURN of all Shipping at the Port of Boulogne during the year 1893.

ENTERED.

Nationality.	Sailing.		Steam.		Total.	
	Number of Vessels.	Tons.	Number of Vessels.	Tons.	Number of Vessels.	Tons.
British	33	11,408	1,515	361,349	1,548	372,757
French	37	3,580	6	2,323	43	5,903
Russian	5	2,038			5	2,038
Swedish	4	1,189			4	1,189
Norwegian	33	8,941	9	3,862	42	12,803
Danish	7	1,236			7	1,236
German	2	1,330			2	1,330
Dutch			119	281,528	119	281,528
Belgian			3	1,365	3	1,365
Total	121	29,722	1,652	650,427	1,773	680,149
Coasting	571	35,970	178	61,937	749	97,907
Grand total	692	65,692	1,830	712,364	2,522	778,056
Total for the year preceding...	700	60,120	1,845	702,779	2,545	762,899

French Treaty.

Annex VI.—RETURN of all Shipping at the Port of Boulogne during the year 1893.

CLEARED.

Nationality.	Sailing.		Steam.		Total.	
	Number of Vessels.	Tons.	Number of Vessels.	Tons.	Number of Vessels.	Tons.
British	40	13,817	1,518	332,597	15,558	346,414
French	17	3,011	11	6,005	28	9,016
Russian	5	2,038			5	2,038
Swedish	4	1,189			4	1,189
Norwegian	35	11,489	9	4,253	44	15,742
Danish	8	1,637			8	1,637
German	1	947	3	1,489	4	2,436
Dutch			119	281,219	119	281,219
Belgian			5	2,100	5	2,100
Austrian			1	708	1	708
Total	110	34,128	1,666	628,371	1,776	662,499
Coasting	661	52,542	177	58,654	838	111,196
Grand total	771	86,670	1,843	687,025	2,614	773,695
Total for the year preceding ..	761	66,652	1,838	700,284	2,599	766,936

Annex VII.—TABLE showing the Direction of the Wind at Calais in 1893 (Four Records being made Daily, namely, at Daylight, Noon, Sunset, and Midnight).

Wind.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	Total Observations in 1893.	Total Observations in 1892.	Total Observations in 1891.
	W	5	16	6	8	12	19	15	30	7	13	22	5	158	154	201
W.S.W.	7	18	13	2	1	7	7	8	21	8	11	...	103	73	109
S.W.	20	30	17	...	22	7	30	19	26	7	4	20	222	226	227
S.S.W.	4	9	2	...	4	2	3	5	7	9	...	14	59	36	50
S	4	4	2	...	2	1	3	2	3	14	7	21	63	94	117
N	4	1	30	1	6	3	8	9	2	7	14	11	96	116	72
N.N.W.	12	1	6	2	2	3	4	5	2	9	2	2	51	75	49
N.W.	13	7	4	4	11	3	8	5	8	13	6	26	108	98	81
W.N.W.	...	1	13	1	2	7	6	11	6	13	1	...	61	59	72
N.N.E.	...	1	...	5	12	...	7	7	3	4	4	6	49	41	38
N.E.	13	4	4	28	23	30	3	6	14	...	9	1	135	115	82
E.N.E.	1	1	...	19	13	16	4	6	7	2	9	2	80	53	55
E	12	6	10	23	7	11	18	5	4	4	16	3	119	128	145
E.S.E.	5	2	11	18	1	5	...	6	...	...	4	...	52	42	41
S.E.	17	7	5	8	3	3	7	6	3	1	7	12	79	115	90
S.S.E.	7	4	1	1	3	3	1	...	...	...	4	1	25	39	31
Number of Observations.	124	112	124	120	124	120	124	124	120	124	120	124	1,460	1,464	1,460

AGRICULTURAL REPORT.

Some wheat suffered from the frosts in January. At the end of March the grain crops in the Pas-de-Calais were reported to be in a very good state, but in April want of rain was beginning to be felt; autumn wheat still looked well, but spring wheat had come up badly. Early sown beet did well, but the drought interfered with late sowings and the grass and green crops began to suffer; a few days' rain towards the end of May did good, and when the rains came in July the showers were not heavy but frequent, and the weather extremely favourable for all crops which had suffered much

from the previous drought ; grass recovered, lucerne, clover, etc., improved considerably. The harvest which was early for all kinds of grain was fairly good both in quantity and quality, but the yield of straw was very poor. Oats were small and irregular. Rye was a good crop and so were potatoes. Beet-root was very irregular, some fine fields, others very patchy and some quite lost ; the weather was favourable for gathering in the roots, which proved good in saccharine richness.

Autumn sowings were completed under favourable conditions in spite of delay caused by the beet crop having been gathered late.

The monthly reports, from which I have obtained the above information, describe the prospects of agriculture at the end of December as very favourable all round.

Information furnished me from another source as to the grain crops in the north of France, states that the wet weather in February and beginning of March seriously interfered with spring sowings, and for this reason less land was sown with grain ; the prolonged drought which followed was injurious to its regular growth and development, but the crop was equal to that of the previous year, which, however, had not been anything extraordinary.

In spite of causes which might be harmful to growth in many districts, the average yield exceeded 30 hectolitres the hectare ($33\frac{1}{2}$ bushels per acre). In the arrondissement of Douai, for example, winter wheat yielded 38 hectolitres and spring wheat 35 hectolitres (42 and 39 bushels per acre), but the yield was very variable.

In the Somme, the grain is stated to have been smaller, of poor colour and less regular than usual. The result of the wheat crop in the three departments included in my district is roughly estimated to have been as follows :—

Department.	1893.	
	Area.	Quantity.
Nord	Acres. 285,170	Quarters. 1,092,951
Pas-de-Calais	412,680	1,206,060
Somme	301,479	969,181

Nord.—In annexes nos. 1 to 3 of this report I give the usual tabulated information relative to the crops in the department of the Nord in 1892, as compared with the previous year. It will be observed that there is a decrease in the extent of land sown with grain generally, but specially with wheat, and for the purpose of comparison I have added the extent of land under grain crops in 1890 ; but the average yield showed a considerable improvement, the totals for wheat, rye and barley being greater in spite of the decreased area sown. Wheat yielded 24.36 hectolitres per hectare or about 27 bushels per acre, against about 24 bushels in 1891 and $27\frac{1}{2}$ bushels in 1890.

Barley yielded 39.47 hectolitres per hectare or about 44 bushels, against 43 bushels and 46 bushels respectively.

Oats yielded badly, giving only 46.53 hectolitres per hectare or nearly 52 bushels per acre, against 58 bushels and 54 bushels respectively.

Information as to the number of animals on farms in the Nord will be found in annex no. 4. The mortality amongst animals was larger than usual.

Pas-de-Calais.—I regret being unable to give the usual statistics as to crops and market prices in the Pas-de-Calais, but the official annuaire of the department, from which I have always obtained this information, has not yet been published, and as it now appears doubtful whether it will be this year, I have decided not to delay my report any longer for this information, as it would take time to obtain it from other sources.

Diseases Amongst Animals.

Pas-de-Calais.—The veterinary surgeon for this department in his report for the twelvemonth to June 30, 1893, gives fuller information than is elsewhere obtainable on

French Treaty.

the diseases amongst animals ; he states that foot-and-mouth disease raged during the whole period under review, and I think the following information extracted from his report may prove of interest.

Glanders only occurred in four stables, situate in four different communes of the department.

The veterinary surgeon states that pleuro-pneumonia, which for many years has been the scourge of agriculture in the department, now appears only from time to time. During the twelvemonth under review but 47 cases were verified, or hardly a twelfth of the number which occurred before the promulgation of the law of 1881 and the organization of the sanitary service. The largest number of cases occurred in the district of St. Omer, where it also proved most difficult to master it.

I think I cannot do better than give translated extracts from the veterinary surgeon's report :—"Foot-and-mouth disease, which happily appears coming to an end, has occasioned losses which may be estimated at a minimum of 100,000,000 fr. (£4,000,000) for the whole of France, and at 8,000,000 fr. (£320,000) for the Pas-de-Calais alone, this malady having attacked at least two-thirds of its cattle, which on December 31, 1891, numbered 225,977 horned animals, 200,761 sheep, 149,544 pigs, 25,177 goats.

"This foot-and-mouth disease, which we have been combating for nearly 15 months, is not endemic ; it is on the contrary distinctly epidemic—that is to say, it is propagated entirely by contagion ; it spreads wherever it has the opportunity, however good may be the health or sanitary condition of the animals liable to the attacks.

"This disease was brought to us from the north-east, as is nearly always the case, and it had, from the first, so marked an epidemic character and spread so rapidly that in the departments of the Nord, the Somme, and the Pas-de-Calais, the closing of the markets was demanded almost simultaneously.

"For two years this disease had menaced our eastern frontier, without being able to cross it, since it is not conveyed by dead meat, but the day following February 1, 1892, the date on which foreign live cattle were allowed to enter France, German and other sheep brought the foot-and-mouth disease in their feet or upon them—that is, in their fleeces."

He goes on to say that besides the danger coming from beyond the frontiers, on which he enlarges, there is the danger arising from animals leaving the market of La Villete, which he describes to be now, as formerly, a regular focus of infection, and he sums up as follows :—"The sources of the evil are sufficiently known, and if we do not wish to deceive ourselves and put aside the remedy, it is necessary, firstly, to close the frontier absolutely and definitely to all live animals, such as cattle, sheep, pigs, or goats ; secondly, to order that all such animals leaving La Villete are only to leave it for the slaughter-houses ; they should be sent there as quickly as possible, and their admission to provincial markets should be forbidden."

Tuberculosis amongst live animals was only reported as existing in five communes, but the veterinary says it must not be concluded from this that but few animals were attacked, since the number of cases duly reported or discovered after the animals are killed in those public slaughter-houses which are subject to sanitary inspection are far less numerous than those which escape all examination in slaughter-houses which are not supervised. He says that it is to these latter that most animals suffering from tuberculosis are sent, and the meat thus enters freely into consumption, since owners, instead of sending doubtful animals where they may be confiscated, have them slaughtered where they are not subject to supervision.

"Fièvre charbonneuse ou charbon bactérien" was localised in four communes in the district of Arras. In the communes of Ecoust-St.-Mein ten cows and one horse died from it on one farm. The veterinary goes on to state that "charbon symptomatique ou bactérien" has no resemblance to the foregoing disease, it occurs, he says, more particularly in the district of St. Pol ; but last year it also appeared in the district of St. Omer, but it did not spread.

Swine fever, which raged with violence for some years in the district of St. Pol, Montreuil, and Boulogne, where the breeding of pigs is carried on, decreased considerably, and in a few places only were isolated cases reported. He states that "pneu-

moentérite infectieuse ou fièvre typhoïde" of pigs, which is a more serious malady than "rouget," or swine fever, nearly disappeared, having only been reported in two communes, where the isolation of the infected animals and disinfection, rigorously carried out, prevented the spread of the disease.

He speaks as though many cases of rabies have occurred; there is no doubt that cases of hydrophobia among dogs have frequently been reported, and regulations issued in accordance with the law to prevent dogs being allowed to go about loose for various periods; but these regulations have been applied in this part in so spasmodic and partial a manner as to make them worthless.

Nord.—I have extracted the following information from the 1892 report of the veterinary surgeon for the department of the Nord.

There were 156 outbreaks of pleuro-pneumonia; these occurred in 145 different communes; 225 cattle were affected and slaughtered, which shows improvement since 628 animals had been attacked and slaughtered in 1891.

Foot-and-mouth disease raged with exceptional severity; it occurred in 404 communes (there are 666 communes in the department), 2,476 stables were contaminated, and 42,960 animals fell victims to it, causing a loss to agriculture which is estimated at £60,000.

Seventeen horses were slaughtered owing to glanders, namely, ten in the district of Lille, one in that of Valenciennes, and three each in the districts of Cambrai and Douai; this is an increase, as during the two previous years the numbers had been nine and seven.

"Charbon bactérien ou fièvre charbonneuse, ou sang de rate," was verified by post mortem examination, and confirmed by the microscope, in the case of 25 cattle in 13 different communes or parishes.

"Charbon bactérien," also called "Charbon emphysémateux ou symptomatic," only occurred in the district of Avesnes, 13 beasts were attacked, and all died.

The veterinary states that tuberculosis is still widespread, but that it is impossible to give exact statistics as to the animals attacked; most of the information obtained coming from communal slaughter-houses, whilst information is rarely received from the private ones, to which the greater number of animals affected by tuberculosis are sent.

Few cases of swine fever occurred in the Nord; 12 pigs only were recognised as suffering from it, but they all died; these cases occurred in four communes—viz., Lille 5; Avesnes, 4; Dunkerque, 2; and Valenciennes, 1.

"Pneumo-entérite infectieuse." One outbreak occurred in the district of Avesnes; five pigs died, and one pig died from this malady in the district of Douai.

Cases of rabies occurred in 29 communes; 42 dogs and five horses suffered from it. Ten adults and two children who were bitten were sent to Pasteur's institute in Paris. All the dogs attacked were killed, and the five horses died paralysed; 142 dogs which had been bitten were killed.

General Remarks.

As I have before reported, it is extremely difficult to obtain at the time any reliable information as to the diseases existing amongst animals, though one often has reason to believe that much disease does exist; this opinion is always confirmed when the yearly reports of the veterinary surgeons are published, and I have given above extracts from their reports for the departments of Pas-de-Calais and the Nord; it is very evident foot-and-mouth disease proved a veritable scourge, that other diseases existed to a very considerable extent, and that the sanitary condition of cattle left much to be desired; moreover a perusal of these reports only confirms my opinion that very many cases of disease are not reported. This is clearly stated by both veterinaries to be the case with regard to tuberculosis, and I see no reason for assuming that alacrity is shown in reporting other kinds of disease—rather the contrary.

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Annex 1.—ACREAGE and yield of land under grain in the Department of the Nord in the years 1891-92.

Nature of Grain.	1890.		1891.				1892.	
	Number of Hectares Sown.	Number of Hectares Sown.	Total Yield.		Number of Hectares Sown.	Total Yield.		
			Grain.	Straw.		Grain.	Straw.	
			Hectolit's.	Quintals.		Hectolit's.	Quintals.	
Wheat.....	139,351	117,992	2,565,729	4,494,850	114,848	3,242,404	4,227,544	
Wheat and rye, mixed.....	1,359	484	12,373	14,105	254	4,206	1,416	
Rye.....	9,591	7,930	163,787	330,839	6,598	228,622	284,157	
Barley.....	10,329	9,204	358,370	296,937	9,373	369,978	249,415	
Buckwheat.....	10	8	160	200	2	38	56	
Oats.....	54,639	61,803	3,244,611	2,195,507	56,399	2,624,705	1,605,679	
Millet.....	95	91	1,825	2,095	181	3,685	5,403	
Maize.....					249	5,385	5,081	

Annex 2.—RETURN showing Acreage, Yield and Value of Crops, other than Cereals, in the Department of the Nord during the years 1891-92.

Nature of Crops.	Number of Hectares Sown.		Yield in Quintals.		Value of Crops.	
	1891.	1892.	1891.	1892.	1891.	1892.
					£	£
Sugar beet.....	35,085	41,045	9,272,875	10,845,915	883,080	1,188,520
Other beet.....	16,788	18,086	8,294,514	9,649,092	479,524	702,339
Potatoes.....	21,345	20,806	1,258,646	3,368,931	411,368	640,223
Artificial pasture, clover, lucerne, sainfoin, etc.....	27,890	27,196	1,302,339	1,237,078	452,220	467,894
Green crops (fourages annuels).....	22,360	6,613	1,654,731	201,579	364,041	53,270
Temporary pasture (rye-grass, etc.).....	392	484	56,488	23,106	5,036	4,805
Pastures ("prés naturels").....	34,146	45,676	1,365,909	896,585	266,264	322,917
Grass (herbages).....	20,735	23,820	707,866	324,809	98,882	674,113
Tobacco.....	569	554	15,234	14,972	48,748	45,515
Hops.....	771	871	7,997	11,541	42,652	85,560
Hemp.....	103	94				
Tow.....			900	834	2,828	2,696
Grain.....			1,074	541	554	267
Flax.....	4,133	2,970				
Tow.....			34,295	33,130	126,640	89,965
Grain.....			26,158	20,786	26,938	19,975
Colza.....	629	1,076	10,876	18,159	12,325	20,147
Poppy.....	1,380	1,187	16,422	12,249	25,022	20,333
Camelina.....	426	438	4,703	3,686	4,220	3,011

Annex 3.—RETURN showing other Farm Produce in the Department of the Nord during the years 1891-92.

1891.

Nature of Produce.		Total Production.	Total Value in Sterling.		Average Value in Currency.	
			£		Fr.	c.
Milk.....	Hectolitres	4,218,143	2,967,186		17	59
Wool.....	Quintals	10,441	44,647		106	90
Bees (4,892 hives)—						
Honey.....	Kilos	15,758	1,114		1	76
Wax.....	"	12,693	1,515		2	79

1892.

Milk.....	Hectolitres	5,065,350	3,334,950		16	46
Wool.....	Quintals	3,218	18,499		143	71
Bees (6,363 hives)—						
Honey.....	Kilos	47,765	3,584		1	87
Wax.....	"	11,596	1,571		3	38

Annex 4.—TABLE giving Particulars as to the Animals on the Farms in the Department of the Nord.

Description.	Number existing on December 31.		Number lost by Accident, Disease or Age.	
	1891.	1892.	1891.	1892.
Horses.....	80,877	82,074	1,632	1,672
Mules.....	2,077	2,114	39	33
Donkeys.....	2,093	1,935	38	36
Cattle—				
Bulls.....	5,862	6,277	134	74
Oxen.....	11,757	11,371	134	310
Cows.....	167,720	167,214	2,766	2,947
Young stock.....	91,870	95,811	4,236	6,410
Sheep and lambs.....	90,553	88,572	2,113	3,084
Pigs.....	81,319	78,839	2,970	4,060
Goats.....	19,131	19,390	669	745

WEIGHTS AND MEASURES.

1 imperial quarter (British)	=	2.90 hectolitres (French).
1 hectare (French)	=	2.4711 acres (British).
1 hectolitre "	=	2.7512 bushels "
1 " "	=	22.01 gallons "
1 quintal "	=	220.4 lbs. avoirdupois (British).
1 kilogramme (French)	=	2.2046 lbs. " "

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FRANCE.

ROUEN.

Consul O'Neill to the Earl of Kimberley.

ROUEN, April 16th, 1894.

MY LORD,—I have the honour to enclose annual report upon the trade and commerce of Rouen for the past year, with tables of imports and exports completed to January 31 last, that is for two whole years after the date of the enforcement of the late French customs tariff.

I have, etc.,

H. E. O'NEILL.

The main interest of a report upon the trade and commerce of a French port still centres upon the question—"What has been the general effect of the last French customs tariff?" Two years have now elapsed since it was put into force—"Are its effects in any direction prominent and clearly visible?"

It will be pretty generally acknowledged, I think, that on neither one side nor the other are its effects so marked, so apparent as to enable free traders or protectionists to seize hold of and display them as conclusive proof of the truth of this or that commercial policy. But have not both parties expected too much of the evidence the new tariff was to yield? Has it not on the part of free traders been too often spoken of as a "new departure"; as a reversal of a previous policy, and as such, has it not been expected to yield evidence directly indicating that reversal and to produce a condition of affairs so opposed to that which before existed, that it could at once be pointed out as an unmistakable result of the "new protective policy" generally regarded as initiated at that date?

Is it not often forgotten that the French customs tariff of February, 1892, was but the last of a long succession of steps in the same direction of which the fiscal and shipping laws of 1871, 1872, 1877, 1881 and 1885 were the most notable examples?

Is it right to regard the customs tariff of 1892 as anything more than an elevation, important it is true, of the fiscal barrier, that has been building up from the first years of this century, to the presence and protecting influence of which French commerce has adapted itself and on which French producing industries have learnt to lean? Was not the more liberal policy of the second empire only a diversion too short in duration and too partial in kind—it lasted but 16 or 18 years—to create such an alteration in the industrial condition of the country that any great and visible changes can be expected from the reactionary measures of 1892 and of the previous 20 years?

The comparatively liberal commercial policy of the second empire was not thorough enough nor long enough in operation to kill native industries brought into being in previous periods of protection, and we cannot therefore expect to see many new industries established or a great extension of the old under such a reversion to protection as was effected by the customs tariff of 1892.

Again, if under the empire there was a certain marked development of the foreign commerce of France and a corresponding creation of collateral industries, importing houses, maritime agencies, and such as live upon foreign and international trade, these are not easily broken up, though I may say here it is in this direction that evidence of the crippling effect upon trade of the new tariff is clearest and most easily obtainable.

If evidence upon such points as the above has been less marked than was expected, still less can we hope to see very pronounced effects where the consequences of protection are indirect and of slow growth, as upon the cost of living. In England, thanks to the freest import of all "food stuffs," we are supplied with every necessary of life, from the best and cheapest markets of the globe, and the real wages of labour have been correspondingly raised. No such opportunities can be said to have been given to the consumer in France, whose food coming from abroad is always taxed the moment its price drops below the cost of its production in France, and the effects therefore of such a measure as the last customs tariff are thus rendered more remote and obscure.

Certainly the evidence has been perplexing to many, and the balance cannot be said to have strongly inclined yet on either one side or the other. Free traders have been constrained to admit that the exports of France, though distinctly falling now, held up for some time to a singularly high level, and this whilst imports tumbled to such low figures as have not been seen for certainly more than 10 years past.*

May not that apparent anomaly, however, have a simple explanation? Is it not possible that the unusually high level that French exports maintained for 12 months after the establishment of the new tariff, was but the result of a necessary return in kind for the forced and excessive flow of imports during the 12 months that preceded that tariff? That necessary payment made, the exports would, following the fall in imports, show a tendency to decline, and this is what we see they are now doing.

It is, however, the duty rather of those who have had to deal with the general statistics of the country to remark upon and attempt to resolve these questions. We who write from outlying ports and single centres of industry can only put forward local statistics, and we must be careful not to omit to point out how, again, these are influenced by local or special conditions, which may affect their value if they are to be looked upon as proofs or manifestations of the effects of such a measure as the late customs tariff. A statement of facts alone is insufficient; it is indeed often misleading unless their causes are also shown.

I have, however, prepared all the tables attached to this report, with the special view of showing the effect upon the trade of Rouen of that tariff.

To do this properly it was necessary to draw the line of division between the old commercial régime and the new at February 1, 1892, and to neglect the ordinary division of the calendar year. Through the kindness of the customs authorities I am able to give the statistics of chief imports and exports for the two years succeeding the new tariff, *i.e.*, from February 1, 1892, to January 31, 1893, and from February 1, 1893, to January 31 this year. Face to face with them I show the imports and exports of the two years preceding that tariff, so that comparison may at once be made between them.

To make clearer still the effect of the tariff upon the trade of this port I divide the imports into the three classes into which they naturally fall when one is making an examination of them of this nature:—

1. Articles of foreign manufacture.—To these one turns naturally when asking oneself the question, “What have been the effects of the tariff upon British and foreign trade?”

2. Raw materials and other articles required for the making up of French protected industries.—Is the tariff sufficiently protective to develop French manufactures formerly handicapped by foreign competition? If so, evidence of this may reasonably be looked for in an increased import of raw materials.

3. Articles of food and general consumption.—Under this head I class articles of food, and using the word consumption more in its economic than in its general sense, certain other commodities not to be placed under the first two heads.

I also prefix to these tables a column showing the number of the articles in the new French tariff, so that by reference to the tariff published by the trade and tariff committee of the board of trade (no. vii., 1892) a comparison may at once be made between the old duties and the new.

How contradictory the evidence may appear to be on the surface, and how necessary it is to examine each article separately, and to weigh the special conditions affecting its trade, a few words upon the principal imports of Rouen will show.

* The value of the total of all imports into France average £171,473,000 for the 8 years immediately preceding the last customs tariff. But in the first year after, *viz.*, in 1892, they declined to £167,522,360, and last year they fell to £157,468,800, or £14,000,000 below the average before the tariff.

On the other hand, the total value of all exports from France for eight years before the tariff from 1884 to 1891 inclusive, averaged £135,449,200; and in 1892 (though showing a fall on 1891) they were still £138,429,000, or nearly £3,000,000 above the average. In 1893, however, they had fallen to £128,384,760, or £10,000,000 in one year, and more than £7,000,000 below the average of the 8 years preceding the last tariff.

French Treaty.

Nine-tenths of our imports, if estimated by weight and bulk, consist of such commodities as coal, timber, petroleum, wine, and wheat. Now, each of these imports has been affected by influences quite independent of the tariff, and in some cases to a larger extent by them than by the tariff.

I take first the case of petroleum, the import of which has kept at a fairly steady level for four years past from 45,000 to 50,000 tons. The trade in this product shows no sign of contraction. Just the reverse, it gives strong promise of immediate and considerable expansion. In the year ended January 31 last the imports rose to 73,361 tons.

But the new protective tariff does not touch it. No fresh duty has been laid upon it. They remained as before, 18 fr. and 25 fr. per 100 kilos., or the double cwt., upon the crude and refined oil respectively. And fifteen months after the establishment of the tariff, a step was taken with this product in the direction of free trade. A special commercial convention with Russia reduced the above duties to 9 fr. and 12 fr., and the imports of the greatest oil producing country—the United States of America—benefited equally with Russia by the convention.

Again, if we look further back we shall see that contrary to the experience of most commodities imported into France, the fiscal burdens on this product have been in regular course of diminution. In 1871 raw petroleum was taxed 20 fr. the double cwt. on entry and refined 32 fr., and those heavy burdens remained upon it for some years. But each change made since has removed a restriction and lightened the burden. It is therefore to a steady advance in the direction of free trade in respect to this product that we owe its expansion.

Other causes have, of course, also conduced to this development. First amongst them is perhaps the diminished cost of the production of crude oil, which fell in the United States, between 1871 and 1891, from 10 c. to 2 c. per gallon, and to this again must be added the enormous decline in freights in the same period. The uses of this product have also greatly extended, and the demand for it has correspondingly increased. To all these forces operating towards an expansion of its trade, government action has lent an important aid, in France, an unusual aid by a reduction of customs charges. And this has been done in the face of the efforts of French refiners and colza growers.

The efforts of French refiners have, however, been chiefly devoted to keeping the difference as large as possible between the taxes on the raw and refined oils. It is the colza growers and the schist oil producers of France who would have the duty on the crude increased. Their complaints are pretty loud and persistent, and it is now proposed to aid the schist oil producers by a money bounty on their production. Crude oil importers might have had some reason to fear the growing strength in the French chamber of the agricultural interests, which would naturally support the claims of the Normandy colza growers; but fortunately for the importers and refiners the tax on crude oil has now been settled by a convention, which political reasons render more stable than are most customs duties, in a country where all interests are demanding more protection.

These and other causes have decided three more oil companies, chief amongst which is the great Standard Oil Company of America, to establish a branch at Rouen. The imports of oil to Rouen have hitherto been carried on by the two great French houses of Deutch et fils and Fenaille et Despeaux, whose refineries are established upon the banks of the petroleum basin where the crude oil imported is pumped straight into the reservoirs from the ocean-going tank vessels moored almost alongside them. The Standard Oil Company has lately bought and walled in 24½ acres of land at the western extremity of that basin, and for the past six months their new establishment has been rapidly progressing and is now approaching completion. Two large reservoirs for crude oil, each capable of containing 5,000,000 litres (1,100,100 gallons); a dozen or more smaller reservoirs for the stowage of the refined of different qualities; a spacious engine-house, offices, dwellings for the employés, and workshops for the packing and despatch of the refined, all will be finished and in full working order by the middle of the year.

It is in the perfection of their refining processes, as well as in the greater economy of production realized through the possession of enormous capital and such an organization as the world has never, perhaps, before seen, that the great Standard Oil Company hopes to successfully compete with the existing refiners of France. Holding everything in their own hands, from the oil wells to the field of consumption; possessors of their own ships for the transport of their oil across the Atlantic; controlling the railway rates for its carriage to the American seaboard; and proprietors of their own refineries in Europe, it should be in their power to render an immense service to French consumers.

At their Rouen branch they will be able to store the contents of three large tank vessels, and they calculate upon refining or converting into other petroleum products not less than 150,000 barrels of crude oil per annum.

The petroleum basin is being lengthened and deepened to facilitate the expansion of the petroleum trade of this port, and when dealing with the improvements to the harbour I will describe the changes there being made.

I take next the case of wheat, for its imports show more visibly and immediately than perhaps those of any other protected natural products of France the influence of the duties levied upon it. An even partial suspension of the duty—a reduction of 5 fr. to 3 fr. per 100 kilos. will bring in a few weeks a fleet of sailing ships into every French port laden with wheat from all parts of the globe. That was the effect of the partial suspension—of the lifting off, from October, 1891, to May, 1892, of 2 fr. of 5 fr. leviable under the tariff. Speculators seized the opportunity to restock with a view to profit by the rise in price that succeeds the reimposition of the full duty, or that which would precede a future suspension of it, and it has been lately asserted on good authority that 2,000,000 hectolitres (687,802 quarters) of the stock then laid in still remains unsold, and the present low price of wheat (17 fr. to 20 fr. the 100 kilos., or 34s. to 40s. per quarter) is partly attributed to the effects of that forced supply. A more recent proof is, however, before us of the upward bound imports in this product will take when there is even a rumour of an increase in the duty upon it. For many months past agriculturists throughout the country have asserted that the price of wheat had fallen below the cost of its production in France, and agricultural syndicates and associations have been steadily coalescing to demand an increase in the duty. Whilst its price has varied from 18 fr. to 21 fr. the 100 kilos. (36s. to 42s. the quarter) in the Rouen market, its cost of production throughout this department is variously estimated at between 20 fr. 80 c. and 24 fr., or between 41s. 8d. and 48s. the quarter. The composition of the new legislative chamber after the last election and the appointment of a commission to consider this question, 29 of whose members out of 33 were pronounced protectionists, showed plainly the way the wind was blowing, and vessels laden with foreign wheat commenced at once to pour their cargoes into all ports of France. So strong is what may be called the struggle of a country for cheap bread.

Our table of local imports shows also in an unmistakable manner the sensitiveness with which the trade in wheat responds to the slightest alleviation of the burden upon it. The eight months during which the duty was partly suspended saw about 350,000 tons of wheat landed upon our quays or transhipped to Paris, and not one-tenth of that amount came here during the twelve months that succeeded the reimposition of the full duty.

Not that other powerful, if indirect, influences are not acting also upon this trade. They are numerous and varied enough to perplex those who are striving to effectively protect agricultural interests in France by high import duties. Upon no imported product, perhaps, does the influence of international exchange act more powerfully than upon wheat, for most of the wheat-growing countries of the world are afflicted with depreciated currencies. Russia, India, the United States, and the Argentine republic have all their premiums upon gold. It is asserted in a private bill now before the chamber, that the French importer of wheat from the Argentine republic is able to pay the whole of the duty of 5 fr. per double cwt. by the premium offered him in that country for his gold bill. The argument in the preamble to the bill runs thus:—"Gold at Buenos Ayres has been at a premium of 125 per cent. A bill for 1,000 fr. on France

French Treaty.

is therefore worth 2,250 fr. in the currency of that country. That currency though depreciated in relation to gold, still maintains its former exchangeable value in the Argentine wheat-growing districts where the cost of producing 100 kilos. of wheat is from 6 fr. to 8 fr., and it is an undeniable fact that that amount of wheat has been purchaseable in the Buenos Ayres market for 9 fr." It is impossible to think that prices had not changed to some extent, even in the more remote districts of the Argentine, with so depreciated a currency. But the currency has been of late years a steadily depreciating one, and it is to the fact that prices do not rise correspondingly or keep pace with the depreciation that the gain on exchange and stimulus to exports is due. Gold is now in the Argentine at a premium of 257 per cent, and it may well be that the price of wheat in Argentine paper has not risen more than 122 per cent, whilst that of gold has risen 257 per cent, which will leave a balance of gain on a transaction in wheat of 125 per cent as argued above. A French importer's bill for 1,000 fr. will therefore purchase him 25,000 kilos. or 25 tons of wheat. Or, reducing these figures, he is able to purchase for 4 fr. what is valued at 9 fr. in the markets of the wheat-producing countries of the world, and to effect a saving in the cost of 100 kilos. of 5 fr., which exactly represents the duty on that quantity.

India, again, is cited in the same bill as another instance of the advantage offered to the French importer of foreign wheat by a depreciated currency in the country of its production, and we know that the culture of wheat in the wheat-growing districts of the Punjab has been steadily fostered for many years past by the depreciating value of the rupee when measured in gold. There the premium on gold being less than in the Argentine the corresponding advantage is of course smaller, but it is sufficient to enable the French importer to pay 3 fr. 50 c. of the 5 fr. leviable as duty. And now we are told that the repeal of the silver bill and consequent depreciation of silver in the United States is the main cause to which is to be attributed the sale of wheat on the seaboard of America at 9 fr. per 100 kilos.

These forces, quite impossible for the protectionist legislator to foresee, are acting constantly upon the trade in foreign wheat. My chief object in referring to them here is to point out a singular, but it may be said, a logical outcome of protection. Proposals are now actually made, and they are formulated in that same bill, to legislate against the advantage given to the French wheat importer by the premium on his gold offered by wheat-growing countries with depreciated currencies. That is to say, the French people are to be called upon to tax themselves for the great advantage they possess in the enhanced exchangeable value of their gold in those countries and its additional purchasing power there. It is proposed that a Frenchman buying wheat (and presumably other products would follow) in a country whose credit and currency is equal to that of France, shall pay a certain fixed duty upon his imports; but that, if his purchase be made in a country with a credit inferior to that of France and with a depreciated currency, he shall pay upon his imports the fixed duty plus a surtax that shall be in proportion to the appreciation of his gold in that country. An advantage due, therefore, directly to the excellent financial condition of his native country it is deliberately proposed to take from him.

There is, of course, what may be called an exporting side to this question, and French exporters to those countries of French manufactures suffer from the depreciation of the currency in which they are paid. But the removal of the advantage gained by the French importer of foreign produce from the premium upon his gold, will not better the condition of the exporter of French manufactures who also deals with that country. Is not the gain to French importers a national compensation for the loss of the French exporters and manufacturers? And is it not a singular, if logical outcome of protection that such proposals should be made?

A table of duties on wheat is called for that shall be at once "savant et compliqué," to use the words of a Protectionist organ. Englishmen will regard the taxes lately voted on this product as sufficiently complicated. They are the following:—

IMPORT Duties lately Voted upon Foreign Wheat, etc.

Number in Customs Tariff.	Description.	Per 100 Kilos. or Double Cwt.	
		Fr.	c.
68	Wheat, spelt and meslin—		
	In the grain whole.....	7	0
	Ground and bakers' stuffs containing more than 10 per cent of flour.....	11	0
	Flour bolted to or with a rate of yield of 70 per cent and above.....	11	0
	Flour bolted to or with a rate of yield of from 70 per cent to 60 per cent.....	13	50
	Flour bolted to or with a rate of yield of 60 per cent and less.....	16	0
75	Ships biscuit and bread.....	7	0
76	Groats, cullings and hulled or cleaned grain.....	16	0
76A	Decorticated or hulled millet seed.....	6	0
77	Semolina and Italian paste, macaroni, etc.....	16	0

I take next the case of wine, the imports of which, as might be expected, directly exhibit the influence of the heavy increase in the protective duties. Our local figures under this head are, however, somewhat capricious. They do, indeed, show a very heavy fall in the past three years—from 65,000,000 gallons in 1891 to 46,000,000 gallons in 1892, and then to 26,000,000 gallons in 1893. But this is a decline which is out of proportion to that shown by the figures for the whole of France, which are 12,500,000, 9,500,000 and 6,500,000 hectolitres for the same three years. And Rouen has reason rather to expect that the decline in the local wine trade would be less, and not more than that revealed by the general statistics of that country. The general decrease of the imports of wine into France is directly due to the heavier duties imposed on foreign wines, and our local trade is not dependent wholly upon foreign wines. Much of the wine that passes through Rouen to Paris and other great centres, for which Rouen is the most convenient terminal seaport, is French wine grown in the vineyards of the extreme south of France and shipped for Paris at Cette, Port Vendres, and Marseilles. Nearly 8,000,000 gallons, or one third of the total import at Rouen last year, was the produce of French vineyards. These wines form a considerable element in the freight of a French line of steamships employed in the coasting trade of France. A great part of the wine trade of Rouen is therefore independent of the customs tariff, for, needless to say, French wines are not touched by the import duties. How, then, are we to explain the fact that the local imports show a greater depression here than elsewhere? Some cause weighing specially upon the Rouen wine trade is evidently at work to depress it.

It is not always easy to trace the causes of these sudden changes in trade, and still less to give to each cause its proper weight, but I believe, I may correctly say that the chief disturbing influence apart from that of the heavier duties has been the combined action of the great railways extending from Paris to the south of France—the Paris-Lyon Méditerranée, the Southern, and the Paris-Orleans companies—to lower the freight on all wines from the southern provinces, and to establish a common rate per ton from every wine district of the south to Paris. It is proposed to fix a common rate of 28 fr. per ton for every consignment of not less than 8 tons if made by any single person. This from all stations in the wine-growing districts irrespective of distance.* Though the lower railway tariff is not yet in operation, not having received the approval of the minister of commerce, there is no doubt it will be shortly established, and already its effects are seen in the diminished imports by sea, the wine-growers and great Paris houses preferring to wait and to let the stocks accumulate rather than to send them to a southern port for shipment by sea via Rouen to Paris.

At first sight it would seem that this competition of railway freights with those by sea could not be seriously harmful to the latter, for the present freight for wine from

* The tariff proposed is a "zone tariff," but as the wine districts in the extreme south, which now send their wines by sea to Paris, would be in the same zone, the rates from all their stations would be equal.

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Cette to Paris by coasting steamer and lighter is but 24 fr., and from Cette to Rouen but 18 fr. per ton. To that amount must be added, however, the additional charge upon the wine, if sent by sea, of its transport from the district of its production to the southern port of embarkment, together with the greater risks of the sea voyage and the repeated changes: (1) From rail to ship at the southern port; and (2) from ship to lighter at Rouen; and lastly, of the greater length of time entailed by the sea voyage.

The new rates proposed by the railway companies have not failed to rouse a vigorous protest from the navigation companies, the associated syndicates of wholesale dealers in wines and spirituous liquors, and other interested bodies; but the great Paris interests, together with those of the vine-growers, for whose distress it is also regarded as a measure of relief, are too powerful, and all others have succumbed before them.

One argument brought forward by the protesting bodies strikes upon the ear of a foreigner attentive to the varied effects of the extension of state-aid to all suffering industries, for it affords another proof, if proof be needed, that however indirect may be the relief given it can only be at the expense of the whole nation.

The associated syndicates take up the case of one great railway company, and point out that it transports not less than 150,000 tons of wine from Cette to Paris annually at the rate of 37 fr. 50 c. per ton. This rate, as I said before, it is now proposed to reduce to 24 fr. How, they ask, can railway companies whose receipts are exceeded by their working expenses, and who have annually to appeal to the state for aid to pay the interest guaranteed upon their shares—how can these same companies afford to grant so great a reduction of freight upon this one commodity alone as 9 fr. 50 c. per ton? "Is it not," they say, "only another way of granting to the vine-growers of the south, and the wine merchants and consumers of Paris, a money bounty which we agriculturists and industrials of the north shall be called upon to help to pay?" An argument that seems not to be without force when one turns to the budget items, and finds that £3,000,000 sterling (76,214,000 fr.) was claimed last year by the railway companies of France to make up their deficits, and to pay the interest guaranteed to them by the state. It is only right to point out that the railway competition protested against by local bodies at Rouen, does not threaten to be really damaging to the sea-borne wine traffic from Spanish ports, when this is carried out by steamers direct. Consignments made by steamers direct from such eastern Spanish ports as Alicante and Valencia, are carried to Rouen at from 17½ fr. to 20 fr. per ton (1,000 litres), and from the northern ports of Spain at from 13 fr. to 15 fr., at which rates no real fear can be felt of the railway competition above alluded to.

To sum up these few remarks on the wine trade, it is impossible not to notice, in connection with the general wine trade of France, two great facts:—(1) There has been a very great diminution in the imports of foreign wines in both 1892 and 1893, which amounts in the two years to close on 50 per cent., whether estimated by quantity or value; (2) there has been a steady decline equally remarkable though proportionately less in the exports of French wines.

We are dealing here with one of the chief industries of France, the fabrication of light wines for export. It is an industry in which no country has approached her, and if we were led to hope anything by the advocates of a protective policy it was that this great exporting industry would receive an impulse, and we were told we might expect to see here an illustration of the protectionist's maxim, that "whilst buying less from the foreigner it would be possible to sell him more." And yet, though we are dealing with a manufacture in which the superiority of France over all other countries is acknowledged, we meet with nothing but a steady decline. From a general export of 44,052,338 gallons (casked and bottled) valued at £9,828,480 sterling in 1891, the figures fall to 39,896,428 gallons valued at £8,542,920 in 1892, and again to 33,566,962 gallons valued at £7,515,320 in 1893.

It is not, as is sometimes asserted, that the depreciated and depreciating currencies of some of the countries which buy largely of French wines has made the placing of this commodity in them more difficult and tended to cripple this exporting industry. If we turn to the statistics of the trade in this article

with the Argentine republic, the country whose currency has suffered most, we find a less diminution in the exports of French wines to it than to many other countries, with which the exchange has had no effects prejudicial to the French export trade. More French wines were imported by the Argentine republic in 1893 than in 1891, and this fact alone seems to point to the conclusion that the largely increased imports of wheat from that country have tended to check the fall of French wines to it.

On all sides, however, and to every country there is a decrease in the export of French wines, that to Switzerland showing, naturally and in consequence of the recent tariff war, the most disastrous fall. And in connection with this it should be borne in mind that no circumstances adverse to the vine culture have contributed to this depression. The general statistics of the country prove that, in spite of the ravages of the phylloxera which destroyed 1,000,000 hectares of vineyards in France out of a total of 2,500,000 hectares under cultivation before the appearance of that plague, and which diminished the production of wine in France from an average of 55,000,000 hectolitres to 25,000,000,—in spite of this great decrease in the wine production, the export wine trade of France maintained its high level and showed even a steady upward tendency. From 1884 to 1890, and whilst France was still suffering cruelly from the ravages of the phylloxera, the value of the wines exported by her increased steadily from 237,000,000 fr. to 268,000,000 fr., and it is only since the imposition of the late customs tariff that we remark a serious heavy fall to 187,000,000 fr. or of 25 per cent. upon the average of the eight previous years. This fall has occurred although the effects of the heavier duties have been alleviated by the premium on gold offered to the French importer of Spanish wines. With that premium he has been enabled to partly reimburse himself for the extra duty imposed and to continue to import wines, which, on account of their greater strength, form, as “vins de coupages,” a necessary element in the fabrication of most French exported wines. The full effects of the duty have not in consequence been yet felt. It is impossible not to conclude these remarks with one question. To what are we to attribute this great fall in the exports of French wines, a fall so general that the export to every country bears mark of it, if it be not due to the one cause, equally general, that has struck a heavy blow at the imports of all countries—increased protective duties? It is a result so opposed to the predictions of protectionists that it is worthy of a closer examination than I am able to give to it.

The next product to be examined is that of timber and woods of all kinds, which from their bulky character and low value will always form one of the main imports of an inland port like that of Rouen. Our tables show some interesting figures here. The fluctuations in the imports of the last three years are curiously sharp, and the causes need some examination. From 132,000 tons in the year preceding the late customs tariff they fall to 75,000 tons in 1892, but again run up to 135,000 tons last year. In wood pulp we observe the same variations. An import of 60,000 tons in 1891 is succeeded by a fall to 24,000 tons in 1892, and again by a sharp rise to 59,000 tons last year. These changes fairly correspond also with the fluctuations in the general imports of this commodity throughout France. How are they to be explained?

The great fall in the import of foreign woods in 1892 is natural enough. The customs tariff of February of that year made wide changes in the conditions of the timber trade. Under the conventional tariff before existing nearly all woods entered France free. But even the minimum tariff now imposes duties varying from 6 fr. 50 c. to 17 fr. 50 c. the ton upon the woods which are discharged at Rouen. The roughest unbarked log of timber from the forests of Russia or Sweden and Norway pays the first of those duties, and planking of 35 millims, (1.38 inch) in thickness, prepared in the steam saw-mills set up now in so many Scandinavian fiords, pays no less than 17 fr. 50 c. upon every ton in weight. The greater portion of the planking brought to Rouen is from one to three inches in thickness, and upon this is levied a duty of 12 fr. 50 c. per ton. The infliction of such duties sufficiently explains the fall of nearly 50 per cent in the imports of 1892.

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Such burdens seem, indeed, to the simple mind of a free trader or to the uninitiated almost prohibitive, and one is led to search for the causes of their imposition. Perhaps the simplest explanation lies in the fact that in France the state itself is the greatest of landed proprietors and the chief of all French timber dealers. 2,500,000 acres of the forests of France belong to the state and 5,000,000 more are the property of the communes and municipalities of the country. These form together an immense public estate, the larger part of which is carefully tended at great cost and treated chiefly with a view to its commercial value, *i.e.*, to the production of woods useful to commerce, the sale of which forms a regular and valuable source of revenue. So far the maintenance of this public estate has been largely exceeded by the revenue gathered from it. Though the administration of woods and forests has of course other objects in view beyond a mere money return, such as the public health in the planting out of marshy districts, the preservation of mountain slopes from landslips and other like aims, yet the annual receipts have hitherto more than doubled the expenditure. The yearly cost of administration (in which is comprised the maintaining of a corps of forest guards of 8,000 men) has averaged in the past 20 years, £500,000 sterling, and the revenue from the 2,500,000 acres alone, which form strictly speaking the national estate, independently of the communal, has so far doubled and sometimes trebled that sum. This revenue has been gathered in from sales of woods alone of which there is an average yearly production of 4,000,000 cubic metres.

Like wheat, wine, coal, and many other natural products of the country, it has, however suffered of late years from foreign competition, and a revenue which reached 41,000,000 fr. (£1,640,000) in 1865, has fallen gradually to 26,000,000 fr. (£1,040,000) in 1892. The state, therefore, has itself had a direct interest in the reduction of foreign competition, and has desired to see, for the benefits of its own purse, the import of foreign woods decrease. The laying on of additional duties on wheat and wine may benefit wheat and vine growers, but if they have the effect desired, they will harmfully affect the national revenue by a diminution in the customs receipts. Not so the duties on foreign woods, for the state is, as I said before, the largest of French timber growers and wood merchants.

Now, how is it that in spite of these protective duties foreign woods have recommenced to pour into the country, and why is it that last year their imports attained such figures as have only once before been reached in the past eight years?

A cause, as impossible for the protective legislator to foresee as the Argentine revolution or the repeal of the silver bill in the United States, both which stimulated the imports of foreign wheat, has arisen to upset the estimates made in the case of the trade in foreign woods. That cause I shall not be wrong in describing as the distressed condition of the shipping industry of Great Britain, and the keen competition for freights between all over-sea carriers. It is only this competition which has led to such a reduction in the charges for the transport of timber over-sea that the importers of wood into France have been able to disregard the import duties, and have been induced to renew to the full their former stocks of foreign woods. At Rouen we import timber chiefly from the Swedish and Russian ports of the gulf of Bothnia. It comes to us in the form of planking from one to three inches in thickness, and most of it pays a duty 1 fr. 25c. (1s.) per double cwt. Three years ago the freight paid for this wood from a Baltic port to Rouen varied from 65 fr. to 75 fr. per standard, sometimes even reaching 80 fr. Since that time it has never ceased to decline, a sharp fall occurring last year, and at this moment ships are accepting freights of 40 fr. and even 35 fr. for the same measure. British ships are entering more and more into this trade, and I am assured by my Swedish colleague, who is himself connected with the timber trade, that in the past year cases have not unfrequently occurred of contracts in this service which were refused by Swedish ships because of the low rates of freight being taken up by British vessels. Many will no doubt be surprised at this, for the current opinion is that a British ship cannot be run at so low a rate as a Swedish or Norwegian. It may, however, be explained from the fact, brought out from recent sales of British shipping, that vessels are being parted with in the United Kingdom at ridiculously low prices. The

original capital invested in these vessels by their present owners is so small that even if the working expenses are a little higher than those of a foreigner, they are better able to bear a low rate of profits. It is probable also that the fall in freights during the last six months of 1893 was one of the indirect consequences of the great Midland coal strike. A temporary check was given by that strike to the export of coals from the United Kingdom, and many ships usually employed in the coal trade were obliged to look for freights elsewhere, thereby adding to the facilities for the transport of timber.

In any case it is to these low freights, as I have said, that the great renewal of activity in the foreign wood trade of Rouen is chiefly due. To fully comprehend its effects it must be remembered that transport forms a chief element in the cost of production of such wood products as are imported, mostly for building purposes, into this port. The cost of a standard of white pine is now about 205 fr. at Rouen. Its conveyance over sea from a Swedish or Russian port, if we take the mean freight of the past three years, may be placed at from 60 fr. to 65 fr. The carriage of the timber of which it was made from the forest where it was felled to the port of embarkation, though a more variable quantity, may be averaged at from 60 fr to 70 fr. more. Transport, therefore, enters into the cost of its production to the extent of from 60 per cent to 70 per cent.

The question of transport is therefore a vital one for the timber trade. It may be said to rule it, for whilst the other elements of production are, comparatively speaking, fixed or only slightly variable, this one changes with every improvement in navigation and every increased facility of conveyance through a country, such as is obtained by a good system of canals. How far the French government recognizes the importance of this element in the production of timber from its forests, one has only to ride or drive through a French state forest to see. We in the Seine-Inférieure have exceptional opportunities of observing this. Fifteen per cent of the area of this department is covered with forest, the greater part of which is administered by the state. Wide woods surround us on every side at Rouen, and most of the hilly ground on both banks of the Seine, stretching away down to the estuary, is clothed with oak, beech, elm and pine. The soil is too poor to be of any agricultural value, and from pre-historic time to this day, the narrow belt bordering the Seine has remained essentially a forest country. The woods in this department alone form an immense timbered estate, administered by the government, of 231,000 acres.

Nothing surprises a foreigner who wanders through these forests more than the excellence of the roads that traverse them in every direction. The winding deep-rutted cart track of an English wood and its open grassy glades are banished hence. No considerations of beauty enter into any of the 226 clauses of the forest code that govern the administration of a French state forest—a code, I may say here, which forms as much a part of the statute law of the country as its penal or commercial codes. Nature is rarely left alone in France to work out unregulated its own laws and to take its own shapes and forms, and no considerations of beauty are allowed to interfere with the primary ones of utility and commercial value which inspire the forest code.

Main lines of what we in England would term admirable carriage roads lead in the straightest of lines from the heart of these forests to all points in their vicinity where a market for timber, or a station for transport is to be found. And branching out from these larger roads are numerous minor ones, equally straight and well kept, cut with the sole view of facilitating the transport of the timber felled at their sides. Bearing in mind the importance of this question of transport in the production of timber, one is able to understand the meaning of French forest roads which otherwise are inexplicable, and seem only an extravagance and waste.

It is well indeed for the country, that by these means and by its admirable system of canals the French government does its utmost to cheapen the products of its woods, as France has to depend entirely upon the home production for the wood its people burn for fuel. No wood for this purpose is imported, for it cannot stand the duty leviable upon it.

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I now come to the last of the five great imports of Rouen—that is, coal. This is one of the few foreign products amongst the 654 articles enumerated in the French customs tariff that has escaped an increased duty, and its examination seems greatly simplified thereby. No artificial checks being thrown up by fresh duties, its imports are steadier, the gradations are easier, and are due to natural causes easy to seek.

Rouen appears to require from 500,000 tons to 600,000 tons of coal annually—in part for its own needs and in part for those of the industrial towns of the country, that draw their supplies through this port. That is the amount of coal I find that has been brought yearly to Rouen from all sources in the past ten years. The supply is part British, part French, and a small but inappreciable fraction comes to us from Belgium. By far the greater part is British. From 1883 to 1892 inclusive, I find Rouen has imported over 4,000,000 tons of British, and a little over 1,000,000 tons of French. The exact figures are 4,132,941 and 1,083,142 tons of British and French coal respectively. Needless to say, all the British comes to us by sea (except a small fraction that reaches us through Dieppe), and all the French by land, both by rail and canal. The following table showing the proportion that comes by these three routes is, I think, sufficiently interesting for insertion here.

COALS imported at Rouen.

Year.	British.	French.	
		By Rail.	By Canal.
	Tons.	Tons.	Tons.
1883	449,902	47,789	5,694
1884	437,509	33,856	11,003
1885	399,683	47,621	25,790
1886	345,579	42,184	25,410
1887	342,644	45,045	63,452
1888	341,679	136,737	25,400
1889	286,964	168,785	42,015
1890	544,716	108,860	25,299
1891	531,597	93,326	10,861
1892	452,644	108,681	15,371
Total	4,132,917	832,857	250,285

It will be seen the proportion between the British and French coal is not a fixed quantity. As might be expected, with an increased home production, French coal enters more and more into consumption. French coal pits yielded 18,000,000 tons in 1883, but 26,000,000 tons in 1893, and we see from the above table that whereas in 1883 and 1884 the proportion of British coal to French imported by Rouen was as 9 to 1, in 1891 and 1892 this relation had changed to 4 to 1. In 1888 and 1889, indeed, the proportion of French coal to British is far larger, reaching in that period more than one-half; but this is explained by the low price of French coal in those two years, when it fell to 10 fr. 31 c., and 10 fr. 42 c. per ton, a figure which has not since been maintained.

Some may be led from an inspection of the above table to infer that railways appear to hold their own, and even to gain on canals in spite of the superior canal system possessed by France. But a glance at a map of the canals of France will reassure the believer in the utility of interior waterways for the transport of heavy and cumbersome merchandise. Coal, when it comes to Rouen from the departments du Nord and Pas-de-Calais has to make a wide détour by the canal de l'Oise, which taps the Seine just below Paris. It passes, in fact first, south-east, then south-west, and again turns north-west to descend the Seine to Rouen. It traverses three sides of a rectangle, whereas the communication by rail is direct, and passes only along the fourth side of the same rectangle, and, what is a matter of moment, lighters descending to Rouen have to consider the ascent on their backward journey against current for nearly 200 miles of the Seine

and of the Oise, so far as the latter is a "rivière canalisée," and to estimate also the probabilities of a return cargo from Rouen or from Paris. Very different would the rival conditions of rail and canal be if, as in many cases, the communication by both was equally direct.

Turning now to the local imports of British coal in the past year we find they maintain about the same level as in 1892, though one-fifth less than the mean of the three previous years. The first question to ask is, "What effect had the great Midland strike upon our imports?" A strike that paralyzed a great part of the production of the country, and turned aside the usual outlets of other areas of production to such an extent that Great Britain exported 1,500,000 tons of coal less last year than usual, could not fail, one would suppose, to seriously disturb our local imports. It is singular to notice, in reply, that in the last half of 1893, or during the great strike, the coal imports here went on much as usual, and that from 1st August, 1893, to 31st January, 1894, 225,000 tons of coal were imported, or 40,000 tons more than in the first six months of the year. I am told that two causes contributed to this. It was just during the months of the strike that our trade was most active, and our harbour fullest of ships. It was the briskest season of the year for the importation of wine. The timber trade, owing to causes already pointed out, had thrown off its previous sluggishness. And the total failure of the oat crop in France had created a keen demand for foreign oats, which were poured into the country during the last six months of the year. Eighty-eight ships laden with oats discharged 120,000 tons upon our quays in those months. Bunker coals were, therefore, during that period, in active demand, and high as the price of coal had risen during the strike, ships had to be supplied. The second cause which came to the aid of the coal importer, just as it has aided the importer of timber, was a fall in coal freights of about 20 per cent. The average freight for some time past of a ton of coal from Cardiff to Rouen may be given as 6s. 6d. This fell to 5s. 3d., and even to 5s.

The general conclusion to be drawn from an inquiry into the coal trade is that, though the proximity of Rouen to the British coal fields and lowering freights have enabled British coal to compete in many local markets with French, and though the imports have kept up in a remarkably steady manner, yet there can be little doubt the British coal trade is a declining one, and it is as certain that the French is slowly supplanting it. I am told the Paris demand for British coal has very greatly diminished (though I cannot get figures on this head), and I know a British coal dealer who, trying to place British coal in Argenteuil, on the Seine, just below Paris, was met by the reply—"Impossible. I can get French coal now from the department du Nord put alongside my manufactory at 17 fr. the ton, whereas you can only offer me British at 27 fr."

If we send British coal into the heart of the country, and I know we do send it even as far as Chartres, it is to those French towns and districts with which we are in communication by rail, but which are not themselves connected with the remainder of the country by its interior waterways. There is a large district south-west of us, of which Chartres, Alençon and Dreux may be said to be central points, untraversed as yet by canals, and here British coal is still to some extent sent. Nevertheless the supply, there can be little doubt, is one destined all round to decline.

It is only natural that French railway companies should assist to their utmost the distribution of French coal. The railway rates for the carriage to Rouen from the mines of the department du Nord have lately been reduced to 6 fr. per ton in the case of all consignments of 100 tons or more. This will, no doubt, give an impulse to the employment of French coal in this neighbourhood, and it will tend also to further diminish the quantities that come to us by canal.

Before passing from this slight review of the trade in timber and coal I cannot help referring again to the great part played in the production of these two essentials to a manufacturing country by such a canal system as that of France. It is impossible for an Englishman to see it without regret at the abandonment of a systematic canal construction in his own country. With foreign manufactures on every side competing,

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and too often successfully with British, it seems to one who observes this from abroad that we must be seriously handicapped by so great a want. Every element in production is being pared down to the lowest possible limits, and wages, if we may judge from recent events, are to be no longer squeezable. Prices we are now told must start "from the bed-rock of a living wage." Is the constant perfection of water transport in foreign manufacturing countries a matter of so little concern to us? More especially in the production of coal, timber, and raw materials, in whose cost manual labour or wages form so large an element.*

I have now reviewed all the most important imports of Rouen, and there is little more that need be said upon the side of our external or foreign trade. That a great blow has fallen upon the port, and that, in common with all the ports of France, it has suffered and is suffering from the effects of the late customs tariff was a point that, indeed, hardly required proof. If a slight renewal of activity on our quays during the past six months has helped to alleviate that blow and to hide some of the ill effects of the tariff upon the port interests, this is due to two causes which cannot be too clearly brought into view. First, special conditions wholly independent of the tariff have acted upon the most important of our imports and have helped to neutralize the effects upon them of the heavier duties. These influences I have pointed out in speaking of petroleum, wheat, twine, timber and coal successively. The second cause is one which the best wisher of the port of Rouen will not desire to see repeated. It was in fact a national misfortune. A total failure in the oats and hay crops of last year that caused great distress and loss to the agriculturists of the country, obliged France to stock herself from abroad with these products. Hence the arrival of about 100 vessels charged with cargoes that in normal years are little seen upon our quays.

It may be well, however, to dwell for a moment also upon the returns of shipping. In spite of the temporary impetus just mentioned the evidence they yield is unmistakable. Instead of a steady upward rise, unbroken for 20 years before 1892, when the number of entries of vessels of all classes increased from 3,750 in 1872 to 5,986 in 1891, and the tonnage showed a still more striking increase from 551,855 tons to 2,435,850 tons (owing to the deepening of the Seine and the larger size of the ships that entered it), we are met with a fall in 1892 to 5,229 entries with an aggregate of only 1,932,028 tons. This fall of 20 per cent in tonnage is, I think, very similar to that shown by the statistics sent from other great ports of France.

The aggregate of vessels of all nationalities that entered last year is not yet published,† but I am able to give the return of British ships and it will be seen it tells the same tale. The mean of the two years after the tariff shows a fall of 29 per cent upon the mean of the two years immediately preceding it.

Date.	Number of vessels.	Tons.
February 1, 1890, to January 31, 1891	1,107	527,803
do 1, 1891, do 31, 1892	1,178	589,105
do 1, 1892, do 31, 1893	742	346,916
do 1, 1893, do 31, 1894	877	437,043

It is time for me to turn now to the side of home or French production, and to see what evidence there is of the industrial expansion, on which protectionists have set their hopes. Let us at once frankly admit that an examination of the imports of raw materials does give results betokening greater activity on many sides of manufacturing

* Canals in France transported, in 1892, 25,957,686 tons of merchandise, and railways, in 1891 (the latest published statistics), 96,553,763 tons. The exact proportion of one to the other is 26.8 per cent. The tonnage carried by canals shows a slight gain on the previous year; that by rail, it is anticipated, will show a slight loss in 1892 over 1891.

† Since writing the above, the return for 1893 has been issued. The total is 5,224 ships of 2,081,882 tons.

industry. It could hardly be otherwise. The French markets for manufactured goods being partly cleared of foreign competitors, it is but natural that French manufacturers should prepare at once to extend their operations. Consequently we fully anticipate an increase in the imports of raw materials necessary to industry.

This increase is especially noticeable on the side of the metal trades. The imports of metal ores of all kinds, of cast and wrought iron, and of steel, copper, lead, brass, and nickel, are in every case larger in 1893 than the mean of the eight years preceding the last tariff. Though we do not in many cases see a corresponding increase in the exports, and though the aggregate of exports shows a large decline, yet it may be reasonably assumed that there is room for an extension of operations in the French market alone to fill gaps occasioned by the withdrawal of foreign competitors. Until the livelier demands created by that withdrawal are supplied and until the internal competition to supply them becomes sufficiently keen to lower prices—as we see it has done in the case of other long protected industries—French manufacturers will benefit by the higher import duties lately imposed.

When I turn, however, to the industries special to the region of which Rouen is the centre—to cotton-spinning and weaving—I do not see so much evidence of increased activity. Not only I cannot hear of any new manufactories established in our neighbourhood, but I notice a distinct fall in the import of raw cotton during 1893. This may, perhaps, be in a measure accounted for by the large imports of the year before, still it is remarkable that the exports of cotton tissues have fallen also in 1892 and 1893 to a level much below the mean value of the exports of the eight previous years, when French manufacturers were less completely armed against their foreign competitors.

In those years cotton tissues to the value of £4,263,880 were annually exported; in 1892 and 1893 the mean had fallen to £3,899,440. There was a slightly increased export of cotton yarns last year, but even here the values do not reach the mean of the three years preceding the tariff. The mean value of yarns exported in 1892 and 1893 was £116,040, whereas that of the three previous years was £119,640.

If we examine our local imports we shall find they tend to confirm these conclusions. The cotton tissues imported last year show an increase upon 1892, and even pass above the level of the two years preceding the tariff. The import of cotton yarns even shows an upward tendency, and this in the face of duties of which the ad valorem equivalents vary from 13 per cent to 25 per cent.

An addition of about 30 per cent to our usual imports of machinery will be noticed for 1892, and this would indicate a slight industrial extension, but it has not been maintained, as the figures for last year are something lower than the average of the eight years preceding the tariff.

So far as I can discover the customs tariff of 1892 has not had the effect of creating any marked industrial expansion in this region. Perhaps it will come. The Norman is often—by his fellow countrymen—charged with excessive caution and of being slow to move. We have had lately in this city an illustration of this which it may not be out of place to relate here as it is in connection with the effects of protection on national industry.

There is no industry that has been more carefully nursed than that of French shipping. In 1881, French shipbuilders were encouraged by the grant of a bounty of 60 fr. on every ton constructed by them, if the vessel were of iron or steel, and of 20 fr. per ton, if it was of wood. They were incited to purchase all their machinery of French makers by a further bounty of 12 fr. for every 100 kilos. or double cwt. of French machinery placed on board their ships. Navigation companies and shipowners were, in their turn, spurred to purchase none but French vessels, by the grant of 1 fr. 50 c. per registered ton for every 1,000 miles run by vessels bought by them from French yards. To discourage the purchase of foreign ships, the navigation bounty was reduced by one-half in the case of every vessel bought out of France.

Last year a great step forward was taken to make this protection more effective, and to compel French shipowners to buy their vessels in France. The navigation bounty on all vessels henceforward purchased out of France was entirely suppressed;* the con-

* This did not prevent France purchasing 36,000 tons of shipping in Great Britain last year.

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struction bounties were doubled in the case of wooden vessels—being now 40 fr. per ton,—and increased from 60 fr. to 65 fr. a ton, for iron or steel ships. And the reward for purchasing French machinery instead of foreign was increased from 12. fr. to 15 fr. for every double cwt. placed on board a French ship.

With such bounties there seemed little doubt that French shipowners would perforce have to purchase their vessels in France. As France possesses a mercantile marine of 2,403 vessels of 804,336 tons burden (I include only those over 50 tons), and as a considerable proportion of French vessels have hitherto been bought abroad, here was clearly a great opening for the construction of a ship-building yard in France.

The advantages of Rouen for such a yard had often been pointed out. Whilst the investments of a shareholder in a ship-building yard at Havre or Marseilles could—would probably—be reduced to ashes in 24 hours by the shells of a hostile fleet, no such misfortune could possibly overtake them here. A dockyard at Rouen is quite secure from foreign attack, for no hostile fleet will ever ascend the Seine. Moreover, the tranquil, natural basin afforded by the river was favourable, and land very suitably placed was to be had at little more than its agricultural value. Every encouragement that nature and a kindly protective government could give, favoured the construction of a dockyard at Rouen, and promised its financial success.

A dozen or more of the richest and most influential men in the place, accordingly determined to start the enterprise. It was decided to begin on a modest scale and to construct nothing at first but sailing ships. The profits over and above those gained by a British ship-builder would, it was computed, work out approximately thus. Take the case of an iron or steel vessel of 2,000 tons. The cost of such a ship in England would be about £14,000. The construction bounty alone on a vessel of this tonnage built in France would be 130,000 fr. or £5,200. If we are to credit the computation of a French shipowner, M. C. Fabre, the gain of the shipbuilders will be much greater, for, he tells us, the shipbuilder will demand of the shipowner a certain proportion of the navigation bounty to be gained by the ship built by him. However this may be, it would be impossible to find a combination of circumstances more favourable to such a scheme.

Incredible though it may seem, for many months it was found impossible to make up the small amount of capital required to start the enterprise. In this city of 175,000 inhabitants (I include the suburban communes, really a part of the town), the richest in north-west France, there could not be got together 200 men willing to subscribe among them the £40,000 which was all that was required. It has been done at last and the enterprise is now well started, with, I believe, good prospects of success. It has already an order for a steel sailing ship of 3,000 tons.

But are we to look upon this case as only typical of Norman caution—of a narrow conservatism that refuses to enter upon new paths? Does a constant indulgence in state-aid and protection lead a Frenchman to look for protection even in his investments—to turn to French rentes, state-aided railways, etc., and to shrink from enterprises, the success of which is not assured by the state? Or was it the result of a well-calculated fear, that even such bounties will not balance the burdens imposed on industry by the prohibition, through heavy import duties, to purchase materials for construction, tools, etc., in the best and cheapest market? Various are the opinions offered, and it is impossible yet to say which is the true. Many of us are watching with great interest the progress of this, the only industrial enterprise I am able to report from Rouen, as directly due to the influence of the late protective tariff.*

I pass now from the side of the external or foreign trade of Rouen to that of its harbour works, and the changes that are being made in the conditions under which

* Since writing the above I have been told of the establishment, in 1892, of one small weaving mill at Petit-Quevilly, a suburban commune. But the complaints of hard times in the cotton industry are general, more especially upon the side of the spinners. I hear, however, that more advantage is being taken in the N. E. of France of the late increase in protective duties. In the Vosges I learn about 3,000 additional looms have been laid down in the past 2 years. Some new cotton-spinning mills have also been erected there. The Société Cotonnière de l'Est at Vincey, a mill of 52,000 spindles, and the Société Cotonnière d'Hellemes (Nord), of 100,000 spindles, both enterprises supported largely by foreign capital. And nearer here, at Amiens, is another new weaving mill, that of Esnault-pelterie with 500 looms.

vessels may enter the estuary and the lower Seine. On the side of our foreign trade much that I have had to say has been of stagnation and depression; upon the side I now enter, there is nothing to report but incessant and active progress. The number of vessels visiting the port may be decreasing; the length of the quays at which they can discharge is steadily on the increase: the first step has been taken to supersede gas upon them by electric lighting, so that work may go on through the night: another of the great railway lines of France—the Orleans—will shortly be connected with the southern of our quays, and the rail-cars and other facilities placed at the disposal of vessels discharging there will be many times multiplied: the petroleum basin will be more than doubled in length and area; more and more water is being obtained by incessant dredging upon the shallower points passed over by vessels ascending the Seine; and the lighting of the estuary with gas boat-buoys has proved, by the experience of the past 12 months, that the river may be entered at night with ease and safety.

Briefly summed up these are the improvements lately made, or now in progress. They have received nowhere the slightest check in consequence of the diminished activity of the port. This will be surprising to many Englishmen. If Liverpool or Southampton had suddenly received a blow to their foreign commerce that sent down their entries of shipping some 20 or 25 per cent., the harbour works would certainly and instantly feel the contre-coup, their execution would be delayed, and shares in their harbour loans would probably not stand at a premium.

The absence of any such effects upon the progress of the harbour works of a French port like Rouen is due to the centralized system of government in France. The plans and estimates of all these works, designed in fairer times for the port, have been drawn up by state engineers; the harbour board or chamber of commerce, the town or municipality, the county or department, and the central government, all contribute fixed proportions towards the cost of their execution; the expenditure has received the approval of the chamber of deputies and of the senate, and finally they are being executed by a corps of government engineers. It is difficult to upset any works in which so many distinct bodies take part, and for the cost of which so many budgets have been arranged to provide. And so, despite the diminished shipping, the improvements go on merrily, and the anomaly between a decreasing shipping and an increasing harbour expenditure appears to trouble nobody.

I will describe these improvements in the order in which I summed them up. No one entering from the seaward will fail to remark the first of them upon his left, as he enters the port. In my last report upon the harbour of Rouen,* I told of the provision being made for the future extension of our quays by the expropriation of a strip of land 2,500 metres in length and 80 metres in width upon the right bank. This has now been carried out. An excellent road, the Boulevard Croisset, planted with an avenue of plane trees, has been completed along the whole length expropriated, and the prolongation of the old Quai Boisguilbert by 270 yards to the westward—a work to be finished this year—will be the first step of the gradual extension I then spoke of. The rails of the Compagnie du Nord, now serving the northern quays throughout their whole length, will be carried on upon it, and it will be provided with hydraulic cranes for the discharge of cargoes from the ships' holds, straight into the rail-cars.

I think there is little doubt this quay will eventually be lighted by electricity though there is just now a dispute as to which body shall bear the cost. A recent ministerial decision, based upon a law of April 5, 1884, has laid down that the expense of lighting the quays should fall entirely upon the town or municipality. A vessel moored to a quay of the harbour is likened to a house bordering a street, and as everything entering the town from her is subject to the octroi or town dues, it is argued that the quay to which she is moored should be lighted wholly and solely by the town. The municipal council of Rouen do not entirely accept that view, so far as regards electric lighting, and the question is under discussion yet.

Though less noticeable from a ship's deck on entering, a similar work is progressing on the left bank of the river where the lengthening of the southern quay keeps

* Miscellaneous Series, No. 241.

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pace with the northern. Upon that side the Quai Bethancourt will be prolonged 189 metres this year, and the rails of the Compagnie de l'Ouest carried forward upon it will enable ships discharging from the wood basin on the one side as well as those clearing from the new quay on the other, to place their cargoes on the rails of the same company. For our southern quays have now reached the strip of land (formerly the island Rolet) which divides the wood basin from the river, and this strip will now be laid out as a quay and entirely utilized for the service of ships.

It is upon the Quai Bethancourt and around the wood basin that our first essay in electric lighting—the second of the improvements I mentioned—is to be made. This work is a natural complement to the lighting of the estuary. Vessels now enter the Seine and ascend with ease at night. By doing so they gain a tide and avoid a delay of 12 hours in the Havre Roads. The electric lighting of the quays on which all coal is discharged will afford colliers the chance of gaining another 12 hours, for work may then go on upon them rapidly and uninterruptedly through the night. It is proposed to light that part of the Quai Bethancourt and also both sides of the wood basin with 27 electric lights, of a power of 50 carrels each. The lamps will be set upon pillars 25 feet high, and they are to be not less than 27 yards from the edge of the quay. This number, it is calculated, will sufficiently illuminate about 60 acres of quay and basin in that quarter.

The whole of the first cost of setting up the plant is to be borne by the state. The cost of the production of the electric power for the maintenance of these lights is estimated at 14,000 fr. (£560) per annum. Under recent decisions this cost would, as I before said, fall to the municipality. But that body regards its lighting duties fulfilled by the cheaper radiation of gas. It says therefore to the chamber of commerce—“If you desire a more brilliant and costly light for the benefit of the shipping, you must share with us the greater expense.” And the decision ultimately arrived at is that the town shall give 10,000 fr. yearly, and the chamber of commerce, whilst hedging itself in with clauses stipulating that its concurrence shall not establish a precedent, consents to pay annually the remaining 4,000 fr. It will reimburse itself by a small lighting tax, which is to be levied on all vessels clearing at night. The work of the electric lighting will shortly be begun, and, it is expected, it will be finished before the end of this year.

The third of the improvements mentioned by me is, from some points of view, the most important of all. It is financially the largest. Its cost will be 3,837,000 fr. (£153,480) But it means much more than a simple amelioration of the railway service upon one of our quays, as I will try shortly to show.

Rouen is not only, from its geographical position, an inland port for ocean steamers, situated 70 miles in the heart of the country, it is also a point of contact of three of the six great railways of France, and therefore a natural centre of distribution by rail. The Western Company serving the north and the north-west, the Northern Company serving the north and north-east, and the Orleans Company serving the centre and west of France, all touch each other at this point.

Now, the link which it has been decided this year to make bridges a gap, narrow it is true, but all-important in railway connection between the Western and the Orleans lines, and throws, so to speak, these two great companies into one. Administratively this has been done for some time past, for the Great Western line has been for some years working, as concessionaire, the branch which connects us at Rouen with the Orleans line, or with the centre and west of France.

A simple illustration will show clearly the important position held by Rouen with regard to the railways of the country. The railway systems of France have been well compared to a great spider's web, of which the heart is Paris. All the six great companies centre there, and their main lines branch out thence to the several extremities of France which they serve.

Now these great main lines are connected by lines of lesser importance, which run between them like the concentric circles of the spider's web. But look at the map, and it will be seen that the Seine cuts into this great web, and destroys the continuity of these

concentric circles for no less than 125 kiloms. from the border of the web. Rouen is the point farthest from Paris, and furthest out upon the Seine, where the railways can cross the river. There is no short cut across the Seine below Rouen and though the powerful interests of Havre are striving to gain one by means of a bridge or tunnel across the river at Quillebœuf, so far none has been made, and the railway connection of Havre with the west of France is through Rouen. The importance of facilitating by every possible means the connection between the great lines touching each other here will therefore at once be seen.

The link that is to weld the Western line and the Orleans practically into one will be made by means of a viaduct between the termini of these two companies in this town south of the river. An obstinate battle has been fought for ten years past over the question as to whether the connection should be by a level-crossing, by a viaduct, or by a tunnel. The state, on which the whole cost of the connection falls, has desired the viaduct as the least costly; the town council has, in the interests of the inhabitants of the quarter to be traversed, opposed it in favour of a tunnel. The port and manufacturing interests of the neighbourhood have lost unquestionably by the delay due to the contest, and it is to their increasing strength and to the pressure brought to bear by them that we owe its settlement. Now it is finished it is needless to say more about it. The viaduct will be shortly commenced; it will be upon stone and brick pillars, with iron girders, and it will cross over the streets south of the place St. Sever. The cost will be 3,175,000 fr. (£127,000).

The connection of these two great lines will not, however, be the only advantage to be gained by the end of this dispute. Shipping and importers of foreign goods will also benefit by it. Up to now ships discharging into rail-cars upon our southern quays have been cleared by a line, which, by a level crossing, passed through the busy thoroughfare of St. Sever. It was a crossing that could only be effected at the slowest speed, and great delays as well as an insufficiency of cars at the disposal of the ships were a frequent occurrence. When the work of which I speak is completed, commerce will be entirely rid of this inconvenience. The level crossing by place St. Sever will disappear and the service of the quay will be carried on from a large goods station to be erected immediately behind the new Gare d'Orleans, and therefore from a point that is almost in the centre of the southern quay. From this goods station trains will be made up and despatched westward to any point upon the Western system or by the Orleans to the south and centre of France.

A third advantage to be gained by Rouen from the connection is the erection of a handsome terminal station for the Rouen-Orleans line in the place St. Sever. The inconvenience of the present small and only temporary one has been long felt. The new one for which the plans have long been made and approved will be a fitting and commodious one, and 662,000 fr. (£26,480) will be expended on it.

The next of the harbour works to be spoken of is the enlargement of the petroleum basin, rendered necessary by the development of the petroleum trade of the port. The present basin is rather over 700 metres in length. Nine hundred metres are now being added to it, so that before long the great refiners and petroleum depots established here will have a basin rather over a mile in length arranged especially for their ships and devoted solely to their trade. Nature has made the enlargement an easy work for the Rouen engineers. More of the islands that beautify the surface of the Seine are to be seized upon to effect it. Less than 10 years ago four long islands divided the river into two channels just below the town. Covered with a perpetual green and planted thickly over with fruit trees they formed, especially at spring time when in a mass of bloom, as fair objects as could possibly greet the eye, and they were popular resorts of pleasure parties from the town. The manufacturing spirit as it advances expanding our suburbs has seized upon them one by one and converted them to its unbeautiful uses. The upper or Ile Rollet has long disappeared. Joined at its upper extremity to the left bank it now divides the wood basin from the port; a rail runs over it, its banks are stone faced, and its surface, converted into a quay, is blocked with hillocks of timber and coal.

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The second or Ile Elie has disappeared also, having been joined to the mainland by a dam thrown across from its centre to the left bank. The channel between the first two of these islands being left open, formed the entrance to the wood basin on the east, and petroleum basin on the west. The third of these islands, the Ile Poutrel, will now follow the fate of the others through the extension of the petroleum basin. A junction of its eastern extremity with the Ile Elie will throw these two islands into one; at its western end it will be joined by a broad dam to the left bank. The dam which now forms the end of the present petroleum basin will be cut through, and thus a long basin 1,600 metres in length will be created which is to form the new petroleum basin. The basin now in use is provided with quays for five ships well separated the one from the other. The extension gives room for six more quays, three of which will be constructed at once and the remainder as the necessities of the trade call for them. Few ports will then be able to offer a greater assurance to ships laden with petroleum against accidents by fire than Rouen with this basin over one mile in length and completely isolated from the remainder of the port. I should add that the entrance to it is to be made easier by a cutting off of the northern point, that is of the south extremity of the former Ile Rollet, upon which also a fixed red light is to be placed.

When I come to speak of the improvement in the lower Seine made through dredging and dyking, I am met by a difficulty. The work though unceasing is so low and gradual—from month to month almost imperceptible—that except to the mind of a man engaged in engineering interior navigable waterways the usual description is only confusing and meaningless. I shall carry no meaning to the ordinary mind if I say that the bank of Croisset has been reduced by dredging, in the past five years, from an elevation of 105·10 to 106·04 in the technical scale by which the French engineers measure the progression of the work done by them. A more simple and intelligible, if rougher, description is wanted than this. We shall get it if we start from the basis of the zero line of the marine charts, and bear in mind that when a shoal in the Seine has been dredged down to that level, it will have upon it about 6·20 (20 feet 2 inches) of water at average high tides. A few years ago the banks of Croisset, Grand Couronne, Moulinaux, Bardouville and Meules were all from 2 to 3 feet above this level. The first three of these are now shorn down by dredging to 0·20 below the zero line. That is to say, a fairway giving from 3 to 4 feet more water, throughout a width of 100 metres, has been cut through them. The work of increasing this depth to a whole metre below the zero line is now in progress upon the bank of grand Couronne.

Upon the larger bank of Bardouville which lies across the river 20 miles below Rouen, and is 2 miles in length, a greater depth of water has been attained, a pass 50 metres in width and one metre below the zero line having been dredged through it. A heavy additional piece of dredging on this bank was decided on last year. It has been determined to double the width of the pass. That is to say, from 1 to 1½ metres are to be taken off the bank throughout its whole length for an additional width of 50 metres.

The increase in depths gained may seem to some small. The importance of the work will be made clearer to many when I say that the dredging and dyking of the Passe de Bardouville alone has already cost £54,308 (1,357,689 fr.), and the work now to be undertaken upon it will, I am told, cost another £25,000.

Perhaps the most important of the dredging works to be commenced this year is the removal of the Banc de Flaques, a bank which lies across the bed of the river about six miles from the entrance. The point marking the 322nd kilom. from Paris stands about its centre, and it is nearly a mile and a half in length. So far it has been left alone, partly because it has not presented a serious obstacle to navigation, ordinary high water giving a depth of 6·20 metres upon it, and partly because, unlike the other banks which are of soft alluvium, it is composed of a stiffish conglomerate. Until the late trials had proved to the contrary it was thought to be too stiff to be attacked by dredgers, and the greater cost feared has caused work upon it to be deferred till now. As, however, the shallower points in the river have been successfully deepened it was felt that time had come for facing this last and worst obstacle in the river bed. Careful obser-

vations have shown that lying across the channel at that point it acts as a submarine barrier to the free in-flow and out-flow of the tides. They have shown that whereas the fall of the river during the ebb is only 0·06 of a metre in the 1,000 metres above this bank, immediately below it the fall becomes 0·09 in the 1,000. And with the flood the fall of the waters from off it increases also in the same degree, but of course in the opposite direction. It is clear that it materially hinders the in-flow of the tides and lessens the volume of water that enters the river. As it is to the free, automatic working of the tides that we look for the preservation of the depths obtained by dredging, the necessity of its removal became more and more evident. The work will be shortly commenced. The plans which have been approved are framed to provide for an increased depth of one metre throughout a channel whose least width will be 150 metres. To obtain this it will be necessary to remove about 450,000 cubic metres of the bank. The expense is estimated at 2 fr. the cubic metre or 900,000 fr., which with 80,000 fr. more for unforeseen expenses will raise the cost of this work alone to nearly £40,000. Three new dredges and another tug boat will soon be at the disposal of the engineers, chiefly for the above work and that to be undertaken upon the Passe de Bardouville. Two are being constructed by a French firm at Lyons, and the third has been transferred to Rouen from the government service at Dieppe. One of the new ones, which has cost £3,200, is now completed and will be in the river in a few weeks.

It only remains for me to say a few words regarding the lighting of the entrance to Rouen harbour—that is, of the estuary—by gas boat-buoys. There is nothing new to report on this. Within the past five years the system of marking the estuary channel has been twice changed, and nothing perhaps has shown more the determination of the Rouen authorities to render the entrance of their harbour easy and safe. In 1889, metal buoys securely moored were substituted for the poles crowned with brushwood which had served for many years before, and though those buoys were a very great improvement upon the old method, in three years they were again changed to boats gas-lit to enable vessels to enter the river by night. It was, however, an experiment. So much had been said of the dangers of the estuary that doubts were expressed if vessels would ever venture to pass through its banks by a channel 12 miles in length at night. It is for that reason that I have collected evidence upon this point and asked for the opinions, verbal and written, of the masters of British vessels who have made most use of the channel at night, and who have now entered the river at all seasons of the year and in nearly all weathers. There are, I find, no two opinions upon the matter. Except when a fog is hanging over the estuary the channel may be entered with perfect safety at night, and with almost as much ease as in broad daylight. The chief of the pilotage service writes: "The navigation by night is so easy under present conditions that some of the pilots prefer to pass by night rather than by day, and all enter without hesitation at night when weather permits."

The evidence of the masters of British vessels obtained by me is equally favourable. "It is as easy as going up a lighted street," one master has said to me. "I have found it on every occasion very good, . . . it is quite safe at night-time if the weather is fairly clear, and the system is as good as any that could have been adopted," writes the master of the "Aberdeenshire." "I think the present system of lighting the entrance to the river Seine to be the best of any of the rivers we navigate, and in clear weather it is quite safe," writes the master of the "Pioneer." "I have found the entrance to the river most effectively lighted, and superior to any I have been up," is the opinion of the master of the ss. "Highlands." "I regard the plan adopted for lighting the Seine to be very good indeed and in a clear though dark night it is absolutely safe for any vessel to enter or leave drawing from 12 to 16 feet," is the view of the master of the "Olive." "With regard to the lighting of the entrance channel to the Seine, with gas-buoys, I think it is the most superior for safe navigation at night for vessels from 12 to 15 feet of water that I have ever seen in any part of the world," is the expression of the master of ss. "Ann."

I could give others in the same strain, but these are, I think, sufficient to prove that the system of lighting by gas-buoys, now fairly tried for a year, has been a complete success. Two hundred and ten vessels drawing from 12 to 20 feet of water

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entered the Seine at night last year. In all the letters on the subject, received by me, I read only one unfavourable note, and that was from the master of a large tank steamer drawing 22 feet of water who attempted to enter in early morning after the heaviest of our last winter's gales. The fearful sea raised had displaced and capsized several of the boat buoys nearest the entrance. The pilot had not foreseen the possibility of this, and, mistaking the channel, the vessel touched upon the end of the Ratier bank. I think it right to mention this as it may be found advisable to give greater stability to those outer ones within reach of the heaviest seas. The same system of lighting is, I am told, about to be followed in Southampton waters, and it may be worth while to keep this danger in view.

TABLE I.—Principal Imports to Rouen for two years preceding the New Customs Tariff compared with those for the two succeeding years.

Number in New French Tariff.	Description of Articles.	1890.	1891.	Mean of Two Previ-ous Years.	February 1, 1892, to January 31, 1893.	February 1, 1893, to January 31, 1894.
ARTICLES OF FOREIGN MANU-FACTURE.						
510-536	Machines and machinery.. Tons.	1,776·7	2,742·0	2,259·3	3,116·7	2,208·4
368-371	Yarns, cotton .. " "	1,141·2	1,354·0	1,262·6	678·9	713·6
438-454	Tissues, wool..... " "	1,192·6	1,207·4	1,199·9	353·0	167·6
401-436	" cotton..... " "	948·7	993·2	970·9	339·8	960·4
372-376	Yarns, wool..... " "	663·4	773·6	718·5	461·9	254·5
363-366	Yarns, jute, flax and hemp. " "	75·3	70·9	73·1	0·4	3·5
181-187	Building materials... " "	3,552·5	3,251·0	3,401·8	1,047·5	1,051·5
RAW MATERIAL AND CERTAIN OTHER ARTICLES REQUIRED FOR MAKING UP OF FRENCH PRO-TECTED INDUSTRIES.						
190	Coal..... Tons.	526,650·4	510,366·6	513,508·0	419,801·0	411,914·4
128-140	Timber of all kinds (rough and sawn)..... " "	84,242·5	132,256·0	108,249·2	75,786·2	134,871·0
168	Wood-pulp..... " "	22,632·8	59,686·2	41,159·5	23,881·3	58,911·1
179	Kaolin..... " "	11,679·1	19,940·5	15,809·8	8,593·8	9,908·6
220	Lead..... " "	7,891·1	13,936·9	10,913·9	8,235·3	11,630·8
88	Oleaginous seeds and fruits. " "	2,497·4	4,761·5	3,258·9	2,960·0	2,935·6
206-207	Bar-iron..... " "	2,683·2	3,714·9	3,199·0	6,076·3	4,870·1
205	Cast-iron (including pig and foundry iron)..... " "	699·2	503·0	601·1	1,861·5	5,207·7
192	Coal tar..... " "	1,815·9	5,334·2	3,575·0	9,194·9	73·7
141	Raw cotton..... " "	1,127·9	1,735·6	1,431·8	498·2	628·1
140	Dye-woods..... " "	1,190·4	150·5	675·5	560·2	18·7
23	Wool in the mass (including alpaca, lama, Vienna wool, etc.)..... " "	555·0	518·0	536·5	349·1	337·6
110	Olive oil and vegetable oils. " "	410·2	434·4	427·3	262·1	179·4
264	Chlorate of barytes..... " "	671·5	287·8	479·6	245·6	339·0
238	Arsenious acid..... " "	435·0	504·0	469·5	240·4	230·5
247	Carbonates of potash and soda..... " "	137·6	17·2	77·4	1,238·2	822·1
223	Tin..... " "	84·3	48·4	66·4	76·8	151·8
23	Wool waste..... " "	33·0	21·6	27·0	14·8	240·3
171	Wine (common red)..... Galls.	33,182,978·8	64,635,705·2	48,909,342·0	45,662,388·2	8,127,775·5
ARTICLES OF FOOD AND GENERAL CONSUMPTION.						
72	Maize..... Tons.	125,586·2	.....	125,568·2	39,083·2	97,112·2
68	Wheat (in the grain)..... " "	70,393·8	225,403·5	148,198·7	131,618·8	69,624·6
69	Oats..... " "	40,344·5	25,940·9	33,142·7	4·2	123,013·4
197-198	Raw petroleum and mineral oils..... " "	50,551·9	36,452·8	43,502·4	55,427·7	73,361·0
85	Raisins, dried..... " "	5,068·3	6,758·3	6,013·3	2,469·2	3,624·5
	Spirits, brandies and liqueurs..... Galls.	51,234·4	58,883·3	55,058·9	68,265·6	119,980·0
112	Purified oils and essences. Tons.	632·7	130·7	381·8	3,281·4	1,894·4
89	Sowing seeds..... " "	425·9	575·6	500·8	6,977·6	11,211·0
96	Coffee..... " "	573·7	602·0	587·9	645·9	374·0

TABLE II.—Return of British Shipping

Direct Trade in British Vessels from and

ENTERED.							
Total Number of Vessels.			Total Tonnage.			Total Number of Crews.	Total Value of Cargoes.
With Cargoes.	In Ballast.	Total.	With Cargoes.	In Ballast.	Total.		
631	631	188,383	.....	188,383	6,479	£

Indirect or Carrying Trade in British

ENTERED.									
Countries whence arrived.	Number of Vessels.			Tonnage.			Number of Crews.	Value of Cargoes.	
	With Cargoes.	In Ballast.	Total.	With Cargoes.	In Ballast.	Total.			
								£	
Russia	58	58	56,339	56,339	1,132	No means of finding out.	
United States	39	.....	39	59,686	.....	59,686	914
Roumania.....	27	.....	27	28,257	.....	28,257	560
Norway.....	24	.....	24	20,464	.....	20,464	431
Sweden.....	21	.....	21	18,099	.....	18,099	378
Spain.....	17	.....	17	12,236	.....	12,236	283
Turkey.....	10	.....	10	11,662	.....	11,662	218
Greece.....	4	.....	4	3,537	.....	3,537	75
Algiers.....	4	.....	4	3,272	.....	3,272	72
Austria.....	3	.....	3	3,054	.....	3,054	60
Canada.....	2	.....	2	2,767	.....	2,767	41
Germany.....	6	.....	6	3,027	.....	3,027	88
Italy.....	2	.....	2	2,057	.....	2,057	35
Egypt.....	1	.....	1	1,214	.....	1,214	20
France.....	3	.....	3	1,084	.....	1,084	42
New Zealand.....	2	.....	2	2,599	.....	2,599	49
Holland.....	1	.....	1	99	.....	99	6
Total.....	224	224	229,453	229,453	4,404	

French Treaty.

at the Port of Rouen, in the year 1893.

to Great Britain and British Colonies.

CLEARED.

Total Number of Vessels.			Total Tonnage.			Total Number of Crews.	Total Value of Cargoes.
With Cargoes.	In Ballast.	Total.	With Cargoes.	In Ballast.	Total.		
305	498	803	73,609	323,194	396,803	10,862	£

Vessels from and to other Countries.

CLEARED.

Countries to which departed.	Number of Vessels.			Tonnage.			Number of Crews.	Value of Cargoes.
	With Cargoes.	In Ballast.	Total.	With Cargoes.	In Ballast.	Total.		
								£
Russia		1	1		1,023	1,023	24	No means of finding out.
United States.....		11	11		16,603	16,603	260	
Norway.....		2	2		2,289	2,289	31	
Sweden.....		2	2		1,345	1,345	31	
Spain.....	2	16	18	543	15,804	16,347	332	
Germany.....		1	1		1,259	1,259	21	
Italy.....	1		1	1,244		1,244	18	
France.....	1	8	10	1,511	2,647	4,158	136	
Belgium.....	1		1	1,301		1,301	22	
West Coast of Africa.....	1		1	652		652	20	
Total.....	6	42	48	5,251	40,970	46,221	895

TABLE III.—Principal Exports from Rouen for two years preceding the New Customs Tariff compared with those for the two succeeding years.

Description of Articles.	1890.	1891.	Mean of two Previous Years.	February 1, 1892, to January 31, 1893.	February 1, 1893, to January 31, 1894.
FRENCH MANUFACTURED PRODUCTS.					
Wine in casks Galls.	28,745·9	88,072·2	58,409·0	27,411·1	104,334·2
Wine in bottles “	62,564·7	85,135·6	73,850·1	52,896·8	46,683·7
Plaster of Paris Tons.	21,435·2	16,057·2	18,746·2	20,418·4	7,831·4
Raw French sugar “	22,040·0	11,873·5	16,956·7	5,823·9	31,745·2
Refined sugar “	16,234·1	10,300·6	13,267·4	7,111·9	10,192·8
Gallic acid “	8,402·0	2,281·9	5,342·0	3,104·4	931·6
Rags “	3,396·1	1,520·7	2,458·4	3,295·7	24,136·0
Glass bottles “	425·0	614·7	518·9	342·5	111·4
Cotton tissues “	220·0	987·1	603·6	512·1	480·2
Hydrochloric acid “	510·9	273·4	392·2	270·0	252·0
Machinery “	220·5	100·9	160·7	265·9	1,864·3
Acetate of lead “	249·5	125·8	187·7	32·8	83·0
Sulphate of iron “	72·9	0·7	36·8	4,110·0	831·8
Paper “	36·0	42·7	39·4	75·8	121·2
Toys “	65·4	53·2	59·3	145·7	56·4
Colza oil “	85·7	26·5	53·0	231·3	141·6
FRENCH ANIMAL, VEGETABLE AND OTHER NATURAL PRODUCTS.					
Sand for glass Tons.	18,442·1	19,448·9	18,945·4	18,203·2	15,975·6
Ochre “	3,352·0	3,500·3	3,426·2	1,822·5	1,609·6
Barley “	1,367·8	4,972·0	3,169·9	10,115·1	105·6
Sowing seeds “	1,626·1	855·0	1,240·6	1,288·6	653·5
Chalk “	646·4	691·1	668·9	732·5	499·0
Alum “	598·7	584·2	591·5	340·6	88·3
Fresh fruits “	57·9	202·1	130·0	19·1	227·9
Potatoes “	117·9	154·0	135·9	295·1	856·8
Salt butter “	71·7	63·9	67·8	6·3	.....
Eggs “	58·5	39·9	49·2	.....	2·0

French Treaty.

TABLE IV.—Showing some of the Largest Ships that entered Rouen Harbour during the last six months in 1893.

Dates of Entry.	Ship's Name.	Nationality.	Where from.	Cargo.	Quantity.	
					Tons.	Draught of Water on Entry. Ft. in.
July 1..	"Leo".....	British.....	New Orleans..	Wheat.....	2,650	21 9
" 28..	"Vala".....	".....	".....	Maize and wheat.	3,289	21 0
" 31..	"Yedmandale"....	".....	".....	".....	2,750	21 6
Aug. 1..	"Othello".....	".....	Melbourne....	Wheat.....	2,280	21 6
" 4..	"Jeanne Conseil" ..	French.....	Cette.....	Wine.....	1,700	21 3
" 11..	"Wild Flower"....	British.....	Philadelphia..	Petroleum....	3,500	21 9
" 16..	"Cadoxton".....	".....	Odessa.....	Maize.....	2,300	21 3
" 26..	"Luciline".....	".....	Philadelphia..	Petroleum....	3,750	21 9
" 28..	"Clan Robertson" ..	British barque..	Port Augusta.	Wheat.....	2,500	21 6
" 28..	"Ville-de-Cadix" ..	French steamer..	Algiers.....	General cargo...	2,070	21 3
Sept. 11..	"Oesian".....	British do ..	Odessa.....	Maize.....	2,570	21 3
" 25..	"Ludgate".....	" do ..	New Orleans..	Maize and wheat.	3,150	21 6
" 25..	"Wild Flower"....	" do ..	Philadelphia..	Petroleum....	3,469	21 9
" 25..	"Plymouth".....	British barque..	New York....	".....	1,364	21 0
Oct. 9..	"Luciline".....	" steamer..	Philadelphia..	".....	3,760	22 0
" 26..	"Vindobala".....	".....	Batoum.....	".....	1,990	22 0
Nov. 6..	"Wild Flower"....	".....	Philadelphia..	".....	3,400	21 0
" 6..	"Henriette H."....	".....	Riga.....	Oats and wood...	2,300	21 3
" 27..	"Pempol".....	".....	Mariupol....	Barley.....	2,600	21 0
" 27..	"Lesseps".....	Norwegian.....	Stockholm....	Oats.....	2,195	22 0
Dec. 8..	"Shelly".....	British.....	Salonica.....	Maize.....	2,700	22 0
" 9..	"Sully".....	".....	Poti.....	".....	2,600	22 0
" 9..	"Sandfield".....	".....	Taganrog....	Barley.....	2,500	21 0
" 11..	"Hebe".....	Norwegian.....	Sulina.....	Maize.....	3,070	21 9
" 26..	"Ville-de-Valence" ..	French.....	Philippeville..	Wine.....	1,150	21 0
" 26..	"Ida".....	German barque ..	New York....	Petroleum....	1,300	21 0
" 27..	"Conseil".....	French steamer..	Cette.....	Wine.....	1,740	21 0
" 29..	"Fannie".....	German.....	Dedragath....	Maize.....	2,410	21 6

FRANCE.

BORDEAUX.

Consul Ward to the Earl of Rosebery.

BORDEAUX, February 28, 1894.

MY LORD,—I have the honour to transmit to your lordship inclosed herewith my annual report on the trade and commerce of Bordeaux for the year 1893, to which is annexed a short report on the trade of Bayonne forwarded to me by Mr. Vice-Consul Leeson.

I have, etc.

WILLIAM WARD.

General Remarks.

The general depression of commerce and industry which prevailed last year in all countries of the world, with very few exceptions, was naturally felt also in most branches of business in a more or less serious degree at Bordeaux.

The trade of this district, moreover, as in other parts of France, was unfavourably affected by the introduction of the new French customs tariff, by the abrogation of important commercial conventions and the consequent tariff war between France and several other countries, and by the uncertainty as to future legislation on economical questions, all of which events were due to the protectionist policy now adopted in this country.

Though, according to the statement of Bordeaux business men, the results of most transactions during the past twelve months at this port brought them but small profit, it will be seen from the subjoined statistics that the aggregate volume of the imports and exports at Bordeaux reached about the same figure as in the year 1892; but it should be added that, contrary to the provisions of protectionists, there was last year an increase in the imports and a decrease in the exports. The total number and tonnage of the sea-going vessels visiting this port in the year 1893 experienced a diminution compared with the figures for the preceding years.

Whilst in some parts of France last year's abundant vintage appears to have been less of benefit than of disadvantage for the growers, owing to the difficulty, if not impossibility, of finding a market for their wines, the prolific yield of 1893 more particularly in the Bordeaux district must, especially under the otherwise unfavourable state of trade, be regarded as a satisfactory event for the vineyard proprietors (most of whom have already disposed of their large stock of 1893's), and also for the Bordeaux merchants who appear confident that, in view of their low price and generally fair quality last year's wines will find ready purchasers.

British trade with Bordeaux continued last year to maintain its preponderance, in so far as regarded the volume of imports from, and of exports to, the United Kingdom, compared with that of the import and export trade with other countries; and the total tonnage of British vessels visiting this port in 1893 experienced an increase, whilst the tonnage of vessels under the French and nearly all other flags show a falling-off as compared with the preceding year. Considering the low rates of freight, it is, however, not probable that British shipowners can have derived much profit from this increase.

An international exhibition of industry, etc., is to be held at Bordeaux in 1895, which may possibly offer a favourable opportunity to some branches of British commerce and industry for extending or opening business relations with this part of France.

Shipping and Navigation.

The total number of sea-going ships of all nations which entered the port of Bordeaux, in ballast or with cargoes, during 1893 was 1,703, which measured together 1,099,769 tons register. These figures, compared with those for 1892, show a diminution of 65 vessels, measuring together 17,224 tons. Excepting the ships under the British,

French Treaty,

Danish, Italian, and Austro-Hungarian flags, which experienced an increase of tonnage, the shipping of all the other nations enumerated in the two following tables show a falling-off last year both in number and tonnage, the most marked diminution having taken place in the ships under the French flag. I may, however, observe that the large difference appearing between the number and tonnage of the arrivals and of the departures of French vessels in the subjoined tables was owing to the fact that a large proportion of the sailing vessels entered here in 1893 under the French flag from the Newfoundland and Iceland cod-fisheries, but on clearing again from hence were bound for French ports; these latter are thus not mentioned in the following statement, which does not include vessels engaged in the coasting trade:—

RETURN of all Shipping at the Port of Bordeaux during the year 1893.

ENTERED.

Nationality.	Sailing.		Steam.		Total.	
	Number of Vessels.	Tons.	Number of Vessels.	Tons.	Number of Vessels.	Tons.
British	30	15,487	680	507,038	710	522,525
French	268	47,562	384	304,133	652	351,695
Norwegian	24	13,837	77	42,676	101	56,513
Swedish	3	845	30	16,943	33	17,788
Dutch .....	.....	.....	46	46,433	46	46,433
German	20	8,452	9	5,294	29	13,746
Austro-Hungarian	8	3,287	20	20,932	28	24,219
Russian	1	692	14	8,889	15	9,581
Italian	6	2,402	.....	.....	6	2,402
Danish	8	1,939	25	16,564	33	18,503
Belgian .....	.....	.....	17	15,334	17	15,334
Spanish .....	.....	.....	33	21,030	33	21,030
Total	368	94,503	1,335	1,005,266	1,703	1,099,769
Total for the year preceding	369	98,010	1,399	1,018,983	1,768	1,116,993

CLEARED.

British	25	11,582	680	507,038	705	518,620
French	162	33,640	404	344,830	566	378,470
Norwegian	26	16,048	78	43,103	104	59,151
Swedish	3	845	30	16,943	33	17,788
Dutch .....	.....	.....	47	48,169	47	48,169
German	19	8,032	9	5,294	28	13,326
Austro-Hungarian	8	3,287	20	20,932	28	24,219
Russian	1	692	14	8,889	15	9,581
Italian	8	3,673	.....	.....	8	3,673
Danish	8	1,940	25	16,564	33	18,504
Belgian .....	.....	.....	17	15,334	17	15,334
Spanish .....	.....	.....	33	21,030	33	21,030
Total	260	79,739	1,357	1,048,126	1,617	1,127,865
Total for the year preceding	281	84,730	1,412	1,060,251	1,693	1,134,981

It will be seen from the above tables that the tonnage of the vessels visiting this port last year under the British flag was very nearly equal to the total tonnage of the vessels of all other nationalities, including French vessels.

About 30 per cent of all sea-going ships arrived from and respectively sailed for ports in the United Kingdom. The countries ranking next to the latter, as regarded the importance of their sea-borne trade with Bordeaux last year, were the Argentine republic, Spain, the United States of America, Austria-Hungary, Algeria, Russia (Black Sea ports), Senegal, Sweden, Netherlands, etc.

With reference more particularly to British shipping, it is satisfactory to be able to report that the same experienced last year (as compared with 1892) a considerable increase in the tonnage both of the arrivals and of the departures, as will be gathered from the following figures. It will, however, also be observed that last year's figures still show a falling-off compared with those for the year 1887, viz. :—

Year.	British Ships Entered.		British Ships Cleared.	
	Number of Vessels.	Tons.	Number of Vessels.	Tons.
1887.....	840	534,558	834	536,207
1888.....	763	484,821	759	483,055
1889.....	767	501,254	759	492,168
1890.....	744	514,362	736	508,171
1891.....	733	517,934	731	516,287
1892.....	703	488,764	696	480,886
1893.....	710	522,525	705	518,620

Besides the above-mentioned British ships which ascended the river as far as Bordeaux itself, 53 British steamers, measuring together 141,222 tons (against 57 steamers of together 140,941 tons in the preceding year) entered the river Gironde in 1893 at and below the outport of Pauillac.

These steamers belonged nearly all to the British Pacific Steam Navigation Company; but as they all only anchored off Pauillac for less than 24 hours *i. e.*, just sufficient time for landing and embarking passengers and cargo on their outward or homeward voyages between Liverpool and South American ports, these vessels were not reported to the consulate at Bordeaux.

Apart from the British ships touching merely, as mentioned, at Pauillac, it may be observed that the greater proportion of vessels visiting this port in 1893 under the British flag—viz., about 75 per cent—were employed in the direct trade between Bordeaux and ports of the United Kingdom. Amongst the remaining 25 per cent, 95 British ships arrived here from other ports in France, 45 from the United States of America, 28 from Austria-Hungary, 27 from Portugal, 22 from Russia, etc., whilst 161 British ships cleared for Spanish ports, more particularly for Bilbao, in order to take in their return cargo there for ports in the United Kingdom.

As a ship-owning port Bordeaux still holds the third place amongst French ports (*i. e.*, it ranks next to Havre and Marseilles), but the total number of sea-going ships registered here at the end of the year 1893 amounted only to 110 in number, measuring together 74,295 tons, of which 53 were sailing vessels, having a total tonnage of 41,448 tons, and 37 were steamers of a total tonnage of 32,847 tons. Compared with the figures for 1892, those for last year show a falling-off of 16,000 tons in the tonnage of the sailing vessels, and an increase of 2,500 tons in the tonnage of the steamers, a net total diminution, therefore, of 13,468 tons for the year 1893.

It would certainly appear that, so far at least, the new French bounty laws which came into force at the beginning of 1893 have not had the hoped-for effect either of resuscitating the shipbuilding industry or of developing the mercantile navy of this country to a marked degree.

Apprehensions are on the contrary expressed at Bordeaux and elsewhere in France itself, that the French mercantile navy appears to be not only not increasing in import-

French Treaty.

ance like those of other countries, but that its total tonnage is decreasing from year to year ; whilst at the same time very few of the small number of newly registered French vessels are built in France, and most of these, in spite of the increase in the already high rate of bounties accorded by the state to the French-built vessels, continue to be purchased by French owners in foreign countries.

In so far as regards the encouragement offered to French ship-builders by the new bounty laws, it is still the opinion here that even the increased rates of bounties are insufficient towards enabling French builders to compete with their British rivals ; and that under these circumstances it must be regarded as a mistake to have abolished (by the new law) the bounties formerly accorded to French vessels built, or purchased, in foreign countries.

The view appears in fact to be gaining ground in France, that no amount of pecuniary aid on the part of the state will succeed in infusing fresh life into the ship-owning and ship-building interest, unless private initiative and individual effort assist in giving the chief impulse towards their development.

The progress made last year in the harbour works at this port is noticed more particularly in part iv of this report. I may merely observe here, that amongst the more prominent wants of this port for the interests of shipping should be mentioned the necessity of maintaining a greater depth of water in the river at Bordeaux, and between Pauillac and the sea ; the establishment of increased facilities for discharging grain-laden vessels at this port ; as well as better arrangements for landing and embarking passengers and goods respectively, from and in vessels which do not ascend the Gironde further than, Pauillac.

The project of establishing a sailors' home at Bordeaux, which the authorities have had under their consideration for some time already, has not yet been definitely decided upon. The new French merchant shipping law of 1892 provides that 4 per cent of the total amount payable by the state in the shape of ship-building and navigation bounties are to be retained by the government in order that out of this sum contributions may be accorded to the French local authorities, towards defraying the costs of erecting sailors' homes and other institutions destined for the benefit of French seamen in the ports of this country.

Bordeaux is one of the principal continental ports of emigration for South America ; but since the commercial and political troubles broke out there 3 or 4 years ago, there has been an annual considerable falling off in the number of emigrants shipped from hence, in particular to the Argentine republic.

Whilst in 1889 the total number of emigrants from Bordeaux was 28,905, it only reached 5,410 in the year 1893. The destinations of these latter persons were as follows, viz. :—Argentine republic, 2,560 ; Uruguay, 860 ; United States of America, 835 ; Brazil, 462 ; Chile, 415 ; Spanish West Indies, 199 ; Senegal, 51 ; other countries, 28 ; total, 5410.

Classified according to their respective nationalities there were amongst the 5,410 emigrants last year : 2,541 French, 1,543 Spaniards, 470 Turks, 456 Italians, 87 persons born in North and South America, 81 Swiss, 63 Germans, and 91 persons of other nationalities amongst whom there were 11 British subjects.

Trade and Commerce.

It will be seen from the subjoined statistics that, contrary to the expectations of many persons who imagined that the introduction of the new French tariff would give a fresh impulse to the export trade of this country, there was last year an increase, viz., of 470,749 cwts., in the aggregate volume of the imports ; and a decrease, viz., of 623,633 cwts., in the total volume of exports at Bordeaux compared with the figures for the preceding year. On the other hand, both imports and exports still show a diminution compared with the figures for the three years, 1889 to 1891.

Year.	Total Volume of—	
	Exports from Bordeaux.	Imports to Bordeaux.
	Cwts.	Cwts.
1889	16,038,514	25,313,892
1890	17,191,366	26,252,712
1891	16,420,746	27,681,128
1892	16,398,369	23,836,167
1893	15,774,734	24,306,916

The diminution in 1893 in the exports was more especially due to decreased exportations of wines, chemical products, cereals, and most manufactured goods ; whilst the increase in the total imports was caused by more extensive importations more especially of wood, wool, fish, rice, chemical products, artificial manures.

It is not possible to obtain at this date a complete review of the trade of Bordeaux in 1893 more particularly with the United Kingdom ; but from such trustworthy information as is at present available, it may be gathered that, compared with 1892, there was last year a respective increase and decrease in the importations of the following more important articles from the United Kingdom, viz :—

Return showing increase or decrease of importations from the United Kingdom, during the year 1893 :

INCREASE.—Wool, cotton, jute, phormium tenax, mineral tar, bitumen, sulphur, sulphate of copper, phosphates, salted meats, crockery, jute manufactures, agricultural and sewing machines.

DECREASE.—Flax, palm oil, cotton-seed oil, artificial manures, sulphate of iron, porcelain, clay ; bacon and lard, cotton manufactures, linen manufactures, woollen manufactures, paper manufactures, machinery (except agricultural and sewing machines).

As regards the exportations from hence, there was respectively an increase and decrease in the following more important articles, viz :—

Return showing increase or decrease of exportations to the United Kingdom during the year 1893 :—

INCREASE.—Wool, pitwood, lamb skins, resin, rags, zinc ore, manganese ore, arachide oils, cream of tartar, talc, prunes, dried vegetables and vegetable flour.

DECREASE.—Wines and liqueurs, fresh and preserved fruit and vegetables, sugar, olive oil, chestnuts, oil-cake, copper ore, lead ore, tannin extracts, iron manufactures, jute manufactures, cotton manufactures, paper manufactures.

The two following tables give an account of the total exportations and importations in 1893-92 at Bordeaux to and from all countries of the world, viz :—

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Annex I.—RETURN of the Principal Articles of Export from Bordeaux during the years 1893-92.

Articles.	1893.		1892.	
	Value.	Quantity.	Quantity.	Value.
	Cwts.*	£*	Cwts.*	£*
Wines.....	1,005,100		1,968,175	4,559,866
Spirits and liqueurs.....	271,796		282,099	526,183
Fruit.....	515,110		441,025	437,337
Fish.....	261,620		258,158	575,074
Tissues of silk.....	632		469	61,227
" wool.....	29,142		26,219	694,256
" cotton.....	71,040		37,232	536,759
" linen.....	1,976		2,174	(?)
Jewellery.....	242		81	483,136
Clothing, ready-made.....	10,896		13,231	278,303
Skins.....	13,728		10,401	297,458
Crockery and glass.....	356,496		416,375	239,753
Cereals and flour.....	74,554		102,932	50,615
Sugar.....	46,432		54,997	42,927
Chemical products.....	202,608		247,393	320,158
Paper and cardboard.....	58,778		81,828	143,249
Tools.....	89,446		131,927	234,272
Resin, French.....	135,424		190,148	(?)
Coffee.....	7,140		5,227	21,068
Wood.....	7,450,408		7,451,069	506,915
Oils.....	111,654		102,220	156,581
Hides.....	74,628		65,139	275,501
Gums, exotic.....	27,486		30,882	93,881
Seeds.....	928		5,449	(?)
Rags.....	80,222		47,614	49,820
Wool.....	58,874		47,961	183,603
Perfumery.....	32,820		577	(?)
Rice.....	85,890		68,052	50,013
Meat, salted.....	15,148		13,475	79,965
Iron and steel manufactures.....	92,148		71,065	41,553
Cork manufactures.....	9,214		8,776	94,012
Vegetables, dried.....	36,154		39,463	48,220
Cheese.....	7,468		7,662	(?)
Tobacco, manufactured.....	1,718		1,424	16,869
Machinery.....	19,828		29,478	70,457
Miscellaneous.....	3,617,986		4,137,972	3,326,073
Total.....	15,774,734	.....	16,398,369	13,494,104

*Calculated at the rate of 2 cwts.=1 quintal, and £1=25 fr.

Annex II.—RETURN of the Principal Articles of Import to Bourdeaux during the years 1893-92.

Articles.	1893.		1892.	
	Quantity.	Value.	Quantity.	Value.
	Cwts.	£	Cwts.	£
Wood.....	3,158,766		1,492,373	426,957
Skins and furs.....	73,034		216,252	726,100
Coffee.....	111,462		107,843	434,594
Wool.....	403,082		318,129	1,001,939
Sugar.....	274,306		323,695	210,600
Fish.....	649,994		543,826	769,140
Tobacco.....	186,372		129,326	310,381
Indigo.....	1,880		736	22,084
Cocoa.....	54,672		64,154	211,173
Grease and lard.....	34,156		135,402	222,398
Cereals and flour.....	2,375,826		2,323,060	1,000,261
Coals.....	8,752,834		9,229,950	308,761
Gums, exotic.....	73,138		79,746	242,427
Arachide nuts.....	480,890		515,414	278,456
Spirits and liqueurs.....	252,362		338,642	264,343
Cheese.....	31,342		31,019	84,426
Firearms.....	470		720	26,181
Tissues of wood.....	3,608		3,663	62,935
" cotton.....	30,454		26,176	330,569
Manures, artificial.....	23,740		5,764	(?)
Rice.....	406,596		250,667	21,773
Copper ore.....	59,180		76,550	182,932
Cotton, raw.....	3,886		3,956	(?)
Shipbuilding materials.....	89,720		85,880	55,796
Pepper.....	1,092		3,551	(?)
Oils.....	39,276		57,554	18,493
Iron and steel manufactures.....	274,036		395,478	74,713
Cloth, Indian.....	10,422		12,083	(?)
Wine.....	2,400,436		3,276,025	1,755,416
Chemical products.....	959,810		871,556	379,577
Meat, salted.....	5,632		7,861	21,175
Woods, exotic.....	80,198		51,243	(?)
Hemp.....	5,010		8,600	(?)
Vanilla.....	474		407	35,808
Miscellaneous.....	2,998,260		2,848,866	2,556,064
Total.....	24,306,916		23,836,167	12,035,472

I subjoin here a short account of the production and the export and import trade of wine at Bourdeaux for the past year; and, following this, some summary observations on the general course of trade last year in the other leading articles of business at this port.

Considering the immense importance of viticultural interests for a large part of the French population, and considering more especially also the depression prevailing last year in other branches of agriculture as well as in industry and in commerce, the general results of the vintage in France in 1893 ought to have been a gratifying event for the inhabitants of this country, and the more so as in many departments such an abundant yield was quite unexpected.

Though considerably smaller in quantity than the yield of 1875, the most prolific on record, and less abundant also than that of some other years previous to 1878, the production of wine throughout France in 1893 exceeded in quantity that of any one of the last 14 years; for it amounted to 1,101,535,940 gallons, and thus was 461,000,000 gallons or nearly 80 per cent in excess of the yield of 1892.

The total value of the wine produced last year in France is estimated to have been £50,260,130, which would therefore give an average price per gallon of 11*d.* (paid to

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the grower); that is to say, last year's wine was $3\frac{1}{2}d.$ cheaper than that of 1892, the average price of the latter having been estimated at $1s. 2\frac{1}{4}d.$

In those parts of France, as for instance in the Bordeaux district, in which last year's low-priced wines were not only produced in abundance, but where these large quantities also showed promise of fair quality, the results of the vintage were certainly satisfactory for all concerned; but it appears that these favourable conditions were not attained everywhere. In the south-eastern departments, for instance, the growers, owing to the very inferior quality of the wines produced, have been unable to dispose of their large stocks; and these unfortunate persons are, in their distress, now appealing to the French government for assistance, and have proposed that in order to facilitate the sale of the wines of those districts a tax should at once be imposed in France on all natural wines containing more than 10·9 degrees (French) of alcoholic strength. It is evident that such a measure, if adopted, would be prejudicial to the interests of wine-growers in the Gironde and other prominent viticultural districts of this country, where many of the wines contain (in average years) a greater degree of alcoholic strength than that above mentioned.

Seventy out of the seventy-six wine-growing departments of France shared in the general increase of production in 1893. Whilst, however, some, as for instance Hérault, Aude, and Garde, only show an increase of 10 per cent, others, that is to say, more especially the fifteen departments comprised in the Bordeaux consular district, experienced a much more important augmentation, as will appear from the following table:—

Consular District of Bordeaux.	Annual Yield of Wine.	
	1892.	1893.
	Gallons.*	Gallons.*
Gironde.....	40,863,710	108,413,734
Charente.....	1,472,108	4,063,598
Dordogne.....	3,603,212	6,135,756
Gers.....	12,350,000	44,062,436
Lot and Garonne.....	5,980,700	13,367,200
Lot.....	1,719,960	2,989,514
Landes.....	5,107,600	17,443,778
Lower Pyrennees.....	3,368,662	12,378,014
Upper Pyrennees.....	1,574,320	8,038,690
Ariège.....	1,091,398	1,895,432
Corrèze.....	257,796	866,074
Haute-Garonne.....	6,715,654	13,087,404
Tarn and Garonne.....	5,060,160	12,459,700
Vienne.....	8,621,140	11,473,462
Haute-Vienne.....	9,691	35,794

* Calculated at the rate of 22 gallons = 1 hectolitre.

Last year's vintage in the Gironde, the most important wine-producing department of France, was very remarkable, both as regarded its exceptional abundance, and also the very early date at which the first grapes were gathered. The winter of 1892-93 was, up to the end of January, upon the whole cold and dry. February, however, was

mostly wet, and as the next two months were unusually and continuously fine and warm, this produced such a powerful effect upon the development of the vines, that already on April 25 their first buds sprouted forth; and before May 15 the vines everywhere were in full flower. Old viticulturists assert that never before have the vines in this district shown such masses of fruit buds, as appeared during the period which then followed, and that never before did the vineyards of the Gironde show such exceptional promise. But a gradual modification of the sanguine expectations entertained by the growers took place after this time, in consequence of the abnormal and continuous heat and drought which prevailed in this, as in most other parts of Europe, during the months of June, July, and August. Though the maximum temperature attained here last summer was not, it is true, equal to that experienced during some few days of 1892, the average monthly temperature of the three summer months of 1893 exceeded that of the same period during any one of the preceding 30 years. Whilst, owing to the extraordinary dryness of the atmosphere, the colouring of the grapes which commenced about the middle of July took a longer time than is usually the case, their ripening was thus greatly hastened by the uninterrupted heat; and the first ripe fruit was actually gathered (in Upper-Médoc) already on August 16. During the subsequent fortnight the entire red wine vintage of this department was in full activity; whilst the white wine vineyards commenced their vintaging during the first week of September.

Comparing the very early date of the commencement of the 1893 vintage in the Bordeaux district (August 21 is the date now generally adopted here) with that of other years during the present century, it is interesting to note that only once before, viz., in 1822, has the vintage begun as early as the month of August. In most years the commencement has taken place in September, but in 13 out of the last 93 years it has begun only in October, and in 1816 even as late as October 28. It may, perhaps, be observed that, with the exception of the year 1823, all vintages commencing as late as October were poor in quality and quantity.

It has already been observed that the long-continued heat and drought of the summer months caused serious apprehensions amongst the wine-growers of the Gironde regarding both the eventual quantity and the quality of their wines. Without entering at present into the question of quality, it will have been gathered from the preceding table that the fears regarding quantity were by no means realized; but that, on the contrary, the abundance of last year's yield by far exceeded that of the preceding year, and, indeed, that of any one of the previous 17 years. This will appear more clearly from the following figures, which show that, with the exception of the years 1874 and 1875 (and these two years are the most prolific on record), the production of the Gironde in 1893 was the most abundant as yet experienced:—1874, 112,720,146 gallons; 1875, 116,147,020 gallons; 1876, 43,142,990 gallons; 1877, 77,244,068 gallons; 1878, 48,622,508 gallons; 1879, 34,485,132 gallons; 1880, 36,525,170 gallons; 1881, 28,072,000 gallons; 1882, 24,588,000 gallons; 1883, 41,086,100 gallons; 1884, 29,440,026 gallons; 1885, 23,673,232 gallons; 1886, 24,391,070 gallons; 1887, 25,066,674 gallons; 1888, 66,000,000 gallons; 1889, 47,267,352 gallons; 1890, 35,066,702 gallons; 1891, 53,858,058 gallons; 1892, 40,863,710 gallons; 1893, 108,413,734 gallons.

So great and so unexpected was the abundance of the yield of the vineyards in the Gironde last year, that many proprietors were for a time obliged to discontinue gathering the grapes, as there were no more available vats, and vintaging could only be resumed after the first portion had been racked. This abundance, moreover, was not merely confined to the more ordinary descriptions of wines, but it was experienced in a very marked degree also amongst the superior, and particularly amongst the so-called "classed" growths of Médoc, and of other valuable vineyards. It may, perhaps, be of interest to note, by reference to the two following tables, which contain an enumeration of most of these "classed" growths, that the yield of the year 1893 was not only more than twice as abundant, in all instances, as in 1892, but that, with only a few exceptions, last year's yield exceeded that of the most prolific year on record in this district, viz., 1875.

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Classed Red Wines of the Médoc District.	Annual Yield.		
	1875.	1892.	1893.
	Hogsheads.	Hogsheads.	Hogsheads.
First growths—			
Château Lafite	984	324	1,000
do Margaux.....	920	826	1,608
do Latour.....	520	380	668
do Haut-Brion.....		140	640
Second growths—			
Château Mouton.....	600	156	590
do Rauzan Ségla	420	208	420
do do Gassies.....	387	124	288
do Léoville Lascases.....	808	480	920
do do Poyferé.....	600	280	720
do do Barton.....	580	256	656
do Durfort.....	340	120	380
do Gr. Larose.....	1,028	378	1,560
do Branc Cantenac.....	620	400	734
do Pichon.....	632	388	984
do Cos d'Estournel.....	1,000	760	1,080
do Montrose.....	1,000	880	1,360
Third growths—			
Château Kirwan.....	292	350	640
do Issan.....	560	342	720
do Lagrange.....	1,080	280	1,200
do Langoa.....	972	280	1,080
do Giscours.....	512	268	596
do Palmer.....	992	410	872
do Lalagune.....	380	140	400
do Desmirail.....	300	140	300
do Calon.....	872	520	840
Fourth growths—			
Château St. Pierre Lutkens.....	132	60	160
do do Bontemps.....	148	120	324
do Talbot d'Aux.....	500	212	620
do Duluc.....	512	212	720
do Duhart Milon.....	560	232	780
do Carnet.....	560	208	468
do Lafon Rochet.....	124	88	228
do Beycheville.....	900	420	948
do Le Prieuré.....	172	124	248
Fifth growths—			
Château Pontet-Canet.....	1,000	600	1,320
do Batailley.....	680	200	644
do Gd. Puy-Lacoste.....	760	440	1,000
do Ducasse.....	500	248	640
do Vasquez Moussas.....	684	132	580
do Dauzac.....	680	480	980
do Armailhac.....	860	460	1,500
do Bruno Devès.....	250	72	360
do Cantemerle.....	772	240	812

The yield in the vineyards of the Gironde growing so-called "bourgeois supérieurs," "bourgeois," "paysans" and "artisans" wines was, on an average, more than twice as plentiful as that of the year 1892. Amongst the white wines of this district the difference was not so great, as will appear from a comparison of the yields of some of "first growths" of white wines (inferior sorts showing, upon the whole, about the same difference in their annual yield).

Classed White Wines of the Gironde.	Annual Yield.		
	1875.	1892.	1893.
	Hogsheads.	Hogsheads.	Hogsheads.
First growths—			
Château Yquem	688	600	900
do Vigneau	280	120	120
do Sudirant	320	208	600
do Contet	174	60	280
do Climens	84	48	264
do Guiraud	292	180	604
do Rieussec	200	260	520

It will thus have been rendered evident that in so far, at all events, as regarded quantity, the growers, both of the superior and of the cheaper class of wines, had no cause to feel dissatisfied last year in the Bordeaux district. The fact, indeed, that the Gironde alone produced in 1893 an amount of wine representing the contents of more than 660,000,000 bottles, ought to be satisfactory to all persons interested in the production of Bordeaux wines.

The important question, however, as yet remains to a certain extent unsolved, whether the 1893 wines grown in this district will turn out equally successful in point of quality as they have done in point of quantity; nor will it be possible to give a definite answer to this question until most of these wines shall have reached a further stage in their development. It has hitherto in this part of France been considered an accepted rule that, in order to produce a fair quality of wine, the sum total of degrees of heat during the annual period of growth of the grapes, viz., from March 1 to September 15, ought not to exceed 4,500 degrees (centigrade), and that the total annual rainfall ought not to be less than 750 millimetres. Last year, however, the sum total of the degrees of heat during the period mentioned was no less than 4,962 degrees (centigrade), whilst the total rainfall during the 12 months 1892-93 did not exceed 618 millimetres; and these abnormal meteorological conditions have accordingly caused some persons to maintain that the quality of last year's wines will probably turn out a failure.

But whilst, as already observed, a definite opinion cannot be pronounced for some little time yet regarding the future success of the 1893 wines of the Gironde, there are, according to the view of many competent authorities, certain indications which go far towards rendering it most probable that the majority of these wines will turn out fairly well; and these favourable predictions are made regarding both the superior and the inferior growths. In so far as regards their present qualities most persons here appear to agree that, with the exception of some of the "Palus" wines, last year's wines of this district contain a sufficiently high percentage of natural spirit, and that they have a good colour and a pleasant "bouquet."

It may be considered promising for the success of the 1893 wines that hitherto all exceptionally abundant vintages, such as 1874, 1875, 1877, 1878, and 1888, have also turned out well in point and quality.

I have already observed, with the exception of the years 1874 and 1875, last year's vintage in the Gironde was the most prolific on record. But this fact will perhaps appear yet more noteworthy when it is taken into consideration that the acreage of vineyards under cultivation in 1893 was 77,500 acres smaller than that existing in the two other

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years first-mentioned, for whilst in 1874 and 1875 the total acreage was 427,500 acres, it was last year only 350,000 acres. The average yield of wine per acre in the Gironde in 1893 therefore exceeded that of the two years mentioned, or, in other words, the average yield per acre was greater last year than in any former year.

The outfall of 77,500 acres in the acreage of vineyards in this department has, I need scarcely remark, been caused by the ravages of the phylloxera, which have, indeed extended over more than 100,000 acres in the Gironde alone.

The annual extent of land cultivated with vines fluctuates somewhat both in this district and in most other parts of France, for it depends upon the annual extent of fresh vine plantations, and also upon the extent of land rendered more or less unproductive each year by the phylloxera. In 1893, for instance, the annual increase in the total acreage of vineyards throughout France only amounted to 26,770 acres, and was thus considerably less important than the increase for the preceding year. The total acreage of vineyards throughout France at the end of last year was still about 1,500,000 acres less than it was 20 years ago, *i.e.*, before the appearance of the phylloxera. These figures may offer some idea of the enormous losses caused to this country by the noxious worm in question, both through the actual destruction and deterioration of countless vines, through the outfall in wages and the diminished demand for workers, as also through the necessity of importing foreign wines, and by the manufacture of artificial wines in order to make up for the deficiency which took place in former years in the home production. To these costs must be added those of fresh plantations which have already been made, and of those which are still required on more than 1,500,000 acres of devastated vineyards.

Though the rate of annual increase in the total acreage of the vineyards in France was comparatively slight last year, owing to the extent of vine-growing land having, in fact, diminished in 29 departments, the other wine-producing departments, and amongst these the Gironde, experienced a certain increase in the acreage of their vineyards in 1893 compared with the figures for the preceding year. In the Gironde more particularly this increase is stated to have been 13,723 acres.

The total extent of fresh vine-plantations made in this department since the phylloxera first commenced its destructive course is estimated to have thus now reached about 85,000 to 90,000 acres. It would be interesting to know exactly all the localities where these fresh plantations have been made, in order to be able to make a minute comparison between the qualities of the wines produced there formerly with those of the wines now produced. For there appears to be still a good deal of controversy regarding the question, as to whether and to what extent the qualities of the wines made at present from the various species of newly planted Franco-American vines are inferior to those of the wines made in the same vineyards before they had to be uprooted and recultivated. Many persons are of the opinion that, whilst these fresh plantations of Franco-American vines will yield and have already yielded larger quantities of wine, the fine qualities attained in certain exceptional years of former times will never again be obtained. In so far as regards the vineyards recultivated with direct producing American vines (of which, however, only a very few exist in this district) there can be no doubt that these are more productive than the old French plants, but that the quality of the wine is inferior.

It appears to be thought by some experienced viticulturists that, notwithstanding the prolific vintage of this district in 1893, considerable impulse was given last year to the propagation of the phylloxera amongst the vineyards of the Gironde by the unusually dry weather which prevailed here, indeed, with short intermissions, since the middle of 1892. It is thought, moreover, that many proprietors, judging too hastily from the flourishing appearance of their vines during the last 3 or 4 years (which was due particularly to the effects of the preceding comparatively moist seasons), neglected in 1893 to apply as extensively as in previous years the more efficacious remedies used towards combating the attacks of the phylloxera. The fear has accordingly been expressed that during the present and next year many vineyards will be found infested by the noxious

worm in a more serious degree than hitherto experienced, and that possibly 40,000 to 50,000 acres of vines will have to be uprooted during the next 2 or 3 years. It must in the interest of the wine-growers (who have assuredly been already sorely tried in many ways during recent times) be hoped that these prognostications will not turn out to be correct; for if they should come true, this would entail the utter ruin of many proprietors, as only a few would have means for replanting large tracts of devastated land, especially if called upon to do so quite suddenly.

The discovery of a sure remedy not merely for warding-off, but for destroying the phylloxera and for ridding the vineyards of this terrible scourge has not yet been made; and up to the present the prize of £12,000 offered by the French government for this discovery has accordingly not yet been awarded to anybody. The chief and most efficacious method of combating the phylloxera which has hitherto been applied, wherever the locality permits, is the temporary flooding of the vineyards with water, and where this is not practicable the roots are treated with sulphuretted carbon.

Whilst the drought and the heat of last summer were favourable for the propagation of the phylloxera, they were, fortunately for the vineyard proprietors of this district, decidedly unfavourable for the development of the various cryptogamic diseases which in some years have done almost more harm than the noxious worm first mentioned. Mildew appeared only in a very slight extent, though it is said to have done much damage in other parts of this country, not to mention Spain and Portugal. Antrachnosis was also but very little met with; and blackrot was not seen here at all.

The cochylis worm which made such havoc among the grapes in the Gironde in 1890, 1891 and 1892 (as reported by me at the time) has altogether disappeared, in consequence of the complete destruction of the eggs of this insect by the scorching hot wind which prevailed here on August 16, 1892. A fresh enemy of the vine is said, however, now to be threatening to take the place of the cochylis, viz., the eudemis botrana (the "grape-twister"); but during the past year the reports of damage done to the grapes were not, it appears, of a very serious character; and it may be hoped that the fears regarding the destructive propensities of this new scourge of the vineyards have been exaggerated.

With regard to the purchase of the 1893 wines of the Gironde for the Bordeaux market, it may be said that rarely before has such a large proportion of the produce of any one year (and that an exceptionally abundant yield) passed so quickly out of the hands of the growers into those of the Bordeaux merchants. When it first became known here that some few sales of the 1893 wines had been made by the proprietors, and that the prices asked were unusually low, there was a regular rush, more especially upon the vineyards of Médoc and of St. Emilion, and other valuable districts; and in a few weeks about three-fifths of these wines, including all the higher growths, were bought up at Bordeaux. The prices paid were, as mentioned, exceptionally low, lower perhaps than those paid in any year since 1870; but the quantities sold being exceptionally large, the vineyard-owners must have gained a fair profit. The wines having now passed into the hands of the trade, the prices have of course experienced a rise; but they are still comparatively so low that the purchase of last year's wines must be regarded as a fair investment, even if their quality should not turn out anything extraordinary.

It is perhaps hardly necessary for me to observe that none, or hardly any of the wines made in this district last year have as yet been shipped from Bordeaux, and that therefore the effects of the unusually abundant vintage upon the export trade cannot appear in the following return of the wine exportations in 1893. The subjoined table will, on the contrary, show that the aggregate shipments of wine made last year to the various wine-consuming countries of the world experienced a further diminution, which, compared with the shipments in 1892, amounted to no less than 1,049,014 gallons; for whilst in the year last named the total exportations (in wood and in bottle) reached 18,332,952 gallons, the total exportations in 1893 amounted to only 17,283,938 gallons.

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Countries to which Exported.	Shipments of Wines in Wood.		Shipments of Wines in Bottle.	
	1892.	1893.	1892.	1893.
	Gallons.*	Gallons.*	Gallons.*	Gallons.*
United Kingdom.....	3,430,812	3,340,216	626,494	547,514
Germany.....	3,552,230	3,380,542	59,158	45,430
Belgium.....	1,620,256	1,595,022	48,092	38,148
Netherlands.....	1,443,024	1,390,768	53,602	39,732
Sweden and Norway.....	139,898	86,790	22,704	18,678
Denmark.....	403,204	326,688	8,580	4,928
Russia.....	138,578	211,530	11,066	16,390
Spain.....	16,808	6,204	9,460	3,102
Canada.....	32,340	27,742	18,546	21,032
United States of America.....	267,872	182,952	136,510	131,054
Argentine Republic.....	3,211,120	2,548,634	44,440	37,334
Uruguay.....	798,128	409,926	6,006	3,102
Brazil.....	239,910	235,532	47,212	34,518
Mexico.....	186,164	44,022	55,704	6,336
British India.....	1,012	200	660	.....
Mauritius.....	170,558	165,396	24,618	1,100
Senegal (French).....	275,022	279,092	33,704	38,698
Other countries.....	999,328	947,650	190,906	126,610
Total shipments.....	16,926,294	15,118,906	1,406,658	1,165,032
Estimated value.....	£ 4,246,966	(?)	639,390	(?)

* Calculated at the rate of 22 gallons equal to 1 hectolitre.

With the exception of Russia and the French colony of Senegal, all of the prominent claret-consuming countries of the world mentioned in the preceding table show a more or less considerable falling-off last year in their demand for Bordeaux wines. This diminution, moreover, took place both in the inferior class of wines and in the more expensive kinds. The countries which consume the largest share of the class first mentioned, viz., the Argentine republic and Uruguay, show a falling-off respectively of 662,476 gallons, and of 388,202 gallons, compared with the shipments during 1892. The exportations of wine more especially to the Argentine republic have, in fact, experienced an annual marked diminution since the year 1889, in which year no less than 8,270,724 gallons were shipped to Buenos Ayres, whilst last year the total amount was only 2,548,634 gallons. To a great degree this falling-off has, doubtless, been due to the continued political and commercial troubles in that country; but a further important cause has been that, in consequence of the change in the French import duties, Italian and Spanish wines have been shipped direct from Italy and Spain to the river Plate, instead of being sent via Bordeaux, as used to be the case in former years. The other non-European countries which are comparatively the most important consumers of Bordeaux wines, both of a higher and inferior class, are the United States of America, Brazil, Mexico, Mauritius, and the French colony of Senegal. The exportations to the United States were considerably more extensive previous to the last decade, but, in consequence of the higher customs duties and the protection of home-grown wines (a large proportion of which, are, however, passed off as French) in that country, they have largely decreased during the last ten years. Strenuous efforts are being made both by the French government and by delegates sent by the Bordeaux wine merchants, to obtain an abatement of the wine import duties in the United States now that a revision of the tariff is taking place, and it is hoped here that such a measure will give a great impulse to the exportation more especially of the class of wines used for daily consumption, which at present are (in consequence of the high duties) too expensive as a daily beverage for the large majority of the public in America.

The export trade to Brazil has not, it would seem from the preceding figures, suffered so much during the past year from the troubled political condition of affairs in that country as would have been expected.

Shipments both of wines in cask and in bottle to Canada experienced a slight falling-off last year, and the export trade from hence continues to be unfavourably affected by the high Canadian duties on French wines, and by the consequent successful competition of Californian wines of a cheap class, which are imported into the Dominion in large quantities, and sold there, as a rule, as French wines.

British India appears to be consuming less and less Bordeaux wine every year, as will be seen from the above table, though, of course, the figures given there refer merely to the shipments made to India direct from this port, and do not comprise the wines sent there in transit through British or other ports. Indian newspapers ascribe the falling-off in the consumption of claret to the very inferior quality of wines imported of late years into India from Bordeaux. Apart from the question as to whether the greater proportion of these clarets were actually shipped from this port, there would seem to be no sufficient reason why claret drinkers in India should not be able, as well as consumers in other countries, to obtain good genuine Bordeaux wines, which assuredly are purchasable here in sufficiently large quantities.

With regard to the wine export trade to European countries, it has already been observed that the only country to which the shipments show an increase was Russia, and it may be added that this increase was due to the considerable reduction in the Russian import duties on French wines which came into force last year. The shipments of wines from this port to the United Kingdom experienced last year a total diminution of 169,576 gallons, that is to say, of 90,596 gallons of wines in casks, and of 78,980 gallons of bottled wines, and the expectations held here (and adverted to in my last annual report) viz., that the series of favourable vintages during the the previous five years in this district would gradually give a greater impulse to the consumption and importation of Bordeaux wines in Great Britain, were not yet realized. The abundant, low-priced, and, upon the whole, promising wines made here last year have now raised fresh hopes at Bordeaux regarding an extension of the export trade to the United Kingdom, but it remains as yet to be seen whether this will be the case. Up to the present the orders received from British markets for 1893 wines have been very limited. It is, as I have remarked on a former occasion, difficult to say precisely what may have been the cause of the diminution which first set in about 12 years ago in the demand for Bordeaux wines in the United Kingdom; that is to say, whether it has been chiefly the largely increased consumption of sparkling wines and of spirits in the United Kingdom during the last decade, or whether it has been rather the rise in the price, and the simultaneous falling off in the average quality of most of the Bordeaux wines produced during the period from 1882-86. The following figures show that the decrease which has taken place in the wine shipments from hence to British ports since the year first mentioned has been considerable, viz. : 1881, 5,799,894 galls ; 1882, 4,910,796 galls ; 1883, 4,731,078 galls ; 1884, 4,602,340 galls ; 1885, 4,913,942 galls ; 1886, 4,660,112 galls ; 1887, 4,164,854 galls ; 1888, 3,817,000 galls ; 1889, 4,142,072 galls ; 1890, 4,669,578 galls ; 1891, 4,120,446 galls ; 1892, 4,057,306 galls ; 1893 ; 3,887,730 galls.

The comparatively important share, however, taken again last year by Bordeaux wines amongst the aggregate quantity of French and other foreign wines imported to the United Kingdom, which amounted to 8,923,471 gallons, may be gathered from the fact that of this total quantity 3,887,730 gallons were received exclusively from Bordeaux, whilst only 1,869,738 gallons comprising chiefly sparkling and other white French wines, were imported from other parts of France. The aggregate wine importations to the United Kingdom from all parts of France (which thus reached 5,757,468 gallons) experienced a falling-off of 43,099 gallons compared with the year 1892 in which the aggregate importation had been 5,790,567. The aggregate importations however from all other foreign countries which in 1892 had reached 5,768,253 gallons, was only 3,176,003 gallons in 1893.

It is thus rendered evident that the diminution which took place last year in the shipments of wine from Bordeaux to the United Kingdom was not due to any special cause affecting Bordeaux wines only, but that the same was owing to general causes affecting all wine importations, viz., to the decline in the purchasing power of the British

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wine consumer. But, whilst the chief cause of the diminution in the wine exportations from this port during 1893 may thus be considered to have been the generally depressed state of business in the United Kingdom, the falling off which set in in the consumption of Bordeaux wines in Great Britain with the year 1882 and has continued since that time, must, as already observed, be chiefly ascribed to the unsatisfactory results of the vintages which took place in this district from 1882 to 1886. The unfavourable impression made upon the British wine market by those results has apparently not yet even been fully dispelled, in spite of the long series of successful vintages which commenced with the year 1887 and has lasted up to the present. In view, however, of the favourable vintages of the period last mentioned, and in view of the exceptionally abundant and promising vintage of 1893, it is greatly hoped here, that a largely increased demand for Bordeaux wines will now again take place in the United Kingdom.

It must certainly at present be admitted that there is no difficulty in obtaining good, sound, and comparatively low priced wines, both of higher and inferior growths, at Bordeaux. Consumers who may prefer waiting some time yet before purchasing 1893 wines of this district (which may be advisable), will find a plentiful stock here of preceding vintages. Amongst these the wines of 1892, which were already remarkable for their comparative ripeness soon after the vintage, are now rapidly approaching maturity, in consequence of the effects of last year's heat; and these are of fair quality. The light, smooth wines of 1891 are considered to be a good investment now, on account of their comparatively low price. Those of 1890 are of rich colour, fruity, and of fine flavour; they are developing satisfactorily, and are regarded as particularly well suited to the English taste. Both 1889 and 1888 wines (the former have now mostly been bottled) comprise many excellent wines, and many 1888 wines are now in great demand. Those of 1887, fine coloured, sound, good wines, will not be drinkable for some time yet, excepting the lighter growths, owing to their great body. With regard to the wines of the five preceding vintages of this district (viz., 1882 to 1886) these were, as already mentioned above, an almost entire failure. Both 1880 and 1881 produced many good wines, and these are now in good condition for drinking. Of older vintages it is hardly necessary for me to repeat, that those of 1878, and the small remaining stock of 1874, not to mention the very limited quantity of 1875, are being rapidly cleared off; the same may be said of the fine full bodied wines of 1870.

The total importations of foreign-grown wines to Bordeaux during the year 1893 experienced a further considerable diminution compared with the figures of the two preceding years, as is shown by the following table:—

Countries whence Imported.	Importations of Foreign Wines to Bordeaux.		
	1891.	1892.	1893.
	Gallons	Gallons.	Gallons.
Spain	33,871,288	18,889,002	16,274,742
Algeria	9,069,544	9,093,568	4,430,996
Italy	19,294	1,212,376	639,870
Portugal	419,650	626,164	32,142
Other countries	2,385,526	1,087,790	1,322,288
Total	43,765,302	30,908,890	22,709,038

These foreign wines being chiefly used in France for blending with common French wines of slight alcoholic strength (after which process they are either consumed in this country itself, or re-exported more especially to South America in the form of so-called "vins de Cargaison"), the extent to which they are annually imported here naturally depends upon the quantity and relative alcoholic strength of the wine produced in such year in France itself, and upon the demand for these blended wines for home and foreign

consumption. Thus the series of favourable vintages in France during the last six years, together with the considerable falling-off in the consumption of French wines in the Argentine republic and in Uruguay (and to some extent also the increase in the French import duties on foreign wines), have caused a gradual and important diminution in the importations of Spanish, Portuguese, Italian, and other foreign-grown wines to Bordeaux and to other French ports of late years.

Last year's crop of French plums is estimated at over 600,000 cwts., and was, indeed, the largest ever brought to market in this country. In consequence of the very warm summer and the continuous drought, this fruit ripened prematurely and did not thoroughly develop in size, but it contained an unusual proportion of saccharine matter, and was of excellent keeping quality. Prices were the lowest that have ever been known in the plum trade here, the four sizes 70·5, 80·5, 90·5 and 100·5 fruit to the French pound averaging only 18s. per cwt., against £1 16s. during the previous season. To a great degree, however, these low prices were due to the financial crisis in the United States of America, which prevented the laying down of the European bank credits, necessary for the purchase of this article. The American financial depression likewise reduced the quotations for plums grown in California, where the yield last year was also large; and though, as the crisis abated, a certain quantity of French plums was sold to the United States, the same was not large enough to cause a material rise in prices at Bordeaux. The year closed with about 100,000 cwts. of plums unsold, and most of these have been specially prepared, and are held by merchants here who look to the possibility of a small crop next autumn.

Walnuts, like all other fruit, ripened early in 1893. This circumstance was specially important for an article which, above all, must be delivered in time for the Christmas trade. The nuts were, however, small and of poor appearance, having evidently suffered from the drought. At the same time they were perfectly dry a fortnight earlier than usual, and Bordeaux shippers were thus able to do a satisfactory business. Prices ruled lower than in 1892. The exportations to Germany were rather larger, those to America much smaller, than in the preceding years.

The catch of sardines, which depends so greatly upon fine weather, was a success on the French coasts, the fishing continuing off northern Brittany into December. Owing to the general depression of trade and to the accumulation of stocks abroad, export business in this article has been languishing of late, and prices are comparatively low. Common qualities of Portuguese packing have been, and still are, almost unsaleable at 17s. per 100 tins; this latter fact being, to a great degree, owing to the Australian and South American markets (the chief foreign outlets for Portuguese sardines) not having yet recovered their elasticity. Under such conditions it is not surprising to hear that many Portuguese packing-houses have lately been closed.

Last year's importations of Senegambian gums amounted to 39,159 bags, or about 640,000 cwts., as against 638,000 cwts. in the previous year. This difference was slight but prices have continued to decline since 1892, and at the end of last year they stood 15 to 20 per cent below those 12 months ago. The gum market is still very quiet, chiefly because (as mentioned in my last report) there are now such large quantities of gums at low prices collected in Arabia, Egypt, and other Eastern countries.

A considerable increase took place in 1893 in the importations of rice to this port, viz., 17,500 tons of paddy, as against 10,000 tons in 1892. Arrivals of Moulmein rice were, however, about 500 tons less than in the previous year. A brisk demand and firm prices continued here until the end of 1893.

The stock of coffee remaining on hand at the end of December was 24,950 bags, against 27,037 bags at the close of the preceding year. Prices fluctuated only slightly and generally ruled firm. The revolution in Brazil had, however, a prejudicial effect upon the coffee market here, as elsewhere, owing to the fear that regular shipments might cease from that very important coffee-growing country. It is, of course, hoped that there will soon be an end of the Brazilian troubles; and that favourable reports of the crops in Venezuela, Central America, and in Java will contribute towards making up the growing deficiency in European stocks, and cause a fall in prices.

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The stocks of cocoa were very limited at the commencement of 1893 in all European markets, and during the first five months prices rose from 10 to 20 per cent. In June, however, it was to be seen clearly that the reduced crops in Trinidad (the chief cause of the high quotations) would be fully compensated by increased shipments from Guayaquil. The situation of affairs became much easier, and at the end of last year prices stood where they had been before the rise. A further fall may be expected in quotations, as recent news regarding the new crops are favourable.

The amount, estimated as the probable production of French beet-root sugar for 1893-4 was a good deal reduced by the long drought of the last summer, and only reached 565,000 tons,—that is to say, 35,000 tons less than expected. These figures are only approximative, as the entire harvest has not yet terminated. The deficit in the French crops is, however, counterbalanced by the surplus of other countries, in particular of Germany, Austria, and Russia, which, it is stated, amounts, for all Europe, to about 380,000 tons more than the crop of 1892-93. The sowing of the next harvest in France will take place under unfavourable auspices in consequence of the indifferent quality of the seed, and the acreage sown will not exceed that of last year in this country.

The importations of Montevideo dry hides amounted in 1893 to 55,000, whilst those from Buenos Ayres amounted to 35,000 dry and 29,000 salted hides. At the beginning of last year business here was animated, but it later became quiet, as the long drought obliged farmers in France to slaughter a portion of their cattle, and tanners preferred of course to buy the fresh hides, especially as they were to be had cheap. Thus the foreign stock accumulated and prices fell, increased importations being moreover caused by the abstention of North American buyers at the river Plate.

Only 36,000 bales of sheepskins were imported here from the river Plate in 1893, against 49,000 bales in 1892, a diminution which may be due to the desire of owners in that country to renew their flocks which had suffered so severely from epidemic diseases in the year last mentioned. No important change has taken place in this article here; five public sales (against three in 1892) were held during 1893, and, in consequence, private transactions were very limited. The fall in the price of wool during the past year naturally diminished the value of the pelts, and at the end of December prices accordingly stood lower than 12 months before.

The deficit in the importations from the river Plate were in a great measure made up by the increased arrivals from Australia, which amounted to 16,000 bales in 1893, against 10,000 bales in 1892 and 5,000 bales in 1891. These skins were imported here almost exclusively during the first seven months of the year; business subsequently was arrested by the fact that the purchases made in April and May in Australia were at prices which left no margin of profit for importers. Australian sheep-skins have now definitely taken up an important place here in the general consumption, and are in general much sought after, owing to their qualities. The sales here amounted last year to 5,100 bales, against 3,700 bales in 1872.

Though 2,500 bales of Cape sheep-skins were imported here last year in consequence of direct orders given by the fellmongers in the south of France (against 500 bales in 1892), little remained here for local consumption; and the fall in prices was so great that orders for future delivery were cancelled. A few lots, of very limited importance, of Hungarian, Spanish and Peruvian pelts were sold here during 1893.

No amelioration has taken place in the situation of the cork business since my last annual report. Owing to the troubled political state of South America and the high rate of exchange ruling there, exports thither have greatly decreased. As already observed, the high duties now imposed in many countries on cork manufactures have done a good deal of harm to the cork industry here, as the unmanufactured cork-wood is admitted duty free in those countries. Spain and Portugal maintain a keen competition in this article with France, the former possessing large quantities of the raw material, whereas France is compelled to draw a large proportion from them, as Algeria and Tunis do not furnish sufficient supplies for French wants; in fact, the cork trade of Bordeaux is gradually becoming reduced to a purely local industry.

The resin production of this district in 1893 was less extensive than that of an average year, the drought having prevented the development of this product. Besides

this circumstances, numerous forest fires (the result of the great heat or of accidents) which devastated large tracts of the Landes district, reduced last year's yield still more. The large stock, however, of 1892, prevented a rise in the price of turpentine last year, and the same remained at average quotations ; but exportations show a falling off compared with previous years, and the extent of home consumption was stationary. Business in resins, however, and particularly in the finer sorts (which latter were very scarce, owing to the great heat having darkened a large proportion of the crop) was of considerable importance in 1893, prices ruling about 10 per cent higher than former years. The ordinary kinds of resin were, as usual, consumed in France itself. Owing to the abovementioned damage done by forest fires, the resin harvest of 1894 will doubtless also be a comparatively small one.

During the past year 451,000 tons of British coal were imported here ; of which 68,000 tons are stated to have been ordered by the Orleans and Southern Railway Companies, thus leaving 383,000 tons for private consumption. The latter figure shows a falling off of 35,000 tons compared with the same figure for 1892 of 11,000 tons compared with 1891, and of 42,000 tons compared with 1890. These diminutions have been caused chiefly by the strikes in the United Kingdom of late years, which from time to time increase the price of British coal and at times even stop the supply of the same altogether, thus affording no security and stability to consumers in this and other foreign countries. In consequence an increasing number of consumers here now try to use French coal, certain qualities of which are cheaper than British and are fairly satisfactory.

Although the French coal mines have the sale of their production assured, and in principle cannot put out more annually than they do at present, it is not improbable that, in view of increasing demands for French coal, the annual output will, in future, after all be augmented. Should this actually take place, it will most certainly be the fault of the British coal industry, for manufacturing establishments. and even many private households in this country, do not care to run the risk of having to pay a different, *i.e.*, a higher price for their coals each time they give an order. Since July last the strikes in the Midlands and also in Scotland have raised the coal prices here and everywhere else, and so long as the present prices prevail, and fresh disturbances in the British coal mining industry appear likely, it is useless to hope for an increase in the consumption of British coal in the Bordeaux district. It is, on the contrary, rather to be feared that with such prospects, and with the prevailing protectionist tendencies in France, British coal will be gradually driven out of this market by its French rival. I need, perhaps, hardly add that such an eventuality would not only be very prejudicial to the interests of the British coal trade and industry, but also to those of our shipowners who now send a considerable number of coal-laden vessels annually to this port.

The position of the bacon and lard trade has not materially changed here since my last annual report, importations being almost impracticable on account of the high duties. Since the coming in force of the new French tariff, manufactories have been established, especially at Paris and Marseilles, for making a cheap lard to replace to some extent the American article which is no longer in the market ; and it is stated that considerable success has attended the introduction of the French product. The rearing and breeding of pigs in this country appears also to be carried on on an increasing scale at present, and prices were sufficiently remunerative in 1893 for the farmer, to encourage them to develop this branch of agricultural industry in future. On the other hand it is, however, thought not improbable that, on account of a relative over-production of cheap French lard in 1894, prices will fall in the course of the next 12 months.

Prices of wheat which stood rather low at the commencement of last year, recovered slightly in February, in consequence of unfavourable reports from America. A reaction set in shortly afterwards, and until May the market remained in a very irregular condition. At this latter date apprehensions began to be experienced in France regarding the home crop, owing to the continued drought ; but the latter, though rather limited, turned out better after all than expected. As soon as this result had been realized prices declined, it being also found that the stocks still on hand of the preceding year

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were considerable, and thus under the further influence of unfavourable reports from America where the markets were disorganised and were suffering under the pressure of the monetary crisis, quotations here declined lower and lower. The consequence of these various influences was that business was very fluctuating and unsatisfactory in France during the last part of the year, and the unfavourable prospects of the farmers caused the question of increasing the import duties on foreign corn to be raised before the French chambers. The probability of such a measure being passed caused prices to rule rather firmer, without, however, increasing values to any material extent.

The home crop of maize was poor, and the demand for this article was slack throughout last year, owing to fattening of cattle being reduced to the minimum extent. Cheaper sorts of food have been introduced of late in the place of maize. Prices maintained themselves, however, well during the year, whilst importations were very limited.

Owing to the drought the crop of oats in France was very small, *i.e.*, only about two-thirds of an average one. In order to make up for the out-fall, large importations of Russian oats were made to this country from October to December. From July to October values were well maintained, and higher prices were paid; but after that time the oat market became unsteady and prices declined rapidly in consequence of the flooding thereof with Russian produce, above referred to. At the end of the year a steadier tone prevailed and quotations stood at average rates.

The crop of green peas (a very important article for Bordeaux packers) was almost "nil" in this part of France last year, the great heat having withered these vegetables; and the very few cases of peas which were preserved here in 1893 were of poor quality and very high priced. In the north of France the harvest is stated to have been somewhat better.

Tomatoes were supplied in average quantities by the growers, and packers at this port were accordingly able to satisfy all requirements; prices ruling the same as in preceding years.

The French beans which were favoured by the late summer rains, especially during September, gave a fair crop. Prices were high, however, throughout the season, but considering the comparatively restricted demand prevailing for this article, packers here were fully able to satisfy their wants.

Last year's quality of the truffles in this district was very good, and the production proved sufficient for the demand, prices remaining easy, and large purchases being made by Bordeaux firms.

Owing to the great competition in the mushroom trade, packers here refused to go on paying the high prices asked by growers of this article, and the consequence has been that, on the other hand, the growers, finding their labour less remunerative than formerly, have greatly restricted the mushroom cultivation, and that last year there was a scarcity of this article in the Bordeaux market. The late frosts in 1893 have rendered the situation yet more difficult for business, and prices at the end of last year stood very high.

The total importations of sulphate of copper to Bordeaux in 1893 are estimated to have reached about 8,000 tons, nearly all of which were of British origin. Added to the stock remaining here from 1892 (*viz.*, about 2,000 tons), this quantity amply sufficed for all industrial and viticultural requirements. It should be noted that last year was, however, specially unfavourable for the use of sulphate of copper, inasmuch as (as reported by me above) the vineyards, in consequence of the continued dryness and heat of the atmosphere, showed hardly any traces of mildew or other cryptogamic diseases, and the usual treatment with a solution of copper was not applied to the vines, except in a very limited degree. Prices remained stationary during the year, excepting a sudden rise which took place for a time in April and May, owing to the want of steamers for bringing fresh supplies from the United Kingdom. After the required importation had taken place here, prices dropped again; and, upon the whole, the sulphate of copper business in 1893 was not profitable for French importers.

There is little to add to the remarks made in my last year's report regarding artificial manures. Superphosphates have continued to be imported in considerable quantities, and have become popular with these proprietors who have once begun to employ them.

Other chemical products (sulphates, etc.) used against the phylloxera and other vine diseases were not so much in demand here in 1893 for the reasons already stated, but the extent of the production appears, nevertheless, to have been about the same as in previous years.

The situation of the dye-woods business has remained almost the same as 12 months ago. The importations to this port found a ready sale, but in general the cargoes had already been disposed of in advance to local industries, this remark referring more especially to arrivals of campeachy wood.

The total importation of all kinds of wood at Bordeaux in 1893 is stated to have been 22,979 standards, against 12,942 standards in 1892 and 56,466 standards in 1891. The figures for last year comprised 883 standards from New Brunswick, and 287 standards from British India. The fact that last year's importations, though more considerable than those of the preceding year, were below the average quantity of late years must be ascribed to the exceptionally large stocks received here in 1891 in anticipation of the increase of import duty, and that a large proportion of this stock was not sold off yet in 1892. There has, however, been an increase in the arrivals of finer qualities of wood from Sweden, the White Sea ports, and Finland, owing (as stated by me already last year) to the total want of these sorts in France itself. The outfall in 1893 in the aggregate importations was caused by diminished arrivals, more especially of wood used for building, France itself now being able to compete successfully with Norwegian and Russian sorts, and also with New Brunswick spruce. The arrivals of the two former, however, kept pretty well up to their average annual figure owing to Russian and Norwegian wood (and other articles) being subject only to the French "minimum" tariff rates; but wood and other imports from Canada to this country are hampered by their being made subject to the highest (or "maximum") duties.

It seems certainly desirable, for the interests both of the Canadian timber trade and other branches of production, that a modification in the existing French duties on Canadian produce should soon be arrived at; and considering that an arrangement has, in fact, already been concluded to that effect between the Canadian and the French government, which only remains to be ratified by the legislative assemblies of both countries, it must be hoped that this latter event will take place without further delay.

The total number of oysters bred and reared at Arcachon (near Bordeaux) and exported thence during the year 1893 is estimated to have reached between 150,000,000 and 180,000,000. Of these about 50 per cent. were consumed in France itself, 30 per cent or thereabouts were exported to the United Kingdom, and the remainder to other countries. A large number of the Arcachon oysters exported to England are fattened there, and then brought to market, as a rule, as "natives."

It has already been reported by me at the time that the allegation which found its way into many French and other newspapers, viz., that an epidemic disease had broken out among the oysters in this country, and that many persons who had eaten French oysters had fallen ill, has, after official investigation, been found to be untrue.

Population and Industry.

Bordeaux, the capital of the Gironde (the largest department of France), numbers 252,102 inhabitants, and is accordingly, in point of population, the fourth largest city of the republic. This number is an increase of 11,520 inhabitants upon the year 1885, and of about 30,000 upon the year 1881; but inasmuch as the annual number of deaths has during the whole of the last decade exceeded that of the births, it is evident that the increase of population in this town has been due exclusively to immigration, which has taken place more especially from the surrounding rural districts, but to some extent also from more distant parts of France, and also from foreign countries. The total number of foreigners now residing at Bordeaux is about 5,000 or 6,000, of which about 700 are stated to be British subjects.

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The following table will show the comparative number of births, marriages and deaths in this town during each of the last five years, viz. :—

Description.	Annual Number at Bordeaux.				
	1889.	1890.	1891.	1892.	1893.
Births	5,388	5,167	5,273	5,319	5,318
Deaths	5,947	5,977	6,364	5,657	5,829
Marriages	2,015	1,986	2,017	2,204	2,100
Divorces	98	95	136	102	97

It will be observed that, whilst the number of births last year remained almost stationary, the number of deaths increased by 172, compared with the figures for 1892. Compared with the figures referring to 5 years ago, there would seem to have been an increase in 1893 in the number of deaths, but a decline in the number of births. The continued excess of the annual death-rate over the birth-rate during each of the last five years, which appears from the preceding table, is undoubtedly a somewhat serious matter, especially as this circumstance seems, both at Bordeaux and in other parts of France, to be owing less to an unusually high annual death-rate, than to the comparative unproductiveness of the native population.

Whilst the very large superficial area occupied by the town of Bordeaux (viz., nearly one-third that of Paris) renders police supervision and all administrative arrangements more difficult and more expensive than in compactly-built cities, and accounts probably to some degree for the still existing want of a proper drainage system, these disadvantages are somewhat compensated by the circumstance that, excepting in the older parts of the town, the dwelling-houses are inhabited by only one or two families, and that the wide streets and numerous private gardens offer a comparatively large amount of light and air to the inhabitants.

The health of Bordeaux in 1893, notwithstanding the long-continuing heat, was upon the whole satisfactory, and neither Asiatic cholera nor any other dangerous epidemic disease appeared here. A certain number of cases of small-pox occurred during the year, but there were only 74 cases of death from this disease in 1892, against 284 in the preceding year. Typhoid fever caused 83 deaths in 1893, against 71 in 1892.

By far the largest proportion of deaths, viz., 972, was again caused by consumption and other tuberculous diseases, which seem to prevail here in spite of the comparatively mild climate, at an annually-increasing rate. It has already been observed by me on a former occasion that the continued terrible ravages made by these diseases amongst the population both of this and many other parts of the world (and which appear to carry off more persons than any other malady) have, during the last few years, led several physicians and other noteworthy persons in France to form a league for diffusing the knowledge of the best-known remedies against the spread of infection of tuberculous diseases, and for introducing these remedies more especially in schools, and in other establishments where children and young persons congregate in large numbers. A branch of this league has now been established also at Bordeaux.

The institution of the so-called "ambulances urbaines," or ambulance stations, in various parts of this town, for offering immediate medical assistance to persons injured by accidents, or taken ill in the streets, which is maintained by private contributions, has since its establishment three years ago done excellent work, for, during the period mentioned, no less than 15,000 cases of injuries or sickness have been attended to by the 30 stations of this institution.

The construction of a large municipal disinfecting apparatus or stove, to be used more particularly in times of epidemic diseases, has recently been decided upon by the authorities of Bordeaux.

Bordeaux and the remainder of the Gironde department though containing a certain number of industrial establishments, is not (as I have observed already in former reports) one of the more important manufacturing districts of France, for the large majority of the working classes are engaged in trade and shipping, and in the various branches of commerce and agricultural industry connected with the wine trade and production. Apart from the several kinds of industry bearing upon viticulture and the wine trade, viz., cooperage works, glass works, capsule factories, cork factories, there are some important manufactories which carry on other industries. Amongst these latter the more prominent establishments are, factories for preserving and packing fruit, vegetables, meats, and fish; liqueur distilleries, sugar refineries, oil mills, petroleum refineries, wool-washing mills, pottery works, chemical works, iron foundries, machinery works, numerous establishments for drying codfish, a large government tobacco and cigar factory, etc.

Shipbuilding and the several industries dependent thereon have (with the exception of some war vessels built, and still building, here for account of the French government) almost come to a standstill at this port since about 10 years; and the high bounties offered by the state to French-built sea-going vessels have, in this district at least, as already observed in part i of this report, been unable to resuscitate this once flourishing branch of industry. French shipowners, in spite of the premium offered to ships built in this country, find it upon the whole more profitable to buy their vessels in the United Kingdom.

Strikes among the working classes have hitherto been rare at Bordeaux; but last year a general strike took place amongst the workmen of all kinds engaged in the building trade, and lasted several weeks, after having given a good deal of trouble to the authorities of the town. A short strike took place here also amongst the journeymen bakers last year.

Public Works.

It is expected that the construction of the new quays on the left bank of the river in Bordeaux harbour will be finished in the course of the present year; and there can be no doubt that the completion of this work, which will render about 1,700 additional yards of quay room available for loading and unloading, will be of great benefit to shipping visiting this port.

On the other hand it would seem that, in order to prevent these or other facilities offered to sea-going vessels from becoming to a certain extent illusory, more energetic measures must be used to maintain a proper depth of water for such vessels in this harbour. The accumulation of mud in the river here during the past 12 months, owing more especially to the long-continued drought, has been very great and has been a source of serious inconvenience, not to say danger, to shipping. Vessels of large draught have been frequently unable to moor alongside the river bank, or have moored there only at considerable risk, and the access to the docks has been often impracticable excepting during specially favourable tides. It appears that the government authorities have lately decided to carry out more efficacious dredging operations, in order to put the river into a satisfactory condition; some doubts are, however, entertained amongst shipping classes at Bordeaux, whether the sum allotted by the government for the dredging expenses will be sufficient to effect this very desirable end.

The chamber of commerce has recently decided to construct a second graving dock at Bordeaux, and to lengthen the one already in use, the cost being estimated at about £60,000 for these two works.

A new building has been erected in this town for the use of the post office, and will be shortly opened to the public.

The construction of the new railway terminus of the South of France Company is proceeding very slowly, and will not apparently be finished for some time yet.

A new building for the Bordeaux fire brigade has been recently completed, and is about to be taken into use.

French Treaty.

An association for the erection of cheap lodging-houses, in the construction of which particular care is to be given to the sanitary arrangements, has lately been formed here on similar principles to those already existing at Marseilles, Lyons, Orleans, Rouen, etc. The Bordeaux association intends to reserve to itself the selection of the tenants of its lodging-houses; but these tenants are to have the option of occupying their lodgings on short leases, or of becoming owners thereof in the course of 20 years by paying certain fixed annual instalments of the purchase money. The association further proposes to limit the maximum annual interest payable to the shareholders in the undertaking to 4 per cent.

It may not perhaps be generally remembered that a law was passed in France in 1879 by which the state was authorized to purchase all the larger canals of this country, in order that the traffic on these highways of commercial intercourse, most of which were at that time still in private hands, should gradually be freed from all charges. Whilst the provisions of this law were carried out in most parts of the country, and the traffic on about seven-eighths of all French canals has thus become exempt from all charges, a different course appears to have been adopted by the government in south-western France. For here, instead of taking into its own hands the rather important canal which traverses the country from west to east (the western portion being called "canal latéral à la Garonne," and the eastern, the "canal du Midi"), the government concluded an arrangement with the South of France Railway Company, in virtue of which the latter (instead of receiving a certain sum, granted by the state as a subvention to all the large French railway companies) became proprietor of the western portion of the canal, whilst the eastern portion was left in the hands of another private company.

The traffic on both portions of this canal has accordingly continued to be subjected to certain charges, and the South of France Railway Company moreover, after thus acquiring the monopoly both of the chief water-way and of the railways in south-western France, is considered here to have systematically favoured the traffic on the latter to the detriment of that on the canal which, according to the prevalent opinion of the industrial, agricultural, and commercial classes of this district, has become quite useless to them. These classes have accordingly for some years already demanded that the government should, without further delay, take the canals of southern France, like those in all other parts of the country, into its own hands, and that the traffic thereon shall be freed from all charges.

In order to impress this demand more forcibly upon the government, a large meeting was held at Toulouse in January of the present year, and was attended by numerous senators, deputies, and delegates from commercial and other public bodies of south-western France, and a unanimous resolution was passed that the benefits arising from the purchase by the government, and from the gratuitous use of the canals in other parts of the country, ought not to be any longer withheld from the inhabitants of the southern and south-western districts.

I may here observe that the canal to which special reference has been made above, viz., the "canal latéral à la Garonne" and the "canal du Midi," is not available for sea-going vessels (except those of a very slight draught), as its average depth is only 6 to 7 feet, its width being about 60 feet. The canal connects Bordeaux with Cette; but it is accordingly used almost exclusively by barges and vessels of a very small class.

The project of connecting the Atlantic and Mediterranean by a ship canal of sufficient dimensions for affording a convenient passage to the largest merchant vessels, and also to the largest war-vessels of the French navy has, during the past year, assumed a somewhat more definite shape through the formation of a French company which expresses its intention of building and maintaining such a canal without any pecuniary aid or guarantee from the French government, if the public will provide the money required for the work. As a preliminary step towards realizing the undertaking, the company has invited French engineers to compete in drawing up plans and estimates of the cost of the projected canal, prizes being offered for the best; and the public is to be invited to subscribe for shares when the selection of the best plan shall have been made. In

order to render the whole undertaking a purely national one, the company further proposes that only French engineers, contractors and workmen, and only French materials shall be employed in the work.

There can be no doubt that if only the work could be carried out at a reasonable cost, the "canal des Deux Mers" (as it is to be called) would, especially for French interests, be a useful undertaking, quite apart from the question as to its importance for this country in time of war; for it would certainly give a very important impulse to the development of the agricultural, industrial, and commercial interests of the fertile districts of southern France, and it would likewise offer certain advantages to shipping, both to that of France and of all other seafaring countries.

The question is, however, whether the cost of the undertaking would not be out of all proportion to the advantages expected from it; and furthermore, whether, supposing this first question could safely be answered in the affirmative, it will be found possible to raise sufficient money to carry the enterprise into effect.

At the meeting which, as above mentioned, was held at Toulouse in January, and which was attended by leading representatives of the southern departments of France it was decided that until the question of the redemption of the existing canals of southern France shall have been satisfactorily settled, that of the proposed construction of the "canal des Deux Mers" cannot be taken into consideration.

I may perhaps add, that at Bordeaux the opinions of the leading classes are, so far at least, not favourably disposed towards the project of the "canal des Deux Mers"; it is thought here that the undertaking, even if it were possible to find the means of carrying it out, which is considered unlikely, would most certainly be a financial failure.

General Remarks.

A proof of the unfavourable condition of most branches of business at this port in 1893 is afforded by the statement contained in the recently published annual report of the Bank of France, that the total amount of business done by the Bordeaux branch in 1893 experienced a diminution of £213,000, the same having reached only £21,834,760 against £22,048,570 in 1892. On the other hand, Bordeaux maintained its rank as second in importance amongst the various provincial branch banks both as regarded the total amount of its business and also as regarded the total net profits, it stood second only to Lyons in the first, and second only to Havre in the latter respect. As regarded the total value of its annual deposits, Bordeaux continued to hold last year the first place, after Paris; the same having reached here £8,877,400. The rate of discount remained at 2½ per cent during the year, the same having in fact not varied since May, 1892.

The recent conclusion of a commercial convention between this country and Spain, by which the latter has agreed, in return for the application by France of its minimum tariff rates on goods imported from Spain, to grant to France during the year 1894 (unless notice of the abrogation of the convention should be given before expiration of such period) all commercial advantages accorded to any other country, has given some satisfaction at Bordeaux. It is thought here, however, that the comparatively limited scope of the advantages obtained by this convention for French commercial interests is a further unsatisfactory consequence of the impracticable principle adopted in France of refusing to grant any reduction of import duties below the "minimum" rates fixed by the French tariff of 1893.

The adoption of this principle was, as is well known, the cause of the rupture of the commercial negotiations between France and Switzerland about a year ago; and it cannot be denied that this rupture and subsequent "tariff war" between the two countries has had a very prejudicial effect upon their commercial relations. The wine export trade, for instance, from this district to Switzerland, which used to be of considerable importance, has dwindled down to a quite insignificant figure during the past 12 months.

Some disappointment is felt here that the proposed commercial arrangement between the dominion of Canada and the French republic has not yet been formally submitted to the approval of the French legislative bodies, especially as the draft project thereof

French Treaty.

was distributed in the chamber of deputies already a year ago. The Bordeaux wine trade in particular hopes to derive advantages from the conclusion of this Franco-Canadian convention ; but there can also be little doubt that the Canadian export trade, especially in wood and in preserved goods, will be benefited by being admitted into France at the "minimum" tariff rates.

The desire of creating fresh outlets for the now increasingly large stock of wine in the Bordeaux district has during the past year also led to strenuous efforts being made here, by means of special delegates sent to the United States of America and by other measures, towards obtaining an important abatement of the wine import duties in that country. It is hoped here, that the new wine duties which are about to be established in America will be sufficiently low to enable the Bordeaux market to export in future also the lower-priced wines of this district, and that thus a considerable impulse may be given to the consumption of these wines in the United States, where, of late years, the excessively high rates of duty have restricted consumption almost entirely to high-priced wines.

The French association for the promotion of science will hold its annual meeting for the year 1895 at Bordeaux ; and the leading representatives of the university, the municipality, and of all the learned societies of this town have already formed a committee for the purpose of making the necessary preparations for the event, which, in view of the high standing of this association, is to be rendered as brilliant as possible.

As already mentioned in my last annual report, the international exhibition which was to be held at Bordeaux in the year 1894 has been put off until the year 1895. It is now announced by the philomathic society at Bordeaux, which is organizing the undertaking, that the Bordeaux exhibition of 1895 is to be a universal one in so far as regards exhibitors of wines and spirits, and of electrical apparatus and of all matters connected with electricity, and likewise with social science ; but that the general, industrial, and agricultural portion of the exhibition is to be international in a restricted sense only, that is to say this latter part is to be open only to exhibitors from France and French possessions, from the United Kingdom, from Belgium, from Switzerland, from Italy, from Spain, and from Portugal, or in other words from all neighbouring countries (excepting Germany). One of the prominent features of the Bordeaux exhibition will of course be the section relating to wines ; and it may be presumed that some of our colonies, which have of late years made such rapid strides in viticulture, will take the opportunity of sending samples of their produce to Bordeaux next year. Considering, moreover, the prominent share taken by British trade generally in the commerce of this port and district, and the desirability for all concerned that our commercial relations with Bordeaux shall not merely be maintained in their present extent, but, if possible, developed more and more, it may be hoped that exhibitors from the United Kingdom will regard the forthcoming Bordeaux exhibition as a favourable opportunity for attaining that end.

Particulars regarding the exhibition will, of course, be reported by me for the information of the public at home, as soon as the same shall have been communicated to me by the executive committee at Bordeaux.

BAYONNE.

Mr. Vice-Consul Leeson reports as follows :—

There was an increase in the total number of vessels entered, and in the total number of vessels cleared.

RETURN showing Increase of Total Shipping at Bayonne for the year 1893.

	Number of vessels.	Tons.
Entered	76	16,186
Cleared	75	219,722

RETURN showing Increase and Decrease of British Shipping at Bayonne for the year 1893.

	Number of vessels.	Tons.
Entered, increase	5	6,219
Cleared, decrease	2	2,313

ARRIVED FROM GREAT BRITAIN WITH CARGO.

Year.	Number of vessels.	Tons.	Articles.	Tons.
1893.....	83	54,846	Coal	95,329
1892.....	92	59,526	do	108,702
Decrease, 1893.....	9	4,680	.....	13,373

ARRIVED FROM FOREIGN PORTS WITH CARGO.

Country.	Number of vessels.	Tons.	Articles.	Tons.
Russia.....	6	6,467	Wheat	13,780
Roumania.....	6	6,503	do	13,455
America.....	4	5,176	do	10,470
India.....	1	1,071	do	2,100
France.....	1	581	Creosote.....	550
Spain.....	1	746	Ore	1,470
Total, 1893.....	19	20,544	.....	41,825
do 1892.....	18	18,648	.....	36,505
Increase, 1893.....	1	1,896	.....	4,320

ARRIVED FROM FOREIGN PORTS IN BALLAST.

Year.	Country.	Number of vessels.	Tons.
1893	France	15	10,544
	Spain	4	2,056
1892	Total	19	12,600
	do	6	2,587
1893.....	Increase.....	13	10,013

French Treaty.

CLEARED FOR GREAT BRITAIN.

	Number of vessels.	Tons.	Articles.	Tons.
With cargo, 1893	30	20,248	Pit-props and resin.	23,980
In ballast, 1893	4	4,195		
Total	34	24,443		23,980
do 1892	31	24,458		30,555
Increase, 1893	3			
Decrease, 1893		15		6,575

CLEARED FOR FOREIGN PORTS IN BALLAST.

Year.	Country.	Number of Vessels.	Tons.
1893.	Spain	82	56,005
1892.	do	84	55,983
1893.	Decrease	2	
1893.	Increase		22

RETURN of Principal Imports in the year 1893.

Articles.	From	Quantity.
		Tons.
Coal	England	188,601
Graip	do	39,805
Sardines	Spain	1,504
Iron ore	do	146,093

RETURN of Principal Exports in the year 1893.

Articles.	To	Quantity.
		Tons.
Timber, pit-props	England	128,579
Planks and red wood sleepers	Spain	28,332
Resin and turpentine	England and Germany	3,964

Population, according to census, 1891, 25,530.

Year.	Births.	Deaths.	Marriages.
	Number.	Number.	Number.
1893.	516	529	133
1892.	459	580	156
Increase, 1893	57		
Decrease, 1893		51	23

The general health was good.

No new public works have been commenced.

The bar at mouth of river Adour has been very difficult, owing to the continual shifting of the channel and insufficiency of water in the river to scour it.

There were two British steamers stranded entering the river.

The "Cardiff Castle," 1,266 tons register from Black Sea with wheat, and the "General Gordon," 806 tons register, from Ardrossan with coal.

The former was badly strained, the latter was seriously damaged, having run into the north pier, smashing five cylinders of foundations and carrying away 27 yards of superstructure; had to give bail of £3,500 before allowed to leave. There were no lives lost.

The new dry dock progresses but slowly.

Annex A.—RETURN of all British Shipping at the Port of Bayonne during the year 1893.

ENTERED.

Year.	Sailing.		Steam.		Total.	
	Number of Vessels.	Tons.	Number of Vessels.	Tons.	Number of Vessels.	Tons.
1893.....			121	87,980	121	87,980
1892.....			116	81,761	116	81,761

CLEARED.

1893.....			116	80,412	116	80,412
1892.....			118	82,725	118	82,725

RETURN of all Shipping at the Port of Bayonne during the year 1893.

ENTERED.

Nationality.	Sailing.		Steam.		Total.	
	Number of Vessels.	Tons.	Number of Vessels.	Tons.	Number of Vessels.	Tons.
British.....			121	87,980	121	87,980
Spanish.....	83	4,250	113	42,766	196	47,016
German.....	1	82	1	526	2	608
Belgian.....			20	8,651	20	8,651
Norwegian and Swedish.....	2	560	2	1,048	4	1,608
Danish.....	2	137			2	137
Greek.....			1	704	1	704
French.....	172	10,684	373	140,962	545	151,646
Total.....	260	15,713	631	282,637	891	298,350

CLEARED.

British.....			116	80,412	116	80,412
Spanish.....	92	4,220	124	221,558	216	225,778
German.....	1	82			1	82
Belgian.....			19	8,206	19	8,206
Norwegian and Swedish.....	2	660	2	1,048	4	1,708
Danish.....	2	137			2	137
Greek.....			1	704	1	704
French.....	173	12,994	370	153,373	543	166,367
Total.....	270	18,093	632	465,501	902	483,394

French Treaty.

RETURN of British Shipping compared with that of all other Nations during the year 1893.

Nationality.	Entered.		Cleared.	
	Number of Vessels.	Tons.	Number of Vessels.	Tons.
British	121	87,980	116	80,412
All other nations.	770	190,370	786	402,982

CORRESPONDENCE, Etc.

Resolution of deputation on behalf of prohibition :—

That this deputation expresses gratification that so far the Dominion parliament has not ratified the proposed treaty with France, whereby our country shall be required to admit certain forms of intoxicating liquor on specially favourable terms and urges the government to resist all attempts in parliament to secure the endorsement of a proposal the carrying out of which would be so detrimental to the welfare of our country and so utterly opposed to the wishes of a great majority of our citizens ; and which would be an impediment to the securing of total prohibition.

OFFICE OF THE HIGH COMMISSIONER FOR CANADA.

VICTORIA CHAMBERS, 17 VICTORIA STREET,

LONDON, S. W., February 21st, 1894.

HON MACKENZIE BOWELL,
Minister of Trade and Commerce,
Ottawa.

DEAR MR. BOWELL,—I transmit herewith for your information, a copy of a letter received from Mr. H. G. Goodday of the firm of Messrs. Goodday, Benson and Co., of Quebec, on the subject of the prospects of an early ratification of the French treaty. You will observe that the matter is viewed as one of great importance by the lumber interest of Canada in connection with the export trade to France, the present being the time of the year when contracts for the season's supply are concluded.

I am yours faithfully,

CHARLES TUPPER.

1 ST. HELEN'S PLACE,

LONDON, E.C., 19th February, 1894.

The Secretary,
Dominion of Canada Government Offices,
17 Victoria Street, S.W.

DEAR SIR,—Would you kindly inform me what prospects there are of the early ratification of the France-Canadian treaty. The present difference to the prejudice of Canadian wood imported into France is about \$1.25 per thousand feet, and as shipper of such I am desirous of speaking to my French buyers with some knowledge of the subject as regards their future position. If some hopes were held out of an early ratification of the treaty there is no doubt but that a good and profitable business could be done with France this season. I am given to understand that lumber shipped from the United States to France pays the minimum tariff and I would learn with pleasure that Canada is shortly to avail herself of the same advantage.

Thanking you in anticipation for any information you may be able to afford me.

Yours truly,

H. G. GOODDAY, of Quebec.

OFFICE OF THE HIGH COMMISSIONER FOR CANADA,
VICTORIA CHAMBERS, 17 Victoria Street,
LONDON, S.W., February 21st, 1894.

H. G. GOODDAY, Esq.,
1 St. Helen's Place, E.C.

SIR,—I am directed to acknowledge your letter of the 19th instant. In reply I am to say that the treaty in question is expected to be submitted to the Dominion parliament early in the forthcoming session and that Sir Charles Tupper believes there is every probability of its being ratified at no distant date.

I am yours faithfully,

J. G. COLMER,
Secretary.

December 7th, 1893.

The Right Honourable
Sir J. S. D. THOMPSON, K.C.M.G.,
&c., &c., &c.

MY DEAR SIR JOHN THOMPSON,—As requested by you, I now send the following epitome of the treaty recently made between France and Great Britain, for the promotion of trade between France and Canada.

In 1879 the Canadian government represented to the colonial office the great importance of having a representative nominated by Canada appointed a plenipotentiary by her majesty's government in connection with the British ambassador, with full power to negotiate a treaty in which Canada was interested. This was formally refused for reasons assigned, but it was conceded that the Canadian government might nominate a commissioner to present their views to a foreign government through the British ambassador. When I succeeded the late Hon. Sir A. T. Galt, he pointed out to me the great objections to such a course of procedure. I took the question up with the foreign and colonial offices, and was successful in securing a re-consideration of the subject, and compliance with the wishes of Canada. Subsequently when there was a prospect of negotiating a treaty with Spain for the promotion of trade between Canada and the Spanish Antilles, at the request of Canada I was appointed by her majesty's government a plenipotentiary in conjunction with her majesty's ambassador at Madrid, with full powers to negotiate such a treaty. In the instructions given to Sir Clare Ford by Lord Salisbury—then foreign minister—it was stated that the treaty was to be negotiated by me, but signed by both on behalf of her majesty's government. Circumstances arose in Madrid which have prevented our entering upon that duty up to the present time, but the principle contended for by Canada was so fully established that when last year the government of Canada requested that I should be appointed a plenipotentiary in conjunction with the Marquis of Dufferin and Ava, to negotiate a treaty with France to promote freer trade between that country and Canada, full powers were promptly given us by Lord Rosebery for the purpose, and we entered upon our duties on October 28th, 1892.

I had the advantage of the presence here and in Paris of the late premier, the Hon. Sir J. J. C. Abbott, and of the Hon. G. E. Foster, during a part of those negotiations, and communicated fully with them at every step of the proceedings. Just after the hon. minister of finance left Paris, I was enabled so far to bring the negotiations to a head as to obtain a formal proposal from the French negotiators in the following terms:—

“ 22nd November, 1892.

(1.) “ Canada undertakes: 1st, to abolish the surtaxe of 30 per cent on all non-sparkling wines of French origin gauging 15° alcohol and under.

“ It also undertakes to remove the surtaxe on all sparkling wines of French origin.

French Treaty.

" It undertakes to reduce by one-third the duty levied on nuts, almonds, prunes and plums imported from France into Canada.

" Moreover, the Canadian plenipotentiary undertakes to recommend that his government make the reduction of 5 per cent on French books and printed matter. He undertakes to do the same as to the reduction of 50 per cent on the duty now levied on common soaps.

" It is understood that all advantages granted to another power, on any article whatsoever of the Canadian tariff, shall be extended to France.

" The Canadian government undertake to give a subsidy of £100,000 to a line of steamers having for terminus a French port.

" (2.) France will admit to the benefit of the minimum tariff the following Canadian articles, having certificates of origin :

" No. 128.—Building timber, rough or sawn.

" No. 130.—Staves.

" No. 615.—Wooden sea-going ships.

" No. 19.—Canned meats.

" No. 47.—In part, fish preserved in natural form.

" No. 49.—In part, lobsters and crayfish preserved in natural form.

" No. 86.—In part, fruits preserved, others.

" No. 600.—In part, flooring in pine or soft wood.

" No. 591. In part, common furniture.

" No. 592, bis.—In part, furniture of common wood, others.

" No. 168.—Wood pulp.

" No. 84-85.—In part, apples and pears, fresh dried, or pressed.

" No. 480½.—Boots and shoes.

" No. 238, bis.—Extract of chestnut and other tanning extracts.

" No. 45.—Fresh-water fish, eels.

" No. 35, bis.—Milk, concentrated, pure.

" No. 461.—Common paper, machine-made.

" No. 476.—In part, prepared skins, others, whole (general tariff 50 frs.; minimum tariff 25 francs.)

" The French government reserves to itself the right to examine the proposal to grant the minimum tariff as to cheese.

" It is understood that any reduction in the minimum tariff granted to any power whatsoever as to one of the hereinbefore mentioned articles, shall be applicable *de plano* to Canada."

STATEMENT of the reduction which would be enjoyed by Canadian Products imported into St. Pierre and Miquelon, under the application of the reduced tariff proposed by the Conseil d'Etat :—

Articles.	Value in Francs.	Quantities.		Rate of duty of minimum tariff.	Rate reduced duty.	Proportion of Reduction.
		Canadian Units.	French Units.			
				fcs. per 100 kil.	fcs. p. 100 kil.	fcs. p. 100 kil.
1. Coal.....	80,000	7,300 tons.	74,009	0 12	Free.	0 12
2. Salt.....	21,000	22,446 bus.	8,000 qt.	2 40	Free.	2 40
3. Herring salted.....	18,000	2,514 brls.	37,709 kil.	15 00	Free.	15 00
4. Staves.....	12,000	300 tons.	36,009 "	0 75	Free.	0 75
5. Horned cattle.....	152,000	1,252 head	1,252 head	30	Free.	30 p. head.
6. Swine.....	4,300	210 "	1,250 kil.	8	Free.	8 "
7. Sheep.....	38,600	7,435 "	7,435 head	5	Free.	5
8. Poultry.....	11,400	.....	11,400 kil.	20	Free.	20
9. Eggs.....	5,500	7,164 doz.	3,532 "	6	Free.	6
10. Meat, fresh.....	12,000	50,000 lbs.	25,000 "	23	Free.	23
				average rate		
11. Lard.....	250	960 lbs.	480 "	14 50	3 65	10 85
12. Pork.....	7,500	27,510 "	12,000 "	12	Free.	12
13. Oats.....	5,345	2,000 bus.	80,000 "	3	0 50	2 50
14. Flour.....	35,900	1,400 "	21,000 "	10	0 35	9 65
				average rate		
15. Fodder (hay).....	39,000	600 tons.	61,000 "	0 50	0 30	0 20
16. Potatoes.....	32,000	16,600 bus.	600,009 "	0 40	Free.	0 40
17. Ships, wooden.....	82,600	6 ships	500 tons.	2 00 p.t.	Free.	2 p. ton.
18. Tobacco in rolls or chopped.....	22,000	22,000 lbs.	12,000 kil.	15	1	14
19. Tea.....	3,800	3,827 "	1,600 "	208	9	199
20. Lumber of all kinds.....	.....	.....	.....	1 25	0 15	.....

NOTE.—The aggregate reduction on these returns would amount to 287,000 francs below the maximum tariff.

I agreed to submit that proposal to the Canadian government, and we adjourned until such time as we could obtain their decision. I placed those papers in the hands of the Honourable Mr. Foster at Liverpool on November 24th, 1892. After waiting until 12th January, 1893, I received on that day the following cable from the Honourable Mr. Bowell, the minister of trade and commerce :—

"Re French negotiations government cannot accept conditions involved in clauses regarding steamship subvention and reduction duty French books, but agree to most-favoured-nation treatment so far as articles named in treaty are concerned: they agree to other conditions in return for minimum tariff on articles named as regards France, St. Pierre and Miquelon; this subject to your views as to effect on proposed Spanish negotiations."

This was supplemented on the 14th January by the following cable from Hon. Mr. Foster :—

"Re Bowell's cable 11th exports to St. Pierre Miquelon to be on basis of French offer not simply minimum tariff."

I communicated those instructions to the foreign and colonial offices, and with their approval, proceeded to Paris and reopened the negotiations.

The modifications proposed by your government were not only accepted by the French negotiators, but they extended the advantages Canada was to enjoy to Algeria and all the French colonies, and added wood pavement to the articles enjoying the minimum tariff without any equivalent.

It is true that my instructions did not embrace most-favoured-nation treatment for France on all articles in express terms. But this was a mere technicality of no practical importance whatever, as France possesses that now as fully as under the treaty; and we have no power to take that privilege away from her.

French Treaty.

The clauses in the Belgian and German treaties under which that privilege is enjoyed can only be abrogated by a year's notice; and as this treaty with France is terminable on a similar notice being given, no possible inconvenience can arise. As I had, with the hearty approval of Hon. Mr. Foster, made in the negotiations a strong point of the fact that France enjoyed most-favoured-nation treatment in Canada, I could not ask that in a treaty for an extension of trade that privilege should be taken away, without exposing myself to a charge of disingenuousness and bad faith.

Any doubt as to the proper construction of the treaty has been removed by the interview held at your request between M. Hanotaux, the chairman of the French negotiators, and myself, as the following letter will show:—

“HOTEL DE LILLE ET D'ALBION,

“PARIS, March 20th, 1893.

“DEAR SIR JOHN THOMHSON,—His excellency the Marquis of Dufferin and Ava having been informed by the French minister for foreign affairs that he would instruct M. Hanotaux, director of consulates and of commercial affairs at the foreign office to confer with the undersigned on some points that had been raised as to the interpretation of the treaty recently arranged between Great Britain and France, we met M. Hanotaux, at the Quai d'Orsay at 4 o'clock to-day for that purpose.

“M. Hanotaux stated in the clearest and most emphatic terms that *poissons conservés au naturel* and *homards et langoustes conservés au naturel*, included all canned fish and lobsters known to commerce, and he referred to the French tariff to show that unless this was the case they actually had no duties in regard to the great volume of trade in these articles. M. Hanotaux stated clearly and emphatically that the terms used in the treaty covered all building timber, rough or sawn, including lumber of all dimensions whatever, precisely in the same way as they were covered by the arrangement made between the United States of America and France. He also said that *savons de Marseille* was the only soap included in the treaty.

“M. Hanotaux further assured us that as the treaty was intended for the extension of trade between Canada and France, the term *importés directement* did not in any way limit the importation of Canadian products in bond through the United States in the manner in which it has been carried on up to the present time, without subjecting articles so imported to the surtaxe d'entrepôt, which applies only to importation through a European port.

“M. Hanotaux also said that he was not himself aware of the legislation recently adopted in regard to ships or he would have mentioned it, but that the change had been carried in opposition to the wishes of the government, as shown by the debates of the chambers reported in the *Journal Officiel*. He explained that “Anguilles” were added to fresh water fish because it was not specifically given in the tariff. This includes fresh water fish of all kinds. These statements were made in the most frank and unreserved manner, and practically cover all the points upon which any doubt seems to have been entertained by the minister of finance, when submitting the treaty to the house of commons.”

“We are yours faithfully,

“CHARLES TUPPER,

“J. A. CROWE.”

Under these circumstances I respectfully submit that this treaty having been made by the government of Canada, good faith and public policy alike demand that it should be submitted with all the influence of the government for the approval of parliament. It is made subject to the approval of the parliament of Canada and of the French chambers, and if either the one or the other reject it after a *bona fide* effort on the part of the government to secure its ratification, neither country can complain. The government who have made the treaty are obviously not at liberty to recede from the engagements they have made. Such a course would, in my opinion, be fatal to our securing the advantages which the treaty-making powers we now enjoy ensure to us.

I now come to the question of the value of this treaty, and feel assured that a dispassionate examination will show that it is most desirable from every point of view, if Canada wishes to open new markets and extend her trade.

We can form some estimate of the value of what we have obtained by comparison.

The United States who had just previously negotiated a treaty with France obtained the minimum tariff on some half a dozen articles in return for the free admission of about 10,000,000 francs of French products. Canada obtained practically the minimum tariff on the same articles, and in addition on a large number of others, some of which had been refused to the United States, in return for not the free entry, but for a moderate reduction on 1,500,000 francs of French products.

If we take the statistics of trade between the two countries, France and Canada, for 1891-92, we find the following results under the treaty as compared with the condition existing when the negotiations commenced :—

Reduction on Canadian exports :—

To France	154,358 frs.	\$30,870
To St. Pierre and Miquelon.....	287,000 "	57,400
To French West Indies and possessions in Africa.....	170,000 "	34,000

\$122,270

Reduction on French exports to Canada..... 61,156

Balance of reductions in favour of Canada..... \$61,114

I am not surprised, on referring to the French trade returns for 1892, the latest available which have just been issued, to find a most serious decline in the imports of timber from Canada under the regime of the maximum tariff, and it is greatly to be feared that the total extinction of our trade with France must follow any continued application of that scale of duties.

The following table of the importations into France in 1891 of articles upon which Canada obtains the minimum tariff under this treaty, will show the great expansion of our trade with that country which may be confidently anticipated.

	Quantities.	Value, Francs.
Building timber	1,714,760,000 kil.	158,000,115
Staves	79,423,539 pcs.	75,356,192
*Wood pavement.....		
Wood pulp	126,925,421 kil.	22,211,948
Flooring in strips, tongued and grooved.....	41,377,975 "	10,344,449
Furniture other than of bent wood.....	2,277,790 "	4,555,580
Ships, wooden sea-going.....	6,207 tons	1,117,260
Condensed milk, pure.....	1,394,096 kil.	1,981,734
*Extract of bark.....		
Canned meat	4,531,547 kil.	6,797,320
Canned lobsters.....	2,336,137 "	3,579,202
Canned fish	518,936 "	1,037,892
Fresh water fish.....	3,231,692 "	6,436,384
*Apples and pears, fresh, dried and pressed.....		229,340
Fruits preserved other than in spirits, sugar or honey.....		5,354,445
Paper, common, printings, etc.....		5,000,000
Prepared skins, whole.....		(est) 2,000,000
Boots and shoes.....		" 2,000,000
		Frs. 303,976,861
		\$60,795,570

*Not obtainable.

French Treaty.

I may add that it will be seen on reference to the letters exchanged by the plenipotentiaries that by reducing from 20 to 5 per cent the duty on pictures, engravings, drawings, and architectural drawings (article 308 of our tariff) Canada will obtain the minimum tariff on cheese. France imports annually enormous quantities of Gruyere cheese, and the development of the manufacture of that article in the Dominion would enable Canadian farmers to utilize their skim milk in a highly advantageous manner, and obtain a large market for that product.

The line of steamers recently started between Rouen and Canada originated in this treaty, its promoters are confident of obtaining a large and increasing business when the treaty comes into operation ; and it is confidently anticipated, in view of the great possibilities of the French market to Canada, that its ratification will be promptly followed by the establishment of additional lines of direct communication.

In the confident hope that this treaty will be promptly ratified by the parliament of Canada,

I remain yours faithfully,
CHARLES TUPPER.

To the Honourable GEORGE E. FOSTER,
Minister of Finance,
Ottawa.

The wine manufacturers and grape growers of Ontario being informed that the Dominion government intend to consider the ratification of the proposed commercial treaty with France, lowering existing tariffs on certain commodities imported from that country and amongst others, wine, beg to submit :

That we unanimously believe that the Dominion government has not been informed and is not aware of the magnitude and importance of the grape and wine industry in Canada, and how it would be affected should the proposed treaty come in force and the 30 per cent *ad valorem* duty be removed on French wines.

It is a conceded fact and beyond dispute that the interests of the grape growers and wine manufacturers are mutual and identical.

As any change in the wine tariff immediately concerns the grape growers and wine manufacturers of Canada, and as these industries are at present in their infancy and should need encouragement rather than adverse legislation, and moreover, as the avowed policy of our government is the protection of native industries, the people of Canada who have invested a large amount of capital in planting extensive vineyards and in wine manufacture, presuming upon the stability of our institutions and the durability of our laws, fervently hope that such legislation of our government involving the material interests of thousands of our industrious citizens, and the loss to them of hundreds of thousands of dollars, will not be enacted without compensation or the necessary provisions for the protection of those whose business would thereby be ruined.

The wine market of the United States is closed to us on account of a specific duty of 50 cents per gallon, and if the French wines are admitted at a lower rate than at present without the legitimate legislation or regulations that would enable us to compete on fair and equal terms with them, the Canadian market would also be practically closed to us, as the wine manufacturers in France possess numerous advantages and privileges that we do not enjoy.

It is a fact and generally acknowledged that the phylloxera have destroyed many of the vineyards in France, and that to keep up the supply French manufacturers are making from dried raisins a wine which they fortify with alcohol and flavour with different bouquets, or which they blend with Spanish, Italian, or Sicilian wines of which they import enormous quantities for that purpose ; so that admitting French wines in Canada is practically admitting Spanish, Portuguese and Italian wines also. It is well known that the Canadian people favour sweet wines rather than dry wines, and that the bulk of the wine consumed in this country is sweet wine, which may be classed as light port or light sherry. Now, the admission of wines of 26 degrees of strength for importation, free of the *ad valorem* duty, includes light port and sherries. We are

thus forced to compete against sweet wines which are produced at a nominal cost and fortified with spirits which wine manufacturers in France can distil without costly restrictions or use without any excise duties.

A certain effect of the proposed treaty will be the flooding of this country with cheap and spurious wine, in which grape juice will hardly, if ever, be present; and an indirect incentive also to the Canadian manufacturer to make spurious wines.

Considering the high wages paid by the grape grower in this country, and the high rates of interest they must pay on their investments, and also the uncertainty of grape culture, it is safe to say that grapes cannot be profitably grown for less than \$25 per ton, and this is the highest price that wine manufacturers can afford to pay and expect to make a legitimate profit at the present prices for which native wines are sold.

Owing to the exorbitant price spirits are sold at in Canada, they cannot be used but at a loss to make sweet wines, or to fortify weak wines from vintages produced during unfavourable seasons when grapes do not attain their full maturity, or are otherwise wanting in saccharine elements or contain an excess of acids.

Instead of employing spirits directly, which course would be too expensive as mentioned before, wine manufacturers of Canada use granulated sugar for the purpose of fortifying their wine. By the process of fermentation sugar converts itself into a certain percentage of alcohol when added to grape or other fruit juice, but this method, although giving satisfactory results, is far more costly than the French method of using spirits, and besides the use of sugar prevents the early maturing of wines.

The wine manufacturers of France and also those of California can with no government restriction distil from their grape must, pomace or wines, spirits which they use to fortify their wines, and in these countries wine makers can buy from the distillers without having to pay an excise duty on the highwines or Cologne spirits they need to make sweet wines or fortify weak ones.

The price they pay for spirits is so low that with their marvellous ability in blending wines, and also their methods of making wine with raisins, currants, prunes and flavourings, they can produce artificial wines at a nominal cost, even for less than it costs us for cellerage and labour.

The privilege of distilling spoilt wines or grape must is practically denied to us, and we are annually losing thousands of dollars, which might be saved, had we the advantage of the French or California wine makers.

It is well known that the freight rates on wine shipped directly to Canada from France or other European ports are very much less than the rates we have to pay to our railways in Canada. For example, the freight charges on a consignment from Bordeaux to Windsor, Ontario, is less than one-half the cost of the freight on a similar consignment from Windsor to Montreal, although the distance between Bordeaux and Windsor is over five times that between Windsor and Montreal. Here again, French wine makers have the advantage over us.

An idea of the magnitude of the grape growing interest and wine manufacture in Canada can be had when the following facts are taken into consideration:—

1st. There are at least five thousand acres of land planted in vines, capable of producing one million and a half gallons of wine.

2nd. Ontario alone has an area suitable for grape culture at least equal to the present area of vineyards in France. See the Report of the Select Standing Committee on Agriculture and Colonization for 1891, pages 99, 100, and 103.

3rd. There are about four thousand people directly or indirectly interested in grape growing and wine making.

From the foregoing facts it is evident that if the proposed treaty is ratified without certain restrictions, and also without equivalent advantages being granted to us from the government our grape growing and wine industries will be practically ruined.

That manufacturers should be allowed to distil their grape must, pomace or wines, without any license or excise duty, subject to proper restrictions.

French Treaty.

That for the protection of Canadian wine manufacturers and also for public protection, a commission or examining board be appointed at each Canadian port to analyze and test the imported wines, and that no wines but those made from grape juice be admitted, that spurious or doctored wines called in France Vin Frelates, be positively excluded from being imported and that the same tests used at the Paris Octroi by the Paris commission, to discover different wine falsifications, be used in Canada.

We trust that the government will carefully consider our requests and enact such legislation that while they are accomplishing their object in the proposed new relations with France they will not ignore the legitimate demands of the grape growers and wine manufacturers of Canada, but encourage and promote the interests of one of the most promising industries of the country.

Signed on behalf of the

GRAPE GROWERS AND WINE MANUFACTURERS OF ONTARIO.

PELEE ISLAND WINE AND VINEYARDS COMPANY,
Ltd., Brantford and Pelee Island.
ERNEST GIRARDOT & Co.,
Concordia Vineyards, Sandwich, Ont.
T. G. BRIGHT & Co.,
Niagara Falls Wine Co., Toronto,
J. S. HAMILTON & Co.,
Brantford and Tilsonburg,
GEORGE BARNES,
St. Catharines Wine Co.
HASKINS WINE Co.,
Hamilton.
LUC MONTRUIL,
Walkerville.
M. GUINDON,
Windsor.
A. C. TOURNIER,
Sandwich.
ALEX. McNEILL,
Walkerville.
J. S. VISGER,
Walkerville.
ALEX. ASKIN,
Walkerville.
THADDEUS SMITH,
Pelee Island.
E. WARDROPER,
Pelee Island.
H. H. REHERG,
Pelee Island.

MEMORANDUM.

Both the shipping bounty legislation in France of 1881 and that promulgated by the decree of the 30th of January last provided (1) for a bounty on ships built in France as compensation for the charges imposed on shipbuilders, owing to the duties on the importation of material; and (2) a navigation bounty on vessels under the French flag to compensate the owners for charges imposed on the mercantile marine for recruiting for the navy.

1. Under the law of 1881 the bounty for the construction of vessels in France was 60 francs per ton gross measurement on iron or steel vessels; 20 francs per ton on wooden vessels of 200 tons or above; 10 francs per ton on wooden vessels of under 200 tons; and 40 francs per ton on composite vessels.

Under the new act the bounty on vessels of iron or steel whether sailing or steam is increased to 65 frs. per ton, that on wooden vessels of 150 tons or above to 40 frs. per ton, and that on wooden vessels under 150 tons to 30 frs. per ton.

There are also increases in the bounty in connection with the machinery used on board the ships.

By the legislation in both years, the bounties are only paid on vessels actually built in France.

2. Under the law of 1881 a navigation bounty was granted, as already mentioned, as follows:—

1 fr. 50 c. per registered ton, and per thousand miles run, for vessels fresh off the stocks; to decrease annually by $7\frac{1}{2}$ c. for wooden vessels; $7\frac{1}{2}$ c. for composite vessels; and 5 c. for iron vessels.

Only one-half of this bounty was allowed for ships built abroad.

By the law of 1892 the bounties are charged as follows:

1 fr. 10 c. for steam vessels, decreasing year by year from the date of construction, by 6 c. if the vessel be of wood and 4 c. if the vessel be of iron or steel.

1 fr. 70 c. for sailing vessels, decreasing year by year from the date of construction by 8 c. if the vessel be of wood and 6 c. if the vessel be of iron or steel.

By the new law, the long voyage bounties on ships built abroad are abolished.

Formerly the navigation bounty was only granted to vessels engaged on long sea voyages. It is now, however, given to the extent of two-thirds to vessels engaged in the international coasting trade.

Vessels engaged in the French coasting trade or for fishing, and those belonging to subsidized lines as well as yachts are ineligible for the navigation bounty.

Under the law of 1881, the navigation bounty was permitted to be increased by 15 per cent for steamers built according to plans approved by the department of marine. Under the new law, the increase is to be 25 per cent. As explained, however, these navigation bounties do not apply to vessels of subsidized lines. The navigation bounties are granted with the condition that the master of the vessels participating in them are obliged to carry, free of charge, any mail matter as required by the postal authorities, as well as any post-office agent deputed to accompany the despatches.

The laws relating to shipping bounties are of course in the nature of domestic legislation and it is very certain that the French government would not consent to their modification in favour of any one country. They are separate and distinct from the operation of the import tariff and are directed to the encouragement of the ship-building industry in France.

The principle of the bounty on the construction of vessels has been recognized in France for many years. The new legislation increases the bounty.

The navigation bounty has also been granted since 1881 and the effect of the new legislation is to increase the bounty on sailing vessels and to decrease it on steam vessels.

It is not likely that the withdrawal of the navigation bounty will have any influence upon the sale of Canadian ships in any case. Under the law of 1881 the bounty upon a Canadian wooden vessel of 200 tons purchased in France, supposing that during the first year she went 10,000 miles in foreign trade would be 300 dollars for the first year, and this would be subject to a decrease every year, as already mentioned. If engaged in the coasting trade she would not have got any bounty at all.

Canada has sold hardly any vessels in France for a great many years, although during the period from 1882 to 1892 the tariff was only 2 frs. a ton both under the conventional and general tariff. Under the new tariff of last year, the general tariff was increased to 5 frs. per ton; the minimum tariff remained 2 frs. The effect of the new treaty, therefore, is to place Canada in as favourable a position as any other country in the world with regard to the sale of ships in France; a position she would not have occupied had she remained subject to the general tariff in respect to wooden ships.

French Treaty.

It might be mentioned, in conclusion, that the new law relating to shipping charges was carried in the French senate against the government.

NOTE.—Although there can be no question as to the desirability of securing the minimum tariff in favour of Canada in regard to ships, it was never expected, in view of the legislation relating to shipping bounties that Canada would be able at present to develop a trade in ships with France to any extent. In fact, in the estimate that was prepared of the probable effect of this treaty upon Canadian trade, ships only figured to the extent of 500 tons, the advantage of the minimum over the maximum tariff upon that measurement being only 1,500 frs.

In a letter published in the *Board of Trade Journal* for this month the opinion is expressed that the effect of the new law will be to still further increase the cost of building ships in France, and thus to defeat the object it has in view. It is considered by the writer of the letter that it will be found necessary to extend to foreign built ships the half navigation bounty they have hitherto enjoyed as a measure of protection for the ship-owners against ship-builders. This enhances the importance of having included ships in the treaty, in present circumstances, although it may not be of much immediate value.

Inspection of Cattle.

RETURN

(90)

To an ADDRESS of the HOUSE of COMMONS, dated the 7th May, 1894, for copies of all correspondence between J. B. Wright, M. D., V. S., and the government, or any member, department or officer of the government, and of all correspondence between the Grand Trunk Railway and the government, or any member, department or officer of the government, and of all correspondence between A. Brush and the government, or any member, department or officer of the government, and of all correspondence between the imperial authorities, or any one on their behalf, and the government of Canada, or any member, department or officer thereof, from and including the year 1882, until, and including, the year 1891, regarding the Inspection of Cattle passing through Canada from the United States.

JOHN COSTIGAN,
Secretary of State.

DEPARTMENT OF AGRICULTURE, 27th April, 1880.

J. B. WRIGHT Esq., Windsor, Ont.

SIR,—I have an instruction from the minister of agriculture to inform you that Mr. J. C. Patterson, M. P., has recommended you for an appointment of inspector of United States cattle arriving at the port of Windsor, for transit in bond, through Canada to Fort Erie and Suspension Bridge.

Your duties will be to inspect such cattle when unloaded in the yard of the Great Western Railway Company at Detroit, in order to ascertain their freedom from disease, so as to enable you to sign a certificate on the back of the transit report, a copy of which is hereby enclosed to you.

In the event of your finding any diseased animals, and especially any affected with contagious disease, it will be your duty to prevent their entering Canada by refusing the certificate, and also to report immediately the fact to this department.

The rate of pay for such service will be \$1,000 per year.

I am to request that you will have the goodness to notify the department if you accept the appointment offered.

I have, &c.

J. LOWE,
Secretary of Department of Agriculture.

COPY of a report of a committee of the Honourable the Privy Council, approved by His Excellency the Governor General in Council on the 20th March, 1882.

On the recommendation of the minister of agriculture, the committee advise that Andrew Smith, Esquire, of Toronto, veterinary surgeon, be appointed veterinary inspector for the province of Ontario, to superintend the inspection of live stock entering that province from the United States, with a salary of five hundred dollars per annum.

Certified. J. O. COTÉ, *Clerk of the Privy Council.*

DEPARTMENT OF AGRICULTURE, 27th March, 1882.

Prof. ANDREW SMITH,

Ontario Veterinary College, Toronto, Ont.

SIR,—I have an instruction from the minister of agriculture to inform you that you are appointed under authority of an order in council dated the 20th instant, veterinary inspector for the province of Ontario, to superintend the inspection of live stock entering that province from the United States, at a salary of five hundred dollars per annum.

Mr. E. P. Westell, veterinary inspector of this department at Point Edward, has been instructed to receive directions from you.

A copy of a general order in council, under which all cattle entering the dominion of Canada undergo a quarantine of ninety days, is herewith enclosed to you for your information and guidance.

It is thought that under the particular rules which Mr. Westell is at present acting for the admission of cattle in transit should be applied to those which enter for breeding purposes for quarantine, and that he should give a similar certificate to the collector of customs at that point.

The department of customs has authorized the collector of customs at Point Edward to admit cattle for breeding purposes on the certificate of Mr. Westell.

I have, &c.,

J. LOWE,

Secretary of Department of Agriculture.

GOVERNMENT HOUSE,

OTTAWA, Friday, 23rd day of April, 1880.

PRESENT :

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

Whereas contagious diseases affecting cattle and other animals prevail in many countries, and it is expedient, in order to prevent the introduction of the same into Canada, that the importation, introduction and transit through Canada of neat cattle and swine, be subjected to restriction by judicious regulations,—and whereas it is expedient to provide against the importation, transit and shipment of diseased cattle and swine for exportation;—On the recommendation of the honourable the minister of agriculture, and under the provisions of the act passed in the session of the parliament of Canada held in the 42nd year of her majesty's reign, chapter 23, and intitled: "An Act to provide against Infectious or Contagious Diseases affecting Animals."

His excellency, by and with the advice of the queen's privy council for Canada, has been pleased to make the following regulations and orders as follow:—

Preliminary.

1. This order shall take effect from and immediately after the twenty-third day of April, one thousand eight hundred and eighty.

Inspection of Cattle.

2. This order may be cited as the Health of Animals Order, and is divided as follows:—

Part I. Prohibition. Part II. Quarantine. Part III. Transit of animals in bond. IV. Conveyance and shipment of animals.

PART I.

Prohibition.

3. It is hereby ordered that the importation or introduction into the provinces of Ontario, Quebec, New Brunswick, Nova Scotia and Prince Edward Island, of neat cattle and swine from the United States of America, be and the same is hereby prohibited, except in so far and in the manner hereinafter provided, by paragraphs 14 to 19, inclusive of this order; and the importation and introduction of animals from Europe is prohibited, except at the ports of Halifax, St. John, N.B., and Quebec, as provided and regulated in the following paragraphs of part II:

PART II.

Quarantine.

4. The importation into the provinces of Nova Scotia, Prince Edward Island, New Brunswick and Quebec, of live cattle, sheep and swine, coming from Europe, shall be prohibited, except at the ports of Halifax, St. John, N.B. and Quebec.

5. All cattle, sheep and swine arriving in Canada through either of the said ports of Halifax, St. John or Quebec, shall be subject to inspection at those ports by officers who may from time to time be appointed for that purpose.

6. All neat cattle coming from Europe shall be subject, on entering the ports of Quebec, Halifax and St. John, to a probationary quarantine of ninety days before being allowed to come in contact with Canadian cattle or to be exported to any other country, and shall not leave such quarantine until duly discharged therefrom by the quarantine officer.

7. All sheep and swine arriving in Canada through the said ports of Quebec, Halifax and St. John, N.B., may, in the discretion of any quarantine officer, either be permitted to enter or be detained in quarantine at such place and in such manner as shall be directed by the quarantine officer, until duly discharged therefrom.

8. The inspecting officers shall visit the boats, ships, vessels, cars or vans, and the cattle, sheep and swine coming into the said ports, and superintend the landing of such animals, order them to be placed and disposed of according to requirements of the case, and see that they be conveyed to the grounds assigned for quarantine, and shall also superintend the landing and disposal of fodder, litter, blankets, troughs and other objects which may have been used by or for the said animals in transit to Canada, either on board ships or cars.

The quarantine stations and grounds at the several places above mentioned shall be established by, and be managed under, regulations made and established by the minister of agriculture.

9. The animals thus subjected to quarantine shall be treated and dealt with under the direction of the inspecting officer, and the articles used in connection with the said animals, shall be in like manner employed in their care and maintenance, under the same direction and supervision.

10. Should it be found necessary to destroy any of the said animals, or all or any portion of the articles used in the care of the said animals, such destruction shall take place under the orders and supervision of the superintending officer, and in the manner prescribed by him, but not unless permission to that effect has been previously given by the minister of agriculture.

11. The officers appointed to carry out the law and the foregoing regulations, shall have free access to any boat, ship, vessel, car, van, or to any place where cattle, sheep or swine may be found, in order to inspect the same, and under instructions from the minister of agriculture, deal with infected animals and the articles employed in their service, in the manner contemplated by the act, under the penalties pre-

scribed thereby against any person contravening any of the provisions thereof, or of any regulations made thereunder.

The said inspectors or officers may, if it be deemed necessary, order the cleansing and purifying of any infected place, vehicle or other article so inspected, and direct such precautionary measures to be taken, as may by him or them be considered advisable, pending the decision of the minister of agriculture as to the ultimate disposal of such vehicle or other article.

12. The expense of feeding, attending to, and of providing for, any cattle, sheep or swine detained in quarantine shall be borne by the owner thereof, with the exception of that for the use of grounds and shelters; and such cost, if incurred by the inspector of quarantine shall be paid before the animals are permitted to leave the quarantine, and in case of refusal or neglect to pay the same, the inspector shall, on being so ordered by the minister of agriculture, cause the said animals to be sold to meet the said cost, the balance, if any, to be handed over to the owner.

13. The quarantine shall be under the care and subject to the orders of the officers appointed for that purpose, who shall have the general superintendence of the servants or other persons, and of all other matters connected therewith.

PART III.

Transit of Animals in Bond.

14. American cattle and swine, the importation and introduction of which are prohibited as ordered by part I, paragraph 3, may nevertheless be permitted to enter Canada in bond, at the ports of Sarnia, Windsor and Amherstburg, to be conveyed, under the surveillance and strict rules of isolation, through Canada and territory to the American frontier at Rouse's Point, St. Armand Station, Island Pond, the Suspension Bridge (Niagara) and the International Bridge (Fort Erie); but no such transit shall be allowed unless an agreement between the minister of agriculture and the railway company interested in and conducting such transit has been communicated to the collector of customs of each of the said ports or stations.

15. The transit of cattle and swine between the points mentioned in the next preceding paragraph, shall be subject to such rules and regulations as the minister of agriculture shall prescribe and in accordance with the arrangements which may be made between the said minister and the Grand Trunk, the Great Western and the Canada Southern Railway Companies, for the proper carrying out of the present order, and the necessary measures to save the live stock of Canada from the dangers of contagion and infection.

16. Amongst other things, these arrangements of the minister of agriculture shall provide:

(a) that an inspection of the said cattle and swine shall be made before they are admitted in transit, permission for which transit shall only be given on a certificate or clean bill of health from the inspector, he being a veterinary surgeon appointed by the said minister;

(b) that each train carrying American cattle or swine or both, from frontier to frontier in bond, shall be accompanied by one of the staff of guardians, also to be appointed by the said minister;

(c) that the cars and trucks employed for such traffic be specially and exclusively devoted to such purpose;

(d) that no Canadian animals shall be carried at any time in the same train in company with, nor in close proximity to, American cattle or swine, and that no car or truck employed in the American cattle and swine transport, shall be used to carry, at any time, Canadian animals;

(e) that no unnecessary delay occur with any train engaged in the said transit passing through Canadian territory;

(f) that due precautions be taken to retain in the cars or trucks and disinfect if need be the droppings of cattle and swine thus carried in transit;

(g) that no such cattle or swine, nor their carcasses in case of death occurring (unless immediately buried under directions of the proper guardian) nor parts

Inspection of Cattle.

thereof, nor articles having been employed about them, be permitted to remain in Canada nor to come in contact with any person or persons, other than those engaged on the train, or thing whilst thus undergoing the said transit.

17. Inasmuch as it is of absolute necessity, owing to the length of the trip, on the Grand Trunk Railway, to provide for a place where American cattle and swine can be fed, watered and rested, it is ordered that the said resting place shall be established at the station of Lyn, in the province of Ontario, where a double, isolated enclosure shall be provided by the railway company, selected, established and fitted to the satisfaction of the minister of agriculture, before the said company is permitted to transport American cattle or swine over their line. The said enclosure, besides other requisites, shall be provided with a high board fence and a vacant space around the said board fence, the said outside spaces to be also fenced, in order to prevent any approach to the inner enclosure; the said inner enclosure shall be provided with a special siding, with two locked doors, for the admission and isolation, under key, of the cars of trucks carrying American cattle or swine in transit.

18. The two fenced enclosures mentioned in the next foregoing section, situated at the Grand Trunk Railway station at Lyn, in the province of Ontario, with all appurtenances therein, or things belonging thereto, is hereby declared to be an infected place, in the meaning and for all purposes of the "Act to provide against infectious or contagious diseases affecting animals."

19. The enclosures through which the American cattle and swine enter Canada, in transit at Sarnia, on the Grand Trunk line, must be arranged, fitted and isolated in like manner, to the satisfaction of the minister of agriculture, and the said enclosures situated on the Grand Trunk Railway grounds, on the frontier, with everything thereto appertaining, are also declared hereby to be an infected place.

PART IV.

Conveyance and Shipment of Animals.

20. To provide against the possibility of diseased animals being carried from place to place, through Canadian territory, or conveyed to or shipped from Canadian ports, it is ordered as follows:—

21. An inspection of animals will be made at any place or ports in Canada to which such animals are carried in the manner prescribed by the instructions which may be given from time to time by the minister of agriculture.

22. Such animals as may be found to have been exposed to contagious or infectious disease, or to be labouring under contagious or infectious disease, shall be either detained or slaughtered in pursuance of the provisions of the said Act, under direction of the minister of agriculture.

23. The officers appointed to carry out the law and present regulations shall have free access to any boat, ship, vessel, car, van or other vehicle, or to any place where animals may be found, in order to inspect the same, and under instructions from the minister of agriculture, deal with animals having been exposed to disease or with diseased animals, and the articles employed in their service in the manner contemplated by the said act, under the penalties prescribed thereby against any person contravening any of the provisions thereof or of any regulations made thereunder.

24. The said inspectors or officers may, if it be deemed necessary, order the cleansing and purifying of any place, vessel, vehicle or other article having been made use of to receive or transport or being about to receive or transport animals, and direct such precautionary measures to be taken as may be considered advisable.

25. Proprietors of or dealers in stock having moved or intending to move animals towards a port of embarkation in Canada for export, must give notice to the inspector appointed for such port by telegraph or by letter, at least twelve hours in advance of the time of arrival of the said animals for shipment, and during the progress of inspection shall, with the hands at their disposal, give every required assistance to the inspector at such port, and move the animals according to the direc-

tions given to them by the said inspector. In case the owner refuses or neglects to furnish the necessary assistance, the inspector may employ men at the cost of the shipper, which shall be paid to the inspector before a clean bill of health is given.

26. In order to prevent the danger of contagion or infection resulting from the overcrowding or overlading of animals on board ships in any port in Canada, the inspector shall not permit cattle or other animals to be laden on board any ship in such port, until he shall be satisfied that suitable space and provision has been made for the number of cattle or other animals to be shipped on board such vessel, and that a greater number of animals shall not be shipped than such ship can safely and properly carry, and such inspector shall not grant a clean bill of health to such ship until all such provisions as aforesaid shall be made to his satisfaction.

27. The collector of customs of any port where such inspection as aforesaid is adopted and required, shall not give a clearance to any ship having cattle or any other animals on board for exportation without being shown a clean bill signed by the inspector to the effect that the measures provided by the said act and the present regulations have been obeyed and carried out.

General Disposition.

28. Collectors of customs throughout Canada shall see that the various exigencies and requirements of the present order are fulfilled, before granting any permit which requires, before it is given, any act to be performed, or any inspection or other proceeding to be made or taken, and they shall see that the prohibitions prescribed, and rules established by this order and the instructions which may be issued by the minister of agriculture are obeyed, and in case of any infraction of the provisions of the present order, or any of them, taking place, they shall report at once to the minister of agriculture the nature and extent of such infraction.

Certified.

J. O. COTÉ,

Clerk of the Privy Council.

GOVERNMENT HOUSE, OTTAWA,

MONDAY, the 3rd day of May, 1880.

PRESENT:

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

On the recommendation of the honourable the minister of agriculture and of the honourable the minister of customs, and under the provisions of the act passed in the session of the parliament of Canada held in the 42nd year of her majesty's reign, chapter 29, and intituled "An Act to provide against Infectious or Contagious Diseases affecting Animals," and under the authority given and conferred by the 59th section of the act 40 Victoria, chapter 10, intituled "An Act to amend and consolidate the Acts respecting the Customs,"

His excellency the governor general in council has been pleased to make and prescribe the following regulations for slaughtering and curing imported swine in bond; The "Health of Animals Order," passed on the 23rd day of April last, remaining in force except in so far as the same may be inconsistent with the present order.

1. Swine may be imported into Canada, for the purpose of being slaughtered; the importer shall enter the same for warehouse upon the usual form of such entries, stating upon its face the number, live weight and value of the herd, and the rate and amount of duty as prescribed by the tariff in force at the time of making such entry. Such importer shall then execute a bond to the queen, with two sufficient sureties to the satisfaction of the collector of customs at the port where such carcasses are imported or warehoused, in double the amount of such duty; the condition of such bond shall be that upon due exportation within one year of the products of the swine so imported, slaughtered and cured in the form of pork, bacon, hams,

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shoulders and lard, or payment of the duty secured by the said bond, then the said bond shall be and become null and void, otherwise shall remain in full force and virtue.

2. After the reception of the swine into the bonding warehouse or slaughter house, it shall not be lawful to remove any of them alive therefrom, under any pretence or for any reason whatever.

3. The product of such swine, after having been slaughtered, shall not be removed for any purpose from the bonding place, without a permit from the collector or proper officer of customs, as in the case of all other bonded goods.

4. The bond given by the importer as before specified, shall be cancelled upon payment of the current rate of duty imposed upon swine imported into Canada, or upon exportation of sixty-five per cent of the live weight of swine, weighing two hundred pounds and under, or upon the exportation of seventy per cent of the live weight of the swine, weighing over two hundred pounds as originally entered, in the form of pork, bacon, hams, shoulders and lard; and if a less quantity than seventy per cent is exported, then duty shall be paid upon the quantity deficient, at the rate imposed upon the live animal in proportion to value.

5. Slaughtered swine may be imported to be cured and packed in bond and entered in the usual way for warehouse, and be placed in the premises established as a warehouse of this class for the special purpose of curing and packing. The weight and value of such carcasses shall be stated upon the face of the entry for warehouse, and the importer shall execute a bond to the queen, with two sufficient sureties to the satisfaction of the collector of customs at the port where such carcasses are imported or warehoused, in double the amount of duty accruing thereupon, to be calculated according to the highest rate of duty imposed by the tariff upon any part or parts of the said carcasses, conditioned for the due exportation of the same or payment of duty within one year from date of first entry.

6. The meats, being the produce of such carcasses, shall be calculated for exportation or duty, as the case may be, after allowing in respect of meat in pickle a reduction of five per cent from the original weight, or weight for first entry, and these percentages may be deducted by compensation entries from the warehouse books at the time of each ex-warehouse entry, in proper proportions, and if any less quantity is exported than the original weight, less the allowance above specified, the duty shall be collected upon such deficiency at the rate of duty required at the time by law upon meats of the kinds exported.

7. The live swine imported for slaughter and the swine carcasses introduced for curing and packing shall not be permitted to come in contact with Canadian animals.

8. The cars, trucks and other vehicles employed in such traffic shall not be used for the transport of Canadian animals.

9. The bonding places hereinbefore mentioned are hereby declared to be infected places, subject to such regulations as the minister of agriculture may see fit to adopt for the purpose of preventing the introduction of disease among the live stock of the country.

10. The transport of the swine imported for slaughter and of the carcasses imported to be cured and packed, and every proceeding in relation to the said traffic shall be subjected to inspection and regulation in pursuance with the meaning of "The Health of Animals Order," under direction of the minister of agriculture, and the "General Disposition," being the 28th section of said order, shall apply to the execution of the present order.

J. O. COTÉ,
Clerk of the Privy Council.

PUBLIC NOTICE.

Any person refusing to submit to the present regulations, or avoiding their being carried into effect, or impeding any inspector or officer in the discharge of the duties assigned to them, shall be guilty of an offence against the act "To provide against Infectious or Contagious Diseases affecting Animals," and shall be prosecuted according to the provisions of the said act.

DEPARTMENT OF AGRICULTURE, 13th April, 1882.

J. B. WRIGHT, Esq., Veterinary Inspector, Windsor, Ont.

SIR,—I am to inform you that Prof. Andrew Smith, V. S., of Toronto, has been appointed by order in council veterinary inspector of the Dominion government for the province of Ontario.

You will therefore receive from him from time to time, any suggestions or instructions respecting the entry and inspection of cattle from the United States in transit through the Dominion.

I have, &c.,

J. LOWE,
Secretary of Department of Agriculture.

N.B.—All letters marked "P" are personal and informal letters, and are not taken from official correspondence.

P

2nd May, 1882.

Prof. A. SMITH, V. S., Ont. Vet. College, Toronto.

DEAR SIR,—I enclose to you, herewith, confidentially, a letter of Mr. J. C. Paterson, M.P., together with enclosure of a letter from Mr. Kingsmill to him which you will please read confidentially and afterwards return to me as soon as convenient. It is desired to get a confidential report from you on the request, and the point to ascertain is whether the night inspection requested could, with safety, be performed. I may tell you further that such night inspection is made by Westell at Sarnia; as Westell told me with his own lips—he did, and that he found it satisfactory, especially in the present state of things. No action has yet been taken either to stop Westell or to give instructions at Windsor to do the same thing.

It is the strong desire of the minister not to take any step which would prove to be a hindrance to trade but he does not desire to run the risk of any unnecessary danger.

Would you let me hear from you as soon as convenient and

Believe me yours truly,

J. LOWE,
Secretary of Department of Agriculture.

TORONTO, 5th May, 1882.

J. LOWE, Esq., Sec., Dept. of Agriculture, Ottawa.

DEAR SIR,—In reply to yours of the second just received, I have to state that night inspection at Point Edward appears to work well. The company have the yards fitted with large lamps, and inspection can be safely and easily made. I think the same might be done at Windsor and Amherstburg if arrangements were made similar to those at Point Edward.

It would not be advisable to appoint anyone as assistant inspector except a regularly qualified veterinary surgeon. If an assistant is really necessary a qualified man can be got to act.

Mr. Burton of the Great Western Railway called the other day in regard to inspection at Windsor thinking that Mr. Wright occasionally caused a little unnecessary delay. I promised to attend to the matter and will go to Windsor and may possibly stimulate Mr. Wright if there is unnecessary delay. I believe shippers complain when cattle are detained over a whole night.

If Mr. Wright and Mr. Matthews are not already notified of my appointment as general inspector, it would be well for you to notify them immediately.

There are over 30 head of cattle in quarantine now. I have given instructions to Mr. Westell to enclose a couple of paddocks at quarantine buildings. The whole grounds should be fenced in immediately.

I am, dear sir, yours truly,

ANDREW SMITH.

Inspection of Cattle.

P

DEPARTMENT OF AGRICULTURE, 10th May, 1882.

C. STIFF, Esq., G. W. R. Co., Hamilton.

MY DEAR SIR,—In reference to that subject of allowing the inspection of cattle after dark I write to you one line confidentially to say that Prof. A Smith, whom we have appointed our general superintendent for Ontario, thinks that in the present circumstances this may be safely done. Prof. Smith has therefore been written to request that the necessary steps may be taken to allow such inspection to take place.

Yours truly,

J. LOWE,
Secretary of Department of Agriculture.

P

DEPARTMENT OF AGRICULTURE, OTTAWA, 10th May, 1882.

Prof. A. SMITH,

Veterinary Inspector for the province of Ontario, Toronto.

DEAR SIR,—All the inspectors, viz., Messrs. Westell, Wright and Matthews have been informed that you have been appointed veterinary inspector for the whole province of Ontario, and, further, that they are to receive any instructions from you.

I submitted your letter of the 5th inst. for the consideration of the minister and he concurs in your view.

It is better, therefore, at once to take necessary steps to let the Great Western Railway Company have their cattle inspected at night in the same way as at Point Edward so long as you consider this safe. Of course you will give the necessary directions to ensure safety.

Believe me, etc., yours truly,

J. LOWE,
Secretary of Department of Agriculture.

P

DEPARTMENT OF AGRICULTURE, 8th January, 1883.

J. HICKSON, Esq.,

G. T. R., Montreal, P.Q.

MY DEAR SIR,—The enclosed is a copy of a letter on the subject of the salary of Mr. J. B. Wright, veterinary inspector at Point Edward, which I think it better to refer to you, as it involves some particular and rather complex considerations in relation to the transit of United States cattle through Canada from west to east.

It is better that I should in the first place explain that Mr. Wright sent an account to me to be certified for a larger amount than that agreed to be paid. I declined to do this, and wrote to him for an explanation. He answered in the terms of the copy which I enclose.

The agreement, as you are aware, was that the department of agriculture should appoint and be responsible for the sufficiency of these inspectors for the duties assigned to them. But you and Mr. Broughton, of the Great Western, agreed with the minister of agriculture that you would pay the salaries of these officers if the department appointed them, in order to have put into immediate effect reluctantly granted permission by the imperial authorities to sanction the transit referred to.

It happened that under the working of this arrangement some of your officers agreed with and induced Mr. Westell, V. S., the inspector at Point Edward, to work

on Sundays and at nights, by giving him an increase of salary, in order to facilitate the despatch of trains.

We, in the circumstances, certified the monthly accounts at the rate agreed, saying we had no objection to his working on Sundays or holidays if he desired, but we gave no official sanction to the night work. We did, however, resolve not to take any notice of it so long as we knew there was no disease, retaining the position of being able to prevent it if any disease should come; for the reason that we were not satisfied of the efficiency of any possible inspection in the night.

Mr. Broughton, however, instead of putting in practice the somewhat adroit action of your people, kept writing to the department to ask us to give him permission to have inspections done at night. The only course open to us was to uniformly tell him it was impossible; nor could we, especially in view of the representations which I had personally made to Mr. Peel and Professor Brown at the office of the privy council in Whitehall, afford him any indication as to how he might get out of the difficulty.

Eventually, however, and very recently, he discovered the mode, and again, not with the view of avoiding departmental responsibility, but keeping ourselves free to act if required to do so we referred the matter to Dr. Smith, of Toronto, our general veterinary inspector in Ontario, and he gave the required permission.

With this explanation, which I could not make shorter to make it clear, I leave you to act as you think it well in relation to Mr. Wright's demand to be paid the same as Mr. Westell for the same kind of service. I will certify the larger amount if you desire it under the arrangement, but I cannot ask you to give it as a payment for night service, nor to do anything more than to be simply officially blind to the fact of such service. I think you had better let some of your officers arrange with him. He was appointed, you remember, by us.

Believe me, &c.,

Yours truly,

J. LOWE,

Secretary of Department of Agriculture.

WINDSOR, 30th December, 1882.

Department of Agriculture, Ottawa.

SIR,—In reply to your letter of the 21st instant in reference to the charge of \$66.67 for Sunday and night service, in my monthly account, I beg leave to say that after the Great Western Railway became a part of the Grand Trunk, I learned that the Grand Trunk Railway Company were paying the inspector at Point Edward at the rate of \$1,800 per annum, or \$66.67 for Sunday and night service. I went immediately to Toronto and enquired of Professor Smith if he knew it to be a fact. He told me that he did, and said that he would write the railway officials and suggest that I should be paid the same, and further suggested that I should see the inspector at Point Edward and find out from him if the government had certified to his account for that amount, which I did, and learn from him that his accounts have been regularly certified to for that amount. I immediately notified the Grand Trunk Railway officials that the arrangements which I had previously made with Mr. Stiff on behalf of the Great Western Railway Company would cease on November 30th, and that in future I would render my account for the same as allowed the inspector at Point Edward, but they made me no reply. I would further say that the arrangements I made with Mr. Stiff were for Sunday service only; subsequently, upon the suggestion of Professor Smith, inspection has been made at night by the aid of electric light, and as much work has to be done at night as by day, which we were not required by the government in the first instance to do. And I also learn from the Canada Southern Railway authorities since Professor Smith permitted inspection to be made at night, that they have paid Dr. Matthews, their inspector, at the above rate, therefore I return the account to be certified to as originally made out.

Yours respectfully

J. B. WRIGHT.

Inspection of Cattle.

(Private.)

TORONTO, 23rd January, 1883.

J. LOWE, Esq., Sec. Dept. of Agriculture, Ottawa.

DEAR SIR,—Yours *re* Dr. Wright duly received.

Last spring, Mr. Burton, then superintendent of the Great Western Railway, called upon me in regard to inspection of cattle at Windsor, and where he thought there was unnecessary delay. I went to Windsor and Detroit, and found that there was a little trouble between some of the railway officials and Dr. Wright, both perhaps standing a little too much on their dignity. I recommended some alterations which were carried out, and Mr. Burton afterwards expressed to me that the inspection was satisfactory, and performed with facility. Since then I have not heard of any complaints.

Dr. Wright is also an M.D., and I believe is practicing a little in Detroit; and possibly under this consideration the salary he gets is sufficient. However, he has to inspect at two different points widely separated, it requires a considerable portion of his time, and during last winter I believe he was occasionally put to extra trouble, which might have been easily avoided by a little forethought on the part of some of the officials directly in charge. Dr. Wright is an intelligent man, and I have always found him active and obliging.

I will communicate immediately with the superintendent of the Great Western division of the Grand Trunk Railway. Without there was something very wrong, I think it would be a pity to dismiss such an officer as Dr. Wright.

Yours truly,

ANDREW SMITH.

P

DEPARTMENT OF AGRICULTURE, 23rd January, 1883.

W. WAINWRIGHT, Esq.,

G. T. R. Co., Montreal, P.Q.

DEAR SIR,—I received your letter of the 19th instant, on the subject of Dr. Wright's salary.

We do not ask you to pay him anything over the \$1,200, agreed for any extra services. We only consented to certify for certain extra services in the circumstances I stated to Mr. Hickson. If Dr. Wright's services are not satisfactory or if there is inefficiency in the inspection there can be no objection in your asking another appointment on the facts being shown.

The only point that we wish you to determine is to adjust with the inspectors any payments you desire to make to them for extra services.

Yours truly,

JOHN LOWE,

Secretary of Department of Agriculture.

P

DEPARTMENT OF AGRICULTURE, 23rd January, 1883.

Prof. A. SMITH,

40 & 42 Temperance Street, Toronto.

DEAR SIR,—Dr. Wright, of Detroit, applied to us for an increase of salary, for extra services and services on Sunday, saying that you had sanctioned such application.

This salary, I should explain to you, is paid by the Grand Trunk Railway Company on our certificate, he being our employee, and appointed upon the understanding however that the salary is to be paid by the railway company.

At the time of the appointment \$1,000 per annum was fixed for the salary and this went on until Dr. Wright was asked to do some work out of the hours for which the railway company agreed to pay him \$200 a year extra and we certified his accounts.

He now tells us that he wants the same salary as Mr. Westell at Point Edward, that is, \$150 per month. I sent the request to the Grand Trunk but they reply that Dr. Wright should not ask for this increase of salary. They say that his services are only 2 or 3 hours a day, and that considering the amount of work he does, over-hours and holidays included, he is amply paid. They say, moreover, that he is not attentive to his duties, and that claims for damages on the company have arisen from Dr. Wright's having failed to make an inspection on the arrival of the trains; and they say further, that Dr. Wright is practising his profession in the city of Detroit. They still further ask whether in all these circumstances there might not be reason to ask for another appointment.

The decision of the minister is that, in the circumstances they allege, there is no reason why they should not ask for another appointment if the allegations they make are established.

The minister, moreover, thinks that I had better inform you of the circumstances, and, as this has been made by the Grand Trunk Railway Company, it would be probably better that you should make an enquiry into it.

Yours truly,

J. LOWE,

Secretary of Department of Agriculture.

P

DEPARTMENT OF AGRICULTURE, OTTAWA, 23rd January, 1883.

J. B. WRIGHT, Esq., M.D & V.S., Detroit, Michigan, U.S.A.

DEAR SIR,—I have received your letter (not dated) covering your account for \$150, also stating that the account you sent for last month had not yet been certified.

The facts are—the account you sent last month being larger than the amount agreed to be paid by the department, we corresponded with the Grand Trunk Railway Company on the subject sending to them a copy of your letter in order that they might see the terms of your application.

A letter was received from Mr. Wainwright, the assistant general manager of that company, to-day, stating that at the time of your appointment the Great Western officials agreed to pay \$1,200 a year, \$200 of which for extra services, and this amount has been certified by the department. Mr. Wainwright states that the company declines to pay you the amount you ask, viz., \$150 a month, alleging that \$66.67 is out of proportion for the extra services you are called upon to perform, and particularly as the average time occupied in the day inspection is not more than three hours a day.

Mr. Wainwright further states that you are following your profession in Detroit in addition to your duties as cattle inspector, and that it has happened that a good deal of delay to stock has been caused from your not being in attendance.

On one occasion a claim for damages resulted by, what the superintendent of the Great Western Division of the Grand Trunk Railway considers, the unsatisfactory manner in which your duties as inspector had been fulfilled.

I return to you, in the circumstances, your account for January, certified for the amount usually received by you (viz., \$83.33 for salary as cattle inspector and \$16.67 for Sunday and extra services as per arrangement with the Grand Trunk Railway Company, making in all \$100 per month) which is all the minister will sanction.

Yours truly,

J. LOWE,

Secretary of Department of Agriculture.

WINDSOR, 26th January, 1883.

Department of Agriculture, Ottawa, Ont.

SIR,—I sent in my account to the department of agriculture for my salary as inspector of United States cattle at port of Windsor, for one hundred and fifty dollars inclusive of the charge for extra service, for the present month, and also for Decem-

Inspection of Cattle.

ber last, which account you did not certify to as I made out, and I returned it and explained why I made the charge of \$66.67 for extra service, instead of \$16.67 as formerly, and I herewith return the one you certify for the present month for the same reason.

I never made any arrangements with the Grand Trunk Railway Company to do Sunday and night service for \$16.67 per month, and as I learn from the inspector at Point Edward that the department have certified to his accounts regularly every month for the same charge of \$66.67 for extra work, I assume the department will not consider my services for the same work worth less. A nominal professional fee for such services would be double the amount. I have not been paid now for nearly two months, and unless I am paid I will not continue to do the extra work any longer than to give an opportunity to comply with my demand to be paid the same as the other inspectors.

Yours respectfully,

J. B. WRIGHT.

P

DEPARTMENT OF AGRICULTURE, OTTAWA, 27th January, 1883.

WM. WAINWRIGHT, Esq., Asst. Manager, G. T. R., Montreal.

DEAR MR. WAINWRIGHT,—I send to you herewith a copy of a letter which I have this day received from Professor Andrew Smith, who is our general veterinary superintendent in Ontario. You will see what he says with respect to the complaints against Dr. Wright and on this point I should say to you that we wrote some time ago to Dr. Wright, to tell him that we did not want to receive any excuses, on whatever ground they might be placed, for the absence of inspection at the proper time, but that we should insist upon the fact. I think, however, that having told Dr. Wright this much, it is only fair that you should take note of the kind of complaint in Dr. Smith's letter, and tell your people not to stand upon forms or "dignity" in any matter relating to the effectiveness of the service.

Believe me, etc., yours truly,

J. LOWE,

Secretary of Department of Agriculture.

P

DEPARTMENT OF AGRICULTURE, 9th February, 1883.

Professor A. SMITH,
40 and 42 Temperance Street, Toronto, Ont.

MY DEAR SIR,—On my return to town I find the enclosed letter from Dr. Wright. What he asks to have done is certainly impossible and I have not filed the letter, as to push the issues which he states to a conclusion would imply a break.

There is also some misapprehension. We never did anything more than sanction an arrangement which might be made between the railway company and the inspector for extra work, and the department does not require work other than that contemplated in the first departmental letter to which Dr. Wright refers. There is, however, the question of facilitating the transit by arrangement between the inspector and the railway company, but this must be purely a matter of arrangement.

I don't think the tone of Dr. Wright's letter is such as is calculated to lead to an arrangement.

I do not send the certificate which he requests at the rate of \$1,800 per annum, and certainly I shall not till I hear further from you. But if such certificate is sent in, Dr. Wright is very much in error in thinking that he would have any claim on the railway company, for nothing of that kind could exist. He is supposed to look to this department and not to the railway company for his payment, the arrangement.

between the department and the railway company having nothing whatever to do with him. He is the simple appointee of the department in the terms of his engagement and it is to the department only that he has to look.

You must arrange the matter in some way with him as we could not at all go on in this way.

Yours truly,

JOHN LOWE.

Secretary of Department of Agriculture.

WINDSOR, 21st February, 1883.

SIR,—I usually sent in my account to be certified to by the department of agriculture for my salary as inspector of United States cattle at this port about this time every month, but I will not do so for the present month until the dispute in reference to the allowance for night and Sunday work, which has been referred to Professor Smith, has been settled.

In reference to the reasons given by the railway company for refusing to pay me the same as the others are being paid for Sunday and night work, I will say that previous to the amalgamation of the Great Western Railway and the Grand Trunk Railway, and before permission was given to inspect at night, that the Great Western Railway authorities sent Mr. McFadyean and Dow to me to know what I would take and pass the stock at any time of night, and said to me that the other inspectors were doing so. I replied that when I got permission from the government I would do so, and then it would be time enough to consider what such extra work would be worth. Now, that permission has been given, the Grand Trunk Railway authorities, who now control the Great Western Railway, refuse to pay me the same as they are now (and, as I understand, were) paying their inspectors previous to permission being given to pass stock at night, at least before I got permission to do so.

I have endeavoured to discharge my duties honestly to the government, and to facilitate in every way the business of the railway company, and I feel that I am being unfairly treated by the government by their refusing to see me paid the same as other inspectors, and we are not any too well paid at \$1,800 per annum, considering that we are required to be on hand night and day.

I have explained the matter to Mr. Ingle, and he will confer with the department.

Yours respectfully.

J. B. WRIGHT.

WINDSOR, 1st August, 1883.

Department of Agriculture, Ottawa, Ont.

SIR,—In acknowledging the receipt of your letter of the 28th ultimo, I beg leave to say as the Canada Southern and the Great Western division of the Grand Trunk Railway is each to have its own stock inspector, the recent arrangements having been rescinded and the previous ones restored, that I must again press my claim to be paid the same salary as inspector for the Great Western division of the Grand Trunk Railway, as is paid to the inspector for the Grand Trunk Railway and Canada Southern Railway lines. I have from the first only received in addition to the salary fixed by the government (\$1,000 per annum) but \$200 for extra night and Sunday work, making in all \$1,200 per annum. The difficulty has arisen in reference to the allowance for night work, the \$200 at first being intended for Sunday day work. When I made the arrangement with the authorities of the Great Western Railways (previous to its becoming part of the Grand Trunk Railway) to do the Sunday work for \$200 per annum, they asked me what I would take and pass the stock at night, and said that the inspectors for the Grand Trunk and Canada Southern Railways were doing so. I replied that when I had permission from the government to do so, it would be then time enough to consider what it would be worth. When

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instructions were received through Professor Smith to do the inspecting at night I then made a demand to be paid the same as the other inspectors for doing the night work, but it was refused and I have been doing it for the same as I was getting previously.

I know from Mr. Westell personally that he gets \$1,800 in all per annum, and I know authoritatively that Mr. Matthews gets the same.

In reply to my letter last winter to the department, in reference to the matter, Mr. H. B. Small stated, judging by the number of cattle carried on the different lines, that I was relatively higher paid than either of the other inspectors. Now, reference to the report of the department for 1882, pages 244 and 245, shows that his statement was not correct. Mr. Slater's report shows that there was carried on the Grand Trunk Railway and the Great Western Railways 5,095 cars of stock; on the Canada Southern Railway 6,699, and my own report shows, that of the 5,095 cars passing over the Grand Trunk and Great Western Railway, 4,539 passed over the Great Western division, and Mr. Slater mentions that there have been more, on the average of cars, of cattle on the Canada Southern Railway this year as against last year.

In the face of these facts I feel justified in pressing my claim to be paid the same as the other inspectors, and I trust that the department will not feel annoyed at my doing so, but that the government will see that I am paid the same as the other inspectors.

Yours respectfully,

J. B. WRIGHT.

DEPARTMENT OF AGRICULTURE, 8th August, 1883.

J. B. WRIGHT, Esq., V.S.,
Windsor, Ont.

SIR,—I have an instruction from the minister of agriculture to acknowledge your letter of the 1st inst., on the subject of ordering an increase of your salary as inspector at the port of Windsor, and in reply to inform you that he cannot see his way to do so.

I have, etc.,

J. LOWE,

Secretary of Department of Agriculture.

P

DEPARTMENT OF AGRICULTURE, OTTAWA, 28th August, 1883.

W. WAINWRIGHT, Esq.,
Asst. Gen. Manager, Grand Trunk Railway,

DEAR SIR,—You will remember there was some correspondence, some time ago, in reference to complaints of want of promptness on the part of Dr. Wright inspecting cattle cars, in transit, at the port of Detroit. He now sends us a letter on this subject, a copy of which I enclose to you. Will you kindly inform me of your understanding in this case.

Believe me, etc., yours truly,

J. LOWE,

Secretary of Department of Agriculture.

DETROIT, Mich., 27th September, 1883.

C. STIFF, Esq.

DEAR SIR,—When the government inspector was up here last spring I believe he ordered that the pools in the Detroit, Grand Haven and Michigan Railway stock yards be filled up with gravel, and that electric lights be put in, both at the Detroit, Grand Haven and Michigan Railway and Wabash yards.

Dr. Wright is now asking that the work be done, and says that if it is not done the government may stop the night inspection and compel night stock to wait until daylight.

I had a talk with the doctor to find out where the shoe was pinching, and find that he feels sore over not being paid for the night work. I need not go into the history of the case, which is all known to you. I found out that he would be satisfied if he got one-half as much for the night work as is paid by the Michigan Central to Dr. Matthews. He would be satisfied if \$25 per month were paid him for the night service, and that he would not then press the electric light question, which otherwise will be enforced.

I find it will cost \$30 to put three lights up, and \$25 per month each to maintain them, which is three times as much as the doctor asks.

We cannot well get along in a fight with him, and I would recommend that his salary be increased to \$125 per month.

Yours truly,

R. W. REYNOLDS.

DEPARTMENT OF AGRICULTURE, 15th October, 1883.

Prof. ANDREW SMITH,

40-42 Temperance street, Toronto, Ont.

SIR,—I am to enclose you herewith a copy of a letter of the 11th inst., from Mr. J. B. Wright, cattle inspector, Windsor, asking that lights be provided at night for cattle inspection purposes. I am to request that you will report to this department your views on the subject, and state if you deem it advisable that his request be carried out.

I have, etc.,

H. B. SMALL,

For Secretary of Dept. Agriculture.

WINDSOR, 11th October, 1883.

To the Hon. Minister of Agriculture, Ottawa.

SIR,—When Professor Smith was here last spring, he pointed out to the Grand Trunk Railway authorities the necessity of having proper lights provided for the inspection of stock at night. I have frequently spoken to the proper authorities to have his directions carried out in regard to the lights, but they intimate that they do not intend to put up the lights, as he directed.

Under the circumstances I thought it my duty to say that unless the electric lights are provided, it will be impossible for me to satisfactorily carry out the regulations for the inspection of United States cattle intended for transport through Canada.

I remain, sir, your obedient servant,

J. B. WRIGHT.

WINDSOR, 14th November, 1883.

To the Hon. Minister of Agriculture, Ottawa.

SIR,—I respectfully beg leave to again call your attention to the necessity of directing that proper lights be provided for the inspection of United States cattle intended for transit through Canada. It is utterly impossible to make so satisfactory inspection as to insure the interest against the danger the regulations are intended to protect. At best inspection by artificial lights would afford but a minimum safety, and whether under the circumstances the night inspection should be continued.

I remain, yours most respectfully,

J. B. WRIGHT,

Inspector for Department.

Inspection of Cattle.

DETROIT, MICH., 6th November, 1883.

C. STIFF, Esq.

DEAR SIR,—I enclose a letter from Dr. J. B. Wright, which shows that he has entirely changed his mind from that of being anxious that we should put in the telephone free, to that of demanding \$500 per year for the privilege of allowing it in his office.

He says now that he will have an increase of pay or fight with the company. He has shown me a long letter which he has written and is holding ready to use in case the Grand Trunk Railway sends the stock in *via* Port Huron or in case he is dismissed.

The paper he shows me sets forth that there is great danger to Canadian stock through allowing American stock to pass through Canada. He says he has several copies printed on type-writer ready to send to papers in Canada and England, that he has shown it to a leading member of the opposition in Canada, who has promised to take up the case in the house for him, and Dr. Wright expresses his belief that his letter if put before the people of Canada and England will entirely stop the traffic of United States stock through Canada.

He has also increased his demand for electric lights from three to five.

I trust that you will take immediate steps to settle this matter.

Yours truly,

R. W. REYNOLDS.

DETROIT, MICH., 5th November, 1883.

R. W. REYNOLDS, Esq.,

Agent, Grand Trunk Railway, Detroit.

DEAR SIR,—I learn from Mr. Murray that the Grand Trunk Railway authorities had instructed you to have a telephone put in my office for the use of the company. After thinking the matter over I have come to the conclusion that I will not allow it to be put in unless the company agree to pay me \$500 per annum for the privilege of doing so, and I have so notified Prof. Smith, the provincial superintendent.

Yours truly,

J. B. WRIGHT.

P

MONTREAL, 16th November, 1883.

JOHN LOWE, Esq.,

Department of Agriculture, Ottawa.

MY DEAR SIR,—You will remember I had some correspondence with you some time ago on the subject of Dr. Wright, the Canadian live stock inspector stationed at Detroit.

This gentleman has caused us on different occasions a good deal of trouble, and I think it only right and proper to send you privately the enclosed correspondence to read.

We shall be guided entirely by your advice in this matter, but I agree with Mr. Stiff that it cannot be the wish of the department that we should be subjected to such outrageous demands.

Yours faithfully,

W. WAINWRIGHT.

HAMILTON, ONT., 12th November, 1883.

J. HICKSON, Esq.,

General Manager, Montreal.

DEAR SIR,—There is a very unpleasant matter that I have to bring under your notice in relation to the Canadian live stock inspector at Detroit, Mr. J. B. Wright.

At the time the arrangements were made with the government for the resumption of through cattle shipments through Windsor, it was arranged that the salary of the inspector should be \$1,000 a year. This was considered ample payment for the service. Dr. Wright was immediately appointed at that salary. He, a short time afterwards made a demand for extra pay for Sunday work, which was allowed him. He is now getting paid at the rate of \$1,200 per annum.

Sometime ago he applied to have a telephone put in his office, so that he could be notified when he was wanted on the arrival of stock for inspection, and he agreed to pay one-half of the rent if the railroad would pay the other half; this I agreed to. When the rent became due, he, without denying his agreement to pay half the rent, refused to pay it at all, and after some little time when he still continued to refuse to pay, the telephone was taken out of his house.

About two weeks ago I was in Detroit and had a conversation with Mr. Reynolds, our agent there, and he represented to me that it would be a convenience to the company, and in fact a saving of money in sending messengers, if we would pay the entire cost of the telephone, and I, at length, agreed to do it.

I now send you a letter from Mr. Reynolds, dated 6th November, which shows pretty conclusively that Mr. Wright is determined to levy blackmail, and that he is going to have an increase of pay or fight with the company. The demands he makes for increased wages on such terms as he states, I feel satisfied, you will not submit to, and if it is brought to the notice of the government it is not at all likely they will approve his action.

In a letter which Mr. Reynolds wrote to me on the 27th September, attached, you will see that there was a suggestion that we should put up electric lights for the examination of stock, but that it could be avoided by paying him an increased salary.

It appears now that he has specified what this increase is to be, for in his letter to Mr. Reynolds, of November 5th, he says he will not allow the telephone to be put in his house unless the company agree to pay him \$500 per annum for the privilege of doing so; and in the letter of Mr. Reynolds, dated the 8th November, which I attach, he says he will for \$300 per annum and an annual pass over the Grand Trunk, allow the telephone to be put in and withdraw his demand for the electric lights. The statement made by Mr. Reynolds is certified to by Mr. Wright at the foot as being a correct intimation of what he means.

I presume that if he carries out his threat to publish his views on the transportation of stock through Canada, it would do some injury, and with the touchiness which the English people have about this cattle disease, it might lead to the shipments being again stopped, but in my opinion, it is a question whether we should submit to what must be considered blackmail, or whether the government will not be prepared to risk his threats, and put some other man in his place. I should think he had, by signing Mr. Reynolds' letter, dated 8th November, committed himself to such an extent that the government would have no hesitation in dispensing with his services.

The amount of business that we do at Detroit is so small that the salary which Dr. Wright gets will rate probably \$1.50 to \$2 per car; I certainly think that the salary is sufficient and more than sufficient for the work performed.

Mr. Reynolds' letters of the 27th September and 6th and 8th of November, and Dr. Wright's letter of the 5th November enclosed.

Yours faithfully,

CHAS. STIFF.

DETROIT, 8th November, 1883.

C. STIFF, Esq.

DEAR SIR,—Please notice that Dr. Wright has endorsed the attached by writing his name and "correct" on the bottom left hand corner.

I have read to him the letter I sent to you on the 6th instant, showing that he had increased his demands for electric lights from three to five, and he says it is correct.

Yours truly,

R. W. REYNOLDS.

Inspection of Cattle.

DETROIT, 8th November, 1883.

C. STIFF, Esq.,

DEAR SIR,—Dr. Wright is now with me and makes a proposition, which, if accepted by you, will end the hard feelings between him and the company, and enable us to do the stock business without further trouble. He says that if you will give him three hundred dollars more per annum (\$1,500 in all) and an annual pass over the lines of the Grand Trunk Railway, he will be satisfied; will allow the telephone put in, and withdraw his demands for the electric lights.

(Endorsed)

J. B. WRIGHT,
"correct."

Yours truly,

R. W. REYNOLDS.

(Telegram.)

MONTREAL, 22nd November, 1883.

JOHN LOWE, Esq.

Dr. Wright wires that unless his matters are agreed to he will not wait longer than to-day. What do you wish us to do? It seems an arbitrary proceeding.

W. WAINWRIGHT.

(Telegram.)

MONTREAL, 23rd November, 1883.

JOHN LOWE, Esq.

Another message from Windsor stating that if settlement is not made by Friday on the basis of the claim he has made, the document he has prepared will be published.

Can I hear from you, or is it necessary I should come to Ottawa to have this matter satisfactorily disposed of? Reply.

W. WAINWRIGHT.

(Telegram.)

WINDSOR, 22nd November, 1883.

W. WAINWRIGHT.

Yes, I will await your immediate favourable consideration. Will prevent publication of articles, which I hold ready if my claim is refused, and which I read to Mr. Dow and of which Mr. Stiff has had notice, and copy of which was to-day sent Mr. Ledyard, to enable him to take steps to protect Michigan Central interests.

J. B. WRIGHT.

(Telegram.)

DEPARTMENT OF AGRICULTURE, OTTAWA, 23rd November, 1883.

W. WAINWRIGHT.

Wright correspondence not yet passed upon. But *prima facie* you should inform him he is an employee of the government, and all correspondence of that nature should be direct with this department, or through Prof. Smith, of Toronto, chief Ontario inspector. You cannot make any special arrangements with Wright except through department.

J. LOWE,

Secretary of Department of Agriculture.

(Private.)

MONTREAL, 23rd Nov., 1883.

JOHN LOWE, Esq.,
Ottawa, Ont.

MY DEAR SIR,—I have your message in regard to Dr. Wright. I wired him asking it he did not propose to wait until he received an answer to his letter. I did this on receiving a letter from him addressed to Mr. Hickson, that the matter of inspecting cattle after dark would be brought up in parliament next year if his demands were not acceded to. I enclose a copy of his reply to my message, which I should like you to read.

I am not anxious to do anything which will compromise the proper conduct of the business of the country, but, at the same time, I am quite sure my general manager will not feel willing to submit to dictation of this kind.

I have already told you that whatever the department consider this company should pay for Dr. Wright's services, we shall not demur to; but threats of this kind should not be tolerated, and I send this to you privately that you may deal with the matter as you deem best, and tell me quickly what position this company shall take.

I have already advised Dr. Wright that we cannot deal with him excepting through the department.

Yours faithfully,

W. WAINWRIGHT.

DETROIT, MICH., 24th November, 1883.

JOS. HICKSON, Esq.

DEAR SIR,—I know you will excuse me sending you the despatch to-night respecting Dr. Wright. I saw an article written by him (I have it in my possession now) that would raise alarm in Canada and prevent the transportation of United States stock through Canada. This would be a serious matter.

It appears that Dr. J. B. Wright at Windsor does not get as much salary as Dr. Westell at Sarnia or Dr. Matthews at Sandwich (Canada Southern Railway). They have, I think, \$150 a month. Wright has \$100, thinks that an attempt is being made to remove him, and that some of the Great Western Railway officials (either at London or Hamilton) do not, he thinks, treat him reasonably fair, and that while he may lose his position as veterinary inspector at Windsor for the government through the Great Western Railway officials, he may cause the Canadian railways to lose the through live stock business.

I thought you might send for him; hear his grievance; satisfy yourself as to his wrongs. I hear no more of "danger in transporting through stock"—and "injury to farming interests in Canada"—that is easily started but not so easily allayed.

I do not like the spirit of the man, but he should be seen to and you could do it. He does not know I have written.

Respectfully yours,

W. K. MUIR.

(Telegram.)

WINDSOR, 26th November, 1883.

J. HICKSON.

Your letter received this morning. Original manuscript of article referred to handed Mr. Spicer here yesterday and written statement of terms upon which I will settle, which if not accepted and the money paid by Friday, I will mail it for publication.

J. B. WRIGHT.

Inspection of Cattle.

MONTREAL, 27th November, 1883.

JNO. LOWE, Esq.

Re Windsor matter, will come up to-morrow with papers if I can see minister and yourself, and you think it necessary.

W. WAINWRIGHT.

MONTREAL, 27th November, 1883.

JNO. LOWE, Esq.

MY DEAR SIR,—Pray read this—whither are we drifting? Is this man to run the government and the railways? Had we not better settle him and this question once and for ever? We are not disposed to be blackmailed in this manner, and the quicker he is told so the better.

I will come up if you say so.

W. WAINWRIGHT.

(Telegram.)

27th November, 1883.

W. WAINWRIGHT.

I shall be here to-morrow and I think minister. But not necessary for your coming. Will try and send you answer to-morrow.

J. LOWE,

Secretary of Department of Agriculture:

MONTREAL, 27th November, 1883.

JOHN LOWE, Esq., Ottawa, Ont.

MY DEAR SIR,—I have your message this afternoon about Dr. Wright. I send you herewith copy of his last message to Mr. Hickson. Of course, you will understand that we are not desirous of having any trouble with the cattle business through Canada, but at the same time, if this man is going to run it, we desire to know that fact from the government.

These messages and letters from this man, to my mind, are the greatest piece of blackmail I have ever been subject to, and I have told him distinctly that we only propose to deal with him through the government.

I cannot believe that the minister, whatever the results are, will tolerate such action on the part of anybody as the messages and letters received from this gentleman, and I leave it to you to say what you expect this company to do.

We shall act upon it upon hearing from you in reply to this letter.

Yours faithfully,

W. WAINWRIGHT.

WINDSOR, November, 1883.

JOS. HICKSON, Esq.,

General Manager of Grand Trunk Railway, Montreal, Que.

SIR,—Now that I am assured that Mr. Ledyard, president of the Michigan Central Railway, has read the article referred to in my despatch to you on Thursday last, 22nd instant, I now write you to say that I will not wait any later than Thursday next, the 29th instant, for the settlement of the question in dispute by the payment in cash of my demands for past services, and a satisfactory agreement for the future, when, if it is not settled, I will mail the article referred to to the English and Canadian papers, and send it in pamphlet form to the presidents of the county agriculture societies in the province of Ontario. The effects of it will be, at least I think so, to compel the Canadian government to pass an order to prohibit the transit of United States cattle through Canada, or the English government will be disposed to schedule Canadian cattle. From the first I acted honestly with the government,

by refusing to accept the same money which I now demand, when offered me by Mr. Stiff to pass the stock at night before I had permission from the government to do so, and I have done everything in my power to facilitate your business in respect to the transit of United States cattle. I have been treated in the most outrageous manner both by the government and the Grand Trunk Railway authorities, and now I am determined either to have what I demand, or I will make an attempt to have the transit of United States cattle prohibited.

I will settle with you on fair, square, business basis, and will make no unreasonable demands, all things being taken into consideration.

Yours truly,

J. B. WRIGHT.

Turn-down of letter Wright to Jos. Hickson.

I demand in settlement \$2,500 for past services, and \$200 per month for the future, also an annual pass over all lines of the Grand Trunk interests, and on these conditions will agree not to publish article referred to in this letter, which sets forth the danger to Canadian cattle by United States cattle being allowed to pass through Canada.

J. B. WRIGHT.

28th November, 1883.

W. WAINWRIGHT, Esq., Grand Trunk Railway Co.

We have sent to Professor Smith and informed him he must notify Wright either to withdraw correspondence and apologize, or leave the service.

Please say nothing more to Wright, except tell him he will receive answer through Smith. Will write you.

J. LOWE,

Secretary of Department of Agriculture.

P

DEPARTMENT OF AGRICULTURE, 28th November, 1883.

W. WAINWRIGHT, Esq.,

Asst. Gen. Manager G. T. Ry., Montreal, P.Q.

MY DEAR SIR,—I have received your letter of yesterday's date with the enclosures. These, together with the previous correspondence, I have submitted for the consideration of the minister.

I may inform you that Professor Andrew Smith of Toronto was telegraphed for yesterday, and came down to-day.

He was informed, upon a consideration of the whole case, that the kind of condition stated by Dr. Wright in his communications to officers of your company were not of a nature to be passed over by the department and that consequently he must inform Dr. Wright that it would be necessary for him either to withdraw the whole of the statements in the correspondence simply and apologize for them, or leave the service. Professor Smith accordingly telegraphed to Dr. Wright to make an appointment to-morrow afternoon, at which he will deliver to him his message.

I may tell you that Professor Smith seemed inclined to go as far as he could to save Dr. Wright, whom he personally much respects, despite certain angularities of disposition. The matter was thus left in his hands on the issues I have stated.

The case itself is not free from certain difficulties, on the ground that inspection by night is open to question, and particularly in view of the fact that it is not practised in England.

There is nothing in our agreement with the English authorities on this point beyond the undertaking to make an effective inspection, and the probability of their understanding that this should not be done by artificial light. Against this, however, we have the opinion of Prof. Smith's that the night inspection as practised may

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take place without danger, and it was on this ground, and on Prof. Smith's opinion, that the original restriction made by the department was relaxed.

There is the further point that the consent of the imperial authorities to this transit arrangement was given with great reluctance, and I do not think that it is yet regarded with any favour.

I thought it better just to inform you thus generally of the facts lying on the surface of this question, in addition to informing you of the measures taken by this department. There is only one further point. It should never be lost sight of that Dr. Wright and all the other inspectors are appointees of the department and not of the Grand Trunk, the arrangement to pay salaries being between the Grand Trunk Railway Company and the department. And this condition arose from the special nature of the service and the fact of the department having taken no vote to pay it. But it follows as a consequence, that you are not in a position to enter into treaty with Dr. Wright or any others of the inspectors as regards the rate of pay, or in fact any of the questions which arise in this Wright correspondence. In all matters of this kind, I don't think that you should enter into controversy with our officers, but simply refer them to this department. It was therefore that I asked you in my telegram of this day's date to inform Dr. Wright that he would receive his answer through Professor Smith, his official superior in Ontario.

Believe me, etc., yours truly,

J. LOWE,

Secretary of Department of Agriculture.

(Telegram.)

HAMILTON, 24th December, 1883.

W. WAINWRIGHT.

Has anything been done about Dr. Wright? He has just notified live stock agent at Detroit that he does not intend to pass any more stock after dark, which will injure our business.

C. STIFF.

P

DEPARTMENT OF AGRICULTURE, OTTAWA, 27th December, 1883.

Prof. ANDREW SMITH,

40 & 42 Temperance Street, Toronto.

MY DEAR SIR,—Mr. Wainwright sends to the department a telegram from Mr. Stiff to the effect that Dr. Wright has given notice that he will not inspect or pass any more live stock after dark. I have shown this to the minister, and he finds that this is not a position in which the department can be placed. As our employee, Dr. Wright has no business to give any messages of this kind to Mr. Stiff. His only communication on matters of this kind is with the department, either direct or through you. The latter would be very much better.

The minister further finds that it would be very much better that you should notify Dr. Wright that he must be removed as we cannot go on in this way. Please advise me of your action on this letter.

Believe me, etc., yours truly,

J. LOWE,

Secretary of Department of Agriculture.

P

DEPARTMENT OF AGRICULTURE, 28th December, 1883.

Prof. ANDREW SMITH,

Veterinary College, Toronto.

DEAR MR. SMITH,—I have received this afternoon your letter of the 26th instant, marked "private," covering a copy of Dr. Wright's letter to you dated on the 2nd. I have not yet had an opportunity of showing Mr. Pope this correspondence, and he

is about to leave for the country. But I have no difficulty in saying to you that I am sure the letter of Dr. Wright is not satisfactory; and in fact it is not even a simple withdrawal of the threats to which it refers, but is based upon an alleged condition precedent, which I do not understand to exist at all; and therefore it is practically nothing, or worse than nothing. I am quite sure that this letter will produce a bad effect on the mind of the minister, and further, that as regards the increased compensation to which he refers for the past, not only will that not be given, but he will not be able to get any agreement of such increase for the future.

I think, in view of all these circumstances, that the breach is too wide to be healed, and that there is nothing left to do but to act on an intimation which I wrote to you in a letter yesterday. I don't think that with Dr. Wright's views it would be in any way possible for him to continue to act as veterinary inspector of this department. No government nor in fact any service, can have relations of that kind with one of their officers.

If this correspondence had been direct with Dr. Wright, I am quite sure it would have been very much more concise. It is, however, decided to defer to your views in as far as that is possible.

Believe me, etc.,

Yours truly,

J. LOWE,

Secretary of Department of Agriculture.

DETROIT, 2nd December, 1883.

Dr. SMITH, Toronto.

SIR,—The Grand Trunk Railway authorities having intimated in their letter to me of the 23rd ultimo their desire to deal with government officers as connected with the company in respect to past and future services in a way that would be considered by an impartial referee a right and proper manner, I therefore withdraw the threats contained in my letters and despatches to publish an exposure of their business under government supervision, and their past dealings with government officers doing duty for the company.

Yours truly,

J. B. WRIGHT.

P

DEPARTMENT OF AGRICULTURE,

OTTAWA, 28th December, 1883.

Prof. ANDREW SMITH,

Veterinary College, Toronto.

DEAR MR. SMITH,—Since writing to you the letter of this day's date, I have read to Mr. Pope the correspondence, and I told him what I had written to you. He says he quite concurs in this, and that there is only now this simple issue if you desire to retain Dr. Wright's services, namely, to ask him simply and unconditionally to withdraw all that he has written and simply go on and mind his business. And if that cannot be done, that you had better act on the authorization given to you already, and get somebody else in his place, telling him his services are no longer required.

If this action is taken it will be necessary for you to communicate with the member for the county, Mr. J. C. Patterson, Windsor, as to the selection of another man. Mr. Patterson should have the nomination, and you the decision as to the competency of the nominee. For the rest, in as far as Dr. Wright's threats are concerned, I would not take any notice of them whatever. Let him do simply as he likes.

Believe me, &c.,

Yours truly,

J. LOWE,

Secretary of Department of Agriculture.

Inspection of Cattle.

DEPARTMENT OF AGRICULTURE,

OTTAWA, 24th March, 1884.

Prof. ANDREW SMITH,
Chief Inspector,
40-42 Temperance St., Toronto.

SIR,—I have an instruction from the minister of agriculture to request that you will give the strictest possible directions concerning the inspection of cattle from the United States, in transit, in view of the rumors in the newspapers of the prevalence of foot and mouth disease in the western states. You will further please report whether, in your opinion, it is safe to continue the night inspection; as in view of your professional decision adverse to this, it would be necessary to give notice to the railway companies.

I have, &c.,

J. LOWE,
Secretary of Department of Agriculture.

P

DEPARTMENT OF AGRICULTURE,

OTTAWA, 24th March, 1884.

Prof. ANDREW SMITH,
Chief Inspector, Toronto.

DEAR MR. SMITH,—In addition to the official letter which I wrote to you to-day, I may tell you privately that I heard from an M.P. that the inspection at Windsor and Amherstburg is quite *pro forma*. In fact, my informant told me that the inspectors had given signed blanks to the railway company to send their cattle along.

Believe me, &c.,

Yours truly,

J. LOWE,
Secretary of Department of Agriculture.

P

DEPARTMENT OF AGRICULTURE,

OTTAWA, 29th March, 1884.

Prof. ANDREW SMITH,
Chief Inspector, Toronto.

DEAR SIR,—I wrote to you some time ago to ask for your opinion respecting the continued importation of cattle in transit from the western states, in view of the reported existence of foot and mouth disease in the west, and I also asked whether you considered it advisable or safe to continue the night inspection.

Since writing to you I have a letter from Mr. Pope, in which he suggests that you should be advised to proceed to the western states to ascertain whether the reports that have been published in the newspapers of the prevalence of foot and mouth disease are correct. Of course, the department will pay your expenses, and we should be glad to get your report as soon as possible.

I should tell you that the accounts which have reached us respecting the existence of that disease are certainly very conflicting, and the weight of evidence is against the alleged fact. I understand that those two veterinary commissioners who were sent by the Washington government to inquire, have reported that it is not the foot and mouth disease, or in any way a contagious one. The matter is, however, of sufficient importance for the facts to be accurately ascertained.

Believe me, &c.,

Yours truly,

J. LOWE,
Secretary of Department of Agriculture.

P

DEPARTMENT OF AGRICULTURE, OTTAWA, 31st March, 1884.

Prof. ANDREW SMITH, Chief Inspector, Toronto.

DEAR SIR,—I have another letter from an M.P., who, however, does not wish me to give his name, to say that he is aware the inspection at the point of Detroit of the cattle passing in transit is of the most perfunctory and ineffective kind.

The statement is of such a nature that it should be seen to.

Believe me, &c., yours truly,

J. LOWE,

Secretary of Department of Agriculture.

P

DEPARTMENT OF AGRICULTURE, OTTAWA, 2nd April, 1884.

Prof. ANDREW SMITH, Chief Inspector, Toronto.

DEAR SIR,—You did not write to me in reference to the question of night inspection. Of course, if there is foot and mouth disease in the western states this could not be thought of, and I may say to you that Mr. McEachran's opinion is against it. There certainly is the question of detaining the trains at night, which would mean so much longer confinement of the animals.

I should also say to you, that when Mr. Pope left he told me to write to you at once in reference to the night inspection, with the view of discontinuing it. But this was on the understanding that foot and mouth disease actually existed in the western states. Please write to me, as soon as you get this, your views on the question.

Believe me, etc., yours truly,

J. LOWE,

Secretary of Department of Agriculture.

(Confidential.)

MONTREAL, 11th April, 1884.

DEAR MR. LOWE,—I got home last night, but will not have my report ready for a little yet.

The disease is foot and mouth disease beyond doubt, and an aggravated form of it, too. It is in a number of places in Kansas, Missouri, Iowa and Illinois. Seeing that it is a very serious matter of national and international importance to that government, I have thought it best not to give any publicity to my opinions, but have told Governor Glick, of Kansas, who immediately commenced a stamping out process, also Mr. Sanders, of the treasury cattle commission, privately, and did advise certain experiments to prove its contagiousness, to be conducted by themselves. I also advised that Professor Law be sent for to investigate, and have promised so delay making my report till I hear the result of these experiments. My object in doing so is to throw the responsibility of giving it publicity on themselves. I trust this course will meet the approval of the minister, and that you will not permit the information herein contained to become public till I make my report in full, which may not be for a week or two, if I wait the result of experiments.

I have the honour to be, yours, etc.,

D. McEACHRAN.

MONTREAL, 11th April, 1884.

DEAR MR. LOWE,—Since writing you this morning I have received from Mr. Holcombe, state veterinarian, a telegram informing me that the six experimental animals which were placed in contact are ill with the disease (foot and mouth), also that it is beyond doubt on two other farms.

Inspection of Cattle.

I will now prepare my report at once, as immediate action will be necessary on the part of the Canadian government, not only for the east but more especially the west, as numbers of the yearlings are being shipped from Iowa into Montana.

Yours sincerely,

D. McEACHRAN.

P

(Confidential.)

DEPARTMENT OF AGRICULTURE, OTTAWA, 12th April, 1884.

Prof. ANDREW SMITH,
Toronto.

MY DEAR SIR,—Mr. McEachran is back, and he informs me that it is undoubtedly true that foot and mouth disease prevails in Kansas, Missouri, Iowa and Illinois, in an aggravated form. He has reason for not wishing this fact to be made public immediately, he having an understanding with some of the authorities of the United States to let them make their own announcement. But I think it better at once to inform you in order that you may take such action as you think best with respect to the inspection. McEachran thinks the night inspection should be stopped at once. Mr. Pope also held this view, when he went away, on the reports that reached him in the newspapers of the existence of foot and mouth disease in the west. You will, of course, take such immediate steps as is necessary for safety. Write me your views.

Yours truly,

J. LOWE,

Secretary of Department of Agriculture.

P

DEPARTMENT OF AGRICULTURE, OTTAWA, 12th April, 1884.

D. McEACHRAN, Esq.,
Montreal.

DEAR McEACHRAN,—I was indeed sorry to read your letter of yesterday *re* foot and mouth disease. I considered it important to communicate the fact to Mr. Hickson in view of his large interest, and to A. Smith, of Toronto, with a caution as to the inspection. But the both confidentially, as you requested.

We must not fool with this matter, and I shall wait with interest for your report.

Yours truly,

J. LOWE,

Secretary of Department of Agriculture.

P

DEPARTMENT OF AGRICULTURE, 23rd April, 1884.

Professor ANDREW SMITH,
Chief Inspector, Toronto.

DEAR MR. SMITH,—You will receive with this an official letter containing a departmental order not to allow the night inspection of cattle. And this, of course, will remain until you are further advised, or until the existence of foot and mouth disease in the western states is absolutely cleared.

There is also a paragraph in the official letter referring to the strictness of the inspection, and this is put in in view of the information which reached the department during the session, to the effect that Dr. Wright was performing his duties in a perfunctory manner, and actually in some cases giving signed blanks to be filled

up. I do not report this to you officially, as my informant, for personal reasons, did not desire me to use his name, but merely for the purpose of calling your attention to the allegation.

Believe me, etc., yours truly,

JOHN LOWE,
Secretary of Department of Agriculture.

DEPARTMENT OF AGRICULTURE, 23rd April, 1884.

Prof. ANDREW SMITH,
Chief Inspector, Toronto, Ont.

SIR,—I have an instruction from the minister of agriculture to inform you that in view of the reports which have been received from the western states relating to the presence of foot and mouth disease it is considered advisable to suspend the night inspection.

Will you have the goodness, therefore, to give the necessary orders to the inspectors at Windsor, Amherstburg and Sarnia.

It would be further advisable that you should call the attention of the inspectors to the fact that the greatest strictness in inspection is necessary.

I have, etc.,

J. LOWE,
Secretary of Department of Agriculture.

P

DEPARTMENT OF AGRICULTURE, OTTAWA, 23rd April, 1884.

Jos. HICKSON, Esq.,
Manager G.T.R. Co., Montreal.

MY DEAR SIR,—In view of the fact of the existence of foot and mouth disease in the western states, it has been considered necessary to give orders not to continue the inspection at night of stock.

In the absence of taking the more extreme step of cancelling the regulations which permit the transit, it will occur to you that it is necessary for us to cause a strict carrying out of the rules of inspection.

The step that is now found necessary to take will, probably, prove less inconvenient than it would have been during the shorter days of winter.

If, therefore, you could give such directions as would ensure the arrival of the trains within the hours of daylight, it would be an advantage.

Believe me, &c.,

Yours truly,

JOHN LOWE,
Secretary of Department of Agriculture.

P

DEPARTMENT OF AGRICULTURE, OTTAWA, 6th September, 1884.

Jos. HICKSON, Esq., Montreal.

DEAR MR. HICKSON,—You will receive with this an official letter asking an intensifying of care under the regulations agreed upon for the transit of neat cattle from west to east by your railway.

The undoubted existence of pleuro-pneumonia now in Illinois, has imported a new fact into our relations with the imperial privy council. It is desired not to injure this traffic any more than possible, but I am sure that a very strict observance of the regulations agreed upon will be the single condition of the continuance of the traffic, if, indeed, the imperial privy council will now agree to this.

Believe me, &c.,

Yours truly,

J. LOWE,
Secretary of Department of Agriculture.

Inspection of Cattle.

DEPARTMENT OF AGRICULTURE, 6th September, 1884.

Jos. HICKSON, Esq.,
General Manager, G.T. R., Montreal.

SIR,—I am to inform you that authentic information has reached this department to the effect that the disease of pleuro-pneumonia prevails in the state of Illinois. This serious fact has, of course, an important bearing upon the arrangements respecting the transit of neat cattle by your railroad system from western to eastern points in the United States.

As a present and immediate step, it is desired that the regulations which were agreed upon in April, 1880, should be with the greatest strictness carried out, and special instructions given to all those of your conductors who are also named officers of this department for the purpose of acting as guardians, to intensify as much as possible their observance of the duties under the printed regulations referred to.

Perhaps you will have the goodness to furnish to the department a list of the names of those of your conductors who are placed in charge of cattle trains.

I have, &c.,

J. LOWE,
Secretary of Department of Agriculture.

DEPARTMENT OF AGRICULTURE, 8th September, 1884.

J. B. WRIGHT, Windsor.

SIR,—I have to inform you that authentic information has reached the department respecting the fact of the existence of the disease of pleuro-pneumonia in the state of Illinois.

It is, therefore, desired that the inspection of cattle at the points where you are stationed should be made extremely rigorous, so as to prevent, if possible, the entrance of this disease even in transit through Canada.

I have, etc.

J. LOWE,
Secretary of Department of Agriculture.

(Telegram.)

DEPARTMENT OF AGRICULTURE, 21st August, 1885.

W. WAINWRIGHT, Esq., G. T. R., Montreal.

Will refer question in your telegram to Prof. Andrew Smith with instructions to order least possible detention.

J. LOWE,
Secretary of Department of Agriculture.

DEPARTMENT OF AGRICULTURE, 21st August, 1885.

J. HICKSON Esq.,
Gen. Manager, G. T. R. Co., Montreal, Que.

SIR,—I have to inform you that Mr. Westell, V. S., inspector at Point Edward, of cattle in transit through Canada from west to east by your trains, who was suspended for inattention to duty, will be reinstated on the 1st proximo.

The duties of Mr. Cumming, V. S., acting inspector, will therefore cease on that date.

I have, etc.,

J. LOWE,
Secretary of Department of Agriculture.

(Telegram.)

DEPARTMENT OF AGRICULTURE, 24th August, 1885.

L. J. SEARGEANT.

Matter was referred to Prof. A. Smith with instructions to afford your company all facilities he considered safe.

J. LOWE.

*Secretary of Department of Agriculture.**(Confidential.)*

TORONTO, 28th August, 1885.

JOHN LOWE, Esq., Ottawa, Ont.

DEAR SIR,—I went to Detroit on Monday and saw the inspectors and also Mr. Spicer, Grand Trunk Railway. Dr. Wright is inclined to be troublesome as there has always been a feeling between him and the Grand Trunk officials.

There is a disease among hogs in some parts of the county of Essex and Mr. Grenside, V.S., of the agricultural college at Guelph, was up there and made some examinations on the part of the Ontario government. He informs me that he met with swine fever in the townships of Anderdon, Malden and Colchester, and it is said to have existed for some little time, and one supposed cause is that it originated from the carcasses of hogs that had floated down the Detroit river. The cause is, however, by no means clear, and possibly the disease may not be very serious.

If it should be necessary either to quarantine or stamp out affected cases, whether will the action come under the province of the Dominion or of the local government?

I telegraphed you this a.m. that inspection may go on as formerly until further notice. New stock-yards are being built on the outskirts of Detroit city, and will soon be ready, where hogs can be unloaded if considered necessary. I can easily understand the great inconvenience and loss to railways when unnecessary delays take place in transportation of stock, and I am endeavouring to look to all interests, and at the same time to do what is safe for our own stock.

I am, dear sir, etc.,

ANDREW SMITH.

(Telegram.)

MONTREAL, 3rd September, 1885.

JOHN LOWE, Esq.

Understood from your message that Dr. Wright had received proper instructions. We had serious detention during last night. Is this to continue? If so it will simply ruin the business through Canada.

W. WAINWRIGHT.

(Telegram.)

DEPARTMENT OF AGRICULTURE, 4th September, 1885.

Prof. SMITH, Toronto.

Wainwright, Grand Trunk Railway Company, telegraphs, Dr. Wright again caused serious detention last night to extent of ruining this traffic in Canada if continued. Minister thinks you should give prompt order.

J. LOWE,

Secretary of Department of Agriculture.

Inspection of Cattle.

(Telegram.)

DEPARTMENT OF AGRICULTURE, 4th September, 1885.

W. WAINWRIGHT, G. T. R., Montreal.

Have telegraphed Prof. Smith sense of your message this morning, he will at once see to the matter.

J. LOWE.

Secretary of Department of Agriculture.

(Circular No. 135.)

GRAND TRUNK RAILWAY COMPANY OF CANADA.

SUPERINTENDENT'S OFFICE, MONTREAL, 29th January, 1886.

JOHN LOWE, Esq.

Transportation of American Cattle through Canada.

Owing to the prevalence of "pleuro-pneumonia" and "hog cholera" in the United States, the imperial and the Dominion government authorities are urging the Canadian railway authorities in regard to the necessary precautions to prevent the disease spreading to the Dominion, and it is therefore necessary, to enable us to retain the business, to strictly adhere to the regulations adopted in April, 1880. (Copy attached.)

Every car loaded with through live stock, passing from the States through Canada, must be plainly and legibly marked at the port of entry on both sides with the letter "V," that being the authorized distinguishing mark to show that such car contains, or has been used for, through stock, and under no circumstances whatever must agents at local stations in Canada allow a car so marked to be stopped off or used for the shipment of Canadian live stock or freight of any description.

The minister of agriculture has sanctioned such deviation of the regulations agreed upon as to permit Canadian cattle for export to the United States forming part of any train going into the United States without reference to their carrying or having carried United States cattle in transit.

No further deviation from the instructions must be permitted, and the greatest care must be observed by all parties to see that they are in every particular faithfully carried out.

J. STEPHENSON, *Superintendent.*

OFFICIAL REGULATIONS CONCERNING THE TRANSPORTATION OF AMERICAN CATTLE THROUGH CANADA.

DEPARTMENT OF AGRICULTURE, OTTAWA, 24th April, 1890.

1. Subject to the provisions hereinafter stated, the Grand Trunk Company to bring in United States neat cattle at Sarnia only, and carry them in transit across the United States frontier:—At Fort Erie, at St. Armand, or Rouse's Point, via St. John's, or at Island Pond.

2. All cattle brought to Sarnia to be placed in the company's isolated yard, for the purpose of being inspected before being allowed to proceed in transit.

3. The American cars arriving with the cattle to be returned across the river and the cattle reloaded in Grand Trunk or other cars, specially set apart and prepared for the purpose; but should there not be a sufficient number of Grand Trunk cars available, then the American cars may be allowed to run through.

4. No Canadian cattle to be allowed into the yards at Sarnia or Lyn, and no persons whatever, except those having business with the cattle, are to be allowed to enter the yards. These yards are to be kept entirely separate and treated as quaran-

tine establishments, being declared by the Health of Animals order in council, "infected districts."

5. The company to obtain a special clearance, by transit report, from the collector of customs at Sarnia, in bond, which shall certify that the cattle have been duly inspected, that they are free from disease, and that the cars containing them are sealed; such seals, in the case of cattle to be carried to Fort Erie, not to be broken until the train has crossed the frontier, but as regards the cattle via St. John's or Island Pond, arrangements to be made for breaking the seals and re-sealing the cars at Lyn, under the inspection of the officer of the government. If it is found necessary for the attendant to enter the cars, a door shall be opened at the end of sufficient size for a man to enter for that purpose.

6. On the Buffalo line the company's cars in which the cattle have been transported from Sarnia are to be returned from Buffalo, and to be disinfected at Black Rock, in the United States, before entering Canada on the return journey.

7. On the main line the cattle to be unloaded for food, water and rest, at Lyn yard, the cars to be cleansed there, if necessary, and the straw, droppings, etc., to be disposed of as the government officer may direct.

8. On arrival at destination, the cattle to be unloaded and the Grand Trunk Company's cars to be returned at once to Sarnia, being disinfected, as may be directed by the government officer, before crossing the frontier at St. Armand. The principle of this regulation to apply to any cattle crossing the frontier at Island Pond or Rouse's Point.

9. The company to pay the salary of an inspector, to be appointed by the government, at Sarnia.

10. The company to pay the salary of a special guardian at Stratford, to be appointed by the government, to examine trains passing that point en route to Fort Erie.

11. The company to pay the salary of a special guardian, to be appointed by the government, at Lyn, to examine the trains in passing and to see to the proper care and regulation of the yard.

12. The company to furnish the department of agriculture with the names of the requisite number of persons, for the approval of the minister of agriculture, who shall act under his instructions as guardians of the cattle trains in transit, from frontier to frontier, the company to pay the salaries of the said guardians.

13. The company to pay any further expenses incident to the carrying out of regulations of transit in question.

14. All payments for salaries or expenses to be met by the company, on orders from the minister of agriculture.

15. The company to furnish to the collector of customs at Sarnia, at Fort Erie and St. John's, also to such veterinary or other officers as may be designated, the numbers of all cars carrying United States cattle in transit, the numbers of such cars to be registered at the custom-house.

16. Cars carrying United States cattle to be prohibited from carrying Canadian cattle or forming part of any train carrying Canadian goods.

17. The litter and the droppings from cattle in transit to Buffalo to be carried across the frontier, and sufficient straw, sawdust or other material to absorb the droppings, shall be carried with each car, in all cases.

18. Any animals dying in transit, from accidents or otherwise, between the points of Sarnia and Fort Erie, to be carried across the frontier; any animals dying between Sarnia and Lyn, to be buried at Lyn, within the isolated yards, under the direction of the government officer; and any animals dying between Lyn and St. John's or Island Pond, to be carried across the frontier.

19. No cars carrying Canadian cattle under any circumstances to form a part of the same train with United States cattle.

20. No car carrying Canadian cattle to form a part of any train of returning empty cars, which shall have been used for carrying United States cattle.

21. The company to engage to give cars containing United States cattle in transit prompt despatch, so that they may not be within the territory of the Dominion longer than is absolutely necessary.

Inspection of Cattle.

22. If necessary to have places for loading or unloading Canadian cattle, provision must be made elsewhere than Sarnia or Lyn.

Approved by the minister of agriculture.

JOHN LOWE,

Secretary of Department of Agriculture.

CIRCULAR OF INSTRUCTIONS TO RAILWAY CONDUCTORS.

DEPARTMENT OF AGRICULTURE, OTTAWA, CANADA, _____, 188 .

SIR,—I have an instruction, from the minister of agriculture, to inform you that you are appointed to act as an agent of this department in the capacity of a guardian of cattle trains passing over the Railway, carrying United States cattle from west to east, in transit and in bond, under the provisions of the "Health of Animals" order in council.

Your duties will be as follow:—

1. Not to permit any train or car, carrying United States cattle in transit, to remain shunted in close proximity to any Canadian cattle.

2. Generally, to keep cars or trains containing United States cattle as far as possible apart from cars or trains containing Canadian cattle or Canadian goods.

3. To prevent cars containing United States cattle from forming a part of trains carrying Canadian cattle or Canadian goods.

4. Empty returning cars which have carried United States cattle, not to form any part of a train carrying Canadian cattle or goods.

5. You are to prohibit, in as far as possible, any persons not having business with the trains containing United States cattle, coming near to, or in contact with them, contagious diseases being conveyed by such contact.

6. Sufficient straw, sawdust or other material, to absorb the droppings from animals in transit, to be placed in all cars, containing United States cattle, and to be carried over the frontier.

7. Any animal happening to die from any cause whatever, in transit, to be carried across the frontier.

8. Cars having carried United States animals across the frontier to be cleansed and disinfected before returning into Canada, in accordance with printed directions which will be furnished to you by the department.

It will, especially, be your duty to report to this department any breach or neglect of any of the foregoing instructions; or generally any point you may notice not consistent with the terms or spirit of the order above referred to.

I have the honour to be, sir,

Your obedient servant,

Secretary of Department of Agriculture.

ST. THOMAS, Ont., 8th December, 1886.

To the DEPARTMENT OF AGRICULTURE, Ottawa.

SIR,—I beg leave to report that the Grand Trunk Railway Company are hauling back empty live stock cars before the said cars have been cleaned or disinfected, contrary to the restrictions in force under the order in council, cited as the "Health of Animals Act, part 3," transit of animals in bond.

The case that came under my notice was that on the 8th day of December, at 9.30 a.m., special train no. 197, conductor, T. Miller, arrived at St. Thomas and in transit west to Windsor from Fort Erie, and that said train was made up of empty box, freight and flat cars, and some loaded coal cars, and empty live stock cars, of which live stock cars were not cleaned out at all, or any attempt made to clean them, from appearances. I, therefore, inclose herein the initials and numbers of said live

stock cars that I wish to draw the attention of the Grand Trunk Railway authorities to, which are as follows:—

No.	Initials.	No.	Initials.
1983	National Despatch Line	3000	M. and O.
1945	do	28034	G.T.R., D.D.
1962	do	895	C., G.T.R.
885	C. G. T.	2413	G.T.R., D.D.
7481	G. T. R.	2525	G.T.R.
6155	do	762	C., G.T.R.
523	D. Grand H. and M.	2574	G.T.R., D.D.
		28012	G.T.R., D.D.

All of which is respectfully submitted.

I have the honour to be, sir, your obedient servant,

L. SLATER,
Inspector, St. Thomas.

MONTREAL, 10th January, 1887.

JOHN LOWE, Esq., Secretary, Department of Agriculture, Ottawa.

DEAR SIR,—With further reference to your letter of the 16th December, I beg to say that I have made full inquiry into the subject of your communication, and I learn that there have hitherto been grounds for complaint in respect of the cleaning of cattle cars returning east, but our people say that this was owing principally to the severity of the weather, it being almost impossible to clean these cars thoroughly at a low degree of temperature. This was the case with the train of empty cars referred to by the guardian of the department at St. Thomas.

I have now, however, issued such instructions as will, I am sure, do away with further cause for complaint on the part of the department of agriculture.

I am, dear sir, yours truly,

JOS. HICKSON,
General Manager.

Mr. Stanhope to Lord Lansdowne.

DOWNING STREET, 9th December, 1886.

Governor General,

The Most Honourable The MARQUIS OF LANSDOWNE, G.C.M.G., &c., &c., &c.

MY LORD,—I have the honour to transmit to your lordship herewith a copy of a letter from the council office inclosing an extract from *The Mark Lane Express*, of the 29th ultimo, respecting the importation into the North-west Territories of cattle from the United States.

I have to request that you will communicate these papers to your government, and request them to supply the information desired by the lords of the council, as to the precautions taken in Canada to guard against the introduction into the Dominion of pleuro-pneumonia, which is alleged to exist in some of the western states.

I have, etc.,

EDWARD STANHOPE.

Council Office to Colonial Office, Agricultural Department.

PRIVY COUNCIL OFFICE, 44 PARLIAMENT STREET,
WESTMINSTER, S.W., 4th December, 1886.

The Under Secretary of State,
Colonial Office.

SIR,—I am directed by the lords of the council to transmit the accompanying extract from *The Mark Lane Express*, of the 29th November last, and to request that

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you will have the goodness to move Mr. Stanhope to cause it to be forwarded to the government of the dominion of Canada, and that that government may be asked whether the statement therein contained is correct, and, if so, that their lordships may be informed as early as convenient what precautions are being taken to guard against the introduction into the Dominion of pleuro-pneumonia, which is alleged to exist in some of the western states.

I am, etc.,

C. L. PEEL.

* * * * *

The Canadian correspondent of the *Liverpool Journal of Commerce* says that Dr. McEachran, V.S., has returned to Winnipeg from the north-west, where he has been engaged inspecting cattle coming into the territories for ranch purposes.

The cattle were in all cases free from disease, but were not in as good condition generally as in former years owing to the scarcity of grass and water in the United States ranges from which they had come.

About 6,000 head were placed in the Wood Mountain Range and about the same number on the Cypress Hills. Large numbers were also driven to the Macleod district this season.

An experimental flock of 2,000 sheep were likewise placed on a range near Medicine Hat by Mr. W. C. Nicol, who is very sanguine as to his success.

Dr. McEachran expects a large influx of cattle next season, especially if the government see fit to remove the duty at present exacted.

The ranges in Montana and Wyoming are overstocked and a movement of the surplus is almost necessary.

Mr. Stanhope to Lord Lansdowne.

DOWNING STREET, 13th January, 1887.

MY LORD,—With reference to previous correspondence respecting the transit of United States cattle through Canada, I have the honour to transmit to you a copy of a further letter on the subject from the council office, and to request that the matter may receive the early attention of your lordship's government.

I have, etc.,

EDWARD STANHOPE.

Council Office to Colonial Office, Agricultural Department.

PRIVY COUNCIL OFFICE, 44 PARLIAMENT STREET,
WESTMINSTER, S.W., 10th January, 1887.

The Under Secretary of State,
Colonial Office.

SIR,—In reference to previous correspondence on the subject of the transit of United States cattle through Canada en route to United States ports, and to the untrucking of cattle in Canada for the purpose of feeding and watering, and also to the importation of cattle from the western states of America into Canada after a certain period of quarantine, I am directed to request that you will call the attention of the Canadian government to the serious and important change in the present sanitary condition of stock in the United States as compared with that which was believed to exist at the time when the privy council sanctioned the importation and transit above referred to.

The recent outbreak of pleuro-pneumonia in Chicago, and the uncertainty as to the extent to which the disease may have spread in the western states, are circumstances which induce their lordships to urge upon the Canadian government the immediate importance of reconsidering the whole of the present regulations relating to the importation and transit of cattle from the United States on the strength of which animals from Canada are now admitted in the United Kingdom without being subject to slaughter or quarantine.

I am to add that their lordships are advised that pleuro-pneumonia is the most insidious of all cattle diseases, and that it is impossible by any precautionary measures of quarantine or inspection to entirely obviate the risk of introducing it when cattle are imported from a country in which it exists.

I am, etc.,

C. L. PEEL.

The following was written on margin of letter:—

“Privy council referred to the minister of agriculture for immediate report.

“J. McGEE.

“December 24th, 1886.”

EXTRACTS from Report of the Minister of Agriculture.

DEPARTMENT OF AGRICULTURE,

OTTAWA, ONT., 1st September, 1887.

The undersigned has the honour to report on the accompanying references to him:

Despatch n° 514g, privy council papers; despatch n° 571g, privy council papers.

As respects a question in the letter of Mr. C. L. Peel, covering an extract from a newspaper, *The Mark Lane Express*, dated the 29th of November last, it is true that a considerable number of cattle from ranches in the United States territories were admitted to the Canadian ranches during last year, under a special arrangement which has, however, been discontinued, as has also the importation referred to.

As respects the remarks in the letter of Mr. Peel of January 15th last, inclosed in the despatch of Mr. Stanhope herewith, on the subject of transit of United States cattle, above referred, and imported into Canada from the United States, the undersigned is of opinion upon careful consideration of all the facts and circumstances, that the Canadian quarantine regulations, as well those having relation to transit as those relating to importation, are sufficient for protection of Canadian cattle from the danger of the admission of the disease of pleuro-pneumonia.

The undersigned respectfully recommends, that his excellency the governor general be moved to convey the substance of the information in this report to Mr. Stanhope, in answer to his despatches referred.

The whole respectfully submitted.

JOHN CARLING,

Minister of Agriculture.

(Private and Confidential).

DEPARTMENT OF AGRICULTURE, 30th April, 1887.

J. HICKSON, Esq., Grand Trunk Railway Co., Montreal, P.Q.

MY DEAR SIR,—I think it well to tell you as a piece of information which I think you should know, we have received two despatches from the imperial government pointing out to us the fact of the existence of pleuro-pneumonia in the western states and calling our attention to the imprudence of allowing transit of American cattle through Canada. We cannot, of course, be blind to the meaning of those notifications, but they have not gone so far as to say that they will place us on the scheduled list if we do not discontinue our present arrangements. I may say to you further that we are quite aware of the kind of risks incurred in relation to the danger of introducing the disease I have named, among the herds of Canada, which, if it should happen, would mean a disaster implying the loss of many millions and also the scheduled list for a sequel, which also means a difference of 1d. sterling or 2 cts. a pound liveweight on all the cattle we ship. We are still of opinion, after the most careful consideration, that the regulations as respects such transit now in force are sufficient protection, the only weakness being a possible negligence of some railway official in not observing his rules, and thus opening the door to the admission of the most insidious of all diseases. I have told Mr. Pope and Mr. Carling, ministers, who

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take a special interest in this question, that we have the most absolute assurances from you of the rigorous observance of the regulations by officers and employees of your company; and I feel sure that a communication of the facts in this letter to you will be of a nature to move you to increase, if possible, the rigour of the surveillance.

Believe me, etc., yours truly,

J. LOWE,

Secretary of Department of Agriculture.

DETROIT, MICH., 2nd Nov., 1887.

(At Chicago)—*Live Stock Traffic.*

W. WAINWRIGHT Esq., Montreal, Que.

DEAR SIR,—You will see from the inclosed report that our live stock traffic will be killed if arrangements cannot be made to prevent delay at the frontier for inspection purposes.

May I ask you to take it up with the department at Ottawa, and if possible get them to order the inspection to be done as soon as the stock arrives from Chicago.

If the Grand Trunk through you make the request, I have no doubt the necessary permission will be granted.

Please advise me as soon as practicable.

Yours truly,

W. J. SPICER,

General Manager, C. & G. T. R.

CHICAGO, ILL., 1st November, 1887.

W. J. SPICER, Esq., General Manager.

DEAR SIR,—Referring to the inclosed from Mr. McFadyean, you will notice that our route is virtually closed for live stock between the hours of 4 o'clock in the evening and 6 o'clock in the morning. Live stock cannot be shipped from Chicago before 11 a.m. and should arrive at Fort Gratiot about two or three o'clock in the morning.

I wonder if arrangements could not be made with the Dominion government to allow this through stock to be inspected or passed when it arrives, no matter at what hour.

If something of this kind cannot be done we may as well give up soliciting for the traffic.

Yours truly,

G. B. REEVE, *Traffic Manager.*

POINT EDWARD, ONT., 26th October, 1887.

American Express "Live Stock."

G. B. REEVE, Esq., Traffic Manager.

DEAR SIR,—Train out of Chicago yesterday was reported as leaving Elsdon at 12.30, noon, and was expected to make Fort Gratiot about 2 a.m. although it was some hours later than that in reaching there. Although I have no official advice from any source, I hear it talked of that it is hoped a regular line will be established, or is already established, for this traffic. My object in writing is to say that stock should be started from Chicago no sooner than, with the ordinary time expected to be made, it will reach Fort Gratiot only between the hours of 6 a.m. and 4 p.m. central time. It cannot go east from here without being passed and inspected by the Dominion veterinary surgeon, and such inspection can only be made during daylight. You will thus see that there is no use bringing the stock to the river to be delayed several hours for inspection.

Yours truly,

J. McFADYEAN.

P

DEPARTMENT OF AGRICULTURE, 7th December, 1887.

W. WAINWRIGHT, Esq., G. T. R. Co., Montreal.

DEAR SIR,—As requested in the correspondence forwarded by you to the minister of agriculture relative to the inspection of cattle arriving during the night on the western frontier, I have to inform you that an order has been sent to Professor Andrew Smith, the chief veterinary inspector of this department, for Ontario, instructing him to direct all the veterinary inspectors at the ports of Windsor, Amherstburgh and Sarnia, not to make any detention of cattle at whatever hour arriving but on the contrary at once to inspect them, as was the case previous to the suspension of the practice by the departmental letter dated April, 1884.

Believe me, etc., yours truly,

J. LOWE,

Secretary of Department of Agriculture.

MONTREAL, 9th December, 1887.

JNO. LOWE, Esq., Department of Agriculture, Ottawa.

MY DEAR SIR,—I have to acknowledge receipt of your letter of the 7th inst., in regard to inspection of cattle at frontier points, and I am very much obliged for the action that has been taken in the matter.

Yours truly,

W. WAINWRIGHT,

Assistant Manager.

P

DEPARTMENT OF AGRICULTURE, OTTAWA, 7th February, 1890.

W. WAINWRIGHT, Esq., Assistant Man., G.T.R. Co., Montreal.

DEAR MR. WAINWRIGHT,—I think it well to say to you that we have received an intimation from our veterinary officers that the regulations governing the free transport of cattle, in relation to the cleansing and disinfecting of return cars, are not enforced. It is alleged that cars are usually returned unclean and without disinfection, and further, that cars employed in carrying United States cattle are often to be found at way-stations in Ontario, although they are marked with a large "V."

There is reason at the present time for increased stringency rather than any relaxation. It may become necessary, in order to prevent Canada from being placed on the scheduled list in the United Kingdom, to prohibit altogether for a time, the importation of cattle into Canada. The department is, however, of the opinion that the transit traffic may be allowed if the regulations in relation to it are strictly enforced, but if they are not, and this privilege should be objected to by the imperial authorities, the railway companies would have themselves to blame if they lost the transit privilege.

Believe me, etc., yours truly,

J. LOWE,

Deputy Minister.

CERTIFICATE OF INSPECTION.

I HEREBY CERTIFY that I have inspected, under the authority of the Health of Animals order in council

in the yard of the Grand Trunk Railway Company at Windsor, and that I find them to be free from disease; the said animals being intended to be forwarded in transit

Inspection of Cattle.

in bond, in sealed cars, numbered as per accompanying transit report, through Canada by the Grand Trunk Railway Company.

J. B. WRIGHT, M.D., V.S.,

Inspector of the Dept. of Agriculture.

Dated at Windsor,

18

(Specimen of blank certificate signed by Dr. J. B. Wright.)

VETERINARY COLLEGE, TORONTO, ONT., 17th February, 1890.

To the HON. JOHN CARLING, Minister of Agriculture, Ottawa.

SIR,—According to your request, on Friday and Saturday of last week, I visited Point Edward and Detroit, in regard to Mr. J. B. Wright, veterinary inspector for the western division of the Grand Trunk Railway, who inspects at two places, viz., the Wabash and the Detroit and Milwaukee railroads, the points of inspection being distant from each other about one and one-half miles. At the offices of the Detroit and Milwaukee road, I got several blank forms signed by Mr. Wright, who made no secret of it, and stated that it was done to facilitate traffic, and whilst admitting that it was wrong to sign any blank forms, he affirms that the inspection was performed. His explanation is, that whilst inspecting at the Wabash yard, there were also cars at the Detroit and Milwaukee road; the forms were filled in; the cattle sent over to Windsor, and he went direct from the Wabash yard to Windsor and made his inspection there.

I called upon Mr. McQueen, the agent of the Detroit and Milwaukee road, and asked him how he came to allow blank forms to be signed. I requested Mr. McQueen to give me a written explanation, which he has promised to do, and so soon as I receive it I will forward to you.

As to the removal of animals from the cars, and inspecting in that manner, it would almost put a stop to traffic, and as Mr. Lowe is aware, some years ago, it was decided to inspect cattle in the cars, and so far this method has been successful.

I have requested Dr. Wright to send me what explanation he has to make. I have written Mr. Lowe, inclosing a letter of 31st December, 1883.

I am, sir, your obedient servant,

ANDREW SMITH.

TORONTO, 17th February, 1890.

J. LOWE, Esq., Department of Agriculture, Ottawa.

DEAR SIR,—I inclose a letter which Dr. Wright signed, December 31st, 1883. In dealing with the present trouble, it is possibly better for the Hon. Mr. Carling not to bring up the trouble of 1883, as it was disposed of in the time of the late Hon. Mr. Pope. You had better retain the inclosed paper.

When I was in Detroit I mentioned to Dr. Wright that the signing of blank forms was a very serious matter. He affirmed, however, that he can give a satisfactory explanation. I think it would be desirable to have all the inspectors immediately under the control of the department, as regards payment of salary, and I will be able in a few days to send a statement of the number of cattle and swine passing through and inspected during the last six months, ending December 31st.

I am, sir, your obedient servant,

ANDREW SMITH.

TORONTO, 31st December, 1883.

To Dr. SMITH, Toronto.

SIR,—I beg to apologize for what I have said and written in respect to inspection of stock at Windsor and Detroit, and the course I have taken in regard to the Grand Trunk Railway Company, and I hereby withdraw unconditionally anything

I may have said or written on the subject, and faithfully promise, if retained in my position as veterinary inspector, to endeavour to the utmost of my ability to efficiently discharge the duties pertaining thereto.

J. B. WRIGHT.

(Confidential.)

TORONTO, 19th February, 1890.

J. LOWE, Esq., Deputy Minister of Agriculture, Ottawa.

DEAR SIR,—I enclose letter received from Dr. Wright in explanation of his signing blank certificates.

I beg to state that any instructions he ever received from me were to carefully, thoroughly and honestly discharge the duties of his position, as I stated to you when in Ottawa. I have not had any communication with him since 1885.

I am, dear sir, yours truly,

ANDREW SMITH.

DETROIT, 18th February, 1890.

A. SMITH, Esq., Toronto.

DEAR SIR,—In reference to your inquiry as to the signing of certificates of inspection of stock intended for transit through Canada, before the stock is actually inspected it is sometimes done to prevent delay in crossing the river. You are aware that I have two crossings to attend situated two and a-half miles apart. Frequently stock trains which do not stop at the yards arrive, and are ready to be ferried over from each point at the same time, as it takes about half an hour to go from one point to another, one boat would have to wait that time. It takes the boat about twenty minutes from the Wabash and about ten from the Detroit and Milwaukee slip. Now, as it is the duty of the custom officer to see that the certificate is signed, before the stock is received for transport over the river, I leave the certificate signed and meet the stock in Windsor and make the inspection there, or very often the inspection is made in the yards, which are about three miles from either ferry slip, in this way preventing delay in crossing the river. This practice has always been followed since the Wabash made connections with the Grand Trunk Railway, and I was always under the impression that you were aware of it. If you were not, there never was any secret about it. I felt justified in doing this for the reason that, in a letter received from the department, I was instructed that it was my duty to "facilitate the business and not to obstruct it" and in doing this I have helped on the business without in any way (at least in my judgment) being detrimental to the interest protected by the regulations.

Yours respectfully,

J. B. WRIGHT.

TORONTO, 20th February, 1890.

J. LOWE, Esq., Deputy Minister of Agriculture, Ottawa, Ont.

DEAR SIR,—I inclose letter just received from Mr. McQueen, agent of Detroit and Milwaukee Railway, in regard to allowing Dr. Wright to sign blank certificates. My instructions to Mr. McQueen were that signing of blank certificates cannot be allowed under any circumstances.

I am, dear sir, yours truly,

ANDREW SMITH.

DETROIT, 18th February, 1890.

Dr. SMITH, V.S., Temperance St., Toronto, Ont.

Stock Certificates.

DEAR SIR,—Referring to the conversation I had with you as to Dr. Wright signing blank stock certificates, I would refer further to the matter by explaining the reasons why this was considered necessary, viz., the fact that the ferrying of stock from our Wabash Railway connection is about two miles down the river from

Inspection of Cattle.

our depot here, and frequently stock will arrive at one depot, and while Dr. Wright is there inspecting, stock arrives at the other depot, and in such cases the telephone is used, advising the doctor and arranging with him whether or not he can meet the stock at Windsor, and if so, one of the forms signed in blank is filled out, and the stock sent over the river to be inspected there; also, in cases where the doctor inspects the stock at King's yard at west side of the city, he telephones us the number, etc., of cars, stock, which he has inspected, and are coming into the yard to be sent east, and the blank certificates in question are used so that no delays may occur in getting the cars across the river.

You are aware of the impatience of cattle men when even a few minutes are lost in getting their stock sent forward, and if frequent delays of even a-half an hour were to occur, these men would be very apt to seek the route to Buffalo via the Lake Shore Railway. While the practice of having these blank certificates signed to meet such difficulties as I name may not meet the letter of the law, I am sure the spirit of the law is complied with, the stock being inspected at either of the places named above.

Yours respectfully,

JAS. McQUEEN, *Agent.*

DEPARTMENT OF AGRICULTURE, 27th February, 1890.

J. B. WRIGHT, Esq., M.D.,
Detroit, Mich.

SIR,—I am directed by the minister of agriculture to state to you that, in his opinion, the proper performance of the duties of inspector of United States stock in transit from west to east, from one United States point to another, at the port of Detroit, requires the exclusive services of the officer in charge, and it is further the opinion of the minister that such officer should reside in Canada.

The minister understands that you have removed your residence from Canada to Detroit, that you have undertaken in Detroit the regular practice of the profession of medicine.

The minister has been placed in possession of blank forms of inspection certificates signed by you for the passage of United States cattle, in transit through Canada, in such a way that the officers of the railway companies could themselves fill up such forms, and on the strength of them obtain customs entry.

The minister has very carefully read the information which you have written Mr. Andrew Smith, V.S., in explanation of this practice, and without entering into a discussion of the particular allegations in such letter, I am directed to say to you, that he finds your explanation of the practice, which you admit, to be unsatisfactory.

Upon a consideration of the circumstances connected with this matter, the minister directs that I should request of you to resign the appointment of veterinary stock inspector, which you hold from the department in virtue of the departmental letter dated 27th April, 1880.

I have, etc..

H. B. SMALL,

Secretary of Department of Agriculture.

DEPARTMENT OF AGRICULTURE, 1st March, 1890.

W. WAINWRIGHT, Esq.,
Asst. Gen. Manager, G. T. R. Montreal, Que.

MY DEAR SIR,—I send to you as requested by your letter of the 30th ultimo, one dozen of the forms appointing your conductors in charge of trains carrying United States cattle in transit from west to east, from one United States port to another, quasi officers of this department. I also return you the copy of the form you enclosed, as requested. Kindly send to the department the names of those conductors to whom you address this form constituting a special appointment for the purpose stated.

I think it well to say to you, in this connection, that our cattle quarantine regulations will have to be revised in the direction of increased restriction. There is a very serious question whether we can continue these transit regulations and at the same time continue to enjoy the immunity we at present possess from being placed on the scheduled list in the United Kingdom. This is the position even upon the understanding that the most vigorous observance of the present regulations is at all times maintained, and it is certain that any looseness in the observance of such would be simply fatal. I am moved to write you this in consequence of some misrepresentations which have reached the department, and to ascertain the truth of which we ordered, some days ago, Mr. John Smith, our agent at Hamilton, to make an inspection on all lines carrying cattle in transit and to report the facts to the department.

I think it well in this connection to say to you further and confidentially, at this stage, that we have asked Mr. Wright, respecting whom we had some trouble in 1883, the facts in regard to which we have on record in the department, to send in his resignation. Dr. Wright has been giving blank forms of certificate of inspection on which custom entries have been passed, without even seeing the cattle.

There is still a further point. You are aware that under an arrangement which was desired by Mr. Hickson, when these transit arrangements were first made, the department agreed with respect to collecting inspection fees, as is prescribed by our regulations in the case of other animals inspected, that your company should be exempted from paying them, and that it should instead pay the salaries of the inspectors, direct, and nothing more. Where there are many animals carried this is of course an arrangement very much in the interest of the railway. I believe that on the tariff of fees levied elsewhere for the inspection of horses, neat cattle, swine and sheep, the aggregate on all such animals would amount to a figure very much greater than the salaries you now pay direct.

There is not, however, even a thought of asking you to pay more, as there is no intention to constitute these fees a source of revenue, but you will probably be asked to deposit the amount paid monthly to the credit of the receiver general of Canada, and send the deposit vouchers to this department, we paying by official cheque the salaries of all officers acting under the direction of the department. We are about to make an arrangement with the auditor general to enable this action to be taken, and we find that the step is rendered necessary by the Dr. Wright incident.

Believe me, etc,

J. LOWE.

Deputy Minister.

DETROIT, 3rd March, 1890.

To the Minister of Agriculture, Ottawa.

SIR,—I am in receipt of your letter and much surprised at the contents. I am quite sure from the wording of it that you have in some way misunderstood my explanation in regard to the matter referred to, therefore I will be in Ottawa on Wednesday or Thursday, and trust that you will allow me the privilege of an interview, that I may explain the whole matter in detail, that you may be assured of the position I have always taken with the railway company in regard to the inspection of stock.

I enclose to you a copy of a letter to Mr. Stiff, in regard to attempted irregularities on the part of his employees in the transit of stock, since which date no attempt has been made to evade in any way the regulations or to take advantage of the possession of the blanks, and move the stock without immediate permission from me. The stock has been in every instance inspected as required.

Yours respectfully,

J. B. WRIGHT,

Inspector for Department.

Inspection of Cattle.

(The enclosed letter mentioned above.)

DETROIT, 17th August, 1888.

C. STIFF, Esq.,
Supt. G. W. Division, G. T. R., Hamilton.

SIR,—Some of your employees have forged my name to stock certificates. I have them in my possession.

Yours truly,

J. B. WRIGHT,
Inspector for Department.

P

DEPARTMENT OF AGRICULTURE, OTTAWA, 17th April, 1890.

W. WAINWRIGHT, Esq.,
Asst. Manager, G. T. R. Co., Montreal.

MY DEAR SIR,—Adverting to a conversation I had recently with you in the department on the subject of the regulations for the transit of cattle by your trains, from west to east, I think it well to say to you that information continues to reach the department to the effect that the regulations which were established are not by any means being carried out, and this is in the face of the fact of the increasing stringency of the imperial regulations and the distrust with which the transit arrangement has always been regarded.

If you cause an examination to be made at Lyn, you will find that that station is not by any means kept up to the agreement. On the contrary, the second outer fence, which was built under stipulation to take a *cordon* of vacant ground around the inner board fence of the resting station for cattle is entirely dilapidated and in many places broken down, the object of this essential provision being thus entirely defeated.

It was a part of the regulations to which you agreed that the manure and offal made within the enclosure should be removed and burned or otherwise destroyed on the spot. The department is informed that such manure is now used for fertilizing the neighbouring fields and it appears to be a fact that anthrax is specially and particularly prevalent in the locality.

I send to you, herewith, a printed copy of the regulations established by order in council, to which your railway particularly and specifically agreed.

The department was furnished a little while ago with a printed newspaper report, from Toronto, of the York county council, in which a resolution was passed in the following terms:—

“That, in the opinion of this council, it would be very injurious to the farmers of Canada for the Dominion government to allow American cattle to pass over our Canadian line for exportation to the old country; and that a copy of this resolution be forwarded to the Dominion government.”

The mover of the resolution is said to have said in support of it, that “American cattle are being sent to the old country in the same cars and ships that Canadian cattle are sent in, it being a well-known fact that there are many contagious diseases existing among American cattle.” There may have been inaccuracy in this statement, but it appeared to have been received by the council as correct, and the resolution was passed by a large majority. A publication of statements of this kind is certainly not free from danger, for one reason: because such statements are always, without exception, re-copied in the English newspapers, and tend to create prejudice.

I may say to you further, that an application was recently made to the government to have the transit privilege extended to an importation to slaughter in bond, at some point in the province of Quebec. The application involved precisely the same principle as the present transit arrangement. It could be theoretically defended as being free from danger to Canadian cattle, and regulations could be framed which would make such protection certain, but there is danger in respect to all such regu-

lations that they are not observed by the servants of the railways and such non-observance, in certain circumstances, may lead to disaster.

I am sure that if it is of any interest to your railway to continue these transit arrangements, very different attention will have to be bestowed on the strict carrying out of the agreed on regulations.

Believe me, etc.,
Yours truly,
J. LOWE,
Deputy Minister.

DEPARTMENT OF AGRICULTURE, 24th January, 1891.

W. WAINWRIGHT, Esq.,
Asst. Gen. Manager, G.T.R. Co., Montreal, Que.

SIR,—Referring to my interview with you a few days ago in relation to the arrangements for the quarantine inspection service of cattle carried in transit over your railway system from western United States ports through Canada to eastern United States ports, out of Canada, it is desired that the moneys which you now pay directly to the inspectors, in lieu of fees, be for the future paid direct to this department. It is desired that the cheques should be mailed monthly to this department, made payable to the order of the accountant of the department of agriculture.

This is proposed as an interim arrangement pending the conclusion of a further arrangement to deposit these moneys to the credit of receiver general.

I may explain that the object of making even this interim arrangement is to prevent any further moneys being paid directly by your company as salaries to veterinary inspectors of this department.

I have, etc.,
J. LOWE,
Deputy Minister.

MONTREAL, 26th January, 1891.

JOHN LOWE, Esq.,
Deputy Minister of Agriculture, Ottawa, Ont.

DEAR SIR,—I received your telegram this afternoon. I find that we are paying Dr. Wright \$150 per month. He is paid through the pay roll without any certificate from the department.

Mr. Westell, at Point Edward, is paid \$100 per month on the certificate of the department, signed by Mr. Small. I am not aware whether you desire me to find out for you how long we have paid Dr. Wright without the certificate of the department, but if you do, it will take some little time to search out.

Please let me know whether this is necessary.

Yours truly,
W. WAINWRIGHT,
Asst. Gen. Manager.

MONTREAL, April 13th, 1891.

JOHN LOWE, Esq.,
Department of Agriculture, Ottawa, Ont.

DEAR SIR,—With reference to the subject that we have had so many conversations about, of cleaning through live stock cars, the Michigan Central Company and ours have now devised a plan which I think will meet with favour at your hands, and enable us to perform the service more to your satisfaction. One of the regulations in connection with this business was, that the empty cars were to be cleaned out before being returned to Canada, which has compelled us to have the work done on the American side of the river. It has not—according to your reports—been

Inspection of Cattle.

altogether satisfactorily done, and I have been at work for some time to see what remedy could be applied to meet your wishes.

Some time ago it was suggested that the government agent, with the approval of the department of agriculture, should take the cleaning of these cars into his own hands, and I think our superintendent and the superintendent of the Michigan Central have now arrived at a fair solution of the difficulty.

The proposition now is, therefore, to have these cars cleaned on the Canadian side, so that as soon as they are unloaded they can be immediately returned to Fort Erie, and, after being cleansed, be sent west. It is proposed that this work should be taken out of our hands, and that we should pay the government agent so much per car for the service. In order to do this a suitable location at Fort Erie is necessary, upon which a track will have to be built, capable of holding about 50 cars, which will cost, say, some \$2,500. Our superintendent tells me that both he and the superintendent of the Michigan Central understand from your representative that the department will not offer any objection to the scheme, and I shall be glad to hear from you.

I enclose you a letter from the superintendent of the Michigan Central Railway, showing you that they are in accord with this arrangement, but if you think it desirable, he would go to Ottawa, along with the representative of this company, in order to place the matter before you.

Kindly return me the enclosed letter with your reply, after you have looked into the question.

Yours truly,

W. WAINWRIGHT,
Asst. Gen. Manager.

MICHIGAN CENTRAL RAILWAY COMPANY,

St. THOMAS, Ont., 14th March, 1891.

CHAS. STIFF, Esq.,
Superintendent G.T.R., Hamilton.

DEAR SIR,—Referring to our meeting with Mr. John Smith, at Fort Erie, last Thursday.

Will you please write to the minister of agriculture, or at least make application to the minister of agriculture at Ottawa, asking permission to have our cattle or stock cars cleaned at Fort Erie through the hands of Mr. Jno. Smith. If he grants this permission, we have a track, as you are aware of, and one for your company could be very easily put in as there is no grading to do, which would leave 50 feet between the two tracks to throw all the manure. You might say to the minister of agriculture that this company would be glad to have their cars cleaned at Fort Erie. This location is near the river front, and I cannot see where any harm could come through it.

Very truly,

J. B. MORFORD,
Div. Supt.

DEPARTMENT OF AGRICULTURE, 22nd April, 1891.

W. WAINWRIGHT, Esq.,
Assistant Gen. Manager, G. T. R., Montreal.

MY DEAR SIR,—I duly received your letter of the 13th instant, with enclosure from Mr. Morford of the Michigan Central, on the subject of cleansing cattle cars. The matter is one of much importance, and I am glad to see the interest which this letter manifests. There is, however, some question in relation to the particular proposals, in view of the terms of the order in council which now forms a part of the consolidated and revised orders in council of Canada, published in volume form. The terms of that order actually prohibit the crossing of the frontier by cars which have carried United States stock before disinfection. I am, however, very far from

saying or thinking that the plan proposed in this correspondence might not be very effective, and more free from danger than the system which has in the past prevailed. In view of these features I will write to you a little later on the subject.

Believe me, etc.,

J. LOWE,
Deputy Minister.

MONTREAL, 30th April, 1891.

JNO. LOWE, Esq.,
Department of Agriculture, Ottawa.

DEAR SIR,—Referring to my communication some time ago on the subject of cleaning cattle cars at Fort Erie, there is one point in regard to this matter which is reported upon by our people, and which I think is deserving of a good deal of consideration. Cars are now cleaned on the New York Central siding, which accommodates some 300 or 400 trains per day. Owing to the large amount of shunting necessary, the chances of accident are constant, and as the New York Central superintendent is not at all desirous of seeing this traffic pass over the Canadian railway, it is in his power at any time to find objections to the accommodation necessary, and by this means divert the traffic. I do not think that this is what you would like to see, as it certainly is not in the interest of the country, and not to our interest, and I, therefore, urge strongly that the proposition now before you should be very seriously considered.

Yours truly,

WM. WAINWRIGHT,
Assistant Gen. Man.

DEPARTMENT OF AGRICULTURE, 20th June, 1891.

J. B. WRIGHT, Esq., M.D.,
Care G.T.R. Office, Detroit, Mich.

SIR,—I am directed by the minister of agriculture to inform you that after a careful consideration of the circumstances connected with the inspection service at Windsor of animals passing through Canada from one United States port to another, the following decisions have been arrived at:—

It is found to be unadvisable that a Canadian inspector of American cattle passing through Canada should reside in the city of Detroit, and there carry on the practice of the profession of medicine in addition to his duties as veterinary inspector of animals. It is therefore decided to make a reorganization of the inspection service under which all the officers employed will be required to reside at Windsor, and attend daily at an office there to be opened connected by the telephone with the several railway offices.

No salary in the future will be paid by the railway companies, but by the department.

It is further decided that a larger amount than \$1,200 per annum will not be paid for this service.

You will be kind enough to inform the department on receipt of this letter whether you are prepared to comply with the conditions stated.

I have, etc.,

H. B. SMALL,
Secretary of Department of Agriculture.

DETROIT, 25th July, 1891.

HON. MINISTER OF AGRICULTURE, Ottawa, Can.

SIR,—Your letter of the 20th ultimo under consideration, it involves such a change that I require further time for consideration.

Yours respectfully,
J. B. WRIGHT.

Inspection of Cattle.

DEPARTMENT OF AGRICULTURE, 8th August, 1891.

J. B. WRIGHT, Esq., M. D., Detroit, Mich.

SIR,—The minister of agriculture directs me acknowledge your letter of the 25th ultimo in reply to the departmental letter to you on June 20th last, on the subject of a reorganization of the cattle inspection service at Windsor, and to say to you that the statement in your letter is not sufficient answer to the specifications contained in the departmental letter referred to, the receipt of which you have acknowledged.

The minister assumes that the answer in your letter constitutes, in fact, a non-compliance on your part with specifications of duties required of you, as contained in the departmental letter referred to.

He therefore desires me to state as a consequence that your non-compliance with the specifications in such letter is a sufficient reason for not continuing your services as cattle inspector of the department under the departmental letter to you dated April 27th, 1880.

The minister directs me to notify you that your services as cattle inspector of this department will not be continued after the close of the current month.

You will please accept this letter as an official notification of such decision.

I have, etc.,

H. B. SMALL,

Secretary of Department of Agriculture.

(Telegram.)

MONTREAL, 22th August, 1891.

JOHN LOWE Esq.,

Deputy Minister of Agriculture, Ottawa, Ont.

We are threatened with trouble at Windsor between now and the end of the month as regards delay to traffic by the present officer, and I hope you will be able to give instructions to the new inspectors to inspect our stock in cases of emergency from this time out to avoid any chance of delay.

W. WAINWRIGHT.

DETROIT, 2nd September, 1891.

Dr. J. B. Wright encloses to the minister of agriculture an article with reference to the system of inspection of United States cattle intended for transit through Canada, copies of which were given to the Canadian press yesterday; copies were also sent to the English press.

To the Editor.

SIR,—In explanation of the article enclosed, it was written several years ago. The cause of its having been written was as follows:

When the transit of United States cattle was first allowed in 1880 through Canada, the instructions to the inspectors were that the inspection should be only made during the hours of daylight, and the salary was fixed at \$1,000 per annum, which, with an allowance of \$200 for Sunday service made by the railway companies, brought it up to \$1,200. Some time during the winter following when the days were short and all the stock did not arrive in time for inspection in daylight, and had to be held over night, Mr. Dow, agent for the then Great Western Railway Company, and Mr. McFadyean an employee of the road (Mr. Dow is still the agent of the Great Western Division of the Grand Trunk Railway at Windsor), came to me and said they had been sent by Mr. Stiff, manager of the railway company, to ask me if I would allow the stock to pass at night, and what I would take for doing so, and said to me that the inspector at Port Huron did it for the Grand Trunk Railway, and that the government winked at it. I replied that I could not do so without an order from the government to that effect, or discuss with them the value of such service until I had received such instructions from the government (Mr. Dow will, I have no doubt, testify to this statement under oath). Some time during the following summer, Professor Smith, of Toronto, acting for the government, gave verbal instruc-

tions for the inspection of stock at night. I then asked the government to pay me for such extra service, as they required me to be on the spot at night when the stock was ready for transport, to go through the performance of making an inspection of animals that I could not see in the dark. The minister of agriculture refused to ask the railway company to pay me for such extra services and the company also refused. I then wrote the enclosed document, which has since been altered by reference made by Mr. Wainwright's admission of his conversation with the deputy minister of agriculture (Mr. Lowe). I then wrote to Mr. Hickson, general manager of the Grand Trunk Railway, that I would have this matter of night inspection brought up in parliament if he did not pay me for the extra services the same as the other inspectors were receiving, and that if the attention of parliament were called to it, the minister of agriculture would not be allowed to give him this most exceptional privilege contrary to the agreement with the English government. He did not answer my letter in due time. I then wired him to know what reply he intended to make, and was answered by Mr. Wainwright that my letter was under consideration of the general manager and if I could wait his reply. I answered by wire that I could wait, but that if my demands were not acceded to I would publish this article (he of course at that time knew nothing of its contents). The next thing I received was a message from Dr. Smith from Ottawa, asking me to meet him in Toronto, in reference to the matter. I met him there and explained to him the situation in regard to the pay. He said that the manager of the railway company had handed my letter and telegrams to the minister of agriculture, and that he (the minister) was much annoyed at the threatening position I had taken. He (Dr. Smith) wanted to see the article referred to. But I did not show it to him at that time. He said that he had been instructed by the government to enquire into the matter and see what could be done. About a fortnight afterward he again wired me to meet him in Toronto. I did so. He then told me that he had had a long correspondence with the government and the railway company, and that they had refused to pay me for the extra services for which the other inspectors were being paid, and that I must make a written apology for having threatened to publish anything regarding the inspection. I told him I would not do so. I then read him this article, and got up to leave the office to go to the newspaper office to have it published. He said: "hold on, you see the situation is this, that neither the government nor the railway company can afford to have it appear that you force them to comply with your demands, and that if you will give to me, for the government, a written retraction of the threat to publish anything, that after a little time, when things had quieted down, you will get the extra pay as the other inspectors." He then wrote out what he thought satisfactory between him, acting for the government, and myself, that I would withdraw the threat to publish anything about the inspection, and go on and do the work. I signed it. Shortly after I was paid for the performance of this night inspection; after this, everything went on smoothly until recently when the government complained that I was living in Detroit, and that in addition to my duties as inspector I was engaged in the regular practice of medicine, and assumed that I had therefore neglected to make such an appearance of importance in the performance of this farce of inspection that would reflect credit on the government for their attention to the interest of Canada, and make them solid in this matter with the farmers of Canada and the English government, and therefore, have asked me for my resignation, which I give them in this article and letter, and to the farmers of Canada the plot in this great farce. It has so far served the purpose of the railroad company, and in return for which they give the government an equivalent in the way of political support, and the minister of agriculture thinks to make it appear that the regulations and inspection are of great value to prevent the introduction of animals affected with contagious disease in transit through Canada by dropping me into the soup for supposed neglect in keeping up proper appearance in this farce inspection; for the present I leave further criticism of the value of the regulations and inspection to the intelligent medical profession and farmers of Canada.

Yours respectfully,

J. B. WRIGHT, M.D., V.S.

Inspection of Cattle.

THE DANGER OF PERMITTING THE TRANSIT OF AMERICAN CATTLE THROUGH CANADA.

For some time previous to the 23rd of April, 1880, United States cattle were not allowed to enter Canada. This prohibition was enacted in order to protect Canadian cattle, amongst which no contagious disease ever existed, from becoming infected by being brought in contact with United States cattle, among which contagious disease always exists to a greater or less extent in the different states of the Union, more especially among the cattle of the western states, and thereby to secure for Canadian cattle the English market free from quarantine regulations, to which the United States cattle, and the cattle of nearly all other countries are subject, in consequence of the existence of contagious disease in the countries from which they are exported. This advantage to the Canadian stock raiser and shipper, over those of other countries, can scarcely be estimated, considering the great yearly increase in the number of cattle exported from the Dominion; and the government of Canada are fully aware that this advantage for the benefit of the Canadian farmer and shipper can only be retained just so long as Canada can show a clean bill of health as regards contagious cattle disease. By the prohibition of the transit of the United States cattle through Canada, the Grand Trunk and the Canada Southern Railways interested in the export of western cattle to eastern markets, lost a large item of their trade, amounting in 1882, the second year after the transit was permitted, as shown by the report of the department of agriculture to 11,238 cars, they (the railroad companies) represented this loss, which would gradually be growing greater as the trade increased to the Canadian government, and succeeded in getting the government to enter into negotiations with the imperial government for the purpose of making arrangements to allow American shippers to send their cattle through Canada over the through lines of railway for the benefit of the said railways. Regulations were agreed upon, and an order in council was passed on the 23rd April, 1880, to permit the transit of United States cattle through Canada, subject to such regulations, which are as follows:—

That cattle intended for transit through Canada should on arrival at point of export, and when unloaded, be examined during the hours of daylight by properly qualified veterinary surgeons to see if they were infected with contagious disease; if not, a certificate is given to that effect, signed by the veterinary surgeon, on which they are allowed to pass through Canada.

Second. That all cars used for the transit of United States cattle through Canada should be thoroughly cleansed and disinfected before being used for the transit of Canadian cattle, or before being put to any other use, and that the droppings from the animals found in the cars should be removed from all possibility of Canadian cattle coming in contact with them. These are the chief points insisted upon in the regulations.

Now, keeping in view the present accepted germ theory of contagious disease in cattle, and the way in which they are spread and the great difficulty, even under favourable circumstances of detecting an animal infected with contagious disease, it is perfectly plain to be seen by any person that these regulations and the best manner in which they can be carried out as a means to prevent the introduction of contagious disease into Canada is perfectly absurd. Cattle intended for transit through Canada arrive at Detroit and Port Huron, the points of export, at all hours of the day and night. The inspector is notified when a train arrives; he goes out; walks along one side of the train; looks in through the door of the car, and at the best of times in daylight, he is not able to see more than the feet of about half of the cattle in the cars. And at night he makes the inspection this way by starlight, moonlight or if neither chanced to be shining, and it is Egyptian darkness, he makes the inspection just the same and gives the certificate.

I think it is not too much to say that it would be just as reasonable to expect the clerk in the office where the weather probabilities are made out, to tell the colour of the eyes of the man in the moon with his telescope, as to expect a veterinary surgeon to detect one animal that might be infected with contagious disease among a lot of from one to five hundred all inspected in this way in about ten minutes. And

the government have not always employed properly qualified veterinary surgeons as the regulations required.

Previous to Mr. Matthews' appointment at Amherstburg, they employed a butcher, and during his (Mr. Matthews') recent illness of two or three months, they employed a shoemaker to do the inspecting, when properly qualified veterinary surgeons offered their services.

As to the disinfecting of cars that have been used for the transport of United States cattle before using them for the transport of Canada cattle, or before putting them to any other use, is equally absurd. The cars are scraped out with a shovel, then washed with a few pails of water or with a hose at some tank, if convenient, and then a little whitewash in which a table-spoonful of chloride of lime to the barrel of whitewash is mixed, daubed on the floors of the cars, after which they are considered safe for the transport of Canada cattle intended for the English market. Since 1882 the Great Western division of the Grand Trunk Railway have never asked permission to take any of the cars used for through stock, for local traffic, but I think they have used them indiscriminately for all purposes. I am informed that the agreement of the Canadian with the imperial government was that the inspection should be made only during hours of daylight, and the regulations distinctly say that the inspection shall be made when the animals are unloaded, which is never done.

After the inspection of the stock was ordered at night by the government through Dr. Smith, verbally, I wrote (October, 1883) the government to say that, as the animals could not be seen at night, it was therefore utterly impossible to make any inspection whatever. To this letter I never received any reply. Recently (5th March, 1890) speaking with Mr. Wainwright, assistant general manager of the Grand Trunk Railway, he said that when he asked Mr. Lowe, deputy minister of agriculture, if the stock could be inspected at night, he (Mr. Lowe) replied that it was against the regulations, but to go ahead and do it, and the government would wink at it, which, no doubt, was the reason my letter was never answered.

As to the disinfecting, such a method to destroy the germ of the disease is either absurd, or the experience and teaching of scientific investigators as to the origin and nature of contagious cattle disease is not correct. The droppings of the animals in which the germ of the disease is always to be found, are more or less of them kicked out of the cars all along the lines of railroad from Detroit and Port Huron to Buffalo, a distance of over two hundred miles by either route, and from Port Huron to Montreal, a distance of over five hundred and fifty miles by the Grand Trunk Railway, and Canadian cattle running at large along the lines of railway, are in this distance every day exposed to the droppings scattered in this way, and liable to become infected. Recently an outburst of Texan fever occurred in Detroit near the stock yards from Texan cattle being driven a short distance through the street contrary to the state law. The animals in the neighbourhood contracting the disease by afterwards going on the same street and coming in contact with the droppings of the Texan cattle, which proves beyond a doubt that the germs of the disease are to be looked for in the droppings of the animals. I challenge Prof. Smith, or any of the officers of the veterinary department of the government, or any of the officers of the railway company immediately connected with the transport of United States cattle, under oath, to contradict any statement I have made in reference to the inspection of United States cattle in transit through Canada, and say that an animal infected with contagious disease, could be detected in the way in which the examination is made, and that the transit of United States cattle through Canada, considering the nature of contagious disease and the way in which it is spread, is not attended with great danger to Canadian stock. The inspectors are only appointed as a blind to Canadian and English farmers and English government to enable the railway to carry on the transportation of western cattle to eastern markets through Canadian territory.

Prof. Smith, chief of the veterinary staff of the Dominion government, said to me in the club room in Toronto, that he (Prof. Smith) could make the inspection and sit in his office in Toronto as well as he could by standing alongside of the car in Port Huron or Detroit. Recent reports show how suspicious the English veterinary department are of all foreign cattle (Canadian cattle not in the least excepted) and two cargoes which arrived in 1882 at Liverpool from Canada were suspected of

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being infected with Texan fever, and in consequence of this suspicion, Canada narrowly escaped being scheduled. Sir Chas. Tupper, the Canadian high commissioner to England, and a member of the medical profession, only succeeded in satisfying the veterinary department in the imperial government that the suspected animals were not infected with Texan fever, by demanding that a post mortem examination be made, and assisted in doing it himself. Even then the veterinary officers of the English government were not altogether satisfied that the suspected animals were not infected with contagious disease. However, they most generously gave Canada the benefit of the doubt. I have not the least doubt in my own mind but that the suspected animals were infected with contagious disease, and had contracted it by being put into cars which had previously been used for the transport of United States cattle, and disinfected in the way I have described above. The press and the people of Canada were loud in their praise and sincere in their expressions of gratitude to Sir Charles Tupper for the energy he displayed in the matter, and thus saving Canadian cattle from being scheduled. I have not the least doubt if he had not been a member of the medical profession, that he would not have been able to save this most important trade to Canada, and our farmers would have suffered a direct loss.

Now, I ask Sir Charles Tupper, as a medical man, if, in this instance, it was so difficult to decide whether the suspected animals were affected with contagious disease or not, if he will stand up in his place in parliament and say that, in his opinion as a medical man, it is possible for a veterinary surgeon, much less a butcher or a shoemaker, to detect one animal that might be affected with contagious disease among a lot of several hundred inspected in the manner I have above described.

It is to protect the stock of the English farmer from the possibility of becoming infected that the English government prohibit the transit of all foreign cattle from the seaport to the interior of the country, and have wisely enacted that all cattle from countries where contagious diseases exist are to be slaughtered at the seaports. I ask, are Canadian farmers not entitled to the same measures of protection? At present Canadian cattle are free from suspicion of disease, and the Canadian stock raisers and shippers have the advantage in the English market, and can only retain it so long as the country is free from suspicion of contagious cattle disease.

Under these circumstances, is it not clearly the duty of the government to protect Canadian cattle from any suspicion, and from all possibility of becoming infected, by prohibiting the transport of United States cattle through Canada, and by doing so encourage stock raising, which now promises, while the Canadian farmer enjoys this advantage, to be one of the most profitable of the farming interests of Canada?

The question is, shall the stock raising interests of Canada be jeopardized for the benefit of the railways? What say the farmers of Canada?

J. B. WRIGHT, M.D., V.S.

I do hereby swear that every statement herein made in reference to the manner of the inspection of United States cattle intended for transit through Canada is in every particular true, and that the statements made to me by Prof. Smith and Mr. Wainwright, herein mentioned, is, to the best of my recollection, verbatim.

J. B. WRIGHT, M.D., V.S.

Subscribed and sworn to before me this 24th day of March, A.D. 1890.

WILL. L. HULBERT,
Notary Public, Wayne Co., Mich.

State of Michigan, }
County of Wayne. } S.S.

I, J. Hawkins, graduate of the Ontario veterinary college, do hereby declare that I have practised in the city of Detroit for the past twelve years, and have several times acted for Dr. Wright, in his absence, as inspector of United States cattle intended for transit through Canada. And do hereby declare that an animal infected with contagious disease could not be detected in the way the regulations require the inspection to be made, and that I consider the whole system to be an

absurd farce, and that Prof. Smith, of Toronto, recently (February, 1890) admitted to me, in a conversation I had with him in the Russell House, Detroit, about these regulations and systems of inspection, that they were of no value, as an animal infected with contagious disease could not be detected.

J. HAWKINS, V.S.

Subscribed and sworn to before me,
this 25th day of March, 1890.

HOMER A. FLINT,

Notary Public, Wayne Co., Mich.

State of Michigan, }
County of Wayne. } S.S.

I do hereby solemnly swear that the foregoing instrument is a true copy of the original.

NELLIE M. HANBY,

Notary Public, Wayne Co., Mich.

DEPARTMENT OF AGRICULTURE, 4th September, 1891.

Prof. ANDREW SMITH,

40 Temperance Street, Toronto.

DEAR MR. SMITH,—I have received your letter of the 3rd instant, in reference to a report which Dr. Wright, as you have ascertained from a *Globe* reporter, sent to the press. I think the answer you gave to the reporter was judicious, and that it would not be in the public interest that the paper of Dr. Wright should be published. Still, it has no terrors for the department, and will not stand the touch of criticism. It is a tissue of misrepresentation. I will in a few days send you a copy and also a memorandum in reply. In the meantime I would feel obliged if you would inform me if anything appears in the press about it, and send me copies of anything.

Your letter reminds me that I owe you an apology for having omitted to inform you that Dr. Wright is not now in the service of the department. What happened was that he was told that if he desired to continue in the employ of the department, he would have to take up his residence at Windsor, and form part of the inspecting staff, for which he would be paid a salary of \$1,200 per annum. He has not accepted this and hence the letter which he has sent to the press. I will have a copy of all the papers made in relation to these changes so as fully to inform you. The action was taken three or four days ago, but we have been so intensely busy in the department that I have not had time yet to communicate with you.

Believe me, etc.,

J. LOWE,

Deputy Minister.

MEMORANDUM.

I have to make the following remarks in relation to the allegations by Dr. J. B. Wright, of Detroit, in a communication addressed to the minister of agriculture, dated the 2nd September, 1891.

These allegations are numerous and are all mixed up with his remarks on them. I have, therefore, for convenience and shortening my statements in reply made a *precis* of them, numbered in the order in which they appear. I shall make my reply in the order of sequence of subjects, while retaining the numbers in order of the allegations.

Those numbered from one to eight inclusive, are in the form of a general letter intended for the newspapers; those numbered from nine to seventeen inclusive, are sworn statements.

The following order to the subject of night inspection:—

1. That the instructions to inspectors from the department of agriculture in 1880, were, that the inspection should be only made during the hours of daylight.

9. That an order in council was passed on April 23rd, 1880, to permit the transit of United States cattle through Canada, on conditions that on arrival on the frontier

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they should be unloaded and examined during the hours of daylight, and not allowed to proceed unless accompanied by a certificate of a veterinary surgeon that they were healthy.

To no. 1, I have simply to say it is untrue. There was no such definition in the instructions.

Allegation no. 9, stating that the order in council of April 23rd, 1880, provides that the animals inspected shall be examined during the hours of daylight, serves to show what value Dr. Wright attaches to his oath. This order in council is printed, and therefore Dr. Wright could easily have ascertained the fact before he made his affidavit. The order in council contains no such statement.

2. That during the winter following, when the days were short, the department on the solicitation of the Grand Trunk Railway officers winked at night inspection.

15. That on the 5th of March, 1890, he (Dr. Wright) was informed by Mr. Wainwright, assistant general manager of the Grand Trunk Railway, that when he (Mr. Wainwright) had asked Mr. Lowe, the deputy minister of agriculture, if the stock could be inspected at night, he (Mr. Lowe) replied, that it was against the regulations, but to go ahead and do it and the government would wink at it.

It is true as respects no. 2. that during the winter referred to, application was made to the department of agriculture to allow inspection to take place after daylight; but it is not true that I ever informed Mr. Wainwright that the department would "wink" at any breach of the regulations; and Mr. Wainwright could not have made any such statement to Dr. Wright on my authority. The records leave no doubt on this point. When the question of allowing inspections to take place at night by the aid of artificial lights was first mooted, it was met by objections, as respects the advisability of the practice, but not because it would be in contravention of the regulations which are silent on this point. I consulted the then minister, the late Hon. J. H. Pope, on the application and I communicated to him the objections which were made by Dr. Wright as to the question whether such inspection should be permitted by the department. The minister saw the seriousness of detaining cattle cars arriving at Detroit after the "short hours of daylight" in the winter time, as well on the ground of suffering to the animals, which must necessarily be caused by detaining them in the cars, as hindrance to railway traffic.

It was therefore decided by the minister that I should consult the chief veterinary officers of the department on the subject before granting the permission requested. I accordingly consulted Professor McEachran of Montreal, and Professor Andrew Smith of Toronto, I consulted each of them at different times and I found substantial agreement of opinion. Both stated that it would be impossible to detect the presence of pleuro pneumonia, against which we specially guarded, or some other forms of disease, especially in the earlier stages, by such an inspection; but both at the same time admitted that that disease could not be detected at all, especially in its earlier stages, by any inspection, even of each individual animal in a *chute* either in daylight or at night.

It was therefore decided, first, for preventing suffering to animals, and second to facilitate the transit by the railway, to authorize the night inspection.

I may add that the intention of the inspection had never in view the possibility of detecting all contagious disease among animals, especially in the earlier stages; but rather to see that all was right and that the animals which went forward were not suffering from any of the grosser forms of disease, which could be seen by simply looking at them. No other value was ever attached to this inspection, but it was yet thought well to maintain it for the purpose stated.

Mr. Wainwright may have told Dr. Wright that I had made difficulties as respects allowing any latitude in this inspection. I repeatedly made urgent representations both to him and to Sir Jos. Hickson respecting the necessity of the strictest adherence to and the most stringent carrying out on their part of the regulations agreed upon, and such being the alone condition on which the transit could be continued. I further informed them that the permission to allow the transit at all was in the first place obtained with difficulty from the veterinary authorities of the imperial privy council, that it was not regarded with special favour; and that any breach of the regulations would end it. But the permission to allow the inspection referred to was not a breach of the regulations.

The question was not of the admission of these animals into Canada to mix with Canadian animals, but of allowing them simply to pass through in bonded cars, remaining only a few hours in our territory.

11. That the inspector just looked through the door of the car, and, therefore, in daylight could at the best only see the feet of about half the cattle, and at night not at all.

The allegation under this head is in part answered by the preceding statements of this memorandum. I may further add that if Dr. Wright described his own practice in this statement, his inspection was very much more perfunctory than the department had reason to believe it to be, and is a further justification of the final action taken by the minister of agriculture in relation of the non-retention of his services.

14. That after the inspection at night was verbally ordered by Dr. Smith, acting for the government, he, Dr. Wright, wrote in October, 1883, to say that as animals could not be seen at night, it was utterly impossible to inspect them, and that he never received any reply to his letter.

16. That professor Smith, chief of the veterinary staff of the Dominion government for Ontario, said to him (Dr. Wright) in Toronto, that he, Professor Smith, could make the inspection and sit in his office in Toronto as well as he could by standing alongside of the car in Port Huron or Detroit. That the inspection as made is of no value whatever.

The two preceding allegations in so far as they relate to Professor Smith have been communicated to him, and he utterly denies that there is any truth in them. I have to add that they are at utter variance with any representations which Dr. Smith ever made to the department, and I, therefore, have no difficulty in coming to the conclusion of attaching credence to his statement in preference to that of Dr. Wright's; I attach Mr. Smith's letter containing his own statement on the subject. Other points of the remarks under these numbers, 14 and 16, have been answered in the preceding statements herein.

3. That Dr. Wright made objections, but afterwards acquiesced on an understanding that he should receive more pay.

4. That he was subsequently sent for by Mr. Smith, and informed that the minister of agriculture was much annoyed at the threatening position, which he, Dr. Wright, had taken.

5. That Mr. Smith told him he must make a written apology for having threatened to publish anything regarding the inspections, but that he, Dr. Wright, replied: "I told him I would not do so."

6. That Dr. Wright then read the proposed article, and got up to leave the office when Mr. Smith requested him to "hold on," and promised him that a little later the government would comply with his demands, on condition of giving a written retraction of the threat to publish anything, and that he would get extra pay the same as other inspectors.

7. That Mr. Smith then wrote out what he thought would be satisfactory to the government about withdrawing the threat to publish, etc., and that he (Dr. Wright) signed it.

The several allegations of Dr. Wright under the numbers of the *precis* above given have reference to his personal relations with the department, the Grand Trunk and Professor Andrew Smith, of Toronto, under whose direction Mr. Wright was placed by the late minister, Mr. Pope, in his capacity as chief quarantine inspector for the department in the province of Ontario. I think the best answer to the erroneous and untrue statements of Dr. Wright is by the actual correspondence in relation to them, appended to this report.

In the winter of 1883, Mr. Wainwright of the Grand Trunk Railway Company showed me a *liasse* of correspondence which he has probably yet in his possession, revealing one of the most outrageous attempts to levy blackmail which I ever saw. I told Mr. Wainwright that the whole correspondence was grossly irregular, and I told him his company should not have entertained a correspondence of that nature with an officer of the department. I also told him that he must not in future have any correspondence with Dr. Wright in relation to his (Dr. Wright's) duties, but refer all such matters to the department.

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Dr. Wright was at that time only retained in his position by the intercession of Professor Smith and Mr. Patterson, the member for Essex, on his behalf, and the assent of the then minister to retain him was given most reluctantly, as will appear from the facts in the correspondence subjoined. It is abundantly evident from all this correspondence that Dr. Wright's anxiety was how to extort more pay, not how much more efficient he could make the inspection. He was quite willing to undertake any sort of inspection if he got money enough to satisfy him for it.

10. That all cars used in the transit of such cattle through Canada should be thoroughly cleansed and disinfected before being used for the transport of Canadian cattle. That this regulation was not carried out.

13. That the cars used for the transport of United States cattle were not properly cleaned and disinfected before being used to carry Canadian cattle, to the great danger of the health of the cattle in Canada.

These allegations (nos. 10 and 13) respecting the cleaning and disinfecting of the cars which have carried American cattle in transit, have no foundation. It is not true that cars which have carried American cattle in transit have been permitted for the carriage of Canadian cattle, such practice would be direct violation of the regulations. It has happened when the Grand Trunk from time to time desired to withdraw any cars from the service, they have asked for special permission which has been specially granted, the cars so withdrawn from transit service have been disinfected with particular care.

12. That the government had not always employed qualified veterinary surgeons as the regulations required; and that they had at one time employed a butcher, and at another a shoemaker to do the inspecting, when properly qualified veterinary surgeons offered their services.

This allegation (no. 12) is a pure invention and entirely without any foundation. The government never employed in this inspection service any persons except Dr. Wright, V.S., Mr. Matthews, V.S., and Mr. Westell, V.S. It is for Dr. Wright to say whether he classifies himself as a butcher or a shoemaker. The qualifications certainly could not apply to either of the other two gentlemen named.

8. That he now informs the farmers of Canada and the English government of the farce of inspection, which he states has so far served the purpose of the railway companies, in return for which they gave the government an equivalent in the way of political support.

17. That Canadian farmers are entitled to the same measures of protection as the English farmers by the quarantine regulations relating to the importation of cattle, which can only be afforded by prohibiting the importation of American cattle.

The allegations (nos. 8 and 17) have no foundation in fact and are besides mere generalities. There is no political consideration whatever involved in this transit; and as to the protection of Canadian farmers in the regulations relating to the importation of American cattle, there is no importation in the simple sense of the word, the animals only coming in, in transit, and going out again in a few hours, in strictly isolated cars, used exclusively for this service.

J. LOWE,
Deputy Minister.

DEPARTMENT OF AGRICULTURE, OTTAWA, 23th September, 1891.

Correspondence referred to in the above memorandum, may be found on preceding pages.

(Private.)

TORONTO, 26th December, 1893.

J. LOWE, Esq.,

Department of Agriculture, Ottawa, Ont.

DEAR SIR,—Yours of the 20th enclosing copies of correspondence re Dr. Wright duly received. I enclose copy of letter withdrawing his threats etc., before I communicated with Mr. Hickson. Would like to know if you think it is sufficient. He still makes demands for back pay.

I am yours truly,

ANDREW SMITH.

TORONTO, 25th September, 1891.

J. LOWE, Esq.,

Deputy Minister of Agriculture, Ottawa, Ont.

MY DEAR SIR,—Yours of the 21st, enclosing Dr. Wright's statements, just received on my return from Montreal. The statements, I believe, are the same as sent to the *Globe*, but the reporter did not show them to me. I never made any such statements as Wright alludes to. If he had not retracted his threats he would have been dismissed. You have also my report of February, 1890, when I visited in Detroit at the request of the department.

The statements have not been published in the *Globe*, as I mentioned to you in my former letter that it would be well to enquire as to the character of the writer before publishing any statements.

I am, my dear sir,

Your obedient servant,

ANDREW SMITH.

SOUTH COLCHESTER, 19th October, 1891.

Hon. Minister of Agriculture.

SIR,—I have read the article written by Dr. J. B. Wright in regard to the inspection of American cattle coming into Canada, and personally looked into the matter, and I find what he says about the subject to be true. As a farmer I am satisfied that it is impossible to make any inspection of cattle and hogs. A short time ago, I, as well as my neighbours, lost a great deal by our hogs dying from cholera, which was no doubt brought into the country by American hogs. I think it is an outrage on the farmers to allow the railways to carry hogs and cattle through the country.

I would like to hear from you on the subject.

Yours truly,

A. B. BRUSH.

DEPARTMENT OF AGRICULTURE, 28th October, 1891.

A. B. BRUSH, Esq.,

South Colchester, Ont.

SIR,—I have to acknowledge your letter of the 19th instant, referring to an article which you state has been written by Dr. J. B. Wright in regard to the inspection of American cattle coming into Canada. I should feel obliged if you would send to the department a copy of the communication to which you refer, or point out where it may be obtained, in order to enable me to see the precise statements made.

Your letter makes mention of American cattle coming into Canada. They are not allowed simply to come in; only to pass through in transit, in bond, in specially closed cars, which are not allowed to be used for the carrying of Canadian cattle, and which are, in all cases, disinfected before entering Canada again. It is not thought possible that contagious disease can be introduced in this way.

It is the same with regard to hogs. They are only allowed to pass through in transit, in the same way as cattle, and under the same regulations, or to come in for slaughter, when they are only allowed to touch Canadian soil within the enclosures of packing houses, from which they never go out alive.

The department will be glad to obtain from you any particulars in the matter to which you refer, its anxiety being very great to afford all possible protection to Canadian farmers.

I have, etc.,

J. LOWE,

Deputy Minister.

RETURN

(95)

To an ADDRESS of the SENATE, dated the 19th June, 1894, for a copy of the Report made on the 5th May, 1891, by Sir Douglas Fox, regarding the proposed Tunnel under the Straits of Northumberland, without the plans and maps; also copies of Reports on the same subject by Mr. Francis Bain, dated the 9th and 18th of December, 1890, and the 14th March, 1891.

JOHN COSTIGAN,
Secretary of State.

28 VICTORIA STREET, WESTMINSTER, LONDON, 5th May, 1891.

To the Hon. GEORGE E. FOSTER,
Minister of Finance for the Dominion of Canada, Ottawa.

SIR,—In accordance with instructions conveyed to me through the Hon. Senator Howlan, I have now the pleasure to hand you my report upon the proposed tunnel under Northumberland straits.

Owing to the valuable information given to me by the Hon. Senator Howlan and Mr. Bain, I have been enabled to deal with the matter in a much more comprehensive way than would otherwise have been possible.

I am, sir, yours faithfully,

DOUGLAS FOX.

PROPOSED RAILWAY TUNNEL UNDER THE NORTHUMBERLAND STRAITS, BETWEEN NEW BRUNSWICK AND PRINCE EDWARD ISLAND.

Report of Sir Douglas Fox, Member of Council of the Institution of Civil Engineers and Corresponding Member of the American Society of Civil Engineers.

28 VICTORIA STREET, WESTMINSTER, S.W., LONDON, 5th May, 1891.

To the Hon. GEORGE E. FOSTER,
Minister of Finance for the Dominion of Canada, Ottawa.

SIR,—In accordance with instructions received by me on the 17th September, 1890, through the Honourable Senator G. W. Howlan, I detailed Mr. Alfred Palmer, a civil engineer upon my staff, to make a preliminary inspection of the proposed site for the railway tunnel under the Northumberland straits, to connect the railway systems of New Brunswick and of the Dominion generally with that of Prince Edward Island.

He was accompanied by the Hon. G. W. Howlan and by Mr. Francis Bain, whom I understand to be a local geologist of repute.

Mr. Palmer reports that having reference to the opinion of Mr. Bain as to the strata under the bed of the sea on the line of the tunnel, the proposed location under the narrowest portion of the straits between Money Point in New Brunswick and Carleton Point in Prince Edward Island is well selected from both a constructive and a traffic point of view.

The greatest depth of water is shewn as being 96 feet at high water with a rise of tides of 6 feet at springs and 3 feet at neaps, and the speed of the current is not exceeding 3 knots with two hours of slack water each tide.

The distance from shore to shore is given as about 13,200 lineal yards, or say from shaft to shaft 13,500 lineal yards, exclusive of the land approaches on either side of which about 2,000 lineal yards would be in the tunnel.

Mr. Palmer further reports that the shores upon either coast are well adapted for railway approaches varying from 15 to 35 feet in height above high water mark, with a mean altitude of about 25 feet, the soil being of a red clayey nature. It appears also that the higher land on the Prince Edward Island shore falls away towards the interior, which will therefore shorten the approaches on that side.

Mr. Palmer considers that about $5\frac{1}{2}$ miles of railway, including some 2,000 lineal yards of tunnel, as before mentioned, will be necessary beyond the shafts to connect the tunnel with the respective systems of railway which, however, are of a different gauge, viz. :—4 ft. $8\frac{1}{2}$ in. in New Brunswick and the Dominion generally and 3 ft. 6 in. in Prince Edward Island.

Brick clay, free from lime, is said to exist at several points in Prince Edward Island, and a sample brick of good quality has been forwarded to me, together with a report by Mr. Bain thereon, dated the 9th of December, 1890, of which a copy is annexed hereto. (Appendix A.)

Coal of good quality from Pictou, and timber could be delivered at the shafts at moderate prices.

I assume that any materials or machinery required to be imported for the works would be admitted free of duty.

I am informed that ordinary labour is worth about 4s. and skilled labour about 6s. per day.

The ruling gradient on the main lines of New Brunswick is given as 1 in 81 or 65 feet per mile, and that in Prince Edward Island as 1 to 58 or 90 feet per mile. From the approximate cross section of the straits, accompanying Mr. Bain's report herein-after referred to, it appears that no difficulty would be encountered on the question of gradients as the levels of the tunnel could be so arranged, as approximately shown on the cross section (Appendix F) as to give a sufficient thickness of solid strata between the extrados or crown of the tunnel and the bed of the straits, without involving any steeper incline than 1 in 100, or 52.8 feet per mile, whilst the approach tunnel can be laid out with a ruling gradient of 1 in 66 or 80 feet per mile, both tunnels draining into one pumping shaft as shown.

It would be convenient but not essential for constructive purposes that the tunnel alignment should be a straight line from shaft to shaft.

Upon the all important-question of the stratification on the proposed alignment, Mr. Palmer quotes the following opinion given to him verbally by Mr. Francis Bain on the occasion of his visit:

“In his belief a bed of red clay shale varying in thickness from 50 to 80 feet extends right across the straits of Northumberland. It lies almost horizontally upon a carboniferous or grey sandstone base, and is said to contain small occasional lenticular masses of fine red sandstone.”

Mr. Palmer adds as the result of his own investigation, “The geological outcrop on either shore in which the strata are distinctly visible, the formation of the surrounding country, the stratification seen in neighbouring wells, combined with the opinion of Mr. Bain, the geologist, who is a native of the island, and has a knowledge of its entire formation, prove that a most favourable and impervious strata does exist for subaqueous tunnelling.”

Northumberland Straits Tunnel.

Accompanying Mr. Bain's report upon the brick clay came a cross section of the straits plotted to a distorted scale (Appendix B), together with samples of shale and sandstone as found in the neighbourhood.

Having communicated, through the Hon. G. W. Howlan, my desire for further and more distinct information, I received the reports by Mr. Bain, dated respectively the 18th December, 1890, and the 14th March, 1891, of which copies are annexed (Appendices C and D), together with a cross section of the straits to a natural scale (Appendix E).

In the report (D) Mr. Bain remarks:

"The great shale beds are persistent and uniform, but the small arenaceous or calcareous deposits which occur in them are local lenticular and discontinuous and not likely to form leads for water. * * These shales are impermeable to water. The carboniferous base of sandstone will possibly form a dangerous source of water, and it should be avoided, but, as already remarked it does not break up under the bed of the straits here. * * *

"It is my duty to state that though convinced of the accuracy of what I now present, a more minute and detailed geological investigation should be made before active engineering operations are begun."

I have also before me a copy of a letter addressed on January 9th, 1891, to the Hon. G. W. Howlan by Sir William Dawson of McGill university, Montreal, which runs as follows:

"I beg to say that I have read and examined the report and section prepared by Mr. Bain, with reference to the proposed tunnel from Carlton Head to Cape Jourmain, which you were kind enough to shew me, and that from my knowledge of the geological structure of the locality, I have no hesitation in stating that I believe the report and section fairly represent the character of the beds to be penetrated by the proposed tunnel, and that these will not present any serious difficulty, the ground being in fact as favourable as could be desired for such a work."

It is evident from the cross sections supplied by Mr. Bain that it is possible to locate the tunnel entirely above the carboniferous sandstone strata and care should be taken not to tap these strata either by shafts or borings in the immediate neighbourhood of the intended work.

So far as I can judge from the small specimen of the shale in my possession I agree that it is likely to be impermeable to water and to form a favourable material for tunnelling operations. The cross section, however, shows that owing to the slight inclination of the beds the tunnel cannot be made to pass entirely through this stratum but must necessarily cross at an oblique angle and therefore for some distance through certain sandstone beds which are shown thereon and which I understand to be red sandstone similar to samples in my possession.

Judging from subaqueous work carried on under my supervision in sandstone of a somewhat similar character, I should expect a certain amount of percolation but not large feeders of water from this rock. It is of course impossible to speak with certainty upon this point, but I am strengthened in this opinion by the conformable nature of the strata in the neighbourhood which I understand from Mr. Palmer to be remarkably free from faults, showing that the beds as mentioned by Mr. Bain have not been exposed to strain.

Owing to the great depth at which the tunnel in some portions of its length will lie below the level of high water, viz.: 156 feet to the underside of the invert, it would be impossible for men to work under the full hydrostatic pressure which would amount to about 68 pounds per square inch, whereas 40 lbs. per square inch can only be endured at considerable risk and for a short time. Whilst, therefore, a reduced pressure might be found useful at certain points to check the flow during construction it would be necessary to make provision for pumping such feeders as might be met with reduced as before mentioned and limited also by exposing at one time as short a length of ground as possible.

Since I reported upon this subject to the Hon. (now Chief Justice) Sullivan on the 7th April, 1886, much progress has been made in the driving of subaqueous tunnels in water bearing strata by means of shields similar to that introduced by

Mr. J. H. Greathead, Mem. Inst. C. E., for the subways under the river Thames in this city, afterwards adopted for the Sarnia tunnel on the Grand Trunk Railway and now working with some modifications of detail in the tunnel under the river Hudson in New York, and in the Vyrntory tunnel under the river Mersey. By means of such a shield, suitably designed in wrought iron or steel, work can be carried on with much greater safety to the men employed and without the use of temporary timbers which whether left in permanently or withdrawn constantly prove a source of weakness to the permanent work.

In very soft and wet strata and where compressed air has been employed it has been found desirable to adopt for the permanent tunnel a cylinder of cast iron with suitable flanges, such cylinder being sometimes lined wholly or partially with brickwork for protection purposes.

In homogeneous and dry strata such as the shale referred to by Mr. Bain, I have a strong preference for a tunnel also cylindrical in form but composed entirely of brickwork in cement (grouted externally where practicable) as being of a much more permanent character than an iron structure, which, however well protected, must be more or less subject to corroding influences.

In the present instance there would be great advantages in a brickwork tunnel of using local instead of imported materials of much reduced cost, and of more easily providing refuges for the platelayers.

I should propose therefore to carry out the work from a shaft at each end or possibly from a permanent pumping shaft at Carlton Point, and from an open face at Money Point by means of a shield specially designed for rapid progress in good material, and in conjunction with brickwork but so arranged that where, as in the sandstone beds, feeders may be met with, an iron casing may be readily introduced to keep back the water, and to reduce the permanent pumping. In my estimates I allow for a considerable length (one-fourth of the whole distance between the shafts) of such casing.

The shield can also be so arranged as to permit of a small test heading being kept in advance of the main work, which I have found in similar works under my charge to be of great advantage.

The highest speed as yet attained with a shield in connection with a cast iron tunnel is, I believe, from $3\frac{1}{2}$ to 4 yards per day as an average at each face, but through the strata shown to exist under the Northumberland straits, I anticipate no serious difficulty in attaining an average speed of about 5 yards per working day, or say 300 days per annum at each face, which after allowing for shaft sinking, brick making, and other preparations would enable the tunnel to be completed within from $5\frac{1}{2}$ to 6 years from the commencement of the work.

Locomotive pumps, of special design, would be necessary to clear the face of the work on the descending gradient at the New Brunswick end of any water which may percolate through the shield during construction, and permanent provision would have to be made at the pumping shaft for dealing with any water arising during construction in the work driven from the Prince Edward Island end, as well as permanently with the leakage arising throughout the tunnel.

Compressed air plant would be required at each shaft, for the purposes of ventilation during construction and also for establishing pressure at the working faces if required.

Owing to the great length of the subaqueous tunnel, viz., 13,500 lineal yards (or rather over $7\frac{1}{2}$ miles) from shaft to shaft, and to reduce as far as possible the enhanced cost, and delays consequent upon such long leads as will be necessary, a well laid line of way should follow up the work as closely as possible upon which pumps, lighting plant, excavation materials and workmen may be rapidly conveyed.

If the permanent tunnel be of normal size, then by adopting a narrow gauge and proportionately small rolling stock for this temporary purpose, passing places and sidings can be introduced.

The motive and pumping power and the lighting of the tunnel during construction can be provided for by at once installing electrical plant to be permanently used as hereinafter proposed.

Northumberland Straits Tunnel.

The important question of the size of the tunnel is one which must be decided by two considerations, viz., that of first cost and that of the comparative facilities for the interchange of traffic between the mainland and Prince Edward Island.

The preliminary expenses and the cost of shafts, brickyards, pumping plant, compressed air, electrical and ventilating machinery would not be very materially affected by the size of the main work, and these items together with the cost of engineering and the allowance for contingencies are included in the following approximate estimates for the different sizes of tunnel which, however, are exclusive of land, interest during construction and rolling stock and also exclusive of the cost of the necessary alterations and additions to the railway systems on either side of the straits, which, I am informed, do not come within the scope of my present instructions. I have, however, included the necessary length of land tunnel in Prince Edward Island, leaving only the ordinary above ground extensions to be dealt with separately.

If it were a question of passage of traffic only, this might probably be quite satisfactorily met by the construction of a tunnel having an internal diameter of 11 feet (slightly larger in diameter than the electric subway in London which is carrying a heavy passenger traffic) and operated with special rolling stock, which could, however, be so designed as to run over the existing railways of the 3-6 gauge in the island, so that passengers would only have one change of carriage at the New Brunswick end of the tunnel, a matter of no great importance. Such a tunnel would also accommodate freight cars of special design suitable for all classes of ordinary traffic.

A cross section of such a tunnel showing rolling stock is given in appendix G.

I am informed that the transshipment of potatoes, eggs and fresh fish is objectionable, especially in winter. Exposure to frost could, however, be avoided by running the main line and tunnel cars alongside one another in a freight shed at Money Point, properly warmed for the purpose. By suitable arrangements, of which I have had experience elsewhere, the delay and inconvenience of transshipment can be reduced to a minimum. Against this slight inconvenience must be set the largely enhanced expenditure, not only upon the full sized tunnel, but also upon rolling stock of the 4-8½ gauge, if the island traffic is to run through to its destination without change of car, and such through working would also in all probability involve much empty running in the absence of return freight.

Such a tunnel constructed, as shown in appendix G, in the dry portions of the work of brickwork in cement averaging 1-6" thickness (the bricks being of local manufacture) and where feeders occur with cast iron casing 1¼" in thickness with 6" flanges laid with permanent way, having steel rails weighing 50 lbs. to the lineal yard, I estimate to cost, subject as hereinbefore mentioned, £66-10-0 nearly per lineal yard, or say £897,500 from shaft to shaft, or with the land tunnel and contingencies a total sum of £1,075,200—(at \$5 to the £) \$5,376,000. Should it be decided that the tunnel must be of sufficient dimensions for an ordinary railway of the 4-8½" gauge, and that the railways of the island shall be altered to that gauge a tunnel of 16 feet in diameter would appear to just accommodate passenger and freight cars of the normal Canadian and American type, but not drawing room and sleeping cars, nor some of the cars reported to me as running upon the Intercolonial railway. This size does not allow of a very satisfactory permanent way, nor does it provide proper space for the platelayers.

Such a tunnel constructed in the shale of brickwork in cement, 1'-10½" in thickness and when feeders occur with cast iron casing 1-1½" in thickness with 9 flanges and laid with permanent way having steel rails weighing 70 lbs. to the lineal yard,—I estimate to cost, subject as hereinbefore mentioned, £122-10-0 nearly per lineal yard, or say £1,652,500 from shaft to shaft, or with the land tunnel and contingencies a total sum of £1,971,800—\$9,859,000.

I am of opinion that to properly accommodate the Canadian and American rolling stock generally (exclusive of the special cars on the Intercolonial Railway) the tunnel should have an internal diameter of not less than 18 feet.

Such a tunnel constructed as specified for the 16-foot tunnel, I estimate to cost, subject as hereinbefore mentioned, £140 sterling per lineal yard, or say £1,890,000

from shaft to shaft, or with land tunnel and contingencies a total sum of £2,252,500—\$11,262,500.

I would recommend that before inviting tenders for the chain work, a shaft so placed at Carlton Point as approximately shown on appendix F, as to be afterwards available for permanent pumping and ventilating purposes, should be sunk well into the red clay shale, which lies above the grey carboniferous sandstone, care being, however, taken not to approach closely to such sandstone. This shaft might be either at once lined with local brickwork upon hardwood cribs, or temporarily with timber. If any large feeder were met with a portion of the shaft might require cast iron tubing. A pumping plant of sufficient power to deal with any ordinary feeder should be provided before commencing to sink.

Borings similar to those taken at the Sarnia tunnel (viz., from a vessel or platform through 6" wrought iron pipes, so as to ensure cores of sufficient size and undamaged being brought to the surface) should be made at intervals of, say, not more than 500 yards, right across the straits and down to the carboniferous bed rock, but this line of borings should be at some distance, say 300 yards from the centre line of the tunnel. This work should be carried out in the presence of an experienced engineer who should carefully note the sample taken.

With this information obtained much closer tenders may be expected for the construction of the tunnel, whilst the cost of these temporary works will be comparatively insignificant.

When the work is resolved upon immediate steps should be taken :

1st. To connect the existing railways either permanently or by temporary "overland routes" to the shafts with the tunnel works.

2. To establish brickyards at the nearest available site where good clay free from lime is to be found. The quantity of bricks required will vary from 30 to 60 millions according to the size of the tunnel.

3. To erect dwellings, stores, &c., for the staff and workmen.

4. To put down the permanent pumps and provide the necessary plant for temporary purposes.

5. To install the necessary electric plant and motors.

6. To provide and fix the compressed air machinery. The tunnel when ready for traffic would require mechanical ventilation, but by the adoption of a door at one end to be locked and worked automatically with the signals, the necessary machinery would be reduced to great simplicity, and might consist of a fan of probably thirty feet diameter with the necessary engines and boilers similar to those erected under my supervision and which have now worked most successfully and economically for several years on the Mersey railway at Liverpool.

The traffic through the tunnel could be advantageously conducted either by cable or by electric motor, somewhat similar in general principle though not in detail to those now in regular work in London, and about to be introduced by Mr. Greathead and myself in Liverpool.

Arrangements would have to be made for protecting the approaches at either end from snow and for clearing them of water which would otherwise find its way to the tunnel.

I have been greatly assisted in the preparation of the necessary data for this report by the Honourable Senator Howlan, who has given much time and attention to the matter, and whose local knowledge has enabled me to arrive at a close estimation of the requirements.

I am, sir, yours faithfully,

DOUGLAS FOX.

Northumberland Straits Tunnel.

THE NORTH RIVER, P.E.I., 9th December, 1890.

Hon. G. W. HOWLAN, Charlottetown.

DEAR SIR,—Referring to the several samples of brick clay which you have placed in my hands for examination as to their freedom from lime, I beg to report as follows:

No. 1. Is the clay from Cardiff's brickyard, Charlottetown Harbour. The sample examined by me was free from lime, showing no trace, when subjected to hydrochloric acid under water. The bricks manufactured from it show no stains of lime under a good magnifier.

No. 2. Is clay from Hughes' brickyard, Tignish. The sample examined showed scarcely a trace of lime. It makes good firm brick.

No. 3. Is clay from Nail Pond. It occurs in large deposits, but is only suitable for general purposes.

No. 4. Is brick made at Hurd's Point, Bedeque. It shows a very small trace of lime. The other clays examined I think not sufficiently clear of lime to be considered here.

No. 1 clay. The clay no. 1 seems the most suitable from which to manufacture bricks for a tunnel. Bricks made from it are here laid in cement for tanks and experience shows them to be very suitable. Specimens of these bricks subjected to the action of salt water for fifty years have remained intact.

The deposits of this clay seem to be of sufficient extent to make a very large amount of bricks.

No. 5. The shale across the straits. I have examined also a specimen of the shale which is shown on my geological map of the straits of Northumberland and I am of the opinion whilst it would make a good brick for ordinary work it is not sufficiently free from lime for tunnel work.

In conclusion I beg to say that in my opinion good hard burned bricks could be delivered at either Cape Jourmain on the New Brunswick side or Carlton Head on the Prince Edward Island side of the straits of Northumberland at and after the rate from eight to ten (10) dollars per thousand.

I am yours respectfully,

FRANCIS BAIN.

NORTH RIVER, P.E.I., 18th December, 1890.

To Hon. GEO. W. HOWLAN,

Senator of Canada.

SIR,—In submitting to you the accompanying approximate section of the strata underlying the straits of Northumberland between Carlton Point and Cape Jourmain on the line of the proposed tunnel, I think it proper to give the following explanation of the data on which I based the conclusions therein expressed.

1. We know from a careful study of the exposures on either side of the strait that the strata in question belong to the lower half of the Permian formation.

2. We learn from its exposure by various upheavals on the borders of the strait what the nature of this group of strata is. At Rice Point, for example (see accompanying section n^o 2), its beds are thrown up by a transversal and we have exposed on the sea worn coast line a beautiful section of them which we can examine in detail as we pass along the shore.

Here they seem to consist largely of red clay shale, and in every other instance when we find the same group of strata exposed it bears the same general character. This is the case in Hillsborough bay, in Bedeque and Malpeque bays, and on the western shore of the island, so that we may conclude that the lower Permian beds between capes Traverse and Tormentine consist largely of shales and shaley beds.

3. An examination of the exposures about the capes proves this conclusion to be correct. The lowest bed of the series cropping out in the marsh inside of Jourmain island is a large shale bed associated with some soft sandstone. This bed reposes on the mill stone grit. On the top of this shale are five or six feet of red sandstone seen on the outside of Jourmain island. This is followed by another extensive bed of shale exposed on the beach at low tide and for more than a mile out of this clay bottom prevails. Then comes a reef of rock making an elevation on the profile of the bottom of the strait (in A, section n° 1). This reef is produced by a well known brown and grey sandstone band occurring in this part of the formation, the same that produces St. Peter's island and reef. Succeeding this going northward is another great shale bed whose easy denudation has made the deepest soundings in the strait (B, sec. 1). Near the Prince Edward Island coast sandstones come in with the shales, but that the latter still greatly predominate is evident from the deep soundings. Six fathoms well into Carlton Point.

The strata between the capes repose in a very undisturbed position being out of the line of the great anticlinals of the gulf.

They have, however, a gentle inclination toward the centre of the gulf basin giving them a dip of 1° E.N.E. This undisturbed condition and small inclination of the beds makes them very favourable for tunnelling as the excavation would enter the great shale beds on Jourmain island, and be able to follow them a long way with little cutting across the strata. I must add, however, that the section given is but a rough outline of the general features of the formation under the straits. In order to give a detailed and accurate account of the beds one would need to examine carefully and extensively the sections along the borders of the strait and probably require the assistance of some test borings along the line of the proposed tunnel.

Most respectfully yours,

FRANCIS BAIN.

NORTH RIVER, 14th March, 1891.

Hon. Senator HOWLAN.

SIR,—In reference to an extract from a communication of Sir Douglas Fox, which you kindly showed me, I beg to state that the cross section of the strait referred to, viz.: that sent to Sir Douglas last November, was drawn on a scale which represented the vertical depth proportionally thirteen times greater than the horizontal extension. This represented the beds with a dip thirteen times greater than they actually possess.

The real dip of the beds is very small, being about 60 feet to the mile on the average.

This small dip also is not quite regular being greater on the Cape Jourmain side and less on the Prince Edward Island side.

So far as I can ascertain there are no abrupt flexures or outbreaks of the strata, but they lie undisturbed on the slightly inclined, ancient carboniferous floor of the gulf. This floor has been broken up by anticlinals in other parts of the basin thus relieving the strain on the beds and leaving the strata undisturbed in the capes.

I now send you sheet no. 2 with a section (fig. 1) in which the beds are represented on a natural scale. It has the advantage of presenting this nearly horizontal position at once to the eye.

In this section as in the former there appears several well defined beds of sandstone. To these Sir Douglas Fox refers in particular. The most important of these are no. 2 and the sandstone bands in no. 4 (see figs. 1 and 2, sheet 2).

No. 2 is represented as being 50 feet sandstone. In reality it consists of irregular deposit of brown and red sandstone and red shale with some calcareous beds. We find it appearing in several widely separated localities; but it is irregular and not continuous.

Northumberland Straits Tunnel.

The upper sandstone bands in no. 4 are probably as well defined as any other sandstones in the whole series. They bear the same characteristics as the sandstone beds of no. 5. We have these last well exposed on the shore section at cape Traverse. In figure 3, I have given a section of the upper half of no. 5 as it appears in following its strike carefully for three miles. In that distance the sandstone is changed three times into extensive deposits of shale. The same is probably the case with the sandstone bands of no. 4.

In figure 4, I have given a section of part of the calcareous based in no. 5. This shows its irregular and complex structure.

Indeed the minor bands of this series have no sort of continuity. The great shale beds are persistent and uniform but the small arenaceous or calcareous deposits which occur in them are local, lenticular and discontinuous, and not likely to form leads for water. The great shale beds no. 1 and 3 are found continuously over an extent of more than 100 miles along the basin of the strait, and compose the great bulk of the mass of the strata of the lower Permian. They are much more extensively developed fifty miles to the eastward than they are at the capes crossing. These shales are impermeable to water. Their surface always affords the water beds of the system on which the underground drainage accumulates until it finds an outlet. Bed no. 1 was partly penetrated by a well on Jourmain island. A small quantity of water lay on the top of it affording a weak spring, but not a drop accrued in its mass for the depth of 36 feet which it was penetrated, and in well digging this is always found to be the case where these shales are penetrated.

The carboniferous base of sandstone will probably form a dangerous source of water and it should be avoided, but as already remarked it does not break up under the bed of the strait here.

It is my duty to state that, though convinced of the accuracy of what I now present, a more minute and detailed geological investigation should be made before active engineering operations are begun.

I have the honour to be, sir, your obedient servant,

FRANCIS BAIN.

RETURN

(101)

To an ORDER of the HOUSE of COMMONS, dated the 28th May, 1894, for a detailed report showing the prizes awarded by the judges or jury at the Chicago Columbian Exposition for the work of pupils of primary and special schools of every kind and degree; and also to pupils of secondary educational institutions of each of the provinces of Canada.

JOHN COSTIGAN,
Secretary of State.

WORLD'S COLUMBIAN EXPOSITION: AWARDS FOR EDUCATION.

Quebec.

Academy Sisters of the Good Shepherd.....	Montreal.....	School work.
Aylmer Model School.....	Aylmer.....	Pupils' work.
Academy of Brothers of Christian Schools.....	Quebec.....	School work.
Brothers of Christian Institute.....	Laprairie.....	Miscellaneous exercises and herbarium.
Brothers of Sacred Heart.....	Arthabaska.....	School work.
Belmont School.....	Montreal.....	do
Bruchesi, Rev. Canon P.....	do.....	Exhibit of catholic schools.
Brothers of Christian Schools.....	do.....	Exercises, French and English.
Coaticooke Academy.....	Coaticooke.....	Pupils' work.
Congregation of Holy Cross.....	Montreal.....	Photographs and miscellaneous exercises.
College of St. Laurent.....	St. Laurent.....	Bound books and miscellaneous work.
Catholic Academy.....	Montreal.....	Specimens of linear and ornamental drawing.
City of St. Antoine.....	St. Antoine.....	Specimens of pupils' work.
Dunham Academy.....	Dunham.....	Pupils' work.
Elementary School.....	Repentigny.....	School work.
Gondreau, Miss (teacher).....	St. Pascal, Kamouraska.....	do
Dalpe, Miss T. (teacher).....	St. Mary Salome.....	do
Gelinas, Mr.....	Vaudreuil.....	Exercises, French and English.
Grey Nuns' School.....	Côte des Neiges, Montreal.....	School work.
Huntingdon Academy.....	Huntingdon.....	Special pupils' work.
Institute for Male Deaf Mutes.....	Montreal.....	Exercises, French and English.
Joliette College.....	Joliette.....	Miscellaneous work.
Knowlton Model School.....	Knowlton.....	Pupils' work.
Lachute Academy.....	Lachute.....	do
Lennoxville Model School.....	Lennoxville.....	Special pupils' work.
Lachine Model School.....	Lachine.....	do do
Mile End Public School.....	Mile End.....	Pupils' work.
Mrs. Marchand's Academy.....	Montreal.....	Miscellaneous school exercises.
Montreal College.....	do.....	Exercises in French, English, Latin and Greek.
Montreal Protestant Public School.....	do.....	Pupils' work.
Mount St. Louis College.....	do.....	do
Nicolet College.....	Nicolet.....	French and Latin composition and books of ten past years.
Provincial Government of Quebec.....	Quebec.....	General educational exhibit.
Polytechnical School.....	Montreal.....	Compositions and problems by pupils.
Rigaud College.....	Rigaud.....	Miscellaneous work.
Sherbrooke Model School.....	Sherbrooke.....	School work.
St. John's High School.....	St. Johns.....	do
Sisters of Good Shepherd.....	Quebec.....	Copy books and photographs of schools.
Sisters of Ste. Anne.....	Lachine.....	Class work.
School of St. Alexis.....	Quebec.....	Exercises, French and English.
Sarsfield School.....	Montreal.....	Miscellaneous school exercises.
Sisters of Charity.....	Quebec.....	School and needle work.
Ville Maria Convent.....	Montreal.....	School work.
Waterloo Academy.....	Waterloo.....	do
Grey Nuns of the Cross.....	Pointe du Lac.....	Exercises, French and English.

WORLD'S COLUMBIAN EXPOSITION: AWARDS FOR EDUCATION—*Concluded.**Ontario.*

Blenheim Schools	Blenheim	Specimens of work and photographs.
Courtland Avenue School and Kindergarten	Berlin	Pupils' work.
Catholic Schools	{ Hamilton St. Catharines London and St. Thomas }	School work.
De La Salle School	Renfrew	Specimens of school work.
Schools of County of East Middlesex		Specimens of work and photographs.
Schools of County of West Kent		do do
Schools of Halton County		do do
Institute for Blind	Brantford	Pupils' work and appliances for teaching.
Indian School	Oneida	School work.
Ontario Institute for Deaf and Dumb	Belleville	Pupils' work.
Kingston Public Schools	Kingston	School work.
Prince Edward County Schools	Ameliasburg	do
Paris Schools	Paris	do
Government of Ontario	Toronto	General educational exhibit.
Provincial Normal Kindergarten	do	Pupils' work.
Public School Board Kindergarten	Hamilton	do
Roman Catholic Separate Schools	Toronto and Ottawa	School work.
School of Practical Science	Toronto	Topographical and architectural drawings.
Shingwauk Industrial School	Sault Ste. Marie	Pupils' work.
Victoria School and Kindergarten	Galt	School work.

Nova Scotia.

Elementary Rural Schools of Nova Scotia		Maps, laws, school books, etc.
Public Schools of Nova Scotia		Work of public kindergarten.
Public Schools of Nova Scotia		Specimens of elementary school work, with photographs of buildings.
Public County Academies and High Schools of Nova Scotia		Specimens of work and photographs.
Special Provincial Institutions of Nova Scotia		Photographs and work of school for the blind.
Special Provincial Institutions of Nova Scotia		Work of normal school.
Special Provincial Institutions of Nova Scotia		Photographs and work of institute for deaf and dumb.

Manitoba and North-west Territories.

Battleford Indian Industrial School	Battleford, N. W. T.	Pupils' work.
Elkhorn Indian Schools	Winnipeg, Man	do
Joceylen Schools	Joceylen, N. W. T.	School work.
Kuper Island Industrial School	Vancouver, B. C.	Pupils' work.
Moosejaw S. Schools	Moosejaw, N. W. T.	School work.
Moosomin Schools	Moosomin, N. W. T.	do
Prince Albert School	Prince Albert, N. W. T.	do
Provincial Government of the North-west Territories	Regina, N. W. T.	General educational exhibit.
Regina Union Schools	do	School work.
Rupert's Indian Industrial School	Winnipeg, Man	Pupils' work.
St. Joseph's Industrial School	High River, N. W. T.	do
St. Albert's Industrial School	St. Albert's, N. W. T.	do
St. Boniface Industrial School	St. Boniface, Man	do
Whitewood Schools	Whitewood, N. W. T.	School work.
Wolseley S. Schools	Wolseley, N. W. T.	do
Wide Awake Schools	Prince Albert, N. W. T.	do

J. LOWE,

*Deputy Minister of Agriculture.*DEPARTMENT OF AGRICULTURE,
OTTAWA, 11th July, 1894.