

The Charlottetown Herald.

NEW SERIES.

CHARLOTTETOWN, PRINCE EDWARD ISLAND, WEDNESDAY, FEBRUARY 13, 1895.

Vol. XXIV. No. 6

Calendar for February, 1895

MOON'S PHASES.
First Quarter, 2nd day, 8h. 30m. p. m.
Full Moon, 9th day, 11h. 10m. p. m.
Last Quarter, 16th day, 8h. 50m. a. m.
New Moon, 24th day, 3h. 12m. a. m.

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun	High Water	Low Water
1 Fri	5	10	15	20	25	30	3	10	15
2 Sat	6	11	16	21	26	31	4	11	16
3 Sun	7	12	17	22	27	3	5	12	17
4 Mon	8	13	18	23	28	4	6	13	18
5 Tue	9	14	19	24	29	5	7	14	19
6 Wed	10	15	20	25	30	6	8	15	20
7 Thur	11	16	21	26	31	7	9	16	21
8 Fri	12	17	22	27	3	8	10	17	22
9 Sat	13	18	23	28	4	9	11	18	23
10 Sun	14	19	24	29	5	10	12	19	24
11 Mon	15	20	25	30	6	11	13	20	25
12 Tue	16	21	26	31	7	12	14	21	26
13 Wed	17	22	27	3	8	13	15	22	27
14 Thur	18	23	28	4	9	14	16	23	28
15 Fri	19	24	29	5	10	15	17	24	29
16 Sat	20	25	30	6	11	16	18	25	30
17 Sun	21	26	31	7	12	17	19	26	31
18 Mon	22	27	3	8	13	18	20	27	3
19 Tue	23	28	4	9	14	19	21	28	4
20 Wed	24	29	5	10	15	20	22	29	5
21 Thur	25	30	6	11	16	21	23	30	6
22 Fri	26	31	7	12	17	22	24	31	7
23 Sat	27	3	8	13	18	23	25	3	8
24 Sun	28	4	9	14	19	24	26	4	9
25 Mon	29	5	10	15	20	25	27	5	10
26 Tue	30	6	11	16	21	26	28	6	11
27 Wed	31	7	12	17	22	27	29	7	12
28 Thur	3	8	13	18	23	28	30	8	13
29 Fri	4	9	14	19	24	29	31	9	14
30 Sat	5	10	15	20	25	30	3	10	15
31 Sun	6	11	16	21	26	31	4	11	16

BUY YOUR

Drugs & Medicines

FROM

HUGHES

THE PEOPLE'S DRUGGIST.

He can select remedies for you in a great variety of cases. Hughes prepares the best.

Remedies for Horses & Cattle.

It will pay you to deal with Hughes, at the

Apothecaries Hall,

Charlottetown, P. E. I.

A Quiet Little Woman is an Accomplishment in the Home Circle.

NEXT TO HER

is an opportunity to get those CHOICE FRESH GROCERIES which are selling so cheap at the OLD TEA STORE.

Give us a trial order for a package of Peas, Ceylon, Syrahe or Blended Tea. You'll not regret it. To please in price and quality is our sincere aim.

JAS. KELLY & CO.

Charlottetown, Nov. 28, 1894. -3m

ENEAS A. MACDONALD.

BARRISTER AND ATTORNEY-AT-LAW.

Agent for Credit Foncier Franco-Canadian.

Office, Great George St.

Near Bank Nova Scotia, Charlottetown

N. B., 1892-1y

Short & Penmanship.

FOR A SHORT TIME ONLY the undersigned will give to those taking up his shorthand course by mail (costing only \$5 in advance, including text book, etc.) a free course in Penmanship by mail according to the "Muscular Movement" by Messrs. Platt & Co. which is a rapid and beautiful hand-writing can be acquired. Fee refunded in 1 month's time, if progress is not satisfactory. Write to

W. H. CROSKILL,

Stenographer, Charlottetown

June 4th, 1894-1y

Interesting to the Public.

It will interest the public to know that Macdonald & MacLean are now selling goods at lower prices than have ever been seen in this city, and that they carry a full line in everything required by the FARMER, FISHERMAN and OTHERS.

JUST RECEIVED:

450 Barrels Flour,
200 Eggs Raisins—Prices away down.
10 Tons Iron, all sizes.
2000 Mackerel Barrels,
1000 Bags Salt,
1000 Bushels packing salt,
50 Barrels Sugar,
25 Pouches Molasses,
Cupling & Herring for Salt.

A full line of English and Canadian Dry Goods, Ready-made Clothing, Boots & Shoes, Shaft Hardware, Agricultural Implements and Haying Tools.

Call and get prices and satisfy yourselves that we sell good goods at lower prices than you can buy elsewhere.

Highest price paid in cash for market.

LAUCHLIN MACDONALD, Secretary,
January 18th, 1895.

MATTHEW & McLEAN,
Sorris, July 26th, 1894.

McKAY WOOLEN CO.

CHEAP FLOUR

FOR CASH.

BEER & GOFF have a large stock of Flour on hand, which they bought at the lowest point touched by the Flour market, and they are now offering it to their customers at a small advance on the cost. Their new high-grade brand, called "LILY QUEEN," has been giving splendid satisfaction, and they can confidently recommend it as the best Family Flour on the market to-day.

BEER & GOFF.

Babies

and rapidly growing children derive more benefit from Scott's Emulsion, than all the rest of the food they eat. Its nourishing powers are felt almost immediately. Babies and children thrive on Scott's Emulsion when no other form of food is assimilated.

Scott's Emulsion

stimulates the appetite, enriches the blood, overcomes wasting and gives strength to all who take it. For Coughs, Colds, Sore Throat, Bronchitis, Weak Lungs, Emaciation, Consumption, Blood Diseases and all Forms of Wasting. See our pamphlet. Free. Scott & Bown, London. All Druggists. 30c a B.

WEEKS.

The Great Low Prices' Store of Charlottetown.

All the people know us, buy from us and come to us because we are The Great Low Prices Store of Charlottetown. We have everything to be found in a high class dry goods store and our prices are the lowest.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

WEEKS.

The Great Low Prices' Store of Charlottetown.

All the people know us, buy from us and come to us because we are The Great Low Prices Store of Charlottetown. We have everything to be found in a high class dry goods store and our prices are the lowest.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

WEEKS.

The Great Low Prices' Store of Charlottetown.

All the people know us, buy from us and come to us because we are The Great Low Prices Store of Charlottetown. We have everything to be found in a high class dry goods store and our prices are the lowest.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

W. A. WEEKS & CO.

The Peoples' Cheap Store, WHOLESALE & RETAIL.

WEEKS.

The Great Low Prices' Store of Charlottetown.

All the people know us, buy from us and come to us because we are The Great Low Prices Store of Charlottetown. We have everything to be found in a high class dry goods store and our prices are the lowest.</

Ask your Druggist for



Murray & Lanman's

FLORIDA WATER
A DAINTY FLORAL EXTRACT
For Handkerchief, Toilet and Bath.

Our Lady of the Sea.
By MARTHA PERRY LOWE.

Stately and bright,
She sits in the warm sunlight,
Or rises up pale, when the moon
Hark to the billows' tone;
To their endless song of love,
As she bends from her path above;
And alone is she,
Our Lady of the Sea.

She calls to prayer,
And the faithful ones enter there,
On a Sunday morn,
They lay aside their care,
And on wings of prayer are borne
To celestial clime,
On hended knees,
With Our Lady of the Sea.

The harbor all day is in sight,
And looks into her radiant face;
In rosy mantle of night,
Falls on her with wonderful grace,
Not a wave shall advance,
To wake her from her trance,
Her ecstasy,
Our Lady of the Sea.

When the storm rages loud,
Her white form is meekly bowed,
In supplication strong,
For the men upon the deep;
And they raise their vesper song,
When the wild waters sleep,
Hail to thee,
Our Lady of the Sea!

Christ With Us
By F. J. COLLEMAN.
"For the poor ye have always with you."
"Had we in Bethlem been, when Mary
Came
Forsaken from the storm," we muse in
pity,
"Our homes had not been shut to her in
shame,
She had not been an outcast from the
city.

"She had not passed forsaken and forlorn,
From kindred doors, an exile and a
stranger;
Her Babe in royal purple had been born,
Nor lain, among the oxen, in the manger.
"On hended knees had many a worshiper
On Christ, the King, in loyal love
attended.
And subject hands had offered gifts of myrror
And frankincense and gold and jewels
splendid,
Nay, may for Christ is ever at our door,
For shelter sweet and kindly pity
pleading,
And we—we only, like the blind of yore,
Discern Him not, hard-hearted and un-
heeding.

With beggar hands He sought us for alms,
He pines upon the threshold of the palace;
We know Him not, but scorn his out-
stretched palms,
And while He hungers, drink of plenty's
chalice.
Daily we meet Him, seeking mercy sweet
With tender face of orphan, wan and
withered,
He haunts us in the starveling of the street,
Among the sad, the tearful and distressed,
For still He loves the lowly and the poor,
And he who scorns to pity his outcast
brother,
Had turned of old the Saviour from his
door,
And barred his gates against His maiden
Mother.

But all the crust, the cup of water cold,
For Christ's sweet sake to whom need-
eth give,
Will yield us gain of grace of a million-
fold,
With rich requital in the courts of
heaven.

Manitoba Schools Act.
THE JUDGMENT OF THE IMPERIAL
PRIVY COUNCIL.
In London, on Jan 29th, in the
presence of Baron Watson, lord of
appeal-in-ordinary, Lord MacNaghten,
lord of appeal-in-ordinary, and
Lord Shand, member of the judicial
committee of the privy council, the
lord chancellor, Baron Herschell, de-
livered judgment allowing appeal from
the decision of the supreme court of
Canada in the case of Brophy and
others against the attorney general of
Manitoba, rendered February 23rd,
1894, and known as the "Manitoba
school case." No costs were allowed.

Edward Blake, M. P., leader of
the Canadian liberal party from 1880
to 1894, and formerly premier of
Ontario, and Mr. Ewart, of the Cana-
dian bar, were counsel for the ap-
pellants; Cozens Hardi, Q. C., Mr.
Haldane, Q. C., and Mr. Brady ap-
peared for the respondent.

In their lordships' opinion it is the
twenty-second section of the Manitoba
act which has been construed in the
present case, though it is of course
legitimate to consider the terms of the
earlier act and take advantage of any
assistance they afford in the construction
of the enactments with which they
so closely correspond, and which
have been substituted for them.

Before entering into a critical ex-
amination of this important section of
the Manitoba act, it will be convenient
to state the circumstances under
which the act was passed and also its
exact scope. It is the decision of
this board, in the case of Barrett v.
The City of Winnipeg, which seems
to have given rise to some misappre-
hension. In 1870 the union of the
provinces of Canada, Nova Scotia and
New Brunswick took place. Among
the obstacles which had to be over-
come in order to bring about that
union none perhaps presented a
greater difficulty than the differences
of opinion which existed with regard
to the question of education. It has
been the subject of much controversy
in Upper and Lower Canada. In
Upper Canada a general system of

provincial education had been
established, but with a proviso for
separate schools to supply the wants
of the Catholic inhabitants of that
province.

The second sub-section of section
22 of the British North America Act
of 1870, which was inserted by the
British Parliament in the Act of
Union, and which was in effect
imposed on the Province of Ontario
and the Province of Quebec, and
school trustees of the Roman Catholic
inhabitants of that province to the
detriment of the Protestant and
Roman Catholic inhabitants of
Quebec.

There can be no doubt that the
views of the Roman Catholic inhabi-
tants of Quebec and Ontario with
regard to education were shared by
the members of the same communion in
the territory which afterwards became
the province of Manitoba. They re-
garded it as essential that the educa-
tion of their children should be in ac-
cordance with the teaching of their
church, and they considered that
such an education could not be ob-
tained in the public schools designed
for all the members of the community
alike, whatever their creed, and that
it could only be secured in schools con-
ducted under the influence and guid-
ance of authorities of their church.

At the time when the province of
Manitoba became part of the Domi-
on the Roman Catholic and Protest-
ant populations in the province were
about equal in number, and prior to
that time there did not exist in the
territory which was incorporated into
the public system of education. The
several religious denominations had
established schools as they thought
it and maintained them by funds
contributed by members of their own
communion. None of them received
state aid. The terms upon which
Manitoba was to become a province
of the Dominion were a matter of ne-
gotiation between the representatives
of the inhabitants of Manitoba and
the Dominion Government. The
terms agreed on, as far as education
is concerned, must be taken to be
embodied in the twenty-second sec-
tion of the Act of 1870. Their lord-
ships do not think that anything is to
be gained by an inquiry as to how far
the provisions of this section placed
the province of Manitoba in a differ-
ent position from the other provinces,
or whether it was one more or less
advantageous. There can be no pre-
sumption as to the extent to which
the variation was intended. This can
only be determined by constructing
the words of the section according to
their natural signification.

Among the very first measures passed
by the legislature of Manitoba
was an act to establish a system of
education in the province. The
provisions of that act require examina-
tion. It is sufficient for the present
to say that the system established was
distinctly denominational.

This system, with some modifica-
tion of the original scheme, bore
fruit in later legislation and remained
in force until it was put in abeyance
by the act which has given rise to the
present controversy.

In Barrett's case the sole question
raised was whether the Public School
act of 1894, which affected any
right or privilege which Roman Cath-
olics possessed, either by law or
practice, was the privilege of estab-
lishing and maintaining for the use
of the members of their own church
such schools as they please. If ap-
pears to their lordships that this
right or privilege remained unimpaired,
and therefore it could not be said to
be affected by the legislation of 1894.
It was not doubted that the object of
the first sub-section of section 22
was to afford protection to denom-
inational schools, and that it was
proper to have regard to the intent of
the legislature and surrounding cir-
cumstances in interpreting the enact-
ment. But the question which had
to be determined was the true con-
struction of the language used. It
is true that the construction put by
this board upon the first sub-section
reduced within very narrow limits the
protection afforded by that sub-section
in respect to denominational schools.

It may be that those who have been
acting in behalf of the Roman Cath-
olic community of Manitoba, and those
who framed or assented to the word-
ing of that enactment were under the
impression that its scope was wider
and that it offered protection greater
than their lordships thought to be the
case, but such considerations cannot
properly affect the judgment of those
who have to judicially interpret the
statute. The question is not what
may be supposed to have been intended,
but what has been said.

More complete effect might in some
cases be given to the intention of a
legislature if violence were done to
the language in which their legisla-
tion has taken shape, but such a course
would on the whole be quite as likely
to defeat as to further the object which
is in view. Whilst, however, it is
necessary to resist any temptation to
deviate from sound rules of the con-
struction of the language, it is not com-
pletely satisfying the intention of the
legislature, it is quite legitimate that
more than one construction of a
statute is possible to select that which
will best carry out what appears from
the general scope of legislation and
surrounding circumstances to have
been its intention. Their lordships
then proceeded to consider the terms of
the second and third sub-sections of
section 22 of the act of 1870, and
upon the construction of which the
questions submitted chiefly depend.

For the reasons given, their lordships
concur with the majority of the
supreme court in thinking that
the main issues are not in any way
concluded either by the decision in
Barrett's case or by any principles in-
volved in that decision.

The second and third sub-sections
as construed by the respondent and
affirmed by some judges of the su-
preme court were decidedly only to
enforce the prohibition contained in
the first sub-section.

The arguments against this conten-
tion appear to their lordships to be
conclusive. In the first place that
sub-section needs no further provision
to enforce it. It imposes a limitation
on legislative powers conferred and
any enactment contravening its pro-
visions is beyond the competency of
the legislature, and therefore
null and void.

provincial legislature, and therefore
null and void.

The second sub-section ought not
to be construed as giving to parties
aggrieved an appeal to the govern-
ment council concurrently with the
right to resort to the courts in alle-
ging the provisions of the first sub-
section to be contrary to the consti-
tution.

Under the construction of the second
and third sub-sections of section 22
of the act of 1870, the nature of the
remedy which the third sub-section
provides for enforcing the decision
of the government council, strongly
confirms the view that the remedy is
either provincial or a law passed by
the parliament of Canada.

What would be the utility of passing
a law for the purpose of merely nul-
ling an enactment which the ordi-
nary tribunals would without legisla-
tion declare to be null, and which
they would refuse to give effect, such
legislation would indeed be futile. The
first sub-section invalidates a law af-
fecting prejudicially the right or privi-
lege of any class of persons.

The second sub-section gives an ap-
peal only where the right or privilege
affected is that of the Roman Catho-
lic minority. Any class of the ma-
jority is clearly within the purview
of the first sub-section, but it seems
equally clear that no class of the
Protestant or Catholic majority would
have a locus standi to appeal under
the second sub-section because the
rights and privileges had been affect-
ed. Moreover, to bring the case
within that sub-section it would be
essential to show that a right of
the privilege had been affected.

Could this be said to be the case
because a law had been passed which
purported to do something, but was
wholly ineffectual to prohibit a
particular enactment and render it
ultra vires? This surely prevents its
affecting any rights.

In their lordships' opinion the second
sub-section is a substantive enact-
ment, and is not designed merely
as a means of enforcing the provision
which precedes it. The question then
arises, does the sub-section extend to
the rights and privileges acquired by
legislation subsequent to the union,
it extends in terms to any right or
privilege of a minority affected by an
act passed by the legislature, and
would therefore seem to embrace all
the rights and privileges existing at
the time when such act was passed.

Their lordships see no justification
for a limitation in language
such as that which has been used in
this case, unless their lordships being
of the opinion that the enactment
which governs the present case is the
twenty-second sub-section of the Mani-
toba act. It is unnecessary to refer
at any length to the arguments de-
rived from the provisions of section 93
of the British North America Act.
But so far as they throw light on the
matter, they do not in their lordships
opinion weaken, but rather strengthen
the views derived from study of the
later enactment.

The omission from the sub-section of
the words "in terms" is not, in their
lordships' opinion, a ground for
limiting the scope of the sub-section
to the provisions of section 93 of the
British North America Act. The
words "in terms" are not used in
section 22 of the Manitoba act, and
the omission of the following words
undoubtedly have been important.
But the reason for the difference be-
tween the sub-sections was manifest.
At the time the Dominion act was
passed, a system of denominational
schools adapted to the demands of
the minority existed in some pro-
vinces, and in others it might there-
after be established by legislation,
whilst in Manitoba in 1870 no such
system was in operation, and it could
only come into existence by being
thereafter established. The words
which create the right of appeal in
the act forming the Dominion would
therefore have been inappropriate in
the act which Manitoba became a
province of the Dominion. But the
terms of the critical sub-section of
that act are, as has been shown,
subject to general and are not
made subject to any consideration or
limitation of the kind put by the
chief justice in the supreme court
to repeat the law which it has
itself enacted.

Their lordships are unable to con-
cur in the view there is any presump-
tion which ought to influence the
mind one way or the other. It must
be remembered that the provincial
legislature is not in all respects su-
preme within the province. Its legis-
lative power is strictly limited, and
it can deal only with matters declared
to be within its cognizance by the
British North America act as varied
by the Manitoba act. In all other
cases the legitimate authority rests
with the Dominion parliament.

In relation to the subject specified
in section 93 of the British North
America act as not falling within these
set forth in section 91, the exclusive
power of the provincial legislature
may be said to be absolute, but this
is not so as regards education, which
is separately dealt with and has its
own code both in the British North
America act and in the Manitoba act.
If, upon the natural construction of
the language used, it should appear
that an appeal was permitted under
circumstances involving a fetter upon
the power of the provincial legislature
to repeal its own enactments, their
lordships see no justification for a
limitation of the construction, nor do
they think it makes any difference
whether the fetter is imposed by ex-
press words or by necessary implica-
tion.

Taking it, then, to be established
that the second sub-section of section
22 of the Manitoba act extends to
the rights and privileges of the
Catholic minority acquired by legisla-
tion in the province after the union,
the next question is that of the
purview of the act.

legislation of 1890, their lordships are
unable to see any ground for con-
sidering any law an affirmative enact-
ment. Contrast the position of the Roman
Catholic prior to and subsequent to
the acts from which they appeal. Be-
fore these were passed into law there
existed denominational schools, of
which the control and management
were in the hands of the Roman
Catholics, who could select the books
to be used and determine the charac-
ter of the religious teachings.

These schools received their propor-
tionate share of the money contribu-
ted for school purposes out of the
general taxation of the province, and
the money raised for these purposes
by local assessment was so far as it
fell upon Catholics applied towards the
support of Catholic schools.

What is the position of the Roman
Catholic minority under the acts of
1890? The schools of their own de-
nomination, conducted according to
their views, will receive no aid from
the state. They must depend en-
tirely for their support upon the con-
tributions of the Roman Catholic
community, while the taxes out of
which the state aid is granted to the
schools provided for by the statute
fall alike upon Catholics and Protest-
ants.

While the Catholic inhabitants re-
main liable to local assessment for
school purposes the proceeds of the
assessment are no longer destined to
any extent for the support of the
Catholic schools, but afford the means
of maintaining schools which they re-
gard as no more suitable for the edu-
cation of Catholic children than if
they were of a distinctly Protestant
character.

In view of this comparison it does
not seem possible to say that the
rights and privileges of the Roman
Catholic minority, in relation to edu-
cation, which existed prior to 1890,
have not been affected.

Justice Taschereau says that the
legislation of 1890 having been ir-
revocably held to be ultra vires it
cannot have illegally affected any rights
or privileges of the Catholic minority.
But the word "ultra vires" has no place
in the sub-section in question and ap-
peal is given if the rights are in fact
affected.

For the reasons which have been
given, their lordships are of the opinion
that the second sub-section of
section 22 of the Manitoba act, as
enacted by the Dominion parliament,
and the appeal to the governor gen-
eral in council was admissible by
virtue of that enactment on the ground
set forth in the memorials and peti-
tions inasmuch as the act of 1890
affected the rights or privileges of
the Roman Catholic minority in re-
lation to education within the meaning
of that sub-section.

The further question is submitted
as to whether the governor gen-
eral in council has the power to make
the declaration or remedial order in
the sub-section in question and ap-
peal is given if the rights are in fact
affected.

Their lordships have decided that
the governor general in council has
jurisdiction, and that the appeal is
well founded, but that the par-
ticular order in question is deter-
mined by the authorities to which it
has been committed by the statute.
It is not for this tribunal to intimate
the precise steps to be taken. Their
general character is sufficiently de-
fined by the third sub-section of
section 22 of the Manitoba act.

It is certainly not essential that
the statutes repealed by the act of 1890
should be re-enacted or that the pre-
cise provisions of these statutes
should again be made law.

The system of education embodied
in the act forming the Manitoba act
commends itself to no doubt com-
mends itself to and adequately sup-
plies the wants of the great majority
of the inhabitants of the province.
All legitimate ground for complaint
would be removed if the system was
supplemented by provisions which
would give to the grievance upon
which the appeal is founded, and if it
were modified so far as might be
necessary to give effect to these pro-
visions.

Their lordships will humbly advise
her majesty that the question of ex-
patriation should be determined in the
manner indicated by the views which
they have expressed.

them and their ways? Now, if the
cases of Catholic children to be edu-
cated in the United States, it might be
largely by means of the project lessons
daily given by the lives of individual
Catholics, the non-Catholic with
whom they are constantly brought
into contact. If to superior purity
Catholics could add a solid reputation
for superior truthfulness as well, does
any one doubt that immediate favor-
able results would begin to be seen
for the cause of the Catholic religion.

The best way to bring this about is
to adapt our teaching methods to the
needs of American life, and if it be
found to be the case that truthfulness,
which is a great need for that life, has
not been made as much of as it ought
to be, then the method should be
modified in that respect. It is not
necessary to dwell much on the subtle
distinctions between falsehood and
prevarication—that is a subtlety that
is best left to the casuists, the frank
minds of children, in the United
States, at least, had better not be
secured by it. Our children ought to
be taught by their teachers to hate
falsehood and deceit in all forms, to
avoid quibbling, not to make a prom-
ise unless sure of being able to fulfil
it, and to keep a promise once
made, at no matter what sacrifice of
pleasure or profit. Let them be
taught systematically, as well as by
the actions and words of their teach-
ers themselves, that a lie, even for a
joke, is an abominable thing and that
all untruth is essentially as dishonest
in character as burglary or highway
robbery.—Catholic Review.

There is a rumor that the Ger-
man Government may soon make
proposals to the centre of the Jesuit
question. A few days ago Count
Frederic Walburgh Wollogg said his
first Mass in the private chapel of
his ancestral castle. As soon as
the Mass was over he was obliged
to leave Germany, on account of
being a member of the Jesuit Order.
During several generations the
Wollogg family has given the
Church one cardinal, eight bishops,
twenty-seven canons, and five
coistered monks. It is a good
evidence of the degree of intol-
erance which religion can be car-
ried when the son of such a family
is obliged to expatriate himself on
account of his vocation. And yet
Protestants talk of Catholic perse-
cution.—True Witness.

We take from the first number
of the Catholic University Bulletin
the following announcement, which
will interest thousands of our read-
ers: For urgent reasons which have
been set forth elsewhere in the pre-
sent number of the Bulletin, it was
deemed advisable to begin the work
of the University with the divinity
school. Accordingly, during the
past five years instructions have
been given by the single faculty
of theology for the benefit of clerical
students. Now, however, that this
central school, in its main
features at least have been organ-
ized our directors have sanctioned
the opening of other schools which
are chiefly intended for the laity.
This is by no means a new idea.
All who have taken an interest in
the University are aware that this
development was intended from
the first by the episcopate and by
the administration. The faculty of
theology, though occupied with their
own special duties, have not
ceased to labor for this end. Indeed
no small portion of their time and
attention has been given to a study
of the methods, principles and or-
ganization essential to the success
of a modern university. Hence they
look forward with satisfaction to
the now certain opening in Octo-
ber of two new schools.—Ex-
change.

Truthfulness as Well as
Purity.

In his "Apologia" the late Car-
dinal Newman made a remark that is
full of suggestion for those who have
the training of the young in Catholic
schools. Speaking of the different
attitudes of mind respectively of
Catholic and Protestants in regard to
morality he expressed it as his opin-
ion that the Catholics lay more stress
on purity than Protestants, and that,
on the other hand, Protestants seem
to make more of the necessity of being
truthful than do Catholics. Of course
he is discussing the two in the
average, without paying attention to
exceptions, and the new motto
"COTTOLENE" for your
WIFE

Blame
YOUR
WIFE

FREE.
OUR BIG
CALENDAR
IS READY.
SEND 2c. STAMP
FOR POSTAGE.
BOOKS OF
ALL KINDS
STATIONERY
AND FANCY
GOODS
CHEAP.
HARRIS & MOORE'S
BOOKSTORE,
VICTORIA ROW.

For Best
Value in
Books,
Stationery,
Fancy Goods,
Toys, etc.

Boots & Shoes
REMEMBER THE
OLD
RELIABLE
SHOE
STORE
when you want a pair of Shoes.
Our Prices are the lowest in town.
A. E. McEACHEN,
THE SHOE MAN,
Queen Street.

K. D. C. The household remedy
for stomach troubles.

REASONABLE
Why shouldn't Goff, Bros. sell Boots
Cheaper than anyone else?

THEY MAKE THEM ON THE SPOT.

John T. Mollish, M. A., LL. B.
Barrister & Attorney-at-Law,
NOTARY PUBLIC, &c.
CHARLOTTETOWN, P. E. ISLAND
Office—London House Building.

Collecting, Conveyancing, and all kinds
of Legal Business promptly attended to
Investments made on best security. Mon-
day—2c.

PATENTS
GAVENTS, TRADE MARKS
COPYRIGHTS.

CAN I OBTAIN A PATENT? For a
Legal Business promptly attended to
Investments made on best security. Mon-
day—2c.

North British and Mercantile
FIRE AND LIFE
INSURANCE COMPANY
—OF—
EDINBURGH AND LONDON.
ESTABLISHED 1866.

Total Assets, 1891, - - - \$90,032,727.

Public Political Meeting
A Public Meeting, for the discussion
of the political questions of the day will
be held at Murray Harbor South Hall
on TUESDAY, the 12th day of February,
instant, at 8 o'clock, p. m.
The Hon. Senators Ferguson, and
Proves and Alexander Martin, Esq.,
are invited to address the meeting.
Secy. East Queen's Lib. Con. Ass'n.
Murray Harbor South, Feb 5, 1896.
Feb 6-11.

Epps's Cocoa
BREAKFAST—SUPPER.

LOST!
Half the pleasure of cooking
without a
HIGHLAND RANGE
(American).
Fennell & Chandeer.

LONDON HOUSE
NEW
FALL
GOODS.

We are now showing a fine stock of Ladies
Jackets, Fall Hats, Feathers, Trimmings, and have a
first-class Milliner on the premises.
Piles of beautiful Dress Goods and Braid Trim-
mings.
Fur Capes, Jackets, Muffs, at prices lower than
ever.

HARRIS & STEWART
LONDON HOUSE.

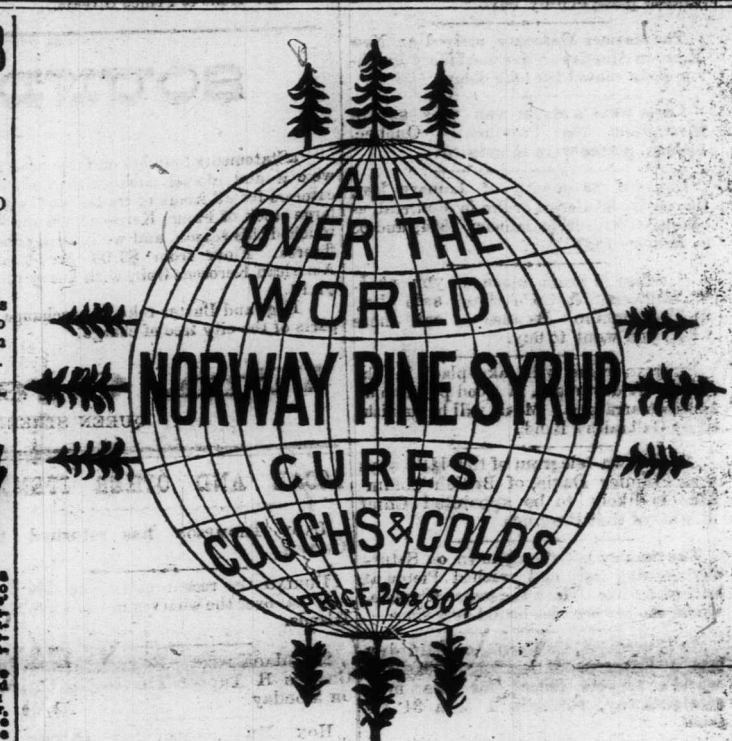
Jewel Stoves
—ARE FOR SALE ONLY BY—

R. B. NORTON & CO.
—AT THE—
CITY HARDWARE STORE.

311 Jewel Stoves are now in use on P. E. Island, and
everyone has given full satisfaction. The wrought Steel
oven is a splendid baker. We guarantee the Jewel to use
40 per cent less coal than any other stove made. A full
line in stock. Cook Stoves and Ranges, Hall Stoves,
Parlor Stoves and all kinds of heaters.
R. B. NORTON & CO.
SOLE AGENTS.

REASONABLE
Why shouldn't Goff, Bros. sell Boots
Cheaper than anyone else?

THEY MAKE THEM ON THE SPOT.



Still the Rush Continues.

Every day brings new faces to our great Sale. From
the north and from the south, from the east and from the
west, they come to attend the great sale now going on at
Prowse Bros.
It is a sale you only see once in a lifetime. The dis-
counts as advertised are given—20, 25 and 30 per cent off
every dollar you buy. Do you think it any wonder the rush
continues?
Every line of goods kept by us going at astonishingly
low prices.
Astonishing because in the history of buying or selling
we know of nothing to compare in genuine cheapness with
our elegant stock of goods. We therefore inaugurate the
rarest bargain month we have ever presided over. You
must see these goods and prices whether you want to buy or
not. It will give us great pleasure to have every lady ex-
amine our goods and compare prices. Fur Capes, Fur
Robes, Fur Goods, Ready-made Clothing, Dress Goods,
Sacsques, Mantles, etc., all going at 25 per cent discount.
To us you must come if you have any respect for your purse
and your family. We will expect to see you soon. Now,
don't miss this opportunity of buying cheap.

Prowse Bros
The Farmer's Boys and Wonderful Cheap Men

LOST!
Half the pleasure of cooking
without a
HIGHLAND RANGE
(American).
Fennell & Chandeer.

LONDON HOUSE
NEW
FALL
GOODS.

We are now showing a fine stock of Ladies
Jackets, Fall Hats, Feathers, Trimmings, and have a
first-class Milliner on the premises.
Piles of beautiful Dress Goods and Braid Trim-
mings.
Fur Capes, Jackets, Muffs, at prices lower than
ever.

HARRIS & STEWART
LONDON HOUSE.

Jewel Stoves
—ARE FOR SALE ONLY BY—

R. B. NORTON & CO.
—AT THE—
CITY HARDWARE STORE.

311 Jewel Stoves are now in use on P. E. Island, and
everyone has given full satisfaction. The wrought Steel
oven is a splendid baker. We guarantee the Jewel to use
40 per cent less coal than any other stove made. A full
line in stock. Cook Stoves and Ranges, Hall Stoves,
Parlor Stoves and all kinds of heaters.
R. B. NORTON & CO.
SOLE AGENTS.